

**GLENORCHY PLANNING AUTHORITY
AGENDA
TUESDAY, 12 JUNE 2018**



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

The General Manager certifies that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.



Tony McMullen
General Manager

7 June 2018

- * **Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.**
- * **All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.**

Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE	3

3.	PECUNIARY INTERESTS.....	3
4.	CONFIRMATION OF MINUTES	3
5.	PLANNING SCHEME AMENDMENT REQUEST PLAM-18/01: AMENDMENT TO HOBART SHOW GROUND SPECIFIC AREA PLAN - ADDRESS 2 AND 20 HOWARD ROAD, GLENORCHY.....	4
6.	PROPOSED USE AND DEVELOPMENT - ALTERATIONS AND CAR PARK EXTENSION AT EXISTING POLICE STATION (BUSINESS AND PROFESSIONAL SERVICES) - 315-319 MAIN ROAD GLENORCHY	32
7.	PROPOSED USE AND DEVELOPMENT - 213 LOT RESIDENTIAL SUBDIVISION WITH LOTS FOR LOCAL BUSINESS, PUBLIC OPEN SPACE AND UTILITIES - 231 MAIN ROAD, 241 MAIN ROAD AND 261 MAIN ROAD	58

1. PLANNING AUTHORITY DECLARATION
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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 14 May 2018 be confirmed.

**5. PLANNING SCHEME AMENDMENT REQUEST PLAM-18/01:
AMENDMENT TO HOBART SHOW GROUND SPECIFIC AREA
PLAN - ADDRESS 2 AND 20 HOWARD ROAD, GLENORCHY**

Author: Strategic Planner (Lyndal Byrne)

Qualified Person: Strategic Planner (Lyndal Byrne)

Property ID: 3367019

REPORT SUMMARY:

Application No.: PLAM-18/01

Applicant: JMG Engineers and Planners on behalf of Royal Agricultural Society Tasmania

Owner: Royal Agricultural Society Tasmania (RAST)

Existing Zoning: Community Purpose

Existing Land Use: various events (including Hobart show, animal shows, wine shows and markets), warehouses, showrooms and caravan park

Proposal In Brief: To make various changes to the existing Hobart Show Ground Specific Area Plan, including allowing *General retail and hire* uses on the site

Representations: Advertising occurs after the amendment is initiated

Recommendation: Council initiate and certify the amendment, subject to modifications, and place it on public exhibition for 28 days

REPORT IN DETAIL:

PROPOSAL: The amendment seeks to modify the existing Hobart Show Ground Specific Area Plan (the SAP) that applies to the site. (Refer to Attachment 1 – draft amendment document)

The changes essentially allow land to the south-west of the Bunnings Warehouse to be redeveloped for a *General retail and hire* use (the ‘Spotlight and Anaconda’ development) and for some additional uses (veterinary centre, domestic animal training, emergency services, go-kart track and temporary backpacker hostel).

The applicant says these changes are required to keep the Showgrounds financially viable in terms of both general expenses and to enable the development of a new Showground Pavilion (Building 4 on the Masterplan, refer to Figure 1). Further upgrades and construction of the other buildings identified on the masterplan will occur over time subject to funding.



Figure 1 – Building locations on draft masterplan

The 'Spotlight and Anaconda' development proposal is not part of the amendment request. Should the amendment be approved, an application for the proposed development would need to be lodged and assessed through the planning permit application process.

In summary, the requested changes to the SAP are:

- Reword the Local Area Objectives to make them clearer and delete the implementation strategies as they are not used in decision making.
- Include a new Clause F7.3 Application Requirements to allow the planning authority to request a landscape plan and a design response for the widening of Howard Road.
- Modify Clause F7.4 Use Table to:
 - Make the show event and *Passive recreation* No Permit Required uses, which is consistent with the primary use of the site.

- Allow for the training of domestic animals rather than only stabling animals. Stabling would be an ancillary element of the Show event (or other animal shows) and does not need to be separately listed. Domestic animal training is considered an appropriate use for the site.
- Remove the prohibition of 'garden and landscape supplier' (included under *Bulky goods sales*) as it may impact on the operation of Bunnings or similar new uses to the site.
- Introduce a veterinary centre (under *Business and professional services*) as a Discretionary use. Many activities (animal shows, and potentially domestic animal training) occur outside the show event, so an independent veterinary centre may be appropriate.
- Prohibit a library, museum and public art gallery under the Discretionary use class of *Community meeting and entertainment* as these are best located in an activity centre.
- Include *Emergency services* as a Discretionary use, as it is a permitted use in the Community Purpose Zone.
- Remove primary and secondary schools from the Discretionary use class of *Education and occasional care*, and only allow for an employment training centre. Schools are considered inappropriate for the site.
- Introduce *General retail and hire* as a Discretionary use, but require each tenancy to be a minimum of 500m² and prohibit supermarkets. This will prevent small shops establishing on site potentially drawing these uses away from adjacent activity centres.
- Prohibit bottle shops from establishing on site as these are more appropriately located in activity centres.
- Include go-kart track (*Motor racing facility*) as a Discretionary use as it may be an appropriate use outside of the show event.
- Introduce a temporary backpacker hostel, limited to 120 days per annum (*Visitor accommodation*), as a Discretionary as it can provide for accommodation in the peak tourist season.
- Modify Clause F7.5.1 Discretionary uses to:
 - Include *Business and professional services* and *General retail and hire* within the 30,000m² floor area cap on the site for non-show related uses; and delete clearance sales outlet as this is a permitted use (Clause F7.5.1 A1).
 - Change the provisions on amenity impacts so they focus on planning matters (environmental nuisance is dealt with under the *Environmental Management and Pollution Control Act 1994*) (Clause F7.5.1 P2).

- Require Discretionary uses to be consistent with the Local Area Objectives. This ensures the objectives are considered during assessment (Clause F7.5.1 P3).
- Ensure adequate area is available for the Show Event's continued operation by limiting the location of discretionary uses (Clause F7.5.1 A4 and P4).
- Include the existing applicable standard for *Manufacturing and processing* (currently Clause F7.4.2) within this Clause on Discretionary uses (Clause F7.5.1 A5 and P5).
- Include a new applicable standard on internal access roads (Clause F7.6.4). As Hobart Show Ground SAP provides for a number of uses to operate on site, the internal road layout, provision for parking, and pedestrian movement must be considered when assessing a proposal.
- Replace Figure F7.1 and F7.2 with revised plans to reflect the new building layout and designation of buildings needed for the show.
- Minor corrections and clarifications.

Full details of the applicant's proposed changes are included in Attachment 2 as a 'track changes' document.

Impacts of Draft Amendment Council officers have had many discussions with representatives of the Royal Agricultural Society Tasmania (RAST) over recent years. Officers have continued to identify the need to prevent 'ad hoc' development of the site, and to ensure any new development does not prohibit the operation of the Show event and its role in providing for community purposes. Concerns about allowing uses that could impact the commercial hierarchy of the municipality's activity centres have also been raised.

Economic viability of the site

The applicant has indicated that allowing the proposed uses (in particular the 'Spotlight and Anaconda' redevelopment) will ensure the economic viability of the site.

The applicant has indicated that until about 10 years ago, the Hobart Show generated enough income to sustain its activities all year round. Over recent years, however, the Show has not enjoyed financial success and rapidly increasing outgoings have significantly impacted on its sustainability. The Bunnings development (facilitated under Planning Scheme Amendment PLAM-12/05) was sought to improve revenue streams for RAST and to shore up its viability. PLAM-12/05 created a masterplan for the site, allowing new uses and showing where new buildings and upgrades for the Show would be.

However, despite the financial benefit provided by Bunnings, RAST claims it has been faced with significant expenses (water, rates, insurance, power, etc) and has therefore been unable to do any of the improvements identified in the masterplan.

The 'Spotlight and Anaconda' development, and the introduction of several new uses, are now proposed to assist in financing upgrades to the show infrastructure. (Refer to Attachment 3 - Planning Report, Appendix E Economic Impact Assessment, p3)

The State Government has also committed to providing financial assistance for the new multi-purpose pavilion on the site (Building 4 in Figure 1, above). Amendments to the SAP are also required to provide for the larger footprint of the new pavilion. It is noted however, that State Government funding is dependent on the approval of the 'Spotlight and Anaconda' development. (Refer to Attachment 3 - Planning Report, page 5 and Planning Report - Appendix E Economic Impact Assessment, p3).

The applicant argues that allowing the 'Spotlight and Anaconda' development will lead to a significant community benefit: the redevelopment of a new pavilion for various show and other community events. This in turn will help fund the other building and landscaping upgrades on the site and lead to the sustainability of the Show event.

It is noted, however, that no time frames for the revitalisation works have been identified. (Refer to Attachment 3 - Planning Report - Appendix C – Masterplan - 'Implementation Plan' page 25-26). Further, the estimated value of the new pavilion, at \$1.2m per annum, is not supported by any data on the activities of the RAST (in prior or future years) or investment value and expected 'Return on Investment' of the multipurpose pavilion itself. (Refer to Attachment 3 - Planning Report, page 5 and Planning Report - Appendix E Economic Impact Assessment, p3).

Changes in economic circumstances can be difficult to anticipate, so there is no guarantee that the new pavilion or revitalisation works on the site will occur. However it is considered that the provisions of the draft SAP will ensure that new uses are effectively managed and the Show event can continue to function.

Area available for Show event

The 'Spotlight and Anaconda' development, if approved, will excise a significant area of the site, effectively making the whole south-eastern side of the site unavailable for the show use or other community events. However it is noted that the floor space cap, at 30,000m² could still produce the same outcome under the current SAP – for example the area could be used for another showroom.

The applicant has indicated that there is adequate space to operate the Show in the remaining area of the site. Further, the draft amendment includes provisions to ensure adequate area for the Show event is retained on site where new Discretionary uses are proposed (Clause F7.5.1 P3 and P4). The floor cap will also assist in minimising impact on the Show event (Clause F7.5.1 A1).

However some additional changes are recommended. A restriction of *General retail and hire* uses to Building 6 will minimise impacts, such as car parking, on the broader operation of the site. It is also appropriate that this type of use has good access to Howard Road, rather than relying on an internal service road access. Locating such uses elsewhere on the site is likely to cause customer inconvenience and may have potential safety impacts / customer interface problems given the range of uses permissible on site.

The inclusion of a table indicating the area required for the show operation is also recommended (Table F7.1 Area required for operation of the Hobart Show). This will assist the community and the Planning Authority to understand the impacts of new uses on the operation of the show. (This information has been extracted from the Planning Report – Appendix C Masterplan, p 10).

The submitted masterplan drawing at Figure F7.1, has been modified to show a setback of 14m from the side boundary for Building 1 (rather than the 11m on the submitted plan). This will ensure that any new building constructed in this location provides adequate setback for construction of a service road. This is consistent with the setback shown under the current masterplan.

(Refer to Attachment 2 – track change version of SAP – where officer recommended changes are highlighted).

Impacts on Activity Centres

The City has invested significant resources into the CBD Revitalisation Project to improve and activate the civic centre. Ensuring that the focus for retail remains on the Glenorchy CBD, Main Street Moonah and the Claremont Shopping Centre will ensure that Council's retail hierarchy remains strong, and resources available to support investment and promote positive amenity outcomes are focused on these areas. Allowing the unrestricted establishment of out-of-centre retail areas, like that proposed, is likely to have negative impacts on existing centres, and may dilute the benefits of these upgrades.

The Glenorchy / Moonah Activity Centre is focused on bulky goods and commercial activity and runs along Main Road and Derwent Park Road. (Refer to Figure 2). This area is within a Commercial Zone, where *Bulky goods sales* are permitted, and *General retail and hire* uses are discretionary.

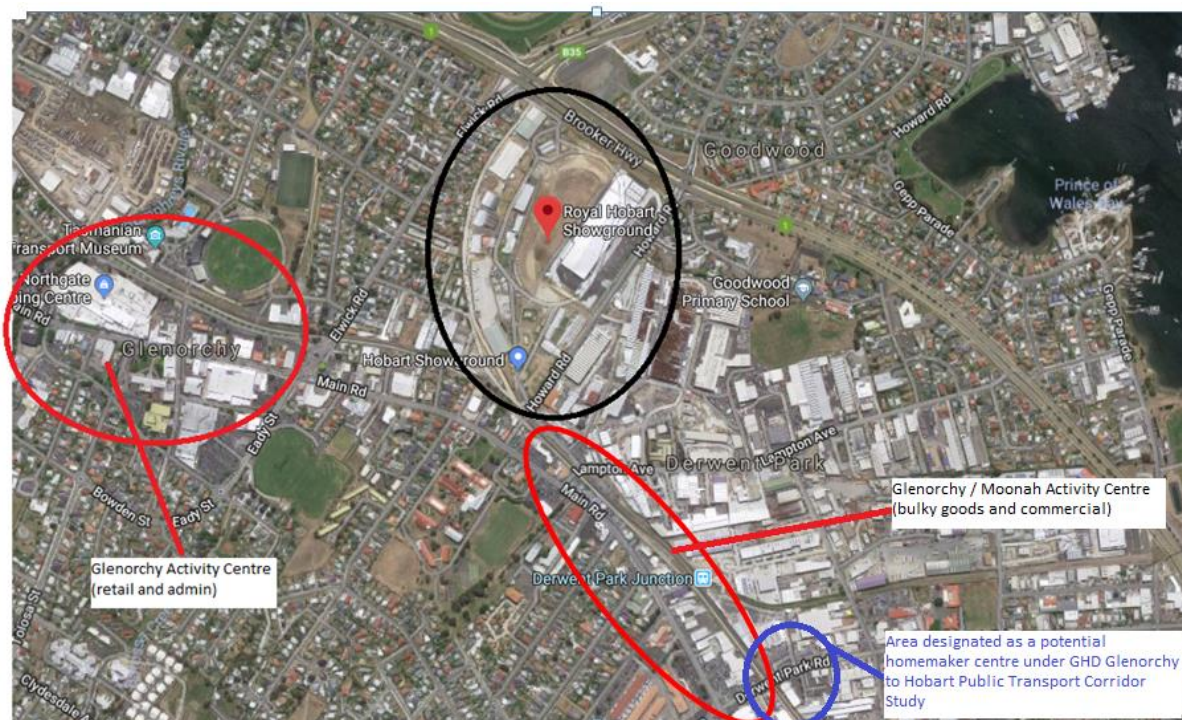


Figure 2 – Glenorchy Activity Centres

In order to protect the operation of the City's retail hierarchy and prevent the potential 'drain' of these types of uses from surrounding activity centres the current SAP includes a floor area cap. The cap limits non-show related uses (*Bulky goods sales, Food services, Hotel industry, and Service industry*) to 30,000m² over the total site. The draft amendment retains the existing floor area cap at 30,000m² and the new uses of *General retail and hire* and *Business and professional services* (veterinary centre) are included under it.

If approved, the 'Spotlight and Anaconda' proposal at 8,080m² would bring the cap level to 28,043m² leaving 1,872m² for new non-show related uses on site.

The Economic Assessment submitted by the applicant indicated that the impact of the proposed 'Spotlight and Anaconda' development is forecast to be -1.0% on the activity centres and precincts within the catchment (or -\$16.2 million). The analysis indicates that the assessed one-off impact represents less than one year of local spending growth for catchment area residents and, in this context, is quite modest. The applicant concludes that the draft amendment to the SAP will not have a detrimental economic impact on the commercial viability of any activity centre. Council's acting Manager City Strategy and Economic Development, was satisfied with the findings of the report.

It is noted that the *Glenorchy to Hobart Public Transport Corridor Study, October 2016* (prepared by GHD for the Glenorchy City Council and Hobart City Council Joint Steering Committee) identifies the corner of Main Road and Derwent Park Road as an area where large format retailing could be consolidated and could provide a *destination shopping experience featuring large scale retail within a village setting*. (Refer to Figure 2, above).

Due to the need to respond to significant planning reform introduced by the State Government (development of the GIPS 2015 and, subsequently, the Local Provisions Schedule) Council officers have not been able to undertake the necessary work to gain a comprehensive understanding of the economic and land use factors occurring in this area of Derwent Park and Moonah. While the applicant has provided an Economic Assessment which indicated the impacts of introducing new uses (such as *General retail and hire*) to the showgrounds site on the surrounding activity centres will be minimal, as this potential homemaker centre is yet to be fully realised it would not have been considered by the applicant. The potential for this area needs to be protected however, and a precautionary approach in determining appropriate uses for the Showground site is warranted.

One outcome of supporting an amendment to allow for new uses on a site is that it may encourage others to seek similar changes. In order to send a clear message that the draft amendment is only supported because it will provide for the reinvigoration of the Showgrounds site, restrictions on the *General retail and hire* uses are required. Excluding supermarkets and limiting *General retail and hire* uses to ones that have a minimum floor area of 500m², will prevent many retail activities establishing on the site. Council officers are also recommending that retail activities be restricted to locating only within Building 6. This will leave a very limited opportunity for retail uses to establish on site and will assist in channelling them to the appropriate activity centre. (Refer to Attachment 2 – track change version of SAP – where officer recommended changes are highlighted).

Traffic impacts

Council's Traffic Engineer was satisfied with the proposal. Upgrades to Howard Road, including a new access road to the site and for the 'Spotlight and Anaconda' development are identified in the urban design plan. These upgrades would need to be considered as part of a planning permit application for the proposal and the requirement for a 'design response' plan to address this matter is included in the draft amendment [Clause F7.3 (b)].

The introduction of retail development to the site is likely to increase traffic at the Howard Road/Lampton Avenue junction and the Lampton Avenue/Main Road junction. However the additional traffic is not expected to have a material effect on the operational efficiency of either junction. (Refer to Attachment 3 - Planning Report, Appendix D Traffic Impact Assessment, pp 17-19)

Impacts on residential amenity

The existing provisions to protect residential amenity have been retained in the draft amendment. Changes have been made to link the Local Area Objectives of the site to the assessment of Discretionary uses [Clause F7.5.1 P3] and to provide for a planning based assessment of impacts rather than using the provisions of the *Environmental Management and Pollution Control Act 1994* [F7.5.1 P2].

It is recommended that this clause be modified to also include impacts on adjacent residential uses. (Refer to Attachment 2 – track change version of SAP – where officer recommended changes are highlighted).

Conclusion

If approved, the draft amendment would give RAST a second chance to upgrade the site facilities and promote the site for community events – not just for the annual show. It is noted that this was the anticipated outcome from the Bunnings development. However in this case, the State government has indicated it will contribute to the funding of the new pavilion. While the potential for additional funding is not a planning consideration, the potential development of a new pavilion and revitalisation of the site would be a significant community benefit.

The new provisions of the SAP require non-Show event uses to be located in certain areas. This will ensure the continued operation of the show and other community events remains the priority of the site. Further, retail uses are to be included in the existing floor area cap and limited in size and where they can be located on the site. This will prevent many types of retail uses locating on the site and will therefore minimise negative impacts on surrounding activity centres.

Given the significant community benefit and that the draft SAP will minimise impacts on the City's retail hierarchy, the amendment is considered acceptable.

SITE AND LOCALITY:

The subject land is located at 2 and 20 Howard Road, Glenorchy (Refer to Figure 3).

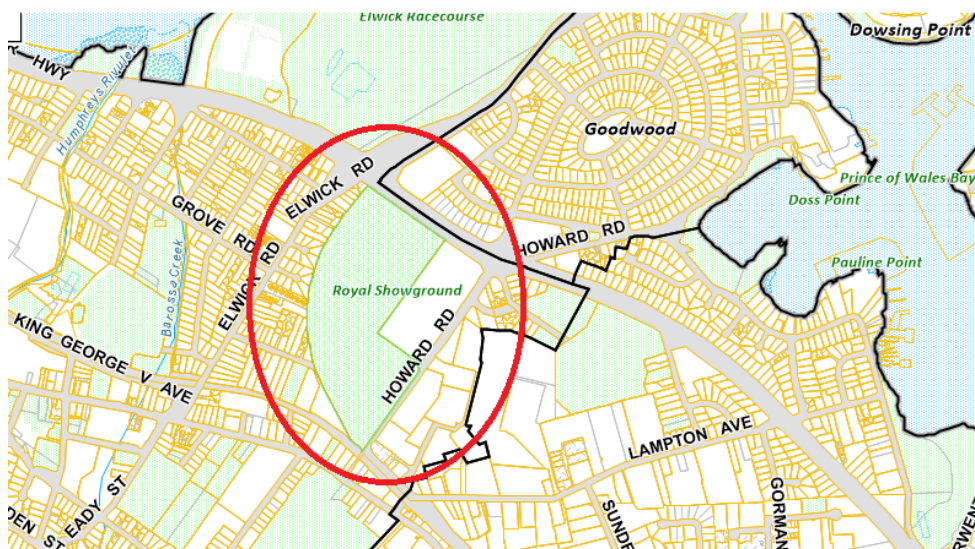


Figure 3 – Location Plan

The land comprises certificates of title: 168694/1 and 168623/1 and has a total area of 16.83 hectares. The property is boarded by Brooker Highway for 390m and has a frontage to Howard Road of 536m. The site also has access to Elwick Road via a service road, and to Knoll Street.

The site is developed with a number of pavilions and stables, two grandstands, warehouses, showrooms, administration buildings, and a single dwelling. The site provides for a number of events (the Hobart Show, wine, car and animal shows), a market, caravan park and areas for car parking associated with other uses off site (an Indoor Paintball Facility at 8 Knoll Street). (Refer to Figure 4 – aerial image).

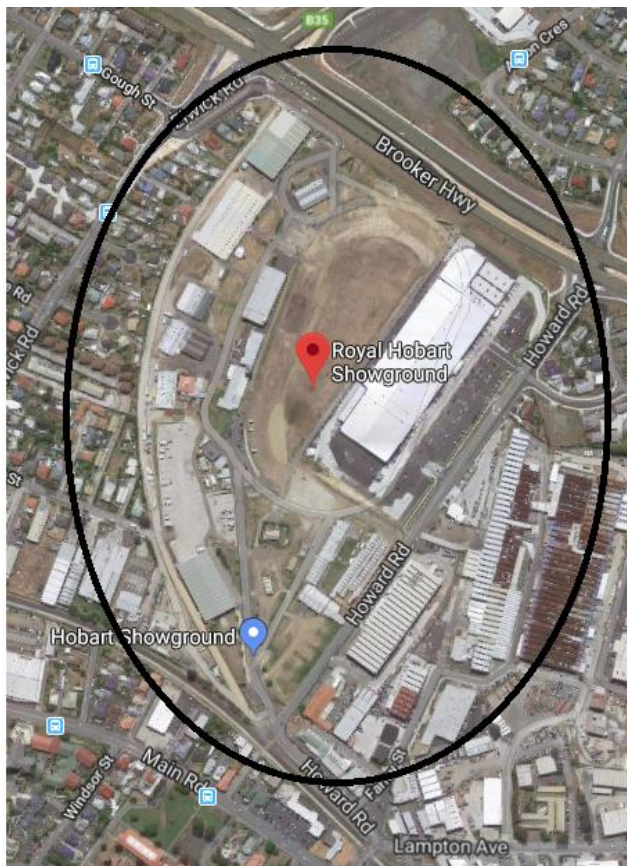


Figure 4 – aerial image

Land to the north-west is primarily single lot residential development, with land to the south and south-east providing a range of industrial activities, showrooms, and some non-conforming residential uses. A small precinct of single dwellings, located off Timsbury Road, is to the north-east. Land on the northern side of the Brooker Highway is owned by the Crown (State Growth and DPIWE), with the Elwick Race Course and the Derwent Entertainment Centre further to the north-west.

The Glenorchy activity centre (retail and administrative centre) is about 1km west of the southern-most tip of the site (at Howard Road). The Glenorchy / Moonah activity centre (bulky goods and commercial) is about 80m south of the site and extends along Main Road.

The *Glenorchy to Hobart Public Transport Corridor Study*, GHD, October 2016, also identified the Derwent Park Main Road intersection, as having potential to evolve into a 'homemaker centre' should the Light Rail Transit corridor be developed. (Refer to Figure 2, above).

BACKGROUND:

Planning Scheme Provisions

The site is included within the Community Purpose Zone of the Glenorchy Interim Planning Scheme 2015 (GIPS 2015) Refer to Figure 5. There are no spatial codes affecting the site. The site is affected by the Hobart Show Ground Specific Area Plan.

Land surrounding the site is within a range of zones – with an Inner Residential Zone to the west, a Light Industrial Zone to the south-west, a Commercial Zone to the south, a General Industrial Zone to the south-east, a General Residential Zone to the north-east and an Open Space Zone to the north. The Brooker Highway and Elwick Road to the north and north-east, and Main Road to the south, are within a Utilities Zone.

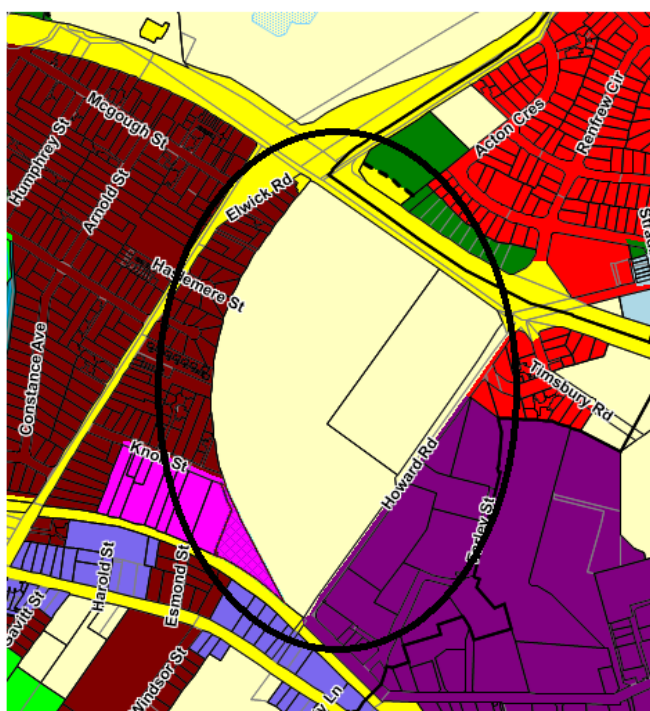


Figure 5 - Zoning

Planning Scheme Amendments

Planning Scheme Amendment PLAM-12/05 was approved on 18 October 2013 and introduced the masterplan for the site (which now forms the current Hobart Show Ground SAP).

The intent of the masterplan was to provide for a range of uses – particularly the Bunnings Warehouse development – which would generate a significant financial benefit to the RAST and enable the renewal of the site following construction of the new buildings identified in the masterplan. These on-site improvements would therefore provide a significant community benefit.

It is noted that in assessing PLAM-12/05 and allowing for a range of uses beyond those permissible under the Community Purpose Zone, Council officers sought to ensure that the new uses would be limited to protect the commercial hierarchy of the municipality's activity centres, and ensure the Showgrounds remained a focus for community events. This was identified in the initiation report prepared on PLAM-12/05:

'Council has very much discouraged incremental or piecemeal development of the site and previous discussions have been themed with the proviso that future development should be related to the 'use of the site and the ongoing viability of the Show.'

Planning permit applications

Various planning permits have been granted for the site including:

- PLN-14-024 – Demolition, Miscellaneous Use (Bunnings Warehouse) and signage, permit granted 7 April 2014.
- PLN-15-148 – Miscellaneous Use (Hotondo Homes – office and showroom for 'display home' information), permit granted 10 August 2015.
- PLN-15-196 – Extension to car parking for Bulky goods sales (Bunnings warehouse) permit granted 1 October 2015.
- PLN-17-204 – Additions to Home Display Centre (Bulky goods sales) – Brooker Pavilion, permit granted 15 September 2017.
- PLN-17-253 – Warehouse (Storage), permit granted 10 October 2017.

Extension of time for assessment of amendment request

The planning scheme amendment request was received by Council on 16 January 2018 and made valid on 2 February 2018. A request for further information was sought on 22 February 2018 and satisfied on 14 May 2018. Under Section S33(3), former provisions, of the *Land Use Planning and Approval Act 1993* (LUPAA), the 42 day time frame for assessment would have expired on 5 June 2018 - prior to the 12 June 2018 GPA meeting.

A request was made to the Tasmanian Planning Commission (TPC) for an extension to the assessment time frame until 15 June 2018. However at the time of writing this report, a response had not been received from the TPC.

Introduction of the Local Provisions Schedule

If the amendment is initiated, it will be exhibited prior to the exhibition of the Local Provisions Schedule (the local content of the new State Planning Scheme). A number of formatting and transitional changes will be required to translate the SAP into the new provisions including:

- Converting the application requirements into applicable standards.

- Converting the floor space qualifications in the use table to applicable standards.
- Rewording the performance criteria introductory wording from: 'must satisfy all of the following' to 'having regard to'.

It is recommended that these changes are not made until the SAP, if approved, is to be inserted into the Local Provisions Schedule, as different formatting and terminology will create inconsistency within the GIPS 2015 and may lead to interpretation conflicts.

STATUTORY REQUIREMENTS:

Matters for consideration under the Land Use Planning and Approvals Act 1993 (LUPAA)

Section 20(1), former provisions, of LUPAA is relevant in that a planning scheme amendment is also considered to be the making of a planning scheme. Under this provision, the draft amendment must, in the opinion of the planning authority:

- Seek to further the objectives set out in Schedule 1 of LUPAA.
- Be prepared in accordance with State Policies made under [section 11](#) of the [State Policies and Projects Act 1993](#).
- Have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the [Local Government Act 1993](#) as adopted by the council at the time the planning scheme is prepared.
- Have regard to the safety requirements set out in the standards prescribed under the [Gas Pipelines Act 2000](#).

Section 33(2B), former provisions, of LUPAA requires that before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider: -

- whether the requested amendment is consistent with the requirements of section 32, former provisions; i.e.
 - Must as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.
 - Must not conflict with the requirements of section 30O, former provisions, (i.e., be to a local provision of the scheme, not conflict with a planning directive, and be, as far as practicable, consistent with the regional strategy).
 - Must have regard to the impact that the use and development permissible under the amendment will have on use and development of the region as an entity in environmental, economic and social terms.

- Any representation made under [section 30I](#), former provisions, and any statements in any report under [section 30J](#), former provisions, as to the merit of a representation, that may be relevant to the amendment.
- The advice of a person with the necessary qualifications and experience (section 65 of the Local Government Act 1993).

ASSESSMENT OF AMENDMENT REQUEST

Planning Assessment: A planning assessment of the merits of the proposed amendment under the legislative requirements is provided below.

Consistency with the Objectives of Schedule 1 of LUPAA

The “Part 1” objectives of the resource management and planning system of Tasmania are –

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;***

The site is an existing urban area and with various development (buildings, roads, hardstand areas and an open arena) across the site. It has been largely modified from its natural state. There are no waterways or significant vegetation on the site, nor is it known to provide habitat for any native fauna. The proposed changes to building areas under the masterplan and opportunity for the introduction of new uses will not have a direct impact on ecological process or genetic diversity.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water;***

The draft amendment provides for site-specific controls and implementation of a masterplan for the site, thereby providing for the orderly development of land.

The draft amendment seeks to enhance the functional efficiency of the site for a range of events by allowing some additional uses that are not related to the show event or serve a community purpose role. However the provisions of the modified SAP include limits on where these non-event uses can be located on site, floor size restrictions and a limit on the aggregate gross floor area for *Bulky goods sales, Food services, Hotel industry, Service Industry, General Retail and Hire, and Business and Professional Services* across the site. It is anticipated that these restrictions will protect the existing retail hierarchy of the municipality yet still provide opportunities to sustain the ongoing operation of the site for community purposes.

The site is serviced with existing access to sewer, water, roads, telecoms and power, and can be developed in a sustainable manner.

(c) to encourage public involvement in resource management and planning;

The statutory process for a section 33, former provisions, amendment request 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 (TPC), which in turn may hold public hearings into representations.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);

It is anticipated that the draft amendment will facilitate new employment opportunities and economic activity to occur on the Royal Showgrounds site.

It is understood from the applicant that funds received from the 'Spotlight and Anaconda' development will fund the redevelopment of the remainder of the site facilitating improved amenity for site users through new pavilions, modern facilities, improved vehicular access, and improved Royal Hobart Showgrounds outdoor areas.

(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;

The assessment process promotes the involvement of the public as well as local and state government.

The "Part 2" objectives of the resource management and planning system of Tasmania are –

(a) to require sound strategic planning and co-ordinated action by State and local government;

The amendment has been prepared with respect to relevant strategic outcomes of State and Local Government. The consistency of the draft amendment with Council plans and strategies, the Southern Regional Land Use Strategy and State Policies is discussed later in this Report.

(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;

The proposal is seeking to amend the planning scheme by modifying the existing SAP. The SAP has been prepared with respect to the existing provisions of the GIPS 2015 to achieve the strategic intents consistent with relevant objectives and policies.

A detailed assessment of the draft amendment is considered in the section on 'Impact on Glenorchy Interim Planning Scheme 2015' below.

- (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;**

The draft amendment *per se*, will not have an impact on the environment. However it is noted that the site is within an existing urban area and has been substantially modified.

Applicable Standards for Discretionary uses under the SAP area mandate that the use must not have an unreasonable impact on the amenity or operation of other uses on the site, and *Manufacturing and processing* uses, in particular, must limit any adverse impacts caused by emissions.

The Use Table and Applicable Standards for Discretionary uses also limits the size, gross floor area and location of 'non-show related' uses. This will ensure that the primary function of the site remains as a major events facility and that future development does not undermine the existing retail hierarchy or the opportunity to facilitate community events.

- (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;**

As the draft amendment seeks to modify the existing GIPS 2015 provisions, this objective is not directly applicable. However the draft amendment has been prepared with consideration to the broader sustainable development context of the objectives of LUPAA.

- (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;**

The draft amendment has been referred to Taswater, State Growth and Tasrail. Should the amendment be approved, any planning permits sought under the SAP will be referred to the appropriate agencies.

- (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;**

The provisions of the SAP seek to promote on-site amenity and safety, and improve pedestrian links through the site. The opportunity for improved event pavilions and open space areas being developed on the site (noting the retention of the existing applicable standard at Clause F7.6.3 on *Crime prevention through Environmental Design*) will create a pleasant and safe site for community events.

- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;**

The existing show pavilion buildings have not been identified as having local or State heritage values. It is also noted that the current masterplan under the SAP allows for the existing buildings to be redeveloped.

- (h) 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;**

The site is located where it is capable of being serviced by public infrastructure. Future applications will need to ensure that they do not impact on provision of orderly infrastructure.

- (i) to provide a planning framework which fully considers land capability.**

The draft amendment seeks to modify the existing SAP that applies to the site and does not seek changes to the underlying Community Purpose Zone. While the intent of the amendment is to facilitate new uses on the site (primarily *General retail and hire*), the provisions of the draft amendment seek to limit the area and size of these uses to prevent negative impacts on adjacent activity centres.

Given the urban location of the site, its proximity to the Brooker Highway and availability of existing services to the site, the site is considered to be capable of facilitating the draft amendment's proposed new land uses.

Consistency with State Policies

State Policy on Water Quality Management 1997

The draft amendment *per se* would not result in an increase in sediment transport to surface waters.

Subsequent planning permit applications will be required to be assessed under the Stormwater Management Code.

State Policy on the Protection of Agricultural Land 2000.

The proposal does not involve the conversion of prime agricultural land to non-agricultural use, and is not inconsistent with this policy.

State Coastal Policy 1996.

The subject land is about 540m, at it closest point, from the high-water mark and is therefore within the coastal zone. The site is within an urban area, and developed for urban uses (showrooms, warehouses, Show event arenas and grandstand).

The following is an assessment with regard to the three main principles that guide Tasmania's State Coastal Policy:

Principles	Amendment Response
Natural and Cultural values of the coast shall be protected.	<p>The subject site is heavily disturbed, relatively flat land within an existing urban setting and does not contain any significant standing vegetation.</p> <p>Sewerage and stormwater will be required to be disposed of via reticulated infrastructure. The amendment <i>per se</i> does not provide for any new point source discharges to coastal waters.</p> <p>The proposal is not considered to involve any significant impact on the values of:</p> <ul style="list-style-type: none"> ▪ Ecosystems ▪ Natural processes ▪ Geomorphological features ▪ Aquatic environments ▪ Native flora and fauna habitat ▪ Water quality ▪ Natural landscapes. <p>It is therefore consistent with Part 1.1 Natural resources and ecosystems.</p>
	<p>The site is not listed on the Tasmanian Heritage Register or in the GIPS 2015 as a place of heritage significance. If any Aboriginal heritage is identified onsite, that this would be come under the jurisdiction of the <i>Aboriginal Heritage Act 1975</i>.</p> <p>The proposal is accordingly consistent with Part 1.2 Cultural and historic resources and Part 1.3 Cultural heritage.</p>
	<p>The site is well removed from any low lying coastal areas or dune systems and is accordingly consistent with Part 1.4 Coastal hazards.</p>
The Coast shall be used and developed in a sustainable manner	<p>The site, while technically within the 'Coastal Zone', does not contain any land adjoining the Derwent Estuary. It is separated from the surface water by significant areas of existing urban development and is not considered to be a visually sensitive in terms of coastal aesthetic quality.</p> <p>The proposal is accordingly not considered to be adverse to the natural or aesthetic qualities of the coast and is therefore consistent with Part 2.1 Coastal uses and development.</p>

	The SAP allows for Tourism operation on the site. Given that the land is already developed and within the existing urban settlement, allowing for such uses on the site is considered to be consistent with Part 2.3 Tourism.
	The site is located within the existing settlement pattern and can already be developed for a range of urban uses. Accommodating the proposed additional uses, which typically require large amounts of space, within the existing settlement, favours a compact and contained urban settlement. The proposal is accordingly considered to be consistent with Part 2.4 Urban and residential development
	While not public land, the site does cater for large public events such as the Royal Hobart Show. The ongoing use of the site for such events does not involve any development of land along the coast and will not result in any significant impact on the coastal environment. The proposal is therefore consistent with Part 2.8 Recreation.
Integrated management and protection of the coastal zone is a shared responsibility	It is considered that management and protection of the coastal zone will continue to be a shared responsibility by local and State governments.

National Environmental Protection Measures

National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the *State Policies and Projects Act 1993* and are administered by the Environment Protection Authority.

Principle 5 of the NEPM 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.'*

There are no known contamination issues associated with the land.

Consistency with the Glenorchy City Council Strategic Plan 2016-2025

The amendment is consistent with the following objectives of Council's strategic plan:

Open for business

Objective 2.1 Stimulate a prosperous economy

- Strategy 2.1.1 Foster an environment that encourages investment and jobs.

Valuing our Environment

Objective 3.1: Create liveable and desirable City:

- Strategy 3.1.4: Deliver new and existing services to improve the City's liveability.

The plan purpose statements and relevant applicable standards are consistent with these objectives.

Gas Pipelines Act 2000

The western boundary of the site is within the Declared Pipeline Corridor (Refer to Figure 6). However as the amendment request does not include a planning permit application, there is no requirement to refer the proposal to the pipeline licensee.

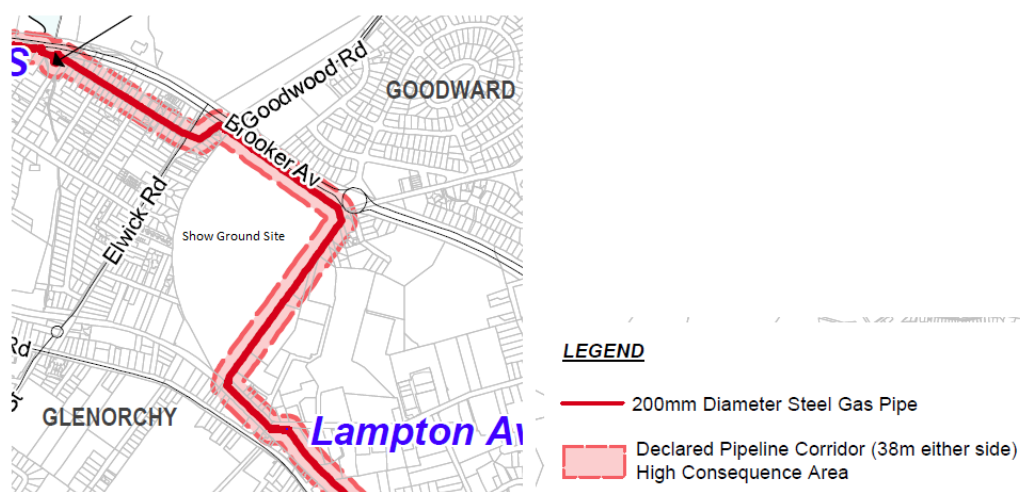


Figure 6 – Location of Declared Pipeline Corridor in relation to subject site.

Potential for Land Use Conflict with Adjacent Planning Scheme Areas

The subject site is not on the boundary of the planning scheme, so direct land use conflicts with the adjacent municipalities are unlikely to occur.

The draft amendment to the Hobart Show Ground SAP still retains provisions to ensure impacts on surrounding residential properties will be minimised, and to minimise negative on-site impacts (such as crime prevention through environmental design and promoting pedestrian safety and amenity on internal access roads and pedestrian links).

Consistency with the requirements of Section 300 of the Act

The draft amendment is considered to be consistent with the requirements of Section 300 of LUPAA as it:

- Involves a change to the local content of the planning scheme as it seeks to modify the existing Hobart Show Ground SAP.
- Is consistent with the *Southern Tasmanian Regional Land Use Strategy, 2010-2035* (STRULS) as the modifications to the Hobart Show Ground

SAP are consistent with the surrounding land use and is appropriate at a local level.

The draft amendment is considered to promote the following strategies of the STRULS:

Part 12 Physical infrastructure

PI 1 Maximise the efficiency of existing physical infrastructure.

PI 1.1 Preference growth that utilises under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of Greater Hobart.

The Hobart Show Ground SAP will allow for the redevelopment of an existing community use site that is within existing reticulated water and sewer grids.

Part 13 Land use and transport integration

LUTI 1 Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.

LUTI 1.5 Locate major trip generating activities in close proximity to existing transport routes and existing higher order activity centres.

The Showgrounds generates significant vehicle movements typically over short periods. The site benefits from dual access points as well as proximity to the Brooker Highway and Main Road in this respect - both of which are key arterial roads and public transport routes.

The area allocated for *Bulky goods sales / General retail and hire* development is considered appropriate, as it will benefit from the existing high degree of road access.

LUTI 1.7 Protect major regional and urban transport corridors through planning schemes as identified in Maps 3 & 4.

The Brooker Highway is identified in the STRLUS as a regional transport corridor. The draft amendment does not require any new access points to the Brooker Highway.

LUTI 1.11 Encourage walking and cycling as alternative modes of transport through the provision of suitable infrastructure and developing safe, attractive and convenient walking and cycling environments.

The masterplan / urban design plan layouts incorporate walking and pedestrian access through the site, with a potential for pedestrian overpass across the Brooker Highway.

Part 18 Activity Centres

AC 1 Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.

AC 1.1 Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.

Activity centres close to the site have various roles: Glenorchy is administrative and retail, whereas Moonah is bulky goods and commercial.

The qualifications applied to the *General retail and hire* use under the draft amendment (a minimum floor area of 500m², specified location within Building 6 and exclusion of supermarkets) will prevent many retail activities establishing on the site. This will assist in redirecting retail uses to the existing activity centres in Glenorchy and Moonah.

AC 1.3 Discourage out-of-centre development by only providing for in-centre development within planning schemes

It is acknowledged that Bunnings warehouse is a significant 'anchor' use and many similar businesses seek to locate in close proximity to it. However, the restrictions on retail development, and the floor area cap for the site, will prevent conversion of the site into an out-of-centre development.

AC 1.8 Ensure that new development and redevelopment in established urban areas reinforce the strengths and individual character of the urban area in which the development occurs.

The redeveloped Showgrounds will be consistent with the established character of the area as the site has a long history of such use. The area allocated for *General retail and hire* is adjacent to industrial developments such as warehouses. The resultant built form of the building with a large floor plate, is considered to be consistent with the character of the area.

Impact of Permissible Use and Development on the Region

The range of permitted and discretionary (or permissible) use categories under the Hobart Show Ground SAP will increase under the draft amendment. The new uses are:

- Domestic animal training.
- A veterinary centre
- Emergency services
- General retail and hire
- Go-Kart track.

Given the urban nature of the site, and the potential for reasonable separation distances of uses from land within a residential zone, it is considered that the proposed uses are appropriate for the area. The intention of the draft

amendment is to allow for a range of uses which will help finance with Show event and potentially lead to the redevelopment and revitalisation of the site. This in turn will improve social and cultural opportunities within the area and the region.

Consideration of any representation under section 30I and statements under section 30J of the Act

No representations were made regarding the subject land, and no statements as to the operation of the proposed zone, relevant to the site, were made during the exhibition and assessment of the Glenorchy Interim Planning Scheme 2015.

Consistency with the Glenorchy Interim Planning Scheme 2015

- Is the draft amendment clear and concise and will it achieve its intended purpose?

The Hobart Show Ground SAP seeks to facilitate a range of uses on the site that are intended to support the financial viability of the Royal Hobart Show. The masterplan concept and the applicable standards seek to ensure development will occur in an orderly manner and provide for quality building design and appropriate and safe management of pedestrians on site during various events.

A Specific Area Plan is the appropriate tool to seek these site specific outcomes.

- Is the draft amendment consistent with the strategy, intent and all relevant objectives and provisions of the planning scheme?

The draft amendment seeks to ensure the Royal Hobart Show can continue operation and that the site transforms into a key community event space.

It is considered that the qualifications to limit *General retail and hire* uses on the site and the retention of the existing floor space cap will protect the retail hierarchy of Glenorchy. This is consistent with Clause 3.0.3 Activity Centres Local Objectives of the GIPS 2015.

- What is the effect of the proposed amendment on the status of use and development?

The following table provides a comparison of the current and modified Use Tables of the Hobart Show Ground SAP (Refer to Clause F7.3 for current Use Table), including modifications recommended by Council officers.

CLAUSE F7.3 (current SAP)		Proposed Clause 7.4 (draft amendment)	
No Permit Required		No Permit Required	
Use Class	Qualification	Use Class	Qualification
		Community meeting and entertainment	If for the purpose of the Hobart Show Event
		Passive recreation	
Minor utilities		Utilities	If for minor utilities
Permitted		Permitted	
Use Class	Qualification	Use Class	Qualification
Community meeting and entertainment	Only if place of worship, cinema, public hall, theatre, clubhouse or function centre.	Community meeting and entertainment	If (a) Not listed as No Permit Required; or (b) For a place of worship, cinema, public hall, theatre, clubhouse or function centre.
Domestic animal breeding, boarding or training	Only if stabling animals.	Domestic animal breeding, boarding or training	If for training domestic animals
General retail and hire	Only if a clearance sales outlet which must not be in operation more than 60 days, whether consecutive or not consecutive, in anyone year, or a market.	General retail and hire	If for (a) a clearance sales outlet which must not be in operation more than 60 days whether consecutive or not consecutive, in anyone year; or (b) a market.
Passive recreation			
Sports and recreation	Only if outdoor recreation facility	Sports and recreation	If for outdoor recreation and not a firing range
Storage	Only if warehouse.	Storage	If for a warehouse.
Vehicle parking		Vehicle parking	
Discretionary		Discretionary	
Use Class	Qualification	Use Class	Qualification

CLAUSE F7.3 (current SAP)		Proposed Clause 7.4 (draft amendment)	
Bulky goods sales	Except if for motor vehicle, boat or caravan sales, timber yard or garden and landscape supplier.	Bulky goods sales	If not for motor vehicle, boat or caravan sales, or a timber yard.
		Business and professional services	If for veterinary centre
Community meeting and entertainment	Except if permitted. Only if art and craft centre.	Community meeting and entertainment	If (a) not listed a No Permit required or Permitted; and (b) not a library, a museum or public art gallery.
Education and occasional care	Only if a primary school, secondary school, or tertiary institution or facility providing for the training and education of persons who have physical or intellectual disabilities	Education and occasional care	If for an employment training centre
		Emergency services	
Food services	Except if a takeaway food premises, or a premises with a drive through facility	Food services	If not a takeaway food premises, or a premises with a drive through facility
		General retail and hire	If (a) not listed as Permitted; and (b) if located within the area nominated for Building 6 in Figure F7.1 Hobart Show ground Master Plan; and (c) each single tenancy is no less than 500m2 in area; and (d) not for a supermarket.
Hotel industry		Hotel industry	If not for bottle shop
Manufacturing and processing		Manufacturing and processing	
		Motor racing facility	If for a go-kart track
Service industry	Except if for motor repairs, auto-electrical repairs, or	Service industry	If (a) not for motor repairs, auto-

CLAUSE F7.3 (current SAP)		Proposed Clause 7.4 (draft amendment)	
	panel beating. Must not exceed 200 m ² in gross floor area.		electrical repairs, or panel beating; and (b) each single tenancy must not exceed 200 m ² in gross floor area.
Sports and recreation	Except if permitted.	Sports and recreation	If not listed as permitted.
Tourist operation		Tourist operation	
Utilities		Utilities	
Visitor accommodation	Only if camping and caravan park or overnight camping area.	Visitor accommodation	If: (a) for a camping and caravan park or overnight camping area; or (b) a temporary backpacker hostel (limited to 120 days per annum)
Prohibited		Prohibited	
Use Class	Qualification	Use Class	Qualification
All other uses		All other uses	

Note: Determining use class status under the Use Table is only one aspect of determining permissibility of a proposal. Permissibility will also be determined based on whether the proposal meets the acceptable solution or performance criteria of any applicable use or development standard within the Scheme.

The range of permissible uses on the site is quite extensive under the draft amendment. However the provisions of the modified SAP will limit the location of many of these uses and will restrict a number of uses, such as small shops, from establishing on site. Should the 'Spotlight and Anaconda' proposal be approved, the floor area cap will almost be met – leaving only 1,872 m² available for the 'non-show' related uses.

Modifications to the SAP to consider impacts on the area available for the Show Event will also limit the establishment of many uses and ensure that the Show event will be able to operate.

Provisions to protect the amenity of adjoining residential land and impacts on existing on site uses are retained, and can be assessed under future planning permit applications.

It is considered that the draft amendment will provide for an appropriate level of flexibility for the RAST to maintain the Show Event, while not having a negative impact on surrounding land.

- What is the effect of the proposed amendment on any specific land and adjacent land?

The draft amendment is not considered to have a negative effect on any specific land. The site provides for a unique community event – the Hobart Show – and the majority of uses permissible support that event or other community purpose activities.

The provisions in the draft amendment protect the amenity of the surrounding residential land, and are also considered to protect the role and operation of surrounding activity centres.

If approved, the ‘Spotlight and Anaconda’ development will increase traffic to the area. However, the impact is likely to be marginal, particularly given the location of the site off the Brooker Highway.

THE PROCESS FROM HERE: Draft amendments to the Glenorchy Interim Planning Scheme 2015, once initiated by the Planning Authority, require public notification in accordance with the requirements of the *LUPAA*. This includes advertising in *The Mercury* on two occasions, one of which is to be on a Saturday, and letters to adjoining owners and occupiers of land where the proposed amendment is site specific.

Any representations received are reported to a future meeting of the Glenorchy Planning Authority for consideration. The Planning Authority is required to then report to the Tasmanian Planning Commission (TPC) on the public notification outcomes and any recommendations leading out of them.

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

The TPC would then assess and decide upon the draft amendment and planning permit application, after taking into account the outcomes of any hearings it may hold.




CONCLUSION The amendment request will be the second time RAST is seeking a greater range of permissible uses on the site in order to fund the Show event. While it does present an opportunity for the City to gain a significant community benefit, the Planning Authority will need to be mindful of any future requests, and the need to ensure the community purpose role of the site is not displaced and that disruption to the operation of surrounding areas does not occur.

The modified SAP will ensure impacts on residential amenity are minimised and that the City’s retail hierarchy is protected. It is also consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the tenor of the Glenorchy Interim Planning Scheme 2015 and is not contrary to any State Policies. For these reasons, the amendment request is supported.

Recommendation:

- A. That pursuant to Section 33(1)(a), former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agree to initiate Amendment PLAM-18/01 to the Glenorchy Interim Planning Scheme, to amend the Hobart Show Ground Specific Area Plan applying to 2 and 20 Howard Road, Glenorchy as shown in Attachment 1 to this report.
- B. That having decided to initiate an amendment, and having prepared that amendment, the Planning Authority certifies pursuant to Section 35, former provisions, of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the requirements specified in Section 32, former provisions, of the Act.
- C. That, in accordance with Section 38, former provisions, 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
- 2  Attachment 2 - Track-change version of Hobart Show Ground SAP
- 3  Attachment 3 - Applicant's Planning Report

6. PROPOSED USE AND DEVELOPMENT - ALTERATIONS AND CAR PARK EXTENSION AT EXISTING POLICE STATION (BUSINESS AND PROFESSIONAL SERVICES) - 315-319 MAIN ROAD GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3367334

REPORT SUMMARY:

Application No.:	PLN-18-083
Applicant:	Philp Lighton Architects Pty Ltd
Owner:	The Crown
Zone:	Commercial
Use Class	Business and Professional Services
Application Status:	Discretionary
Discretions:	23.2 Use Table E5.5.1 A3 Existing road accesses and junctions E6.6.1 P1 Number of Car Parking Spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	12 Jun 2018
Existing Land Use:	Business and Professional Services (Police Station)

Proposal In Brief:	Alterations and car park extension at existing police station (business and professional services)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes alterations and carpark extensions at an existing police station. The proposal includes conversion of a vacant part of the building for office space and creating formal parking on an unsealed area adjoining an existing car park. The new office space would occupy 830m² on Level 2 and is located on the eastern side of the building. The new parking area would provide for thirty-seven spaces. Five existing car parking spaces would be lost to make way for new access aisles. A total of fifty-one spaces would be retained so that there would be an aggregate of eighty-eight spaces on site. The use of the office space and the carpark are in association with the existing use of the police station, which falls under the use class Business and Professional Services. This is a discretionary use within the Commercial Zone. The application is also discretionary because of a parking surplus of nine spaces and because of an increase of more than 20% of vehicular movements using an existing access. The proposal plan is shown in Figure 1 below.

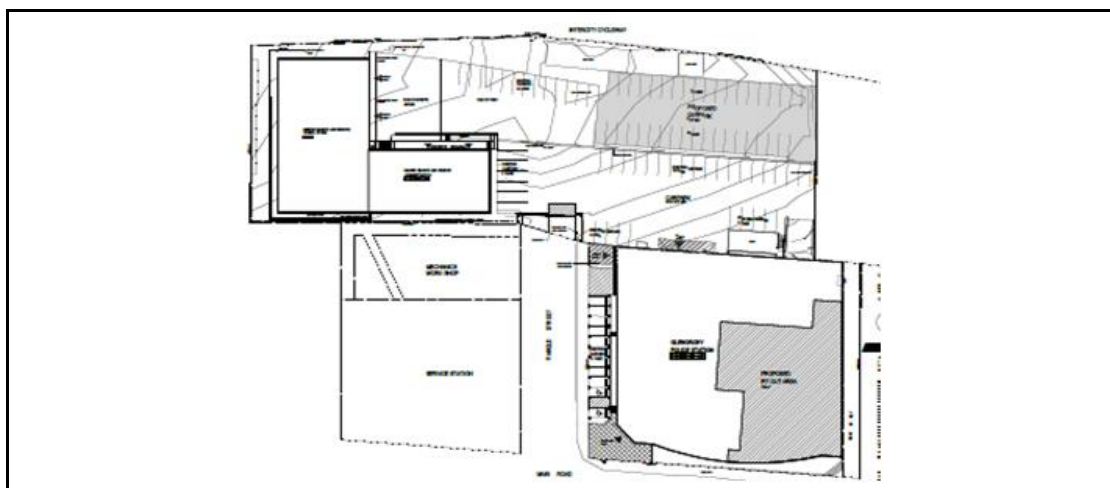


Figure 1: Proposal – Philp Lighton Architects

SITE and LOCALITY

The subject site is known as 315-319 Main Road, Glenorchy and houses the Glenorchy Police Station. There are various titles for the land which are: CT

231469/1; 70051/1; CT120893/2; 231501/1; and 245818/2. The site is located to the east of the Glenorchy Central Business District, between Main Road and the railway reserve, at the T-junction with Harold Road. The site has an irregular shape with an area of 8617m² and contains two buildings and a carpark. The main building is occupied by the police station, whilst the other building is used for marine search and rescue administration and vessel storage. The site adjoins the railway reserve at the back, single dwellings to the east, multiple dwellings to the west and a service station opposite on Harold Street. The extension of the car park would be adjacent to the railway reserve and adjacent to a neighbouring parking area. The site is shown in Figure 2 below.



Figure 2: Subject Site - Council Database 2016

ZONE

The subject property lies within the Commercial Zone and adjoins the Inner Residential Zone on the east and the west, the Utilities Zone to the north and south. The zoning is shown in Figure 3 below.



Figure 3: Zoning Map - GIPS 2015

BACKGROUND

The following approval established the police station:

- PLS43A-12/03 and amendment - Proposed change of use to existing buildings and erection of a new building for use as a Civic Building – Approved 05/07/2013

The above approval allowed for a rezoning and the establishment of the police station in an existing building which was formerly a furniture showroom. Since the approval in 2013, the *Glenorchy Interim Planning Scheme 2015* came into operation so that the land is now within the Commercial Zone and the comparable use class is Business and Professional Services. The above approval allowed for the use of Level 1 and a portion of Level 2 of the main building, leaving 830m² unused, which is now the subject of this application. The above approval, allowed for the construction of the second building that accommodates Marine Search and Rescue Administration and Marine Search and Rescue vessel storage. A permit condition of the above approval required the provision of fifty-two parking spaces based on a traffic impact assessment. There was no set number of car parking spaces for a Civic Building, under the previous Scheme.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No Specific Area Plan applies. The following codes apply and prevail over the relevant Zone provisions if there is any conflict.

- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code

- E5.5.1 A3 Existing Road Accesses and Junctions

Use Class Description (Table 8.2):

The application is in association with an existing police station which falls under the use class of Business and Professional Services. The use is defined in Table 8.2

Use Classes as follows:

Business and professional services

use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

Other relevant definitions (Clause 4.1):

Nil.

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

The planning authority has discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is discretionary under (a) and (b) above as the use is discretionary and because the proposal relies on Performance Criteria. The proposal does not meet the following Acceptable Solutions:

- 23.2 Use Table (discretionary use)
- E5.5.1 A3 Existing road accesses and junctions (increase of 20% of vehicular movements)
- E6.6.1 P1 Number of Car Parking Spaces (9 spaces surplus)

Part C: Special Provisions

Nil.

Part D: Zones

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

Zone Purpose Statements

The purpose of the Commercial Zone is in 23.1 and is as follows:

- To provide for large floor area retailing and service industries.
- To provide for a mix of activities that cannot be accommodated in other Activity Centres and does not compromise the viability of those Centres.
- To provide for development that requires high levels of vehicle access and car parking for customers.

Comment

It is considered that the proposal meets the above intent. The main purpose of the zone is to allow for space-intensive uses such as showrooms and caryards and the like under the use class Bulky Goods which is reflected on the above intent. Nevertheless, the proposed use for Business and Professional Services (Police Station) has already been approved at this location because it could not be located in another Activity Centre i.e. Glenorchy Central Business District within the Central Business Zone. The additional proposed office space would not result in any change in terms of the location of the use within the zoning context and satisfies the above intent.

Use Table

The use of Business and Professional Services is discretionary within the Commercial Zone in 23.2 Use Table, because it does not meet the qualification to be permitted in terms of proposed floor area, which is 830m². The qualification is as follows:

Only a consulting room, medical centre or veterinary centre, or an office in Main Road, Glenorchy within 400m walkable distance of a Central Business Zone and not exceeding 250m² floor area;

Use Standards

There are use standards for Hours of Operations, Noise, External Lighting, Commercial Vehicle Movements and Outdoor Work Areas. The application does not propose any changes to the existing operations. The police station operates 24/7 and is within 50m of a residential zone, which would otherwise invoke a discretion with respect to hours of operations.

Development Standards for Buildings or Works

There would be no external alterations to the existing building so that the Development standards in 23.4 are not applicable.

Part E: Codes

E6.0 Access and Parking Code

The application accords with all Acceptable Solutions of the Access and Parking Code, except as follows:

Number of Car Parking Spaces

The proposal includes additional floor area for office use of 830m² within the use class Business and Professional Services. The rate of car parking spaces under the Acceptable Solution is set out in E6.6.1 A1 which refers to Table E6.1 Number of Car Parking Spaces and is as follows:

Use Class: Business and professional services

Office	1	for each 30m ² of floor area
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The parking situation is as follows:

Context	Number of parking spaces
Existing permit condition	52
Existing spaces on site	56
Loss of existing spaces for new parking layout	-5
Total existing	51 (shortfall of 1)
New office space 830m ² at above rate	27
Proposed new spaces	37
Surplus	10
Existing shortfall	-1
Total surplus	9

According to the above rate there would be twenty-seven spaces required for the additional office space, which would result in a surplus of nine spaces based on the calculations in the above table.

Therefore, the application does not accord with the Acceptable Solution in E6.6.1 A1 and relies on the related Performance Criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

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

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*
- (c) *the availability and frequency of public transport within a 400m walking distance of the site;*

- (d) *the availability and likely use of other modes of transport;*
- (e) *the availability and suitability of alternative arrangements for car parking provision;*
- (f) *any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) *any car parking deficiency or surplus associated with the existing use of the land;*
- (h) *any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) *the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) *any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) *any relevant parking plan for the area adopted by Council;*
- (l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) *whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

Comment

The provision of thirty-seven spaces is considered appropriate at this location and is catering for the needs of the police station. There are no significant trees or any other heritage listings for the property that would be impacted on with the additional parking spaces. Therefore, the proposal is in accordance with the above Performance Criteria and meets the standard through the Performance Criteria. It is noted that the total parking layout provides for eighty-eight spaces.

For further details please refer to the Engineering Assessment under the header Referrals later in this report.

E5.5.1 Existing road accesses and junctions

The proposal does not accord with the Acceptable Solution in E5.5.1 A3 with respect to traffic using an existing access. Vehicle movements would increase by more than 20%. Therefore, the proposal relies on the related Performance Criteria as follows:

E5.5.1 P3 Existing road accesses and junctions

Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

Comment

The application was referred to the Development Technical Officer who assessed that the additional vehicle movements would not have any detrimental impacts. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E7.0 Stormwater Management Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

PART F: Specific Area Plans

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The application is for alterations/extensions to existing carpark.

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
 - (i) a rail network;
 - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

The additional traffic movements generated by the development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety and therefore satisfy the Performance Criteria of Clause E5.5.1 P3 Existing Road Accesses and Junctions.

E6.0 Parking and Access Code

This code applies to all use and development.

The overall car parking number of eighty eight (88) car parking spaces for the overall use is a surplus of nine (9) to that required by the acceptable solution of clause E6.6.1 Number of Car parking Spaces of GIPS. The surplus is considered to be reasonable for the proposed use and satisfy the performance criteria of this clause.

On-site turning is provided so that vehicles can exit the site in a forward direction to comply with the acceptable solution of clause E6.7.4 of GIPS and comply with the Australian Standard AS2890.1.

The two existing accessible car parking is considered to satisfy Clause E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability at the rate required under the National Construction Code of Australia (NCC). It is recommended this accessible car parking be a condition of approval.

One (1) motorcycle parking space is required to be provided to satisfy Clause E6.6.3 Number of Motorcycle Parking Spaces and it is recommended this be a condition of approval.

Three (3) bicycle parking spaces are required to be provided within fully enclosed individual lockers or locked compounds with communal access using duplicate keys to satisfy the acceptable solution of clause E6.7.10 Design of Bicycle Parking Facilities.

In accordance with the Glenorchy Interim Planning Scheme Clause E.6.7.8 Landscaping of Parking Areas, is required at a rate no less than 5% of the car parking area. The applicant provided additional plans to satisfy this. It is recommended this landscaping be a condition of approval and installed prior to the use of the site as approved.

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use.

Water sensitive urban design principles are required to satisfy Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2. It is recommended a condition of approval that this be approved by Councils Development Engineer and be provided prior to the commencement of use.

Other

E3.0 Landslide Code

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

E11.0 Waterway and Coastal Protection Code (E11.7.1 A4 and P4)

There is no waterway and coastal protection issues identified that affect this application

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

TasWater

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(2)(a) TasWater does not object to the proposed development and no conditions are imposed.

REPRESENTATIONS

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

CONCLUSION

The application proposes alterations and carpark extensions at an existing police station. The use is discretionary and there are two other discretions relating to a parking surplus and increase in vehicular movements.

The use class Business and Professional Services is discretionary within the Commercial Zone. Large administrative buildings are usually better located within the main Activity Centre in the Glenorchy Central Business District. However, the additional use of space within the existing building would not represent a change in terms of the context of the location. The existing use was previously considered acceptable at this location given that the building is in reasonable proximity to the main Activity Centre. Therefore, it is not considered that the proposal would compromise viability of the main Activity Centre, so that it satisfies the zone purpose. In addition, the proposal complies with all use standards. As such, the additional use is considered acceptable at this location.

The proposed carpark extension results in a surplus of nine parking spaces. The surplus satisfies the Performance Criteria as the number of proposed spaces would cater for the needs of the police station and would not result in adverse impacts.

There would be an increase in vehicular movements of more than 20% using the existing access. The engineering assessment concluded that the increase would not result in any detrimental impacts in terms of traffic efficiency or road safety, which satisfies the Performance Criteria.

The application was on public exhibition for the statutory time period during which no representations were received.

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

Recommendation:

That a permit be granted for the proposed use and development of Alterations and car park extension at existing police station (business and professional services) at 315-319 Main Road Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-083 and Drawing No. P1 submitted 23/04/18 (pages 1-4) and Drawing No P3 submitted on 31/08/18, 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 2018/00685-GCC, dated 14/05/18, form part of this permit.

Engineering

3. Eighty Eight (88) clearly marked car parking spaces in total must be provided prior to the approved use commencing, as shown on the plans (DA01). Car parking spaces must be kept available for these purposes at all times and manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
4. Of the required number of car parking spaces, two (2) accessible car parking spaces shall be provided for the exclusive use of people with disabilities. The space shall be clearly marked and sealed with an impervious dust free surface in accordance with the standard for accessible car parking laid down in Australian Standard AS/NZS 2890.6:2009 - Off-street parking for people with disabilities.
5. One (1) motorcycle parking space must be provided prior to the approved use commencing. The motorcycle parking space must be designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and be located within 30 m of the main entrance to the building.

6. Three (3) bicycle parking spaces must be provided within fully enclosed individual lockers or locked compounds with communal access using duplicate keys. The bicycle parking spaces must be located in close proximity to the main entrance/exit and be clearly marked (delineated) in accordance with Australian Standard AS/NZS 2890.3 - 2004 Off-Street Parking.
7. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to the approved use commencing. All runoff from paved and driveway areas must be retained within site boundaries and discharged into an approved stormwater system. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
8. Lighting must be provided for the carpark and operated during the hours of use in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved.
9. Landscaping must be incorporated into the development at a rate of no less than 5% of the car parking area and installed prior to the commencement of use as approved and as shown on the approved plan.
10. Water sensitive urban design principles for the treatment of stormwater discharging from the development must be incorporated into the development and be approved by Council's Development Engineer. Details must be submitted in association with an application for a Building Permit. Certification from a suitably qualified person must be provided prior to the commencement of use as approved, that the stormwater treatment system has been constructed in accordance with the approved plans.

Advice to Applicant

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

Other Permits

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

Parking

The overall use as approved has a surplus of nine (9) carparking spaces.

APPENDIX

23.0 Commercial Zone

Standard	Acceptable Solution	Proposed	Complies?
23.3 Use Standards			
23.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	No change The police station operates 24/7. The original permit included conditions in line with A1 for noisy activities such as flushing motors and repairs. The proposed use is for administrative tasks so that no restrictions apply.	NA
23.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.	No change	NA

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.		
23.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: <ul style="list-style-type: none"> (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone. 	There will be new lighting for the carpark within 50m of a residential zone that will not be turned off during night-time. The lighting is baffled to ensure it does not cause emission of light outside the zone and is required for security. The applicant provided supporting information to demonstrate that light spill will be contained.	Yes
23.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: <ul style="list-style-type: none"> (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays. 	No change	NA
23.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	None proposed	NA
22.4 Development Standards for Buildings and Works The development standards are no applicable as no new building works are proposed			

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		No – Performance criteria satisfied.
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	
5.6 Development Standards			

Standard	Acceptable Solution	Proposed	Complies?
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	Not an applicable standard.	
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		
E5.6.2 Road accesses and	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
junctions	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not an applicable standard.	
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		Yes

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;	88 in total (37 additional)	No > 10% - Performance criteria satisfied.

Standard	Acceptable Solution	Proposed	Complies?
	except if: <ul style="list-style-type: none"> (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme. 		
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: <ul style="list-style-type: none"> (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance. 	2	Yes - conditioned
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		Yes - conditioned
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		Yes - conditioned
E 6.7 Development Standards			
E6.7.1	A1 The number of vehicle access points provided for each road		

Standard	Acceptable Solution	Proposed	Complies?
Number of Vehicle Accesses	frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	<p>A1</p> <p>Design of vehicle access points must comply with all of the following:</p> <ul style="list-style-type: none"> (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. 		Yes
E6.7.3 Vehicular Passing Areas Along an Access	<p>A1</p> <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> (a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of 		Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>the driveway;</p> <p>(c) have the first passing area constructed at the kerb;</p> <p>(d) be at intervals of no more than 30 m along the access.</p>		
E6.7.4 On-Site Turning	<p>A1</p> <p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than two dwelling units;</p> <p>(b) it meets a road carrying less than 6000 vehicles per day.</p>		Yes
E6.7.5 Layout of Parking Areas	<p>A1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.</p>		Yes - conditioned
E6.7.6 Surface Treatment of Parking Areas	<p>A1</p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <p>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.</p>		Yes - conditioned
E6.7.7	<p>A1</p> <p>Parking and vehicle circulation roadways and pedestrian paths</p>		

Standard	Acceptable Solution	Proposed	Complies?
Lighting of Parking Areas	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.		Yes - conditioned
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		Yes - conditioned
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		Yes - conditioned
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		Yes - conditioned
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2		


Standard	Acceptable Solution	Proposed	Complies?
	"Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not an applicable standard.	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not an applicable standard.	
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not an applicable standard.	
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes - conditioned
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		Yes - conditioned
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public		Yes

Standard	Acceptable Solution	Proposed	Complies?
	stormwater infrastructure.		
	<p>A4</p> <p>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p>	Not an applicable standard.	

Attachments/Annexures

- 1  Attachment - 315-319 Main Road, Glenorchy

7. PROPOSED USE AND DEVELOPMENT - 213 LOT RESIDENTIAL SUBDIVISION WITH LOTS FOR LOCAL BUSINESS, PUBLIC OPEN SPACE AND UTILITIES - 231 MAIN ROAD, 241 MAIN ROAD AND 261 MAIN ROAD

Author: Senior Statutory Planner (Vanessa Tomlin)
 Qualified Person: Senior Statutory Planner (Vanessa Tomlin)
 Property ID: 5327686

REPORT SUMMARY:

Application No.:	PLN-17-321
Applicant:	Peacock Darcey & Anderson Pty Ltd
Owner:	Austins Ferry Tasmania Pty Ltd
Zone:	General Residential, Local Business Zone and Environmental Management Zone
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	10.6.1 Lot Design; 10.6.2 Roads; 10.6.3 Ways and Public Open Space; 10.6.4 Services; 20.5.1 Subdivision; E5.6.1 Development adjacent to Roads and railways; E5.6.3 New Level Crossings; E10.8.1 Subdivision; E16.8.1 Subdivision in Coastal Erosion Hazard Areas; F8.4.5.1 Connectivity; and F8.5.5.1 Connectivity. (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	05 July 2018
Existing Land Use:	Vacant (formerly General Industrial)

Representations: 1

Recommendation: Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal is for 213 residential lots, four lots for public open space and two lots for local business. The proposal is to be developed over six stages (Fig. 1).

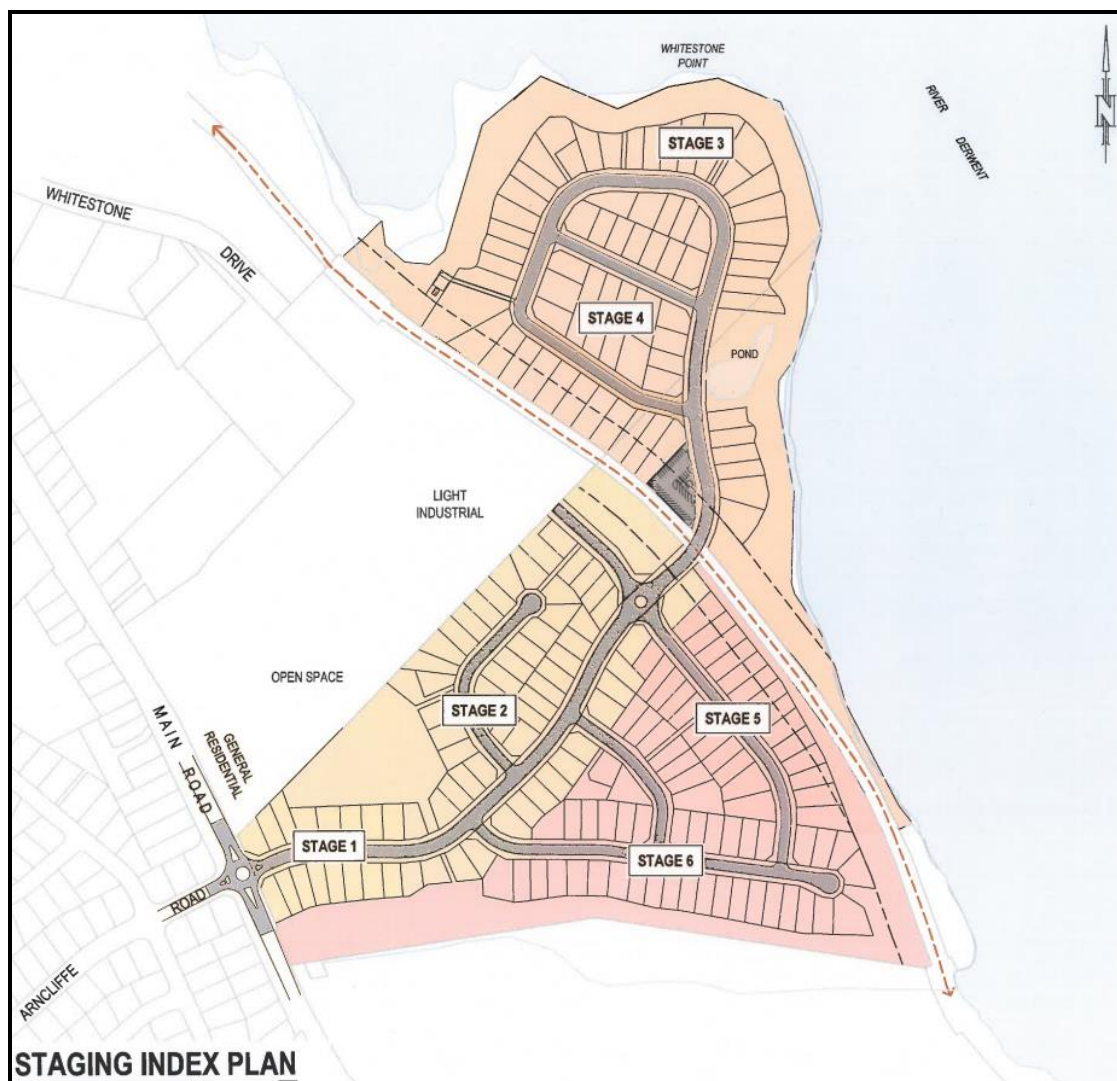


Figure 1. The staging plan of the proposal, showing the six stages and the proposed road network for the subdivision.

Stage 1 is to consist of 16 lots, ranging in size from 500m² to 600m². Of these lots, eight lots are to sit on the northern side of proposed Road 1 and are identified as lots 1-8. Proposed lot 1-3 will share a boundary to the north with the neighbouring lot and proposed lots 4-8 are to border the proposed public open space.

This proposed public open space is identified as Ten Mile Hill. The remaining lots on the southern side of the Road are identified as lots 23-30. Lots 23-30 are to contain a fuel modified buffer zone along the southern edge of the proposed lots. These lots are to border proposed public open space that contains a creek and borders St Virgils College.

Stage 2 is to include 54 lots, plus two lots within the Local Business zone and the proposed Ten Mile Hill public open space. The proposed residential lots on the northern side of proposed Road 1 are identified as lots 9-13, lots 14-22, lots 45-65, lots 137-141 and a proposed local business lot that is to be 4662m² in area. These residential lots range in size from 500m² to 938m². Proposed Road 3, which terminates in a cul-de-sac head is to extend north among these lots and has a pedestrian connection to proposed Road 5. Proposed Road 5 is to extend north from proposed round-about at the intersection of proposed Road 1 and is to provide a future connection to the neighbouring land. A proposed local business lot is to the east of proposed Road 5. Another proposed local business lot (1173m²) is to be located on the south-eastern side of proposed Road 1 and eastern side of the southern branch of proposed Road 5. These lots border the rail network and may provide services in-connection to the rail corridor in the future. Proposed lots 13-34 are to sit on the southern of proposed Road 1 and are separated from proposed lots 35-40 by proposed Road 2. Proposed Road 6 extends south from proposed Road 1 and proposed lots 41-44 are to lie between this road and the proposed round-about. The proposed public open space, Ten Mile Hill would be 9800m² and is to be accessed from proposed Road 1 between lots 9 and 10 and from proposed Road 3 between lots 47 and 48. Proposed lots 31-33 are to border the proposed public open space along the creek. A connection to this proposed public open space would be between lots 32 and 33.

Proposed Stage 3 is to be located on the eastern side of the rail network and is to include 36 residential lots and 3.87ha of foreshore public open space. The proposed lots range in size from 523m² to 2421m². Proposed Road 1 is to be formed into a loop and provides access to lots 142-147 and lots 148-177. A pond exists on the site between proposed lots 147 and 148. This pond is to be situated within the proposed foreshore public open space and will be drained and filled in. This land will then be public open space, with stormwater infrastructure diverted into underground infrastructure. Other services include a pump station (shown on lot 400), that is to be discretely located on the northern side of proposed lot 175 and within the proposed foreshore public open space. Pedestrian access to the proposed foreshore public open space is to be gained between lots 162 and 163. Vehicular access to the proposed foreshore public open space is proposed via a 4m wide right of way between lots 174 and 175. This access is to serve the pump station and the recreational space adjoining the Derwent River. The proposed foreshore public open space is largely littoral or riparian land. These areas will become Crown Land, which is to be under the management of Council. The proposed foreshore public open space that is to border proposed lots 148-177, is to include a fuel modified buffer zone. This buffer zone is to extend into the rear of these residential lots.

Proposed Stage 4 is to be located on the eastern side of the rail network and is to include 36 residential lots, with 27 lots within the loop of proposed Road 1 and a further nine lots to the east of the rail network. Within the proposed Road 1 loop, proposed Road 7 is to dissect lots 191-213 from proposed lots 187-190 and lots 198-208. Proposed lots 178-186 adjoin the rail network and contain a railway buffer area. The lots in this stage range in size from 509m² to 1023m².

Proposed Stage 5 is to be located either side of southern branch of proposed Road 5. Proposed lots 136-123 are to be on the eastern side of proposed Road 5, with lots 122-112 on the western side of proposed Road 5. The lots in this stage range in size from 500m² to 922m². A footway is proposed between lots 118, which will form a future connection to stage 6.

Stage 6 is the final stage and consists of 46 residential lots and proposed public open space comprising of 2.2ha. This public open space, which incorporates a creek, includes a fuel modified buffer zone along the rear of lots 66-85. Proposed lots 66-85 are to be on the southern side of proposed Road 2, which terminates in a cul-de-sac. Proposed lots 86-89 are to be on the eastern of proposed Road 2 and are to be separated from proposed lots 90-95 by proposed Road 5. These lots are separated from proposed lots 96-101 by proposed Road 6. Proposed lots 102-111 are to be located on either side of proposed Road 6. The residential lots of this stage range in size from 506m² to 980m².

The proposal includes extensive excavation to shape the land for roads, accesses and building areas. This is due to the slope of the land and benching created by the former use on the site. The proposal includes bushfire hazard management on both public and private land, weed management and landscaping of the streetscape and parks (public open space). The landscaping of the public open space is to include, but is not limited to trails, signage, lighting and vegetation.

SITE and LOCALITY

The subject site is 231 Main Road, 241 Main Road and 261 Main Road, Austins Ferry. The subject site is 27ha and was a former industrial site, used as a sawmill and timber processing plant. The subject site has been mostly cleared of native vegetation, with only a few small patches of woodland remain around the perimeter of the site in the proposed public open space lots. Tree planting has occurred across the property, including both native and non-native species, mostly in the public open space and rail buffer zone. There are extensive weed infestations across the subject site, particularly along the edges of the River Derwent. The site slopes gently towards the north-east, with an elevation ranging from 50m above sea level on Ten Mile Hill to sea level at the River Derwent. There is a creek along the southern boundary and a pond near the northern boundary (Fig. 2).



Figure 2. An aerial view of the site and surrounds.

The site of 261 Main Road, Austins Ferry is Council owned land. This site has frontage to Main Road and Whitestone Drive, Granton and adjoins the rail network. This site is 7.14ha and slopes toward the north-east. This site forms part of the application because underground infrastructure is to transverse across this land to service the proposed subdivision.

ZONE

The site is zoned General Residential (red), Environmental Management (teal) and Local Business (light blue) (Fig. 2).

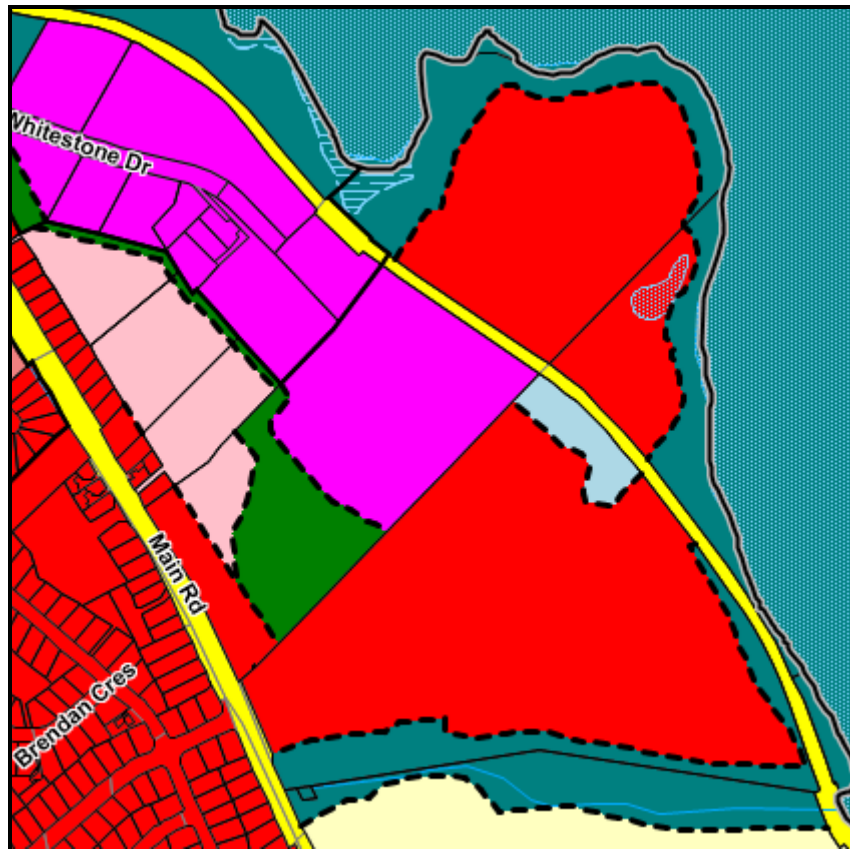


Figure 2. A snapshot of the three zones that overlay the site. General Residential (red), Environmental Management (teal) and Local Business (light blue).

The Whitestone Point Specific Area Plan (SAP) applies to the area of land designated as "F08" on the planning scheme maps. This SAP extends across the proposal site and divides the site into three precincts, the Living Precinct (brown), Neighbourhood Business Precinct (dark blue) and Conservation/Recreation Precinct (green) (Fig. 3).



Figure 3. The planning scheme map, F8.1 Whitestone Point Precinct Map showing the three precincts of F8 Whitestone Point Specific Area Plan. Living Precinct (brown), Neighbourhood Business Precinct (dark blue) and Conservation/Recreation Precinct (green).

BACKGROUND

Previous applications on file -

- | | |
|-------------|---|
| PLN-00299 | Demolition of workshop, approved 05/09/00 |
| PLN-09-0237 | Additions to Business Premises, approved 30/09/09 |
| PLAM-12/03 | Rezoning/Masterplan Whitestone Point Precinct; Rezoning from Major Impact Industrial and Open Space to Urban Residential, Open Space and Local Business." Approved 22/12/14 |

PLN-12-130 Change of Use to Warehouse and Storage Yard and change to a non-conforming use requiring variations to design standards for vehicular access and parking areas, approved 20/08/12

PLN-16-265 Demolition of all site buildings relying on performance criteria, approved 21/12/16

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

No general exemptions apply.

Limited Exemptions

No limited exemptions apply.

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

The Whitestone Point Specific Area Plan (SAP) provisions apply to the proposal. Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.

Throughout this assessment determining weight is given the development standards specific to subdivision. Within the zones, codes and the SAP the development standards are divided into developments standards for 'building and works' or subdivision. In this instance, it is the subdivision that is applicable to the assessment. In some codes the development standards are not divided in this way. When dealing with these codes, the application of the code is tested and if found to be applicable to subdivision, then the applicable standards within that code is used for the assessment.

Use Class Description (Table 8.2):

The proposal is for subdivision, which is categorised as development. Accordingly, there is no use class description of the proposal.

Other relevant definitions (Clause 4.1):

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

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and

- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

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

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

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

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

Building means as defined in the Act. The Act defines building to include

- (a) a structure and part of a building or structure; and
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and
- (c) a boat or a pontoon which is permanently moored or fixed to land;

Land means as defined in the Act. The Act defines land to include:

- (a) buildings and other structures permanently fixed to land; and
- (b) land covered with water; and
- (c) water covering land; and
- (d) any estate, interest, easement, servitude, privilege or right in or over land

Works means as defined in the Act. The Act defines works to include any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil, but does not include forest practices, as defined in the Forest Practices Act 1985, carried out in State forests.

Building area means the area shown on a plan or plan of subdivision to indicate where all buildings will be located.

Building envelope means the three-dimensional space within which buildings are to occur.

Part C: Special Provisions

9.7 Subdivision

A discretionary application is required for development involving a plan of subdivision.

Part D: Zones

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

Zone Purpose Statements

General Residential Zone

- 10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 10.1.1.3 To provide for the efficient utilisation of services.

Environmental Management Zone

- 29.1.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.
- 29.1.1.2 To only allow for complementary use or development where consistent with any strategies for protection and management.
- 29.1.1.3 To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.
- 29.1.1.4 To recognise and protect highly significant natural values on private land.
- 29.1.1.5 To protect natural values in un-developed areas of the coast.

Local Business Zone

- 20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.
- 20.1.1.2 To ensure that facilities are accessible by public transport and by walking and cycling.
- 20.1.1.3 To allow for small scale dining and entertainment activities at night provided that residential amenity of adjoining residential zoned land is protected.
- 20.1.1.4 To encourage residential use provided that it supports the viability of the activity centres and an active street frontage is maintained.

- 20.1.1.5 To ensure that building design and use is compatible with surrounding development and use, particularly on land in residential zones.
- 20.1.1.6 To allow for small shopping centres that might include a supermarket and specialty shops.
- 20.1.1.7 To allow for limited office-based employment provided that it supports the viability of the activity centre and maintains an active street frontage.
- 20.1.1.8 To allow for dining and entertainment activities at night within food premises or local hotel.

Development Standards for Subdivisions

General Residential Zone

10.6.1 Lot Design

The objective of the standard is to provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for residential development, located to avoid hazards;
- (c) are a mix of lot sizes to enable a variety of dwelling and household types;
- (d) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;
- (e) ensure an average net density for new suburban areas no less than 15 dwellings per hectare with higher densities close to services, facilities and public transport corridors;
- (f) are not internal lots, except if the only reasonable way to provide for desired residential density;
- (g) are provided in a manner that provides for the efficient and ordered provision of infrastructure.

10.6.1 Lot Design P1

This performance criteria requires the size of each lot to be a variance above the maximum lot size in Table 10.1 only to the extent necessary due to demonstrated site constraints.

The maximum lot size in Table 10.1 for an ordinary lot, a corner lot and an internal lot is 1000m²; and the maximum lot size in Table 10.1 for lots adjoining or opposite public open space, or lots within 400m of a public transport corridor, or lots within 200m walking distance of a business zone, local shop or school is 600m². With the exception of lots with a slope greater than 1 in 5, where the minimum lot size is 750m² and the maximum lot size is 1,000m² in all cases. It is noted that the site is undulating and parts of the site have a slope steeper than 1 in 5.

A large number of lots in Stage 2 lots are within 200m walking distance of the proposed business zone and adjoin the proposed public open space. Accordingly, the maximum lot size for proposed lots 35, 39, 41, 44, 14, 141, 57, 56, 51, 50, 48 and 47 is to be 600m². However, current contours of the site show most of these proposed lots with a slope greater than 1 in 5, which allows for a maximum lot size of 1000m². Of the remaining lots, those lots are constrained by a 10m wide noise buffer from the adjoining Light Industrial zoned land. For that reason, those lots are larger, but the building area is consistent with other lots below 600m².

In Stage 3, all proposed lots, except proposed lots 165, 158, 155, 176 and 177 adjoin the proposed foreshore public open space. Proposed lots 175-148 (excluding lot 165, 158 and 155) are constrained by a fuel modified buffer zone and lots 176 and 177 are constrained by the 30m wide railway buffer. For that reason, those lots are larger, but the building area is consistent with other lots below 600m².

It is noted that proposed lot 142 is to be 934m² and can accommodate multiple dwellings. As such this lot is not limited by the maximum site area.

Proposed lot 186 in Stage 4 is more than 1000m². This lot is constrained by the 30m wide railway buffer and has a building area consistent with the other corner lots with an area less than 1000m² in this stage.

In Stage 5, proposed lots 123-136 adjoin public open space and several of the lots are within 200m walking distance of the local business zone. These lots are constrained by the 30m wide railway buffer and show a building area that is consistent with other lots below 600m². Proposed lots 123 and 124 are large enough to accommodate multiple dwellings which allows for a maximum lot size of more than 600m².

For Stage 6, proposed lots 66, 85 and 86 adjoin proposed public open space and should have a maximum lot size of 600m². Proposed lots 66, 85 and 86 are large enough to accommodate multiple dwellings and are exempt from the maximum lot size requirement. Accordingly, the proposal is assessed as satisfying these criteria.

A condition of approval is recommended to ensure proposed lots 48-57 and lots 141 and 140 contain the noise buffer as shown on the submitted plan.

10.6.1 Lot Design P2

This performance criteria requires the design of each lot to contain a building area able to satisfy all of the following:

- (a) be reasonably capable of accommodating residential use and development;
- (b) meets any applicable standards in codes in this planning scheme;
- (c) enables future development to achieve maximum solar access, given the slope and aspect of the land;
- (d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;
- (e) provides for sufficient useable area on the lot for both of the following;
 - (i) on-site parking and manoeuvring;

- (ii) adequate private open space.

The proposed lots in Stage 1 sit to the south of Ten Mile Hill. Despite this, these lots are to have building areas that are capable of accommodating residential use and development on largely semi level lots, free of constraints posed by codes and with reasonable solar access.

In Stage 2, an area of land has been identified with medium landslide risk. However, a geotechnical assessment found the level of risk to be acceptable. Accordingly, future development on these lots would be able to meet the requirements of this code. The lots in this stage largely sit on the easterly slopes of Ten Mile Hill. The building areas of these lots have been designed to maximise solar access and to provide useable areas for outdoor recreation, parking and manoeuvring. Given the slope in this location, some excavation may be required. However, this can be minimised through dwelling design that is responsive to the slope.

Stage 3 and Stage 4 are to be located on the eastern side of the rail network, on gently sloping land. The proposed building areas of these two stages are suitable for residential development and are located to avoid hazards.

The building areas of the proposed lots in Stage 5 are largely gently sloping and are designed to maximise solar access, given the easterly aspect of these lots. The building areas of the lots are assessed as suitable for residential development by avoiding hazards.

The building areas in the Stage 6 are orientated to maximise solar access, taking into account the undulating land. Some excavation will be required in this stage, although this is to be limited to less than a quarter of the lots. Overall, the building areas in this stage are capable of accommodating residential use and development, with ample space for outdoor recreation/relaxation areas and parking.

The proposal is assessed as satisfying this criterion.

10.6.1 Lot Design P3

This performance criteria requires the frontage of each lot to satisfy all of the following:

- (a) provides opportunity for practical and safe vehicular and pedestrian access;
- (b) provides opportunity for passive surveillance between residential development on the lot and the public road;
- (c) is no less than 6m.

All lot across the proposed subdivision are to have a frontage greater than 6m, with the exception of internal lots (assessed below). As a result, the opportunity for safe vehicular and pedestrian access, with passive surveillance between the lots and the public road is provided.

The proposal is assessed as satisfying this criterion.

10.6.1 Lot Design P4

This performance criteria requires an internal lot to satisfy all of the following:

- (a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;
- (b) it is not reasonably possible to provide a new road to create a standard frontage lot;
- (c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;
- (d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;
- (e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;
- (f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;
- (g) passing bays are provided at appropriate distances to service the likely future use of the lot;
- (h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;
- (i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.
- (j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.

Proposed lots 18, 104, 141, 156, 157 and 166 are the only internal lots in the proposed subdivision. On the whole, the proposal has been designed to efficiently utilise the residential land and this is evident by the low number of proposed internal lots. Each proposed internal lot is to have its own access and the access strips are to be sealed prior to sealing of the plan. The proposed internal lots adjoin proposed public open space and ways (public footway or path). Therefore, affording opportunities for passive surveillance of the public open spaces and public rights of way. The proposal satisfies this criterion.

A condition of approval is recommended to ensure ongoing passive surveillance opportunities of public open space and public rights of way from adjoining lots.

10.6.1 Lot Design P5

This acceptable solution requires subdivision to be for no more than three lots. Considering the proposal is for 213 residential lots, it relies on the performance criteria, which requires the arrangement and provision of lots to satisfy all of the following;

- (a) have regard to providing a higher net density of dwellings along;
 - (i) public transport corridors;

- (ii) adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;
- (iii) within 200 m of business zones and local shops;
- (b) will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;
- (c) staging, if any, provides for the efficient and ordered provision of new infrastructure;
- (d) opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;
- (e) is consistent with any applicable Local Area Objectives or Desired Future.

The proposed density is consistent with that required in the General Residential zone, where there is a high density in proximity to the local business zone and larger lots bordering the public open space. The public open space is to consist of modified fuel buffer zone for bushfire hazard management and larger lots are preferred in these locations. The opportunities for passive surveillance between the residential lots and public spaces are to be optimised primarily through the lot layout and modest boundary fencing. Finally, the proposed staging is assessed as orderly, in relation to the provision of services and infrastructure. The proposal is assessed as satisfying these performance criteria.

Overall, the proposal satisfies the above performance criteria and complies with the standard.

10.6.2 Roads P1

This performance criteria requires the arrangement and construction of roads within the subdivision to satisfy all of the following:

- (a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;
- (b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;
- (c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;
- (d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;
- (e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;
- (f) connectivity with the neighbourhood road network is maximised;
- (g) the travel distance between key destinations such as shops and services are minimised;
- (h) walking, cycling and the efficient movement of public transport is facilitated;

- (i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;
- (j) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.

Council's Development Engineers have assessed the proposed subdivision against the municipal standards and are satisfied that the proposal meets these requirements. The proposal allows for pedestrian paths (through the public open space) and a connector road to the neighbouring land to the north of the site. The proposed road hierarchy is evident through the width of the road reservations, where proposed Road 1 is to be 20m wide and the other roads branching off Road 1 are to be 18m in width. Proposed Road 1 is to carry up to 2,500 vehicles per day and the other roads are expected to carry less than 500 vehicles per day. The proposal includes two cul-de-sacs. Although vehicular access terminated at these points, pedestrian access continues through in order to maximise connectivity throughout the subdivision. Trails are proposed within the public open space that surrounds the site and these trails can be multi-use trails.

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

10.6.3 Ways and Public Open Space P1

This performance criteria requires the arrangement of ways and public open space within a subdivision to satisfy all of the following:

- (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;
- (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;
- (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;
- (d) convenient access to local shops, community facilities, public open space and public transport routes is provided;
- (e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;
- (f) provides for a legible movement network;
- (g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;
- (h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.
- (i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:
 - (i) the width of the way;

- (ii) the length of the way;
- (iii) landscaping within the way;
- (iv) lighting;
- (v) provision of opportunities for 'loitering';
- (vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).

The proposal provides connective ways between lots to the local business zone, other roads or to public open spaces. Connection to the adjoining land to the north is provided through future trails in the public open space and by a proposed connector road. The opportunities for adequate passive surveillance between the residential lots, ways and public spaces are to be optimised through a condition of approval.

More than the required 5% of the maximum amount of land allowable for public open space in accordance with the *Local Government (Building and Miscellaneous Provisions) Act 1993* has been provided and no cash-in-lieu is required. The proposed public open space is generally in line with the land contained within the Recreation and Conservation Precinct, as prescribed in the Whitestone Point Precinct map. The local area objectives of this precinct are to facilitate passive recreational opportunities, which are consistent with the protection of natural values in bushland and on the foreshore and to provide for protection, conservation and management of areas with significant ecological, cultural or aesthetic values. The proposed provision of public open space is assessed as consistent with the policy statements in Council's policy for subdivisions – Public Open Space Acquisitions and Contributions (Policy Manual Number: 18-4).

In relation to crime prevention through environmental design principals, the width and of the ways (a minimum of 4m) are considered to be adequate to minimise opportunities for entrapment. The ways are designed with transitional spaces showing clarity of ownership and use. This is to be provided through way finding (signage), distinctive surface treatments (e.g. paving or other durable all weather surface) that is well maintained and no park furniture or low growing vegetation, thus avoiding excuses to loiter. Landscaping provided is to be low along ways and at entrance points to avoid potential concealment. Vegetation in the public open space, particularly in proximity to proposed trails is to be 3-5m clear of the trails and ways, in an effort to increase sight distances. The safety convention for vegetation is to have lower tree limbs at head height and shrubs no higher than 600mm. The public open space landscaping should strike a balance between aesthetic and safety. Boundary fencing between the residential lots and the public open space and ways is to provide opportunities for passive surveillance. This is to be achieved by the bottom 1.2m of the fence being solid and the top 600mm to a height of 1.8m provide a uniform transparency of not less than 30% (excluding any posts or uprights). Lighting is to be provided at strategic locations throughout the public open space and ways.

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

10.6.4 Services P4

This performance criteria requires the subdivision to provide for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.

The proposal is to include fibre ready facilities and the underground provision of electricity supply. A condition of approval has been recommended.

Environmental Management Zone

The proposal complies with the applicable subdivision standard through the acceptable solution.

Local Business Zone

20.5.1 Subdivision P4

This performance criteria requires the arrangement of roads within a subdivision to satisfy all of the following:

- (a) the subdivision will not compromise appropriate and reasonable future subdivision of the entirety of the parent lot;
- (b) accords with any relevant road network plan adopted by the Planning Authority;
- (c) facilitates the subdivision of neighbouring land with subdivision potential through the provision of connector roads, where appropriate, to the common boundary;
- (d) provides for acceptable levels of access, safety, convenience and legibility through a consistent road function hierarchy.

The proposed road layout provides safe connectivity to the adjoining land, by the provision of a connector road to the common boundary. This will enable future subdivision of that land. The proposal is assessed as complying with the standard through the performance criteria.

20.5.1 Subdivision P6

This performance criteria requires Public Open Space to be provided as land or cash in lieu, in accordance with the relevant Council policy. As previously stated, the public open space provided is consistent with the Council's policy and there is no requirement for cash-in-lieu. The proposal is assessed as complying with the standard through the performance criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Bushfire-Prone Areas Code

This code applies to subdivision of land that is located within, or partially within, a bushfire-prone area.

The proposal is assessed as complying with the acceptable solutions with the following recommendations.

- a) Building areas are designated for all lots and are defined as the entire lot excluding the required HMAs;
- b) Hazard management areas are designated for the new lots as per Bushfire Hazard Management Plan. Note that several of the lots that adjoin bushfire prone vegetation will require 'no build buffer zones' along the rear portions of the lots in combination with bushfire hazard management zones within the open space where weed management and walking tracks will contribute to hazard reduction. Some lots only require 'no build buffer zones' as the adjacent vegetation is assessed as low threat.
- c) The subdivision is to be developed in Stages. HMAs are to be established and maintained around the boundaries of each stage in the direction of the undeveloped land as detailed in Section 3 of this document.
- d) All future habitable dwellings (Class 1a building) will comply with construction standards for BAL 19 on Lots 1-13, 23-34, 45-57, 66-87, 123-136 and 140-176, as per AS 3959 -2009 (Sections 3 and 6).
- e) All future habitable dwellings (Class 1a building) will comply with construction standards for BAL 12.5 on Lots that are within 100 m of bushfire prone vegetation as per AS 3959-2009 (Sections 3 and 5).
- f) All future habitable dwellings (Class 1a building) on lots that are more than 100 m of bushfire prone vegetation are classified as BAL LOW and exempt from AS 3959-2009.
- g) Subdivision internal roads to meet all requirements of E1.6.2 and Table E1. There are no specific requirements for driveways that are less than 30 m long which will be the case for all lots. The proposed road network within the subdivision appears to comply with the objectives of public and fire-fighting access roads under the Bushfire Prone Areas Code.
- h) Provision of water supply to meet the requirements of E1.6.3 Table E4A-C for all future dwellings established on the subdivision.
- i) Formal agreements are to be established with Glenorchy City Council for management of land (HMAs) external to the following bushfire prone lots:
 - Lots 157-176 – River Derwent POS
 - Lots 4-9 and 48 – Ten Mile Hill POS
 - Lots 23-85 – Southern riparian POS
 - Lots 86-87 and 123-136 – railway line ROW

From the above recommendations, conditions of approval have been recommended as covenants on the future titles.

Potentially Contaminated Land Code

This code applies to development (including subdivision) on potentially contaminated land.

Historically the site was used for general industrial purposes, primarily as a timber processing facility. As a result, potentially contaminating activities have been undertaken on the site and include fuel and chemical storage; operation of plant and equipment; electrical transformers; onsite incineration (fire pit) and filling; and onsite disposal of wastes.

Two areas of the site have been identified as being contaminated to varying degrees. A site contamination investigation report has been submitted and reviewed by Council's Environmental Health section (please see detailed comments in the referral section of this report). The site contamination investigation report includes recommendations to deal with any potential contamination and recommends that with additional works the land will be suitable for the intended residential use of the land.

Accordingly, conditions of approval are recommended to ensure the site does not adversely impact on health and the environment, and is suitable for its intended use,

Landslide Code

This Code applies to subdivision on land within a Landslide Hazard Area.

Two areas of the site have been identified as having a medium landslide risk. One area is within the rail corridor and the other is on the southern side of the site (Fig. 4).

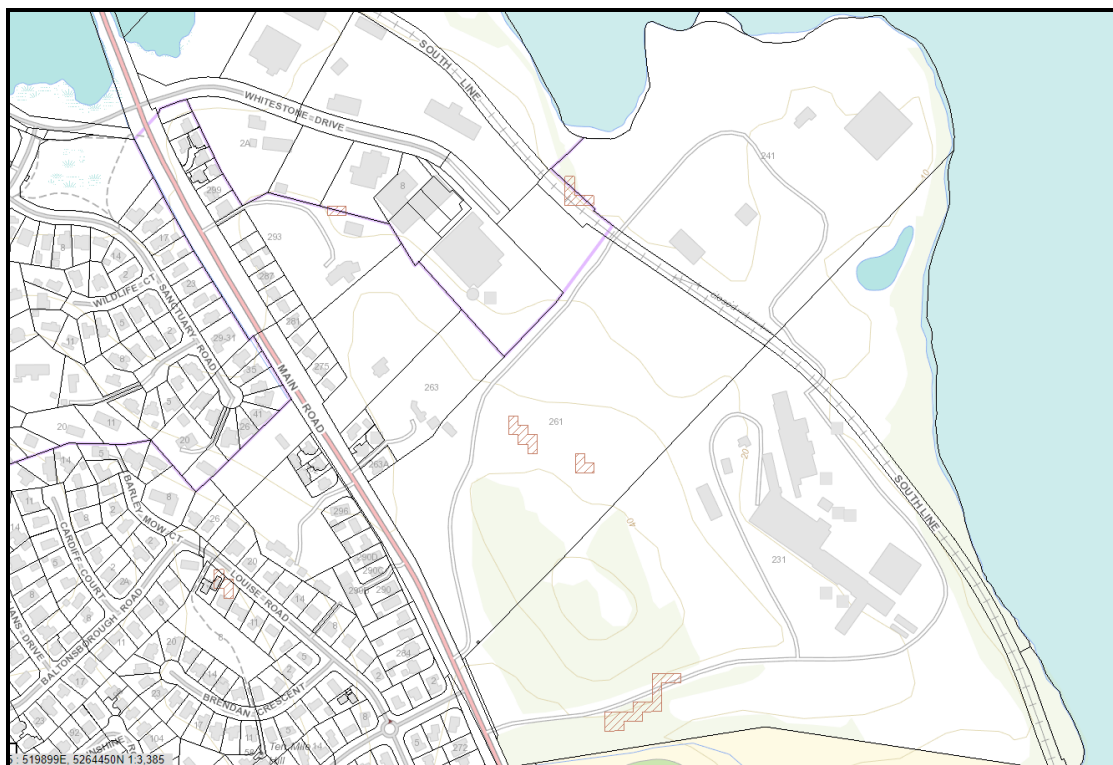


Figure 4. The two areas identified with a medium landslide hazard, as shown on Map E3 Landslide Hazard Area (Medium) - LISTmap

The subdivision standard, E3.8.1 does not have an acceptable solution. Therefore, the proposal relies on performance criteria to comply with the standard. The performance criteria require subdivision of a lot, all or part of which is within a Landslide Hazard Area must be for the purpose of one of the following:

- (a) separation of existing dwellings;
- (b) creation of a lot for the purposes of public open space, public reserve or utilities;
- (c) creation of a lot in which the building area, access and services are outside the High Landslide Hazard Area and the landslide risk associated with the subdivision is either:
 - (i) acceptable risk, or
 - (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

A geotechnical assessment was conducted and forms part of the application submission. The geotechnical assessment, dated 08 December 2017 recommends that the landslide risk associated with the proposed subdivision is very low and therefore acceptable, in compliance with the E3.8.1 P1, despite a portion of the site being delineated by the Landslide Hazard area (medium).

For that reason, the proposal is assessed as satisfying the performance criteria and complies with the standard.

Road and Rail Asset Code

This Code applies to development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
 - (i) a rail network;
 - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

E5.6.1 Development adjacent to Roads and railways

Some of the proposed building areas and subsequent building envelopes of the new lots are to be within 50m of the rail network. These lots are proposed lots 175-177 and proposed lot 142 in stage 3, proposed lots 178-186 in stage 4, proposed lots 136-123 in stage 5 and proposed lots 86 and 87 in stage 6. The proposal does not comply with the acceptable solution, but may comply with the standard through the performance criteria.

The performance criteria requires the location of development, from the rail network, or a category 1 Road or category 2 Road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the Road or amenity of sensitive uses, having regard to:

- (a) the proposed setback;
- (b) the existing setback of buildings on the site;
- (c) the frequency of use of the rail network;
- (d) the speed limit and traffic volume of the Road;
- (e) any noise, vibration, light and air emissions from the rail network or Road;
- (f) the nature of the Road;
- (g) the nature of the development;
- (h) the need for the development;
- (i) any traffic impact assessment;
- (j) any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and
- (k) any written advice received from the rail or Road authority.

The building areas, which will contain the building envelope of each aforementioned lot, are proposed to be or have the potential to be separated from the rail network by 30m. Potential emissions from a functioning rail network correlate with the type of rail used. For example, light rail would require a lesser separation distance than a freight service, because emissions are expected to be lower for light rail.

At the time of the re-zoning of the land from industrial to its current zoning, a noise assessment was conducted and found that a 30m buffer area was adequate. Alternatively, physical sound attention barriers were recommended in the intervening space. Furthermore, at the time of future dwelling construction noise mitigation measures may be recommended by a suitably qualified person. Council's Environmental Health Co-ordinator has reviewed the proposal and has provided additional comment in the referral section of this report.

TasRail have made comment and recommend that potential buyers of affected lots are made aware of the risk and understand the implications of building in proximity to the rail network. Moreover, TasRail request that potential land owners are informed of related impacts that result from living in close proximity to an operational railway, particularly noise emissions that result from train horn use; the requirement to ensure a clear line of sight for the railway and the rights of the Rail Infrastructure Manager under the Rail Infrastructure Act 2007 to require landholders to clear any obstructions including fencing, vegetation etc; no obstruction is permitted inside railway land for any purpose, including for structures, drainage, water pipes, electrical or service infrastructure etc; no access to the rail corridor without formal authorisation; and as railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

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

E5.6.3 New Level Crossings

The proposal includes a new level crossing over the rail network. There is no acceptable solution, so the proposal relies on the performance criteria, which requires level crossings to be safe and not unreasonably impact on the efficiency of the rail network, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the frequency of use of the rail network;
- (c) the location of the level crossing;
- (d) any alternative access;
- (e) the need for the level crossing;
- (f) any traffic impact assessment;
- (g) any measures to prevent access to the rail network; and
- (h) any written advice received from the rail authority.

Currently the rail network is dormant. However, the infrastructure is in place and may become active at any time. Accordingly, the proposal must be future proofed and designed to a standard that would be appropriate for an active rail network.

Proposed Road 1 will cross the rail network as part of stage 3, to service 72 residential lots and public open space, predominately along the foreshore. The estimated daily traffic volume crossing the railway network will be close to 600 vehicles/day.

There is one proposed level crossing, which will be designed for vehicles and pedestrians and is to include active warning devices, as outlined in the Traffic Impact Assessment of the proposal. The subdivision has been designed on advice from TasRail, to limit the need for a level crossing to only where it is completely necessary, in order to restrict the disruption of the efficiency of the rail network. Measures, such as fencing in accordance with the requirements of the *Rail Infrastructure Act 2006* and best practice would be installed along the boundary of the rail network to the lots, to otherwise prevent access to the rail network.

The proposal is assessed as to satisfy the performance criteria and complies with the standard. Condition of approval is recommended to ensure the developer constructs the level crossing at stage three of the subdivision, in accordance with the requirements of TasRail.

Parking and Access Code

The proposal is assessed as complying with the applicable standards through the acceptable solution.

Stormwater Management Code

This code applies to development requiring management of stormwater.

The proposal is assessed as complying with the applicable standards through the acceptable solution.

Attenuation Code

The attenuation code does not apply to the proposal because the sewerage pump station is not listed as an activity in Table E9.1 and E9.2. In addition, the site is not within an attenuation area shown on the planning scheme maps.

However, it is recommended that the sewerage pump station be moved as far as practical away from the proposed residential lots and the Derwent River. A condition of approval is recommended to move the pump station into a preferred location.

The proposed pump station is to be designed to handle demand generated from the neighbouring land. This land is currently zoned Light Industrial but may be re-zoned to a residential zone in the future.

Biodiversity Code

This code applies to development involving clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area. The site is identified within a Biodiversity Protection Area, as shown on the planning scheme maps (Fig. 5).

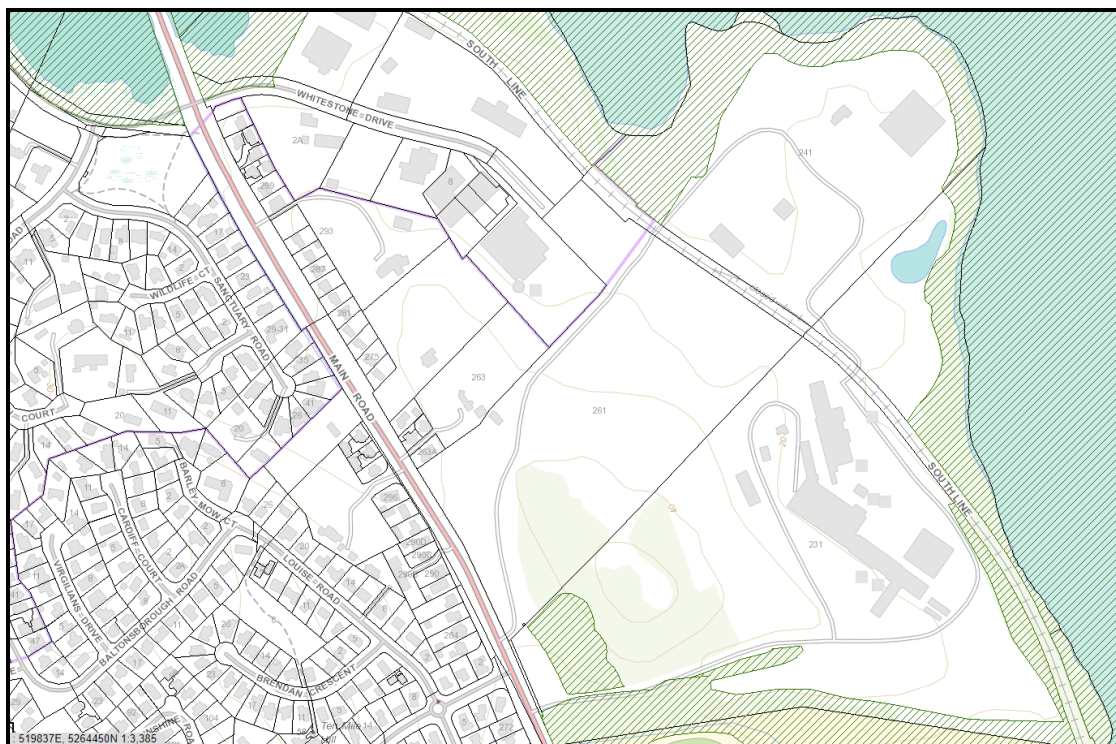


Figure 5. Map E10 Biodiversity Protection Area – LISTmap showing the Biodiversity Protection Area.

Within the Biodiversity Protection Area, the vegetation is grouped into priority biodiversity values. The site contains largely high priority biodiversity values and low priority biodiversity values (Fig. 6).



Figure 6. The site contains high priority biodiversity values (red) and low priority biodiversity values (green). Medium priority biodiversity values (mustard) are shown in proximity to the site.

A Natural Areas Report has been submitted with the application. This report assesses the natural values of land associated with a proposed subdivision. The report identified a small population of rough spear grass (*Austrostipa scabra*) which is listed as rare under the *Threatened Species Protection Act 1995*. Clearance and conversion or disturbance of this vegetation requires assessment under the *Threatened Species Protection Act 1995* and is exempt from assessment under this code.

The report indicates that lots on the western slope of Ten Mile Hill will involve the clearance of a small area of *Eucalyptus amygdalina* woodland on sandstone (DAS), which is a threatened vegetation community. Other known threatened vegetation communities are *Eucalyptus ovata* forest and woodland (DOV) and Freshwater aquatic sedge land and rush land (ASF).

The *Eucalyptus ovata* forest and woodland (DOV) community occurs along the eastern boundary on the edge of the River Derwent. The Freshwater aquatic sedge land and rush land (ASF) community occurs in the north-west corner of the property along the edge of the River Derwent. These vegetation communities are to be largely located within the Public Open Space land and are within the Biodiversity Protection Area, with a 'high priority biodiversity value' classification under the planning scheme.

Notwithstanding the above, the proposal relies on performance criteria because of the creation of residential lots clearance and conversion for the purpose of bushfire hazard management areas within the Biodiversity Protection Area.

E10.8.1 Subdivision

The performance criteria require the clearance and conversion or disturbance to satisfy the following:

- (a) if low priority biodiversity values:
 - (i) subdivision works are designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the subdivision;
 - (ii) impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting of any building area;

The areas of low priority biodiversity values are predominately in the public open space. As such potential impacts to this vegetation are minimised. Bushfire hazard management areas are in these locations, but minimal disturbance to the low priority vegetation is expected.

The proposal satisfies this criterion.

The performance criteria for vegetation with high priority biodiversity values require the clearance and conversion or disturbance to satisfy the following:

- (c) if high priority biodiversity values:
 - (i) subdivision works are designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the subdivision;
 - (ii) impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting of any building area;
 - (iii) high priority biodiversity values outside the area impacted by subdivision works, the building area and the area likely impacted by future bushfire hazard management measures are retained and protected by appropriate mechanisms on the land title;
 - (iv) special circumstances exist;
 - (v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and any relevant Council policy.

The Natural Areas Report states that the overall subdivision plan has been designed to minimise the impact on biodiversity values by incorporating most of the remnant vegetation into public open space. The proposed public open space areas contain infestations of weeds. Management of these weeds and the development of a walking trail network will improve the environmental and community values and amenity of the site.

Some high priority biodiversity valued vegetation is to be lost throughout the proposed subdivision, but can be offset by the protection and rehabilitation of the remaining high priority values on the site. Much of the vegetation in areas where bushfire hazard management is required, are degraded. Considering that bushfire hazard management areas are to be within both public and private land, the impacts to high priority values is minimised. Notwithstanding this, the majority of mature trees within the bushfire hazard management area are to be retained provided these trees are separated from each other by a minimum of 10-15m (canopies) and that there is separation between the ground and the canopy (min 2m). It is noted that most building areas are to be clear of trees.

Accordingly, the proposal is assessed as satisfying the performance criteria and complies with the standard.

Council's Co-ordinator Natural Areas has provided comment in the referrals section of this report.

As part of the assessment of the proposal, an environmental management plan, dated May 2018 was submitted. The environmental management plan primarily covers the management of the proposed public open space lots (POS), including activities related to the development that impacts the POS. The environmental management plan includes weed management actions for the development of the area with the following objectives being:

- a) to minimise the environmental impacts associated with the development;
- b) to protect native vegetation and retain habitat trees within POS;
- c) to ensure the development does not contribute to the spread of weeds;
- d) to improve the condition of native vegetation and rehabilitate degraded areas;
- e) to ensure that landscaping is consistent with bushfire hazard management requirements; and
- f) to managed weeds on the development site prior to, during and after construction works.

In addition, the environmental management plan contains four main sections: Weed Management Plan; Rehabilitation and Landscaping Plan; Tree Retention Plan; and Trails Plan. These plans are to be implemented as per recommended conditions of approval.

Waterway and Coastal Protection Code

The site is overlaid by the Waterway and Coastal Protection Areas. Bushfire hazard management areas and the proposed pump station are to be located within Waterway and Coastal Protection Areas (Fig. 6).



Figure 6. Map E11.1 Waterway and Coastal Protection Areas - LISTmap

The proposal complies with the acceptable solution, by having the creation of a lot for public open space, public reserve or utility within the Waterway and Coastal Protection Area.

Inundation Prone Areas Code

The site is identified as having land within the Coastal Inundation Low Hazard Area. This land is for the creation of lots for the purposes of public open space, public reserve and utilities. There are no applicable standards for subdivision in a Coastal Inundation Low Hazard Area.

Coastal Erosion Hazard Code

The site contains land within the Coastal Erosion Hazard Area (Fig. 7).

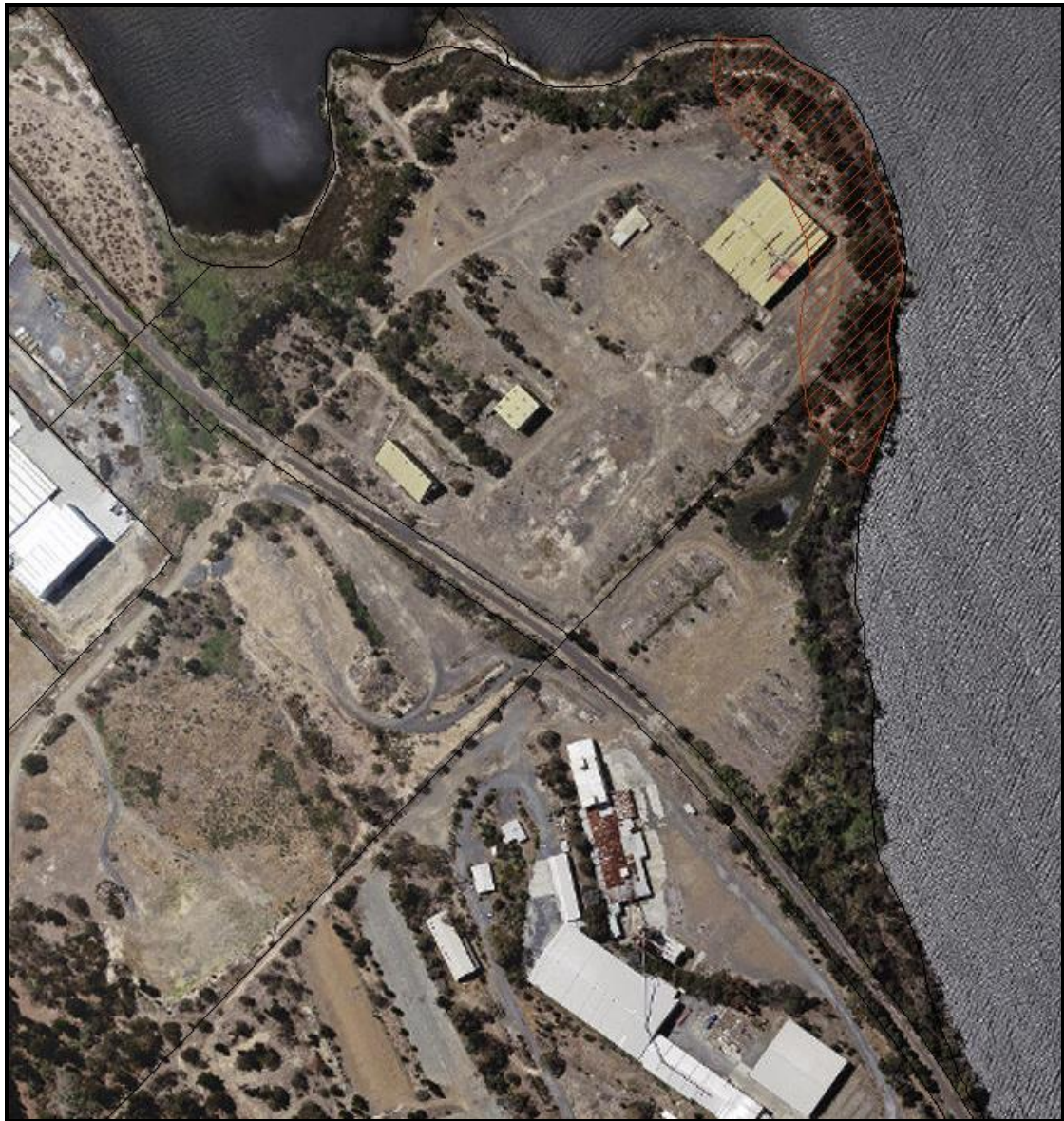


Figure 7. Map E16 Coastal Erosion Hazard Area - LISTmap

E16.8.1 Subdivision in Coastal Erosion Hazard Areas

There is no acceptable solution for A1. The performance criteria require the subdivision of a lot, all or part of which is within a Coastal Erosion Hazard Area to for the purpose of one or more of the following:

- (a) separation of existing dwellings;
- (b) creation of a lot for the purposes of public open space, public reserve or utilities;
- (c) creation of a lot in which the building area, access and services are outside the Coastal Erosion Hazard Area.

The lots within the Coastal Erosion Hazard Area are for the creation of public open space and for those proposed residential lots, the building area, access and services are outside the Coastal Erosion Hazard Area.

The proposal is assessed to comply with this performance criteria.

There is no acceptable solution for A2. The performance criteria require subdivision to satisfy all of the following:

- (a) not increase risk to adjoining or nearby property;
- (b) any increased reliance on public infrastructure must not result in a unacceptable level of risk;
- (c) need for future remediation works is minimised;
- (d) access to the lot will not be lost or substantially compromised by coastal hazards on or off-site;
- (e) no building area is located within the Coastal Erosion Hazard Area;
- (f) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;
- (g) not be prohibited by the relevant zone standards.

Given that building areas, accesses and services are to be outside the Coastal Erosion Hazard Area and any future public infrastructure, other than public trails are to be located outside of the Coastal Erosion Hazard Area, the proposal does not create opportunity for development that will be unnecessarily exposed to unacceptable risk from erosion, recession or wave run up. Accordingly, the proposal is assessed as satisfying the performance criteria.

The proposal is assessed as complying with the standard.

PART F: Specific Area Plans

F8 Whitestone Point Specific Area Plan

Specific area plans are plans that identify areas either within a single zone or covered by a number of zones and set out more detailed planning provisions for use or development in those areas. Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.

F8.4.5 Development Standards for Subdivision

F8.4.5.1 Connectivity P3

This performance criteria states that where access is not obtained from the current entry point on Main Road or demand greater than 95 vehicle movements per hour during the evening peak period at the existing entry point is generated, a Traffic Impact Assessment (TIA) from a suitably qualified person must be provided which addresses all of the following:

- (a) the existing and additional traffic generated by the use;
- (b) the impact of additional traffic on the local road traffic network or the service capacity of the junction of Main Road and Arncliffe Road;
- (c) details of any road upgrading or other works within the site or the surrounding road network including Main Road;

- (d) access to Main Road must be achieved via a single entry point.

As the stages of the proposed subdivision are completed, the additional traffic created will cause the intersection of Arncliffe Road, Main Road and proposed Road 1 to be upgraded to a roundabout controlled intersection. This is designed to increase the function of the intersecting roads, when considering the wider road network. The roundabout is to be constructed during stage 3. Details of the proposed roundabout geometry and traffic control elements consistent with required standards to ensure a safe intersection design has been provided in a Traffic Impact Assessment (TIA). Council's Transport Engineer has reviewed the TIA and supports the findings.

The proposal complies with the standard through the performance criteria.

F8.4.5.3 Landscaping

There are no performance criteria and the proposal must comply with the acceptable solution, which requires subdivision to include the creation of new landscaped roads reserves and open space that satisfy all of the following:

- (a) enhances the appearance of the streetscape development;
- (b) provides a range of plant heights and forms to create diversity, interest and amenity;
- (c) prevents the creation of concealed entrapment spaces;
- (d) excludes invasive weed species.

The application includes a commitment to provide landscaped streetscape and public open spaces. Concept plans for weed control, tree retention plan and trail plan have been submitted. A condition of approval is recommended accordingly.

F8.5 Neighbourhood Business Precinct

F8.5.5.1 Connectivity P3

This performance criteria states that where access is not obtained from the current entry point on Main Road or demand greater than 95 vehicle movements per hour during the evening peak period at the existing entry point is generated, a Traffic Impact Assessment (TIA) from a suitably qualified person must be provided which addresses all of the following:

- (a) the existing and additional traffic generated by the use;
- (b) the impact of additional traffic on the local road traffic network or the service capacity of the junction of Main Road and Arncliffe Road;
- (c) details of any road upgrading or other works within the site or the surrounding road network including Main Road;
- (d) access to Main Road must be achieved via a single entry point.

As discussed above, the additional traffic created will cause the intersection of Arncliffe Road, Main Road and proposed Road 1 to be upgraded to a roundabout controlled intersection. Conditions of approval are recommended accordingly.

F8.5.5.2 Landscaping

There are no performance criteria and the proposal must comply with the acceptable solution, which requires subdivision to include the creation of new landscaped roads reserves and open space that satisfy all of the following:

- (a) enhances the appearance of the streetscape development;
- (b) provides a range of plant heights and forms to create diversity, interest and amenity;
- (c) prevents the creation of concealed entrapment spaces;
- (d) excludes invasive weed species.

As discussed above, the application includes a commitment to provide landscaped streetscape and public open spaces. A condition of approval is recommended accordingly.

INTERNAL REFERRALS**Development Engineer**

Council's Development Engineer has made the following comments and has recommended conditions.

The development application seeks an approval for a total of 219 lots which comprised of 213 residential lots, 2 local business lots, 3 public open spaces and a utility lot subdivision at the subject site. The works include new drainage, roads and traffic infrastructure including the new roundabout at the intersection of Main Road and the entry to the site.

Traffic, Access & Parking

It is proposed that the main access to the site is via the new roundabout. A traffic impact assessment by Milan Prodanovic was submitted as part of the application. Council's Transport Engineer accepted and concurred with the assessment, refer to Traffic Engineer referral.

The construction and design of new roads must be in accordance with LGAT requirements, Council's policy and Austroads.

Accesses to each new lot must be to LGAT Standard Drawings and accord with Tasmanian Subdivision Guidelines 2013 requirements and extend to the lot proper as conditioned. The provision to provide on-site turning area must be to Council's satisfaction.

GCC Services (Stormwater)

The stormwater arrangement for the site is to drain the majority of site via an approved Water Sensitive Urban Design treatment system directly into the Derwent estuary. Council will give favourable consideration to allowing the installation of one (1) only WSUD treatment train unit at the outfall proposed near the site of the existing pond if that unit is designed to meet the reduction targets for the fully developed site (219 lots). The existing pond is proposed to be filled and levelled up, Council's Manager Infrastructure, engineering and design has agreed to the arrangement.

Each new lot must be provided with a stormwater connection to the proposed pipe system at the lowest point of each block to extend onto the lot proper (for internal lots).

Other

E3.0 Landslide Code

A small area of the property has been identified as subject to a 'Medium Hazard' as per the Dept. of Premier & Cabinet / Mineral Resources Tasmania MRT Hazard Maps for susceptibility to landslide. Due to the 'Medium Hazard' a detailed Geotechnical Report was not required to be submitted with the application. The applicant may wish to seek further advice from a geotechnical engineer in regards to the proposed development and the potential hazard. Further information can also be found at the website

http://www.dpac.tas.gov.au/divisions/local_government/osem/mitigating_natural_hazards

E15.0 Inundation Prone Areas Code

There are no flooding impacts identified through Council's records that affect the application.

Transport Engineer

Council's Transport Engineer has made the following comments.

The subdivision development will be based around one main access road (minor collector road) that will pass through the whole development site with a number of local access streets to the lots on each side of this road. The local business lots will be located around the middle of the subdivision site, on adjacent corners of the one four leg intersection within the subdivision, which will have a roundabout control.

The residential lots will have an area generally between 400m² and 600m². Due to various other needs (e.g. buffer zones to railway reserve, industrial land and fire protection) and to provide some multiple dwelling lots, 60 lots will be over 600m² up to an area of 1,155m².

Traffic Generation

In order to determine the traffic generation by the proposed development, the TIA has used a traffic generation rate of 8.26 trips per lot per day for the proposed subdivision based on the results from the surveys undertaken by the consultant in the Hobart metropolitan area in recent years. This rate is higher than the rates provided by the RTA *Guide to Traffic Generating Developments* (in this case, 7.4 trips per day for residential dwelling houses). As a result, the proposed traffic generation rate is considered appropriate as it will reflect the actual traffic activity that will occur as a result of the proposed development.

The TIA, then, calculates that traffic generation of the proposed 216 residential lots would be approximately 1,760 vehicle movements per day and 176 vehicles per hour during the peak periods.

In respect to the traffic activity generated by the local business lots, the TIA states that the types of shops that will be set up in the proposed subdivision are not known at this stage. For this reason, the report assumes that the building floor area for the local business lots could be around 1,200m². In addition, based on the surveys undertaken by the consultant over recent years, the report considered a figure of 15 vehicles per 100m² per hour as the trip generation rate for the proposed business development because the site is centrally located within the subdivision site and away from Main Road, but within walking distance of all of the proposed lots. Consequently, the TIA concludes that the traffic generation by the businesses could be around 180 vehicles per hour during peak traffic periods, with approximately 70 vehicles per hour generated from outside of the subdivision site.

I concur that this traffic generation estimation is appropriate for the case of the proposed development.

Road Network Impacts

The main access road into subdivision from Main Road will be located opposite Arncliffe Road. TIA suggests that the intersection must be controlled with a roundabout to achieve the desired traffic and safety outcomes. The report also indicates that the roundabout control can be provided at this intersection within the current road geometry and it is appropriate for this location given the function of the intersecting roads and when considering the wider surrounding road network.

To assess the impact of the proposed development on the surrounding road network, the TIA undertook SIDRA modelling for the intersection of Main Road, Arncliffe Road and the subdivision's main access road during the AM and PM peak hours. The intersections have been modelled for the current traffic, the current traffic plus subdivision traffic and the traffic 10 years after completion of the subdivision.

Review of the SIDRA modelling results show that the traffic movements through the roundabout controlled intersection will operate at Level of Service A based on delay and the degree of saturation on any approach will be less than 0.3 and there will be minimal queueing.

The TIA, then, states that the proposed roundabout control at the Main Road/Arncliffe road/subdivision road intersection will need to be designed in accordance with Austroads *Guide to Road Design: Part 4B - Roundabouts*.

I agree with the conclusion that the proposed roundabout control at the intersection of Main Road, Arncliffe Road and the subdivision's main access road will operate at an acceptable level of service. However, the roundabout design will need to incorporate the existing bicycle lanes on Main Road through the intersection as well as have other geometric and traffic control elements consistent with required standards to ensure a safe intersection design. In addition, the engineering design for the roundabout at the junction with the Main Road should be submitted as part of stage 1, and constructed in the third stage of the proposed subdivision.

Internal Subdivision Road Network

The proposed internal subdivisional road network will have a defined road hierarchy with the subdivisional road off Main Road having a main access road function for the whole subdivision while the remaining streets will have a local residential access street function. There will be only one four leg intersection within the subdivision, located at the local shopping lots which will be controlled by a roundabout. The layout of the streets will also provide for fairly square T-junctions that will ensure vehicle priorities will be clear to road users.

The TIA states that the mostly curved alignment together with shorter length of the subdivisional streets is supported as this assists in providing for a more calmed speed environment throughout the development site. The report also indicates that adequate junction sight lines will be available along the continuing street through the junctions for the expected speed environment and there will not be any intersection sight distance issues with the road network as proposed.

In addition, the main access road through the subdivision site will cross the railway reserve. The TIA states that the required sight distance for 'stop sign' controls at this intersection will be available. The report also indicates that the railway line is currently not in use. As a result, the report suggests that if train or light rail services were to be re-established along the reserve, active warning devices (i.e. flashing light protection) will be required.

I concur that the railway crossing requires signalised rail crossing protection. However, the proposed signalised rail crossing should be constructed prior to the commencement of stage 4 of the proposed subdivision.

Walkways

The proposed subdivision will provide a pedestrian network throughout the subdivision area in the form of footpaths and walkways in order to enable connectivity within the subdivision. However, people, who use the walkways adjacent to the lots 9, 10, 32, 33, 139 and 140, may require crossing the roads 1 and/or 4. While there are no pedestrian crossing facilities on roads 1 and 4 adjacent to the walkways, it is suggested that pedestrian refuges should be provide in order to provide safer environment for the pedestrians.

Sight Distances

The TIA assessed the sight distances at the proposed subdivisional access road intersection with Main Road and Arncliffe Road.

The TIA states that the available sight distances are at least 150m which is more than the 123m sight distance that is required for a 60km/h speed environment that exists along Main Road. The report also indicates that with the proposed roundabout control at the intersection, the required sight distance will be less than 80m.

I concur that the proposed roundabout control at the intersection of Main Road, Arncliffe Road and the subdivision's main access road has adequate sight lines.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety, I have no objection to the proposed subdivision (218 lots) at 231 Main Road, Austins Ferry and 241 Main Road, Austins Ferry on traffic engineering or road safety grounds, subject to the following conditions being met:

- The design of the roundabout at the intersection of Main Road, Arncliffe Road and the subdivision's main access road must incorporate the existing bicycle lanes on Main Road through the intersection as well as have other geometric and traffic control elements consistent with required standards to ensure a safe intersection design;
- The engineering design for the roundabout at the intersection of Main Road, Arncliffe Road and the subdivision's main access road must be submitted as part of stage 1, and constructed in the third stage of the proposed subdivision;
- The proposed signalised rail crossing must be constructed prior to the commencement of stage 4 of the proposed subdivision;
- Pedestrian refuges must be constructed on roads 1 and 4 adjacent to the walkways of lots 9, 10, 32, 33, 139 and 140 prior to the completion of the final stage of the subdivision.

Environmental Health Officer

Council's Co-ordinator Environmental Health has made the following comments and recommended conditions of approval.

The historic uses of this site include use as the Gunns Austins Ferry timber processing facility which was operational from 1958 to 2001. Potentially contaminating activities undertaken at the site include: fuel and chemical storage, operation of plant and equipment, electrical transformers, onsite incineration (fire pit) and filling and onsite disposal of wastes. Additionally, neighbouring land uses with potentially contaminating activities have been investigated and not found to have impacted the site.

The applicant has provided a site contamination investigation report, *Austins Ferry Site Investigation and Validation for Austins Ferry Tasmania Pty Ltd* (Epic Environmental, 27 October 2017; 853 pages). The report is signed by Brad May, a Site Contamination Practitioner Australia (ID 15029) who states that the site is suitable for residential use. The SCPA accreditation is the highest level of professional qualification and experience in Australia for the assessment of contaminated land. This report is a requirement for Council officers to evaluate any possible health risks posed by the development of potentially contaminated land to ensure that it is suitable for sensitive residential use.



Figure 8. The site layout showing the areas of potential contamination with areas A, C and E uncontaminated and areas B and D with potential levels of contamination

Specifically, "...areas A, C and E are not considered to be contaminated, and do not present a risk to human health of (sic) the environment" (p.11). These are the areas which will form part of the initial works for the subdivision. Areas B and D "...are generally considered suitable for the proposed land uses...following additional works" (p.11). These areas will undergo additional testing before being issued with a statement that they are suitable for the intended use.

Areas B and D used to contain the oil store, saw sharpening shed and the wood planing mill. Removal of infrastructure associated with transformers will allow validation sampling under the structures, a requirement to ensure the entire site is suitable for its intended use. Remediation of these areas has resulted in minor residual concentrations of total hydrocarbons (THC). Following a telephone discussion with Brad May, it is understood the further monitoring is for potential downgradient ground water contamination.

This type of testing takes approximately six months to finalise and Brad May was of the opinion that the predicted results would show the areas to be suitable for the proposed development.

The *Whitestone Point Specific Area Plan* of the GIPS requires “habitable rooms of dwellings must be set back 30m from the rail line” (F8.4.4.3); or, meet the *Performance Criteria* that the “Habitable rooms of dwellings must be designed with suitable attenuation measures consistent with the recommendations of an acoustic report prepared by a suitably qualified person.” This is in order to protect homes from the noise and vibration associated with train movements. The submitted plans meet the requirements of the *Whitestone Point Specific Area Plan*.

The *Whitestone Specific Area Plan* sits above the *Road and Railway Assets Code* of the *Glenorchy Interim Planning Scheme 2015* (“GIPS”) in the hierarchy of consideration. Additionally, the report by *Milan Profanovic Traffic Engineering and Road Safety* (16 March 2018) has been considered in relation to noise impacts for the proposed habitable dwellings situated near the currently unused rail corridor. An earlier noise and acoustic assessment by Vipac Engineering (6 March 2012) concurs with the *Whitestone Specific Area Plan*, where habitable rooms must be set back 30m from the rail line; or meet the *Performance Criteria* where acoustic mitigation measures are applied to a building as recommended by a suitably qualified expert. The noise readings for the Vipac report were able to be taken when the freight trains were running so are reliable for this type of train noise. The submitted plans for the subdivision meet the criteria set out to protect amenity for noise and vibration.

The proposal is recommended for approval with conditions.

Natural Areas Co-ordinator

Council’s Natural Areas Co-ordinator has made the following comments

Supporting Documentation

An Environmental Management Plan (EMP) was prepared for the site by enviro-dynamics (May, 2018). The EMP details management of the proposed Public Open Space (POS) lots and provides broad weed management actions. Two Natural Values Assessments have also been undertaken in 2010 and 2017. In addition, a Bushfire Hazard Report was prepared by enviro-dynamics for the site in March 2017.

Biodiversity Code

This code applies to development involving clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area. The site is identified within a Biodiversity Protection Area, as shown on the planning scheme maps (Figure 9). Within the Biodiversity Protection Area, the vegetation is grouped into priority biodiversity values. The site contains largely high priority biodiversity values and low priority biodiversity values (Figure 10.)

The Natural Areas Report submitted with the application assesses the natural values of land associated with a proposed subdivision. The report identified a small population of rough spear grass (*Austrostipa scabra*) which is listed as rare under the *Threatened Species Protection Act 1995*. Clearance and conversion or disturbance of this vegetation requires assessment under the *Threatened Species Protection Act 1995* and is exempt from assessment under this code.

As described by enviro-dynamics (2018), the site has been mostly cleared of native vegetation, with only a few small patches of woodland remaining around the perimeter of the site in the proposed Public Open Space lots. Tree planting has also occurred across the property, including both native and non-native species, mostly in the POS and buffer zone. There are extensive weed infestations across the site, particularly along the edges of the River Derwent.

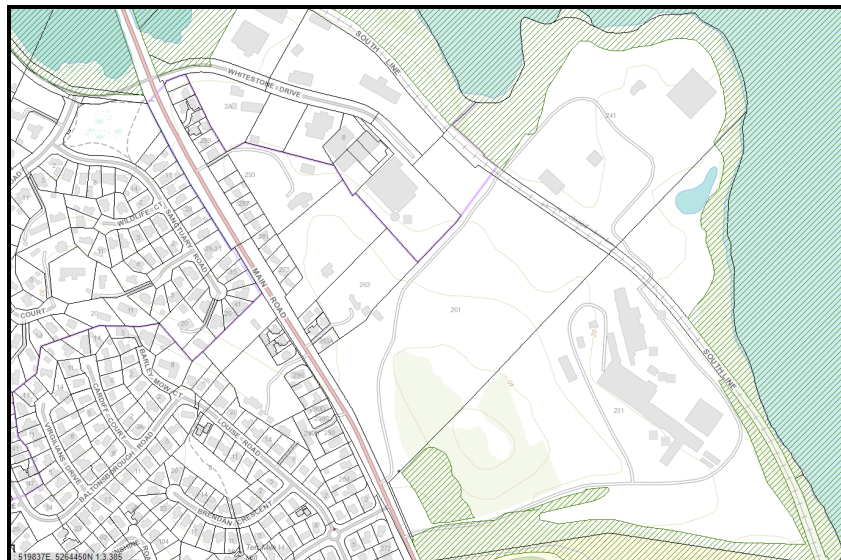


Figure 9. Map E10 Biodiversity Protection Area - LISTmap



Figure 10. Priority Biodiversity Values. The site contains high priority biodiversity values (red) and low priority biodiversity values (green). Medium priority biodiversity values (mustard) are shown in proximity to the site.

Although small patches, the natural values of the site do include the threatened vegetation communities *Eucalyptus ovata* woodland (DOV) and *Eucalyptus amygdalina* woodland on sandstone (DAS) and Freshwater aquatic sedge land and rush land (ASF). There are also substantial weed infestations across the site, including within the POS that which will require a considered management plan accompanied with adequate resourcing to manage. There are over 50 species, the most serious being pampas grass. The site also contains many planted eucalypts including blue gums, which provide potential foraging habitat for the endangered swift parrot. The EMP indicates that most of these trees will be retained within the POS lots.

The report proposes that lots on the western slope of Ten Mile Hill will involve the clearance of a small area of the *Eucalyptus amygdalina* woodland on sandstone (DAS), which is a threatened vegetation community. The *Eucalyptus ovata* forest and woodland (DOV) community occurs along the eastern boundary on the edge of the River Derwent. The Freshwater aquatic sedge land and rush land (ASF) community occurs in the north-west corner of the property along the edge of the River Derwent. These vegetation communities are to be largely located within the Public Open Space land and are within the Biodiversity Protection Area, with a 'high priority biodiversity value' classification under the planning scheme. The proposal relies on performance criteria because of the creation of residential lots clearance and conversion for the purpose of bushfire hazard management areas within the Biodiversity Protection Area.

The performance criteria require the clearance and conversion or disturbance to satisfy the following:

- (c) if high priority biodiversity values:
 - (i) subdivision works are designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the subdivision;
 - (ii) impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting of any building area;
 - (iii) high priority biodiversity values outside the area impacted by subdivision works, the building area and the area likely impacted by future bushfire hazard management measures are retained and protected by appropriate mechanisms on the land title;
 - (iv) special circumstances exist;
 - (v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and any relevant Council policy.

The Natural Values Report 2018 addresses the performance criteria in the following:

- (i) *subdivision works are designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the subdivision;*

The overall subdivision plan has been designed to minimise the impact on biodiversity values by incorporating most of the remnant vegetation into public open space. The majority of the of DAS on the western slope of Ten Mile Hill has been rezoned as General Residential in spite of the area being identified by North Barker (2012) during a survey prior to the interim scheme being developed. Short of rezoning this land there are limited adjustments that can be made to the subdivision to retain this vegetation. A small area will be retained in the adjacent POS on Ten Mile Hill and there is some potential to revegetate cleared land on Ten Mile Hill to replace some to the values of the DAS; however this is limited by bushfire management requirements. The loss of the estimated 0.6ha of DAS can be offset for this subdivision development through the protection and rehabilitation of the remaining high priority values on the site.

- (ii) *impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting of any building area;*

In general, the clearance or modification of vegetation on the site for bushfire hazard management is limited. Where possible the HMA for lots adjacent to the bushfire hazard is contained wholly or partially within the news lots (Figure 4). The bushfire hazard management areas on Ten Mile Hill are predominantly within the degraded vegetation with a very small

portion of the DAS to be cleared (estimated as 650m²). The lots along the eastern boundary are set back from the BPA and the hazard management areas have been incorporated into the lots to avoid the DOV community. A narrow strip of degraded DAS will need to be cleared or modified along the south eastern boundary to establish the HMA. The northern lots are bushfire prone and the HMA is incorporated partially on the lots and partially within the POS. The POS along these boundaries is generally cleared or degraded and the native vegetation is present on the steeper slope closer to the water's edge. As such impacts on natural values as a result of bushfire hazard management measures will be minimal. The control of woody weeds within the designated POS will result in a significant reduction in the fire hazard around the entire development however some existing trees will need to be thinned and HMA's maintained in a low fuel condition. An estimated 5-10 mature trees will need to be removed from the HMA along the northern end of the site (refer to Figure 4 and Appendix 2).

- (iii) *high priority biodiversity values outside the area impacted by subdivision works, the building area and the area likely impacted by future bushfire hazard management measures are retained and protected by appropriate mechanisms on the land title;*

All areas of POS containing high priority biodiversity values will be retained. These values include threatened *Eucalyptus ovata* woodland (DOV) community along the eastern boundary, and coastal vegetation along the edge of the Derwent River (DAS, ASF and ARS). These areas will be transferred to the council or Crown Land Services as part of the subdivision development and will be protected from future clearance. Initial weed control will be undertaken as part of the development with ongoing management to be undertaken by the managing body into the future. Individual trees (including blue gums) that occur within the HMA on the site have been plotted (refer to Figure 4) on the site. The majority of mature trees within the HMA can be retained provided they are separated from each other by a minimum of 10-15m (canopies) and that there is separation between the ground and the canopy (min 2m). Appendix 2 provides an expert from the Environmental Management Plan in regard to the retention of trees for the development.

- (iv) *Special circumstances exist;*
 - (a) *The use or development will result in significant long term social or economic community benefits and there is no feasible alternative location.*
- The subdivision will result in the loss of a small area of DAS vegetation however it can be argued that the development of a disused and degraded site into a large residential estate will provide long term social and economic community benefits. The retention of the Ten Mile Hill top to prevent skyline development means that the adjacent DAS vegetation will be impacted by new lots (as per the rezoning). The development will

also provide a network of POS and trails for recreation and result in the management of degraded coastal vegetation;

(b) ongoing management cannot ensure the survival of the high priority biodiversity values on the site and there is little potential for recruitment or for long term persistence;

The area of DAS vegetation to be impacted by the development is isolated from other intact area of vegetation and there are significant weed infestations on adjoining land including pine trees. Left unmanaged it will degrade further and its long term persistence is unlikely;

(c) the extent of proposed removal of high priority biodiversity values on the site is insignificant relative to the extent of that community elsewhere in the vicinity. The extent of the proposed removal of high priority biodiversity values on the site is insignificant relative to the extent of that community elsewhere in the vicinity. An estimated 0.65ha of DAS will be removed from Ten Mile Hill and within the HMA in the SE corner. An estimated 0.8ha will remain intact in the south east corner of the site and a further estimated 13ha of intact DAS occurs on the adjacent St Virgil's college grounds. The other threatened vegetation communities on the site will be retained and their condition improved through weed management actions undertaken as part of the development EMP. DOV will not be impacted but improved through management of weeds.

- (v) *residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and any relevant Council Policy.*

The clearance of DAS on the western flank of Ten Mile Hill cannot be avoided without rezoning. The retention of other high priority biodiversity values within the site would not satisfy the requirements for an appropriate offset under the STCA guidelines as it is a different vegetation community and is not a like for like offset. Use of a financial offset is outlined in the STCA Guidelines but there are currently no formal provisions to support this under the Glenorchy Interim Planning Scheme. The POS created under this subdivision will contain infestations of environmental values and provide for improve recreational opportunities. The management of weeds in the POS and development of a walking trail network will improve the values and amenity of the site significantly and will provide an environmental and community offset to the loss of the small area of DAS vegetation. This can provide a satisfactory mitigation of the impacts on the high priority vegetation community.

- (vi) *clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.* While the loss of DAS remnant on Ten Mile Hill is significant in relation to the biodiversity value of the property, it will not

substantially detract from the conservation status of the biodiversity values in the vicinity. It is a relatively small area compared to the DAS remnant on the neighbouring St Virgil's College grounds and is too small to maintain ecological integrity in the long term. The management of the retained vegetation will lead to an improvement in the conservation values of the area and removal of weeds north of the St Virgil's remnant will prevent weeds from spreading into this bushland.

As part of the assessment of the proposal, an environmental management plan, dated May 2018 was submitted. The environmental management plan primarily covers the management of the proposed public open space lots (POS), including activities related to the development that impacts the POS. The environmental management plan includes weed management actions for the development of the area with the following objectives being:

- g) to minimise the environmental impacts associated with the development;
- h) to protect native vegetation and retain habitat trees within POS;
- i) to ensure the development does not contribute to the spread of weeds;
- j) to improve the condition of native vegetation and rehabilitate degraded areas;
- k) to ensure that landscaping is consistent with bushfire hazard management requirements; and
- l) to manage weeds on the development site prior to, during and after construction works.

In addition, the environmental management plan contains four main sections: Weed Management Plan; Rehabilitation and Landscaping Plan; Tree Retention Plan; and Trails Plan. The EMP proposes managing the POS and subdivision in 4 zones; Conservation Zone, Rehabilitation Zone, Recreation and Buffer Zone and Development Zone.

As mentioned there are substantial weed infestations across the site, which require a considered management plan, accompanied with adequate resourcing to manage. There are over 50 species, the most serious being pampas grass.

Waterway and Coastal Protection Code

The site is overlayed with Waterway and Coastal Protection Areas and bushfire hazard management areas are to be located within Waterway and Coastal Protection Areas, as shown on the planning scheme maps and within the relevant distance from a watercourse, wetland, lake or the coast, as shown in Table E11.1 of the scheme (Figure 11).



Figure 11. Map E11.1 Waterway and Coastal Protection Areas - LISTmap

The proposal complies with the acceptable solution, by having the creation of a lot for public open space, public reserve or utility within the Waterway and Coastal Protection Area.

Manager Property Assets

Council's Manager Property Assets has made the following comments.

The proposed open space is compliant with the requirements of Council Policy-Subdivisions – Public Open Space Acquisition and Contributions. The open space; is within walking distance for residents; is usable for recreation purposes; provides permeability in the form of pedestrian linkages; is safe and easily maintained; caters for diversity of recreational experiences across the neighbourhood area; and provides areas of natural and cultural value.

The open space and pathway network is compliant with the Glenorchy Open Space Strategy 2015. As required by the strategy the proposal provides for; centrally located social/family recreation areas; off road trails; retention and planting of trees/vegetation between the school site (St Virgil's) and public access to the foreshore.

The proposal is recommended for approval with conditions:

A landscaping plan for the trails is to be submitted for approval of Council's Senior Statutory Planner showing;

- Off road trails to be minimum Grade 1, as per Australian Standard AS2156.1. Long sections and cross sections to be provided showing compliance.
- Trail signage and furniture (seating).
- Staging of trail works to be completed.

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater. TasWater are in support of the application and have recommended conditions and advice.

TasFire

The application was referred to TasFire for review. TasFire identified discrepancies in the Bushfire Hazard Management plan and requested additional information for corrections. TasFire are now in support of the proposal, subject to conditions.

TasNetworks

TasNetworks advise that a number of existing privately owned electricity assets are located within the land to be subdivided. The land is not affected by transmission assets.

The developer will need to design an overall development plan for the subdivision that takes into account the safe disconnection of these assets from TasNetworks' network and installation of new assets to service the subdivision that meets TasNetworks' design standards, including the provision of easements (where relevant). It is likely to be most cost effective for installation activity associated with electricity services for the subdivision to occur during the subdivision civil works and it will be necessary to register any associated easements prior to the issue of titles for each stage of the subdivision.

As the planning scheme does not mention this as a relevant consideration, advice is to be placed on the permit if approved.

TasRail

The application was referred to TasRail and the following comments were made.

TasRail acknowledges that the railway line that is adjacent to the subdivision is currently non-operational. The section of the Tasmanian Rail Network that runs between Hobart and Bridgewater remains part of the South Line and is included in TasRail's Corridor Lease with the Crown. As Council is aware, it is the policy position of the State Government that this rail corridor be preserved for transport. Consequently, TasRail is required to continue to manage the corridor as if it was an operational railway line and including for scenarios that include freight rail, passenger rail and commuter rail. In this context, a major concern for TasRail (or any future operator of rail transport through this corridor) is the increased use of the existing level crossing at Main Road that arises as a consequence of the subdivision.

TasRail therefore requests that Council include the following conditions in any permit granted for the subdivision, specifically to address the level crossing issue and resulting risk:

- The proponent be required to engage TasRail to undertake an ALCAM and Risk Assessment of the existing Main Road level crossing, based on the subdivision being fully subscribed and considering a range of rail scenarios. The ALCAM determines the controls required at the crossing for the expected conditions as per the relevant Australian Standard. The HIRAC will inform any additional controls required to mitigate risk.
- The cost of the ALCAM and HIRAC to be met by the proponent.
- Based on the scale of the subdivision, it is likely that active protection will be required at the Main Road level crossing when rail/transport operations resume on the corridor, noting that the permit will need to specify that the resulting cost to design and install the higher level of protection required is to be met by the proponent.
- Assuming the Council (or DSG) will continue to be responsible for the road owner responsibilities at the existing level crossing, Council may wish to consider whether it wishes to pass on any of its costs related to these obligations to the proponent. An example may include the cost of maintaining the crossing pavement surface that will deteriorate at a faster rate given the predicted, additional 600 vehicle movements per day.

Additionally, TasRail notes that the Traffic Impact Assessment (TIA) supplied by the proponent states that 'in the event that active protection is installed at the existing level crossing, then sight distances along the rail corridor will not be a consideration'. This is incorrect.

The installation of active protection at the level crossing will not alter in any way the requirement for a rail operator to ensure and enjoy an unobstructed line of sight. I refer Council to Section 24 of the Rail Infrastructure Act 2007 which provides that the Rail Infrastructure Manager may give an adjoining landholder a clearance notice requiring the adjoining landholder to clear the obstruction as circumstances require. In the event that the adjoining landholder fails to comply with the clearance notice, then the Rail Infrastructure Manager may apply to a justice for a warrant to access the land to clear the obstruction and recover the costs as a debt due to the railway entity from the landholder.

TasRail therefore recommends that in the event a planning permit is granted for the development, the conditions of said permit make it clear that a clear line of sight for railway operations must be maintained across the corridor.

It should be noted that TasRail has previously provided advice to both the Department of State Growth and the proponent that a second and/or alternate new level crossing will not be approved and the reasons for this position. Based on a review of the documents enclosed with your notification received 17 November 2017, TasRail also has concerns with a number of the proposed lots in stages 2, 4 and 5. These stages appear to include lots that have been positioned with a setback distance from the rail corridor that is significantly less than the recommended attenuation zone of 50 metres as per the Road and Railway Assets Code.

Potential buyers of these lots will need to ensure they are aware of the risks, and understand the implications of building in close proximity to a rail line that may become operational in the future. These risks include exposure to high train noise and potential vibration and although appropriate engineering and design measures may mitigate vibration issues and reduce noise impacts, they can also add to the cost of the build. In any case, a rail operator is likely to raise concerns or objections with future development applications for residential developments that are positioned within the 50 metre attenuation zone.

MetroTas

MetroTas is in support of the proposal.

REPRESENTATIONS

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

1. Impact on TasRail infrastructure

The representor states that there are lots that are to be located within the 50m attenuation distance required by the Road and Railway Assets Code. Building close to the rail network has implications such as noise vibration, causing increased costs to build. Future purchase should be made aware of these issues.

Planner's Comment:

This issue has been previously addressed under the heading Road and Rail Asset Code - E5.6.1 Development adjacent to Roads and railways. The proposal is assessed as complying with the standard through the performance criteria.

An advice clause is to be placed on the permit if approved to inform future purchasers the implications of building in proximity to the rail network. However, a covenant is not required on the title to inform future purchasers the implications of building in proximity to the rail network, as the use of the rail network and buildings within proximity to it are regulated through Acts and information about building in those locations is publically available.

2. Future level crossing control

The representor is concerned about who will bear the significant cost involved for the installation of the required level crossing controls in the future.

Planner's Comment:

A condition of approval is recommended to ensure the developer covers the cost of the construction of the level crossing. This is no different than the developer covering the cost of the construction of roads and other infrastructure that is to be transferred to Council and other agencies or authorities.

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 these standards. The proposal is assessed as complying with all other use and development standards in the applicable zones, codes and SAP. The application was publicly advertised for the statutory 14-day period and one representation was received. Concerns were raised about the proximity of development to the rail corridor and the level crossing construction. Both matters have been addressed in the assessment.

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 218 lot subdivision plus Road at 231 Main Road Austins Ferry, 241 Main Road Austins Ferry and 261 Main Road Austins Ferry subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-321 and Drawing No. P3 submitted on 29 March 2018 and Drawing No. P4 submitted on 10 May 2018, 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 2017/01824-GCC, dated 01 June 2018, form part of this permit.
3. The implementation of the subdivision must occur in the following stages:
 - Stage 1 Lots 1-8 and Lots 23-30;
 - Stage 2 Lots 9-22, 45-65, 137-141, 31-44, plus Ten Mile Hill Public Open Space and Local Business lots (4662m² and 1173m²);
 - Stage 3 Lots 142-177, Lot 400 and foreshore Public Open Space;
 - Stage 4 Lots 178-213;
 - Stage 5 Lots 112-136 and Public Open Space (including Railway Buffer);
 and
 - Stage 6 Lots 66-111 and Public Open Space (including Railway Buffer).
4. An original and two copies of each of the Plan of Subdivision and Schedule of Easements must be submitted to Council for sealing.
5. Prior to the sealing of the final plan for the Stage 2, the schedule of easements and final plan of survey must contain a restrictive covenant for lots 48-57 and lots 141 and 140, to which Council is to be made a party, to the effect that no dwellings must be constructed within the 10m wide noise buffer.

6. Prior to the sealing of the final plan for the all Stages, the schedule of easements and final plan of survey must contain a restrictive covenant for lots 123-136, 142 and 175-186 to which Council is to be made a party, to the effect that no habitable rooms of dwellings must be constructed within 30m of the rail network.
7. Prior to the sealing of the final plan for the Stage 2, Stage 3, Stage 5 and Stage 6, the schedule of easements and final plan of survey must contain a restrictive covenant for all lots adjoining a public footway and/or public open space to which Council is to be made a party, to the effect that boundaries shared with public footway(s) and public open space(s) must be fenced to a height above natural ground level of not more than 1.2 if the fence is solid; or 1.8m with openings above a height of 1.2 m that provide a uniform transparency of not less than 30% (excluding any posts or uprights).
8. Reciprocal Right of Way(s) in favour of Council must be created over the 4m wide access to lot 400 and the foreshore public open space and must be shown on the schedule of easements and final plan of survey to the satisfaction of Council's Senior Statutory Planner.
9. Prior to the sealing of the final plan for the each Stage, the schedule of easements and final plan of survey must contain a covenant for each relevant lot, to which Council is to be made a party, to the effect that all development must be in accordance with the recommendations of the Bushfire Hazard Report by Enviro-dynamics, dated May 2018 (V4).
10. Prior to the sealing of the final plan for the each Stage, the schedule of easements and final plan of survey must contain a covenant for lots 4-11, 23-33, 45-48, 50-57, 70-85, 140-141, 142-147 and lots 148-175, to which Council is to be made a party, to the effect that no dwellings must be constructed within the fuel modified buffer zone, as shown on the approved plan.
11. Prior to the sealing of final plan of subdivision for Stage 1, Stage 3 and Stage 6 the landowner must enter into a registered agreement with Council pursuant to Part 5 of the Land Use Planning Approvals Act 1993 to provide for the following:
 - (a) The Public Open Space is to be managed in accordance with the recommendations of the Bushfire Hazard Report by Enviro-dynamics, dated May 2018 (V4).

The landowner is responsible for arranging the execution of the Agreement by any mortgagees and for all costs associated with the preparation and registration of the Agreement.

Engineering

12. Prior to the issuing approved engineering drawing for subdivision 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 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.

13. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
14. The construction details of specific components of the works must comply with LGAT Standard Drawings and accord with Tasmanian Subdivision Guidelines 2013, the developer must appoint a qualified and experienced engineer who will be required to certify practical completion of subdivision construction works. The appointed supervising engineer must be the primary contact person on matters concerning the subdivision.
15. The design and construction of roads must be in accordance with Austroads Guide to Road Design Part 1-8. The proposed roads must comply with the following-:
 - a) The designed low points on Roads 1, 2, 3 and 6, are to align with the proposed walkways to enable a combined walkway/flood paths construction;
 - b) The materials used for roadworks are to be in accordance with State Growth General Specification for Roadworks;
 - c) Road reservation widths must be as followings;

ROAD '1'	Twenty metres (20m.)
ROAD '2'	Eighteen metres (18m.)
ROAD '3'	Eighteen metres (18m.)
ROAD '4'	Twenty metres (20m.)
ROAD '5'	Eighteen metres (18m.)
ROAD '6'	Eighteen metres (18m.)
ROAD '7'	Eighteen metres (18m.)

- d) The minimum carriageway widths (face of kerb – face of kerb) for the roads proposed will be:-

ROAD '1'	Eleven metres (11m.)
ROAD '2'	Eight point nine metres (8.90m)
ROAD '3'	Eight point nine metres (8.90m)
ROAD '4'	Eleven metres (11m.)
ROAD '5'	Eight point nine metres (8.90m)
ROAD '6'	Eight point nine metres (8.90m)
ROAD '7'	Eight point nine metres (8.90m)

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 Council's approved drawing. All works required by this condition must be installed prior to the sealing of the Final Plan for each stage.

16. Pavement depths shown on the Standard Drawings are the minimum required. Final depths will be determined by structural calculations based on actual sub-grade C.B.R. and design traffic loads, and must be certified by an appropriate qualified engineer. All design plans submitted must be accompanied by pavement design calculations to demonstrate that the design is appropriate.
17. Roundabout construction at the two location designated on the plan is to be constructed in accordance with the Austroads Guidelines (Guide to Road Design Part 4B 3015). The engineering design for the roundabout at the junction with the Main Road must be submitted as part of stage 1, and constructed in the third stage of the proposed subdivision. Included in these works will be the placement of a 30mm. asphalt overlay for the extent of modifications to both Main Road and Arncliffe Road. The design of the roundabout at the intersection of Main Road, Arncliffe Road and the subdivision's main access road must incorporate the existing bicycle lanes on Main Road through the intersection, as well as have other geometric and traffic control elements consistent with required standards to ensure a safe intersection design. The roundabout at the junction of Roads 1, 4 and 5 must be constructed and completed prior to the sealing of the stage 4.
18. Prior to any works being undertaken within Council's road reservation (Main Road) a Road Opening Permit will be required; part of this permit will be the approval of a Traffic Management Plan that will include a public consultation process.
19. The construction of footpath and walkways must be in accordance with the LGAT Standard Drawings and Council's footpath policy. The proposed footpath and walkways must comply with the following:-
 - a) Footpath must be constructed on both sides of the carriageways;

- b) Footpath must be located 1500mm clear from the kerb allowing for a tree planting strip;
- c) Footpath must be minimum of 1500mm wide concrete as detailed in the TSD-R11;
- d) Where the walkways are adjacent to the low points in the roadways the subgrade must be excavated to a level so that the finished surface of the footpath is a minimum of 150mm. (one hundred and fifty millimetres) below natural surface level;
- e) Type F bollards are to be installed at each end of walk ways (one either side of concrete path) in accordance with Standard Drawing TSD-R31.

To satisfy the above requirements, submit details demonstrating the above prior to the issuing of Council's approved drawing. All works required by this condition must be installed prior to the sealing of the Final Plan for each stage.

- 20. The proposed signalised rail crossing must be constructed as part of stage 3 of the proposed subdivision. These works are to be undertaken in consultation with Tasrail and must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia and the *Rail Infrastructure Act 2006*.
- 21. Pedestrian refuges are to be constructed on roads 1 and 4 adjacent to the walkways of lots 9, 10, 32, 33, 139 and 140 as detailed on standard drawing TSD-R20. The construction will be required prior to the completion of the final stage of the subdivision.
- 22. Kerb ramps are to be provided at road crossings on pedestrian paths of travel, in accordance with Council's Standard Drawing GCC 11-11 and AS1428 Design for Access and Mobility, Part 4.1. Tactile ground surface indicators must be provided for kerb ramps and pedestrian refuge crossings in accordance with Council's Standard Drawing GCC 11-11 and AS1428 Design for access and Mobility, Part 4.1.
- 23. Driveway construction is to accord with Standard Drawings TSD-RO9. Designs for the driveway are to include the full extent of the formation to achieve the maximum gradient of 20% (or 1 in 5) as well as an area for on-site turning. All driveways servicing internal lots (lots 48,141,156,157,166 and 400) must be demonstrated on the design drawing as complying with standards of acceptable sight distance and are to be fully constructed to the lot proper (minimum 3.600m. wide in accordance with Standard Drawing TSD-RO9) prior to the sealing of final plan.

24. All road areas required for road widening, walkways and public open space are to be shown as lots on the final diagram and are to be sold to Council for a nominal sum of one dollar (\$1.00). The final plan of survey will not be sealed until an executed Agreement of Sale and an executed Memorandum of Transfer is provided to Council, along with the required Titles Office registration fees. All other legal costs associated with fulfilment of this condition are to be met by the subdivider.
25. The proposed stormwater system, including overland flow paths must be sized to accommodate the estimate 1 in 100 year or 1% AEP (Annual Exceedance Probability) flow based on a possible future fully developed catchment with an allowance for predicted climate change up to the year 2100. All proposed piped mains must be sized to accommodate at least the estimated 1 in 20 year storm event based on a possible future fully developed catchment. Prior to the start of the work, the developer is required to submit hydraulic design calculations carried out by a suitably qualified engineer supporting their design, to the satisfaction of Council's Stormwater Engineer.
26. Stormwater flow maintenance and quality treatment for the development must be installed at the developers cost, to the satisfaction of Council's Development Engineer.
27. The development must incorporate a Water Sensitive Urban Design (WSUD) treatment train, based on a possible future fully developed catchment, to meet the overall 80%, 45% and 45% reduction of the average annual load of total suspended solids (TSS), total phosphorus (TP), and total nitrogen (TN) respectively. Prior to the start of work, the applicant must provide a detailed design and supporting calculations, designed by suitably qualified person and to the Council's Stormwater Engineers satisfaction, to demonstrate that the designed WSUD treatment train is able to meet the pollutant reduction targets required. The Developer shall maintain all the WSUD treatment train elements until the completion and sealing of the survey diagram for the final stage of the subdivision. Prior to Council taking over all the WSUD treatment train elements, the developer is required demonstrate to Council by providing evidence or documentation, to the satisfaction of Council's Stormwater Engineer, that all the WSUD treatment train elements are in a working condition as designed. The developer is also required to replace all consumable parts, such as filters and cartridges, no more than one month before Council taking over these WSUD treatment train elements.
28. The disposal of the stormwater run-off from stage 1 including the new works required for the junction with Main Road will discharge to the existing open drain. The developer must undertake initial maintenance at the rear of lots 23-34 to restrict potential inundation to the proposed public open space.
29. The stormwater drainage arrangements must comply with the following:
 - a) All lots must be serviced with a one hundred and fifty diameter (150mm.)

house connection at the lowest point to adequately drain the entire lot;

- b) Stormwater house connections for the internal lots (48, 141, 156, 157, and 166) must be extended to the lot proper;
- c) All house connection must be discharged into a piped system (no connections to the kerb and gutter);
- d) Side entry pits for road drainage to be type four (4); and
- e) The design of the foreshore walkway to incorporate a system of drains and culverts to minimise erosion and scouring.

To satisfy the above requirements, submit details demonstrating the above prior to the issuing of Council's approved drawing. All works required by this condition must be completed prior to the sealing of the Final Plan for each applicable stage.

30. Prior to the start of work , the developer is required to provide Council with a detailed engineering services plan indicating the location of all proposed easements and services, and how they connect to public infrastructure including ;
- a) Lot connections, size and location. The each connection must service the lowest point of the lot;
 - b) Long sections along with invert levels and depths of all proposed new mains;
 - c) Any proposed manholes and inspection openings must be sized appropriately; and
 - d) The servicing plan must clearly indicate how all stormwater from the site, will be discharged to Council infrastructure with sufficient receiving capacity.

To satisfy the above requirements, submit details demonstrating the above prior to the issuing of Council's approved drawing. All works required by this condition must be completed prior to the sealing of the Final Plan for each applicable stage.

31. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that they are contained entirely within the lots served. Power and telephone connections must also be contained within their respective lots. A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans. In particular, the developer must confirm the position of any services that may be affected by the subdivision/boundary adjustment.

32. In order to satisfy the above condition on the separation of services, the developer must verify compliance by supplying the Council with a services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots) and also a covering letter, where the Council is advised in writing that all the relevant engineering work required in these planning permit conditions have been satisfactorily completed, prior to the sealing of the final plan. Any final plan submitted for sealing cannot be fully processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A "qualified person" shall be a professional engineer or professional surveyor or other persons acceptable to Council. Applicants or their agents should take notice that unless this condition is satisfactorily complied with, then documents submitted for sealing of the final plans will not be processed.
33. A minimum of 2.50m wide easements must be created in favour of Council over all public stormwater infrastructure systems located in private property.
34. The applicant must pay Council the amount of \$213.20 per lot on the diagram to complete the measure up and record 'as constructed' data for all assets to be taken over by council prior to the sealing of a Final Plan. This amount is subject to annual adjustment with the Council Fees and Charges Register.
35. Any creation, diversion and augmentation of Council owned stormwater assets must be designed and constructed to the satisfaction of Council's Development Engineer. A twelve (12) month maintenance period will be applied to any creation, diversion and augmentation of Council owned assets after the practical completion, during which time the works shall be maintained by the developer, prior to being handed over at the completion of the defects liability period. During the period all defects must be rectified at the developers cost. A further twelve (12) month maintenance period may be applied to defects after rectification. The Council may, at its discretion, undertake rectification of any defects at the developers cost. Before the end of the maintenance period, the developer must arrange CCTV inspections of any stormwater assets subject to this permit, taken no more than one month before the end of the maintenance period, and submit the inspection reports to the requirements of the Council's Stormwater Engineer and at full cost to the applicant. Any defect identified in the CCTV inspection must be rectified to the satisfaction of Council's Stormwater Engineer, before the Council takes over the stormwater assets.
36. A Streetscape Landscape plan must be submitted and approved by Council's Senior Statutory Planner prior to the sealing of the final plan for Stage 1. The plan must be to scale and show details of proposed plantings including botanical names, and the height and spread of canopy at maturity. All planting to be central to the proposed planting strip.
37. A minimum of one (1) tree for each allotment with a frontage to the roadway is

to be planted in an approved location in accordance with Standard Drawing TSD-R36.

38. Street tree planting must be installed by the end of the initial defects liability period of each stage. A further 2 year defects liability period applies.
39. Upon the completion of any approved stage of the works the road and drainage infrastructure must be subject to a twelve month defects liability period. At the time of issue of the Certificate of Practical Completion the applicant must lodge security with Council to the value of 5% of the works.
40. The developer must provide underground electrical reticulation for power and street lighting. Underground TasNetwork cables must be used subject to any underground cables in joint use trenches complying with Council's Development Engineer and TasWater codes.
41. The redundant overhead power supply that serviced the site is to be removed during stage one (1) of the development.
42. The proposed sewerage pump station is to be relocated within the Railway Buffer Zone adjacent to its southwest boundary and ten (10) metres northwest of the rear boundary shown for lot 175.

The rear boundary proposed for lot 175 must be amended to negate the need for a building exclusion zone to impact on any part of that lot.

43. The developer is to liaise with the relevant agency and to make provision for the installation of communication cabling to service each lot of the development.
44. Where filling of the lots is required as part of the subdivision works and/or rehabilitation of the site, the fill area must be cleared and stripped of all organic material and debris, and the filling placed and compacted to approved design levels. All filling must be compacted and tested in accordance with AS 3798 – 2007- Guidelines in Earthworks for Commercial and Residential Developments and Amendment No.1 – 8 May 2008. As part of the remedial process the areas of controlled fill greater than 300 mm in depth must be documented specifying depths and achieved densities. A covenant must be placed on the title of those lots affected alerting the prospective purchasers to the site classification.
45. Any proposed changes to the approved drawings are to be properly documented; the approved engineering drawings affected by any proposed change must be resubmitted for approval prior to the start of the works.
46. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issuing of Council's approved engineering drawings for each stage. Under Council Resolution Nov 10/03, the engineering assessment fee is 1% of the value of the works or minimum of \$306. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.

47. Prior to sealing of the plan of subdivision for each stage, all approved subdivision infrastructure works must be completed in accordance with the approved engineering plans and the requirements of Council's Development Engineer. Financial guarantees covering the cost of the uncompleted and unsecured works prior to the completion of approved Council infrastructure will not be permitted to be lodged.
48. Easements must be created over all existing and proposed Council stormwater mains in accordance with Council requirements.
49. Prior to the sealing of a Final plan, evidence must be provided to Council's Development Engineer that the development meets the requirements of TasWater.

Environmental Health

50. The loading and unloading of vehicles on the land and the transportation of any materials to or from the land must only take place between the following hours:
Monday through to Saturday 0700 to 1800
Sunday and Public Holidays 0900 to 1800
51. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.
 - a) Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.
52. All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved in writing by the Senior Environmental Health officer:
 - a) waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
 - b) waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
 - c) any residual waste must be disposed of only at a site and in a manner approved by the Senior Environmental Health Officer.
53. The land identified as Areas "B" and "D" in the Austins Ferry Site Investigation and Validation for Austins Ferry Tasmania Pty Ltd (Epic Environmental, 27 October 2017; 853 pages) must be certified as suitable for the intended use before works commence in the applicable area. The statement of suitability must be from an accredited Site Contamination Practitioner Australia and must be provided to Council no less than seven days before any works commence on the land in the applicable area.

Environment

54. Prior to the sealing of the Final Plan of Survey for stage 1, the “Weed Management Prescriptions” within the Environmental Management plan, dated May 2018 must be developed into a Weed Management Plan authored by a suitably qualified person and be submitted to Council’s Senior Statutory Planner for approval. This plan must include:
 - a) Specific timeframes and methods of primary and follow-up treatment for all declared and environmental weeds onsite;
 - b) Identify the works to be undertaken for the treatment of all declared and environmental weeds in each stage of the subdivision;
 - c) A weed hygiene plan including specific measures required to ensure the risk of the spread of weeds from the site during clearing and construction is minimised;
 - d) a fully costed stage by stage implementation, monitoring and reporting plan for a minimum of five years (including actions and timeframes).
55. Prior to the sealing of the Final Plan of Survey for each stage, primary treatment of all weeds is required in accordance with the approved Weed Management Plan and to the satisfaction of the Councils Senior Statutory Planner.
56. Reporting on the progress of the Weed Management Plan outcomes for the site is to be to Council’s Natural Areas Co-ordinator no less than once a year for a minimum of 5 years.
57. Responsibility of any weed management control, particularly in the ‘rehabilitation zone’ as shown in the Environmental Management plan, dated May 2018 must be the developers until:
 - i) an agreement has been reached on the transition of ownership and management of the public open space; and
 - ii) all public open space lots have been treated for weeds and rehabilitated to the satisfaction of Councils Senior Statutory Planner.
58. Prior to the sealing of the Final Plan of Survey for stage 1, a detailed Public Open Space Landscape Plan, including rehabilitation measures for the whole site must to be prepared by a suitably qualified person and submitted to Council’s Senior Statutory Planner for approval. The plans must include:
 - a) Detailed design for public open space recreation areas, such as ‘Ten Mile Hill’, the ‘Retention Area’ and the ‘River Access Area’, with particular attention given to built infrastructure and facilities, including but not limited to seating, signage, rubbish bins, water fountains, lighting and BBQ shelters;

- b) The minimum width of ways must be 4m;
 - c) The plan must indicate at what stage of the subdivision the works are to be implemented and completed;
 - d) A planting plan detailing species, locations, densities, watering plan, maintenance plan, and weed control methods for a minimum of five years for each stage of the subdivision;
 - e) The landscaping plan must consider bushfire risk in relation to any infrastructure and proposed planting;
 - f) The landscaping plan must incorporate Safer by Design Principles into the design of public open spaces and ways;
 - g) The landscape plan must enhance natural values in bushland area and on the foreshore and must provide for protection, conservation and management of areas with significant ecological, cultural or aesthetic values;
 - h) Progress reporting with respect to the Landscape plan and rehabilitation outcomes for the site must be reported to Council no less than once a year for a minimum of 5 years.
59. Prior to the sealing of the Final Plan of Survey for stage 1, a detailed design of the recreation trails must be provided to the satisfaction of Council's Senior Statutory Planner. The design must include:
- a) The exact location of the trails in relation to lot boundaries and topography;
 - b) The siting of the trails must avoid all mature trees and any impact to the root systems;
 - c) The trails must be constructed with an all-weather durable surface, with no steps or unreasonably steep sections;
 - d) Compliance with Grade 1 track construction standards as per Australian Standard AS2156.1 2001.
 - e) The width of the trails must be a minimum of 1200mm wide; and
 - f) A signage plan, that is to be developed in conjunction with Council, to assist with way finding.
 - g) The plan must indicate at what stage of the subdivision the works are to be implemented and completed
60. No mature Eucalyptus species trees identified in section 6 of the Environmental Management Plan (Enviro-dynamics, May 2018) are to be felled, lopped, ringbarked or otherwise injured or destroyed.
61. All trees identified for retention within section 6 of the Environmental Management Plan (Enviro-dynamics, May 2018) must be appropriately protected during construction works, to ensure that no damage is inflicted that would impact on the health of the trees or cause the trees to die.

Prior to any works within proximity to these identified tree, the appointed supervising Engineer must notify Council's Natural Areas Co-ordinator of the works scheduled to take place and protection measures utilised.

Protection measures include, but is not limited to establishing and maintaining a Tree Protection zone, in accordance with AS 4970-2009 (calculated as 12 x trunk diameter at 1.4m above ground level (DBH)) to exclude:

- a) Storing of building materials;
 - b) Vehicular traffic;
 - c) Placement of fill; and
 - d) Excavation works.
62. All native vegetation within the Public Open Space lots must be protected by a visible barrier in place at the edge of the proposed construction footprint to exclude:
- a) Damage to vegetation
 - b) Storing of building materials;
 - c) Vehicular traffic;
 - d) Placement of fill; and
 - e) Excavation works.

Prior to any works within proximity to these identified tree, the appointed supervising Engineer must notify Council's Natural Areas Co-ordinator of the works scheduled to take place and protection measures utilised.

Advice to Applicant

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

Services

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 any approvals for engineering designs and documentation, the applicant will need to negotiate an outcome to secure the required easements across the Council

owned property at 261 Main Road Austins Ferry.

Council will give favourable consideration to allowing the installation of one (1) only WSUD treatment train unit at the outfall proposed near the site of the existing pond if that unit is designed to meet the reduction targets for the fully developed site (209 lots).

TasNetworks

TasNetworks advise that a number of existing privately owned electricity assets are located within the land to be subdivided. The land is not affected by transmission assets.

The developer will need to design an overall development plan for the subdivision that takes into account the safe disconnection of these assets from TasNetworks' network and installation of new assets to service the subdivision that meets TasNetworks' design standards, including the provision of easements (where relevant). It is likely to be most cost effective for installation activity associated with electricity services for the subdivision to occur during the subdivision civil works and it will be necessary to register any associated easements prior to the issue of titles for each stage of the subdivision.

TasRail

TasRail advises potential buyers of land within the subdivision that the railway line may become operational at any time, so that they are aware of the following:

- There are related impacts that result from living in close proximity to an operational railway, particularly noise emissions that result from train horn use;
- No obstruction is permitted inside railway land for any purpose, including for structures, drainage, water pipes, electrical or service infrastructure and the like;
- No access to the rail corridor without formal authorisation; and
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

Disability Discrimination Act

The granting of this permit does not ensure compliance with the provisions of the *Commonwealth Discrimination Act 1992*, and the applicant will therefore be responsible for any complaints arising under that act in relation to non-compliance with the provisions of that legislation. Applicants are advised to check the current Australian Standards and seek independent advice regarding disability matters.

Aboriginal Heritage Tasmania

Aboriginal Heritage Tasmania (AHT) has completed a search of the Aboriginal Heritage Register (AHR) regarding the proposed 218 lot subdivision at 231-241 Main Rd, Austins Ferry.

AHT can advise that there are a number of Aboriginal heritage sites (shell middens)

recorded within the property. An Aboriginal heritage assessment was undertaken for the property in 2010, which did not identify any Aboriginal heritage. It is not clear, however, what areas or how much of the property was surveyed. Further, the presence of recorded shell middens was not recognised within the report. Due to these shortcomings, an Aboriginal heritage investigation is required to identify whether the proposed project or related infrastructure will impact on any Aboriginal heritage and to offer mitigation advice. This investigation must be undertaken jointly by a Consulting Archaeologist and Aboriginal Heritage Officer.

AHT does not provide recommendations as to the use of a particular heritage practitioner; however, to assist in engaging a consultant, a *Register of Consulting Archaeologists* and a *Register of Consulting Aboriginal Heritage Officers* can be found on AHT's website: <http://www.aboriginalheritage.tas.gov.au/assessment-process/consulting-practitioners>. These registers contain the names and contact details of consultants who are prepared to work in Tasmania.

Please be aware that all Aboriginal heritage investigations throughout Tasmania must meet AHT's *Aboriginal Heritage Standards and Procedures*. A copy of the *Standards and Procedures* and further relevant information regarding the Aboriginal heritage assessment process can be found on AHT's website: www.aboriginalheritage.tas.gov.au. Any assessment that does not meet the *Standards and Procedures* will be deemed incomplete and returned. An incomplete report will not be able to form the basis for a request for a permit under the *Aboriginal Heritage Act 1975*. It is your responsibility to ensure that the consultant you engage is able to follow the *Standards and Procedures*. It is therefore strongly advised that you seek testimonials/evidence of prior experience regarding the capacity of the consultant to do the work required.

Once the Aboriginal heritage investigation has been completed a copy of the report must be forwarded to AHT for review/comment.

Other Permits

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

Threatened Species Protection Act 1995

Where a development will involve impact to a species listed as threatened under the *Threatened Species Protection Act 1995* a permit to 'take' will be required. Due to the presence of the rough spear grass (*Austrostipa scabra*) which is listed as rare under the *Threatened Species Protection Act 1995*, the applicant should be advised that a permit application with the Conservation Assessment Section and DPIPW is required.

F8 Whitestone Point Specific Area Plan - 8.4 Living Precinct.

Standard	Acceptable Solution	Proposed	Complies?
F8.4.5 Development Standards for Subdivision			
F8.4.5.1 Connectivity	A1 To ensure all of the following: <ul style="list-style-type: none"> (a) connectivity with adjoining land uses; (b) the efficiency of the junction of Main Road and Arncliffe is not reduced; (c) uses are provided with appropriate connection to the Road network. To provide for sustainable residential density.	The proposal provides for all that is listed in this acceptable solution.	Yes
	A2 Pedestrian/cycle networks must be provided as shown in Figure F8.1 Whitestone Point Precinct Map.	Yes	Yes
	A3 Access must be from the current entry point on Main Road and must not generate demand greater than 95 vehicle movements per hour during the evening peak period at that entry point.	The subdivision is staged and will at some point exceed 95 vehicle movements per hour during the evening peak period.	No

Standard	Acceptable Solution	Proposed	Complies?
F8.4.5.2 Lot Size and Dimensions	A1 The size of each lot must be no less than 325m2.	All lots are not less than 325m2.	Yes
F8.4.5.3 Landscaping	A1 Subdivision must include the creation of new landscaped Road reserves and open space that satisfy all of the following: <ul style="list-style-type: none"> (a) enhances the appearance of the streetscape development; (b) provides a range of plant heights and forms to create diversity, interest and amenity; (c) prevents the creation of concealed entrapment spaces; (d) excludes invasive weed species. 	The applicant has given an undertaking that the landscaping would (a) enhances the appearance of the streetscape development; (b) provides a range of plant heights and forms to create diversity, interest and amenity; (c) prevents the creation of concealed entrapment spaces; (d) excludes invasive weed species.	Yes
F8.4.5.4 Water Sensitive Urban Design	A1 Subdivision for new Roads is to implement principles of water sensitive urban design where practicable and must be in accordance with a stormwater management plan approved with the Planning Authority.	Yes	Yes

APPENDIX

F8 Whitestone Point Specific Area Plan – 8.5 Neighbourhood Business Precinct

Standard	Acceptable Solution	Proposed	Complies?
F8.5.5 Development Standards for Subdivision			
F8.5.5.1 Connectivity	A1 Links to adjoining land must be provided consistent with Figure F8.1 Whitestone Point Precinct Map.	Yes	Yes
	A2 Pedestrian/cycle networks must be provided as shown in Figure F8.1 Whitestone Point Precinct Map.	There are no Pedestrian/cycle networks must be provided as shown in Figure F8.1 Whitestone Point Precinct Map in this precinct.	Yes
	A3 Access must be from the current entry point on Main Road and must not generate demand greater than 95 vehicle movements per hour during the evening peak period at that entry point.	The subdivision is staged and will at some point exceed 95 vehicle movements per hour during the evening peak period.	No
F8.5.5.2 Landscaping	A1 Subdivision must include the creation of new landscaped Roads reserves and open space that satisfy all of the following: <ul style="list-style-type: none"> (a) enhances the appearance of the streetscape development; (b) provides a range of plant heights and forms to create diversity, interest and amenity; 	The applicant has given an undertaking that the landscaping would <ul style="list-style-type: none"> (a) enhances the appearance of the streetscape development; (b) provides a range of plant heights and forms to create diversity, interest and 	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(c) prevents the creation of concealed entrapment spaces; (d) excludes invasive weed species.	amenity; (c)prevents the creation of concealed entrapment spaces; (d)excludes invasive weed species.	
F8.5.5.3 Water Sensitive Urban Design	A1 Subdivision for new Roads is to implement principles of water sensitive urban design where practicable and must be in accordance with a stormwater management plan approved with the Planning Authority.	Yes, Development Engineers have reviewed and are satisfied that the proposal will comply.	Yes

F8 Whitestone Point Specific Area Plan. 8.6 Recreation and Conservation Precinct.

Standard	Acceptable Solution	Proposed	Complies?
F8.6.4 Development Standards for Subdivision			
F8.6.4.1 Connectivity	A1 A plan of subdivision must include links to adjoining land consistent with Figure F8.1 Whitestone Point Precinct Map.	Broadly consistent.	Yes
	A2 A plan of subdivision must provide for pedestrian/cycle	Yes, pedestrian networks provided.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	networks as shown in Figure F8.1 Whitestone Point Precinct Map.		

APPENDIX

E1.0 Bushfire-Prone Areas Code

Standard	Acceptable Solution	Proposed	Complies?
E1.6.1 Subdivision: Provision of hazard management areas	<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in</p>	<p>A BAL 19 is to be achieved on all external lots which border bushfire prone vegetation, with all internal lots achieving a Bal 12.5.</p> <p>The HMA for Lots 4 to 9, 23 to 33, 48, 66 to 87, 123 to 136 and 157 to 176 will include land external to the individual lots within the adjoining POS. A Part 5 agreement is to be drawn up between OCucnil and the future land owners.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>bushfire-prone areas; and</p> <p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>		
E1.6.2 Subdivision: Public and fire fighting access	<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of Roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed Roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(i) (ii) is certified by the TFS or an accredited person.</p>	<p>Subdivision internal roads to meet all requirements of E1.6.2 and Table E1. There are no specific requirements for driveways that are less than 30 m long which will be the case for all lots. The proposed road network within the subdivision appears to comply with the objectives of public and fire-fighting access roads under the Bushfire Prone Areas Code.</p>	Yes
E1.6.3 Subdivision: Provision of water supply for fire fighting purposes	<p>A1</p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a)</p> <p>TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b)</p> <p>A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person</p>	<p>Provision of water supply to meet the requirements of E1.6.3 Table E4A-C for all future dwellings established on the subdivision.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>as being compliant with Table E4; or</p> <p>(c)</p> <p>(a) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>		
	<p>A2</p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a)</p> <p>The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</p> <p>(b)</p> <p>The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or</p> <p>(c)</p> <p>(i) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p>NA – lots to be fully serviced.</p>	<p>Yes.</p>

APPENDIX**E2.0 Potentially Contaminated Land Code**

Standard	Acceptable Solution	Proposed	Complies?
E2.6 Development Standards			
E2.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.	Report submitted to demonstrate compliance.	Yes
E2.6.2 Excavation	A1 No acceptable solution.	Remediated and declared suitable.	Yes

APPENDIX**E3.0 Landslide Code**

Standard	Acceptable Solution	Proposed	Complies?
E3.8.1 Subdivision	A1 No Acceptable Solution.	Relies on performance criteria.	No
	A2 Subdivision is not prohibited by the relevant zone standards	Subdivision is not prohibited	Yes

APPENDIX**E5 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing Road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 Road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable the proposal is for development.	NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable the proposal is for development.	NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Not applicable the proposal is for development.	NA

Standard	Acceptable Solution	Proposed	Complies?
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable the proposal is for development.	NA
5.6 Development Standards			
E5.6.1 Development adjacent to Roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 Road or category 2 Road, in an area subject to a speed limit of more than 60km/h: (d) new buildings; (e) other Road or earth works; and (f) building envelopes on new lots. A1.2 Buildings, may be: (c) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (d) an extension which extends no closer than: (iii) the existing building; or (iv) an immediately adjacent building.	The proposed building areas are within 50m of the rail network but are not in proximity to a category 1 Road or category 2 Road. This indicates that the building envelope would be within 50m of the rail network. Road hierarchy - a category 1 Road is a trunk Road and a category 2 Road is a regional freight route (Tasmanian State Road Hierarchy – Department of State Growth).	No
E5.6.2 Road accesses and	A1 No new access or junction to Roads in an area subject to a speed limit of more than 60km/h	Not proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
junctions	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to Roads in an area subject to a speed limit of 60km/h or less.	Not proposed	Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	New level crossing required.	No
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: <ul style="list-style-type: none"> (c) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (d) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. 	Traffic impact assessment demonstrates compliance with the acceptable solution.	Yes

APPENDIX

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (c) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.		NA
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.		NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must		NA

Standard	Acceptable Solution	Proposed	Complies?
	be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Y
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (d) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		Y

Standard	Acceptable Solution	Proposed	Complies?
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: <ul style="list-style-type: none"> (b) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 		NA
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day. 		NA – but will be formed area
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		NA
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;		NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	<p>A1</p> <p>The design of bicycle parking facilities must comply with all the following;</p> <p>(a) be provided in accordance with the requirements of Table E6.2;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>		NA
	<p>A2</p> <p>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>		NA
E6.7.11 Bicycle End of Trip Facilities	<p>A1</p> <p>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>		NA
E6.7.12 Siting of Car Parking	<p>A1</p> <p>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.</p>		NA

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

APPENDIX**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Y
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (d) the size of new impervious area is more than 600 m ² ; (e) new car parking is provided for more than 6 cars; (f) a subdivision is for more than 5 lots.		Y
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (b) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		Y

Standard	Acceptable Solution	Proposed	Complies?
	<p>A4</p> <p>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p>		Y

APPENDIX

E10 Biodiversity Code

Standard	Acceptable Solution	Proposed	Complies?
E10.8 Subdivision Standards			
<p>E10.8.1</p> <p>Subdivision</p>	<p>A1</p> <p>Subdivision of a lot, all or part of which is within a Biodiversity Protection Area, must comply with one or more of the following:</p> <ul style="list-style-type: none"> (a) be for the purposes of separating existing dwellings; (b) be for the creation of a lot for public open space, public reserve or utility; (c) no works, other than boundary fencing works, are within the Biodiversity Protection Area; (d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Biodiversity Protection Area. 	<p>Subdivision lots (building areas) are proposed within the biodiversity protection area.</p>	No

Standard	Acceptable Solution	Proposed	Complies?
	A2 Subdivision is not prohibited by the relevant zone standards.	Not prohibited.	Yes

APPENDIX

E11 Waterway and Coastal Protection Code

Standard	Acceptable Solution	Proposed	Complies?
E11.8 Subdivision Standards			
E11.8.1 Subdivision	A1 Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area must comply with one or more of the following: <ul style="list-style-type: none"> (a) be for the purpose of separation of existing dwellings; (b) be for the creation of a lot for public open space, public reserve or utility; (c) no works, other than boundary fencing works, are within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area; (d) the building area, bushfire hazard management area, services and vehicular access driveway are outside 	The subdivision includes a lot for the creation of a lot for public open space, public reserve or utility. Even though bushfire hazard management area is to be within the Waterway and Coastal Protection Area.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area.		
	A2 Subdivision is not prohibited by the relevant zone standards.	No	Yes

APPENDIX

E16.0 Coastal Erosion Hazard Code

Standard	Acceptable Solution	Proposed	Complies?
E16.8 Subdivision Standards			
E16.8.1 Subdivision in Coastal Erosion Hazard Areas	A1 No Acceptable Solution		No
	A2 No Acceptable Solution		No
E16.8.2	A1 No Acceptable Solution	NA	NA

Standard	Acceptable Solution	Proposed	Complies?
Subdivision dependant on a Coastal Location	A2 No Acceptable Solution	NA	NA

APPENDIX

10.0 General Residential Zone.

Standard	Acceptable Solution	Proposed	Complies?
10.6 Development Standards for Subdivision			
10.6.1 Lot Design.	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.	Stage 1 - 500m2 to 600m2 Stage 2 - 500m2 to 938m2 <ul style="list-style-type: none"> Corner lots 13 and 22 are less than 550m2, but both lots are within Lots within 200m walking distance of a business zone (complies); Lot 14 is more than 600m2 and Lots within 200m walking distance of a business zone (not designed for multiple dwellings). Stage 3 - 523m2 to 2421m2 <ul style="list-style-type: none"> Lot 175 is more than 100m2. Stage 4 - 509m2 to 1023m2 <ul style="list-style-type: none"> lot 186 is a corner lot more than 1000m2 and is not designed for multiple dwelling. Stage 5 - 500m2 to 922m2	No

		<ul style="list-style-type: none"> complies. Stage 6 - 506m2 to 980m2 <ul style="list-style-type: none"> lots 95 and 96 are corner lots less than 550m2. 	
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: <ul style="list-style-type: none"> (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10 m x 15 m in size. 	Stage 1 – complies; Stage 2 - complies Stage 3 – several lots don't comply in terms of orientation of the building area. Stage 4 - complies Stage 5 - complies Stage 6 – corner lots do not comply.	No
	A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.	Stage 1 – corner lots do not comply Stage 2 – some lots are less than the minimum and more than the maximum. Stage 3 – some lots are less than the minimum and more than the maximum Stage 4 - some lots are less than the minimum and more than the maximum Stage 5 - some lots are less than the minimum and more	No

		than the maximum; Stage 6 - some lots are less than the minimum and more than the maximum.	
	A4 No lot is an internal lot.	Lots 48, 141, 156, 157, 166 and 104 are internal lots	No
	A5 Subdivision is for no more than 3 lots.	213 residential lots	No
10.6.2 Roads.	A1 The subdivision includes no new Road.	New road proposed	No
10.6.3 Ways and Public Open Space.	A1 No Acceptable Solution.	No Acceptable Solution	No
10.6.4 Services.	A1 Each lot must be connected to a reticulated potable water supply.	Each residential is to be connected to a reticulated potable water supply.	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	Each lot must be connected to a reticulated sewerage system	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	Each lot must be connected to a stormwater system able to service the building area by gravity	Yes
	A4 The subdivision includes no new Road.	New roads proposed.	No

APPENDIX

20.0 Local Business Zone


Standard	Acceptable Solution	Proposed	Complies?
20.5 Development Standards for Subdivision			
20.5.1 Subdivision	A1 The size of each lot must be no less than: 300 m ² . except if for public open space, a riparian reserve or utilities.	4662m2 and 1173m2.	Yes
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following; (a) clear of the frontage, side and rear boundary setbacks; (b) clear of easements; (c) clear of title restrictions that would limit or restrict the development of a commercial building; (d) has an average slope of no more than 1 in 5; (e) is a minimum of 10 m x 15 m in size	The minimum building area of the two lots is clear of frontage, side and rear boundaries, clear of restrictions that would limit or restrict the development of a commercial building; has an average slope of no more than 1 in 5; and is a minimum of 10 m x 15 m in size.	Yes
	A3 The frontage for each lot must be no less than: 15 m.	Frontage are no less than 15m to all frontages.	Yes

	A4 No Acceptable Solution	No Acceptable Solution	No
	A5 Each lot must be connected to services adequate to support the likely future use and development of the land.	Each lot is to be connected to services adequate to support the likely future use and development of the land.	Yes
	A6 No Acceptable Solution.	No Acceptable Solution	No

APPENDIX**29.0 Environmental Management**

Standard	Acceptable Solution	Proposed	Complies?
29.5 Development Standards for Subdivision			
29.5.1 Subdivision	A1 Subdivision must comply with any of the following: <ul style="list-style-type: none"> (a) be for the purpose of providing for public open space, a reserve or a Utilities, Emergency services, or Community meeting and entertainment use class, by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the state or by a statutory authority. (b) be for lots proscribed in an applicable reserve management plan. 	The proposed lots in this zone are for the creation of public open space for Council with the shares of which are held by or on behalf of the state or by a statutory authority.	Yes

Attachments/Annexures

- 1  Attachment 1 - PLN-17-321 - 231 Main Road, 241 Main Road, 261 Main Road, Austins Ferry