

GLENORCHY PLANNING AUTHORITY

MINUTES

MONDAY, 18 MARCH 2024



- Chairperson:** Alderman B. Thomas (Mayor)
- Hour:** 3.30 p.m.
- Present:** Aldermen Bec Thomas, Jan Dunsby, Russell Yaxley, Steven King and Councillor Harry Quick
- In attendance:** Emilo Reale (Director Infrastructure and Works),
Paul Garnsey (Manager Development),
Patrick Marshall (Manager Infrastructure, Engineering and Design),
Trevor Boheim (Coordinator Planning Services),
Grace Paisley (Senior Statutory Planner),
Sylvia Jeffreys (Planning Officer),
Bree Narksut (Development Engineer),
Dan Egodawatte (Senior Civil Engineer),
Emily Burch (Transport Engineer),
Nathan Wass (Acting Senior Environmental Health Officer)

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

Alderman Joshua Cockshutt.

3. PECUNIARY INTERESTS

None.

4. CONFIRMATION OF MINUTES

Resolution:

YAXLEY/DUNSBY

That the minutes of the Glenorchy Planning Authority Meeting held on Wednesday, 13 December 2023 be confirmed.

The motion was put.

FOR: Aldermen Thomas, Dunsby, Yaxley, King and Councillor Quick

AGAINST:

The motion was CARRIED.

5. PROPOSED USE AND DEVELOPMENT - SPA AND SAUNA (TOURIST OPERATION), WITH ASSOCIATED INFRASTRUCTURE - 134 FAIRY GLEN ROAD COLLINSVALE, AND FLORAS COTTAGE 146 FAIRY GLEN ROAD COLLINSVALE

File Reference: 3343462

REPORT SUMMARY

Application No.:	PLN-23-216
Applicant:	Myrtle Creek Farm
Owner:	E A Dunlop and J I Macalpine
Zone:	Rural
Use Class	Tourist Operation
Application Status:	Discretionary
Discretions:	<p>20.3.1 P1 Discretionary use</p> <p>20.3.1 P2 Discretionary use</p> <p>20.3.1 P4 Discretionary use</p> <p>20.4.2 P1 Setback</p> <p>C2.5.1 P1 Car parking numbers</p> <p>C7.6.1 P1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area</p> <p>C7.6.1 P3 Buildings and works within a waterway and coastal protection area or a future coastal refugia area</p> <p>C7.6.2 P1 Clearance within a priority vegetation area</p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>
Level 2 Activity?	No
42 Days Expires:	18 March 2024

Existing Land Use:	Single Dwelling
Representations:	6 (4 non-statutory and all supporting the proposal)
Recommendation:	Refusal

Resolution:

KING/DUNSBY

That the application for the Spa and Sauna (Tourist Operation), with associated infrastructure of 134 and 146 Fairy Glen Road Collinsvale be refused for the following reasons:

1. The application fails to demonstrate compliance with the performance criteria in clause 20.3.1 P4 as the capacity of the local road network cannot accommodate the traffic generated by the use.

The motion was put.

FOR: Aldermen Thomas, Dunsby and King

AGAINST: Alderman Yaxley and Councillor Quick

The motion was CARRIED.

Recommendation:

After seeking to further the objectives of the Land Use Planning and Approvals Act 1993; considering the matters set out in representations; and reference to the current provisions of the Tasmanian Planning Scheme - Glenorchy, the Glenorchy Planning Authority decides to refuse to grant a permit for the reasons set out in the officer's report.

6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (ONE EXISTING AND ELEVEN NEW), DEMOLITION AND CONSOLIDATION OF THREE TITLES – 72, 74 AND 76 GROVE ROAD GLENORCHY

File Reference: 3183250

REPORT SUMMARY

Application No.:	PLN-22-437
Applicant:	MinD Architects
Owner:	Zlleok Pty Ltd
Zone:	Inner Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	<p>9.4.2 P3 Setbacks and building envelopes for all dwellings</p> <p>9.4.3 P2 Site coverage and private open space for all dwellings</p> <p>C2.5.3 P1 Motorcycle parking numbers</p> <p>C2.6.5 P1 Pedestrian access</p> <p>C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction</p> <p>C9.5.2 P1 Sensitive use within an attenuation area</p> <p>C12.6.1 P1 Buildings and works within a flood-prone hazard area</p> <p>C14.5.1 Suitability for intended use</p> <p>C14.6.1 P1 Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012</p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>
Level 2 Activity?	No

42 Days Expires:	Extension of time to 18 March 2024
Existing Land Use:	Single dwellings on three individual lots
Representations:	2
Recommendation:	Approval, subject to conditions

Resolution:

QUICK/DUNSBY

That a permit be granted for the proposed use and development of 72,74 and 76 Grove Road Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-437 and Drawings submitted on 03/03/2023 (1 page), 27/04/2023 (11 Pages) and 25/01/2024 (7 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 2022/01728-GCC, dated 08/02/2024, form part of this permit.
3. Titles of the land subject to the use and development approved herewith must be consolidated as shown on the approved Boundary Consolidation Plan prior to the lodgement of a Building Permit application, or if agreed to by the Coordinator of Building Service.
4. Fences within 4.5m of a frontage with a height more than 1.2m must have openings with uniform transparency of at least 30% (excluding any posts or uprights) above the 1.2m height level as shown on the approved plan. The fences must be no more than 1.8m in height.

Engineering

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

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

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

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

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

6. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
7. 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.
8. The new stormwater infrastructure including connection must be constructed to Council's satisfaction prior to the sealing of the final plan. An approved Road Opening Permit from Council is required prior to start of works in the road reserve.

9. 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 and prior to the issue of any Certificate of Completion. CCTV footage must clearly label the Asset IDs, direction of footage, include chainage, identify any defects, date-time stamps, and operator ID.
10. A detailed estimate for the works in the following conditions that require assessment of engineering drawings must be provided and payment of the engineering drawing approval fee must be made prior to the issue of approved engineering drawings or the issuing of the building approval. Under Council Schedule of fees and charges 2023/2024, 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.
11. Prior to the issuing of the building approval or the commencement of any works (whichever occurs first) submit detailed Engineering design drawings to the satisfaction of Council's Senior Civil Engineer for approval. The engineering drawings must:
 - (a) Be certified by a qualified and experienced Engineer.
 - (b) Manhole SW-1 location shall be moved outside of the shared driveway of 75 Grove Road in to the nature strip while maintaining falls towards the main.
 - (c) Clearly indicate reinstatement details with shading the extents to ensure all affected areas are covered. Where the new pipe trench is laid under footpath, entire section of the footpath must be replaced with like for like materials, not just the width of the trench.
 - (d) Provide a more detailed section of the proposed on-site roof water detention tanks. Clearly indicate detention storage, orifice detail, overflow mechanism and access to maintenance. The orifice flow must be open at all times and not be associated with any taps or valves to facilitate detention function.
 - (e) Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows rates, velocities, hydraulic grade lines, clearances to other utility services, location related to other services, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.
 - (f) Clearly distinguish between public and private infrastructure.
 - (g) Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013.
 - (h) The new stormwater infrastructure must be constructed prior to the sealing of the final plan / issue of an occupancy certificate. An approved Road Opening Permit from Council is required prior to start of works in the road reserve.

12. 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. Engineering drawings demonstrating the driveway details in accordance with the Australian Standard must be submitted 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 27 clearly marked car parking spaces (2 spaces per each dwelling plus 3 visitor 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.

13. Prior to the commencement of the use or development, new stormwater connections to Council's public stormwater system onto the property boundary must be installed in accordance with the approved plans. The engineering drawing must be submitted and approved prior to the commencement of the works. Any existing abandoned connections must be made redundant and sealed at owner's expense. The stormwater connection(s) must be constructed by a suitably qualified person to the satisfaction of Council and be inspected by Council's Senior Civil Engineer. The applicant must contact Council and submit for approval the Stormwater Connection Request Form. 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.
- (a) A minimum of three (3) business-day notice must be provided by the applicant to Council's Roads Maintenance and Stormwater Coordinator on 03 6216 6800 to arrange for the inspection prior to completion.

- (b) Any alterations or works performed on council's stormwater system must remain uncovered until the completion of the inspection. If there is failure to provide notification in advance or to expose the stormwater manhole for the visual inspection, council may choose to expose the stormwater manhole and reinstate after the inspection at the full cost to the applicant.
 - (c) If the stormwater manhole is not to the satisfaction of council, the applicant must rectify the stormwater manhole at their cost. If the applicant does not rectify the stormwater manhole, council has the right to rectify the stormwater manhole at the applicant's cost.
14. The new vehicle crossing must be constructed and installed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy of the dwellings. The engineering detailed design drawing must be submitted and approved prior to the commencement of the works. 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>
15. A maintenance schedule for the ongoing maintenance of the on-site stormwater detention infrastructure and the water sensitive urban design infrastructure must be provided to Council's Senior Civil Engineer for approval prior to the commencement of the use and/or the issuing of the plumbing approval. When approved, the maintenance schedule forms part of this permit.
16. The landowner must maintain the on-site stormwater detention and water sensitive urban design infrastructure in accordance with the approved maintenance schedule.

Environmental Health

17. Post demolition and prior to commencement of the construction of the multiple dwellings, the following measures are required:
- (a) Remediation of the contaminated soil on the site. This will require the top 300mm of topsoil on the site to be replaced and validated.
 - (b) Vapour risk at 2.0 meters requires ground penetration radar to check for a UPSS, if found it will require decommissioning. Otherwise, groundwater may need to be tested if contaminated soil is not validated.

- (c) Soil to be removed will need to be disposed of via the EPA waste tracking system.

Waste Management

18. The design for the bin enclosure must comply with the following:

- (a) 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) It must suit twelve (12) X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
- (d) Recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
- (e) The front of the 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;
- (f) There must be no lip on the concrete slab of the bin enclosure.

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

Advice to Applicant

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

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 for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

General Managers 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-22-437, dated 29 February 2024, form part of 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.

Waste Management

The proposed multiple dwellings would be eligible for a maximum of twelve (12) x 240L wheelie bins. Four (4) x 240L Waste Bins (Red lids), four (4) x 240L Recycling Bins, four (4) x 240L FOGO bins, collected weekly to be shared by all eleven (11) Unit dwellings.

Collection of all bins would be from the existing kerbside.

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

Storage and Collection of Shared Waste, Recycling and FOGO Bins

The bins would be stored in a bin enclosure. The bin enclosure would be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site.

The motion was put.

FOR: Aldermen Thomas, Dunsby, Yaxley, King and Councillor Quick

AGAINST:

The motion was CARRIED.

Recommendation:

After seeking to further the objectives of the Land Use Planning and Approvals Act 1993; considering the matters set out in representations; and reference to the current provisions of the Tasmanian Planning Scheme - Glenorchy, the Glenorchy Planning Authority decides to grant a permit for the reasons set out in the officer's report.

The Chair closed the meeting at 4.55pm

Confirmed,

CHAIR