

GLENORCHY PLANNING AUTHORITY
ATTACHMENTS
TUESDAY, 14 JUNE 2022



TABLE OF CONTENTS:

PLANNING

- 5. REPORT ON REPRESENTATIONS TO PLAM-21/04 - 60, 80, 80A & 90 CREEK ROAD, NEW TOWN**
- 1: GPA Attachment 1 - Sealed and Certified Amendment Documents 2
- 2: GPA Attachment 2 - Representations table of issues 9

**GLENORCHY LOCAL PROVISIONS SCHEDULE
AMENDMENT PLAM-21/04**

The Glenorchy Local Provisions Schedule is amended as follows:

Land affected by this amendment: 60, 80 80A & 90 Creek Road New Town

The Planning Scheme maps are amended by:

1. Modifying the zoning maps to include 60, 80, 80A and 90 Creek Road, New Town in an Inner Residential Zone as shown in Annexure 1 - image 1.
2. The zoning maps are overlayed to show the area of GLE-S14.0 - 60, 80, 80A and 90 Creek Road, New Town Specific Area Plan as shown in Annexure 1 - image 2.

The Planning Scheme Ordinance is amended by:

3. Inserting Clause GLE-S14.0 - 60, 80, 80A and 90 Creek Road, New Town as shown in Annexure 2.



In witness whereof the common seal of
Glenorchy City Council has been affixed
on the 22nd day of MARCH
2022 as authorised
by Council in the presence of:



Council Delegate

Annexure 1

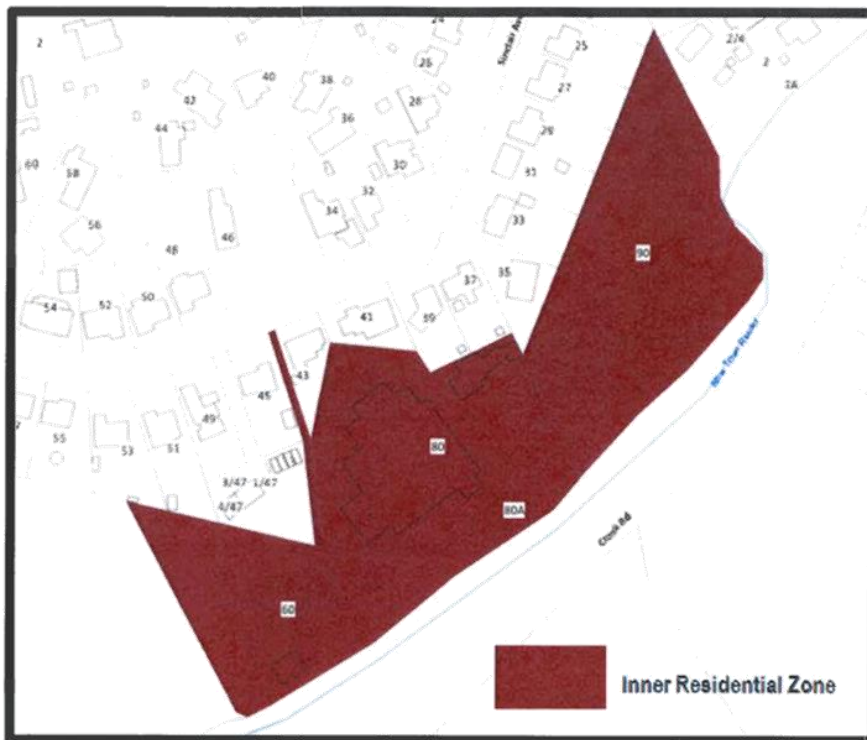


Image 1 – Land to be included in an Inner Residential Zone

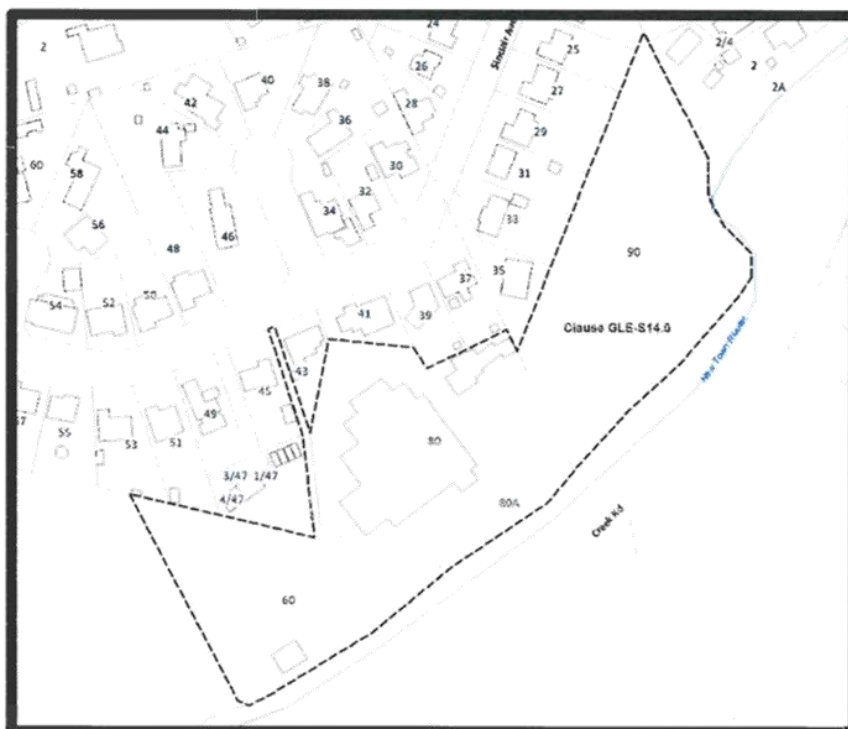


Image 2 – land to be included in GLE-S14.0 - 60, 80, 80A and 90 Creek Road, New Town Specific Area Plan

Annexure 2

GLE-S14.0 60, 80, 80A & 90 Creek Road, New Town Specific Area Plan

GLE-S14.1 Plan Purpose

The purpose of the 60, 80, 80A & 90 Creek Road, New Town Specific Area Plan is:

GLE-S14.1.1 To minimise the impacts of contaminated materials on the site on human health and the environment.

GLE-S14.1.2 To support connectivity between the subject land and the Moonah activity centre.

GLE-S14.2 Application of this Plan

GLE-S14.2.1 This specific area plan applies to the area of land designated as the 60, 80, 80A & 90 Creek Road, New Town Specific Area Plan on the overlay maps and shown in Figure GLE-S14.1.

GLE-S14.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in addition to, and/or in substitution of, the provisions of C3.0 Road and Railway Code and C14.0 Potentially Contaminated Land Code.

GLE-S14.3 Local Objectives

This sub-clause is not used in this Specific Area Plan.

GLE-S14.4 Definition of Terms

GLE-S14.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
Contamination Finds Procedure	Means a procedure to manage site conditions that are not expected, such as the presence of undocumented waste, odorous or stained soil, asbestos, or any contaminated or suspect material.

GLE – S14.5 Use Table

This sub-clause is not used in this specific area plan.

GLE-S14.6 Use Standards

GLE-S14.6.1 Access to the site

This sub-clause is in addition to C3.0 Road and Railway Assets Code – Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction.

Objective:	
To: (a) promote connectivity between the site and the Moonah Activity Centre; and (b) protect the safety and efficiency of the road network and road frontage.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution	P1 Upgrades to road infrastructure to facilitate pedestrian and vehicle movements to and from the site are the responsibility of the developer and must be designed and constructed, having regard to: (a) achieving safe and convenient pedestrian movements between the subject land and the Moonah Activity Centre; (b) supporting safe pedestrian, cycling, parking and vehicle movements to and from the site on Creek Road between Gerrard Street and Main Road; (c) minimising adverse impacts on the local road network; (d) any traffic impact assessment; and (e) any advice from the relevant road authority.

GLE-S14.7 Development Standards**GLE-S14.7.1 Site contamination**

This clause is in substitution for C14.0 Potentially Contaminated Land Code – clause C14.5.1 Suitability for intended use and in addition to clause C14.6 Development Standards for Buildings and Works.

Objective:	
That the risk to future site workers and occupants of land shown in Figure GLE-S14.2 is reduced to the extent practicable by minimising potential contamination from: (a) the existing on-site slab and any other contaminates; and (b) access to potable water.	
Acceptable Solution	Performance Criteria
A1 Use and development involving demolition or re-use of the existing concrete slab on land shown in Figure	P1

<p>GLE-S14.2, includes certification from a site contamination practitioner that:</p> <ul style="list-style-type: none"> (a) a suitably qualified asbestos removalist has vacuumed soil and other organic matter from fractures on the slab; and (b) the fractures are sealed with a binding agent such as expanding foam. 	<p>Demolition or on-site reuse of the existing concrete slab on land shown in Figure GLE-S14.2 is suitable for the intended use having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) an environmental site assessment that includes a plan, to manage contamination and associated risk to human health or the environment that includes: <ul style="list-style-type: none"> (i) any specific remediation and protection measures required to be implemented before any use commences; and (ii) a statement that the land will be suitable for the intended use.
<p>A2</p> <p>A Contamination Finds Procedure, prepared by a site contamination practitioner, providing guidance on the management of any unexpected finds of buried contaminated waste, including asbestos, forms part of a Construction Management Plan for works on the site.</p>	<p>P2</p> <p>No Performance Criterion</p>
<p>A3</p> <p>New development on land shown in Figure GLE-S14.2 must:</p> <ul style="list-style-type: none"> (a) connect to a reticulated water supply service; and (b) not install groundwater wells. 	<p>P3</p> <p>No Performance Criterion</p>

GLE-S14.8.1 Development Standards for Subdivision

This sub-clause is not used in this Specific Area Plan.

Figure GLE-S14.1



Figure GLE-S14.2



GLENORCHY CITY COUNCIL

CERTIFICATION OF DRAFT AMENDMENT UNDER SECTION 40F OF THE LAND USE PLANNING AND APPROVALS ACT 1993

The Planning Authority has prepared the attached draft amendment, Amendment PLAM-21/04, to the Glenorchy Local Provisions Schedule.

The Planning Authority:

- has determined that it is satisfied that the draft amendment meets the LPS Criteria specified in Section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), and
- in accordance with Section 40F(2) of LUPAA, certifies that the draft amendment meets those requirements.



In witness whereof the common seal of
Glenorchy City Council has been affixed on
the

22nd day of *MARCH* 2022

as authorised by Council in the presence
of:

Council Delegate

Attachment 2 – Representor issues

Table 1 - Representor Issues

Representation number	Issue Raised
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	This is a 'spot rezoning': the size of the subject area has no relevance to the argument that the land is not a 'spot rezoning'. Inner Residential Zoning is adjacent the Commercial or Business Zones; the subject land is only adjacent a General Residential Zone and an Urban Mixed Use Zone (in Hobart City Council Area).
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	Inner Residential development will have consequences on the character of the area.
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	More medium density housing can still be achieved without having buildings that would be significantly larger than anything else in the area
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	Monolithic apartment complexes are not supported
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	The 8.5m height under a General Residential Zone is still significantly higher than any surrounding building in the area – and the height should be limited to 8.5m A General Residential Zone would maintain the overall nature of the area
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	The four lots to remain separate <ul style="list-style-type: none"> ▪ The subdivision (consolidation) permits greater height and density on the land ▪ There should be a covenant that the four lots can never be amalgamated in the future
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24	Only pedestrian access through to Sinclair Avenue, no Vehicular Access
2, 3, 4, 5, 9, 16, 22, 24	Devalue property
3, 10,	Environmental pollution and negative impact on Rivulet The potential destruction of natural values can lead to potential detrimental results, e.g., metal poisoning, chemical poisoning, destruction of natural habitats etc., to the New Town rivulet and its rehabilitation as per the "New Town Rivulet Rehabilitation Project"
3, 5, 9, 11, 14, 20, 23	Noise during development construction and occupation.

Representation number	Issue Raised
	Potential for rear balconies which may 'resound' or reverberate within the site and carry noise up to Sinclair Avenue.
3	Soil erosion and potential impacts on structural integrity of properties and assets in adjoining land (Sinclair Avenue, Moss Park Drive) if the land is flattened to cater to the development of the eight storey housing commission project.
3	Parking of motor vehicles on the subject land: <ul style="list-style-type: none"> ▪ how many vehicles and what built form is proposed (ie on street, underground car park etc)? ▪ will there be a multi-storey car park built and able to cater for development and adjacent business?
3	Timeframes for development completion, including access to materials for development, cannot be determined given current world issues (impact of COVID-19 and wars on global material shortages and supply chains)
1, 3, 5, 9, 10, 11, 14, 19, 20, 24, 25	Increased traffic: <ul style="list-style-type: none"> ▪ high levels of traffic from sports stadium already in Creek Road ▪ occupants will park in Sinclair Avenue and use the walkway to access site; Sinclair Avenue is already congested
13	Potential problems with pedestrian walkways – walkways have been closed in other areas of the City (Tolosa Street)
10,	Flooding in Creek Road
20	Would overlook development and compromise privacy
20	Impact on views
26 (Derwent Estuary program)	Request the boundary be adjusted on lot CT 13264/1 to bring it back to the existing fence line to protect the existing riparian area and take up more of the flood zoned land. A large portion of the lot appears to hold recognisable native riparian vegetation which supports river condition and natural ecological function of the watercourse making it a high priority area to protect from development. The areas should then be rezoned to form part of the existing Environmental Management Zone that follows the New Town rivulet. This zone provides a valuable ecological corridor and protects the existing riparian vegetation as well as providing a valuable public nature area. If it is allowed to be rezoned as Inner Residential the opportunity for protecting this riparian area and picking up the existing riparian corridor will be lost. This area is also within the Glenorchy flood mapping flood prone area so increasing development here will add to the risk of destabilising the existing creek edge if the riparian zone is disturbed. It may also increase the risk of land degradation for future owners by allowing development in this area.
27 (Taswater)	No objection to the amendment

Representation number	Issue Raised
	Conditions to be applied to the permit included in TWDA 2021/02100-Gcc dated 8 December 2021

Table2 - Representor numbers and subject properties

Representor No	Property Owned
1	23 Sinclair Avenue
2	21 Sinclair Avenue
3	33 Sinclair Avenue
4	64 Sinclair Avenue
5	37 Sinclair Avenue
6	52 Sinclair Avenue
7	51 Sinclair Avenue
8	44 Sinclair Avenue
9	25 Sinclair Avenue
10	22 Sinclair Avenue
11	54 Sinclair Avenue
12	62 Sinclair Avenue
13	20 Sinclair Avenue
14	56 Sinclair Avenue

15	28 Sinclair Avenue
16	39 Sinclair Avenue
17	35 Sinclair Avenue
18	27 Sinclair Avenue
19	26 Sinclair Avenue
20	43 Sinclair Avenue
21	6 Sinclair Avenue
22	45 Sinclair Avenue
23	33 Sinclair Avenue
24	9 Sinclair Avenue
25	67 Sinclair Avenue
26	N/A Derwent Estuary program
27	N/A Taswater