

**GLENORCHY PLANNING AUTHORITY MEETING**  
**AGENDA**  
**MONDAY, 10 JULY 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.

## **TABLE OF CONTENTS:**

<b>1.</b>	<b>PLANNING AUTHORITY DECLARATION .....</b>	<b>3</b>
<b>2.</b>	<b>APOLOGIES/LEAVE OF ABSENCE.....</b>	<b>3</b>
<b>3.</b>	<b>PECUNIARY INTERESTS.....</b>	<b>3</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>3</b>
<b>5.</b>	<b>PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (13 NEW), ONE LOT SUBDIVISION, AND DEMOLITION - 72 MAIN ROAD CLAREMONT AND 74 MAIN ROAD CLAREMONT .....</b>	<b>4</b>
<b>6.</b>	<b>REPORT ON REPRESENTATIONS TO – ARCHAEOLOGICAL HERITAGE AMENDMENT PLAM-23/01 – 60 CREEK ROAD, NEW TOWN, 26 CADBURY ROAD AND 36 CADBURY ROAD, CLAREMONT .....</b>	<b>68</b>
<b>7.</b>	<b>PLANNING SCHEME AMENDMENT REQUEST - TO AMEND THE PROVISIONS OF GLE-P2.0 PARTICULAR PURPOSE ZONE - TECHNOPARK – PROPERTIES IN INNOVATION DRIVE AND LONGREACH AVENUE, DOWSING POINT.....</b>	<b>76</b>

## **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 13 May 2023 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(13 NEW), ONE LOT SUBDIVISION, AND DEMOLITION - 72  
MAIN ROAD CLAREMONT AND 74 MAIN ROAD CLAREMONT**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3215937

## **REPORT SUMMARY**

<b>Application No.:</b>	<b>PLN-23-015</b>
<b>Applicant:</b>	<b>MinD Architects</b>
<b>Owner:</b>	<b>DJM Properties Pty Ltd</b>
<b>Zone:</b>	<b>Inner Residential</b>
<b>Use Class</b>	<b>Residential (Multiple Dwellings) and Subdivision</b>
<b>Application Status:</b>	<b>Discretionary</b>
<b>Discretions:</b>	<b>9.4.3 P2 Site coverage and private open space for all dwellings</b> <b>C2.5.3 P1 Motorcycle parking numbers</b> <b>C2.6.5 P1 Pedestrian access</b> <b>C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction</b>  (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<b>Level 2 Activity?</b>	<b>No</b>
<b>42 Days Expires:</b>	<b>12 July 2023</b>
<b>Existing Land Use:</b>	<b>Residential - Single Dwellings</b>
<b>Representations:</b>	<b>3</b>
<b>Recommendation:</b>	<b>Approval, subject to conditions</b>

## **REPORT IN DETAIL**

### **PROPOSAL**

The application proposes thirteen dwellings on a lot to be increased in size by changing the boundary and demolition of a dwelling as well as four outbuildings. It is noted that the dwelling at 74 Main Road and outbuildings at 72 and 74 Main Road have been demolished since the application was lodged. The proposal is to occur in four stages.

The proposed subdivision, which comprises of two reconfigured lots, would result in the development lot and a smaller lot for 72 Main Road. It is proposed to add most of the backyard of 72 Main Road to the property at 74 Main Road, by creating a new rear boundary, approximately 5.9m from the rear wall of the existing house. The lot at 72 Main Road would be 427m<sup>2</sup> and the development lot 2921m<sup>2</sup>.

The proposed dwelling development would have eight of the dwellings in a row along the northern boundary with the driveway to the south. Six of these dwellings would be single storey with skillion roof and two of the dwellings would be conjoined in a double storey building with low gable roof. Private outdoor space would be along the northern boundary. A further single storey dwelling, also skillion roofed, would be south of the driveway, being Unit 13. The remaining four dwellings would be contained in two double storey, gabled roofed buildings, along the rear boundary. These dwellings would have private outdoor space along the rear boundary and parking with manoeuvring to the east.

All of the dwellings would have two bedrooms, open plan living and two parking spaces. The double storey dwellings would also have a balcony each. There would be a bin storage area near Unit 13, as well as four visitor parking spaces. The application is discretionary for the width of private outdoor space, motorcycle parking, footpaths, and traffic generation. The proposal is shown in Figure 1.



Figure 1: Proposal - MinD. Architects

## SITE and LOCALITY

The subject site is made up of two properties at 72 and 74 Main Road, Claremont contained in title references CT 230930/1 and CT 198671/1. The site is located at the end of service on Main Road, past the Claremont shopping area. The main property to the north is rectangular with an area of 1912m<sup>2</sup>. The second property, to be reduced in size, is L-shaped and has an area of 1454m<sup>2</sup>. Each of the properties contains a dwelling and two sheds. The site adjoins eight residential properties, of which two contain more than one dwelling. The property is shown in Figure 2.

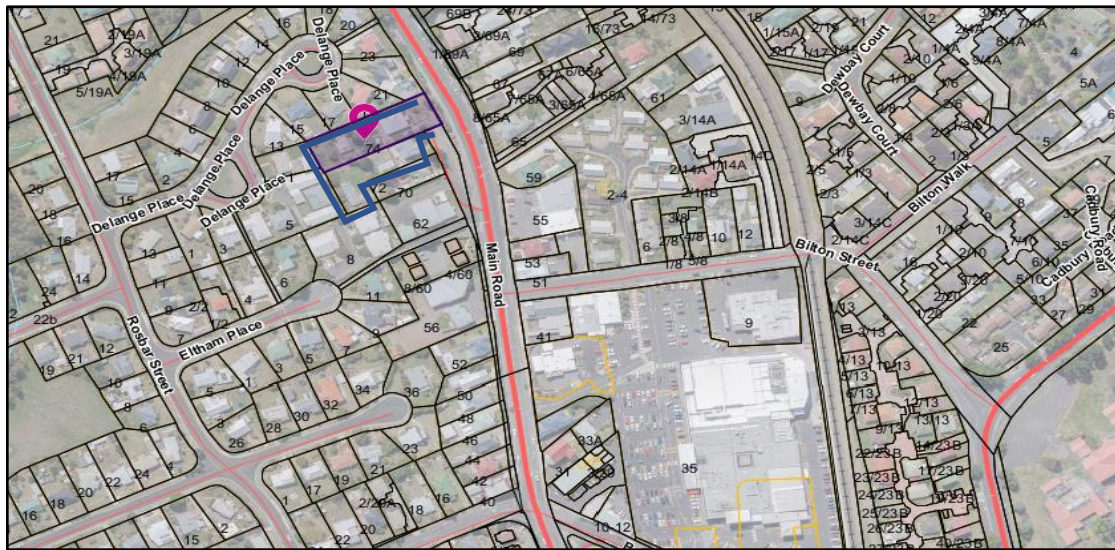


Figure 2: Subject Site - theLIST

## ZONE

The subject properties are within the Inner Residential Zone, which also applies to the surrounding area as shown in Figure 3.



Figure 3: Zoning Map - theLIST

## BACKGROUND

The planning permit application was received by the Planning Authority on 30/01/2023. However, the application was not valid until the General Manager's consent to make a planning application was given on 23/05/2023. It was proposed during the assessment process that there be a bin collection pad, as well as a new manhole installed on the 'service road' owned by Council, which then required owner's consent.

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

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

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

### TASMANIAN PLANNING SCHEME - GLENORCHY 2021

#### State Planning Provisions (SPP)

##### Administration

##### Exemptions (Tables 4.1 – 4.6)

Nil.

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

The application is for multiple dwellings which fits under the use class Residential. The use is defined in Table 6.2 Use Classes as follows:

##### *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):

The following meanings in 3.0 Planning Terms and Definitions are of particular relevance:

##### *multiple dwellings*

*means 2 or more dwellings on a site.*



*dwelling*

*means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.*

*subdivide*

*means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by:*

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;*
- (b) a lease of airspace around or above a building;*
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;*
- (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or*
- (e) an order adhering existing parcels of land.*

*subdivision*

*means the act of subdividing or the lot subject to an act of subdividing.*

**Discretionary Use or Development**

The application is discretionary under Clause 6.8.1 as follows:

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

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*

The proposal is discretionary under (b) above as it relies on Performance Criteria as follows:

- 9.4.3 P2 Site coverage and private open space for all dwellings
- C2.5.3 P1 Motorcycle parking numbers
- C2.6.5 P1 Pedestrian access
- C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction



## General Provisions

The following General Provisions of the Scheme apply to this proposal:

### 7.3 Adjustment of a Boundary

The proposal is not considered to include a boundary adjustment because there would be more than a minor change in the size of the lots, contrary to clause 7.3.1 (b).

## Zones

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

### Zone Purpose Statements

The purpose of the Inner Residential Zone is:

#### 9.1.1

*To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities.*

#### 9.1.2

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

#### 9.1.3

*To provide for non-residential use that:*

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

#### 9.1.4

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

### Comment

The proposal accords with the zone purpose statement as it is for a higher density residential use, near an existing shopping area.

### Use Table

The use class Residential (Multiple Dwellings) permitted within the General Residential Zone in 9.2 Use Table.

**Use Standards**

The standards in clause 9.3 Use Standards specifically relate to discretionary uses and visitor accommodation and are therefore not applicable to this proposal.

**Development Standards for dwellings**

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix, except as follows:

*9.4.3 A2 Site coverage and private open space for all dwellings*

The proposal does not accord with the acceptable solution in clause 9.4.3 A2 with respect to minimum width of private outdoor space. Therefore, the proposal relies on the related performance criteria as follows:

*9.4.3 P2 Site coverage and private open space for all dwellings*

*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 acceptable solution requires private outdoor space (POS) in one location not less than 24m<sup>2</sup>, minimum width of 4m and minimum grade no steeper than 1:10. Unit 1, Unit 7 and Unit 8 have compliant POS. The other dwellings have level POS of more than 24m<sup>2</sup>, but minimum widths between 3.1m and 3.205m.

Units 2-6 have a 4m width over 2.9m of the POS and a 3.205m width for the remainder but have an area significantly greater than 24m<sup>2</sup>, that is orientated to the north and next to the living area.

Units 9-12 have POS with a minimum width of 3.1m, also greater than 24m<sup>2</sup> orientated to the west at the back. In addition, the dwellings have a 16.25m<sup>2</sup> balcony on the first floor next to the living room that is orientated to the east.

Overall, it is considered that all of the dwellings have usable POS that is conveniently located and takes advantage of sunlight.

The proposal is assessed as complying with the performance criteria.

**Development Standards for Subdivisions**

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix.

## Codes

The following codes of the Scheme apply to this proposal:

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

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix, except as follows:

#### *C2.5.3 A1 Motorcycle parking numbers*

The proposal does not accord with the acceptable solution in clause C2.5.3 A1 with respect to motorcycle parking numbers. Therefore, the proposal relies on the related performance criteria as follows:

##### *C2.5.3 P1 Motorcycle parking numbers*

*Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:*

- (a) the nature of the proposed use and development;*
- (b) the topography of the site;*
- (c) the location of existing buildings on the site;*
- (d) any constraints imposed by existing development; and*
- (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.*

#### *Comment*

The application was referred to Council's Development Engineer that assessed that motorcycles can be accommodated on site. For further comments, please refer to engineering assessment under the Referrals section later in this report.

#### *C2.6.5 A1 Pedestrian access*

The proposal does not accord with the acceptable solution in clause C2.6.5 A1 with respect to pedestrian access. Therefore, the proposal relies on the related performance criteria as follows:

##### *C2.6.5 P1 Pedestrian access*

*Safe and convenient pedestrian access must be provided within parking areas, having regard to:*

- (a) the characteristics of the site;*
- (b) the nature of the use;*
- (c) the number of parking spaces;*
- (d) the frequency of vehicle movements;*

- (e) the needs of persons with a disability;*
- (f) the location and number of footpath crossings;*
- (g) vehicle and pedestrian traffic safety;*
- (h) the location of any access ways or parking aisles; and*
- (i) any protective devices proposed for pedestrian safety.*

#### *Comment*

The application was referred to Council's Development Engineer and Traffic Engineer who assessed that pedestrian access is satisfactory. For further comments, please refer to engineering assessment under the Referrals section later in this report.

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

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix., except as follows:

#### *C3.5.1 A1 Traffic generation at a vehicle crossing, level crossing or new junction*

The proposal does not accord with the acceptable solution in clause C3.5.1 A1 with respect to traffic generation. Therefore, the proposal relies on the related performance criteria as follows:

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

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

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

*Comment*

The application was referred to Council's Traffic Engineer who expects that the number of daily trips generated by the development would be 78. The acceptable solution has 40 trips. However, it is assessed that the increase in predominantly residential traffic would not have any significant adverse impacts in terms of traffic efficiency and safety. For further comments, please refer to engineering assessment under the Referrals section later in this report.

**Glenorchy Local Provisions Schedule (GLPS)****Local Area objectives**

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

**Particular Purpose Zones**

No particular purpose zones 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.

**GLE-Code lists**

No code lists of the Scheme apply to this proposal.

**GLE-Applied, Adopted and Incorporated Document**

Nil.

**INTERNAL REFERRALS****Traffic Engineer****Introduction**

The developer proposes to construct 13 two-bedroom residential units and subdivide off 72 Main Road, leaving the house and parking unchanged. All units will have two dedicated parking spaces and there will be 4 visitor parking spaces. The driveway access to the site is located off Main Road via a 'service road' that provides access to four lots including 72 and 74 Main Road. The proposed access to the units comes directly off the end of the 'service road'.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Midson Traffic dated May 2023 along with responses to request for information from Midson Traffic dated 16 March 2023, 12 May 2023, and 8 June 2023. The plans by MinD dated 7 June 2023 were also revived.

The TIA addresses the performance criteria C3.5.1 P1 traffic generation at a vehicle crossing and C2.6.5 P1 pedestrian access.

### **Parking**

The development is proposing 30 car parking spaces of which all units will have two dedicated parking spaces being 26 spaces and 4 visitor parking spaces. The planning scheme requirement for inner residential zone is 1 space per bedroom or 2 spaces per 3 bedroom and 1 space per 5 dwellings for visitor parking. This equates to a total of 29 car parking spaces required, which means the acceptable solution is met for C2.5.1 car parking numbers and there should be adequate parking to meet the demands of the development.

The TIA assessed parking under the general residential zone in which visitor parking numbers are greater, being 1 space per 4 dwellings or 1 space per 3 dwellings if an internal lot or located at the end of a cul-de-sac. The TIA assessed the site as effectively being at the end of a cul-de-sac in which 4.3 visitor parking spaces are required and rounded down to 4 spaces which is being provided.

### **Traffic Generation**

The traffic generated by the development is expected to be 78 daily trips with 8 trips in peak hour based on two-bedroom units as per the Roads and Maritime Services, Road Traffic Authority (RTA) NSW Guide to Traffic Generation Development. Thus, the performance criteria P1.2 for dwellings under C3.5.1 traffic generation at a vehicle crossing is triggered and addressed in the TIA.

Access from the 'service road' is onto Main Road which is an arterial road with a posted speed limit of 50km/h. The TIA undertook an assessment of driver's sight distances out of the 'service road' onto Main Road in which it states it meets the requirements for a driveway access under AS2890.1 being 45m. Sight distance to the south is above that required and to the north is restricted due to the embankment and curvature on Main Road.

The crash history on Main Road either side of the development between Abbotsfield Road and Bilton Street was reviewed in the TIA. In the last five years there have been three crashes which is considered relatively low for an arterial road. The TIA noted that the crash data does not indicate any road safety deficiencies in the road network. The TIA estimates that the 'service road' currently carries in the order of 30 vehicles per day. The increase in predominantly residential traffic on the low volume 'service road' is assessed in the TIA to not have any significant adverse impacts in terms of traffic efficiency or safety.

### **Access for Vehicles and Pedestrian**

Access to the units is via a 'service road' that provides vehicle and pedestrian access to four lots and connects onto Main Road. The access to the unit development is at the end of the 'service road' and is in effect a continuation of the service road and then has a 90-degree bend within the site. The access then continues within the site with another 90-degree bend.

The TIA and Midson Traffic responses to request for information addresses the 'service road' access for both vehicles and pedestrians. The 'service road' is straight and approximately 65m long, with a sealed pavement width of between 4.6m and 5m with about 0.5m of unsealed shoulders on both sides and an embankment on the eastern side.

The 'service road' is assessed as being sufficient width for two vehicles to pass in opposing directions at low speed and adequate for the passage of pedestrians who desire lines are along the western side of the 'service road'. The information provided does not propose a barrier for either vehicles or pedestrian along the embankment side.

The response has suggested that parking is prohibited on the eastern embankment side of the 'service road' along with guideposts or vegetation. It is not proposed at this stage to prohibit parking as banning parking on the eastern side of the 'service road' would then encourage vehicles to park on the western side, which is the proposed desire line for pedestrians away from the embankment. If parking on the 'service road' becomes an issue, then Council can consider in consultation with the residents parking restrictions and/or guideposts to delineate the road access.

The developer is proposing to place a concrete slab on the western side of the 'service road' outside 72 Main Road in which waste collection bins can be placed for collection and may also act as an informal footpath. The waste service vehicle currently enters the 'service road', collects the bins then reverses and turns near the entrance to Main Road. The proposed development does not propose any modification to the existing collection.

The 'service road' which provides driveway access to the four lots is likely to be damaged as part of the construction of the development. It is therefore proposed that a condition is placed on the permit for any damage to the 'service road' to be rectified by the developer.

The development is not proposing any internal footpaths within the development site but instead a 'shared zone' where vehicles should give way to pedestrians. As such, the TIA addresses the performance criteria C2.6.5 P1. The TIA notes that vehicles speeds will be very low by the virtue of the short and narrow internal access and low traffic volumes, which will result in an acceptable safety environment for shared use between pedestrians and cars.



The TIA is accepted, and it can be concluded that the additional traffic and the shared zone for pedestrians and vehicles, should not have a significant impact on the safety or efficiency of the road network or within the development. The performance criteria for C3.5.1 P1 and C2.6.5 P1 are met.

## **CONCLUSION**

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

- The developer shall undertake an assessment of the 'service road' prior to any works commencing. Prior to the completion of the works, any damage to the 'service road' shall be rectified to the satisfaction of Council's Development Engineer, including shoulder areas and pavement in general accordance with Tasmanian Standard Drawings TSD-R09-v3.

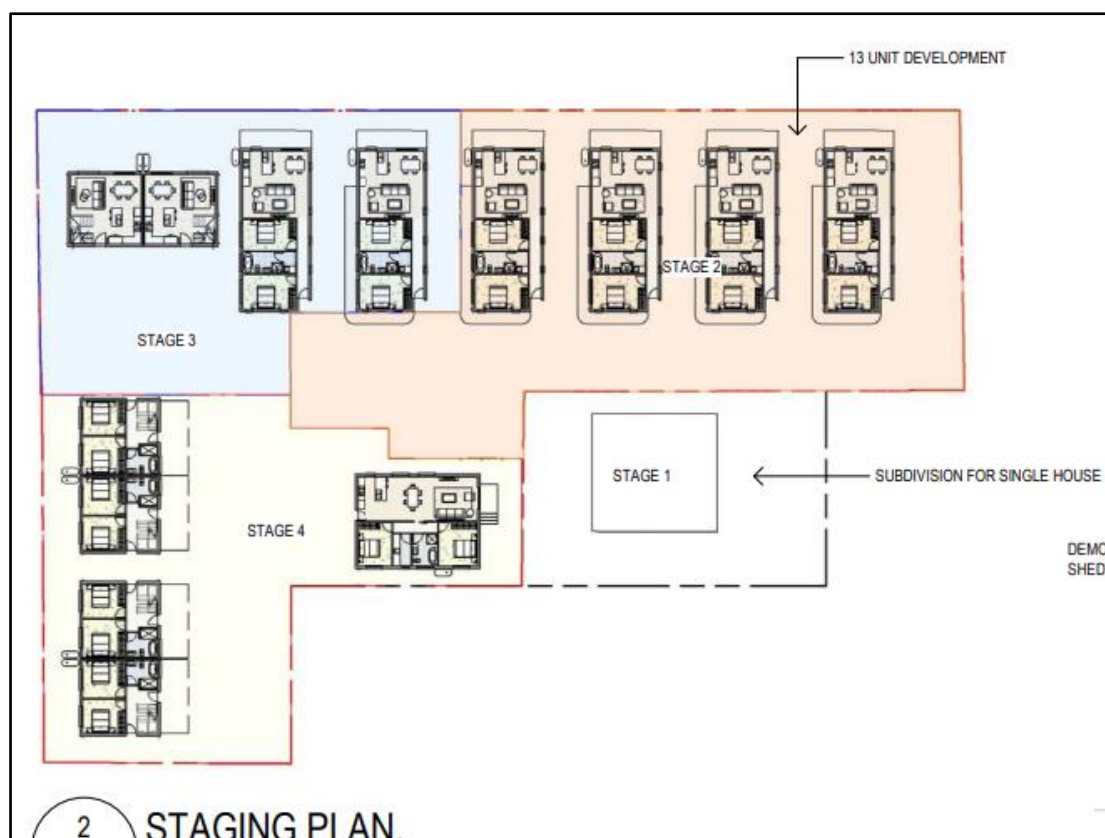
## **Development Engineer**

### **Comments**

The development application seeks an approval for demolition to existing structures, subdivision to two lots and construct 13 new multiple dwellings on the new lot. With regards to the subdivision, it is proposed to subdivide off the land at the rear of no. 72 Main Road to be added to 74 Main Road to create a new lot while the balance lot (72 Main Road) will be smaller in size and houses the existing dwelling.

The works include driveway, parking area and works associated with stormwater management and drainage to manage both quality and quantity of runoff generated by the proposed development.

The work is proposed to be in four (4) stages as follow: stage 1: subdivision, stage 2: units 1 to 4, stage 3: units 5 to 8 and stage 4: units 9 to 13, as shown in the extract below.



The Traffic Impact Assessment (TIA) by Midson Traffic Pty Ltd, dated May 2023 along with letters dated 16 March 2023, 12 May 2023, and 8 June 2023 and the Stormwater Assessment and plan by AssetSafe, dated 5 June 2023 are submitted as part of the application as supporting documents. The application and the TIA have been referred to Council's Transport Engineer to review, provide comments and recommend conditions as required. The application and the Stormwater Report have been referred to Council's Senior Civil Engineer to review, provide comments and recommend the conditions as required.

The stormwater runoff from the new lot and multiple dwelling development is proposed to be discharged to Council's stormwater system via a new underground connection with on-site detention provided to the satisfaction of Council's Senior Civil Engineer. The balance lot is proposed to drain via an existing connection via the frontage of the lot.

The General Manager's consent to interfere with stormwater infrastructure can be granted. The document is available in ECM.

## C2.0 Parking and Sustainable Transport Code

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

The site that will accommodate the multiple dwelling units can 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 a total of two (2) car parking spaces for each residential dwelling plus 1 visitor parking for every 5 units which equates to the total of 29 spaces. The applicant proposes to comply with the requirements providing car parking area for two (2) car spaces for each dwelling and four (4) visitor parking spaces. Therefore, the acceptable solution under clause C2.5.1 is met.

Due to the residential development, there are no requirements for accessible car parking, bicycle parking spaces and commercial vehicle applicable to the development application.

One (1) motorcycle parking is required to comply with the acceptable solution. Although the applicant does not propose any specific motorcycle parking provision; however, it is not uncommon for the residential sites to lack designated motorcycle parking spaces. In such cases, motorcycles can be parked within each residential unit if necessary. Additionally, if there is a shortage of parking spaces, the extra visitor parking area should be able to accommodate any additional motorcycle parking needs.

The layout of parking area complies with the standard AS2890.1:2004. The turning swept path provided demonstrates compliance to the standard. 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.

The application is discretionary also under the clause C2.6.5 Pedestrian access as more than 10 parking spaces are required, therefore the 1m wide pedestrian access with 2.5m separation to access way or parking aisle or alternatively, to have bollards in place are required to comply with the acceptable solution.

The Council's Transport Engineer has conducted a thorough assessment and requested additional information regarding pedestrian access from the main road through the service road to the development. However, the proposed development does not include internal footpaths within the site. Instead, it suggests implementing a 'shared zone' concept where vehicles must yield to pedestrians. The TIA addresses the performance criteria outlined in C2.6.5 P1. The TIA acknowledges that due to the short and narrow internal access and low traffic volumes, vehicle speeds will be significantly low. This, in turn, creates an acceptable and safe environment for both pedestrians and vehicles to share the space. The TIA conclusion is accepted that to provide the shared zone for pedestrian and vehicles for residential development is not uncommon and should not have adverse impact to safety. Hence, the performance criteria for C3.5.1 P1 and C2.6.5 P1 are considering met with.

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

The site can be accessed off the existing vehicle crossing to service road, and to proposed parking and driveway. The proposed development is expected to increase vehicle movements to 78 vehicle trips per day. Therefore, the assessment against the performance criteria is required. The TIA is reviewed by Council's Transport Engineer, please refer to the referral for in-depth traffic and parking assessment.

**TIA assessed and investigated factors including sight distance, crash data, road networks and current traffic volume over the service road; and concluded that the proposed development is not expected to have any significant adverse impacts in terms of traffic efficiency or safety. Council's Transport engineer concurs with the TIA conclusion and therefore, the proposed development is considered comply 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.

**Representations**

During the advertisement period, Council received representations raising various concerns and objections against the proposed development including engineering matters such as traffic increase, parking and inadequate service. Council's officers have reviewed the representations and addressed the concerns as follows.

- Council's Transport Engineer commented on the traffic increased over the service road as follows:
  - As there is adequate parking for the development, it is viewed that there will not be parking occurring from the development on the 'service road'. If parking does occur on the service road and it causes a safety issue, then Council can look at restricting parking. The Traffic Impact Assessment (TIA) assessed the increase in traffic of 78 vehicles per day from currently about 30 vehicles per day along the 'service road' and pedestrian access from Main Road to the units.

The TIA found that on the 'service road' there is sufficient width for two vehicles to pass in opposing directions at low speed and adequate for the passage of pedestrians who desire lines are along the western side away from the embankment. The internal driveway road will operate as a shared zone for pedestrians and vehicles which is acceptable due to the low traffic volume and low speed environment due to the short and narrow road. It is recognised that the 'service road' which is in effect driveway access to four lots will likely be damaged due to construction traffic. As such, as a condition has been placed on the permit for any damage to the 'service road' to be rectified by the developer.

- The provision of 4 visitor parking spaces exceeds the requirement for the Inner Residential Zone, which calls for 1 visitor parking space for every 5 dwellings. According to this requirement, the development would need only 3 visitor parking spaces. Therefore, the provision of 4 visitor parking spaces represents an oversupply, which is beneficial for the development. Moreover, the units are all 2-bedroom with 2 parking spaces each hence the parking capacity is considered the proposal.
- TasWater, responsible for water and sewerage infrastructure, has reviewed the project and recommended its approval. Similarly, TasNetworks, responsible for electricity infrastructure, has also provided their recommendation for approval.
- With regards to the service of stormwater a new connection to the public stormwater network has been designed in accordance with Council's Stormwater Management Policy, which includes on site detention and water treatment measures to ensure increase of the runoff is kept to pre developed levels and stormwater discharged from site meets performance targets. This has been reviewed and accepted by Council's senior civil engineer.

### **Hydraulics Engineer**

The proposed development includes a multi-unit development at 72-74 Main Road, Claremont.

### **Referenced Documents**

- a. 72-74 Main Road\_20230129\_Architectural Drawings Rev 3 dated 05/06/2023.
- b. 72-74 Main Road Civil & Hydraulic Rev 2 and Civil Details C01a Rev 2.

- c. 74 Main Road Claremont Stormwater Assessment Report Calculations 230605 dated 05/06/2023.
- d. Hydrosystem SHS.400.H.01.100 3D DIMS, Hydrosystem SHS.400.H.01.100 General Arrangement, SP20-SS28600-C SPEL Stormsack Assembly Drawing

### **Stormwater Management Policy**

#### **a. Stormwater Disposal Method Requirements:**

All stormwater (13 lots) will drain to existing stormwater systems by gravity. Therefore, 4 (a) is met.

#### **b. Stormwater Quality Management Requirements:**

The stormwater system will incorporate underground proprietary treatment system that conforms with water sensitive urban design principles and Council's stormwater management policy for the treatment and disposal of stormwater given the size of new impervious area is greater than 500m<sup>2</sup>. Therefore, 5 (b) is met.

#### **c. Stormwater Quantity Management Requirements:**

On site detention measures have been proposed in the design to maintain the post-development flow rate to a pre-development stage. The stormwater detention arrangement comprises of above ground rainwater detention tank per each unit and a proprietary underground detention tank with a 6500 litres volume as shown in plan by Asset Safe Reference, Civil Details C01a Rev 2. Therefore, 6(b) is met.

#### **d. Stormwater System Design Requirements:**

It has been demonstrated that the minor stormwater system has been designed to accommodate an 5% Annual Exceedance of Probability (AEP).

The major stormwater system including overland flow paths have for an event up to and including 1% AEP has been considered in the report and plans. Internal driveway has been designed to safely convey the overland flow paths to the public stormwater. Therefore 3 (a) and (b) are met.

### **Conclusion**

In summary I have no objections with the proposal from a hydraulics perspective, provided the recommended conditions are met.

**Waste Management Officer**

Waste Services to the proposed multiple dwelling development at 72 Main Road Claremont would be Council's shared bin service, collected weekly. There will be a total number of 13 x 240L shared bins at 72 Main Road. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the concrete platform that is required.

**EXTERNAL REFERRALS****TasWater**

The application was referred to TasWater, which has nominated a number of conditions should the application be approved. The *Water and Sewerage Industry Act 2008* requires the Planning Authority to include conditions from TasWater if a permit is granted.

**REPRESENTATIONS**

The application was advertised for the statutory 14-day period with 3 representation(s) being received. The issues raised are as follows:

**Height**

The first representor states that Units 7/8 have a height that is not in keeping with the traditional layout of the surrounding area. The height would cause a visual intrusion to 15 Delange Place, taking away the view of the hillsides on the skylines. In addition, the building would cause overshadowing in the morning of the adjoining backyard.

The other representors state that the majority of houses in the area are single storey and that the units may overshadow adjoining properties on the rear. Furthermore, that the height would cause visual impact on the surrounding houses.

**Planner's Comment:**

The subject properties are located within the Inner Residential Zone where the maximum allowable height is 9.5m, provided the dwellings are within the building envelope. Units 7/8 are 6.85m at the highest point and are within the building envelope. The building envelope means that the height of the wall is determining the setback away from the boundary. Units along the rear boundary are slightly lower and also comply. Overshading and visual intrusion cannot be considered because the dwellings comply in terms of height and are within the building envelope. In addition, it is noted that shadows generally fall to the south, so that a property to the north would not be affected at all and properties to the east only to a limited amount.



**Loss of Privacy**

The first representor states that there would be a view over the neighbouring backyard from the first floor windows of Units 7/8 that would cause a loss of privacy.

The second representation states that there would be a loss of privacy from the first floor balconies of Units 11/12 over 70 Main Road.

The second representation also states that the demolition of an existing shed to make way for Unit 13 would result in the loss of privacy to the backyard at 70 Main Road. The wall of the shed is also acting as a fence and protects a nearby elder tree.

The third representation states that there would be no privacy to the surrounding dwellings.

**Planner's Comment:**

The planning scheme is protecting privacy to a certain extent by requiring second storey windows to be either 4m from a rear boundary, 3m from a side boundary or screening 1.7m above the floor level. The proposal complies with this requirement. In particular, Units 7/8 are 5.336m from the side boundary and have only bedrooms on the first floor.

**Loss of Green Space**

The first representor states that the provision of parking spaces is reducing green space. Green space is needed to reduce temperature in general and might also affect the climate of the neighbouring outdoor living area.

The second representor states that the loss of green space would have an impact on biodiversity and loss of wildlife habitat.

**Planner's Comment:**

The subject site is within the Inner Residential Zone, which is intended for dense residential development, in particular when compared to the Landscape Conservation Zone. The area does not contain natural vegetation or any significant native animals. In terms of green space or undeveloped space, the planning scheme requires that each dwelling has at least 40m<sup>2</sup> of open space and not more than 65% of site coverage. The proposal complies in this regard.

**Heritage**

The representor states that the historical value of the area, in particular of 70, 72 and 74 Main Road that were built in the 1920/30's should be considered, and that the proposal does not align in term of size, façade and density.

**Planner's Comment:**

The subject properties and adjoining sites are not heritage listed, so that this issue cannot be considered.

**Demolition of Shed**

The representor states that the plans show the demolition of an existing shed to make way for Unit 13. The wall of the shed is crucial to retain privacy of the backyard at 70 Main Road and is also acting as a fence. The wall is also protecting a nearby elder tree on 70 Main Road. It is feared that the tree would be impacted on by any new fence and no longer protected from winds by the higher wall of the shed. Also, the shed is shown 1m away from the boundary on the plans.

**Planner's Comment:**

The shed demolition is permitted under the planning scheme and must be approved. The plan showing the demolition is based on the survey plan for the subdivision and the boundary is therefore considered accurate. The site plan that shows all the dwellings have the same width measurements noted for the rear boundary of 72 Main Road as the survey plan, which are also the same measurements on the title. It is expected that fencing would replace the gap from the shed demolition and provide for privacy.

**Building Works**

The representor states that building works would impact on mental health and sleep deprivation and cause a great amount of stress. This has been a quiet area.

There are new owners at 72 Main Road, do they know about the proposal and the bin collection area outside their property.

**Planner's Comment:**

Any development is considered to generate noise but would not continue during night time. Building permits restrict operating hours of building sites. In terms of the bin collection area as shown on the site plan, this would be no different to bins on a footpath. The bin pad would be at least 2.2m from the fence.

**Traffic and Parking**

The representors state that the proposal would significantly increase traffic on the service road and that there would be no footpaths for pedestrians, which would be a safety issue. In addition, visitors would be forced to park on the service road as there would be only four visitor spaces on site.

**Planner's Comment:**

This issue has been previously addressed under the heading Referrals.

**Capacity of Infrastructure**

The representor states that it is crucial that essential services such as sewerage, water and electricity can accommodate the increased demands from the development without affecting existing residents.

**Planner's Comment:**

This issue has been previously addressed under the heading Referrals.

**Waste Management**

The representor states that there would be twenty-six bins to be emptied, which would cause safety concerns on the service road and inconvenience to the residents.

**Planner's Comment:**

This issue has been previously addressed under the heading Referrals. However, it is noted that there would be only thirteen shared bins.

**CONCLUSION**

The application is for thirteen dwellings, subdivision, and demolition of a dwelling and four sheds in four stages. The proposal is discretionary for the width of private outdoor space, motorcycle parking, footpaths, and traffic generation. Each of the relevant performance criteria is assessed as satisfactory.

The application was advertised in accordance with statutory requirements and three representations were received, of which two were from the same household. Most of the issues raised are covered by the planning scheme and the proposal complies in regard to the issues raised mostly with the acceptable solutions. The only issues raised by the representors relying on the performance criteria, were footpaths and traffic generation. However, these issues were assessed by the engineers and were found satisfactory.

In conclusion, the proposal is assessed to substantially comply with the requirements of Schedule 1 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Glenorchy 2021*, subject to the recommended conditions.

**Recommendation:**

That a permit be granted for the proposed use and development of 72 Main Road Claremont and 74 Main Road Claremont subject to the following conditions:

**Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-23-015 and Drawings submitted on 02/05/2023 (1page) 30/01/2023 (2 pages), 07/06/2023 (11 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2023/00140-GCC dated 14/06/2023, form part of this permit.

3. First floor balconies must have a permanently fixed screen on both side elevations, at least 1.7m in height above the floor level, with a uniform transparency of not more than 25%. Screen height must be shown on plans submitted in association with a building permit application.
4. Second storey windows on the west elevation of Units 9 to 12 are to have a sill height of not less than 1.7m above the floor level. Sill height must be shown on plans submitted in association with a building permit application.
5. Permanently fixed screens must be installed to separate parking areas from windows on the west elevations of neighbouring units to a height of at least 1.7m for Units 1-6. The screens must be installed prior to completion of each relevant dwelling.
6. Staging must occur in the following stages:
  - Stage 1: Subdivision
  - Stage 2: Units 1-4
  - Stage 3: Units 6-8
  - Stage 4: Units 11-13

Each stage must be completed prior to the next stage commencing. New titles must be issued, or a certificate of completion must be granted at the end of the relevant stage.

## Engineering

7. The developer shall within fourteen (14) days of this permit taking effect, submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

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

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

*[www.derwentestuary.org.au](http://www.derwentestuary.org.au).*

8. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
9. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
10. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost. It must be the developer's responsibility to obtain and submit within fourteen (14) days of this permit taking effect a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record will be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works will be deemed to be the responsibility of the developer and must be repaired at the developer's cost.
11. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issue of approved engineering drawings. Under Council Schedule of fees and charges 2022/2023, the engineering drawings approval fee is 2.1% of the value of the civil works. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
12. The applicant must pay Council the amount of \$305.00 per lot on the diagram to complete the measure up and record 'as constructed' data for all assets to be taken over by council prior to the sealing of a Final Plan. This amount is subject to annual adjustment with the Council Fees and Charges Register.

13. The developer shall undertake an assessment of the 'service road' within fourteen (14) days of this permit taking effect. Prior to the completion of the works, any damage to the 'service road' shall be rectified to the satisfaction of Council's Development Engineer, including shoulder areas and pavement in general accordance with Tasmanian Standard Drawings TSD-R09-v3.
14. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
  - (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20% or 1 in 5.
  - (b) Vertical alignment shall include transition curves (or straight sections) at all grade changes greater than 12.5%.
  - (c) Total of thirty (30) clearly marked car parking spaces (2 spaces per each dwelling and 4 spaces for visitor parking spaces) must be provided in accordance with the approved plan received by Council and always kept available for these purposes.
  - (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
  - (e) The crossfall along the footpath must not exceed 4%.
  - (f) The gradient of any parking areas must not exceed 5% and
  - (g) Minimum carriageway width is to be no less than 3.0 metres.All works required by this condition must be installed prior to the occupancy of the dwellings in each stage.
15. Parking and driveway must be installed and completed in the following order:
  - (a) Stage 1: provide two (2) car parking spaces for the existing dwelling on the balance lot.
  - (b) Stage 2: provide two (2) car parking spaces each for unit 1 to 4 and four (4) visitor car parking spaces.
  - (c) Stage 3: provide two (2) car parking spaces each for unit 5 to 8.
  - (d) Stage 4: provide two (2) car parking spaces each for unit 9 to 13.

Prior to the occupancy of the dwellings in each stage, parking spaces must be provided and approved by Council's Development engineer.

16. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that they are contained entirely within the lots served. Power and telephone connections must also be contained within their respective lots. A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans. In particular, the developer must confirm the position of any services that may be affected by the subdivision/boundary adjustment.
17. In order to satisfy the above condition on the separation of services, the developer must verify compliance by supplying the Council with a services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots) and also a covering letter, where the Council is advised in writing that all the relevant engineering work required in these planning permit conditions have been satisfactorily completed, prior to the sealing of the final plan. Any final plan submitted for sealing cannot be sealed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A "qualified person" is a professional engineer or professional surveyor or other persons acceptable to Council.
18. The final plan and schedule of easements is to include, to the satisfaction of the Council's Development Engineer, any existing or proposed right of ways, drainage and/or service easements that are or may be required to adequately provide access and services to, from or through the lots shown on the plan.
19. Embankment reinstatement must be in accordance with LGAT standard for nature strip details TSD-RF04-v3. It is recommended that a suitable geosynthetic matt and planting species be considered in consultation with Council's Senior Civil Engineer prior to submitting engineering plans.
20. Engineering design drawings must be submitted and approved, prior to the issue of Building Permit. The engineering drawings must:
  - (a) be certified by a qualified and experienced Engineer.
  - (b) show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows rates, velocities, hydraulic grade lines, clearances, location related to other services, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.



- (c) Include the associated calculations and plans. The stormwater main must be sized to accommodate at least the 5% AEP flows from a fully developed catchment.
  - (d) Clearly distinguish between public and private infrastructure
  - (e) Stormwater Manhole must be provided wherever there is a change in alignment and at the connection point to Council's main.
  - (f) Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013
21. A design must be submitted showing that the minor stormwater drainage system is designed to accommodate a 1% AEP storm event, details of which must be submitted in association with a Building Permit Application.
  22. Digital copies of a post construction work CCTV video and associated report(s) of any proposed Council stormwater main must be submitted to Council after completion of all work but prior to the issue of any Certificate of Completion.
  23. The development must incorporate the On-Site Detention (OSD) as part of the development as presented in Stormwater Assessment, prepared by AssetSafe. The onsite detention elements and its associated components must be designed and constructed to the satisfaction of the development engineer and completed prior to a Certificate of Occupancy being issued for any of the dwelling. A detailed design of on-site detention must be certified by a suitably qualified structural engineer must be submitted prior to issue of any consent under Building Act/Commencement of works.
  24. In association with a Building Permit Application, a Water Sensitive Urban Design (WSUD) and On Site Detention (OSD) Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer, defining the maintenance method and frequency for each WSUD or OSD element incorporated in the development. The Owner and all successors in title must ensure ongoing compliance with the approved WSUD and OSD Maintenance Scheme for the duration of the approved use. Council must first approve any changes to the approved WSUD and OSD Maintenance Scheme.
  25. Upon approval of the WSUD and OSD Maintenance Scheme, and in association with a Building Permit Application, the applicant shall enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:

- (a) All works outlined in the WSUD and OSD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD and OSD elements, must be implemented and managed by the Owner and all successors in title at their sole expense.
  - (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD and OSD element has been conducted in accordance with the WSUD and OSD Maintenance Scheme.
  - (c) Repair and replace all the WSUD and OSD elements at the sole expense of the Owner and all successors in title so that the WSUD and OSD functions (stormwater quality and quantity control) in a safe and efficient manner.
  - (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD and OSD elements for compliance with the requirements of this agreement.
  - (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.
26. Prior to the commencement of the use or development, a new stormwater connection to Council's public stormwater system onto the property boundary must be installed in accordance with the approved plans. The stormwater connection(s) must be constructed by a suitably qualified person to the satisfaction of Council. To ensure the connections constructed to Council's satisfaction, the applicant must contact Council, by completing the Stormwater Connection Request Form, to arrange the visual inspection by Council for any alterations or works to Council's public stormwater network. A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>, which outlines the process and conditions for stormwater connections.

## **Waste Management**

27. A bin collection area must be constructed within the road reserve to the satisfaction of Council's Development Engineer and substantially in accordance with the location shown on the approved plans.
28. The design for the bin enclosure must comply with the following:

- (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval;
- (b) it must have concrete at the entrance to the bin enclosure;
- (c) there must be no lip on the concrete slab of the bin enclosure;
- (d) the bin enclosure would be built within the property boundary. If built at the entrance of the property, must allow a minimum of 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site;
- (e) the bin enclosure must not be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising;
- (f) it must suit thirteen (13) X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
- (g) minimum height of the enclosure is 1200mm and minimum depth is 930mm;
- (h) the front of the bin enclosure should face the internal access driveway and be left open throughout the length of the bin enclosure. It may be fenced and/or gated, but must enable wheelie bins to be removed, and returned in a safe and efficient manner.

### **Advice to Applicant**

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

#### *General Manager's Consent for Stormwater Management*

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-23-015 dated 27 June 2023, is associated with this permit.

#### *Other Permits*

Please be aware that this planning permit is a planning approval issued under the Tasmanian Planning Scheme - Glenorchy. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.

### *Other Services*

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

Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2022/08/Road-Opening-Permit-Application-Form-1.pdf>

### *Waste Management*

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator. The proposed multiple dwellings would be eligible for a maximum of thirteen (13) x 240L wheelie bins. Five (5) x 240L Waste Bins (Red lids), five (5) x 240L Recycling Bins, three (3) x 240L FOGO bins, collected weekly to be shared by all thirteen (13) dwellings. Collection of bins would be from the existing kerbside.

PLEASE NOTE: Council's Waste Contractor is unable to turn service vehicles at the head of the road therefore all shared wheelie bins will be collected from the left hand side of the road as you enter the road (as currently).

An area to suit the placement and collection of bins will need to be constructed to accommodate the bins on the kerbside for collection if this is not present. Bins will need to be lined up next to one another.

Council's Waste Services Contractor would not enter the property to collect and empty bins.

However, if at any stage, any part of the Council Road becomes Private Property as part of the Multiple Dwelling Development a Deed of Release will need to be signed by the Developer and Council.

### **Attachments/Annexures**

**1 GPA Attachment - 72 and 74 Main Road, Claremont**



**APPENDIX****9.0 Inner Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
<b>9.3 Use Standards</b>			
<b>9.3.1 Discretionary uses</b>	<b>A1</b> Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7.00am to 7.00pm Monday to Friday; and (b) 8.00am to 6.00pm Saturday and Sunday.		NA
	<b>A2</b> External lighting for a use listed as Discretionary: (a) must not operate within the hours of 8.00pm to 6.00am, excluding any security lighting; and		NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) security lighting must be baffled so that direct light does not extend into the adjoining property.		
	<b>A3</b>  Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:  (a) 7:00am to 8:00pm Monday to Friday;  (b) 9:00am to 12 noon Saturday; and  (c) nil on Sunday and public holidays.		NA
	<b>A4</b>  No Acceptable Solution.		NA



Standard	Acceptable Solution	Proposed	Complies?
<b>9.3.2 Visitor Accommodation</b>	<b>A1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) accommodate guests in existing habitable buildings; and</li> <li>(b) have a gross floor area of not more than 200m<sup>2</sup> per lot.</li> </ul>		NA
	<b>A2</b> Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA
<b>9.4 Development Standards for Buildings and Works</b>			
<b>9.4.1 Residential density for multiple dwellings</b>	<b>A1</b> Multiple dwellings must have a site area per dwelling of not less than 200m <sup>2</sup> .	The new lot would have an area of 2921m <sup>2</sup> divided into 13 is 225m <sup>2</sup> .	Yes

Standard	Acceptable Solution	Proposed	Complies?
<b>9.4.2 Setbacks and building envelope for all dwellings</b>	<p><b>A1</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, 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 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> </ul>	<p>Frontage setback east: 5.9m</p> <p>Frontage setback south: 6.7m</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
	<p><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> <p>(a) 4m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p>	No garages are proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
	(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.		
	<p>A3</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> <p>(a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m 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</li> </ul>	All dwellings are contained within the building envelope.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and</p> <p>(b) only have a setback within 1.5m of 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>9.4.3 Site coverage and private open space for all dwellings</b>	<b>A1</b> Dwellings must have: (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and	Site coverage is 30%  10 of the dwellings have between 43.07m <sup>2</sup> and 97.85m <sup>2</sup> total POS, which complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) for multiple dwellings, a total area of private open space of not less than 40m <sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer).	3 of the dwellings have less than 40m <sup>2</sup> on the ground floor but also have a balcony of 16.25m <sup>2</sup> , which increases the total as follows: <ul style="list-style-type: none"> <li>Unit 9: 39.47m<sup>2</sup> + 16.25m<sup>2</sup> = 55.72m<sup>2</sup></li> <li>Unit 10: 38.16m<sup>2</sup> + 16.25m<sup>2</sup> = 54.41m<sup>2</sup></li> <li>Unit 11: 37.85m<sup>2</sup> + 16.25m<sup>2</sup> = 59.32m<sup>2</sup></li> </ul>	
	<p>A2</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <ul style="list-style-type: none"> <li>(i) 24m<sup>2</sup>; or</li> <li>(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);</li> </ul> <p>(b) has a minimum horizontal dimension of:</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</li> </ul>	All dwellings have at least 24m <sup>2</sup> in level area but not 4m minimum width.	No-Discretion

Standard	Acceptable Solution	Proposed	Complies?
	<p>that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <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>		

Standard	Acceptable Solution	Proposed	Complies?
<b>9.4.4 Sunlight to private open space of multiple dwellings</b>	<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 9.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> <li>(a) the multiple dwelling is contained within a line projecting (see Figure 9.4): <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> </li> <li>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June.</li> </ul>	<p>None of the dwellings are to the north of the private outdoor space of another dwelling.</p>	<p>Yes</p>



Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		
<b>9.4.5 Width of openings for garages and carports for all dwellings</b>	<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</p>	<p>No garages are proposed</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		
<b>9.4.6 Privacy for all dwellings</b>	<p><b>A1</b></p> <p>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:</p> <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> </ul>	Units 9 to 12 have balconies on the first floor and have screens on both sides that are at least 1.7m in height.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>		
	<p><b>A2</b></p> <p>A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m</p>	<p>Second storey windows of Units 9 to 12 are 3m from the rear boundary instead of 4m but have a sill height of 1.7m above floor level.</p> <p>Unit 7 and Unit 8 are also double storey but don't have windows on the side elevations and more than 4m separation from the boundary on the northern elevation.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above</p>		

Standard	Acceptable Solution	Proposed	Complies?
	floor level, with a uniform transparency of not more than 25%.		
	<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>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>Parking from the neighbouring dwelling is within 1m of windows on the western elevation of Units 1-6, but a 1.7m high screen is proposed for separation.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
<b>9.4.7 Frontage fences for all dwellings</b>	<b>A1</b> No Acceptable Solution. <a href="#">[S8]</a>	Not proposed	N/A
<b>9.4.8 Waste storage for multiple dwellings</b>	<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area.	A bin enclosure for 13 bins is proposed that is not within 4.5m of a frontage, is more than 5.5m from Unit 13 that will be separated by a 1.7m high fence.	Yes

Standard	Acceptable Solution	Proposed	Complies?
<b>9.6 Development Standards for Subdivision</b>			
<b>9.6.1 Lot design</b>	<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 200m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum area of 10m x 12m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2;</p>	<p>The proposal includes subdivision creating no new lots by relocating boundaries. It is proposed to add most of the backyard of 72 Main Rd to 74Main Rd.</p> <p>The resulting lots would have areas of 427m<sup>2</sup> and 2912m<sup>2</sup>. The vacant lot could accommodate a minimum area and the remaining dwelling at 72 Main Road would have the required setbacks. There are no title restrictions. Proposed development is away from service pipes.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) be required for public use by the Crown, a council or a State authority;  (c) be required for the provision of Utilities; or  (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.		
	<b>A2</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.	Frontages would not change but would be more than 3.6m.	Yes
	<b>A3</b>  Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	Each lot has adequate existing access.	Yes



Standard	Acceptable Solution	Proposed	Complies?
<b>9.6.2 Roads</b>	<b>A1</b> The subdivision includes no new roads.	There would be no new road.	Yes
<b>9.6.3 Services</b>	<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	The proposal is to the satisfaction of TasWater.	Yes
	<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	The proposal is to the satisfaction of TasWater.	Yes.
	<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be	The proposal is to the satisfaction of Council's Development Engineer.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	capable of connecting to a public stormwater system.		

## APPENDIX

### C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
<b>C2.5 Use Standards</b>			
<b>C2.5.1 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:  (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;	29 required and 30 spaces provided. A surplus is acceptable.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <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>		

Standard	Acceptable Solution	Proposed	Complies?
	$N = A + (C - B)$ <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> Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) be provided on the site or within 50m of the site; and</li> <li>(b) be no less than the number specified in Table C2.1.</li> </ul>	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<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;</i> <i>and</i> <i>Tourist Operation.</i>	<b>A1</b>  The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> <li>(a) be no less than the number specified in Table C2.4; and</li> <li>(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.</li> </ul>	1 required, nil provided. It is considered the 1 space shortfall can be accommodated elsewhere i.e., an extra visitor parking space or within the dwelling unit area.	No

Standard	Acceptable Solution	Proposed	Complies?
<b>C2.5.4</b> <b>Loading bays</b> <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</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 required	NA
<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;</i> <i>and</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  provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Utilities, if not for minor utilities.</i>			
<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>	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes
<b>C2.6.2</b>	<b>A1.1</b>	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
<b>Design and layout of parking areas</b>	<p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <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> <li>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> <li>(iii) have an access width not less than the requirements in Table C2.2;</li> <li>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</li> <li>(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;</li> </ul>		



Standard	Acceptable Solution	Proposed	Complies?
	<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> <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-</i></p>		

Standard	Acceptable Solution	Proposed	Complies?
	<i>street parking for people with disabilities. [S35]</i>		
<b>C2.6.3 Number of accesses for vehicles</b>	<b>A1</b>  The number of accesses provided for each frontage must:  (a) be no more than 1; or  (b) no more than the existing number of accesses, whichever is the greater.		Yes
	<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.		NA
<b>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</b>	<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</i>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<i>1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i>		
<b>C2.6.5 Pedestrian access</b>	<p><b>A1.1</b></p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(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:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p>	More than 10 parking spaces is required therefore the 1m wide pedestrian access with 2.5m separation to access way or parking aisle or with bollards is required to comply with the acceptable solution.	No

Standard	Acceptable Solution	Proposed	Complies?
	<p><b>A1.2</b></p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
<p><b>C2.6.6</b> <b>Loading bays</b></p>	<p><b>A1</b></p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		NA
	<p><b>A2</b></p> <p>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 Off-street commercial vehicle facilities</i>.</p>		N/A
<b>C2.6.7</b>	<b>A1</b>		NA

Standard	Acceptable Solution	Proposed	Complies?
<b>Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</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.		
	<p><b>A2</b></p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <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> <p>(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</p>		NA

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</b> <b>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.		NA
	<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.		NA

Standard	Acceptable Solution	Proposed	Complies?
<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.		NA

**6. REPORT ON REPRESENTATIONS TO – ARCHAEOLOGICAL HERITAGE AMENDMENT PLAM-23/01 – 60 CREEK ROAD, NEW TOWN, 26 CADBURY ROAD AND 36 CADBURY ROAD, CLAREMONT**

Author: Strategic Planner (Darshini Bangaru)

Qualified Person: Strategic Planner (Darshini Bangaru)

Property ID: 3257957

### **REPORT SUMMARY**

<b>Application No.</b>	<b>PLAM-23/01</b>
<b>Applicant</b>	<b>N/A</b>
<b>Owner</b>	<b>60 Creek Road, New Town: Ray Taylor Investments Pty Ltd</b>  <b>36 Cadbury Road, Claremont: Claremont City Developments Pty Ltd</b>  <b>26 Cadbury Road, Claremont: Glenorchy City Council</b>
<b>Proposal</b>	<b>Amendment to add a new listing and modify an existing listing under GLE-Table C6.4 Places or Precincts of Archaeological Potential</b>
<b>Report Purpose</b>	<b>To consider the merits of representations received.</b>  <b>The Planning Authority's assessment must be provided to the Commission under Section 40K of the <i>Land Use Planning and Approvals Act 1993</i></b>
<b>Representations:</b>	<b>Two (including one indicating no objection from TasWater)</b>
<b>Recommendation:</b>	<b>Refer representations and amendment, without changes, to the Commission</b>



## **REPORT IN DETAIL**

### **INTRODUCTION**

The Glenorchy Planning Authority decided to prepare and certify the planning scheme amendment (the draft amendment) at its meeting of 15 May 2023 and place it on exhibition for 28 days.

The draft amendment was publicly advertised from **25 May 2023** until **22 June 2023**.

The public notification involved advertisements in the Mercury on Wednesday 24 May 2023 and Saturday 27 May 2023, and a mailout of letters to landholders and occupiers of the affected sites, and the adjoining the land. Additionally, a number of site notices were put up on the public boundaries of the affected sites.

Two representations were received, one during the exhibition period and one notice of no objection from TasWater after the exhibition period. This is further discussed in the following section.

This report examines the merits of the concerns raised in the representations.

### **BACKGROUND**

#### **The Amendment**

The proposal is for a planning scheme amendment to the Glenorchy Local Provisions Schedule seeking to:

1. Include a new listing known as Calder's Albion Flour Mill, 60 Creek Road, New Town and associated features in GLE-Table C6.4 Places or Precincts of Archaeological Potential; and
2. Amend an existing listing GLE-C6.4.1 Ashburton farm complex, 36 Cadbury Road, Claremont under GLE-Table C6.4 Places or Precincts of Archaeological Potential. Note, a small portion of the proposed overlay at 36 Cadbury Road, Claremont crosses over the southern boundary and onto Council's foreshore reserve at 26 Cadbury Road, Claremont.

The proposed amendment will provide clarity regarding the application of the Local Historic Heritage Code to the affected properties where there are known archaeological sites of significance and ensure appropriate recognition, protection and/or management of these heritage values.

The following Figures 1 and 2 indicate the extent of the 'Places or precincts of archaeological potential' overlay proposed at the two sites.

A copy of the certified amendment documents is included in **Attachment 1**.



Figure 1: Aerial image of the site at 60 Creek Road, New Town indicating the proposed extent of 'Places or precincts of archaeological potential' overlay



Figure 2: Aerial image of the sites at 36 and 26 Cadbury Road, Claremont indicating the new extent of 'Places or precincts of archaeological potential' overlay

Public exhibition of the draft amendment

Section 40G(2) of the *Land Use Planning and Approvals Act 1993* (LUPAA) requires two exhibition notices to be published in the Mercury newspaper once before, and once within 14 days after the first day of the exhibition period. The draft amendment was publicly advertised from 25 May 2023 – 22 June 2023 as per the requirements of LUPAA.

All affected landowners, occupiers and adjoining landowners and occupiers were notified via a letter that was sent prior to the exhibition period. Documentation and information on the draft amendment was available on the Glenorchy City Council's website and a hard copy was available for view at Council offices.

Site notices – non-statutory

In addition to the statutory requirements, several site notices were put up at the public boundaries of the affected sites. Note, putting up site notices is not a statutory requirement as prescribed by LUPAA for the notification of a planning scheme amendment.

Clause 3.1 of the Tasmanian Planning Scheme – Glenorchy (the Scheme) defines adjoining as “next to or having a common boundary with”. Due to the positioning of the sites at 26 and 36 Cadbury Road, Claremont, the only *adjoining* property to these sites is the site at 100 Cadbury Road, Claremont. Therefore, non-statutory site notices were erected to alert the local community of the proposed amendment. To enable consistency, site notices were also erected at the public boundaries of 60 Creek Road, New Town, additional to a notification letter that was sent to all affected and adjoining landowners and occupiers.

S40FA LUPAA notification

Section 40FA of LUPAA requires notification of relevant State agencies and/ or authorities that may have an interest in the draft amendment. Due to an internal error with notification TasWater, TasGas and the Tasmanian Heritage Council were not notified until 22 June 2023. Given the nature and scope of the amendment relating to Archaeological Potential at the subject sites, these agencies were asked to confirm they received the notification. The three agencies responded on 27 June 2023 that the draft amendment would have no adverse impacts on their respective operations and indicated no objection to the proposed amendment.

As TasWater provided a formal response under the legislative requirements of *Section 56S(2) of the Water and Sewerage Industry Act 2008 (TAS)*, this response has been considered as a representation. The requirement to consider a TasWater response as a representation is outlined in the Tasmanian Planning Commission Practice Note -12 LPS Amendments, November 2021.

The informal responses from TasGas and the Tasmanian Heritage Council were not submitted as representations, rather as email advice to the late notification to inform they have reviewed the planning scheme amendment and support the proposal. Therefore, the responses from TasGas and the Tasmanian Heritage Council have not been considered as formal representations.

#### Representations received

Two representations (2) were received – one during the public exhibition period, and one formal notice of no objection from TasWater received outside the public exhibition period.

### **STATUTORY REQUIREMENTS**

Section 40K(2) of the *Land Use Planning and Approvals Act 1993* (LUPAA) requires a planning authority to provide a report to the Tasmanian Planning Commission (the Commission), comprising:

- (a) *a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
- (b) *a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and*
- (c) *a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –*
  - (i) *whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and*
  - (ii) *the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and*
- (d) *a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and*
- (e) *any recommendations in relation to the draft amendment that the planning authority thinks fit.*

An opinion regarding the merit of each representation, a statement regarding whether the draft amendment meets the LPS criteria and recommendations relating to the draft amendment are provided in this report. A copy of the representations received is to be provided to the Commission, along with this report.

## DISCUSSION ON THE MERITS OF THE REPRESENTATIONS

One representation was received during the public notification period, and the late representation from TasWater indicated no objection to the amendment. The representation received during the public exhibition period raised a number of general concerns, mostly relating to matters outside the scope of the proposed planning scheme amendment.

The issues raised in the representation are summarised below with officer comment on: the merits of each issue, if there is a need for modification of the proposal, and the potential impacts on the amendment and the Local Provisions Schedule (LPS) as a whole, if a modification were made.

- **Ground 1: Objection against the proposed amendment, and questions raised regarding Council Officers' competency on archaeological knowledge**

The representor mentioned that they are formally against the proposal, but provided no reasons as to why. A statement in the representation also mentioned that Council Officers would not have the knowledge regarding archaeological or any other value/significance.

The intent of the amendment is to recognise and add place/s of archaeological potential to the Glenorchy Local Provisions Schedule. The documentation underpinning the proposed amendment with respect to 60 Creek Road, New Town has been professionally prepared with the input of Council's Heritage Officer, an experienced heritage practitioner with tertiary qualifications and expertise in the field of archaeology, and contains a detailed, comprehensive, Statement of Archaeological Potential prepared by an independent heritage consultant, also a qualified and experienced archaeologist.

No evidence disputing the archaeological potential of the site or demonstrating there is no justification for the Statement of Archaeological Potential has been provided.

It is considered that the representation does not have adequate merit to warrant modification to the draft amendment.

- **Ground 2: Notification - site notices and wording of the notice**

Concerns were raised regarding the location of the site notices at the public boundary (road frontage) of 60 Creek Road, New Town which was described as a "little, unobtrusive sign". The representor wrote, "...hiding the signage regarding No 60 Creek Road so that no one notices what you are surreptitiously trying to do." The representor also mentioned the wording on the site notice which read as, "if you wish to have your say either for or against the proposal....", is quite threatening.

Site notices are not a statutory requirement under LUPAA for a proposed planning scheme amendment. However, two site notices were put up at 60 Creek Road, New Town - one along the road frontage on Creek Road and one along the western boundary that is adjoined by Council's Gerard Street Reserve. The site notices were put up as an additional measure to notify the local community of the proposed amendment. These non-statutory site notices are the same size as the notices that are put up by Council's Planning Department when there are statutory obligations to place site notices for discretionary planning applications. These are A4 sheets in a plastic sleeve attached to a wooden stake / the fence / gate on public boundary.

It is regrettable that the representor felt threatened by the wording of the notice. The notice contains critical details provided to the public about the proposal and how to make a representation. This information is in bold, so it stands out in the notice.

It is considered that the legislative requirements for notice of the amendment have been met.

It is considered that the representation does not have adequate merit to warrant modification to the draft amendment.

- **Other matters not relevant to the draft amendment**

The representor raised several other concerns relating to:

- Shoring works for the Newtown Rivulet;
- Adding more trees to the Protected Trees List (Significant Tree Register);
- Traffic on the corner of Gerrard and Creek Road;
- Bridge being slippery and footpaths being dirt tracks;
- Replacement of trees that have fallen down;
- Revegetation Programme at the New Town Rivulet by the Glenorchy City Council; and
- being against any proposed development or amendments in Moonah by the Glenorchy City Council unless they are to house the homeless.

The proposal is to amend the Glenorchy Local Provisions Schedule to add and amend entries under the GLE-Table C6.4 Places or Precincts of Archaeological Potential. The issues raised by the representor are not relevant to the proposed amendment and cannot be addressed in this report. It is noted that these matters have been referred to the appropriate Council departments.

It is considered that the representation does not have adequate merit to warrant modification to the draft amendment.



## CONCLUSION

There were two representations received against the draft amendment, including one notice of no objection from TasWater. It is considered that the matters raised in the representation do not have adequate merit to support any modifications to the amendment.

The amendment is considered to meet the LPS criteria as required under Section 34 of LUPAA and it is recommended that the amendment be submitted to the Tasmanian Planning Commission in the form in which it was publicly notified, without change.

## THE PROCESS FROM HERE

The representations, this report and attachments will be forwarded to the Commission. The Commission may hold a public hearing prior to making a determination on the amendment.

### Recommendation:

That the Glenorchy Planning Authority, after considering the merits of the representations, and being satisfied that no changes to the amendment are required:

1. *PROVIDE the representations, and this GPA Report on PLAM-23/01 on land at 60 Creek Road, New Town, 26 & 36 Cadbury Road, Claremont to the Tasmanian Planning Commission under S40K of the Land Use Planning and Approvals Act 1993.*

### Attachments/Annexures

- 1 Certified and Exhibited Amendment Documents



**7. PLANNING SCHEME AMENDMENT REQUEST - TO AMEND THE PROVISIONS OF GLE-P2.0 PARTICULAR PURPOSE ZONE - TECHNOPARK – PROPERTIES IN INNOVATION DRIVE AND LONGREACH AVENUE, DOWSING POINT**

Author: Senior Strategic Planner (Lyndal Byrne)

Qualified Person: Senior Strategic Planner (Lyndal Byrne)

Property ID: 3248429

### **REPORT SUMMARY**

<b>Application No.:</b>	<b>PLAM – 22/08</b>
<b>Applicant:</b>	<b>JMG Engineers &amp; Planners on behalf of Department of State Growth</b>
<b>Owners:</b>	<b>Tasmania Development &amp; Resources (State Growth) Glenorchy City Council The Herald and Weekly Times Pty Ltd S L Sainsbury and L E Ryan Youngco Nominees Pty Ltd Fidelity Investment Pty Ltd Tasmanian Networks Pty Ltd</b>
<b>Existing Zoning:</b>	<b>Particular Purpose Zone – Technopark</b>
<b>Existing Land Use:</b>	<b>Various uses across the site including call centres, factory/workshops and offices</b>
<b>Proposal in Brief:</b>	<b>To amend the Particular Purpose Zone to allow a greater diversity of uses</b>
<b>Representations:</b>	<b>Advertising occurs after the 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 the *Land Use Planning and Approvals Act 1993* (LUPAA), and it is recommended that it be prepared.

The amendment will provide opportunities to reinvigorate the site for business park use and supporting activities. The amendment also updates the existing control to provide clear definitions for Technopark activities, include additional provisions to address on and off-site impacts of discretionary uses, increase building height and reflect the writing style of the Tasmanian Planning Scheme.

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

- Increasing the range of complementary activities on site will support the growth and development of the area as a business park.
- Revising the provisions may reinvigorate the business park and create increased interest in the site for innovative and technologically advanced business opportunities and growth.
- Improving definitions and achieving a consistent written style to the rest of the planning scheme will reduce potential for misinterpretation of the provisions.

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

- The introduction of new uses has the potential to impact the operational requirements of the permitted business park activities which could impact on its economic viability. However, the amendment also introduces new standards to manage onsite and offsite amenity impacts which are considered to reduce the likelihood of this occurring.

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 any representations received are considered.
- The Tasmanian Planning Commission (the Commission) will decide whether to approve the amendment, approve the amendment with modifications or reject the amendment.

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

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

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, considering the issues raised in any representations and the outcomes of any hearings it may hold.

### PROPOSED PLANNING SCHEME AMENDMENT

The amendment seeks to amend the existing GLE-P2.0 Particular Purpose Zone – Technopark (PPZ – Technopark), which applies to the area in Figure 1 below.

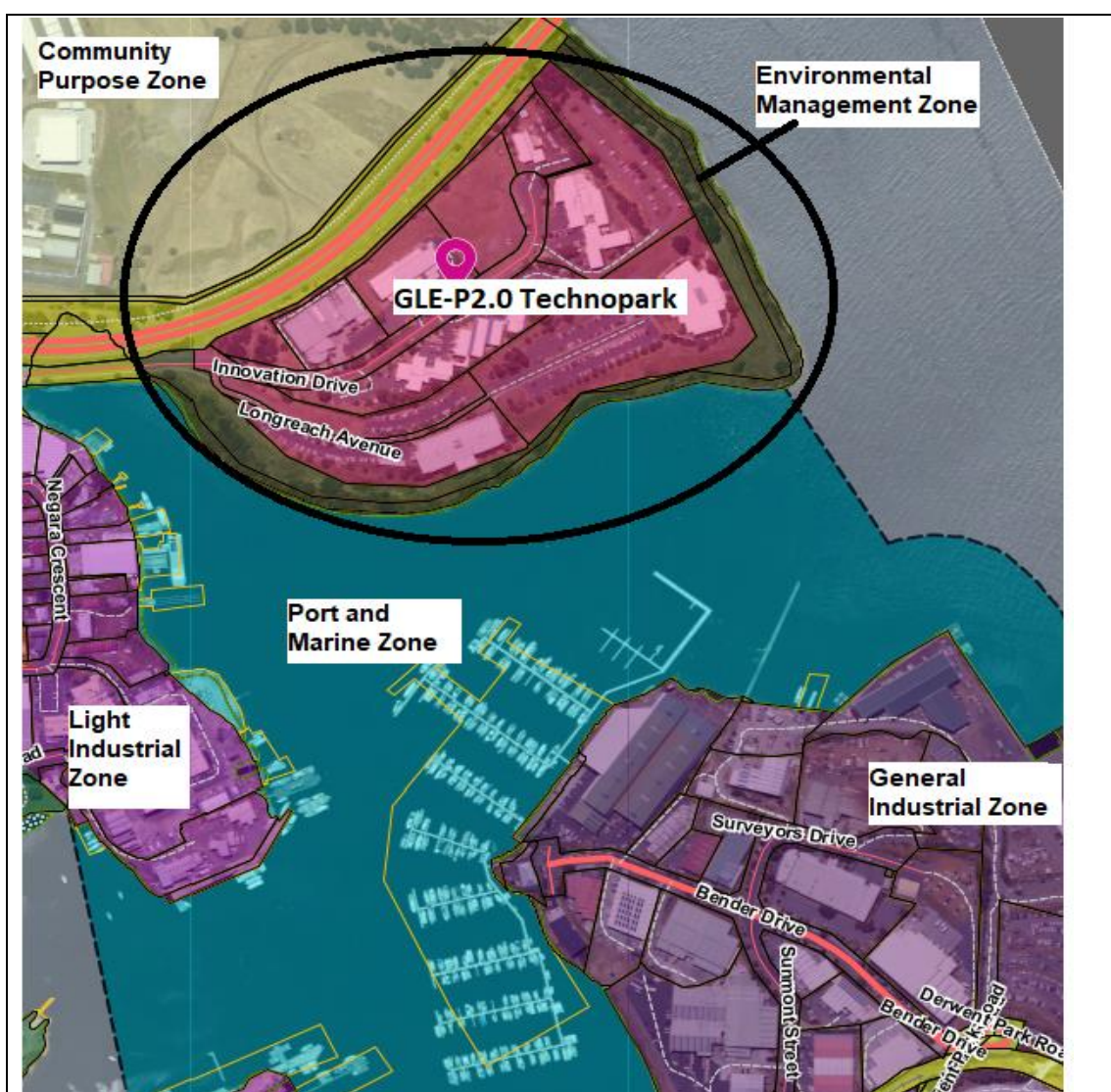


Figure 1 – the area of the PPZ – Technopark site, shown in the context of the zoning and the wider Prince of Wales Bay area.

The draft amendment seeks to modify the existing PPZ – Technopark to:

- Revise the purpose statements to clarify the role of the business park area.
- Include definitions to assist interpretation, particularly around the meaning of ‘advanced’ processes.
- Introduce new discretionary uses of:
  - child care (Educational and Occasional Care), if for local business and workers
  - Resource Processing if for advanced processes; and
  - Service Industry if directly supporting Technopark industries.
- Replace the *Noise and Dust, smell, fumes and other emissions* use standards with a Discretionary use standard to ensure Discretionary uses support the operation of the business park.
- Increase the acceptable solution for height from 8m to 12m.
- Revise various provisions to align with the writing style of the Tasmanian Planning Scheme.

The draft amendment documents are included in **Attachment 1** – Amendment Documents. The track changes show the recommended modifications to the current control.

## SITE AND LOCALITY

### *Site characteristics*

The site consists of 14 titles totalling about 11.5 hectares in area, located at the entrance to Prince of Wales Bay. Table 1, below, shows the sites, land use, title reference and owner details.

The site has been developed with a number of buildings and associated carparking areas and is well landscaped. The site has a single access point from the part of the Innovation Drive Road Reserve outside of the Technopark site via secure access gates, noting that Innovation Drive is a Council Road.

Table 1 – site, land use, title and owner details

Site	Land Use	Title Reference	Owner
30-38 Innovation Drive	Scientific & Technological Industry PLN-05-03543	PID: 1899265 CT: 131449/3	Tasmania Development & Resources State Growth – Economic Development)
29 Innovation Drive	Scientific & Technological Industry (Printers)	PID: 2586607 CT: 142759/4	Tasmania Development & Resources State Growth – Economic Development)

31 Innovation Drive	Printing Press (Scientific & Technological Industry)	PID: 2586594 CT: 142759/3	The Herald and Weekly Times Pty Ltd
33 Innovation Drive	Scientific & Technological Industry (Printers)	PID: 2586586 CT: 142759/2	Tasmania Development & Resources State Growth – Economic Development)
35 Innovation Drive	Construction of Engineering Technology (Research and Development)	PID: 2586578 CT: 142759/1	Tasmania Development & Resources State Growth – Economic Development)
40-44 Innovation Drive	Science & Technology Industry (Data Centre / Call Centre)	PID: 1899249 CT: 144400/1	Tasmania Development & Resources State Growth – Economic Development)
52-54 Innovation Drive	High Technology (Manufacturing and Processing)	PID: 7429598 CT: 32472/1	S L Sainsbury and L E Ryan
5 Longreach Avenue	Call Centre	PID: 1964303 CT: 133696/1	Youngco Nominees Pty Ltd
1-3 Longreach Avenue	Science and Technological Industry (call centre)	PID: 2972997 CT: 133696/2	Fidelity Investment Pty Ltd
1-3 Longreach Avenue	Science and Technological Industry (call centre)	PID: 2972997 CT: 133696/3	Fidelity Investment Pty Ltd
33A Longreach Avenue	Substation (Utilities)	PID; 1894253 CT: 50589/1	Tasmanian Networks Pty Ltd
Footway	Footway	CT: 32472/6	Glenorchy City Council
Innovation Drive Road Reserve	Innovation Drive Road Reserve	CT: 32472/5	Glenorchy City Council
Innovation Drive Road Reserve	Innovation Drive Road Reserve	CT: 129313/1	Glenorchy City Council

The site is subject to C12.0 Flood-Prone Areas Hazard Code (see Figure 2) and a very small portion of 5 Longreach Avenue is included in a Medium Active Hazard Band under C15.0 Landslip Hazard Code (see Figure 3). The mapped polygon of the priority vegetation overlay applies to a small portion of 5 Longreach Avenue (see Figure 4).

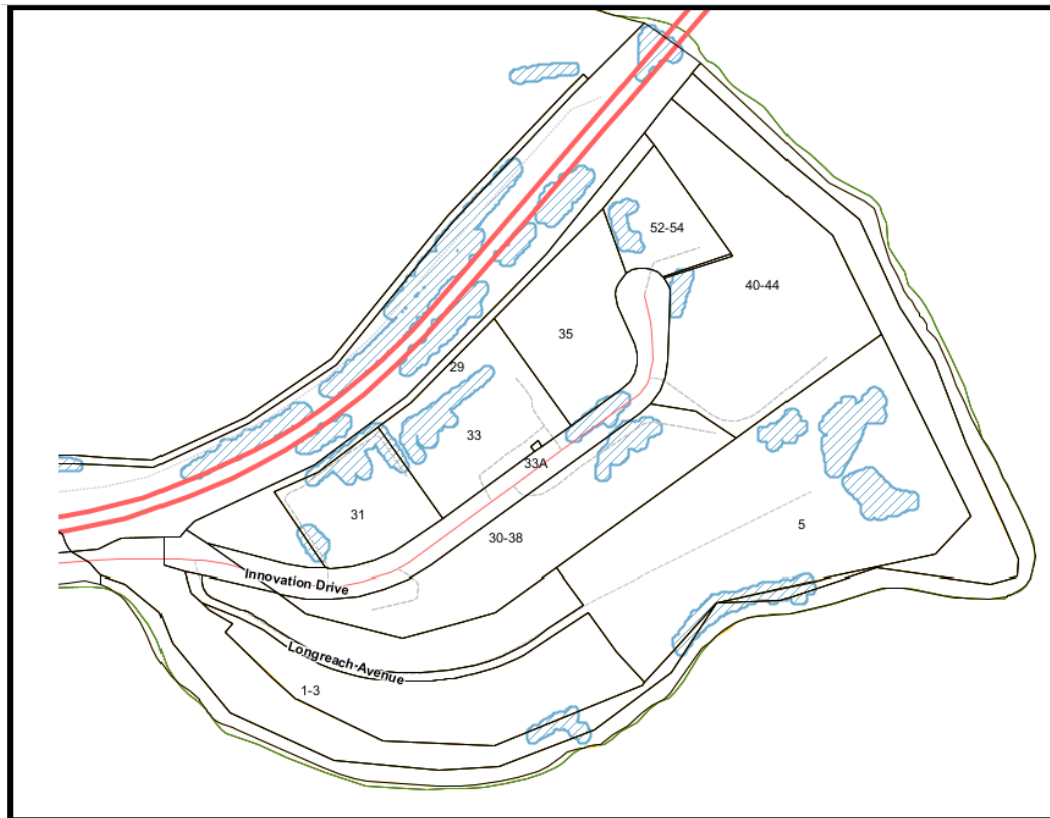


Figure 2 – Flood-prone hazard areas hatched

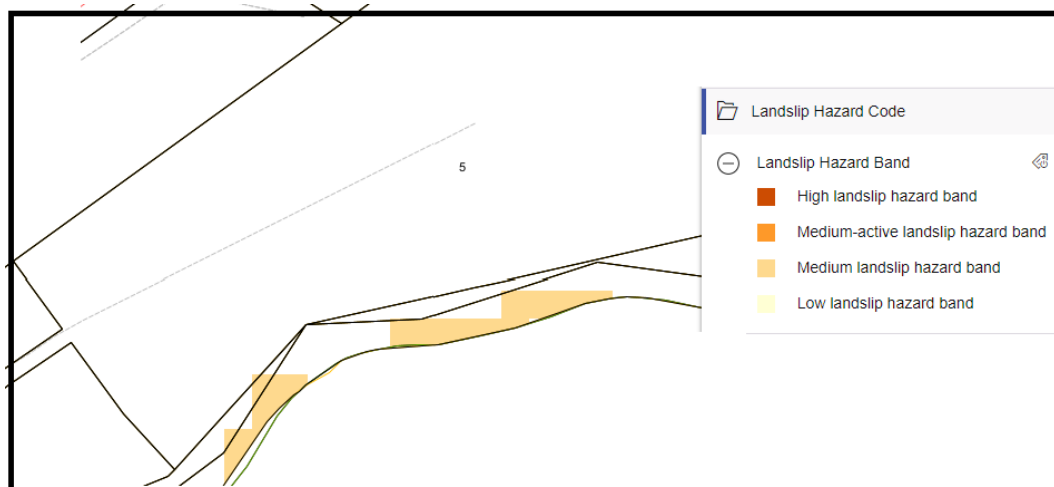


Figure 3 – Area of 5 Longreach Avenue within a Medium landslip hazard band

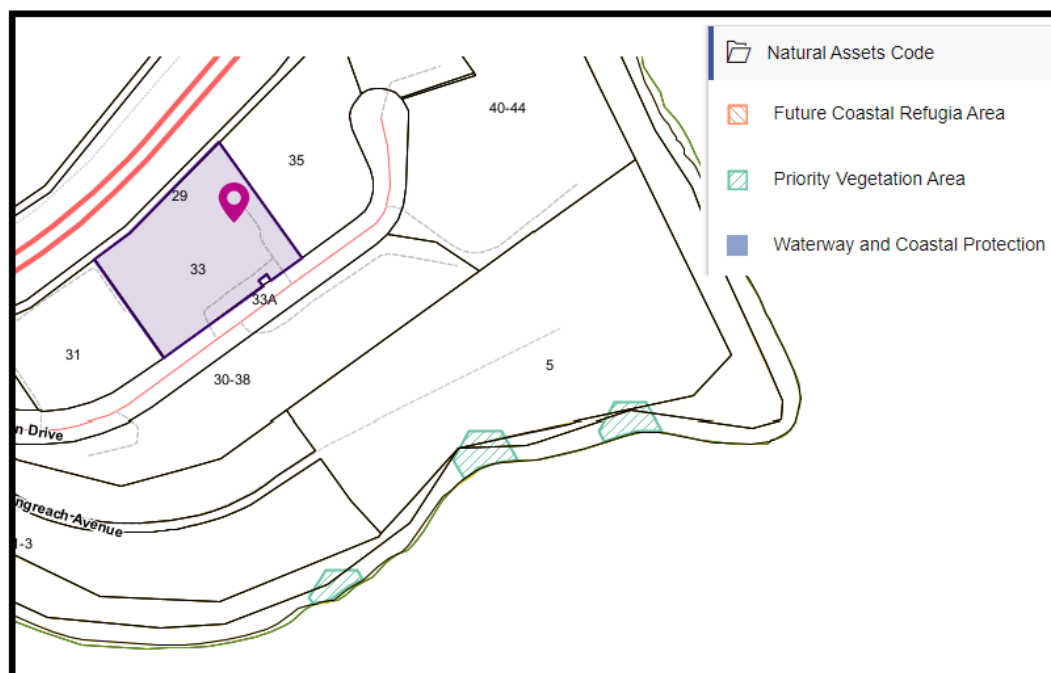


Figure 4 – Portions of 5 Longreach Avenue affected by the Priority Vegetation Overlay

#### *Adjoining land*

The site sits near the edge of the municipality, with the Derwent River (and Bowen Bridge) to the north-east and the Commonwealth Army Barracks to the north-west. The Prince of Wales Bay (water) is to the south and southwest of the site separated by a strip of council reserve land. The broader surrounding area is a mix of industrial uses (including warehousing) and marine activities with residential uses further to the southwest. The area is approximately 2.2km northeast of the Glenorchy Principal Activity Centre and 2.4km north of the Moonah Major Activity Centre.

With respect to the zoning, Figure 1 shows that the site abuts the Utilities Zone (Goodwood Road) to the northwest and a strip of land in an Environmental Management Zone to the northeast, south and west, owned by Council. The wider area includes General and Light Industrial zoned land with the Port and Marine Zone over the bay.

#### *Infrastructure*

The site is in an area fully serviced by Tas Water for reticulated water and sewerage. The site is also within the Urban Growth Boundary.

#### *Environmental values*

The site has been developed for urban purposes and, noting the mapping polygon for priority vegetation does include part of the site, no priority vegetation or environmental values are present on the land.

#### *Social and Economic Values*

The site is considered to have significant economic values noting that it forms part of the Prince of Wales Bay marine industry precinct, which is identified in the *Southern*



*Tasmania Regional Land Use Strategy 2010 – 2035 (STRLUS)* as having strategic economic potential.

On their website, the Department of State Growth note that the Technopark site *develops, supports and markets viable, sustainable and internationally competitive technology and innovation-based industry in Tasmania*, and that its purpose is to encourage growth in this sector. The site currently accommodates about 20 companies employing more than 500 people.

## **BACKGROUND**

### *Owner's consent*

The proposed amendment applies to all of the land within PPZ – Technopark. At the time of lodging the request on 27 October 2022, the Department of State Growth (DSG) were unable to gain owner's consent from the land owners at 31 Innovation Drive. DSG provided a letter to Council indicating they had tried to contact the owners, then Davis Brothers Pty Ltd, on 3 occasions (27 June, 15 August and 2 September 2022), but to no avail. Once the additional information was lodged, in May 2023, a review of the title information for 31 Innovation Drive revealed that the Herald and Weekly Times Pty Ltd became the new registered land owners on 2 September 2022. The applicant has been asked to contact the new owners however they have not provided an update in the time frame for preparing this report.

It is open to the Planning Authority under Section 40D(b) of the *Land Use Planning and Approvals Act 1993* (LUPAA), to prepare an amendment 'of its own motion'. Decisions under this section of LUPAA are generally made when council planning officers are proposing a planning scheme amendment, so owner's consent is not required.

At the time of lodging, based on the efforts undertaken by DSG to contact the land owners (at that time) and seek their consent to the amendment, council officers determined to progress the amendment with the aim of recommending that the GPA consider if it is appropriate to include the land at 31 Innovation Drive as part of the amendment under S.40D (b).

It should be noted that all property owners (and the applicant) still have the ability to make a representation on the planning scheme amendment should it be prepared and publicly exhibited. Council officers consider it appropriate to put to the GPA the recommendation that the amendment be prepared of the planning authority's own motion with respect to 31 Innovation Drive, Dowsing Point.

### *Prince of Wales Bay Marine and Innovation Master Plan, October 2021*

The Prince of Wales Bay Marine and Innovation Master Plan (the POWB Master Plan) was endorsed by Council at its meeting of 25 October 2021 and includes the PPZ – Technopark area. The Masterplan vision is:

*The Prince of Wales Bay Precinct is a collaborative and competitive hub of maritime industries in southern Tasmania which attracts diverse and complementary businesses. It functions as a one-stop destination for all maritime related activity.*

## ASSESSMENT / STRATEGIC OUTCOMES

### Assessment of proposed controls

The draft amendment included in **Attachment 1** is a combination of the applicant's requested changes and further changes recommended by council officers.

#### *Council officer recommended changes*

The applicant's request proposed changes to the existing PPZ Technopark control (these changes are shown in **Attachment 2**).

Council officers are generally supportive of the proposed changes but recommend some further changes to improve clarity and workability of the provisions. These changes are included in **Attachment 3**, with the officer changes shown as track changes to the PPZ -Technopark as submitted by the applicant.

The Council officer recommended changes are:

- Redrafting of the zone purpose statements to remove repetition.
- Deletion of the proposed Local Area Objectives, as these new controls had no work to do in assessment and were essentially replicated in the discretionary standard GLE-P2.5.1 P1 and P2.
- Inclusion of new definitions for 'advanced business model', 'advanced manufacturing' and 'advanced process' to enable consistent interpretation of the uses.
- Changes to the qualifications in the use table to include the new definitions.
- Inclusion of A2 and P2 to GLE-P2.5.1 Discretionary uses to address onsite and off-site amenity impacts, replicating the intent of the former standards on *Noise* and *Dust, smell, fumes and other emissions*.
- Rewording standards to align with the writing style required for new planning scheme provisions.

The applicant was provided with a copy of these changes and indicated general support.

It is noted that the applicant retains a right to make a representation on the amendment, and any of the proposed changes made by Council officers, during the public exhibition period (if the amendment is prepared).

#### *Merits of the draft amendment*

This section provides a discussion on the merits of the draft control (which incorporates council officer changes).

- Revise the purpose statements to clarify the role of the business park.  
These changes clarify the role of the business park and delete purpose statements which are duplicated or more appropriately addressed in the relevant standards (such as design outcomes).
- Include definitions to assist interpretation, particularly around the meaning of 'advanced processes' and 'advanced manufacturing'.



Historically, the terms used in the PPZ Technopark have been considered cumbersome and open to interpretation. Clear definitions enable the applicant, council officers, and the community to understand the intent and expected outcomes of the controls.

- Introduce new discretionary uses of:
  - Educational and Occasional Care (child care), if for local business and workers
  - Resource Processing if for advanced processes; and
  - Service Industry if directly supporting technopark industries.

The applicant has indicated that these additional uses will assist in enabling *‘the development of a hub of investment and growth in a ‘business park’ environment that will help support the area to grow into a thriving hub of economic activity, to maintain its competitive positioning, and to leverage growth in the maritime, innovation, and other key sectors.’*

It is considered that the qualifications to support local business for the childcare centre and Service Industry uses will ensure the business park focus is maintained. The introduction of Resource Processing, with clear definitions around ‘advanced processes’ and the new Discretionary use standard, will ensure that the site retains its focus as a business park but enables a broader range of activities to support this function.

- Replace the *Noise and Dust, smell, fumes and other emissions* use standards with a *Discretionary use* standard to ensure discretionary uses support the operation of the business park and ensure those new uses do not have a negative impact on the operation of other permissible uses.

The removal of the two existing standards replicates the approach under the Tasmanian Planning Schemes to consider these aspects of development under the *Environment Management and Pollution Control Act 1994*. However, given the amendment will allow for a sensitive use (childcare), it is considered that some level of protection for this use is required. It is considered that the new standard will provide protection for new sensitive uses, but also ensure that sensitive uses must be designed to ‘self-protect’ themselves from other uses that may cause emissions and ensure there is not a detrimental or ‘reverse-amenity’ impact on the operation of other uses on the site.

The standard also ensures that the proposed new uses (Resource Processing and Service Industry) do not undermine the role of the site as a business park, by requiring a discretionary use to either support local business and workers or by promoting collaboration, innovation, and competitiveness within the business park.

- Increase the acceptable solution for height from 8m to 12m.

The increased building height in the zone reflects the site’s isolation from other sensitive zones and adopts the relative height limits of other zones such as the Commercial Zone which is also 12m. The amendment also removes the

maximum height limit included under P1 of the current standard which is inconsistent with the qualitative operation of Performance Criteria.

- Revise various provisions to align with the writing style of the Tasmanian Planning Scheme.

It is noted that the introduction of the Glenorchy Local Provisions Schedule allowed a direct translation of existing local provisions, such as the subject PPZ Technopark. However, as an amendment is now being sought, the drafting style of the provision must align with that of the Tasmanian Planning Scheme. This has required some additional style and grammar changes to various standards.

It is considered that the modifications to the PPZ Technopark planning scheme control, subject to the changes recommended by Council officers, are appropriate for consideration through the planning scheme amendment process.

### **Local Strategy, Policy and Impacts**

#### *Strategy and Policy*

The Department of State Growth – Tasmania Development and Resources (DSG) is the main landholder within the PPZ Technopark area and promotes the site as a business park.

The site's location and secure perimeter enable a higher level of security well suited to technology, innovation, research and development, advanced manufacturing, science and communications uses. The PPZ Technopark's location within Prince of Wales Bay presents the opportunity to support any advanced manufacturing process associated with marine industries and also means there are limited impacts on surrounding land.

The PPZ Technopark planning scheme control seeks to support, market and enable the development of sustainable and internationally competitive technology and innovation-based industry in Tasmania. Further, DSG seek to foster a culture of innovation and to help tenants to commercialise innovative products, processes and services to enable the growth of this industry.

DSG have indicated that expanding the use classes and refining the provisions of the PPZ Technopark planning controls would reinvigorate the business park and provide increased opportunities for growth and development, enabling it to maintain its competitive positioning in these key sectors.

A revision of the planning controls to achieve these goals is supported noting the economic value of the business park at both a State and local level. Promoting economic growth in the PPZ Technopark area also aligns with local strategy, specifically:

- The POWB Master Plan, which extends over the PPZ Technopark area and includes the following key strategic objective:

*2.3 Work with State Growth to position Technopark as a destination for R&D for advanced manufacturing and maritime industries.*

- The *Glenorchy Strategic Plan 2023-2032*, which seeks to encourage investment and create job opportunities to help our City prosper as part of the Open for Business strategy.

#### *Infrastructure Impacts*

The site is fully serviced and located inside the Urban Growth Boundary. Any new development opportunities that the amendment will facilitate will need to be assessed to consider impacts on infrastructure. However, as the planning provisions currently allow for a range of uses on the land, including Manufacturing and Processing, the additional uses of Resource Processing and Service Industry are unlikely to create broader demand on infrastructure than these uses.

#### *Environmental and Amenity Impacts*

The PPZ Technopark is about 250m from land within a residential zone, which will assist in minimising any negative impacts from proposed new uses on residential amenity. The C9.0 Attenuation Code will apply to any activities that are identified as having potential impacts on residential uses within the attenuation area.

The revised controls, subject to officer recommended changes, include provisions to assess and manage emissions and amenity impacts caused by new discretionary uses (such noise impacts from childcare activities and service industries) on other uses within the site, as well as requiring new sensitive uses to mitigating the impacts from noise and other emissions, to ensure they do not adversely impact on the operations of these existing uses.

Assessment outside of the planning system for stormwater management under the *Urban Drainage Act 2013*, will address issues relevant to water quality given the proximity of the Derwent River.

#### *Contaminated land*

The amendment would allow childcare (a sensitive use) to be considered as a discretionary use on the site. However, the land at 33 Innovation Drive has been used for 'printing' which is listed in Table C14.1 Potentially Contaminating Activities (both Print Applied Technology and Print Mail Logistics).

If the use of *Educational and Occasional Care* (childcare centre) is proposed on 33 Innovation Drive, C14.0 Potentially Contaminated Land Code and its application under C14.2.1 would be triggered. As the majority of sites within the subject area have not included any potentially contaminating activity, and that the sensitive use cannot achieve a 'no permit required' pathway, it is considered that as the use may be suitable for other sites (or potentially the subject site if it meets the Code standards) and should be afforded consideration within the Technopark site. It is considered that the application of C14.0 Potentially Contaminated Land Code will ensure that the amendment is consistent with the National Environment Protection Measures (NEPMs) on site contamination.

*Social and economic impacts*

The amendment facilitates the broadening of uses within the business park which DSG consider will improve the economic function of the site.

The clarification of various provisions, including through the introduction of definitions, within the control, improves consistency in decision making which benefits the owners and occupiers of the land, Council and the community.

**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.

The amendment promotes, and is consistent with, the following key regional policies:

- SEO 1 Support and protect strategic economic opportunities for Southern Tasmania.
- SEO 1.1 Protect the Prince of Wales of Bay Marine Industry precinct from use and development which would compromise its strategic economic potential.

The proposed amendment seeks to strengthen the technology, innovation, research and development, advanced manufacturing, science and communications activities within the area to support the development of a regional economic hub in Southern Tasmania for maritime and innovation industries.

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

**State Strategy and Policy**

To be approved, the amendment must be consistent with State policy.

The amendment is subject to the *State Coastal Policy 1996*, as the subject land is within 1km of the high-water mark. The site is already zoned PPZ - Technopark and is within an established urban area. The land is also already cleared and heavily altered by previous human activity. The land is adjacent to an Environmental Management Zone which separates the site from the Derwent River and any potential coastal hazards, such as coastal inundation.

The amendment will not alter the application of the Natural Assets Code (Waterway and Coastal Protection Overlay) or the Coastal Inundation Hazard Overlay.

Facilitating the use and development of the land as proposed in the amendment is not expected to have a detrimental impact on the natural and aesthetic qualities of the coastal environment.

As discussed above, C14.0 Potentially Contaminated Land Code will enable any potentially contaminated land impacts to be addressed should the land at 33 Innovation Drive be used for a sensitive use (or developed for any other use, if not exempt from the Code). Further, the draft controls require the mitigation of off-site impacts to sensitive uses which is consistent with the objectives of the NEPMs, which are automatically adopted as State Policies under section 12A of the *State Policies and Projects Act 1993* and are administered by the Environment Protection Authority.

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

### **Statutory considerations**

Section 32 of LUPAA provides for the contents of a Local Provisions Schedule (LPS), and Section 34 outlines the LPS Criteria.

The amendment seeks to update an existing PPZ which is a planning tool available under the State Planning Provisions and has been applied consistently with the requirements under *Section 8A Guideline No 1 – Local Provisions Schedule (LPS): zone and code application*.

However, as a PPZ is being used, it must meet the additional requirements under S32(4) which requires that a LPS may only include these 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 noted that the POWB Master Plan acknowledges that '*the POWB precinct is a functioning marina as well as an established defence, **technology, innovation, shipping, commercial, industrial as well as residential precinct***' (p.6). Further, the DSG identify the Technopark as a key business incubator that develops, supports and markets viable, sustainable and internationally competitive technology and innovation-based industry in Tasmania, as well as accommodating about 20 companies employing more than 500 people.

As the use and development facilitated by the PPZ plays a significant economic role at a State, regional and local level, it is considered the application of the provision satisfies the requirements of Section 32(4)(a).

The amendment is considered to meet the remaining elements of Section 34 and is consistent with the LPS criteria.

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

**31 Innovation Drive and owner's consent**

The owners of 31 Innovation Drive have not provided consent to the amendment, which is required under S37 of LUPAA. It is noted that ownership of the land was changing at the time of lodging the amendment request. The DSG has tried to contact the current land owner and seek their consent, but no update was available prior to finalising this report.

It is open to the Planning Authority under Section 40D(b) of LUPAA, to prepare an amendment 'of its own motion' if it considers the amendment has merit.

The proposed control will facilitate a broader range of uses on the land, it will not remove the ability to operate and/or expand current uses. The proposed controls also include new definitions to improve clarity and redraft the controls so they are consistent with the style of the State Planning Provisions - generally maintaining the intent of the current control.

Leaving the subject land out of the amendment would leave a 'gap' in the control and is not considered orderly planning. If the site is not included in the amendment, it is likely that the Commission would reject the amendment.

It is noted that the current landowner (and all landowners) will be notified of the draft amendment and have the opportunity to make a representation.

Given the amendment is considered to provide more opportunities on the site, it is considered reasonable for the GPA to include the property at 31 Innovation Drive, Dowsing Point in the amendment under S40D(b).

**CONCLUSIONS ON THE AMENDMENT**

The amendment seeks to update the existing PPZ – Technopark control to support the operation of a key State business park. The modifications to the controls will improve the viability of the site and ensure that the range of uses allowed onsite can work well together and mitigate any negative amenity impacts. The amendment also improves the clarity and readability of the controls and reduces opportunities for misinterpretation of the controls.

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:**

- 1 That pursuant to Section 40D (a)(i), and for 31 Innovation Drive pursuant to Section 40D (b), of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to prepare Amendment PLAM-22/08 to the Glenorchy Local Provisions Schedule to amend the provisions of GLE-P2.0 Particular Purpose Zone – Technopark as shown in **Attachment 1**.
- 2 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*.
- 3 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 Applicants requested amendment



- 3 Officer recommended changes to applicants request



## **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 amendment seeks to modify the existing GLE-P2.0 Particular Purpose Zone – Technopark (PPZ P2.0 – Technopark). There are no changes to associated maps, overlays or lists associated with the amendment.

***(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 or override the SPPs.

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.*

The amendment seeks to modify the existing GLE-P2.0 PPZ– Technopark. The applicant has argued that the area of land occupied by the Technopark has particular economic and spatial qualities that require provisions that respond to the unique location and mix of uses of the site. The applicant noted that the *Prince of Wales Bay Marine and Innovation Master Plan* (the POWB Master Plan), adopted by Council in October 2021 applies to the subject land. The purpose of the POWB Masterplan is to ‘grow the POWB marine precinct into a thriving hub of economic activity, while maintaining its competitive positioning as the Southern Tasmanian base for maritime industry into the future’ (p.7). It is also indicated in the POWB Masterplan that ‘the POWB precinct is a functioning marina as well as an established defence, technology, innovation, shipping, commercial, industrial as well as residential precinct. Going forward, it will be



*critical that the precinct positions itself to leverage growth in the maritime sector from both an existing user, as well as from a new business generation perspective” (p.6).*

The applicant considers that, as a key part of the land area covered by the POWB Masterplan, the Technopark area demonstrates particular economic and spatial qualities that contribute to this regionally significant base for marine industries and innovation in Southern Tasmania, by providing unique innovation, technology, research and development, and advanced manufacturing opportunities that *‘will form a critical component for the precinct going forward’* (p.47 of the POWB Masterplan). Further, the applicant considers that the proposed amendment will enable the development of a hub of investment and growth in a ‘business park’ environment that will help support the area to grow into a thriving hub of economic activity, to maintain its competitive positioning, and to leverage growth in the maritime, innovation, and other key sectors.

The Technopark site is identified on the DSG website as a key business incubator that develops, supports and markets viable, sustainable and internationally competitive technology and innovation-based industry in Tasmania, as well as accommodating about 20 companies employing more than 500 people.

The site is recognised under the STRLUS SEO 1.1 as a site of strategic economic potential.

Acknowledging the role of the site, as recognised within the POWB Masterplan, the STRLUS and by the DSG, it is considered that the use and development to which the provisions relates is of significant economic value to both the State and the region, and satisfies the requirements of Section 32(4)(a).

***(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 land is cleared, and while it abuts the river, existing controls under the Environmental Management Zone and Natural Assets Code protect natural values.</p> <p>Stormwater and wastewater will be managed as part of any future development application assessment under the requirements of the <i>Water and Sewerage Industry Act 2008</i>.</p>

	The amendment will have minimal impact with regards to ecological processes and genetic diversity and accordingly the amendment is considered to further Objective (a) of Part 1
<b>(b)</b> <i>to provide for the fair, orderly and sustainable use and development of air, land and water</i>	<p>The amendment will provide for the orderly use of land by continuing to allow for a 'business park' facility in a location that:</p> <ul style="list-style-type: none"> <li>• Is located close to existing services and facilities so as to minimise driving and travel</li> <li>• Is serviced with reticulated water supply</li> <li>• Capable of capturing stormwater and wastewater</li> </ul> <p>Any future development will be required to comply with the existing provisions of the Planning Scheme codes applicable to the site and the proposal.</p> <p>Accordingly, the amendment is considered to further Objective (b) of Part 1.</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> <p>Accordingly, the amendment is considered to further Objective (c) of Part 1.</p>
<b>(d)</b> <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	<p>The proposed amendment will allow 'business park' development that utilises the land efficiently and which enables technology, innovation, research and development, advanced manufacturing, science and communications uses that will facilitate economic development.</p> <p>Accordingly, the amendment is considered to further Objective (d) of Part 1.</p>

<p><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></p>	<p>Community, industry and other government agencies will have the opportunity to comment on the amendment controls during the exhibition process.</p> <p>Accordingly, the amendment is considered to further Objective (e) of Part 1</p>
<p>Part 2 Objectives</p>	
<p><b>(a)</b> <i>to require sound strategic planning and co-ordinated action by State and local government</i></p>	<p>The proposal has been considered against the Southern Tasmania Regional Land Use Strategy and found to be consistent with the strategy.</p> <p>Accordingly, the amendment is considered to further Objective (a) of Part 2.</p>
<p><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></p>	<p>The amendment seeks to modify the existing GLE-P2.0 PPZ – Technopark. The modified controls are consistent with the structure and format for the PPZ as outlined in the SPP provisions.</p> <p>Accordingly, the amendment is considered to further Objective (b) of Part 2.</p>
<p><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>	<p>The site comprises previously cleared land. The amendment would enable the continued use of the site for technology, innovation, research and development, advanced manufacturing, science and communications uses and would not result in any change to codes that control natural assets.</p> <p>The use of the subject land as proposed will have clear social benefits by providing additional economic and employment generating uses, that support the needs of community.</p> <p>Accordingly, the amendment is considered to further Objective (c) of Part 2.</p>

<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></p>	<p>The amendment is consistent with State, regional and municipal policy. The proposed amendment does not affect the attainment of this objective.</p> <p>Accordingly, the amendment is considered to further Objective (d) of Part 2.</p>
<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>The amendment is not combined with a planning permit application and seeks to modify existing provisions. The modified standards within PPZ P2.0 Technopark do not remove or change any requirements for assessment under other related approval requirements.</p> <p>In this regard, the amendment is considered to further Objective (e) of Part 2.</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 development of the site will directly provide a pleasant, efficient and safe environment for working in line with the purpose of the zone. The location of the site is close to transport, open space and retail options, adding to the pleasant and efficient nature of the working environment.</p> <p>Accordingly, the amendment is considered to further Objective (f) of Part 2.</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>It is understood that the strip of land between the site and the river may contain potential Aboriginal Heritage. There may also be similar values present on the subject land, noting that the site is already developed. It is also noted that the Tasmanian planning system is not integrated with the <i>Aboriginal Heritage Act 1975</i>. Should the amendment be prepared Aboriginal Heritage Tasmania would be advised of the exhibition under S40FA.</p> <p>There are no other values applicable under this part on the site that would be impacted by the amendment.</p>

	Accordingly, the amendment is considered to further Objective (g) of Part 2.
<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>	The amendment will allow for the increased use of the site for employment generating and economic uses without adversely impacting on public infrastructure, assets, or utilities. Accordingly, the amendment is considered to further Objective (h) of Part 2.
<b>(i)</b> <i>to provide a planning framework which fully considers land capability.</i>	The amendment seeks to modify the existing controls applying to the land and may bring opportunity for the more efficient use of land and redevelopment of some underutilised parcels.  The amendment does not affect the attainment of this objective and can be considered to further Objective (i) of Part 2.

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

Assessment of the amendment against the various 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>	The proposed amendment per se would not result in an increase in sediment transport to surface waters.

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>		
<i>State Coastal Policy 1996.</i>  The key principles are: <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>	The subject site is 15m from the high water mark. As the site is within the coastal zone, an assessment against the three main principles that guide Tasmania’s State Coastal Policy is provided below	
	Principles	Response
	Natural and Cultural values of the coast shall be protected.	The site is already zoned PPZ and within an existing established urban area. The land is also already cleared and heavily altered by previous human activity. The land is adjacent an Environmental Management Zone which separates the site from the Derwent River and any potential coastal hazards, such as coastal inundation.  The amendment will not alter the Natural Assets Code (Waterway and Coastal Protection Overlay) or the Coastal Inundation Hazard Overlay.  Facilitating the use and development of the land as proposed in the amendment is not expected to have a detrimental impact on the natural and aesthetic qualities of the coastal environment.

		In addition, any future development of the sites will require stormwater to be drained to existing public infrastructure and not conflict with the provisions of the <i>Environmental Management and Pollution Act 1994</i> (EPMCA).
	The coast shall be used and developed in a sustainable manner.	As identified above, this portion of the coast is highly urbanised and already developed and used for urban activities. Supporting further uses on the subject land reduces the need to expand the Urban Growth Boundary and potentially impact on areas of the coast which are undeveloped.
	Integrated management and protection of the coastal zone is a shared responsibility.	The proposed modifications to the existing PPZ–Technopark will not have a negative impact on the ability to appropriately manage the coastal zone.
<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> </ul>		<p>The applicant seeks opportunities for a sensitive use on the site (childcare). The applicant's submitted information indicates that a desktop analysis of past uses on the site has indicated there is no known historical or site investigation evidence that the site is contaminated (or potentially contaminated), and that contamination by the current uses is also unlikely.</p> <p>However, the list of historical uses provided by the applicant includes the activity of 'printing' which is listed in Table C14.1 Potentially Contaminating Activities, which is known to have occurred at 33 Innovation Drive (both Print Applied Technology and Print Mail Logistics).</p> <p>Should a use of <i>Educational and Occasional Care</i> (childcare centre) be proposed on 33 Innovation Drive, C14.0 Potentially Contaminated Land Code and its application under C14.2.1 would be triggered. As the majority of sites within the subject area have not included any potentially contaminating activity, and the sensitive use cannot achieve a 'no permit</p>

<ul style="list-style-type: none"> <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>	<p>required' pathway, it is considered that as the use may be suitable for other sites and should be afforded consideration within the Technopark site. It is considered that the application of C14.0 Potentially Contaminated Land Code will ensure that the amendment is consistent with the NEPMs on site contamination.</p> <p>The Discretionary use standard also seeks to mitigate and manage the impacts from other emissions (ie particulates) and is therefore consistent with the provisions are air quality under the NEPM.</p>
--	---

***(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>Biodiversity and Geodiversity</b></p> <p>BNV 1: Maintain and manage the region's biodiversity and ecosystems and their resilience to the impacts of climate change</p> <p>BNV 1.2: Recognise and protect biodiversity values deemed significant at the local level and ensure that the planning schemes:</p> <ul style="list-style-type: none"> <li>(a) specify the spatial area in which biodiversity values are to be recognised and protected; and</li> <li>(b) implement an 'avoid, minimise, mitigate' hierarchy of actions with respect to development that may impact on recognised and protected biodiversity values.</li> </ul>	<p>The amendment seeks to modify controls that apply to urban land already well developed with buildings and infrastructure.</p> <p>The proposed amendment will not alter existing codes or overlays that apply to the land or adjoining land, which identify and manage biodiversity (ie Natural Assets Code).</p> <p>It is considered that the amendment is consistent with these strategies.</p>
<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>Noting that the SPPs contain no controls (such as a Stormwater Management Code) to assess possible impacts on water quality during assessment of a development proposal, there is the ability to apply conditions to address stormwater volume and quality under Clause 6.11.2 (g).</p> <p>It is considered that the amendment is consistent with these strategies.</p>
<p><b>The Coast</b></p> <p>C 1: Maintain, protect and enhance the biodiversity, landscape, scenic and cultural values of the region's coast.</p>	<p>As noted above, the amendment seeks to modify controls apply to urban land already well developed with buildings and infrastructure and located within the Urban Growth Boundary. The subject land is also separated from the Derwent River by a strip of land zoned Environmental Management.</p>

<p>C 2 Use and development in coastal areas is to be responsive to the effects of climate change including sea level rise, coastal inundation and shoreline recession.</p> <p>C 2.2 Growth is to be located in areas that avoid exacerbating current risk to the community through local area or structure planning for settlements and the Urban Growth Boundary for metropolitan area of Greater Hobart.</p>	<p>The proposed amendment will not alter existing codes or overlays that apply to the adjoining strip of land which also identifies and manages biodiversity (ie Natural Assets Code) and inundation (Coastal Inundation Hazard Code)</p> <p>It is considered that the amendment is consistent with these strategies.</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>Sections of the subject land are included within the Flood-prone Hazard Area Overlay. This will ensure that any potential flood impacts to new use and development are addressed under the Flood Prone Areas Code.</p> <p>It is considered that the amendment is consistent with these strategies.</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 proposed amendment seeks to modify existing planning controls, in order to maximise the efficiency of existing physical infrastructure by promoting use and development on serviced land within the Urban Growth Boundary, to deliver compact and sustainable urban forms and economic development.</p> <p>It is considered that the amendment is consistent with these strategies.</p>
<p><b>Land Use and Transport Integration</b></p>	<p>It is noted that the subject land contains significant car parking areas.</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>However, the proposed amendment can still be considered as consistent with the STRLUS strategies as it supports the intensification of use and development that is likely to generate trips (from workers) in close proximity to existing public transport routes. The <i>Prince of Wales Bay Marine and Innovation Master Plan</i> identifies the Technopark as an ‘employment attractor’ with two bus routes along Brooker Highway that loop into the Goodwood residential area, with peak hour services continuing to Technopark.</p>
<p><b>Strategic Economic Opportunities</b></p> <p>SEO 1 Support and protect strategic economic opportunities for Southern Tasmania.</p> <p>SEO 1.1 Protect the following key sites and areas from use and development which would compromise their strategic economic potential through the planning scheme provisions:</p> <ul style="list-style-type: none"> <li>a. Hobart Port (including Macquarie and Princes Wharves);</li> <li>b. Macquarie Point rail yards; and</li> <li>c. Princes of Wales Bay marine industry precinct</li> </ul>	<p>The proposed amendment supports these strategies, which expressly seek to protect “key sites and areas from use and development which would compromise their strategic economic potential” including the “Princes of Wales Bay marine industry precinct”. The Technopark land is in close proximity to this precinct (and essentially considered part of the precinct under the recent POWB Masterplan) .</p> <p>The proposed amendments seek to strengthen the technology, innovation, research and development, advanced manufacturing, science, communications, and maritime industries within the area to support the development of a regional economic hub in Southern Tasmania for maritime and innovation industries.</p> <p>It is considered that the amendment is consistent with these strategies.</p>

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

The municipal strategic plan is the *Glenorchy Strategic Plan 2023-2032*. The amendment is consistent with the following strategies:

***Open for Business***

*We value our community by delivering positive experiences:*

- *Build and maintain relationships with government and the private sector that create job opportunities and help our City to prosper.*

- *Work constructively with the development sector and our community to enable acceptable development opportunities.*

*We encourage responsible growth for our City:*

- *Maintain a progressive approach that encourages investment and jobs*

The proposed amendment seeks to provide for a range of new uses at the site to increase job diversity and opportunities, yet still ensure the focus for the site on advanced technology options.

***Leading Our Community***

*We are a leader and partner that acts with integrity and upholds our community's best interests:*

- *Make informed decisions that are open and transparent and in the best interests of our community.*

The proposed amendment ensures that new uses are appropriately assessed under the planning scheme, and where relevant are subject to community feedback through the Discretionary application process.

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

Brighton and Clarence are the only two 'adjacent' municipal areas to Glenorchy that operate under the Tasmanian Planning Scheme. (Noting Derwent Valley, Huon Valley, Hobart and Kingborough are yet to implement their state planning schemes.) However, both these municipalities are across the Derwent River, nearly 900m away, and the impacts of this proposed planning scheme amendment are primarily local. As the amendment seeks to modify the existing Particular Purpose Zone, it is considered that there is no practical or strategic advantage in seeking to co-ordinate the controls with the Clarence LPS controls across the river, and the amendment can be considered to satisfy this requirement.

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

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

