

# **GLENORCHY PLANNING AUTHORITY MEETING**

## **AGENDA**

### **MONDAY, 20 MARCH 2023**



### **GLENORCHY CITY COUNCIL**

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

**Chairperson:** Alderman Bec Thomas

**Hour:** 3.30 p.m.

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## **1. PLANNING AUTHORITY DECLARATION**

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

## **2. APOLOGIES/LEAVE OF ABSENCE**

## **3. PECUNIARY INTERESTS**

## **4. CONFIRMATION OF MINUTES**

That the minutes of the Glenorchy Planning Authority Meeting held on 20 February 2023 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(ONE EXISTING, ONE PROPOSED) - 28 MONTROSE ROAD,  
MONTROSE**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 3186598

**REPORT SUMMARY**

Application No.:	PLN-22-452
Applicant:	James Ho Architecture
Owner:	T P Vo
Zone:	General Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	<p>CI 8.4.1 (P1) Residential density for multiple dwelling</p> <p>CI 8.4.1 ( P3) Setbacks and building envelope for all dwellings</p> <p>CI 8.4.3 (P2) Site coverage and private open space for all dwellings</p> <p>CI 8.4.6 (P3) Privacy for all dwellings</p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>
Level 2 Activity?	No
42 Days Expires:	20 April 2023
Existing Land Use:	Single Dwelling (Residential)
Representations:	4
Recommendation:	Refusal

## REPORT IN DETAIL

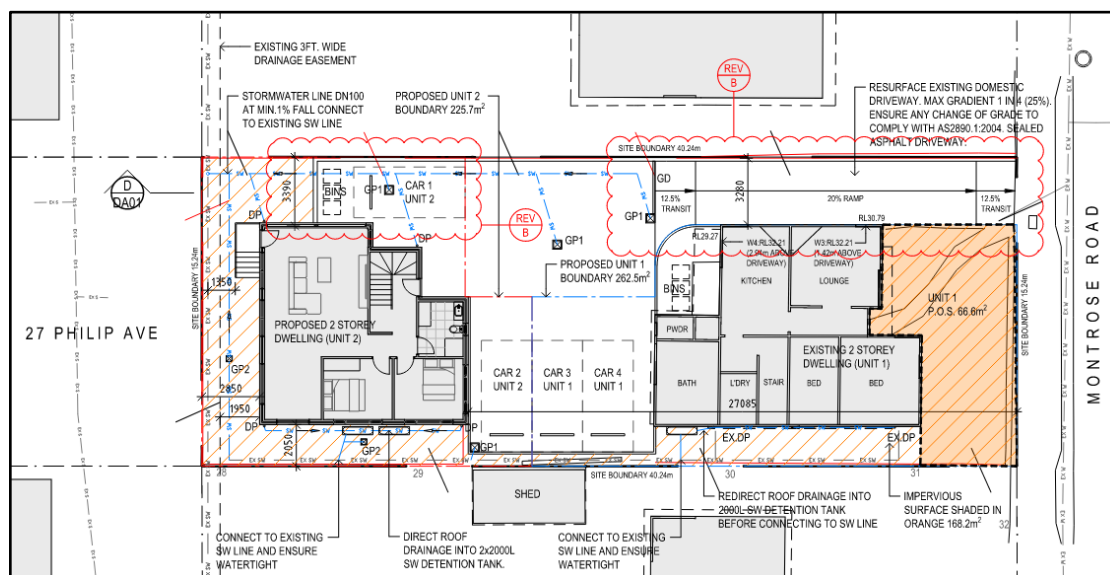
### PROPOSAL

The proposal is for the construction of an additional dwelling at the rear of 28 Montrose Road, Montrose. The proposal includes the provision of retaining walls, driveways and parking areas to serve both the existing and proposed dwelling.

The existing dwelling is a four bedroom dwelling of two storeys, the proposed is similarly two storey with four bedrooms. The proposed dwelling is to be setback 2.8m from the rear boundary, 2.05m from the side boundary at the west and 3.39m from the side boundary to the east, invoking discretionary consideration with respect to the building envelope.

The proposal is, as outlined in the appendices to this report, considered to comply with each of the Acceptable Solutions of the applicable standards except where reliant on the Performance Criteria for CI 8.4.1 (P1) Residential density for multiple dwellings, CI 8.4.2 (P3) Setbacks and building envelope for all dwellings, CI 8.4.3 (P2) Site coverage and private open space for all dwellings, and CI 8.4.6 (P3) Privacy for all dwellings.

Importantly, the proposal on lodgement included the demolition of a brick wall. This wall, having been determined after further investigation to partially sit within 30 Montrose Road has subsequently been confirmed as not forming part of the application. The proposal is considered to only involve 28 Montrose Road and does not seek to demolish the brick wall.



**Figure 1.** Extract of the proposal plans

## SITE and LOCALITY

The subject site is located on the northern side of Montrose Road, Montrose. The site has an area of 613m<sup>2</sup>, with a moderate fall to the north. The site has an existing single dwelling.

The locality or *area*, (relevant in determining compliance with Applicable Standards) is considered to be that area west of Main Road, east of Vernon Avenue south of Phillip Avenue, and to the north of Tilyard Street (see figure 3).

The prevailing development is single storey dwellings with some multiple dwelling developments, a residential aged care site to the south of the site, and council owned tennis court.



**Figure 2.** Aerial view of the site (blue) and surrounds.





**Figure 3.** Graphic demonstrating the subject site relative to the surrounding area.

## ZONE

The subject site is within the General Residential Zone.



**Figure 4.** Application of the General Residential Zone (Red), Recreation zone (Lime Green) as applied to the Council tennis court on Montrose Road, and the Katoomba Crescent Reserve which is within the Open Space Zone.

## BACKGROUND

The applicant has agreed to an extension of time for the determination of the application until 20 April.

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

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

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

### TASMANIAN PLANNING SCHEME - GLENORCHY 2021

#### State Planning Provisions (SPP)

##### Administration

##### Exemptions (Tables 4.1 – 4.6)

There are no applicable exemptions

##### Use Class Description (Table 6.2):

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

##### Other relevant definitions (Clause 3.0):

**Adjacent:** means near to, and includes adjoining.

**Adjoining:** means next to, or having a common boundary with

**Amenity:** means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

**Building height:** means the vertical distance from existing ground level at any point to the uppermost part of a building directly above that point, excluding protrusions such as aerials, antennae, solar panels, chimneys and vents

**Habitable room:** means any room of a habitable building other than a room used, or intended to be used, for a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room, service or utility room, or other space of a specialised nature occupied neither frequently nor for extended periods.



**Lot:** means a piece or parcel of land where there is only one title other than a lot within the meaning of the Strata Titles Act 1998.

**Private open space:** means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling, excluding areas proposed or approved for vehicle access or vehicle parking.

**Site:** means the lot or lots on which a use or development is located or proposed to be located.

**Site area per dwelling:** means the area of a site, excluding any access strip, divided by the number of dwellings on that site.

**Strata lot:** means a lot as defined in the Strata Titles Act 1998.

## **General Provisions**

No General Provisions of the Scheme apply to this proposal.

## **Zones**

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

### **Zone Purpose Statements**

The proposal is in the General Residential Zone and the following zone purpose statements are relevant.

*The purpose of the General Residential Zone is:*

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

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

*8.1.3 To provide for non-residential use that: (a) primarily serves the local community; and (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

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

*Comment*

The proposal is for a residential use which is permitted in the zone. It is considered that residential uses inherently accord with the purpose of the General Residential Zone.

**Use Table**

The proposal is for multiple dwellings, which is a residential use. A Residential use which is not for a home-based business or single dwelling is a permitted use within the General Residential Zone.

**Use Standards**

There are no applicable use standards for a permitted residential use.

**Development Standards for dwellings**

The proposed development is for an additional dwelling to the rear of the existing at 28 Montrose Road, Montrose, inclusive of works to facilitate general services, and parking and circulation. The proposal complies with each of the Acceptable Solutions of the applicable standards as outlined in the appendices to this report, except where reliant on the performance criteria for CI 8.4.1 (P1) Residential density for multiple dwellings, CI 8.4.2 (P3) Setbacks and building envelope for all dwellings, CI 8.4.3 (P2) Site coverage and private open space for all dwellings, and CI 8.4.6 (P3) Privacy for all dwellings.

**8.4.1 (P1) Residential density for multiple dwellings**

The proposal is for multiple dwellings with a site area per dwelling of 1/306m<sup>2</sup>. This is a number which does not comply with the Acceptable Solution (1/325m<sup>2</sup>). The proposal is therefore reliant on the performance criteria which require:

*Multiple dwellings must only have a site area per dwelling that is less than 325m<sup>2</sup>, if the development will not exceed the capacity of infrastructure services and:*

*(a) is compatible with the density of existing development on established properties in the area; or*

*(b) provides for a significant social or community benefit and is:*

*(i) wholly or partly within 400m walking distance of a public transport stop; or*

*(ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.*

*Comment*

Though the proposal will not exceed the capacity of infrastructure services, the proposal must also meet either (a) or (b) of the Performance Criteria.

For (a), in determining compatibility, it is considered the degree to which the proposal is in harmony with the density of established development within the area is of the utmost importance, and this is to be informed by both a statistical comparison of dwellings within the surrounding area relative to their lot size, and the degree to which the proposal fits within the surrounding area in a qualitative sense. It is not considered an exercise in the statistical comparison of existing and proposed site area per dwelling ratios for multiple dwellings. These may however be useful as an extrapolation, as multiple dwelling developments tend to be the denser developments.

Within the surrounding area as shown in figure 3, there are 19 multiple dwelling developments. Of these, three developments have a site area per dwelling less than the  $1/325\text{m}^2$ . If one were to take the surrounding area as far north as Cheltenham Street (not recommended) still, the site area per dwelling of those sites at 19b Cheltenham, 528 Main and 530 Main Road each is in accordance with the Acceptable Solution.

Multiple dwelling development	Address	Approximate site area per dwelling where site area does not include an access strip.
1	508 Main Road, Montrose	$3/1218 = 1/406$
2	2 Philip Avenue	$3/1093 = 1/364$
3	8 Philip avenue	$3/1408 = 1/469$
4	12 Philip Avenue	$5/2505 = 1/501$
5	20 Philip Avenue	$6/2313 = 1/385$
6	25 Philip Avenue	$2/619 = 1/308$
7	28 Philip Avenue	$4/1445 = 1/361$
8	30 Philip Avenue	$3/1054 = 1/351$
9	1-3 Katoomba Crescent	$4/1856 = 1/464$
10	42 Montrose Road	$2/811 = 1/405$
11	5 Montrose Road	$4/1420 = 1/355$
12 (retired living)	19 Montrose Road	$14/6534 = 1/466$
13	27 Montrose Road	$8/3296 = 1/412$
14	2 Huntley Street	$2/1038 = 1/519$
15	14 Tilyard Street	$2/984 = 1/492$
16	12 Tilyard Street	$12/3330 = 1/277$
17	10 Tilyard Street	$5/1595 = 1/319$
18	8 Tilyard Street	$2/905 = 1/457$
19	6 Tilyard Street	$2/881 = 1/440$

**Table 1.** identifying relative site area per dwelling for multiple dwellings development within the area.

Of the sites listed in the table which would not comply with the Acceptable Solution, the following is of relevance.

**25 Philip Avenue:** approval was issued in 1992 for two units. This development was assessed under the Municipality of Glenorchy Planning Scheme 1964 (1964 Scheme). The site area is approximately 1/308m<sup>2</sup>. The planner in their report made a comment that the proposal would not comply with the new scheme, (impending Glenorchy Planning Scheme 1992). The Glenorchy Planning Scheme 1992 (1992 Scheme) included a dwelling density standard of 1/325m<sup>2</sup>. The dwellings are single storey and are considered as being consistent with the built form of single dwellings on Phillip Avenue.

When looking at the development in a qualitative sense, there is barely a correspondence between what is proposed for 28 Montrose, and what exists at 25 Phillip Avenue. Despite there being a numerical correlation between the site area per dwelling of the two, there is no qualitative correspondence which would tend to the proposal being considered compatible.

**12 Tilyard street:** the development was approved in 1974 under the 1964 Scheme. The development is of single storey structures which the archived plans demonstrate setbacks from adjoining properties in excess of 4m at the front and side boundaries. The proposal at the time was for 14 dwellings which was reduced by a condition of the permit to 12, increasing the rear boundary setback to the present 8m. The proposal for 28 Montrose road by comparison does not comply with the equivalent building envelope standard. It is considered that to find the compatibility of these developments on a statistical comparison alone would not be appropriate when considering the qualities of the existing site and the development proposed.

**10 Tilyard Street:** a permit was issued in December of 2009 for five multiple dwellings, as assessed under the 1992 Scheme. The report to council at the time includes the following with respect the dwelling density being higher than 1/325m<sup>2</sup>

*In accordance with Clause 2.8.2 The maximum number of Dwelling Units approved by the Council in any Development shall not result in the Dwelling Unit Factor being less than 325m<sup>2</sup>. The land area is 1610m<sup>2</sup>, this results in a dwelling unit factor of 322m<sup>2</sup> and thus requires a relaxation of 3m<sup>2</sup> per unit. The requested variation is considered acceptable given that the proposal is for 2 bedroom dwellings only and given that the requested variation does not result in any variations to development standards such as height, setback or minimum Private Outdoor Space.*

Again, though a statistical comparison would tend to a view that numerically the proposed and the existing are similar, there is no compatibility in the qualities of the existing and proposed.

It is considered that the proposal is not compatible with the density of existing development.

For (b), it is relevant to note that the proposal is not for or on behalf of a regulated entity which provides for a significant social or community benefit. The proposal is instead private and unregulated. Though additional housing is of some benefit, where the ongoing affordability of rent, ease of access or purchase is not regulated by a body with the demonstrated intention and commitment to a social or community benefit, the benefit is unable to be considered significant.

Therefore, though there are examples of other multiple dwelling developments in the area which statistically are consistent with the proposed site area per dwelling ratio, the proposal fails to demonstrate a broad correspondence with the residential density of the surrounding area in a qualitative sense.

Importantly, the above comparison has been undertaken with respect to multiple dwellings, which are the denser type of residential development. When considering the density of existing development (as the performance criteria require), the prevailing single dwelling density is not necessarily excluded. By including the prevailing single dwelling density the inconsistency of the proposal from the density of development on established properties can only increase.

It is considered then that there is a lack of compatibility between the proposed dwellings and the density of existing development on established properties in the area, and so the proposal fails to comply with this standard.

#### **CI 8.4.2 (P3) Setbacks and building envelope for all dwellings**

The proposal is reliant on the performance criteria by virtue of a number of parts of the development not complying with the acceptable solution.

These are:

- (a) the built form protruding from the envelope as defined by (a)(i) and (ii) of the acceptable solution; and
- (b) The retaining wall for the driveway which has a nil setback from the boundary and exceeds 9m in length.

The proposal is therefore reliant on the performance criteria which require:

*The siting and scale of a dwelling must:*

*(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:*

- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*
- (ii) overshadowing the private open space of a dwelling on an adjoining property;*
- (iii) overshadowing of an adjoining vacant property; and*



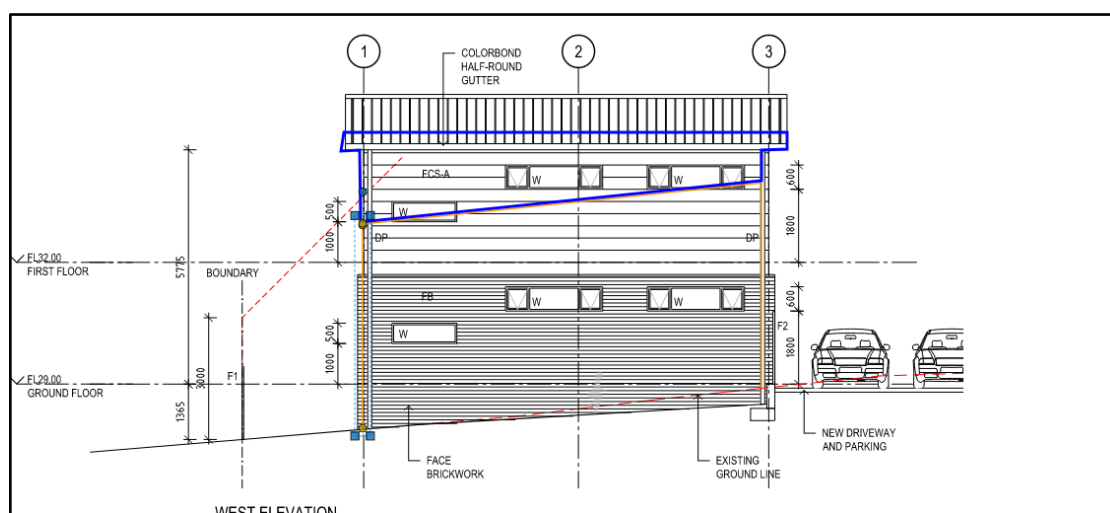
- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
- (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
  - (i) an adjoining property; or
  - (ii) another dwelling on the same site.

### Comment

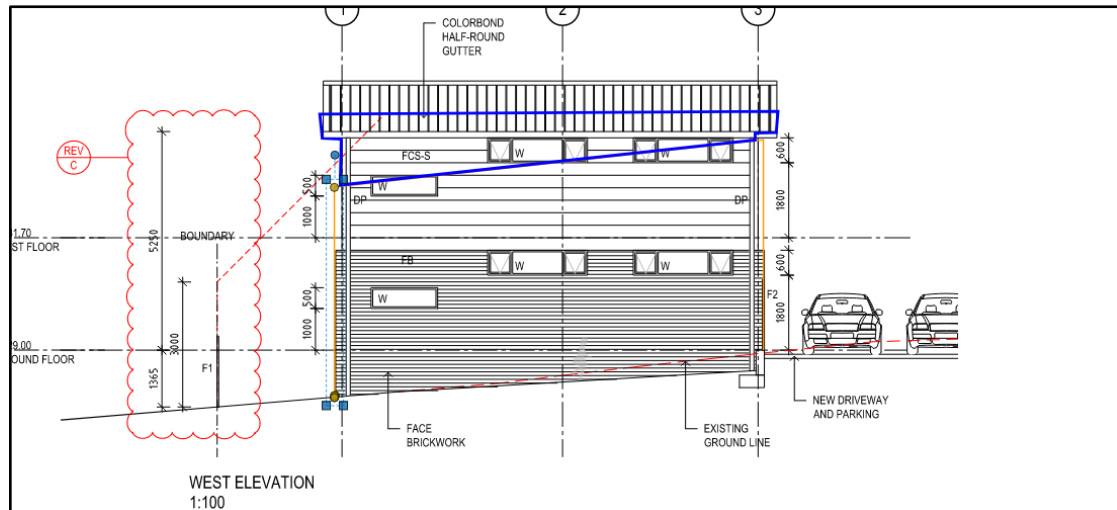
For the protrusion from the envelope it is considered that the siting and scale will have a minor impact on the overshadowing of habitable rooms at 30 Montrose Road, though this is not unreasonable with regard to the siting being much further to the north.

With respect to private open space however, it is considered the contribution of the building height to shadows cast over the private open space is unreasonable.

With respect to criterion (iv), it is considered the proposal will present unreasonable visual bulk, and though the applicant has demonstrated that subject to modification of ceiling heights the appearance of the dwelling may be reduced somewhat, still the proposal presents what is considered unreasonable bulk and form as viewed from an adjoining property, particularly with regard to the surrounding area.

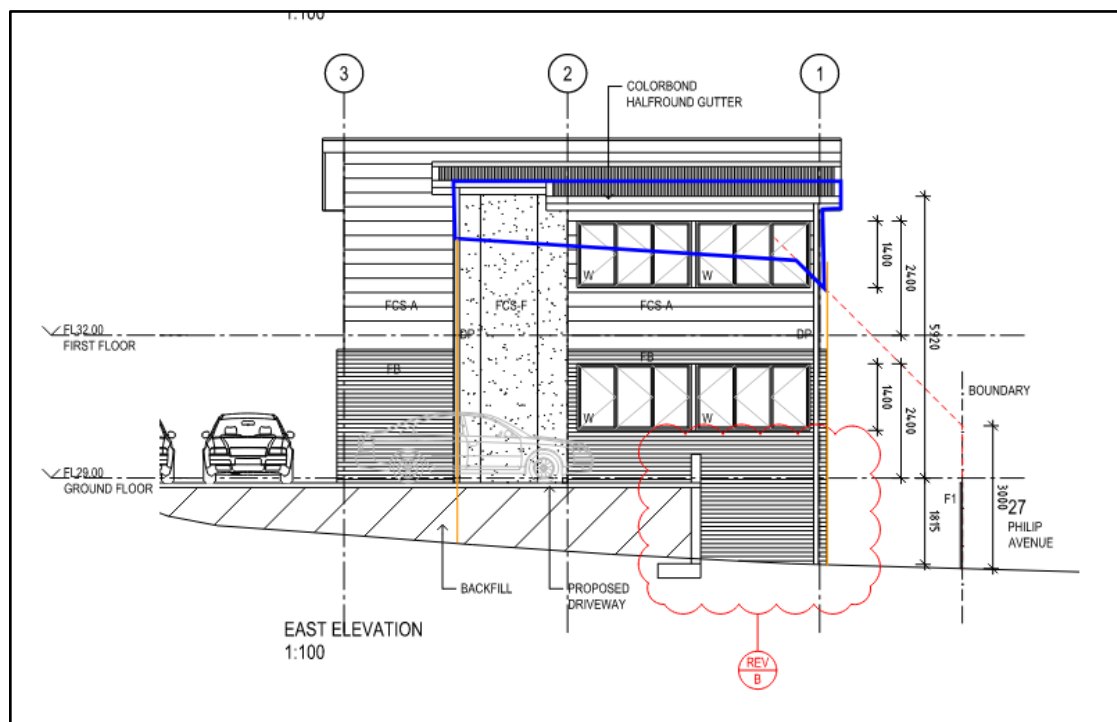


**Figure 5.** Graphic identifying the protrusion from building envelope facing 30 Montrose Road, as advertised.

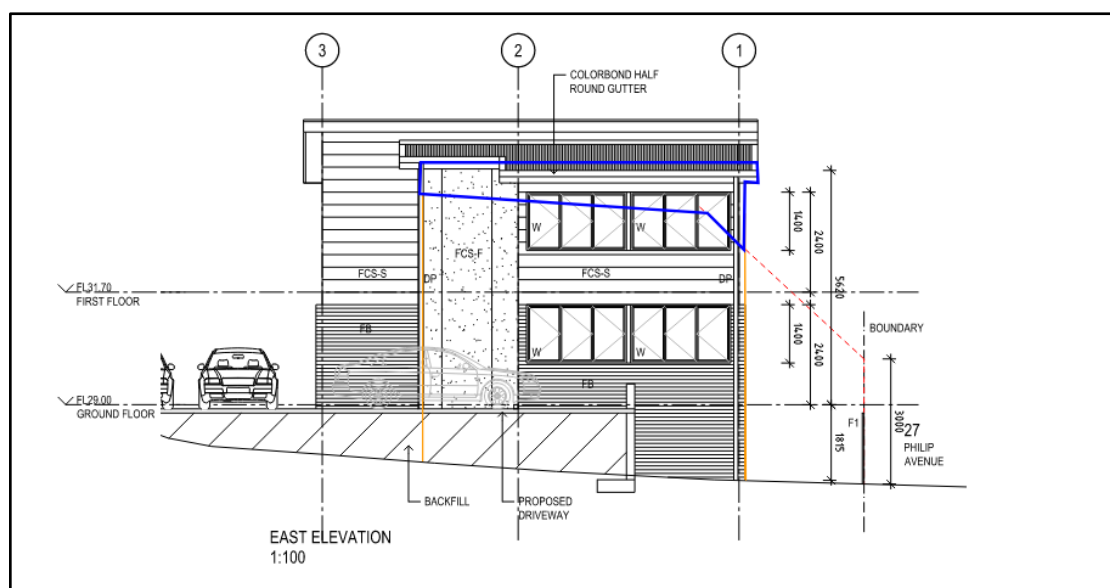


**Figure 6.** Graphic identifying the protrusion from the building envelope subject to applicant's proposed modification.

Similar to that impact appreciable from 30 Montrose Road, it is considered that the impact of the proposal with respect to bulk and form as viewable from 26 Montrose Road is unreasonable (see figures 7 and 8), noting the applicant has provided a modification.



**Figure 7.** Graphic identifying the protrusion from the building envelope as advertised



**Figure 8.** Graphic identifying the protrusion from the building envelope subject to applicant's proposed modification.

For (b) the separation between dwellings on adjoining properties is broadly consistent with that existing on established properties in the area, though this is largely owed to the proportion of the lots.

With regard for the performance criteria, and noting the applicant has provided a modification attempting to address the matter of the protrusion from the building envelope, it is considered the proposal still cannot satisfy criterion (a) of the performance criteria, and so does not comply.

#### **CI 8.4.3 (P2) Site coverage and private open space for all dwellings.**

The existing dwelling will cause for an extensive parking and circulation area to the rear of the existing dwelling. This causes the occupants of that dwelling to then rely on the area within the frontage as their private open space. This area is not orientated within 30° east or west of north.

As well, the private open space for dwelling 2 does not have an area with a minimum horizontal dimension of 4m.

For these reasons the proposal is reliant on the performance criteria which require:

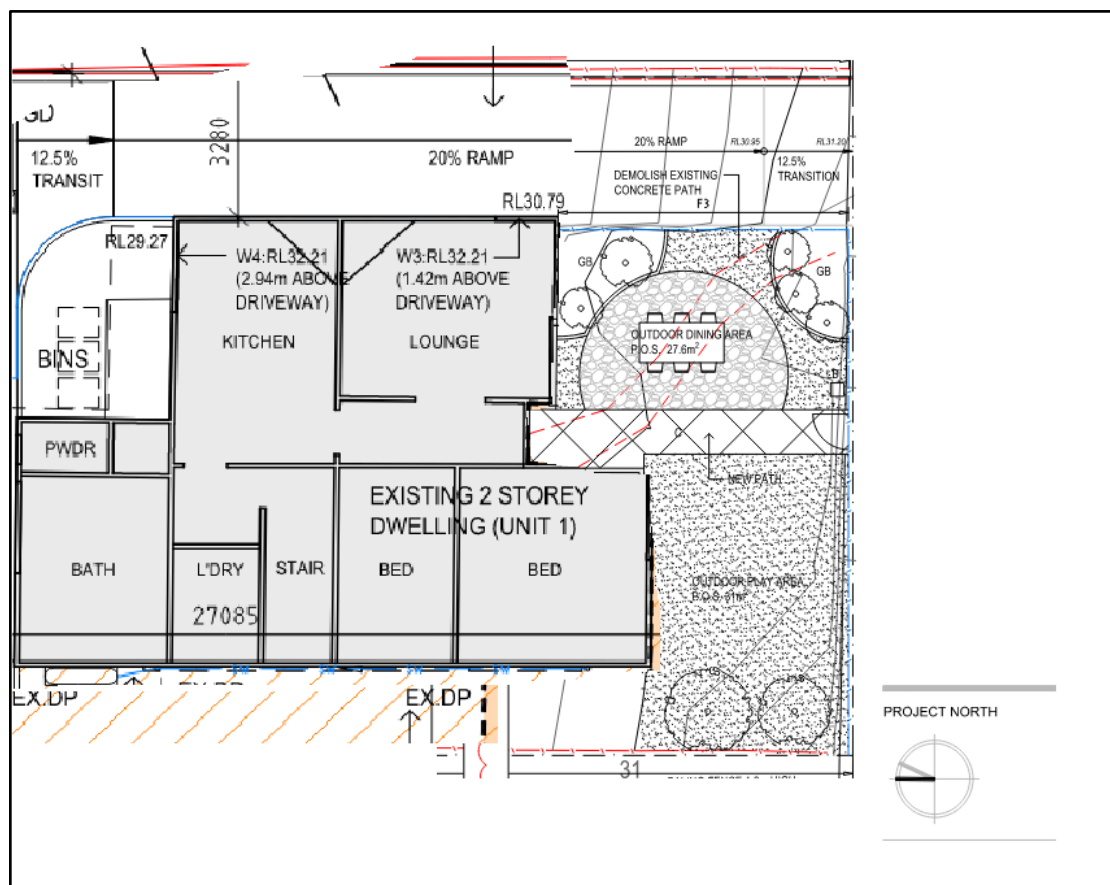
*A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:*

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

#### **Comment**

The private open space for Unit 1 is 66.6m in area and is orientated to the south east.

The applicant has provided subsequent plans which demonstrate that subject to a condition regarding landscaping and fencing, the area within the frontage is capable of offering an outdoor relaxation and dining area which is orientated to take advantage of light to the east. It is considered that this area is sufficient to meet the performance criteria and would subject to a condition (if a permit were recommended to be granted) comply with this standard.

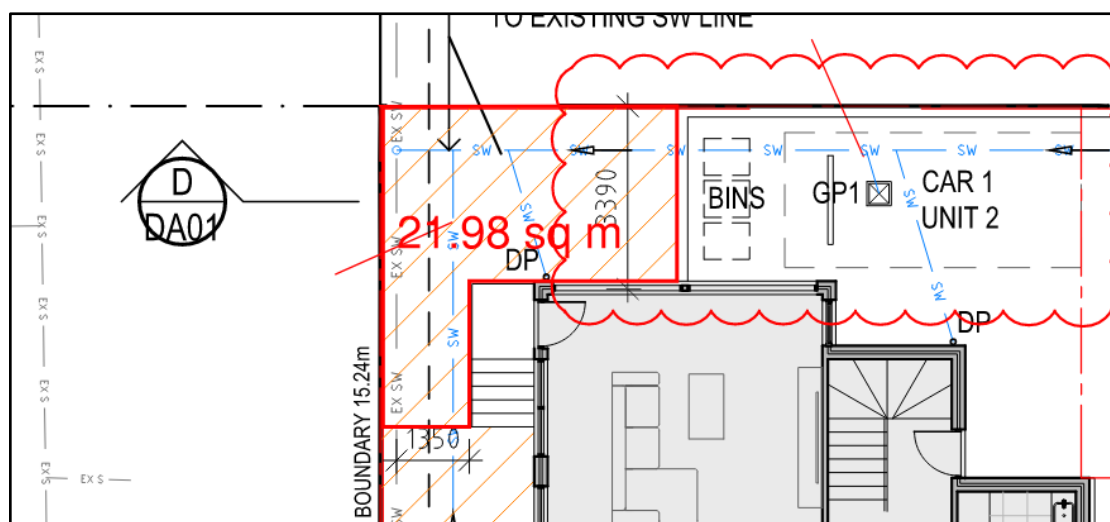


**Figure 9.** Composite image demonstrating the applicants' proposed arrangement of private open space for Unit 1 and north (grey in north point diagram).

The private open space for Unit 2 has an area of 21.98m<sup>2</sup> available in a somewhat convenient location accessible from the rear entrance via a set of stairs.

With a minimum horizontal dimension of 3.3m and with a long axis orientated to the north east, this area is considered as capable of receiving the most sunlight. Thus being most useable and satisfying the performance criteria. Therefore, this area is considered to comply.

With regard for the above, subject to a condition on the development of landscaping within the frontage (if a permit were recommended to be granted), the proposal is able to be considered to comply.



**Figure 10.** Area of private open space for Unit 2 which satisfies the performance criteria.

#### CI 8.4.6 (P3) Privacy for all dwellings

The proposed driveway is located within 1m of a lounge room window, which has a sill height of approximately 1.7m. the proposal is therefore reliant on the performance criteria which require:

*A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.*

#### Comment

The proposal is for an extension of an existing driveway to serve an additional dwelling. The reliance on this driveway is considered appropriate with respect to the existing dwelling layout and design, noting the dwelling is of a masonry construction, and the sill height is at or above 1.7m. the proposal is therefore considered to be sufficiently located to minimise the unreasonable impact of light and noise.

The proposal is considered to comply.

#### Codes

The following codes of the Scheme apply to this proposal:

#### C2.0 Parking and Sustainable Transport Code

The proposal has been referred to Council's Development Engineer who has provided comments in the internal referrals section of this report. The proposal is considered to comply with each of the relevant standards.

### **C3.0 Road and Railway Assets Code**

The proposal has been referred to Council's Development Engineer who has provided comments in the internal referrals section of this report. The proposal is considered to comply with each of the relevant standards.

### **Glenorchy Local Provisions Schedule (GLPS)**

#### **Local Area objectives**

No local area objectives of the Scheme apply to this proposal.

#### **Specific Area Plans**

No specific area plans of the Scheme apply to this proposal.

#### **GLE-Site Specific Qualifications**

No site-specific qualifications of the Scheme apply to this proposal (refer to the Site Specific Qualifications table).

#### **GLE-Code lists**

No code lists of the Scheme apply to this proposal.

### **INTERNAL REFERRALS**

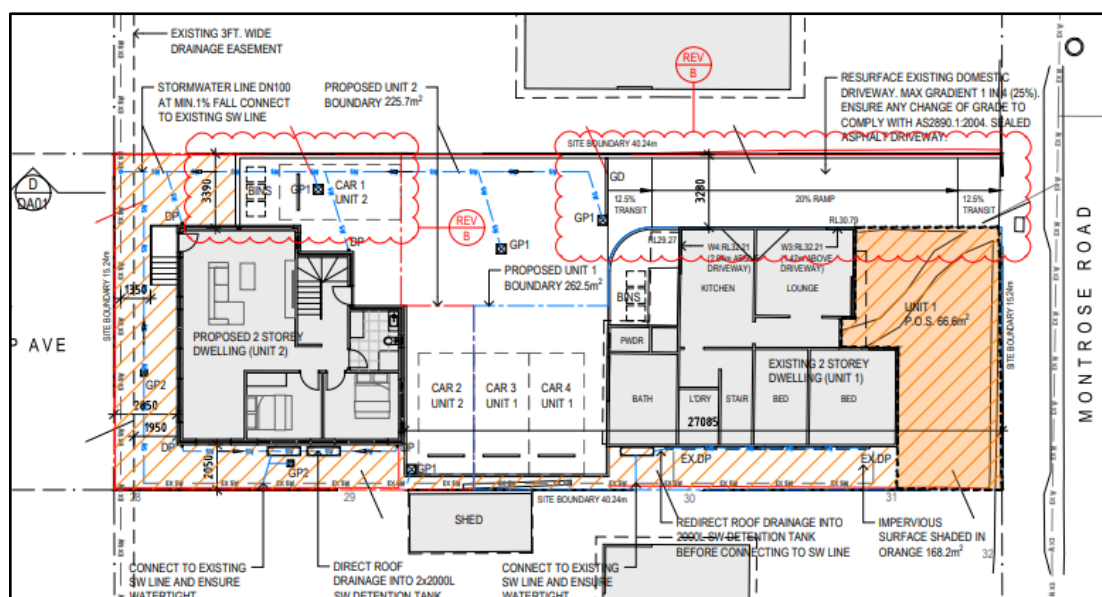
#### **Development Engineer**

The proposal has been referred to Council's Development Engineer who has made the following comments:

#### **Comments**

The development application seeks an approval for two multiple dwellings (one existing and two additional). The works include demolition to the existing driveway, sheds and pavements and works to the driveway access to provide for a passing bay. The scope of work can be seen in the figure below.



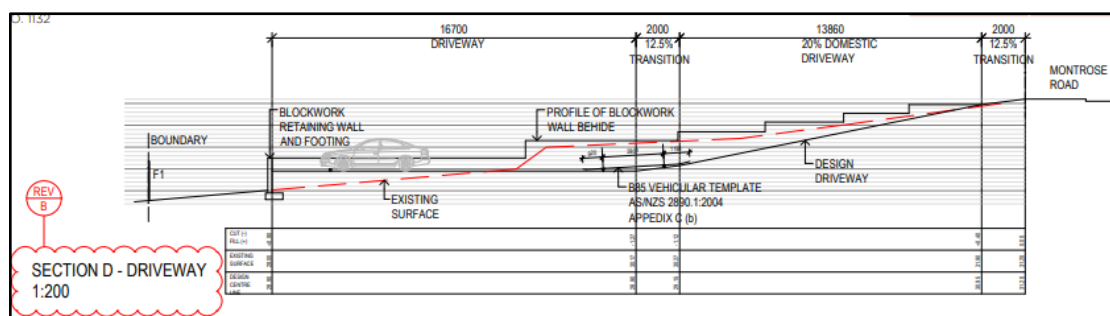


**Figure 12.** Extract of site plan

The drainage of the site is proposed to be drained to the existing connection which is capable of being conditioned for upgrading to a 150mm connection. The drainage system includes a 3,000 litre detention tank with capacity of 5,400 litres, the enviro stormwater treatment and stormwater connection. All works would be required to be done in accordance with Council's requirements and relevant standards. The General Manager's consent to interfere with stormwater infrastructure can be granted.

## **C2.0 Parking and Sustainable Transport Code**

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. The site is proposed to be accessed off the existing vehicular access, onto the driveway and parking areas. The requirement under the C2.5.1 and table C2.1, A1 requires the total of four (4) car parking spaces for the proposed development or two (2) spaces for each residential dwelling. The applicant proposes to comply with the requirements providing car parking area for 4 car spaces. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. The layout of parking area complies with the standard AS2890.1:2004. The turning swept path and B85 clearance template are provided demonstrate compliance to the standard, see below.



**Figure 13.** Retaining wall section.

The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

### C3.0 Road and Railway Assets Code

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

## Other

### C15.0 Landslide Code

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

### C7.0 Natural Assets Code

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

### C12.0 Flood-Prone Areas Hazard Code

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

## EXTERNAL REFERRALS

## TasWater

The proposal has been referred to TasWater which has provided a submission with conditions to be appended to any permit issued.

## REPRESENTATIONS

The application was advertised for the statutory 14-day period with 4 representations being received. The issues raised are as follows:

### **The proposal will impact upon privacy of multiple adjoining and nearby properties:**

#### *Comment*

The proposal complies with the Acceptable Solution owing to the construction of that standard allowing for windows with a reduced setback needing only to be offset from other windows in order to comply.

There is no requirement under the privacy standards of the State Planning Provisions for a window overlooking the private open space of a dwelling on an adjoining property to be designed to minimise overlooking.

### **The proposal will impact on access to sunlight for both private open a space and living areas.**

It is agreed that the proposal will by virtue of its height and bulk contribute to unreasonable overshadowing, as outlined under clause 8.4.2 (P3) Setbacks and building envelopes for all dwellings.

### **The placement of carparks will cause for emissions of exhaust**

This is not a planning matter which is regulated by the Tasmanian Planning Scheme – Glenorchy (the Scheme).

### **Visual bulk**

It is agreed the proposal will present unreasonable visual bulk as viewable from adjoining properties, and this has been outlined under clause 8.4.2 (P3) Setbacks and building envelopes for all dwellings.

### **Private open space in the frontage**

The applicant has demonstrated that subject to conditions (if a permit were recommended to be granted) the use of land between the dwelling and the frontage is sufficient to comply with the performance criteria of the standard 8.4.3 (P2) Site coverage and private open space for all dwellings.

### **Absence of green space increases ambient temperature**

The effect of increased hardstand areas on ambient temperatures in urban areas is well understood. The proposal is reliant on the performance criteria for the provision

of private open space, though is considered to comply. There is no specific provision relating to the impact of hardstand on ambient temperatures within the Scheme.

**Carparking adjacent as sited will cause for health impacts**

This is not a matter which is regulated by the Scheme

**Character of neighbourhood**

It is agreed that the proposal will be incompatible with the density of the surrounding area, as outlined under clause 8.4.1 (P1) Residential density for multiple dwellings.

**Concern regarding the flow of ground water relating to excessive fill.**

There is no provision in the Scheme relating to the impact of groundwater flow.

**CONCLUSION**

The proposal is for an additional dwelling to be constructed at the rear of the existing dwelling at 28 Montrose Road, Montrose. The proposal complies with each of the applicable standards as outlined in the appendices to this report, except where reliant on the performance criteria for CI 8.4.1 (P1) Residential density for multiple dwellings, CI 8.4.2 (P3) Setbacks and building envelope for all dwellings, CI 8.4.3 (P2) Site coverage and private open space for all dwellings, and CI 8.4.6 (P3) Privacy for all dwellings.

As outlined in the body of this report, the proposal fails to comply with CI 8.4.1 (P1) Residential density for multiple dwellings and CI 8.4.2 (P3) Setbacks and building envelope for all dwellings.

As the operation of the Scheme requires at clause 5.6.1 that a use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedule, and in determining an application pursuant to clause 6.10.1 (a), it cannot be recommended that a permit be granted for a development which does not comply with an applicable standard.

It is noteworthy the applicant has made an effort to address the concerns of council, and revised plans do in fact demonstrate the proposal is able to comply (subject to a condition) with the standards relating to private open space. Importantly though, the revised plans still fail to demonstrate the proposal will not have an unreasonable visual impact as viewable from both 26 and 30 Montrose Road, or that it is compatible with the prevailing density.

So long as the proposal contributes to unreasonable impacts relating to visual bulk as viewable from adjoining properties, the development is considered as being incapable of presenting a broad correspondence with the surrounding area as is required where reliant on the performance criteria for dwelling density. It is therefore recommended the applicant continue to work to find how the site may be more harmoniously developed in a built sense, to then better demonstrate compatibility of density with respect to the surrounding area.

**Recommendation:**

That the application for the proposed use and development of 28 Montrose Road Montrose be refused for the following reasons:

1. The proposal fails to comply with either the acceptable solution or the performance criteria of clause 8.4.1 Residential density for multiple dwellings; and
2. The proposal fails to comply with either the acceptable solution or the performance criteria of clause 8.4.2 Setbacks and building envelope for all dwellings

**Attachments/Annexures**

- 1 GPA Attachment - 28 Montrose Road, Montrose



## APPENDIX

### 8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
<b>8.4 Development Standards for Dwellings</b>			
<b>8.4.1</b> <b>Residential density for multiple dwellings</b>	<b>A1</b> Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .	Site area per dwelling is 1/306.5	No See report
<b>8.4.2</b> <b>Setbacks and building envelope for all dwellings</b>	<b>A1</b> Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> <li>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</li> </ul>	Dwelling is setback from the primary frontage approx. 4.8m	Complies



	(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.		
	<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>	None proposed	N.A
	<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level</li> </ul> </li> </ul>	The proposal protrudes from the envelope	No See Report

	<p>at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		
<b>8.4.3</b> <b>Site coverage and private open space for all dwellings</b>	<b>A1</b> Dwellings must have: <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	Site coverage equates to approximately 41.6%	Complies
	<b>A2</b> A dwelling must have private open space that: <p>(a) is in one location and is not less than:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p>	<p>The private open space for dwelling 2 does not have an area with a minimum horizontal dimension of 4m.</p> <p>Dwelling 1 has an area of private open space between the dwelling and the frontage which does not accord with (c).</p>	See report.

	<p>(b) has a minimum horizontal dimension of not less than:</p> <ul style="list-style-type: none"><li>(i) 4m; or</li><li>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li></ul> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>		
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<p><b>8.4.4</b></p> <p><b>Sunlight to private open space of multiple dwellings</b></p>	<p><b>A1</b></p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</li> </ul> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height not more than 2.4m; or</li> <li>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</li> </ul>	<p>Though on a north south axis, the proposed dwelling 2 is not to the north of the private open space of dwelling 1.</p>	<p>Complies</p>
<p><b>8.4.5</b></p> <p><b>Width of openings for garages and carports for all dwellings</b></p>	<p><b>A1</b></p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>Not applicable</p>	<p>n.a</p>

<b>8.4.6</b>  <b>Privacy for all dwellings</b>	<b>A1</b>  A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</li> </ul> </li> </ul>	The proposal does not include balconies, though for the parking space shown as Car 1 a fixed screen is included in the design.	Complies
	<b>A2</b>  A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): <ul style="list-style-type: none"> <li>(a) the window or glazed door: <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> </ul> </li> </ul>	Upper floor kitchen windows and lower study window comply with (b).	Complies

	<ul style="list-style-type: none"> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>		
	<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p>	<p>The proposed driveway is not separated by a screen for the existing lounge window.</p>	<p>No see report</p>



	<p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <ul style="list-style-type: none"> <li>(i) it is separated by a screen of not less than 1.7m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</li> </ul>		
<p><b>8.4.7</b></p> <p><b>Frontage Fences for all dwellings</b></p>	<p><b>A1</b></p> <p>No Acceptable Solution<sup>1</sup>.</p> <p><i>(<sup>1</sup> An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>	Not applicable	n.a
<p><b>8.4.8</b></p> <p><b>Waste Storage for multiple dwellings</b></p>	<p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> </ul> </li> </ul>	Proposal includes waste storage.	Complies

	(ii) is not less than 5.5m from any dwelling; and		
	(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.		

## C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
<b>C2.5 Use Standards</b>			
<b>C2.5.1</b> <b>Car parking numbers</b>	<b>A1</b> The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> <li>(c) the site is subject to Clause C2.5.5; or</li> <li>(d) it relates to an intensification of an existing use or development or a change of use where:</li> </ul>	The proposal is for four car parking spaces	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p><math display="block">N = A + (C - B)</math></p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<b>C2.5.2</b> <b>Bicycle parking numbers</b>	<b>A1</b>	Not applicable	N.A

Standard	Acceptable Solution	Proposed	Complies?
	Bicycle parking spaces must:  (a) be provided on the site or within 50m of the site; and  (b) be no less than the number specified in Table C2.1.		
<b>C2.5.3</b> <b>Motorcycle parking numbers</b> <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> <b>Residential if for a communal residence, multiple dwellings or hostel use;</b> <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	<b>A1</b>  The number of on-site motorcycle parking spaces for all uses must:  (a) be no less than the number specified in Table C2.4; and  (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	Not applicable	N.A
<b>C2.5.4</b> <b>Loading bays</b> <i>This applies to:</i> <i>Bulky Goods Sales;</i>	<b>A1</b> A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	Not applicable	N.A

Standard	Acceptable Solution	Proposed	Complies?
<i>General Retail and Hire; Manufacturing and Processing; and Storage.</i>			
<b>C2.5.5</b> <b>Number of car parking spaces within the General Residential Zone and Inner Residential Zone</b> <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation; and</i> <i>Utilities, if not for minor utilities.</i>	<b>A1</b>  Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:  (a) Food Services uses up to 100m <sup>2</sup> floor area or 30 seats, whichever is the greater; and  (b) General Retail and Hire uses up to 100m <sup>2</sup> floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not applicable	N.A

Standard	Acceptable Solution	Proposed	Complies?
<b>C2.6 Development Standards for Building Works</b>			
<b>C2.6.1 Construction of parking areas</b>	<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>(a) be constructed with a durable all weather pavement;</li> <li>(b) be drained to the public stormwater system, or contain stormwater on the site; and</li> <li>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</li> </ul>	Council's Development Engineer has determined that the proposal complies with the acceptable solution	Yes
<b>C2.6.2 Design and layout of parking areas</b>	<b>A1.1</b> Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> <li>(a) comply with the following:               <ul style="list-style-type: none"> <li>(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>;</li> </ul> </li> </ul>	Council's Development Engineer has determined that the proposal complies with the acceptable solution	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p>		

Standard	Acceptable Solution	Proposed	Complies?
	<p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]</p>		
<b>C2.6.3 Number of accesses for vehicles</b>	<p><b>A1</b> The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	The proposal is reliant on an existing access	Yes
	<p><b>A2</b> Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	Not applicable	N.A
<b>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</b>	<p><b>A1</b> In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	Not applicable	N.A



Standard	Acceptable Solution	Proposed	Complies?
<b>C2.6.5 Pedestrian access</b>	<p><b>A1.1</b> Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> <li>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</li> <li>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</li> </ul> </li> <li>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</li> </ul> <p><b>A1.2</b> In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	Not applicable	N.A
<b>C2.6.6 Loading bays</b>	<p><b>A1</b> The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	Not applicable	N.A

Standard	Acceptable Solution	Proposed	Complies?
	<b>A2</b> The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i> .	Not applicable	N.A
<b>C2.6.7</b> <b>Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</b>	<b>A1</b> Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable	N.A
	<b>A2</b> Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) have dimensions not less than:               <ul style="list-style-type: none"> <li>(i) 1.7m in length;</li> <li>(ii) 1.2m in height; and</li> <li>(iii) 0.7m in width at the handlebars;</li> </ul> </li> <li>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</li> </ul>	Not applicable	N.A

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

**Footnotes**

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

**C3 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
<b>C3.5 Use Standards</b>			
<b>C3.5.1</b>  <b>Traffic generation at a vehicle crossing, level crossing or new junction</b>	<b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:  (a) a new junction;  (b) a new vehicle crossing; or  (c) a new level crossing.  <b>A1.2</b> For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. <b>A1.3</b> For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	Council's Development Engineer has determined that the proposal complies with this standard	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p><b>A1.4</b>  Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p><b>A1.5</b>  Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		

**6. PLANNING SCHEME AMENDMENT REQUEST - AMENDMENT TO INTRODUCE GLE - S8.0 PRINCIPAL ACTIVITY CENTRE SPECIFIC AREA PLAN - VARIOUS PROPERTIES, GLENORCHY**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 3219533

### **REPORT SUMMARY**

<b>Application No.:</b>	<b>PLAM-22/04</b>
<b>Applicant:</b>	<b>Not applicable</b>
<b>Owner:</b>	<b>Multiple landowners</b>
<b>Existing Zoning:</b>	<b>Central Business Zone</b>
<b>Existing Land Use:</b>	<b>Multiple central business land uses</b>
<b>Proposal in Brief:</b>	<b>Replace the existing Specific Area Plan for Glenorchy's principal activity centre, along with associated minor rezoning, nomination of pedestrian priority streets and addition to incorporated documents</b>
<b>Representations:</b>	<b>Advertising occurs after amendment is prepared</b>
<b>Recommendation:</b>	<b>Prepare and certify amendment, and exhibit for 28 days</b>

## **REPORT IN DETAIL**

### **EXECUTIVE SUMMARY**

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

The amendment will replace an existing Specific Area Plan (SAP) for Glenorchy's Principal Activity Centre (PAC). The revised SAP reinvigorates the existing urban design standards and introduces new measures to protect the centre's key assets, while encouraging high quality development, including for apartments.

The amendment also includes minor rezoning to better align the Central Business Zone (CBZ) with existing buildings in the SAP area; simplifying a small section of the SAP boundary; and nomination of 'pedestrian priority streets' to support the SAP standards and trigger relevant standards under the C2.0 Parking and Sustainable Transport Code.

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

- Increased viability of the activity centre, through encouraging high quality development that attracts more people
- Ensuring much-needed development for apartments provides residents of all abilities with reasonable amenity, without compromising nearby uses
- Protection of key assets that contribute to making the centre a distinctive and welcoming place
- Alleviating pressure for greenfield development by supporting increased development of centrally located, well-serviced land, and
- Reducing emissions and congestion from reliance on cars, by supporting co-location of housing with employment, and encouraging multimodal transport.

No use or development application is proposed with the amendment; therefore, there are no direct social, economic or environmental consequences. Potential consequences from future proposals subject to the SAP may include:

- Location of housing within an activity centre in close proximity to non-residential uses, creating potential amenity conflicts – however, this use is already allowable in the zone, while the SAP include controls to reduce potential conflict, and
- Protection of public assets (such as solar access) from nearby development could impose some constraints on building design – however, large areas of the SAP are unconstrained by the relevant standards, and existing development on affected sites is somewhat less than that potentially allowable.

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

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

If prepared, the following two outcomes must occur:

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

As the amendment is proposed to be prepared by the planning authority of its own motion, there is no applicant, and therefore if the planning authority resolves not to prepare the amendment, there is no recourse for appeal.

Any representations to the exhibited amendment will be considered at a future Glenorchy Planning Authority meeting, where modifications can be recommended in response to the representations and for the consideration of the Commission.

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

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

#### **PROPOSED PLANNING SCHEME AMENDMENT**

The proposal is for a planning scheme amendment to introduce a new specific area plan called the Principal Activity Centre Specific Area Plan (PAC SAP) into the Glenorchy Local Provisions Schedule, to replace the existing Glenorchy Activity Centre Urban Design SAP.

The PAC SAP will apply over the land in the Central Business Zone (CBZ) as well as a section of the Utilities Zone (UZ) where Main Road bisects the CBZ. The PAC SAP seeks to:

- Apply building design, lighting and landscaping controls to promote high quality urban renewal that also respects our heritage places
- Ensure ground level development results in active frontages that contribute to a vibrant street environment
- Ensure apartments provide appropriate residential amenity and cater for people of all abilities



- Protect key areas of solar access, view lines and access alongside Humphreys Rivulet, and
- Ensure development doesn't prevent a potential future relocation of the bus mall.

In summary the amendment:

- Replaces the existing GLE-S8.0 with the new GLE-S8.0 Principal Activity Centre Specific Area Plan.
- Updates the SAP boundary to ensure it aligns with the road (Figure 1).
- Rezones minor sections of the Utilities Zone to a Central Business Zone to align with existing buildings in the SAP area (Figure 2)
- Applies the Parking and Sustainable Transport Code – Pedestrian Priority Streets Overlay (Figure 3).
- Modifies the General Overlays to show where the Local Area Objectives, Gateways Sites and Solar Protection Area identified in the SAP apply.
- Includes Liveable Housing Design Guidelines in list of Applied, Adopted and Incorporated Documents.

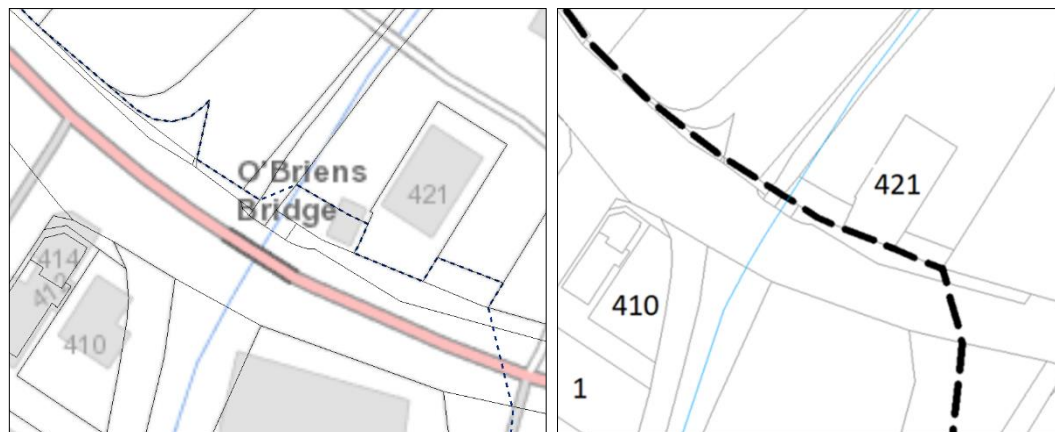


Figure 1 – current (left) and proposed (right) SAP boundary along the northern side of Main Road



Figure 2 – Proposed rezoning from Utilities Zone to Central Business Zone

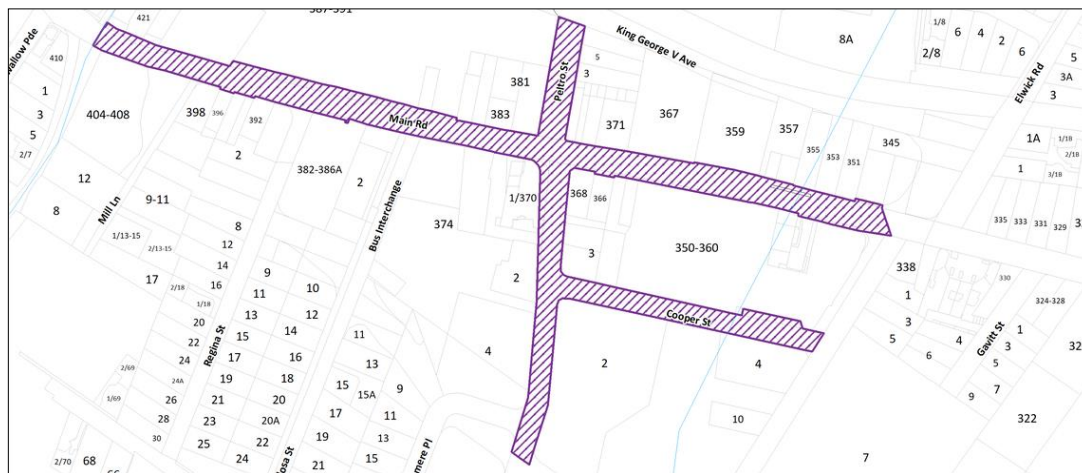


Figure 3 – Proposed Pedestrian Priority Streets

The draft amendment documents are included in **Attachment 1** – Amendment Documents.

An explanatory document which provides some more background information about the amendment, the current policy position and outlines the controls and why they have been included is in **Attachment 2** – Explanatory Document. This document provides a more ‘accessible’ overview of the PAC SAP beyond the statutory requirements that must be met under LUPAA.

## SITE AND LOCALITY

The SAP applies to land in the CBZ and UZ, as shown in Figure 4. A list of all properties to be affected by the PAC SAP is included in **Attachment 1**.

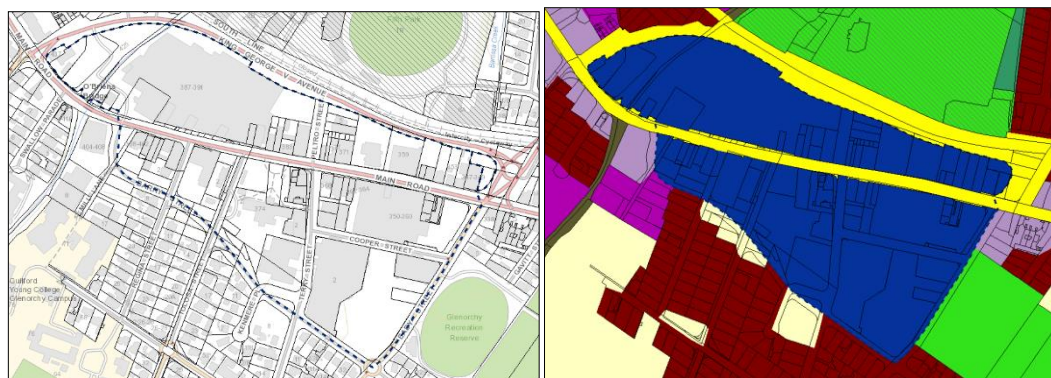


Figure 4 – Existing SAP area (left – dashed outline) and zoning (right – blue CBZ and yellow UZ) – theLIST

### Site characteristics

The area is the main retail and service centre in the Glenorchy municipality, and a 'Principal Activity Centre' (PAC) in the Tasmanian planning system<sup>1</sup>. The activity centre is an important social, economic and transport hub.

A detailed analysis of the area was recently undertaken as part of the Greater Glenorchy Plan<sup>2</sup> (GGP), which described the area as being:

*...primarily comprised of three small shopping centres surrounded by car parking. There is a civic area towards the centre of the CBD focused on community services, including Council Chambers and the library.*

*Beyond these land uses the Glenorchy CBD contains numerous banks, offices, and a mixture of retail such as chemists, a fruit market and second-hand clothing stores. There are limited restaurants and evening activity.*

The GGP identified the following key features of the activity centre:

- Good solar access
- Buildings mostly limited to one or two storeys
- Mainly retail, office and community services uses, with limited evening activity
- Large areas of underutilised land

<sup>1</sup> Southern Tasmanian Councils Authority (Amended 2020) *Southern Tasmania Regional Land Use Strategy 2010-2035*,

[https://planningreform.tas.gov.au/\\_data/assets/pdf\\_file/0009/559791/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-Effective-19-February-2020.PDF](https://planningreform.tas.gov.au/_data/assets/pdf_file/0009/559791/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-Effective-19-February-2020.PDF)

<sup>2</sup> ERA Planning and Environment, SGC Economics & Planning, Terroir and Playstreet (2021) *Greater Glenorchy Plan commissioned for the Glenorchy City Council*, <https://www.gcc.tas.gov.au/discover-glenorchy/future-glenorchy/greater-glenorchy/>

- Limited street activation
- Extensive, underutilised parking and generally alienated pedestrian movement
- Numerous street trees, but limited open space landscaping, and
- Views to surrounding landscapes.

A substantial part of the SAP area is a flood-prone hazard area, with flood depths ranging from nil to in excess of 4 m. The proposed SAP controls do not amend or substitute the controls in the C12.0 Flood-Prone Areas Code.

Much of the land within the SAP area to the north of Main Road is identified as being potentially contaminated land (mainly from ex -fuel storage sites and sites next to the potentially contaminated sites). Development on these sites will continue to be subject to the C14.0 Potentially Contaminated Land Code.

#### *Adjoining land*

The SAP area is bounded by roads along each side. To the north, along with KGV Park are the Glenorchy Aquatic Centre, the Transport Museum and an anticipated future transit hub location forming part of the Northern Suburbs Transit Corridor. Nearby public open space is also located to the south-east, along with a mix of commercial and inner residential land. Commercial, industrial and inner residential pockets are distributed around the western end of the SAP area, and inner residential land is to the south.

A substantial part of the SAP area is within the attenuation distance of uses in nearby Light Industrial Zoned land, including a timber yard approximately 46 m to the north, at 22 Wrights Avenue, and a commercial bakery approximately 106 m to the south-west, at 11 Swallow Parade. These uses have attenuation distances of 250 m and 200 m, respectively. The C9.0 Attenuation Code will continue to apply to use and development within the attenuation areas.

The SAP area is also partly within the 50 m attenuation area of the railway corridor. The relevant standards of the C3.0 Road and Railway Assets Code would apply to future development in that area.

#### *Infrastructure*

The GGP notes that nearby public infrastructure includes several schools and an aged care facility, along with Medicare offices.

The intercity cycleway and railway corridor are located to the north adjoining King George Avenue.

The area is fully serviced by stormwater, water and sewer mains infrastructure.

*Environmental values*

A waterway and coastal protection area associated with Humphreys Rivulet crosses the north-west end of the SAP area. Humphreys Rivulet within the SAP area is a hardened, open waterway. Nevertheless, there is potential for future rehabilitation of the creek, and the SAP therefore requires public access to be retained alongside the watercourse, which is an important public asset.

The area also has some natural values in the form of various established exotic and native trees. The SAP seeks to reinforce and extend green linkages through a requirement for landscaping of publicly accessible spaces.

*Social and Economic Values*

The activity centre is an important social and economic hub, providing a key employment area for Glenorchy with a cluster of centrally located business and community services. There is significant potential for further development to strengthen the area's role as Glenorchy's principal activity centre.

The SAP area contains two significant trees and ten local heritage places, two of which are also listed on the Tasmanian Heritage Register. The SAP includes standards to ensure development on adjoining sites does not detract from heritage significance. The C6.0 Local Historic Heritage Code provisions and *Historic Cultural Heritage Act 1995* will continue to govern development on the listed places, as applicable.

**BACKGROUND**

The GGP and other recent government initiatives have provided a renewed focus on city improvement to achieve affordable housing, thriving centres and efficient transport. In Glenorchy, the GGP seeks higher urban density, more employment opportunities, better transport options, and quality design providing safe, welcoming and comfortable public places and green space. More broadly, the Hobart City Deal<sup>3</sup> (including the *30 Year Greater Hobart Plan* and the *Northern Suburbs Transit Corridor*) has similar aims. Improved housing options are flagged in Council's *Statement of Commitment on Housing*<sup>4</sup> and the State government's developing *Tasmanian Housing Strategy*<sup>5</sup>. These initiatives provide the drivers and context for the proposed amendment.

*Informal consultation*

Informal public consultation was undertaken in 2020 for the preparation of the GGP. The SAP assists in delivering several of the GGP Actions developed through that process.

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<sup>3</sup> <https://www.hobartcitydeal.com.au/home>

<sup>4</sup> <https://www.gcc.tas.gov.au/wp-content/uploads/2021/01/GCC6589-Statement-of-Commitment-on-housing.pdf>

<sup>5</sup> <https://tashousingstrategy.homestasmania.com.au/>

*Workshop for the Elected Members of Council*

A project update was provided to the Elected Members of Council and feedback was sought from them during the Council workshop held on 16 January 2023. The relevant internal departments including the broader Planning Services, Environmental Health, Waste Management, Building, Community, Property and Engineering teams were also consulted in developing the specific planning controls and have been provided with updates at various stages of the project.

*Proposed engagement strategy should the PAC SAP be prepared*

Along with the formal statutory requirements for exhibition of the amendment, the following is the anticipated public consultation should the proposed planning scheme amendment progress:

- News feed Article on Council's website, providing details on the draft planning controls and how to provide feedback
- Notification of key stakeholders (planning consultants, state government agencies, housing providers) providing an overview of the SAP and how to be involved in the formal consultation process, and
- Inclusion of an Explanatory Document which explains the controls and why they have been included (**Attachment 2**).

**ASSESSMENT / STRATEGIC OUTCOMES****Local Strategy, Policy and Impacts***Strategy*

The GGP was adopted by Council in February 2021 and identifies numerous actions to further the *City of Glenorchy Community Plan 2015-2040*. The proposed amendment supports each of the GGP strategic objectives.

GGP Strategic Objective 1. Reinforcing the activity centre hierarchy

The SAP seeks to elevate design outcomes for the principal activity centre, and achieve 'highest and best use' of prime street front locations.

GGP Strategic Objective 2. Increasing urban densities

This is indirectly supported by the SAP's focus on facilitating successful and appropriate high density apartment developments in a central urban location.

GGP Strategic Objective 3. Delivering new employment opportunities

The SAP aims to increase the vitality of the principal activity centre, which is a key employment area for Glenorchy, with a preference for uses that are associated with a relatively high employment density.

GGP Strategic Objective 4. Improving movement and access

The SAP includes measures to promote pedestrian linkages through sites, support multi-modal transport options, address accessible navigation of frontages, and include a higher standard of accessible housing.

GGP Strategic Objective 5. Creating places for people

Placemaking provisions in the SAP include protection of solar amenity, a key view corridor through to kunanyi/Mount Wellington and responsiveness to heritage assets, as well as standards that prioritise the pedestrian experience.

GGP Strategic Objective 6. Greening Glenorchy

This objective is supported in the SAP through requirements for landscaping of shared open space and publicly accessible space, including external car parks.

The SAP also helps deliver on several GGP actions identified in the Glenorchy CBD Precinct Plan. These are detailed at Appendix 1 of the Explanatory Document (**Attachment 2** of this report).

*Policy*

The local policies adopted by Council that are relevant to the proposed amendment are discussed below.

Statement of Commitment on Housing: This policy statement and associated action plan seeks to facilitate access to a diverse set of safe, livable, accessible, and affordable housing options. The SAP supports this through the proposed apartment design standards, with the scope for high density apartment development expected to help generate economies of scale that could support potential affordable housing options.

Access and Inclusion Policy: The SAP seeks to further the policy through requirements for accessible housing and consideration of universal design principles relating to building setbacks. The SAP also provides scope for any potential further development of the policy to address requirements for provision of accessible apartments.

Waste Services Policy: The proposed amendment is in accordance with Council's Waste Services Policy and has specific controls to ensure future residential development will be in accordance with the associated *Waste Standards for New Multiple Dwelling Developments*, including any future updates to specifically address requirements for apartment developments.

Public Art Policy: although not a requirement of the policy, the SAP includes consideration of lighting of public artworks.

Footpaths Policy: the SAP requires a public access alongside Humphreys Rivulet in the SAP area, where buildings are proposed within the associated waterway and coastal protection area, and would apply to development that does not meet the relevant exemption for development for Council footpaths.

The draft provision requires the access to have a minimum width of 1.8 m, aligning with Category 2, 'primary' footpaths under the Footpaths Policy, which accommodates two wheelchairs.

Footpath Trading Policy: footpath trading in a road reserve is generally exempt from the planning scheme; however, the SAP provides for the road authority (being Council) to provide advice regarding awning design, which would be expected to take into consideration any infrastructure approved in association with footpath trading. The SAP also requires separation of waste storage and collection from approved footpath trading activities.

Street Lighting Policy: the SAP requires lighting of publicly accessible areas, including compliance with any relevant Council policy.

Street Tree Policy: the SAP complements this policy by extending landscaping requirements to publicly accessible areas, including on individual sites. The SAP also provides for consideration of any relevant Council policy or strategy in assessing landscaping proposed under the relevant standard.

Stormwater Management Policy: the SAP includes consideration of opportunities for water sensitive urban design in the proposed landscaping standard.

### *Strategic Plan*

Consistent with Council's Strategic Plan, the SAP:

- supports development of accessible housing and apartments with reasonable amenity, contributing to a better quality of life for residents
- supports greater urban density and greater visitation of our principal activity centre, aiming to stimulate the local economy
- encourages an elevated quality of design outcomes to create a revitalised city
- provides for continued access alongside our natural asset of Humphreys Rivulet, and
- protects the activity centre's key assets for future generations.

**Appendix 1** includes an assessment against the current *Glenorchy Strategic Plan 2016-2025*.

### *Infrastructure Impacts*

The subject land is fully serviced. Increased densities may necessitate upgrades to existing infrastructure which will be considered as part of any future development of the area at the planning application stage. Referrals to the relevant authorities, such as TasWater, TasNetworks, TasGas etc. will be made as required at the planning permit application stage and any conditions imposed by the agencies will be included as part of any planning permit being issued.



Traffic increases and impacts associated with increased densities will be considered as part of the planning permit application stage. The PAC SAP was developed in consultation with Council's Traffic Engineer and some standards have been proposed to minimise the potential for residential and commercial vehicle conflict on site. However, no changes to the carparking requirements for residential uses are proposed under the PAC SAP, although the provision of bicycle spaces (and other personal mobility devices) is promoted. While residential development potentially brings increased vehicles, it is also anticipated that an increase in residents will create an increase in the use of public transport (a key principle behind enlivening the Northern Suburbs Transit Corridor under the Hobart City Deal).

Increased resident population will also support Council in providing funds required for the associated public infrastructure upgrades to the public assets in the area as and when required.

#### *Environmental Impacts*

The proposed amendment will have no negative environmental impacts.

Some of the sites in the SAP area are identified as potentially contaminated land. The PAC SAP does not alter the status of use classes in the CBZ Use Table; therefore, there are no additional No Permit Required pathways arising as a result of the SAP. This means there is no reduction in the application of the C14.0 Potentially Contaminated Land Code to potential future development of any site, as a result of the proposed amendment.

#### *Amenity Impacts*

The proposed amendment provides for residential amenity by specific controls in the PAC SAP that will ensure well-designed apartments are achieved. For example, apartments will be required to be designed and constructed to mitigate noise impacts from existing businesses (both onsite and on nearby properties). The PAC SAP contains planning controls to ensure apartments are designed to provide sunlight, airflow and a level of residential amenity, including private and communal open space. Onsite vehicle movements and waste management and collection are also required to minimise conflict with other uses.

These planning controls seek to ensure that future development for apartments does not compromise the operation of businesses in the activity centre.

The roads encircling the PAC SAP area provide separation of substantially more than 10 m from land in the Inner Residential Zone (IRZ).

This means that the CBZ standards relating to building heights and distances from land in the Inner Residential Zone would not apply, and implies that no additional measures are needed in the SAP, which has the same maximum building height as the equivalent CBZ standard, and requires discretionary consideration at a lower building height than the CBZ, where within 6 m of a frontage. The inherent separation is also considered ample to avoid unreasonable privacy impacts from potential future apartment development, to dwellings and their private open space in the IRZ.

#### *Social and economic impacts*

The proposed amendment is considered to have positive social and economic impacts by promoting increased housing supply and choice for the varied needs of our diverse and growing community. The proposed amendment emphasises retaining the primary economic focus of the area at street level. Supporting increased residential density within activity centres provides for a potential pool of employees and customers supporting increased business activity in the area, thus leading to generating more income and opportunities. A higher standard of urban design similarly aims at attracting more people to visit and spend time in the activity centre, again boosting economic activity and enhancing social cohesion.

#### **Regional Strategy and Policy**

For the amendment to be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated. **Appendix 1** provides a detailed assessment of the amendment against the relevant STRLUS policies.

The amendment is consistent with the STRLUS as it will:

- Encourage high quality urban design, including active street frontages, that boosts economic activity in the principal activity centre
- Better facilitate infill residential development within the Urban Growth Boundary, encouraging active transport and reduced car reliance
- Assist Glenorchy to reach its housing targets at appropriate density levels and with appropriate provision for demographics needing greater access to accessible housing, and
- Value and protect key assets – solar amenity, view corridor, heritage places and public access to the Humphreys Rivulet waterway – from the potential impacts of adjoining development.

#### **State Strategy and Policy**

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through the more efficient use of underutilised, fully serviced, highly accessible, urban land within the principal activity centre.

**Appendix 1** includes an assessment against the objectives of Schedule 1 of LUPAA and State Policies.

While the amendment will not result in any direct impacts on water quality, any future development applications that are submitted to Council can be conditioned to manage water quality during development and promote consistency with the *State Policy on Water Quality Management 1997*. Consideration of water sensitive urban design opportunities in landscaping is also consistent with this policy.

The majority of the PAC SAP area is located between 650 m and 1 km from the high-water mark. As the land is within the coastal zone, this part of the land will be subject to the *State Coastal Policy 1996*. It is noted that the area is separated from remaining natural and cultural coastal values by established urban development, including the Brooker Highway, industrial land, residential land and sports grounds, so there would be no direct impact on coastal values from potential future development under the proposed SAP.

The National Environment Protection Measures are supported in the SAP through controls to deal with amenity impacts from noise as well as requirements for residential waste management.

### **Statutory considerations**

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

### **CONCLUSIONS ON THE AMENDMENT**

The amendment seeks to introduce a new specific area plan, the Principal Activity Centre Specific Area Plan (PAC SAP), replacing the existing GLE-S8.0 Glenorchy Activity Centre Urban Design Specific Area Plan in the Glenorchy Local Provisions Schedule. The PAC SAP is proposed to apply to the Central Business zoned land. The PAC SAP aims to support achievement of the Greater Glenorchy Plan and other strategic objectives. It aims to encourage greater realisation of the principal activity centre's use and development potential, by reinvigorating urban design controls, protecting key assets and introducing controls to ensure infill apartment development provides reasonable amenity and choice of housing, while managing potential land use conflicts. These goals are supported by proposed associated minor rezoning from Utilities Zone to Central Business Zone for land containing building facades within the SAP area, along with nomination of pedestrian priority streets along part of Main Road, Peltro Street, Terry Street and Cooper Street.

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

1993, the tenor of the Tasmanian Planning Scheme - Glenorchy and is consistent with the Southern Tasmanian Regional Land Use Strategy and State policies.

**Recommendation:**

- A. That pursuant to Section 40D(b) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepare Amendment PLAM-22/04 to the Glenorchy Local Provisions Schedule, which applies to the various properties within a Central Business Zone, as listed in Attachment 1 to:
- a. Delete the existing GLE-S8.0 Glenorchy Activity Centre Specific Area Plan from the Glenorchy LPS;
  - b. Insert a new specific area plan called the Principal Activity Centre Specific Area Plan (PAC SAP) to apply to the properties within the Central Business Zone in Glenorchy as shown in **Attachment 1**;
  - c. Amend the zoning of specified lots as shown in **Attachment 1**;
  - d. Include an overlay map for the nominated pedestrian priority streets as shown in **Attachment 1**;
  - e. Amend the General Overlay maps to show Local Area Objectives, and various Precincts and Defined Areas as shown in **Attachment 1**; and
  - f. Including the *Livable Housing Design Guidelines* in the in Applied, Adopted or Incorporated Documents list as shown in **Attachment 1**.
- B. That having decided to prepare the amendment, the Planning Authority certifies pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the *Land Use Planning and Approvals Act 1993*.
- C. That, in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

**Attachments/Annexures**

**1** Amendment Documents



**2** PAC SAP Explanatory Document



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

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

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

The proposal complies with the SPP requirements for an LPS as set out in clause LP1.0 and Appendix A of the SPPs.

**LP1.1 Local Provisions Schedule Structure and Numbering**

LP1.1.1 The proposed structure of the SAP conforms to the requirements specified in Appendix A of the SPPs.

LP1.1.2 Each clause in the proposed SAP contains the mandated 'GLE' prefix for Glenorchy.

**LP1.2 Zone Maps**

LP1.2.1 A minor change to the spatial application of zones is included in the proposal.

LP1.2.2 There is no proposed change to the application of Rural Living Zone A, Rural Living Zone B, Rural Living Zone C and Rural Living Zone D and any particular purpose zones.

**LP1.3 Local Area Objectives**

LP1.3.1 LAOs are included in the proposed SAP.

LP1.3.2 The LAOs are listed in a table in the specified sub-clause in the SAP.

LP1.3.3 The area of the LAOs is shown in an overlay map forming part of the proposed amendment.

**LP1.4 Particular Purpose Zones**

No change to any particular purpose zone is proposed.

LP1.5 Specific Area Plans

- LP1.5.1 The proposed SAP includes a Plan Purpose and Application, as well as use and development standards.
- LP1.5.2 The provisions of the proposed SAP include each of the headings shown in Appendix A of the SPPs.
- LP1.5.3 The proposed defined terms are additional to those in clause 3.0 and do not change the meaning of any existing defined term in the SPPs.
- LP1.5.4 The area of the SAP is shown in an overlay map forming part of the proposed amendment.
- LP1.5.5 The proposed SAP includes a 'solar protection area' and 'gateway sites.' These areas are included in the Definition of Terms and illustrated in an associated Figure. The areas are referred to in relevant standards in the proposed SAP. No separate LAOs, use tables or use and development standards are proposed for the defined areas.

LP1.6 Site Specific Qualifications

No change or addition to site specific qualifications is proposed.

LP1.7 Code Overlay Maps

- LP1.7.1 The area of the proposed pedestrian priority streets is shown in an overlay map forming part of the proposed amendment. The proposed pedestrian priority streets will apply to the Parking and Sustainable Transport Code as well as the proposed SAP. The definition of a pedestrian priority street is incorporated into the SAP by reference to the definition in the Parking and Sustainable Transport Code.
- LP1.7.2 The SAP area does not include land for a future major road or a future railway. Part of the area is within a road or railway attenuation area as defined in the Road and Railway Assets Code. The Code will continue to apply to any relevant use or development on that land. There is no mapping of the attenuation area within the Glenorchy LPS, and no mapping of the area is proposed for the SAP.
- LP1.7.3 The SAP area is entirely outside the overlay map for the Electricity Transmission Infrastructure Protection Code.
- LP1.7.4 The SAP area includes local heritage places and significant trees shown on the existing overlay map for the Local Historic Heritage Code. The Code will continue to apply to any relevant development on that land, and General Provision 7.4 will continue to apply to any relevant change of use on that land. No change to the Code mapping is proposed.

- LP1.7.5 The SAP area is partly within a waterway and coastal protection area shown on the existing overlay map for the Natural Assets Code. The Code will continue to apply to any relevant development on that land. In addition, the SAP includes standards that apply to the land within the waterway and coastal protection area, and the definition is incorporated into the SAP by reference to the definition in the Natural Assets Code. No change to the Code mapping is proposed.

The SAP area is entirely outside the overlay map for the priority vegetation area.

- LP1.7.6 The SAP area is entirely outside the overlay map for the Scenic Protection Code. A view corridor from the SAP area along Tolosa Street, which is proposed to be protected through building height and setback standards, traverses a small section of scenic protection area within the Glenorchy municipality, but is otherwise towards land in the biodiversity protection area in the Hobart municipality (Figure 5). No change to the Code mapping is proposed.



Figure 5 – A view corridor (yellow dashed line) from the SAP area (blue fill) along Tolosa Street (red) towards land in a scenic protection area (blue hatch), and Hobart municipality land in a biodiversity protection area – marked-up LISTmap



- LP1.7.7 Part of the area is within an attenuation area as defined in the Attenuation Code. The Code will continue to apply to any relevant use or development on that land. There is no mapping of the attenuation area within the Glenorchy LPS, and no mapping of the area is proposed for the SAP.
- LP1.7.8 The SAP area is entirely outside the overlay map for the Coastal Erosion Hazard Code.
- LP1.7.9 The SAP area is entirely outside the overlay map for the Coastal Inundation Hazard Code.
- LP1.7.10 The SAP area includes flood-prone areas shown on the existing overlay map for the Flood-Prone Areas Hazard Code. The Code will continue to apply to any relevant use or development on that land. No change to the Code mapping is proposed.
- LP1.7.11 The SAP area is entirely outside the overlay map for the Bushfire-Prone Areas Code.
- LP1.7.12 The SAP area is entirely outside the overlay map for the Landslip Hazard Code.
- LP1.7.13 Part of the SAP area is potentially contaminated land as defined in the Potentially Contaminated Land Code. The Code will continue to apply to any relevant use or development on that land. There is no overlay map of potentially contaminated land within the Glenorchy LPS, and no mapping of the area is proposed for the SAP.
- LP1.7.14 There is no airport noise exposure area or airport obstacle limitation area mapped in the Glenorchy municipality.

LP1.8 Code Lists in Tables

No change or addition to the LPS code lists is proposed.

***(b) is in accordance with section 32***

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

The proposed amendment includes:

- a minor alteration to the zone mapping within the SAP area
- an overlay that provides for the spatial application of the SPPs to land (for the proposed pedestrian priority area)
- provisions that override and modify provisions of the SPPs, and
- provisions that are not a provision of the SPPs.

The proposed provisions are permitted to override, modify and be included in the SPPs, and do not include provisions that the SPPs specify must not be contained in an LPS.

Section 32(3) provides the legislative authority for an LPS to include a SAP, subject to section 32(4), which specifies that a LPS may only include these additional local provisions where:

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

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

The proposed SAP applies to Glenorchy's principal activity centre, one of only three principal activity centres identified in the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS). The area plays an important role in Glenorchy's economy and is a key regional centre for shopping and access to services and transport. The area provides significant social and economic benefits to the municipal area and the region. The proposed provisions aim to reinforce the role of the area as a principal activity centre, through a high quality of urban design and measures to support compatible increased residential density.

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

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

Part 1 Objectives	Comment
<b>(a)</b> <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	<p>The SAP area is a developed urban area and, with the exception of Humphreys Rivulet, has limited natural values.</p> <p>The SAP seeks greater utilisation of this central urban land, including for apartments, to reduce outward pressure on greenfield development and reduce transport emissions. The proposed provisions include measures to improve energy efficiency for apartments (solar access, cross-ventilation, window shading) and to support active transport use (bicycle and other mobility device parking). Humphreys Rivulet will continue to be protected within the SAP area through the provisions of the Natural Assets Code.</p>
<b>(b)</b> <i>to provide for the fair, orderly and sustainable use and development of air, land and water</i>	<p>The SAP includes measures to reduce potential land use conflict between residential use and other uses in the area, and to provide for public access to Humphreys Rivulet. Application of the Central Business Zone to land containing building frontages provides greater consistency in the application of SPP provisions to individual buildings that currently traverse the Central Business Zone and the Utilities Zone. A small section of the SAP boundary is proposed to be revised to align with the as-constructed road verge, rather than with misshapen titles that fall outside the carriageway.</p>
<b>(c)</b> <i>to encourage public involvement in resource management and planning</i>	<p>The statutory process for assessment of amendments involves a public notification period. Any representations received will be considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.</p>

<b>(d)</b> <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	The SAP aims to encourage increased economic activity through greater visitation supported by an improved standard of urban design.
<b>(e)</b> <i>to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	Community, industry and other government agencies will have the opportunity to comment on the amendment controls during the exhibition process.  In addition, provision is made for input from road authorities in relation to frontage setbacks and awnings, noting that upper-storey protrusions over the road (if proposed) may have land title implications and may be relevant to potential bus mall relocation.
Part 2 Objectives	
<b>(a)</b> <i>to require sound strategic planning and co-ordinated action by State and local government</i>	The proposed amendment draws on extensive analysis and consultation undertaken through the GGP, and is in line with the STRLUS and the Hobart City Deal and associated initiatives.
<b>(b)</b> <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	The proposed amendment applies existing planning instruments (pedestrian priority streets and zoning) to the subject land and replaces a legacy SAP with a new control that includes the plan purpose, LAOs and specific standards to ensure the land is developed efficiently and appropriately.
<b>(c)</b> <i>to ensure that the effects on the environment are considered and provide for explicit consideration of</i>	Planning decisions about use and development of the land will continue to be subject to the provisions of the Natural Assets Code where relevant. Consideration of energy efficiency (solar access, cross-ventilation, window shading) and active transport use

<i>social and economic effects when decisions are made about the use and development of land</i>	<p>(bicycle and other mobility device parking) is incorporated into the proposed apartment development standards.</p> <p>Social and economic effects are addressed through inclusion of accessibility and Crime Prevention through Environmental Design (CPTED) considerations, provisions supporting urban vitality, and measures to reduce potential conflict between residential use and other uses in the area, that could otherwise be constrained. In addition, uplift of use and development is supported through the requirement for a higher standard of urban design.</p>
<b>(d)</b> <i>to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i>	The SAP aligns with the broader policy context through its conformance with the s34 LPS criteria.
<b>(e)</b> <i>to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	No combined planning application is included with the proposed amendment. The proposed amendment does not interfere with the coordination of planning approvals and related approvals (such as Heritage Tasmania, TasWater or Environment Protection Authority approvals).
<b>(f)</b> <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i>	The focus of the SAP is on improving the urban environment of the activity centre, to support economic growth and provide a better quality of life.

<p><b>(g)</b> <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i></p>	<p>The SAP includes provisions to ensure that development next to heritage places is compatible and does not detract from the heritage significance of those places. The provisions of the Local Historic Heritage Code will continue to apply.</p>
<p><b>(h)</b> <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i></p>	<p>The SAP includes provisions to support increased urban density through apartment development, building height and setback considerations. Concentrating development within a small area allows for more efficient and cost-effective investment and utilisation of public infrastructure and assets.</p>
<p><b>(i)</b> <i>to provide a planning framework which fully considers land capability.</i></p>	<p>The proposed SAP aims for intensified land use and development in the activity centre.</p>

***(d) is consistent with each State policy;***

Assessment of the amendment against the current State policies is provided in the following table.

State Policy	Comment	
<i>State Policy on the Protection of Agricultural Land 2000.</i>	The proposal does not involve the conversion of prime agricultural land to non-agricultural use.	
<i>State Policy on Water Quality Management 1997</i>  Specific outcomes to achieve water quality objectives are specified under the following divisions: <ul style="list-style-type: none"> <li>▪ Division 1 – Measure to achieve policy objectives</li> <li>▪ Division 2 – Management of point sources of pollution</li> <li>▪ Division 3- Management of diffuse sources of pollution</li> </ul>	The proposed amendment per se would not result in an increase in sediment transport to surface waters.  Any future planning permits issued for developments in the subject area will require that appropriate water quality management measures are put in place at the time of works.	
<i>State Coastal Policy 1996.</i>  The key principles are:	The SAP area is located approximately 660 m from the high water mark. As the land is within the coastal zone, an assessment against the three main principles that guide Tasmania's State Coastal Policy is provided below:	
	Principles	Response

<ul style="list-style-type: none"> <li>▪ Natural and Cultural values of the coast shall be protected</li> <li>▪ The coast shall be used and developed in a sustainable manner</li> <li>▪ Integrated management and protection of the coastal zone is a shared responsibility.</li> </ul>	Natural and Cultural values of the coast shall be protected.	The area is separated from remaining natural and cultural coastal values by established urban development, including Brooker Highway, industrial land, residential land and sports grounds. The <i>Aboriginal Heritage Act 1975</i> , SPP stormwater provisions and the <i>Urban Drainage Act 2013</i> will continue to apply to development in the SAP area, addressing impacts of potential future development.
	The coast shall be used and developed in a sustainable manner.	The SAP supports greater utilisation of urban land, reducing potential demand for greenfield development including in the coastal zone.
	Integrated management and protection of the coastal zone is a shared responsibility.	Any future development proposals with a potential impact on the coastal zone would be referred to the Derwent Estuary Program and/or Aboriginal Heritage Tasmania, as appropriate.
<p><i>National Environmental Protection Measures</i></p> <p>National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority.</p> <p>The NEPMs relate to:</p> <ul style="list-style-type: none"> <li>▪ ambient air quality</li> </ul>	<p>In relation to air and water quality, the SPP stormwater provisions, Natural Assets Code and Attenuation Code, the <i>Urban Drainage Act 2013</i> and the <i>Environmental Management and Pollution Control Act 1994</i> will continue to apply, addressing impacts of potential future development in the SAP area.</p> <p>The SAP includes standards to protect residential amenity from noise impacts from other uses, as well as residential waste management requirements (including provision for recycling storage and collection).</p> <p>Part of the SAP area is identified in Council's database as potentially contaminated land and will continue to be subject to the provisions of the Potentially Contaminated Land Code.</p>	



<ul style="list-style-type: none"> <li>▪ ambient marine, estuarine and fresh water quality</li> <li>▪ the protection of amenity in relation to noise (but only if differences in markets for goods and services)</li> <li>▪ general guidelines for the assessment of site contamination</li> <li>▪ environmental impacts associated with hazardous wastes</li> <li>▪ the re-use and recycling of used materials.</li> </ul> <p>Principle 5 of the NEPMs states that planning authorities <i>'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.'</i></p>	
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***(da) satisfies the relevant criteria in relation to the TPPs;***

The Tasmanian Planning Policies have not been implemented.

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

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

Relevant STRLUS strategies	Comment
<p><b>Water resources</b></p> <p>WR 1: Protect and manage the ecological health, environmental values and water quality of surface and groundwater, including waterways, wetlands and estuaries.</p> <p>WR 1.3: Include buffer requirements in the planning scheme to protect riparian areas relevant to their classification under the Forest Practices System.</p> <p>WR 2 Manage wetlands and waterways for their water quality, scenic, biodiversity, tourism and recreational values.</p> <p>WR 2.3 Minimise clearance of native riparian vegetation</p>	<p>Humphreys Rivulet runs through the north-western part of the SAP area. The SAP includes a requirement for development within a waterway and coastal protection area to provide public access alongside the watercourse. The provisions of the Natural Assets Code will also continue to apply.</p>
<p><b>Managing Risks and Hazards</b></p> <p>MRH 2: Minimise the risk of loss of life and property from flooding.</p> <p>MRH 2.1: Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.</p> <p>MRH 2.2: Include provisions in the planning scheme for use and development in flood prone areas based upon best practice in order to manage residual risk.</p>	<p>Much of the SAP area is within a flood-prone hazard area. The provisions of the Flood-Prone Areas Hazard Code will continue to apply.</p>

<p><b>Cultural Values</b></p> <p>CV 2 Recognise, retain and protect historic cultural heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.</p> <p>CV 2.5 Base heritage management upon the Burra Charter and the HERCON Criteria, with heritage code provisions in planning schemes drafted to conform with relevant principles therein.</p>	<p>There are several local and state-listed heritage places in the SAP area, although not sufficient to warrant a heritage precinct. This means the existing controls in the C6.0 Local Historic Heritage Code (or where relevant, State regulations) apply only to development on the heritage place itself.</p> <p>Given the impetus for increased scale and intensity of development within the SAP area, that the SAP aims to support, there is potential for development on adjoining sites to undermine heritage places.</p> <p>Therefore, controls are proposed to ensure that development respects and responds to the heritage significance of adjoining heritage places.</p>
<p><b>Recreation &amp; Open Space</b></p> <p>ROS 1 Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and wellbeing, amenity, environmental sustainability and the economy.</p> <p>ROS 1.5 Ensure residential areas, open spaces and other community destinations are well connected with a network of high-quality walking and cycling routes.</p>	<p>The SAP includes provisions to retain existing solar amenity for Council's forecourt open space and adjacent land. In addition, the proposed apartment development standards include a requirement for shared open space for apartment buildings, that scales up based on the number of apartments.</p> <p>The objective of high-quality walking and cycling routes is supported by nomination of pedestrian priority streets that align with the intercity cycleway connection, and provisions requiring public access alongside Humphreys Rivulet and pedestrian connections through sites.</p>

<p><b>Social infrastructure</b></p> <p>SI 1 Provide high quality social and community facilities to meet the education, health and care needs of the community and facilitate healthy, happy and productive lives.</p> <p>SI 1.4 Identify and protect sites for social infrastructure, particularly in high social dependency areas, targeted urban growth areas (both infill and greenfield) and in identified Activity Centres.</p> <p>SI 1.8 Provide for the aged to continue living within their communities, and with their families, for as long as possible by providing appropriate options and flexibility within planning schemes.</p> <p>SI 1.9 Ensure relevant planning scheme provisions include Crime Prevention through Environmental Design principles.</p> <p>SI 1.10 Recognise the role of the building approvals processes in providing access for people with disabilities.</p>	<p>The SAP includes protection of solar amenity for the Council forecourt public open space, which is an important community resource with flexible uses, including supporting more high-density residential development for apartments in the area.</p> <p>The <i>National Construction Code</i> includes a base level of technical accessibility requirements for new dwellings (based on the Silver Level of the <i>Livable Housing Guidelines</i>). The SAP builds on this to require flexible provision of a proportion of new apartments that meet the Gold or Platinum Level of those guidelines, to better accommodate ageing in place and people with higher mobility needs.</p> <p>CPTED considerations are incorporated into the proposed controls for setbacks, façade design and landscaping.</p>
<p><b>Physical Infrastructure</b></p> <p>PI 1 Maximise the efficiency of existing physical infrastructure.</p> <p>P1 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.</p>	<p>The SAP includes provisions to support increased urban density on well-serviced land within the Urban Growth Boundary, through apartment development, building height and setback considerations. Concentrating development within a small area allows for more efficient and cost-effective investment and utilisation of physical infrastructure.</p>
<p><b>Land Use and Transport Integration</b></p>	<p>The SAP area is adjacent to a key node in the Northern Suburbs Transit Corridor and an access point to the intercity cycleway, and includes a bus interchange.</p>

<p>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.</p> <p>LUTI 1.1 Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.</p> <p>LUTI 1.2 Allow higher density residential and mixed use developments within 400, and possibly up to 800 metres (subject topographic and heritage constraints) of integrated transit corridors.</p> <p>LUTI 1.9 Ensure car parking requirements in planning schemes and provision of public car parking is consistent with achieving increased usage of public transport.</p> <p>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.</p>	<p>Support for higher density apartment development is included in the SAP, along with controls to ensure the provision of parking for bikes or other personal mobility devices for apartments, to encourage active transportation. In addition, the SAP includes provisions aiming to reduce the prominence of car parking in the activity centre, while application of pedestrian priority streets aims to support an enhanced pedestrian experience and reduce the relative priority of vehicle traffic.</p>
<p><b>Activity Centres</b></p> <p>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.</p> <p>AC 1.4 Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.</p>	<p>The key purpose of the SAP is to encourage greater realisation of the principal activity centre's use and development potential, by reinvigorating urban design controls, protecting key assets and introducing controls to ensure infill apartment development provides reasonable amenity and choice of housing, while managing potential land use conflicts.</p> <p>The controls aim to support uplift of the area, thereby attracting greater visitation to support increased vitality and economic activity, leading to</p>

<p>AC 1.5 Ensure high quality urban design and pedestrian amenity through the respective development standards.</p> <p>AC 1.6 Encourage an appropriate mix of uses in activity centres to create multi-functional activity in those centres.</p> <p>AC 1.7 Improve the integration of public transport with Activity Centre planning, particularly where it relates to higher order activity centres.</p> <p>AC 1.8 Require active street frontage layouts instead of parking lot dominant retailing, with the exception of Specialist Activity Centres if the defined character or purpose requires otherwise.</p> <p>AC 2 Reinforce the role and function of the Primary and Principal Activity Centres as providing for the key employment, shopping, entertainment, cultural and political needs for Southern Tasmania.</p> <p>AC 2.2 Achieve high quality design for all new prominent buildings and public spaces in the Primary and Principal Activity Centres.</p> <p>AC 3 Evolve Activity Centres focussing on people and their amenity and giving the highest priority to creation of pedestrian orientated environments.</p> <p>AC 3.1 Actively encourage people to walk, cycle and use public transport to access Activity Centres.</p>	<p>greater employment opportunities and attracting further investment in the activity centre.</p> <p>Pedestrian amenity and active frontages are given priority, and account is taken of public transport in terms of potential future relocation of the bus mall. Active transport is encouraged through requirement for bicycle (or other mobility device) parking for residential use, and pedestrian connectivity is emphasised.</p> <p>Specific requirements are specified for key gateway sites and corner sites, to reinforce the primacy of the activity centre and assist with place-making and urban wayfinding.</p>
<p><b>Settlement and Residential Development</b></p> <p>SRD 2 Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.</p>	<p>The SAP provides standards supporting apartment development in the activity centre, which is in a STRLUS densification area, and includes a requirement for inclusion of accessible housing to support improved housing choice for an aging population and people with disability.</p>

<p>SRD 2.1 Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.</p> <p>SRD 2.6 Increase densities to an average of at least 25 dwellings per hectare (net density) within a distance of 400 to 800 metres of Integrated transit corridors and Principal and Primary Activity Centres, subject to heritage constraints.</p> <p>SRD 2.7 Distribute residential infill growth across the existing urban areas for the 25 year planning period as follows:</p> <ul style="list-style-type: none"> <li>• Glenorchy LGA 40% (5300 dwellings)</li> <li>• Hobart LGA 25% (3312 dwellings)</li> <li>• Clarence LGA 15% (1987 dwelling)</li> <li>• Brighton LGA 15% (1987 dwellings)</li> <li>• Kingborough LGA 5% (662 dwellings)</li> </ul> <p>SRD 2.9 Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population.</p> <p>SRD 2.11 Increase the supply of affordable housing.</p>	
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***(f) has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#) , that applies in relation to the land to which the relevant planning instrument relates***

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

Making Lives Better

*1.2 Support our communities to pursue and achieve their goals.*

*1.2.1 Encourage and support communities to express and achieve their aspirations.*

Requirement for accessible housing supports ageing in place and access to civic life for people with disabilities.

Open for Business

*2.1 Stimulate a prosperous economy.*

*2.1.1 Foster an environment that encourages investment and jobs.*

An increased standard of urban design supports use and development uplift in the activity centre.

Valuing our Environment

*3.1 Create a liveable and desirable City.*

*3.1.1 Revitalise our CBD areas through infrastructure improvements.*

Provisions to require awnings where appropriate and to protect potential future relocation of the bus mall are proposed.

*3.2 Manage our natural environments now and for the future.*

*3.2.2 Encourage access to and appreciation of natural areas through the development of trail networks and environmental education.*

Requirements for provision of public access alongside Humphreys Rivulet are proposed.

Leading our Community

*4.1 Govern in the best interests of our community.*

*4.1.2 Manage the City's assets soundly for the long term benefit of the Community.*



Draft controls aim to protect the activity centre's existing assets of good solar access and the view corridor along Tolosa Street to Mount Wellington/kunanyi.

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

The adjacent municipal areas that have currently adopted the Tasmanian Planning Scheme are Brighton and Clarence municipalities. The proposed amendment is specific to the Glenorchy activity centre, and would not impact on the LPSs of the adjacent municipalities as Brighton does not include a principal activity centre, and the Rosny Park activity centre (in Clarence) is located across the Derwent River and has adequate separation. Therefore, it is considered the proposed amendment is consistent with the LPSs that apply to municipal areas that are adjacent to the Glenorchy municipal area to which the specific area plan relates.

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

A small section of land at the north of the SAP area is within the declared gas pipeline planning corridor that runs through the municipality (Figure 6).



Figure 6 – Gas pipeline planning corridor (large red stipple) – Council reference maps

However, the proposed provisions do not promote an increased development footprint beyond that already permitted in these areas, and will not impact on access to or the use of the corridor.

**7. PLANNING SCHEME AMENDMENT REQUEST -  
NORTHERN APARTMENTS CORRIDOR SPECIFIC  
AREA PLAN (NAC SAP) - COMMERCIAL ZONE BETWEEN  
MOONAH & MONTROSE - PLAM-22/10**

Author: Strategic Planner (Darshini Bangaru)

Qualified Person: Strategic Planner (Darshini Bangaru)

Property ID: 3224162

### **REPORT SUMMARY**

<b>Application No.:</b>	<b>PLAM-22/10</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Owner:</b>	<b>Multiple landowners</b>
<b>Existing Zoning:</b>	<b>Commercial</b>
<b>Existing Land Use:</b>	<b>Multiple commercial land uses</b>
<b>Proposal in Brief:</b>	<b>Introduce a new Specific Area Plan to facilitate residential use in the Commercial Zone along Main Road between Moonah and Montrose</b>
<b>Representations:</b>	<b>Advertising occurs after amendment is prepared</b>
<b>Recommendation:</b>	<b>Prepare and certify amendment, and exhibit for 28 days</b>

## **REPORT IN DETAIL**

### **EXECUTIVE SUMMARY**

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

The amendment will provide opportunities for medium to high density housing (apartments) above or to the rear of commercial activity within sections of the Commercial Zone. The area is limited to Main Road between Moonah and Montrose (subject area), which is in close proximity to the Glenorchy and Moonah activity centres. The subject area is also within the Northern Suburbs Transit Corridor (NSTC).

The proposed amendment will help activate the NSTC providing opportunities for people to live close to major transport links and have good access to services, along with work and entertainment options.

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

- Provision of increased housing opportunities on urban land well serviced by infrastructure close to the Glenorchy and Moonah activity centres;
- Supports current plans and strategies being prepared that guide future housing development across Greater Hobart;
- Provision of increased diversity of housing size and type to meet the increasing population demands, including housing to better accommodate ageing in place and people with higher mobility needs;
- Provides opportunities to live close to transport network (Main Road) and within the NSTC, enabling reduced travel times to work, shops or entertainment and a more walkable city, promoting healthier and more connected lifestyles; and
- Increases the resident population close to existing business activity and investment.

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

- Introducing residential use in a busy, commercial-driven area may have some negative residential amenity impacts, and vice versa wherein operation of businesses could be compromised due to the introduced residential use. This will be managed through specific planning controls in the amendment to mitigate land use conflicts.

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

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

If prepared, the following two outcomes must occur:

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

Any representations to the amendment will be considered at a future Glenorchy Planning Authority meeting, where modifications can be recommended in response to the representations and for the consideration of the Commission.

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

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

#### **PROPOSED PLANNING SCHEME AMENDMENT**

The proposal is for a planning scheme amendment to introduce a new specific area plan called the Northern Apartments Corridor Specific Area Plan (NAC SAP) into the Glenorchy Local Provisions Schedule. The NAC SAP will apply over a specified area along Main Road in the Commercial Zone. The NAC SAP seeks to:

- Provide for residential use primarily above ground floor level or behind commercial use, typically as medium to high density apartments. (Note, residential use is currently prohibited in the Commercial Zone under the State Planning Provisions SPPs);
- Maintain the primary economic focus of the area by ensuring street level commercial activity is not dominated by the residential use; and
- Facilitate well-designed apartments with an appropriate level of residential amenity to the occupants, so that the residential use does not compromise the existing and proposed non-residential uses on the site and adjacent lands.

The draft amendment documents are included in **Attachment 1** – Amendment Documents.

A list of all properties to be affected by the NAC SAP are included in **Attachment 1**.

An explanatory document which provides some more background information about the amendment, the current policy position and outlines the controls and why they have been included is in **Attachment 2** – Explanatory Document. This document will provide a more ‘accessible’ overview of the NAC SAP control beyond the statutory requirements that must be met under LUPAA.

#### **SITE AND LOCALITY**

The NAC SAP will apply to the Commercial Zone along Main Road between Moonah and Montrose, excluding 404 - 408 Main Road, Glenorchy, (the subject area), which is highlighted in Figure 1 and detailed in **Attachment 1**.

Other pockets of land zoned Commercial in the Glenorchy LGA are not being considered for the proposed amendment due to their locations off Main Road and stronger links to industrial uses in these areas.

Council officers are investigating appropriate options for the site at 404 – 408 Main Road, Glenorchy, given its location immediately adjacent to the Glenorchy principal activity centre. The site, currently used as a community health centre, is not well aligned with the Commercial Zone, so its inclusion in the NAC SAP, if it is rezoned, could be redundant. The Glenorchy principal activity centre is also being considered under another draft planning scheme amendment – PLAM-22/04 to allow revised controls for this area under the Principal Activity Centre Specific Area Plan (PAC SAP). More details about the PAC SAP are discussed under the Background section of this report. It is anticipated that the site at 404 – 408 Main Road will be subject to a potential planning scheme amendment which will provide a suitable relationship with the PAC SAP area.

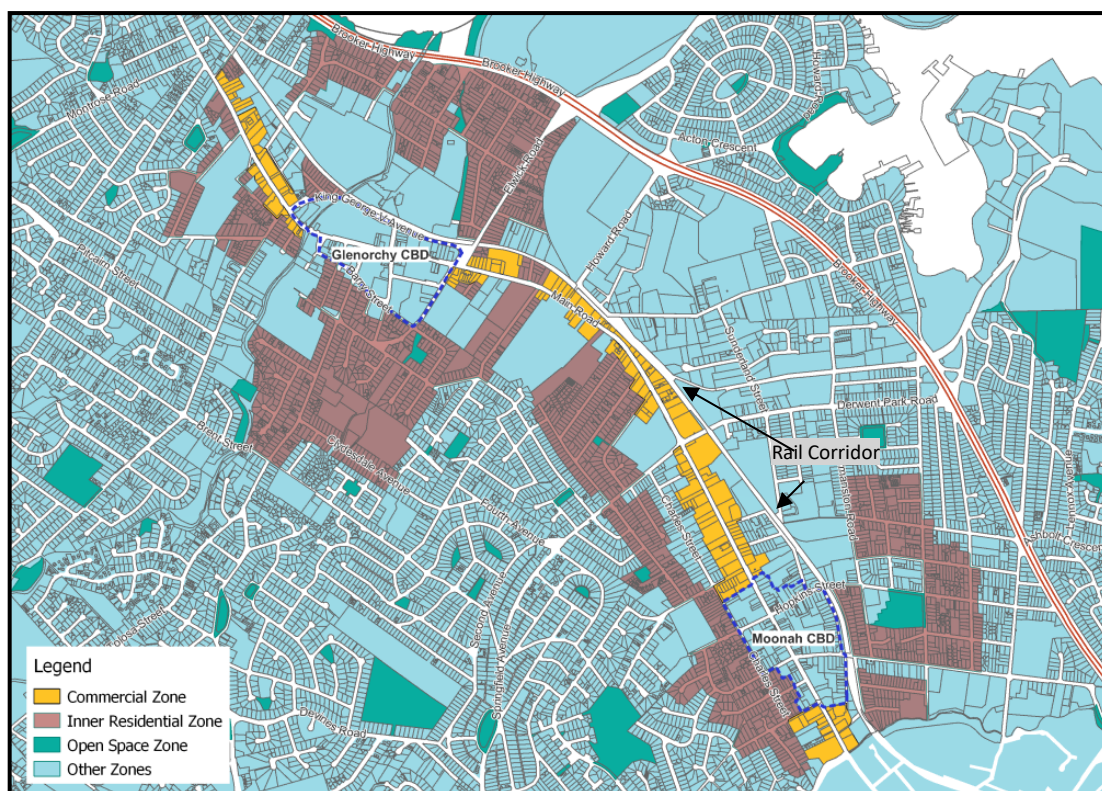


Figure 1: Area subject to the proposed amendment - Commercial zone along Main Rd highlighted in yellow.

### *Site characteristics*

The Commercial Zone along Main Road extends in a south-east to north-west direction for a length of approximately 2.8 km, from the southern edge of the municipality passing through Moonah, Derwent Park, Glenorchy and terminating at Montrose.

It excludes the CBD areas Glenorchy and Moonah along the stretch, as seen in Figure 1 above. The total size of the subject area is close to 40 hectares which is 25% larger than the Glenorchy and Moonah CBDs combined.

The subject area is within the Northern Suburbs Transit Corridor (NSTC), which is identified for activation and renewal as a key project under the Hobart City Deal to connect key employment, tourism and activity centres, linking the northern suburbs and Hobart CBD. As part of the NSTC project, a rapid transport link is planned within the disused rail corridor, which runs almost parallel to Main Road (seen in Figure 1 above), connecting the Hobart CBD to Claremont. The subject area is also in very close proximity to the Inter-city cycleway, which runs almost parallel to the rail corridor, and approximately 800 m to the Brooker Highway located to the north-east.

A large portion of the lots within the subject area have a frontage on Main Road, with a few lots having frontages to the lateral streets connecting to Main Road. The area is characterised by an eclectic mix of lot sizes, with different land uses, building sizes, setbacks and design, with building heights mostly ranging between 1 and 2 storeys. The subject area is characterised by generally larger lot-sizes that are suitable for large floor area uses. The existing land uses are wide-ranging from service industries and car sales to large showrooms with bulky goods sales, retail shops, food services (including smaller restaurants, take-away shops, cafes), offices, medical services etc.



The area has limited open recreation spaces and the streetscape has minimal landscaping.



Figure 2: Looking east along Main Road viewing low-density commercial development



Figure 3: Example of existing development in the Commercial Zone including large floor plates suitable for shop-top apartments

### *Adjoining land*

Towards the north of the subject area, a large portion of the Commercial Zone is adjoined by the Inner Residential Zone, and towards the south it is predominantly adjoined by land zoned Light Industrial. An extract of the zoning map is below under Figure 4.



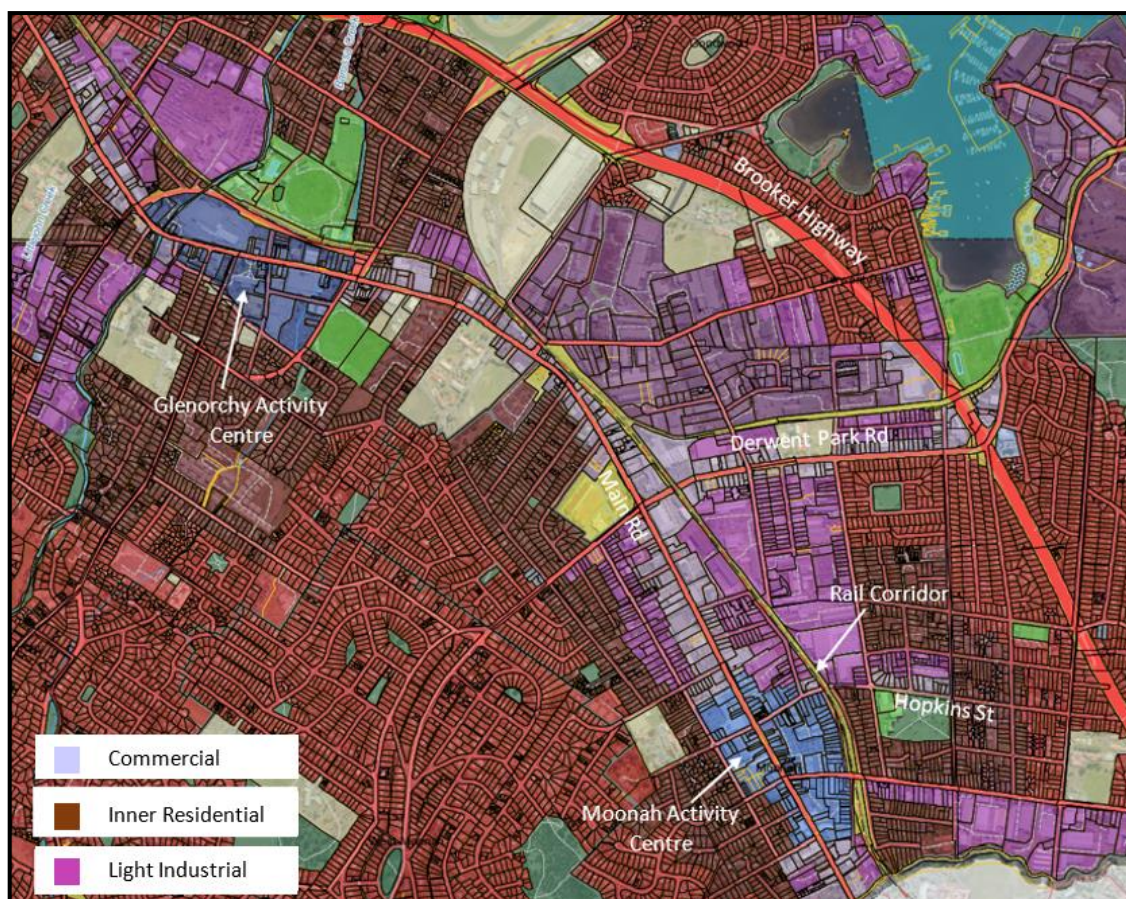


Figure 4: Zoning map of the area

While the land to the south is adjoined by land zoned Light Industrial, this area also comprises a mix of existing residential and light industrial uses.

#### *Planning Scheme Zones*

As seen in the zoning map under Figure 4 above, the subject land is surrounded by different zones, including the Central Business zone (Glenorchy principal activity centre) and General Business zone (Moonah major activity centre) within the stretch of the subject area. The Inner Residential zone stretches along the Commercial zone to the south-west and pockets to the north-east and south-east, the Light Industrial zone is located to the south-east, an area of General Industrial is located towards the center of the subject area and to the north along Howard Road. There are also pockets of Community Purpose zones including schools and the Royal Hobart Showgrounds site, Utilities (Metro Tas Bus Depot), more Commercial zoned land along Derwent Park Road, some pockets of land zoned Recreation (public open spaces – KGV Park, Eady Street Sports Ground and Moonah Sports Centre), and land zoned General Residential beyond.

#### *Infrastructure*

The subject area is urban land that is fully serviced with existing connections to reticulated water, sewer and stormwater services.

*Environmental values*

Other than some minor street trees, the area is not characterized by significant natural values, and no vegetation recorded in TASVEG or Council databases as being within a vegetation community.

*Social and Economic Values.*

With the spatial features discussed above, the Commercial Zone along Main Road provides for a significant proportion of employment and economic activity in the Glenorchy LGA. Economic activity in this area serves a catchment beyond the municipal area, with many businesses having a scale or specific focus that serves customers across Greater Hobart. A number of the existing uses and developments within the subject area benefit from exposure along key transport corridors.

**BACKGROUND:***Draft Principal Activity Centre Specific Area Plan PLAM-22/04*

Council officers are working on a separate planning scheme amendment to amend the specific area plan that applies to the Glenorchy principal activity centre (within the Central Business Zone). The Principal Activity Centre Specific Area Plan (PAC SAP), proposes to introduce revised controls to enhance development within the Glenorchy activity centre by promoting high quality building designs, urban design, and higher density infill developments, including apartment buildings. The subject NAC SAP will further complement the PAC SAP.

*Informal Consultation undertaken on residential use in the Commercial Zone*

Informal public consultation was undertaken in the first half of 2022 to gauge the level of support, or opposition, to allow residential apartments in the Commercial Zone along Main Road. Community feedback on the proposal was sought via a survey on Council's 'Let's Talk, Glenorchy' website. The consultation was also advertised in the 'Our Glenorchy' newsletter. Notification was also directly emailed to 64 businesses and commercial property owners in the zone, and 21 other stakeholders (members of parliament, state agencies and housing providers).

A total of 28 responses were received. One quarter of responses were from owners of commercial property or businesses in the zone; 14% were from local residents; 11% from professional or industry bodies; and half the responses were not identified with the other stakeholder categories. Owners, industry bodies and uncategorised stakeholders who responded overwhelmingly supported allowing apartments in the Commercial Zone (i.e., 79% or 21 of the 28 respondents). Existing local residents who responded generally opposed to this idea (i.e. 14% or 4 of the 28 respondents).

The feedback indicated that the key benefits were considered to be access to transport and services; increased housing supply; potential for affordable housing; and attracting workers and customers. Key concerns identified were competing parking demand, traffic conflict, adequacy of public transport, amenity impacts of high-rise buildings, and residential amenity for proposed apartments.

Overall, the informal feedback that was obtained supported to progressing work with the project and to develop the subject planning scheme amendment proposal. Furthermore, the feedback provided some guidance regarding specific areas of focus for the development of standards within the draft NAC SAP.

*Workshop for the Elected Members of Council – NAC SAP*

A project update was provided to the Elected Members of Council and feedback was sought from them during the Council workshop held on 16 January 2023. The relevant internal departments including the broader Planning Services, Environmental Health and Engineering teams were also consulted in developing the specific planning controls and provided with updates at various stages of the project.

*Proposed Engagement Strategy should the NAC SAP be prepared*

Along with the formal statutory requirements for exhibition of the amendment, the following is the anticipated public consultation should the proposed planning scheme amendment progress:

- News feed Article on Council's website, providing details on the draft planning controls and how to provide feedback;
- Notification of key stakeholders (planning consultants, state government agencies, housing providers), and all respondents of the Informal Consultation undertaken in 2022 providing an update on the project's progress and how to be involved in the formal consultation process; and
- Inclusion of an Explanatory Document which explains the controls and why they have been included in the amendment (**Attachment 2**).

## ASSESSMENT / STRATEGIC OUTCOMES

### Local Strategy, Policy and Impacts:

#### Strategy

The *Greater Glenorchy Plan* (GGP) was adopted by Council in February 2021 and includes several commitments or actions for implementation to further the City of Glenorchy's *Community Plan 2015-2040*.

The proposed amendment meets the GGP *Strategic objective 2: increasing urban densities*. It helps deliver on the following actions identified in the GGP:

- Action 22 of the GGP – Glenorchy Precinct plan action: Undertake an analysis of land within 800m of the activity centre and the Northern Suburbs Transit Corridor and rezone land where required, to increase residential and job density.
- Action 19 of the GGP – Moonah Precinct plan action: Undertake an analysis of land within 800m of the activity centre and the Northern Suburbs Transit Corridor and rezone land where required, to increase residential and job density.

While the actions refer to rezoning of land, further investigation has been undertaken and it has been determined that a more appropriate planning tool to introduce the residential use and ensure the job supply is maintained within the subject area, would be via a specific area plan, as per the subject proposal, which does not require rezoning of land and assists in maintaining the employment and commercial focus along the corridor.

#### Policy

The local policies adopted by Council that are relevant to the proposed amendment are discussed below:

*Statement of Commitment on Housing:* The proposed amendment meets the City of Glenorchy Statement of Commitment on Housing, and associated action plan, that seeks to facilitate access for its residents to a diverse set of safe, livable, accessible, and affordable housing options. The proposed amendment to allow apartments in the Commercial Zone via the NAC SAP will ensure the planning scheme provides both the opportunity for housing while also supporting well-designed housing.

*Waste Services Policy:* The proposed amendment is in accordance with Council's Waste Services Policy and has specific controls to ensure future residential development will be in accordance with Council's *Waste Standards for New Multiple Dwelling Developments*.

#### Strategic Plan

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

### Infrastructure Impacts

The subject land is fully serviced. Increased densities may necessitate upgrades to existing infrastructure which will be considered as part of any future development of the area at the planning application stage. Referrals to the relevant authorities, such as TasWater, TasNetworks, TasGas etc. will be made as required at the planning permit application stage and any conditions imposed by the agencies will be included as part of any planning permit being issued.

Traffic increases and impacts associated with increased densities will be considered as part of the planning permit application stage. The NAC SAP was developed in consultation with Council's Traffic Engineer and some standards have been proposed to minimise the potential for residential and commercial vehicle conflict on site. However, no changes to the carparking requirements for residential uses are proposed under the NAC SAP, although the provision of bicycle spaces (and other personal mobility devices) is promoted. While residential development potentially brings increased vehicles, it is also anticipated that an increase in residents will create an increase in the use of public transport (a key principle behind enlivening the NSTC).

Increased resident population will also support Council in providing funds required for the associated public infrastructure upgrades to the public assets in the area as and when required.

### Environmental Impacts

The proposed amendment will have no negative environmental impacts. However, the ability for people to live closer to work, services and entertainment options will promote walking and use of public and active transport options – potentially reducing emissions.

It is possible that some of the sites may be potentially contaminated. The NAC SAP does not provide No Permit Required pathways for sensitive (residential uses) and therefore the residential development of any site that is identified as potentially contaminated through Council's records would need to comply with the provisions of C14.0 Potentially Contaminated Land Code.

### Amenity Impacts

The proposed amendment provides for residential amenity by specific controls in the NAC SAP that will ensure well-designed apartments are achieved. For example, apartments will be required to be designed and constructed to mitigate noise impacts from commercial businesses (both onsite and on adjoining lands). The NAC SAP is also proposed to contain planning controls to ensure apartments are designed to provide sunlight, airflow and a level of residential amenity, including private and communal open space. On site vehicle movements and waste management and collection are also required to minimise conflict with commercial uses.

These planning controls seek to ensure that commercial uses are the primary use of the site, and that any residential use does not compromise the operation of that commercial activity.

Furthermore, the NAC SAP is proposed to have specific planning controls relating to building heights, distances from adjoining dwellings in the Inner Residential Zone and privacy controls to ensure the amenity of dwellings in the adjoining residential zones is not compromised.

#### Social and economic impacts

The proposed amendment is considered to have positive social and economic impacts by providing increased housing supply and choice for the varied needs of a growing community. The proposed amendment emphasises retaining the primary economic focus of the area at street level. Giving people the opportunity to live close to activity centres and within a commercial area provides for a potential pool of employees and increased business activity in the nearby areas, thus leading to generating more income and opportunities.

Furthermore, the proposed amendment will assist in achieving social equity for low-income earners, the unemployed, the elderly and people with a disability who are particularly at risk of social isolation as a result of reduced housing choices and connectivity. Providing the opportunity for more housing and for diverse housing options, within well-connected areas in close proximity to public transport corridors, invariably increases access to employment, education, health and community services, leading to social cohesion between diverse demographics in the City of Glenorchy.

#### **Regional Strategy and Policy**

For the amendment to be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated. **Appendix 1** provides a detailed assessment of the amendment against the relevant STRLUS policies.

The amendment is consistent with the STRLUS as it will:

- Provide opportunities for infill residential development within the Urban Growth Boundary, facilitating urban development opportunities and urban renewal along a major transport network and within the Northern Suburbs Transit Corridor (NSTC).
- Assist Glenorchy to reach its housing targets at appropriate density levels.

#### **State Strategy and Policy**

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through the more efficient use of underutilised, fully serviced, highly accessible, urban land along a major transport network and near the activity centres. **Appendix 1** includes an assessment against the objectives of Schedule 1 of LUPAA and State Policies.

While the amendment will not result in any direct impacts on water quality, any future development applications that are submitted to Council can be conditioned to manage water quality during development and promote consistency with the *State Policy on Water Quality Management 1997*.

The northern area of the NAC SAP area is located approximately 515 m – 820 m from the high-water mark. As the land is within the coastal zone, this part of the land will be subject to the *State Coastal Policy 1996*. It is worth noting that the area, however, is separated from remaining natural and cultural coastal values by established urban development, including the Brooker Highway, industrial land, residential land and sports grounds, so there would be no impact on coastal values.

### **Statutory considerations**

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

### **CONCLUSIONS ON THE AMENDMENT**

The amendment seeks to introduce a new specific area plan, the Northern Apartments Corridor Specific Area Plan (NAC SAP), into the Glenorchy Local Provisions Schedule. The NAC SAP is proposed to apply to the Commercial zoned land along Main Road between Moonah and Montrose (except for 404 – 408 Main Road, Glenorchy). The NAC SAP aims to facilitate residential use as infill medium to high density apartments above or behind the commercial use at street level. It provides for increased housing opportunities in a well-connected area, that is within the Northern Suburbs Transit Corridor, and near the Glenorchy and Moonah activity centres. It will provide opportunities for the Glenorchy LGA to deliver its target infill residential developments at appropriate densities within the Urban Growth Boundary. It is proposed to have specific planning controls so that there is an appropriate level of amenity for the various uses and to minimise any potential land use conflicts.

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

**Recommendation:**

- A. That pursuant to Section 40D(b) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepare Amendment PLAM-22/10 to the Glenorchy Local Provisions Schedule to insert a new specific area plan called the Northern Apartments Corridor Specific Area Plan (NAC SAP) to apply to the properties within a Commercial Zone along Main Road between Montrose and Moonah as shown in **Attachment 1**.
- B. That having decided to prepare the amendment, the Planning Authority certifies pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the *Land Use Planning and Approvals Act 1993*.
- C. That, in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

**Attachments/Annexures**

**1** Amendment Documents



**2** NAC SAP Explanatory Document





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

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

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

The draft amendment seeks to apply a new Specific Area Plan, the Northern Apartments Corridor Specific Area Plan (NAC SAP), to the Commercial Zoned land along Main Road between Moonah and Montrose (except for 404 – 408 Main Road, Glenorchy) (the subject site). The NAC SAP aims to facilitate residential use and associated development, in the subject area which is otherwise prohibited under the zone under the SPPs. The draft NAC SAP complies with the SPP requirements for an LPS as set out in Clause LP1.0 and Appendix A of the SPPs.

LP1.1 Local Provisions Schedule Structure and Numbering

LP1.1.1 The proposed structure of the SAP conforms to the requirements specified in Appendix A of the SPPs.

LP1.1.2 Each clause in the proposed SAP contains the mandated 'GLE' prefix for Glenorchy.

LP1.2 Zone Maps

LP1.2.1 The proposal includes a map that provides for the spatial application of the SAP to the applicable land.

LP1.2.2 There is no proposed change to the application of Rural Living Zone A, Rural Living Zone B, Rural Living Zone C and Rural Living Zone D and any particular purpose zones.

LP1.3 Local Area Objectives

LP1.3.1 LAOs are included in the proposed SAP.

LP1.3.2 The LAOs are listed in a table in the specified sub-clause in the SAP.

LP1.3.3 The area of the LAOs is shown in an overlay map forming part of the proposed amendment.

LP1.4 Particular Purpose Zones

No change to any particular purpose zone is proposed.

LP1.5 Specific Area Plans

- LP1.5.1 The proposed SAP includes a Plan Purpose and Application, as well as use and development standards.
- LP1.5.2 The provisions of the proposed SAP include each of the headings shown in Appendix A of the SPPs.
- LP1.5.3 The proposed defined terms are additional to those in Clause 3.0 and do not change the meaning of any existing defined term in the SPPs.
- LP1.5.4 The area of the SAP is shown in an overlay map forming part of the proposed amendment.
- LP1.5.5 The proposed SAP does not include separation of areas, such as precincts, within the area of the specific area plan.

LP1.6 Site Specific Qualifications

No change or addition to site specific qualifications is proposed.

LP1.7 Code Overlay Maps

- LP1.7.1 The proposed SAP does not contain any specific Parking and Sustainable Transport Code map overlay. As such, Code 2.0 of the SPPs will continue to apply to any relevant use or development on that land.
- LP1.7.2 The SAP area does not include land for a future major road or a future railway. Part of the area is within a road or railway attenuation area as defined in the Road and Railway Assets code. As such, Code 3.0 will continue to apply to any relevant use or development on that land. There is no mapping of the attenuation area within the Glenorchy LPS, and no mapping of the area is proposed for the SAP.
- LP1.7.3 The SAP area is entirely outside the overlay map for the Electricity Transmission Infrastructure Protection Code.
- LP1.7.4 The SAP area includes local heritage places and significant trees shown on the existing overlay map for the code Local Historic Heritage. As such, Code C6.0 will continue to apply to any relevant development on that land, and General Provision 7.4 will continue to apply to any relevant change of use on that land. No change to the Code mapping is proposed.
- LP1.7.5 A small part of the SAP area adjacent to the New Town Rivulet is within a waterway and coastal protection area shown on the existing overlay map for the Natural Assets Code. As such, Code 7.0 will continue to apply to any relevant development on that land. No change to the Code mapping is proposed.  
  
The SAP area is entirely outside the overlay map for the priority vegetation area.
- LP1.7.6 The SAP area is entirely outside the overlay map for the Scenic Protection Code. No change to the Code mapping is proposed.

- LP1.7.7 Part of the area is within an attenuation area as defined in the Attenuation Code. As such, Code C9.0 will continue to apply to any relevant use or development on the applicable land. There is no mapping of the attenuation area within the Glenorchy LPS, and no mapping of the area is proposed for the SAP.
- LP1.7.8 The SAP area is entirely outside the overlay map for the Coastal Erosion Hazard Code.
- LP1.7.9 The SAP area is entirely outside the overlay map for the Coastal Inundation Hazard Code.
- LP1.7.10 The SAP area includes parts of flood-prone areas shown on the existing overlay map for the Flood-Prone Areas Hazard Code. As such, Code C12.0 will continue to apply to any relevant use or development on that land. No change to the Code mapping is proposed.
- LP1.7.11 The SAP area is entirely outside the overlay map for the Bushfire-Prone Areas Code.
- LP1.7.12 The SAP area is entirely outside the overlay map for the Landslip Hazard Code.
- LP1.7.13 Part of the SAP area is potentially contaminated land as defined in the Potentially Contaminated Land Code. As such, Code C14.0 will continue to apply to any relevant use or development on that land. There is no overlay map of potentially contaminated land within the Glenorchy LPS, and no mapping of the area is proposed for the SAP.
- LP1.7.14 There is no airport noise exposure area or airport obstacle limitation area mapped in the Glenorchy municipality.

LP1.8 Code Lists in Tables

No change or addition to the LPS code lists is proposed.

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

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

The proposed amendment includes:

- a new specific area plan in the Glenorchy LPS known as the Northern Apartments Corridor Specific Area Plan (NAC SAP);
- a map overlay that provides for the spatial application of the NAC SAP;

- provisions that override and modify provisions of the SPPs; and
- provisions that are not a provision of the SPPs.

The proposed provisions that are to apply to the NAC SAP area are in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs as per Section 32 (3).

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

- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area;*
- or*
- (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

It is considered the proposed amendment to introduce a new SAP will meet Section 32(4) (a), as it will provide a significant opportunity for social and economic benefit within the municipal area through infill residential development with the opportunity to address housing affordability, diversity and a variety of lifestyle needs. The proposed amendment will provide a benefit to the municipality socially through additional housing that is within the area identified as the Northern Suburbs Transit Corridor, and within walking distance to the activity centres of Glenorchy and Moonah, and a large range of services. The proposed amendment also supports the provision of increased housing choice and diversity, by providing for higher levels of accessible housing (universal design standards), to better accommodate ageing in place and people with higher mobility needs.

The amendment seeks to retain the primary economic focus of the subject area by retaining commercial activity at street level, thus maintaining or enhancing job supply. The amendment facilitates the new residential use as shop-top apartments, or apartments to the rear of the commercial use, and ensures residential development will have an appropriate level of amenity without impeding on the commercial character of the area. Enabling additional housing through infill residential development is consistent with a number of strategies to deliver additional housing identified at a national, state and local level. Economically the Council, state and region benefit from revenue generated by construction, and associated population growth. Enabling development opportunities through infill development provides the municipal area with an opportunity to offer population growth without encroaching growth boundaries of the municipality.

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

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

Part 1 Objectives	Comment
<b><i>(a)</i></b> <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	<p>The amendment enables the efficient use of prime land that is fully serviced and well-located along Main Road between the Glenorchy and Moonah activity centres, and within the Northern Suburbs Transit Corridor. While a portion of the subject area is affected by the Waterway and Coastal Protection Overlay, the subject land has limited natural values.</p> <p>The flat topography and the larger lot sizes render the subject area suitable for medium to high density residential infill development within the Urban Growth Boundary, while retaining the commercial focus of the area that aids in providing jobs and maintaining the economy. Strategically, the objective of the proposed amendment to enable housing in the subject area sits well with the vision to increase densities within the Glenorchy and Moonah activity centres. There is access to some larger public open spaces such as the KGV Park, Eady Street Sports ground etc. Therefore, it is considered that the promotion of already developed, serviced land for residential infill is consistent with the principles of sustainable development of natural and physical resources and maintenance of ecological processes and genetic diversity.</p>
<b><i>(b)</i></b> <i>to provide for the fair, orderly and sustainable use and development of air, land and water</i>	<p>The subject area currently consists of predominantly 1 – 2 storey buildings with an eclectic mix of non-residential uses. The land is considered to be underutilised, given the spatial qualities that favour higher densities. The land is suitable to support residential use which will occur in a fair, orderly and sustainable manner with the specific controls included in the proposed amendment. A large portion of the subject land is immediately adjoined by the Inner Residential Zone (IRZ) to the north and south. Given the qualities of the subject area, such as location between Glenorchy and Moonah areas activity centres, and adjoining</p>

	IRZ, it is considered allowing residential use is orderly within the mixed-use urban setting. The proposed amendment will enable the Glenorchy LGA to evolve with larger buildings along the Main Road core and the activity centres and graduating out to the suburbs. The proposed amendment has no impact on natural values as the area is highly urbanised containing minimal natural values.
<b>(c)</b> <i>to encourage public involvement in resource management and planning</i>	The statutory process for assessment of amendments involves a public notification period. Any representations received will be considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.
<b>(d)</b> <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	By increasing opportunities for housing the proposal will, in turn, bring in new residents to support local businesses and services, having a positive economic outcome.
<b>(e)</b> <i>to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	Community, industry and other government agencies will have the opportunity to comment on the amendment controls during the exhibition process.
Part 2 Objectives	
<b>(a)</b> <i>to require sound strategic planning and co-ordinated action by State and local government</i>	The amendment represents the efficient use of well-connected and fully serviced land. Applying specific planning controls to land within the Urban Growth Boundary to facilitate residential use and development, additional to the currently permissible commercial uses and developments, via a specific area plan is a sound strategic planning response.

	The proposed amendment draws on informal consultation undertaken, and is in line with the STRLUS and the Hobart City Deal initiatives for infill development and increased opportunities for housing.
<b>(b)</b> <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	The proposed amendment includes a new specific area plan which sets the plan purpose and local area objectives and includes specific planning controls to ensure the land is developed efficiently and appropriately.
<b>(c)</b> <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i>	<p>The proposed amendment has minimal impacts on the environment as the subject area contains limited natural values. Consideration of energy efficiency (solar access, cross-ventilation, window shading) and active transport use (bicycle and other mobility device parking) is incorporated into the proposed apartment development standards which has environmental benefits.</p> <p>The social and economic benefits of the proposed amendment are significant given the opportunity for increased housing, inclusion of accessibility and CPTED considerations in design, associated construction activity and potential job supply, and more efficient measures to reduce potential conflict between residential use and other uses in the area.</p>
<b>(d)</b> <i>to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i>	The proposed amendment will facilitate increased housing options within the metropolitan area and is considered to align with land use management policies at a State, regional and local level.

<p><b>(e)</b> <i>to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i></p>	<p>No combined planning application is included with the proposed amendment. The proposed amendment does not interfere with the coordination of planning approvals and related approvals in the future (such as Heritage Tasmania, TasWater, TasNetworks, TasGas or Environment Protection Authority approvals etc.).</p>
<p><b>(f)</b> <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i></p>	<p>The proposal will enable the provision of additional housing stock within an urban area. Specific controls will ensure well-designed residential development with an appropriate level of amenity in a mixed-use area, access to private and communal open space, and encourage active transportation options. The benefits of living close to Main Road, and within the Transit Corridor, include reduced travel times to work, shops or entertainment and a more walkable city, leading to healthier and more connected lifestyles for the community.</p>
<p><b>(g)</b> <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i></p>	<p>There are some properties within the subject area of heritage significance. The provisions of C6.0 Local Historic Heritage Code will continue to apply to these properties. The proposed amendment does not seek to add / alter any provisions that apply to these heritage significant properties. There are no other known or listed scientific, aesthetic, architectural or other specific cultural values within the subject land.</p>
<p><b>(h)</b> <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i></p>	<p>The SAP includes provisions to support increased urban density through apartment development. Concentrating development within a small area allows for more efficient and cost-effective investment and utilisation of public infrastructure and assets.</p>



<p><b>(i)</b> <i>to provide a planning framework which fully considers land capability.</i></p>	<p>The proposed SAP aims for intensified land use and development within the Northern Suburbs Transit Corridor (NSTC). The need for a more compact Greater Hobart is set out in the strategic plans of all levels, including the Southern Tasmanian Regional Land Use Strategy (STRLUS), the Greater Hobart Plan &amp; the NSTC and the Greater Glenorchy Plan (GGP).</p> <p>The subject land is fully serviced and future development proposals will be required to satisfy infrastructure, parking and traffic management requirements as outlined in the planning scheme.</p>
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***(d) is consistent with each State policy;***

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

State Policy	Comment
<p><i>State Policy on the Protection of Agricultural Land 2000.</i></p>	<p>The proposal does not involve the conversion of prime agricultural land to non-agricultural use.</p>
<p><i>State Policy on Water Quality Management 1997</i></p> <p>Specific outcomes to achieve water quality objectives are specified under the following divisions:</p> <ul style="list-style-type: none"> <li>▪ Division 1 – Measure to achieve policy objectives</li> <li>▪ Division 2 – Management of point sources of pollution</li> </ul>	<p>The proposed amendment per se would not result in an increase in sediment transport to surface waters.</p> <p>Any future planning permits issued for developments in the subject area will require that appropriate water quality management measures are put in place at the time of works.</p>



		and/or Aboriginal Heritage Tasmania, as required.
<p><i>National Environmental Protection Measures</i></p> <p>National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority.</p> <p>The NEPMs relate to:</p> <ul style="list-style-type: none"> <li>▪ ambient air quality</li> <li>▪ ambient marine, estuarine and fresh water quality</li> <li>▪ the protection of amenity in relation to noise (but only if differences in markets for goods and services)</li> <li>▪ general guidelines for the assessment of site contamination</li> <li>▪ environmental impacts associated with hazardous wastes</li> <li>▪ the re-use and recycling of used materials.</li> </ul> <p>Principle 5 of the NEPMs states that planning authorities <i>'that consent to developments, or changes in land use,</i></p>	<p>In relation to air and water quality, the SPP stormwater provisions, the Natural Assets Code and Attenuation Code, the <i>Urban Drainage Act 2013</i> and the <i>Environmental Management and Pollution Control Act 1994</i> will continue to apply, addressing impacts of potential future development in the NAC SAP area.</p> <p>The NAC SAP includes standards to protect residential amenity from noise impacts from other uses, as well as residential waste management requirements (including provision for recycling storage and collection).</p> <p>Part of the NAC SAP area is identified in Council's database as potentially contaminated land and will continue to be subject to the provisions of the Code C14.0 Potentially Contaminated Land of the SPPs.</p>	

*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.*

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

The Tasmanian Planning Policies have not been implemented.

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

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

Relevant STRLUS strategies	Comment
<b>Managing Risks and Hazards</b> MRH 2: Minimise the risk of loss of life and property from flooding. MRH 2.1: Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.	Parts of the NAC SAP area is within a flood-prone hazard area. The provisions of the C12.0 Flood-Prone Areas Hazard Code will continue to apply. Any future planning applications for sites within the Flood Prone Area will be subject to further flood investigations which will inform the design of the development. It is also worth noting the (sensitive) residential use will be predominantly located on the upper levels.

MRH 2.2: Include provisions in the planning scheme for use and development in flood prone areas based upon best practice in order to manage residual risk.	
<p><b>Cultural Values</b></p> <p>CV 2 Recognise, retain and protect historic cultural heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.</p> <p>CV 2.5 Base heritage management upon the Burra Charter and the HERCON Criteria, with heritage code provisions in planning schemes drafted to conform with relevant principles therein.</p>	<p>The requirements of the C6.0 Local Historic Heritage Code will continue to apply to the places of local historic heritage significance, ensuring heritage assets are protected as per the SPP requirements.</p>
<p><b>Recreation &amp; Open Space</b></p> <p>ROS 1 Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and wellbeing, amenity, environmental sustainability and the economy.</p> <p>ROS 1.5 Ensure residential areas, open spaces and other community destinations are well connected with a network of high-quality walking and cycling routes.</p>	<p>While the subject area itself does not contain any open spaces, the residents of the area will have access to public open space in the vicinity including the Moonah Sports Centre ground, KGV Park, Eady Street Sports ground which are dispersed along the length of the subject land and are walkable distance from the respective areas. The Intercity cycleway abuts some of the properties within the subject area to the south-east of the Glenorchy CBD area or is in a walkable distance from the remainder of the lots. The cycleway further provides links to other recreation and open space in the broader context. In addition, the proposed apartment development standards include a requirement for shared open space for apartment buildings, that scales up based on the number of apartments which will provide for 'recreation' outdoor space for the residents outside of their homes.</p>

<p><b>Social infrastructure</b></p> <p>SI 1 Provide high quality social and community facilities to meet the education, health and care needs of the community and facilitate healthy, happy and productive lives.</p> <p>SI 1.8 Provide for the aged to continue living within their communities, and with their families, for as long as possible by providing appropriate options and flexibility within planning schemes.</p> <p>SI 1.9 Ensure relevant planning scheme provisions include Crime Prevention through Environmental Design principles.</p> <p>SI 1.10 Recognise the role of the building approvals processes in providing access for people with disabilities.</p>	<p>The SAP supports the provision of increased housing choice and diversity, by providing for medium to high density residential development for apartments in the area.</p> <p>The <i>National Construction Code</i> includes a base level of technical accessibility requirements for new dwellings (based on the Silver Level of the <i>Livable Housing Guidelines</i>). The NAC SAP builds on this to require flexible provision of a proportion of new apartments that meet the Gold or Platinum Level of those guidelines, to better accommodate ageing in place and people with higher mobility needs.</p> <p>Crime Prevention through Environmental Design (CPTED) considerations are incorporated into the proposed controls for passive surveillance where a sensitive (residential) use is proposed in a mixed-use higher density setting.</p>
<p><b>Physical Infrastructure</b></p> <p>PI 1 Maximise the efficiency of existing physical infrastructure.</p> <p>P1 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.</p>	<p>The amendment seeks to facilitate residential use and development within the Commercial zone in a highly accessible, well-located and fully serviced urban area that is within the Urban Growth Boundary. It will assist the Glenorchy LGA to reach its infill development targets at an appropriate density level. Concentrating development within a well serviced area allows for more efficient and cost-effective investment and utilisation of physical infrastructure.</p>

<p><b>Land Use and Transport Integration</b></p> <p>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.</p> <p>LUTI 1.1 Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.</p> <p>LUTI 1.2 Allow higher density residential and mixed use developments within 400, and possibly up to 800 metres (subject topographic and heritage constraints) of integrated transit corridors.</p> <p>LUTI 1.9 Ensure car parking requirements in planning schemes and provision of public car parking is consistent with achieving increased usage of public transport.</p> <p>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.</p>	<p>The subject area is within the Northern Suburbs Transit Corridor (NSTC), has an access point to the intercity cycleway, and includes a bus interchange. The NSTC is an area of about 800 m on either side of Main Road which runs almost parallel to the disused rail corridor that is proposed for the new public transport link. Currently Main Road caters for several bus routes.</p> <p>Support for higher density apartment development is included in the SAP, along with controls to ensure the provision of parking for bikes or other personal mobility devices to encourage active transportation. While there are no specific controls within the proposed SAP that reduce the car parking spaces required by the SPPs, one of the local area objectives of the SAP specifically relates to taking advantage of the highly accessible location and promoting active transportation options. This will subsequently help support any appropriate future parking shortfalls associated with a potential development. The reason why the proposed amendment does not include specific controls that reduce the required car parking standards is so the specific area plan is able to adapt to any future approaches taken by the SPPs or Council to wholistically address revised car parking requirements based on use, locality and density.</p>
<p><b>Settlement and Residential Development</b></p> <p>SRD 2 Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.</p>	<p>The proposed amendment aligns flawlessly with the Settlement and Residential Development Regional Policies. The subject area that is within the Urban Growth Boundary and is identified as a 'Densification Area' under <i>Map 10: Residential Strategy for Greater Hobart – Residential Development Areas</i> of the STRLUS. The proposed amendment will assist the Glenorchy LGA to reach its infill development targets at an appropriate density level, in</p>

<p>SRD 2.1 Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.</p> <p>SRD 2.6 Increase densities to an average of at least 25 dwellings per hectare (net density) within a distance of 400 to 800 metres of Integrated transit corridors and Principal and Primary Activity Centres, subject to heritage constraints.</p> <p>SRD 2.7 Distribute residential infill growth across the existing urban areas for the 25 year planning period as follows:</p> <ul style="list-style-type: none"> <li>• Glenorchy LGA 40% (5300 dwellings)</li> <li>• Hobart LGA 25% (3312 dwellings)</li> <li>• Clarence LGA 15% (1987 dwelling)</li> <li>• Brighton LGA 15% (1987 dwellings)</li> <li>• Kingborough LGA 5% (662 dwellings)</li> </ul> <p>SRD 2.9 Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population.</p>	<p>a prime location surrounding the Glenorchy and Moonah Activity Centres and within the Northern Suburbs Transit Corridor. The proposed amendment includes controls to ensure residential development is delivered as shop-top apartments, or apartments to the rear of the commercial activity to retain the primary economic focus of the area. Specific controls in the proposed amendment include a requirement for accessible housing to support improved housing choice for an aging population and people with disability. Intent to support appropriate levels of parking shortfalls in any future development proposals is expressed via the local area objectives in the SAP. These elements will in turn aid in providing for affordable housing options.</p>
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*(f) has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#), that applies in relation to the land to which the relevant planning instrument relates*



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

- *Making Lives Better* - 1.2 Support our communities to pursue and achieve their goals.

1.2.1 Encourage and support communities to express and achieve their aspirations.

Response: The proposed amendment aims to facilitate development uplift within the Northern Suburbs Transit Corridor along a key transport corridor.

- *Open for Business* - 2.1 Stimulate a prosperous economy.

2.1.1 Foster an environment that encourages investment and jobs.

Response: The proposed amendment has specific controls to ensure the primary economic focus of the area is retained, while providing for increased housing opportunities within the existing urban area of Glenorchy. The amendment provides an opportunity for new residents to live closer to where they work, and/or to live close to businesses and services and support the local economy.

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

The adjacent municipal areas that have currently adopted the Tasmanian Planning Scheme are Brighton and Clarence LGAs. The proposed amendment to provide opportunities for more housing within the subject area, which is located internally within the Glenorchy LGA, would not impact on the LPSs of the adjacent municipalities of Clarence and Brighton as these LGAs are located across the Derwent River and have adequate separation. In a broader context, while the Hobart LGA has not yet adopted the Tasmanian Planning Scheme, being an immediate neighbour adjoining the southern edge of the subject area, it will be notified of the proposed amendment during the formal public consultation process. Given the existing development patterns within the Hobart LGA and the future vision for Greater Hobart, it is anticipated the proposed amendment would not cause any negative impacts to the adjacent municipalities, including the Hobart LGA. Therefore, it is considered the proposed amendment is consistent with the LPSs that apply to municipal areas that are adjacent to the Glenorchy municipal area to which the specific area plan relates.

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

The Declared Pipeline Corridor extends through Glenorchy from the southern edge of the municipality along Creek Road, through Moonah and Derwent Park along Main Road, north to the Brooker Highway along Howard Road, then along the Brooker Highway to the northern boundary of the municipality.

Part of the subject area to which the proposed specific area plan applies intersects with the declared gas pipeline planning corridor in various places, as shown in Figure 5 below. It is worth noting the subject area is highly urbanised, however is currently underdeveloped and capable of catering to greater built form permissible under the current zone standards. The proposed specific area plan introduces a new use, being the residential use, noting that it would provide for increased development opportunities and higher built form. However, the proposed provisions do not promote an increased development footprint beyond that which is already permitted in these areas and therefore potential development will not impact on access to or the use of the corridor. Regard to the safety impacts under the *Gas Pipelines Act 2000* generally occurs through referral of a planning permit application. No new local provisions are proposed that would make development with the potential to impact on the pipeline 'no permit required'. Tas Gas would be notified of the proposed amendment during the formal public consultation process.



Figure 5: Extract of Declared Gas Pipeline Planning Corridor highlighting the portions of the subject area that encroach within the Gas Corridor

(Source: LISTmaps, Extracted: 8 March 2023)