

1.2 Section 32 of the Land Use Planning and Approvals Act 1993

Section 32 of the Land Use Planning and Approvals Act 1993 requires the planning amendment to address the following sections as per “NMC Information to support a proposed amendment”.

1.2.1 A. Further the objectives of Schedule 1 of the Land Use Planning and Approvals Act 1993

The proposed amendment furthers the objectives of Schedule 1 of the Land Use Planning and Approvals Act 1993 as follows (particularly):

Objective	How the objective is furthered
to provide for the fair, orderly and sustainable use and development of air, land and water	<p>The proposed amendment contributes to the fair and orderly development of land. Without the proposed amendment a significant portion of the land would not have been developable and the development would not have proceeded. Sustainable use is still maintained.</p> <p>There is identified demand for the development as can be demonstrated by the plans and recent expansion of the Launceston Airport parking. The forward projections are for increased visitor numbers through the Launceston Airport which will increase the demand over time.</p> <p>There is limited land available within close proximity to the Launceston Airport for this type of development. Therefore, the amendment enables the better use of the available land.</p> <p>The proposed amendment will not change compatibility for land use of the area.</p>
to require sound strategic planning and coordinated action by State and local government	<p>The amendment is consistent with the regional land use strategy adopted for the local area (part 2.2 of the Northern Midlands Council Interim Planning Scheme 2013). As the amendment applies to general industrial zoned land within the Translink Specific Area, the provisions relating to commercial and industrial land remain met.</p> <p>The proposed amendment is consistent with and does not affect the Northern Midlands Council’s Strategic Plan 2007-2017.</p>

	The proposed amendment does not affect the integration with all relevant infrastructure and services.
to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania	<p>This objective would be unaffected by the proposed amendment. Public safety in terms of pedestrian paths, traffic flows and safety would be addressed and remains paramount.</p> <p>The approval of this proposed amendment would allow the development to proceed and for competition in Launceston airport parking to be created. Such competition would create a more economically efficient outcome for Tasmanians and visitors to Tasmanian.</p>
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	This objective would be unaffected by the proposed amendment as development would still occur within the existing or planned infrastructure, particularly water supply, sewer, and transport.

1.2.2 B. Made in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993

Existing state policies includes:

1. State Policy on the Protection of Agricultural land 2009
2. State Coastal Policy 1996
3. State Policy on Water Quality Management 1997

The proposed amendment is in accordance with and has no impact on the above policies.

1.2.3 C. May make any provision which relates to the use, development, protection or conservation of any land

Proposed amendment meets this requirement.

1.2.4 D. Must have regard to the Safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000

Proposed amendment has regard to and does not impact on any safety requirements under the Gas Pipeline Act 2000.

1.2.5 E. Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area

The proposed amendment applies to Translink Area 1 only and is therefore limited in scope and effect. The proposed amendment would not lead to potential for land use conflicts with use and development permissible under the planning scheme for adjacent lots.

1.2.6 F. Must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms

The proposed amendment would improve the use and development of the regions as an entity, particularly from an economic perspective.

The proposed amendment would allow the car park development to proceed and will create competition in Launceston airport parking. Such competition would help drive down prices for airport commuters and therefore create a more economic outcome for Tasmanians and visitors to Tasmania.

There would be no discernible effect from an environmental or social perspective of the proposed amendment.

Appendix 2 Other Developments in the immediate vicinity

A selection of commercial sites in the immediate proximity to the proposed development showing the level of setback and screening is presented below. The proposed development, after consideration of the setback amendment, will therefore be screened appropriately and will not have any significant effect on visual amenity for tourists and passers-by.

1. Launceston Airport, Evandale Road, Western Junction (opposite the development)

Photo showing the open nature of the airport with the northern long term parking in clear view.



Photo showing the airport entrance opposite the car park (Note: Construction activity has since ceased and improves the visual impact).



Photo showing the open nature of the airport with no screening of development



Photo showing the open nature of the airport with the southern long term parking in clear view.



2. Thrifty, 1 Hudson Fysh Drive, Western Junction (next door and opposite side of the roundabout)

Photo showing the limited mounding and some screening from Evandale Road (estimated at 3-4m) which provides appropriate and adequate screening. The proposed development will be similar scale to this site but with more screening and mounding.



3. Avis, Evandale Rd, Western Junction

Photo showing no landscape setback and no screening from Evandale Road



4. Hertz, Evandale Rd, Western Junction

Photo showing the limited landscape setback (~1m) to the vehicle parking and limited screening from Evandale Road



5. Europcar, Evandale Rd, Western Junction

Photo showing the limited landscape setback to the vehicle parking and limited screening from Evandale Road



6. Budget, Evandale Rd, Western Junction

Photo showing no landscape setback and no screening from Evandale Road



7. RC Caravans, Evandale Rd, Western Junction

Photo showing the limited landscape setback (~1m) to the vehicle parking and limited screening from Evandale Road



8. United Services Station, Evandale Rd, Western Junction

Photo showing the open nature of the development from Evandale Road.



Paul Godier

From: Jan Cunningham
Sent: Monday, 11 April 2016 8:52 AM
To: Register Email in ECM
Cc: Paul Godier
Subject: email + revised plans for Draft Planning Permit P15-331 - 2 Hudson Fysh Drive, Western Junction
Attachments: Drawings.zip

#ECMbody
#QAPdefault
#silent

From: Heath Lang [mailto:heathydan@gmail.com]
Sent: Saturday, 9 April 2016 2:54 PM
To: NMC Planning <planning@nmc.tas.gov.au>
Cc: Paul Godier <paul.godier@nmc.tas.gov.au>; 'Phillip Newman' <phil@145financial.com.au>
Subject: Draft Amendment 07-2015 & Draft Planning Permit P15-331 & endorsed plans - 2 Hudson Fysh Drive, Western Junction

Hi Jan,

As required by the draft planning permit please find attached revised plans for endorsement. The drawings attached address the draft planning permit p15-331 as follows:

1. 2a – disabled parking spaces have been increased to 7 and have been moved closest to the main entrance to the building (office) and to the main entrance for the facility. This will ensure that people with disabilities have convenient access to the client waiting area at times when the shuttle bus service is running and to the airport at times when the shuttle bus service is not in operation.
2. 2b - pole sign has been replaced with a blade sign as required.
3. 3 - stormwater plan and calculations have been updated for a 1:20 ARI storm.
4. 4 - A new footpath drawing has been produced – S06 for the public footpath connecting to the airport and addressing the issues raised in the draft planning permit. I will also submit to State growth separately as well.
5. 5.1 – Car park plan and stormwater plan have been updated with levels.

If you need anything further let me know.

Kind regards
Heath

Heath Lang MIEAust CPEng NER

Director - Heathydan Pty Ltd
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Ph: +61 (0) 417 095 189
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From: NMC Planning [<mailto:planning@nmc.tas.gov.au>]

Sent: Thursday, 25 February 2016 2:25 PM

To: heathlang@hotmail.com

Cc: phil@145financial.com.au

Subject: Email to applicant + Draft Amendment 07-2015 & Draft Planning Permit P15-331 & endorsed plans - 2 Hudson Fysh Drive, Western Junction

Dear applicant

See attached:

- letter,
- Draft Amendment 07-2015,
- Draft Planning Permit P15-331, and
- endorsed plans.

Regards, Jan Cunningham



NORTHERN
MIDLANDS
COUNCIL

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T a s m a n i a ' s H i s t o r i c H e a r t

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Proposed Carpark at 2 Hudson Fysh Dve, Western Junction, TAS

for Heath Lang



addams
building design

Leigh Adams
Accredited Building Designer
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1-512

Project Details

Council	Northern Midlands Council
Zone	250 General Industrial
Dwelling	101,540,71X
PID	2897489
Title Folio	2
Title Volume	146537
Climate Zone	7
Wind Speed	N2
Soil Class	-
Site Hazards	-
Red Rating	RA1 -
Corrosive Environment	N/A

Drawing List

Sheet Number	Sheet Name
1	Cover Page
2	Building Plan
3	Building Plumbing Plan
4	Floor Plan
5	Elevations (Sheet 1)
6	Elevations (Sheet 2)
7	Signage
8	3D Views

DA3
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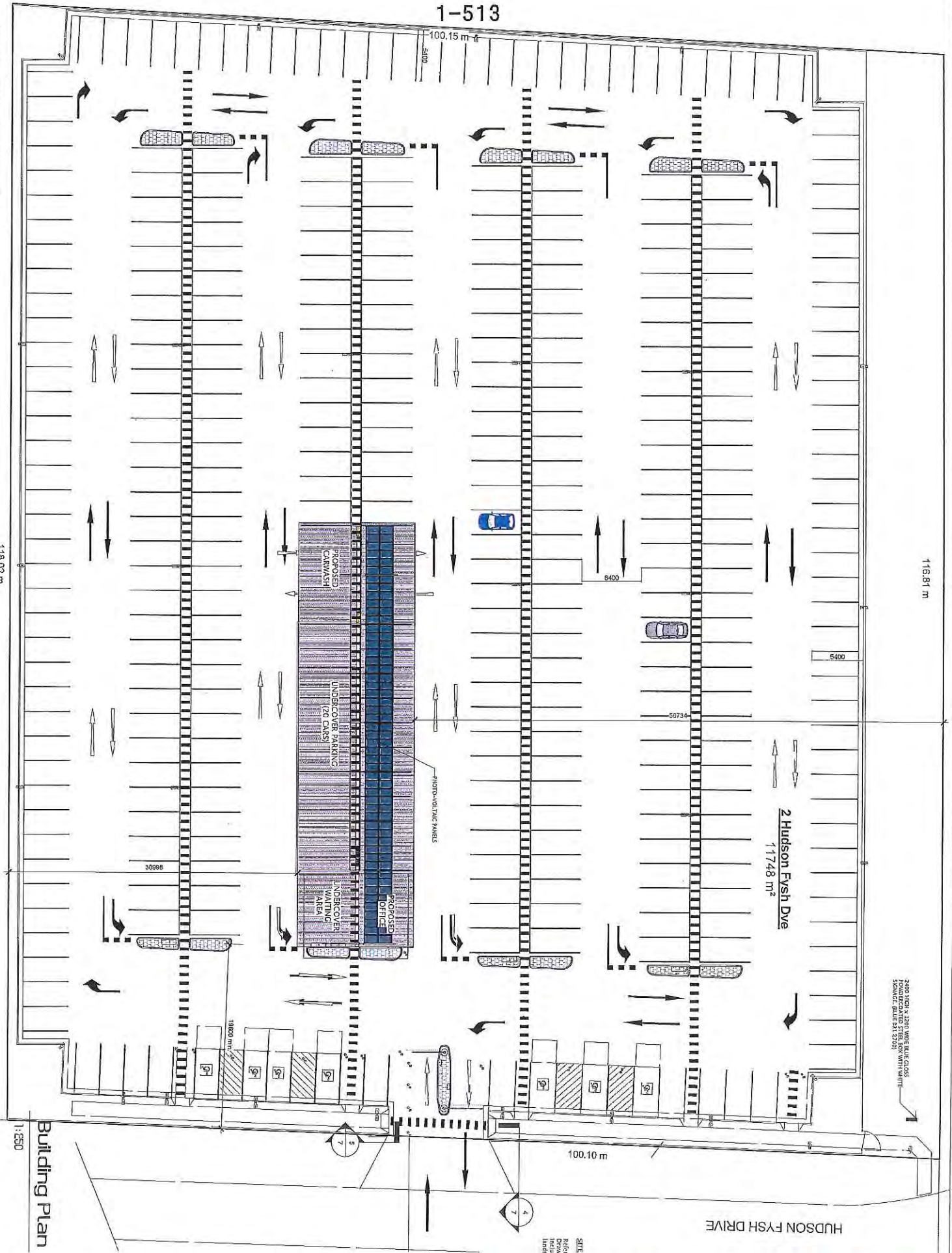
1	ISSUE	DA3
2	REVISION	DA3
3	REVISION	Planning Approval
4	REVISION	Consent #1
5	REVISION	Consent #1

Area Schedule (Cross Building)

Name	Area (Squares)	Area (Squares)
Growth Area	7257 m ²	7250
Other Area	2728 m ²	2533
Remainder Road Area	52705 m ²	5282

Starting Date: 21.08.15
 Plot Date: 8/04/2016
 2:30-4:1 PM
 Project No. 020815
 Drawing No. 1 / 8

1-513



3400 HIGH X 2000 WIDE BLUE GLASS
UNDERCOVER STEEL ROOF WITH WHITE
SPONGE PAINT (RALS 821 2700)

2 Hudson Fysh Dye
11748 m²

HUDSON FYSH DRIVE

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building design

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A/B1/21, 4/48, 4/18, 1/1
offices: 2/100/10/1



SITE EXAM NOTES
Refer PAC Engineers & Planners (P&P)
Drawings for site plan details,
including site plan, contours,
landscaping & planting.

DA3 (A)

No.	Date	Description
1	01/04/15	DA3
2	26/04/15	Revised
3	31/04/15	Consent #2
4	26/05/15	Consent #1
5	26/05/15	Consent #2

Project:
Proposed Carpark
at 2 Hudson Fysh Dye,
Western Junction, TAS

Client:
Heath Lang

Drawing Title:
Building Plan

Scale:
1:250

Starting Date:
21.08.15

Plot Date:
8/04/2016

Project No.
2020815

Drawing No.
2 / 8

Drawn: hickwell 2015/08/15
Checked: jlang 2015/08/15

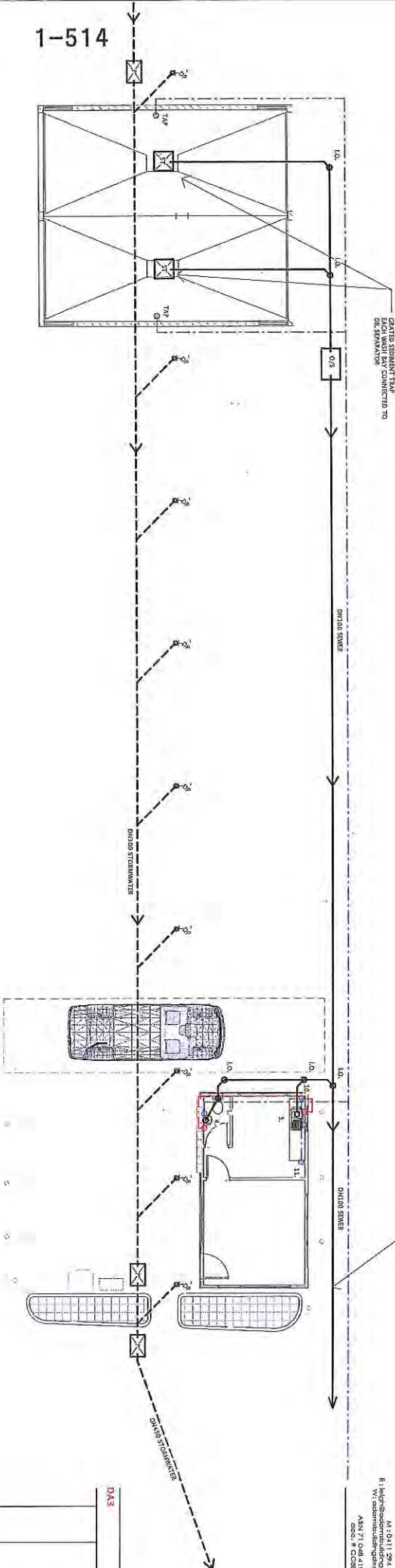
118.02 m

118.81 m

1:250

Building Plan

1-514



PLUMBING NOTES

REACTIVE ARTS - where they penetrate through exterior roofing, masonry or concrete. Drain water, if not piped are to be collected in a sump and pumped to the street. The location of the building prior to construction to the drawings to comply with 4.2.2.2. Additional requirements are listed in 4.2.2.2.

PLUMBING NOTES

1. All plumbing work to comply with AS 2509 parts 1, 2, 3 & 4.
2. All plumbing work to comply with AS 2509 parts 1, 2, 3 & 4.
3. All plumbing work to comply with AS 2509 parts 1, 2, 3 & 4.
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12. All plumbing work to comply with AS 2509 parts 1, 2, 3 & 4.
13. All plumbing work to comply with AS 2509 parts 1, 2, 3 & 4.

PLUMBING LEGEND

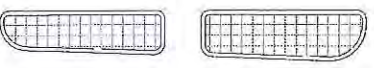
- 1. UIC
- 2. URINAL
- 3. KITCHEN SINK (WITH HAC WATER)
- 4. SINK / VANITY (WITH HAC WATER)
- 5. SINK
- 6. SHOWER
- 7. WASH TROUGH
- 8. DISHWASHER
- 9. DISPENSER
- 10. HOT WATER SYSTEM
- 11. LAV FOR RIDGE
- 12. LAV FOR RIDGE
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- 99. LAV FOR RIDGE
- 100. LAV FOR RIDGE

PLUMBING LEGEND

- EXISTING STORMWATER
- EXISTING SEWER
- EXISTING WATER
- NEW STORMWATER
- NEW DOWNPIPE S/W
- NEW SEWER
- NEW WATER (COLD)
- NEW WATER (HOT)
- NEW AC DRAIN

Building Plumbing Plan

1:100



No.	Date	Description
1	12/11/15	Issue for RFI
2	12/11/15	Issue for RFI
3	12/11/15	Issue for RFI
4	12/11/15	Issue for RFI
5	12/11/15	Issue for RFI
6	12/11/15	Issue for RFI
7	12/11/15	Issue for RFI
8	12/11/15	Issue for RFI
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50	12/11/15	Issue for RFI

Project:
Proposed Carpark
at 2 Hickson Pkwy
Dug
Western Johnston, TAS

Client:
Health Lang

Drawing Title:
Building Plumbing Plan

Scale:
1:100

Spring Date:
21/08/15

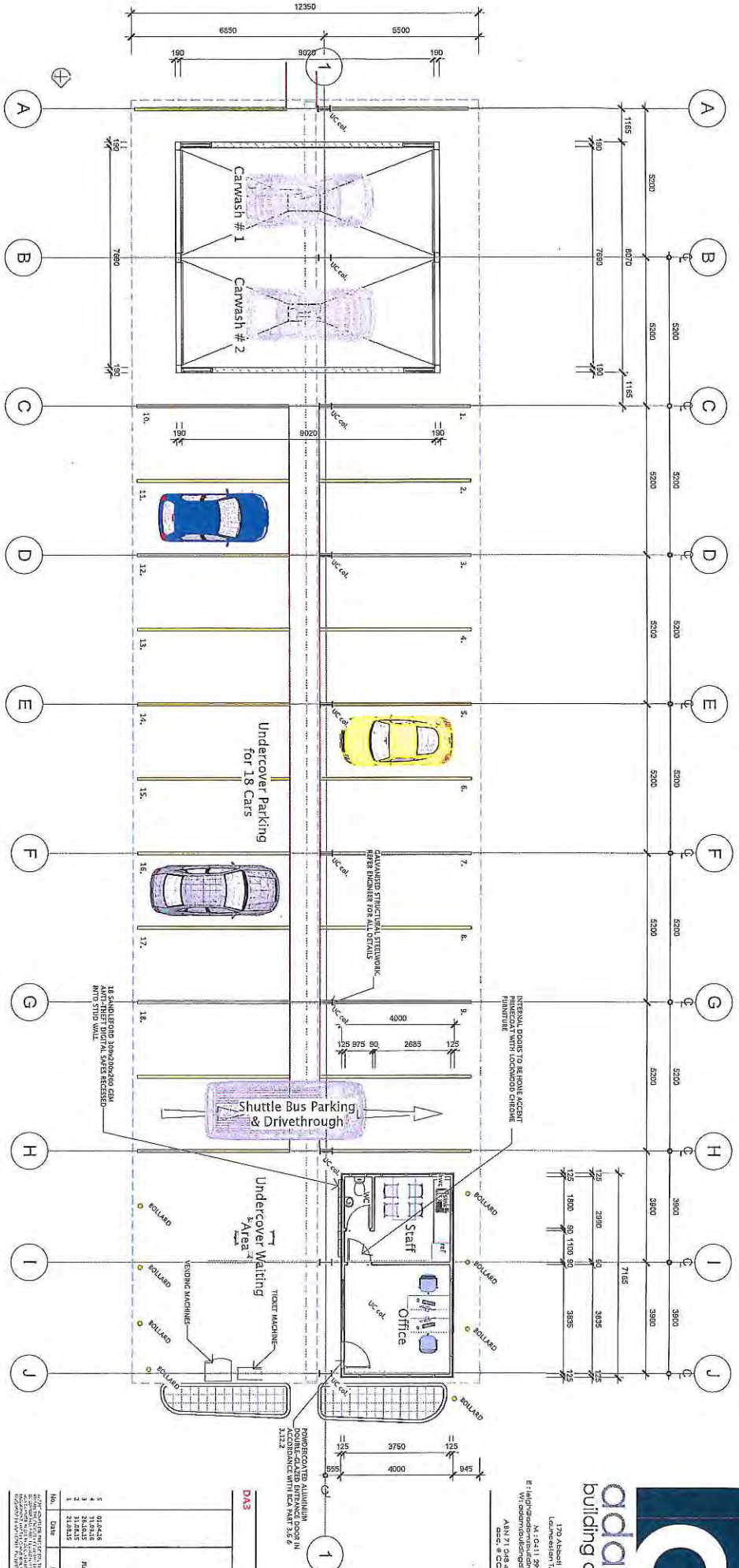
Plot Date:
8/09/2015
2:50:45 PM

Project No.
020815

Drawing No.
3 / 8

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Sec 9 C08001

1-515



Floor Plan
1:100

Area Schedule (Gross Building)	
Name	Area (Squares)
Carwash Area	7257 m ² / 7,800
Office Area	1728 m ² / 1,850
Undercover (incl. Area)	547.05 m ² / 5,882



No.	Date	Description
1	18/04/15	ISSUE
2	21/04/15	REVISED
3	21/04/15	REVISED
4	21/04/15	REVISED

Project:
Proposed Carpark
at 2 Hudson Ryan Drive,
Warriston Junction, VAS

Client:
Heath Lang

Drawing Title:
Floor Plan

Scale: 1:100
Starting Date: 21.08.15
Plot Date: 8/01/2016
2:50-4:7 PM

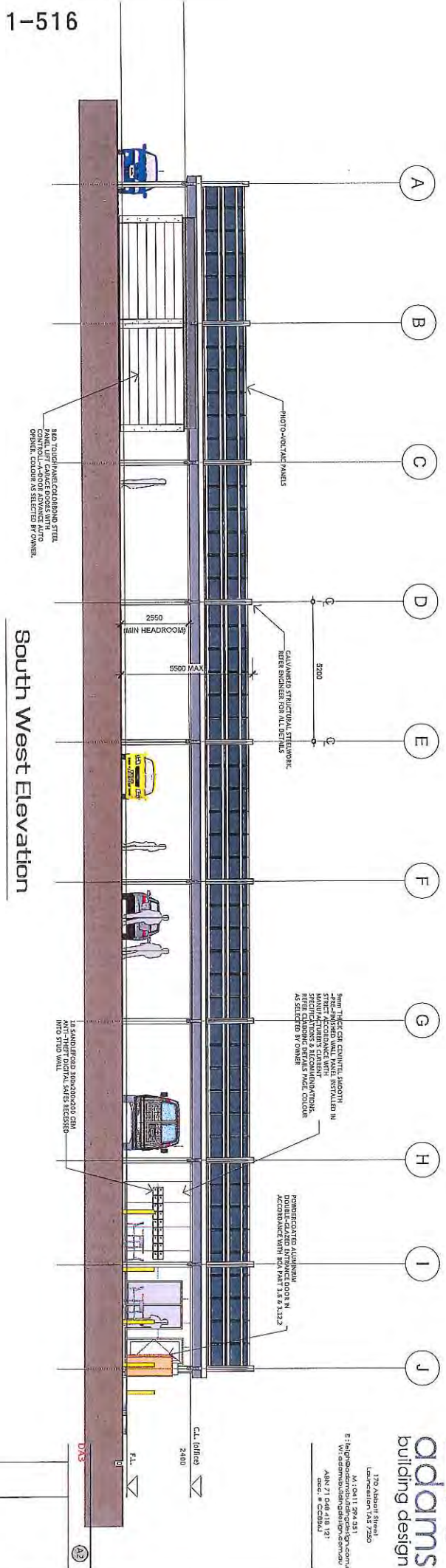
Project No. 020815
Drawing No. 4 / 8

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Spec # C0894

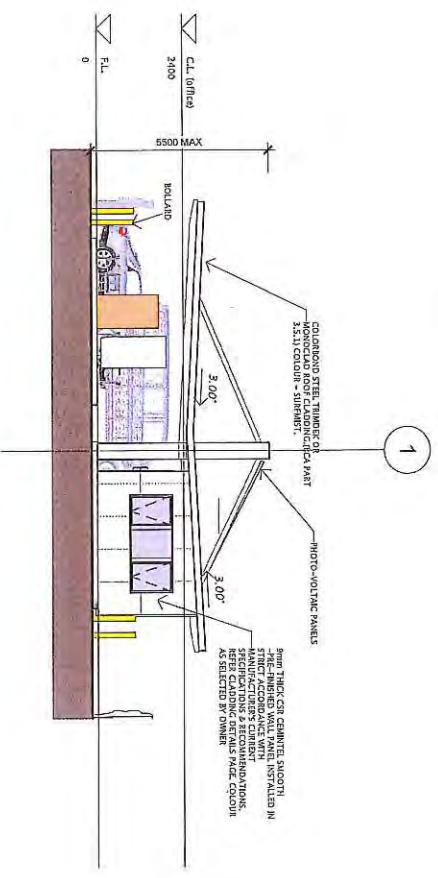


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 A/N/S 171 041 018 171
 A/N/S 171 041 018 171
 A/N/S 171 041 018 171



South West Elevation
 1:100



South East Elevation
 1:100

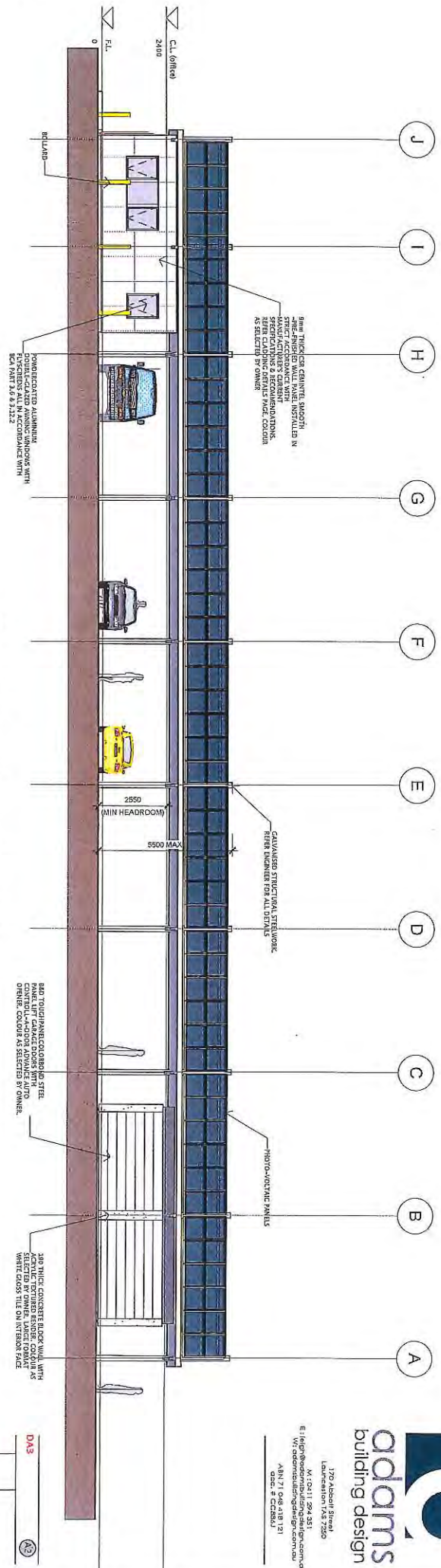
No.	Date	Description
1	21/08/15	Concept #1
2	31/08/15	Concept #2
3	21/08/15	Concept #1
4	31/01/16	DA1
5	01/04/16	DA2

Project:
 Proposed Carpark
 at Wilson Park Drive,
 Western Junction, TAS

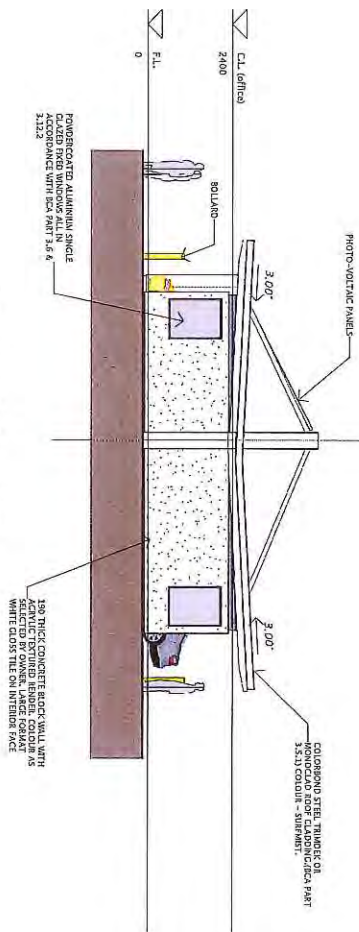
Client:
 Heath Lang

Drawing Title:
 Elevations (Sheet 1)

Scale: 1:100
 Starting Date: 21.08.15
 Plot Date: 8/04/2016 2:50:49 PM
 Project No. 020815
 Drawing No. 5 / 8



1 North East Elevation
1:100



1 North West Elevation
1:100

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building design

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NO.	DATE	DESCRIPTION
1	01/04/16	DA1
2	26/04/16	Revised Approval
3	26/04/16	Change #1
4	21/05/16	Change #2

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Project:
Proposed Carpark
at 2 Hudson Fish Dye,
Western Junction, TAS

Client:
Heath Lang

Drawing Title:
Elevations (Sheet 2)

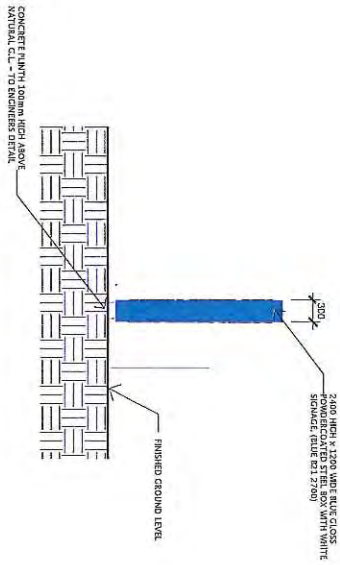
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21.08.15

Plot Date:
8/04/2016
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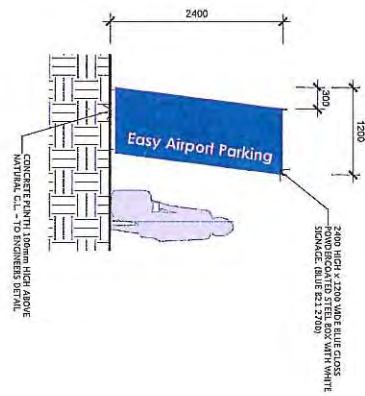
Project No.
020815

Drawing No.
6 / 8



1 Signage Front

1:50

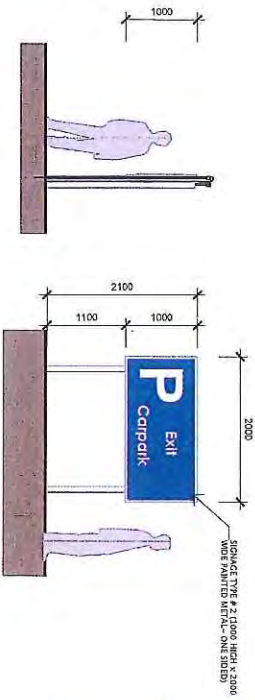


1 Signage Side

1:50

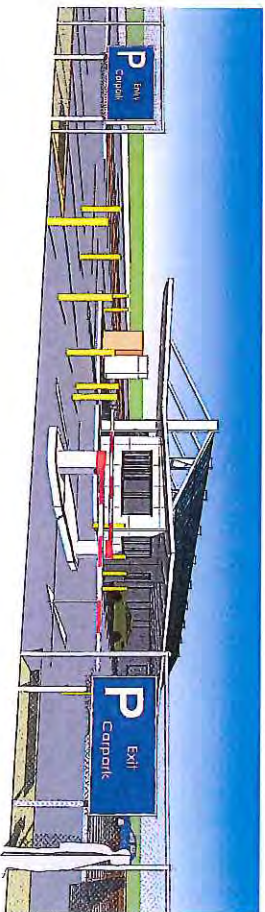


1 Perspective.



2 Signage Side

1:50



2 Perspective

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adams
building design

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W: www.adamsbuildingdesign.com.au

ASN 71 048 418 131
ACC: T-CORBA1

DAS	(2)	
No.	DATE	DESCRIPTION
5	01.04.16	DATE
4	26.04.15	Planning Approval
3	26.04.15	General # 2
2	21.04.15	General # 3
1	21.04.15	General # 1

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Project: Proposed Carpark at 2 Hudson Fysh Ave, Western Junction, TAS

Client: Heath Lang

Drawing Title: Signage

Scale: 1:50

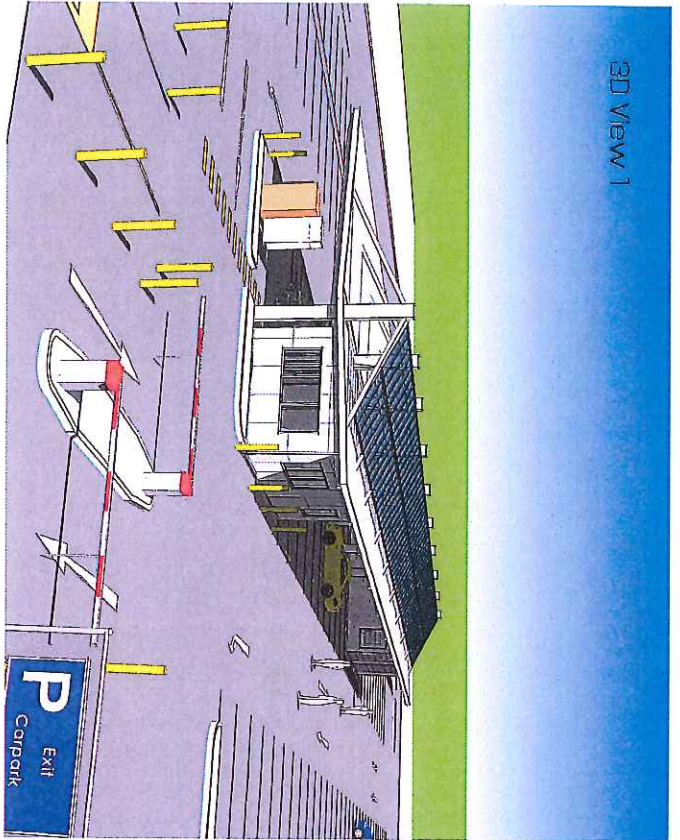
Starting Date: 21.08.15

Plot Date: 8/04/2016 2:50:53 PM

Project No. 020815

Drawing No. 7 / 8

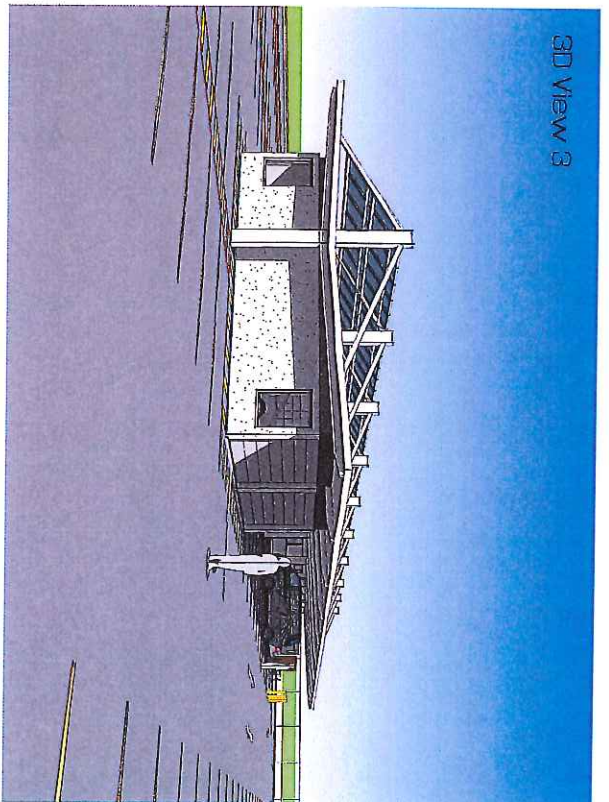
3D View 1



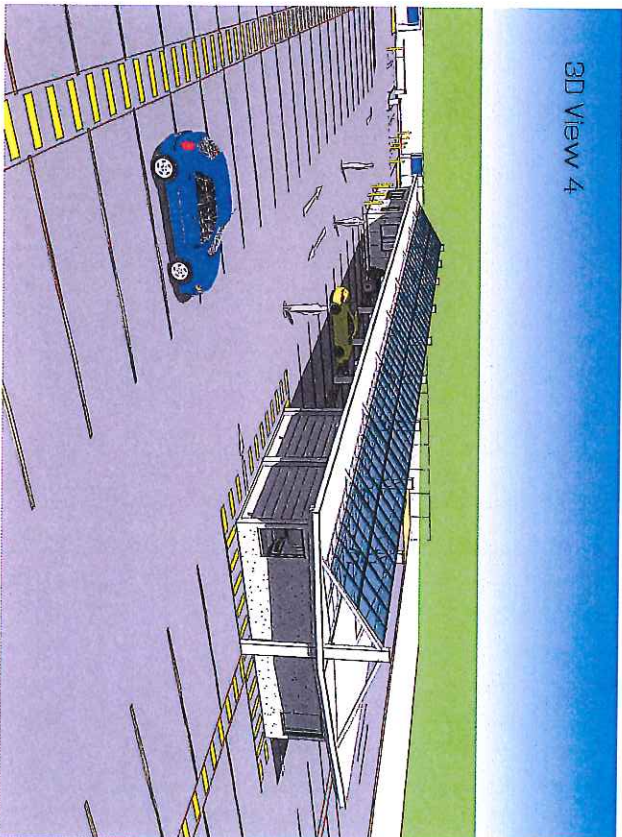
3D View 2



3D View 3



3D View 4



NOTE:
GROUND LEVELS INDICATED IN 3D IMAGES
ARE INDICATIVE ONLY & SHOULD NOT
BE RELIED UPON FOR CONSTRUCTION
PURPOSES. REFER SITE, CONTOUR PLAN
& ELEVATIONS FOR TRUE GROUND LEVELS.

No.	Date	Description
5	01.04.16	RA1
4	11.02.16	Working Approval
3	01.04.15	Working Approval
2	21.04.15	Concept #1
1	21.04.15	Concept #1

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Project:
Proposed Carpark
at Heath Lang
Western Junction, TAS

Client:
Heath Lang

Drawing Title:
3D Views

Scale:

Starting Date: 21.08.15

Plot Date: 8/04/2016

Project No. 020815

Drawing No. 8 / 8

PLAN 2

COMMENT ON DRAFT STATE PLANNING PROVISIONS (SPPS)

ATTACHMENTS

- A** Comments in response to the Draft State Planning Provisions

ADMINISTRATION

3.1 Planning terms and Definitions

3.3.1 Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Term: agricultural land Definition: means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.	agricultural land Definition: means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.	Exclude "or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses."	The determination of whether land is 'unduly restricted' should be dealt with as performance criteria in the zone provisions.	Term: Agricultural land Definition: means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use.
N/a	N/a	Define "building line"	Definition required to assist interpretation of the planning scheme.	Means a line drawn parallel to any front boundary along the front face of a building or through the point on a building closest to the front boundary, excluding protrusions.
N/a	N/a	Define "commercial vehicle"	Definition required to assist interpretation of the planning scheme.	a vehicle used by a business to transport goods or people on public roads;
Term: Outdoor recreation Definition: facility means use of land for outdoor leisure, recreation, or sport.	Term: major sporting facility Definition: means a sporting facility providing for national standard sporting competition with associated spectator facilities.	Delete reference to 'national standard'	The definition would be more effective with reference to scale, as some 'national standard' sports operate out of small scale facilities.	
Term: Wetland Definition: means a depression in the land, or an area of poor drainage, that holds water derived from	Term: Wetland Definition: means a depression in the land, or an area of poor drainage, that holds water derived from	Clarify if a wetland includes a 'dam'.	Relevant in the Natural Assets Code for stormwater discharge.	means a depression in the land, or an area of poor drainage, that holds water derived from ground water and surface water runoff and

ground water and surface water runoff and supports plants adapted to partial or full inundation and includes an artificial wetland.	ground water and surface water runoff and supports plants adapted to partial or full inundation and includes an artificial wetland.	supports plants adapted to partial or full inundation and includes an artificial wetland but does not include a man-made dam
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4.0 Exemptions

Table 4.1 Use or development exempt from requiring a permit

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
5.1.1 The use of land for occasional sporting, social and cultural events.	Occasional use If: (a) infrequent or irregular sporting, social and cultural events; or (b) markets on public land.	Define scale of exempt markets and clarify.	Large scale markets can generate significant parking demand and should not be exempt from requiring approval. The intension is not to require approvals for small scale 'bric-a-brac' or produce type markets.	occasional use If: (a) infrequent sporting, social and cultural events; or (b) markets on public land occupying a stall area of less than 500m ² .
6.2.4 Minor upgrades by or on behalf of the State government, a Council, or a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of infrastructure such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including: (a) minor widening or narrowing of existing carriageways; or (b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping unless subject to the Local Historic Heritage Code; or control devices and markings,	Road Works: Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including: (a) widening or narrowing of existing carriageways; (b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping unless subject to the Local Historic Heritage Code; or	Require roadworks to be located within the road reserve and delete reference to replacement of bridges.	Generally, the road reserve is sufficient to encompass minor upgrades. Outside of the road reserve is likely to be a different zone and property owner. Replacement bridges may impact upon flood prone areas and priority habitat and should be subject to assessment against the planning scheme provisions.	Road Works: Maintenance and repair of roads and upgrading by or on behalf of the road authority within the road reserve including: (a) widening or narrowing of existing carriageways; (b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping unless subject to the Local Historic Heritage Code; or (c) repair of bridges.

<p>street lighting and landscaping.</p>	<p>(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.</p>	<p>minor infrastructure: Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, associated signs and the like on public land.</p>	<p>Delete 'associated signs' from TPC exemption and provide protection for Heritage Precincts from inappropriate development.</p>	<p>Signage exemptions are covered by the Signs Code. A general exemption may result in inappropriate signage, particularly in Heritage Precincts. Developments such as 'public art' and 'public toilets' should also be subject to approval if located within a Heritage Precinct.</p>	<p>Required to provide consistency across planning and building legislation.</p>	<p>minor infrastructure: Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art and the like on public land</p> <p>OR</p> <p>Revert to current NIMIPS exemption, excluding public art.</p>	<p>As per <i>Building Regulations 2014</i>: (b) a non-roofed deck that is</p>
<p>5.4 Maintenance and Repair of Linear and Minor Utilities and Infrastructure</p> <p>5.4.1 Maintenance and repair by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of:</p> <p>(a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings;</p> <p>(b) infrastructure such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines; and</p> <p>(c) minor infrastructure such as footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.</p>	<p>Unroofed decks: If: (a) not attached to or abutting a habitable building;</p>	<p>Delete part (a). Match provisions to exemptions in the <i>Building Regulations 2014</i>.</p>	<p>Delete 'associated signs' from TPC exemption and provide protection for Heritage Precincts from inappropriate development.</p>	<p>Signage exemptions are covered by the Signs Code. A general exemption may result in inappropriate signage, particularly in Heritage Precincts. Developments such as 'public art' and 'public toilets' should also be subject to approval if located within a Heritage Precinct.</p>	<p>Required to provide consistency across planning and building legislation.</p>	<p>minor infrastructure: Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, associated signs and the like on public land.</p>	<p>As per <i>Building Regulations 2014</i>: (b) a non-roofed deck that is</p>
<p>6.1.4 A permit under this planning scheme is not required for a use or development described in</p>	<p>Unroofed decks: If: (a) not attached to or abutting a habitable building;</p>	<p>Delete part (a). Match provisions to exemptions in the <i>Building Regulations 2014</i>.</p>	<p>Delete 'associated signs' from TPC exemption and provide protection for Heritage Precincts from inappropriate development.</p>	<p>Signage exemptions are covered by the Signs Code. A general exemption may result in inappropriate signage, particularly in Heritage Precincts. Developments such as 'public art' and 'public toilets' should also be subject to approval if located within a Heritage Precinct.</p>	<p>Required to provide consistency across planning and building legislation.</p>	<p>minor infrastructure: Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, associated signs and the like on public land.</p>	<p>As per <i>Building Regulations 2014</i>: (b) a non-roofed deck that is</p>

<p>subclauses 6.1.5 and 6.1.6 unless there is:</p> <p>(a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;</p> <p>(b) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity;</p> <p>(c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area as shown in the planning scheme;</p> <p>(d) the removal of any threatened vegetation; or</p> <p>(e) land located within 30m of a wetland or watercourse;</p> <p>6.1.6 Construction, placement or demolition of an unroofed deck not attached to or abutting a building, that has a floor level less than 1m above natural ground level and is at least 1m from any boundary.</p>	<p>(b) floor level less than 1m above existing ground level; and</p> <p>(c) not subject to the Local Historic Heritage Code.</p>	<p>(i) constructed of timber products; and</p> <p>(ii) is not more than one metre above finished ground level; and</p> <p>(iii) not closer than 900 millimetres to a boundary; and</p> <p>(iv) not situated in a bushfire-prone area; and</p> <p>(v) not situated within one metre of a drain or service easement; and</p> <p>(vi) appurtenant to a Class 1 building; and</p> <p>(vii) not covered by a roof, pergola, trellis, garden arch or frame;</p>	<p>As per suggested change.</p>
<p>N/a</p>	<p>N/a</p>	<p>Define: Caretakers Cottage</p>	<p>Required to assist interpretation of the scheme provisions.</p>
<p>N/a</p>	<p>N/a</p>	<p>Define: Window Assembly</p>	<p>Required to assist interpretation of the Signs Code.</p> <p>As per suggested change.</p>

ZONES

General Residential Zone

8.2 Use Table

NMIIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>Visitor Accommodation (Defined as: use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.)</p>	<p>Visitor Accommodation (Defined as: use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpacker's hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.)</p>	<p>Qualification to exclude backpackers hostel, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area and residential hotel.</p>	<p>To allow B&B's and self-contained apartments and not visitor accommodation uses which may potentially conflict with residential uses.</p>	<p>Visitor accommodation Qualification: If for a bed and breakfast establishment or serviced apartment.</p>
<p>N/a</p>	<p>Use class: Sports and Recreation Definition: use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, children's play centre, public swimming pool, race course, sports ground, and major sporting facility.</p>	<p>Delete Use Class 'Sports and Recreation' from Discretionary section of the General Residential Use Class Table.</p>	<p>The use class is not compatible with the zone purpose and has the potential to conflict with residential amenity.</p>	<p>N/a</p>

8.3.2 Visitor Accommodation

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A1 Visitor Accommodated in existing buildings; and (b) has a gross floor area of not more than 160m ² . P1 Visitor Accommodation must: (a) not cause an unreasonable loss of privacy to adjoining properties; (b) be of an intensity that respects the character of use of the area; and (c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of private rights of way.	Delete restrictions on 'visitor accommodation'.	The provisions for visitor accommodation should not be more stringent than they are for single dwellings, or this opens the avenue for someone to construct a 'no permit required' single dwelling and then do a change of uses to visitor accommodation – permitted as it will be located within an existing building as per 8.3.2 A1 (a).	

8.4.2 Setbacks and building envelopes for all dwellings (including diagrams 8.4.2 A-D)

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
10.4.2 A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to	A3 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: (a) be contained within a building envelope (refer to	Amend diagram to reflect changes to provision	Although the side and rear setback wording is the same, the diagram shows a mandatory setback for the rear, which is not in accordance with the written provisions	Amend either diagram or wording to match.

<p>Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side 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 lot; 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>	<p>Diagrams 8.4.2A, 8.4.2B, 8.4.2C and 8.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal property, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	
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8.4.3 Site Coverage and Private Open Space for all dwellings

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>10.4.3 A2 A dwelling must have an area of private open space that:</p>	<p>A2 A dwelling must have private open space that:</p>	<p>Retain NMIPS 2013 provisions relating to private open space being accessible from habitable rooms, not</p>	<p>Ease of access to sunlight in outdoor areas of private open space are a significant</p>	<p>Adopt NMIPS clause 10.4.3 A2 in TPS.</p>

<p>(a) is in one location and is at least:</p> <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², 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); and <p>(b) has a minimum horizontal dimension of:</p> <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling</p>	<p>(a) is in one location and is not less than:</p> <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); <p>(b) has a minimum horizontal dimension of not less than:</p> <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p>used for vehicle parking and not located on the southern side of the dwelling unless sufficient sunlight is received.</p>	<p>factor in residential amenity and should be enforced.</p>
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<p>located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.</p>				
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Low Density Residential Zone

10.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>Visitor Accommodation (Defined as: use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.) <u>Permitted</u> Residential: If an ancillary dwelling, caretakers dwelling, home-based business, single dwelling</p>	<p>Visitor Accommodation (Defined as: use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpacker's hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.) <u>No Permit Required</u> Residential: If for a single dwelling or home-based business. <u>Permitted</u> Residential: If not listed as No Permit Required.</p>	<p>Qualification to exclude backpackers hostel, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area and residential hotel.</p>	<p>To allow B&B's and self-contained apartments and not visitor accommodation uses which may potentially conflict with residential uses.</p>	<p>Visitor accommodation Qualification: If for a bed and breakfast establishment or serviced apartment.</p>
<p><u>Permitted</u> Residential: If an ancillary dwelling, caretakers dwelling, home-based business, single dwelling</p>	<p><u>No Permit Required</u> Residential: If for a single dwelling or home-based business. <u>Permitted</u> Residential: If not listed as No Permit Required.</p>	<p>Delete the use class 'Residential' from the Permitted section of the use class table.</p>	<p>The current TPS use class table for the Low Density Residential zone allows for Multiple Dwellings and other high density residential uses as a permitted use in the zone. These areas are by their very name, characterised by low density single dwelling uses and density in these areas is limited by the provision of services.</p>	<p>Use class table: <u>No Permit Required</u> Residential: If for a single dwelling or home-based business. Delete the following: <u>Permitted</u> Residential: If not listed as No Permit Required.</p>

10.3 Use Standards

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
12.3.1 A3 If for permitted or no permit required uses. P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.	A2 External lighting for a use listed as Discretionary within the Use Table: (a) must be within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.	Change lighting hours	As the intent is to reduce the potential for a loss of residential amenity, lighting should be restricted outside business hours.	A2 External lighting for a use listed as Discretionary within the Use Table: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.

10.6.1 Development Standards for Subdivision

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
12.4.3.1 A1.1 Each lot must: a) have a minimum area of 1ha; and b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or c) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or d) be for the provision of public utilities; or	A1 Each lot must: (a) have an area of not less than 1500m ² and; (i) be able to contain a minimum building area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: a. all setbacks required by clause 10.4.3 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;	Restrict subdivision at Devon Hills and North Perth as per the current area designated as a 'no subdivision' area.	Local Provision relevant only to NMC municipality.	A2 Subdivision at Devon Hills will not result in any new lots.

<p>e) for the consolidation of a lot with another lot with no additional titles created; or f) to align existing titles with zone boundaries and no additional lots are created. A1.2 Subdivision at Devon Hills will not result in any new lots.</p>	<p>(b) be required for public use by the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State, Council or by a statutory authority; (c) be required for the provision of public utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</p>		
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Rural Living Zone

11.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>Visitor Accommodation (Defined as: use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.)</p>	<p>Visitor Accommodation (Defined as: use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpacker's hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.)</p>	<p>Qualification to exclude backpackers hostel, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area and residential hotel.</p>	<p>To allow B&B's and self-contained apartments and not visitor accommodation uses which may potentially conflict with residential uses.</p>	<p>Visitor accommodation Qualification: If for a bed and breakfast establishment or serviced apartment.</p>

11.5.1 Lot Design

NMIPS 2013	TPS	Suggested change	Comment	Revised wording

<p>A1.1 Each lot must:</p> <p>a) have a minimum area in accordance with Table 13.5.1.1 below; or</p> <table border="1" data-bbox="279 168 502 548"> <tr> <td colspan="2">Table 13.5.1.1 – Lot Size</td> </tr> <tr> <td>Blackwood Creek, Deddington, Norwich Drive, Pateena Road</td> <td>10 ha</td> </tr> <tr> <td>Caledonia Drive, Kalangadoo</td> <td>2 ha</td> </tr> </table>	Table 13.5.1.1 – Lot Size		Blackwood Creek, Deddington, Norwich Drive, Pateena Road	10 ha	Caledonia Drive, Kalangadoo	2 ha	<p>A1</p> <p>Each lot must:</p> <p>(a) for Rural Living A have an area not less than 1ha and:</p> <p>(i) be able to contain a minimum building area of 15m x 20m clear of:</p> <p>a. all setbacks required by clause 11.4.2 A2 and A3; 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 11.4.2 A2 and A3;</p> <p>(b) for Rural Living B have an area not less than 2ha; and</p> <p>(i) be able to contain a minimum building area of 15m x 20m clear of:</p> <p>a. all setbacks required by clause 11.4.2 A2 and A3; 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 11.4.2 A2 and A3;</p> <p>(c) be required for public use by the State Government, a Council, a statutory authority, or a corporation all shares of which are held by or on behalf of the State, Council or by a statutory authority;</p>	<p>Create a provision for 'Rural Living C' to account for areas with an average density of 10ha.</p>	<p>The areas of Blackwood Creek, Deddington, Norwich Drive and Pateena Road are characterised by an average lot size of 10ha. Under the TPS, these areas could be subdivided in accordance with the acceptable solution, down to a minimum lot size of 2ha. Many of these areas have limited services and are subject to environmental hazards, such as bushfire. The performance criteria allows for a variation of 20% smaller than the applicable lot size under the acceptable solution.</p>	<p>As per A1 (a) & (b), create a 'Rural Living C' as follows:</p> <p>(c) for Rural Living C have an area not less than 10ha and:</p> <p>(i) be able to contain a minimum building area of 15m x 20m clear of:</p> <p>a. all setbacks required by clause 11.4.2 A2 and A3; 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 11.4.2 A2 and A3</p>
Table 13.5.1.1 – Lot Size										
Blackwood Creek, Deddington, Norwich Drive, Pateena Road	10 ha									
Caledonia Drive, Kalangadoo	2 ha									

	(d) be required for the provision of public utilities; or (e) be for the consolidation of a lot with another lot provided each lot is within the same Zone.			
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12.0 Village Zone

12.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Residential	Residential	Remove the use class 'residential' from the permitted section of the use class table, as it is elsewhere defined in 'no permit required' and 'discretionary'.	The use class 'residential' is no permit required if for a single dwelling or home based business. The use class 'residential' is a discretionary use if not listed as permitted.	N/a – Typo. Delete as per suggested change.

12.4.1 Residential Density for Multiple Dwellings

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A1 Multiple dwellings must: (a) have a site area per dwelling of not less than 600m ² ; and (b) have a connection to a reticulated sewerage, stormwater and potable water system. P1.1 For a site that has a connection to or is capable of being connected to, a reticulated sewerage, stormwater and potable water system, multiple	Divide A1 so it specifically relates to the corresponding performance criteria.	The corresponding performance criteria for part (a) & (b) of the acceptable solutions are divided into P1.1 & P1.2. The acceptable solutions should match the corresponding performance criteria.	A1.1 Multiple dwellings must have a site area per dwelling of not less than 600m ² . A1.2 Multiple dwellings must have a connection to a reticulated sewerage, stormwater and potable water system.

			<p>dwelling must have a site area per dwelling that does not exceed the capacity of reticulated infrastructure services and:</p> <ul style="list-style-type: none">(a) is compatible with the density existing on established properties in the area; or(b) it provides for a significant social or community housing benefit. <p>P1.2</p> <p>For a site that is not capable of being connected to a reticulated sewerage, stormwater and potable water systems, multiple dwellings have a site area that:</p> <ul style="list-style-type: none">(a) is sufficient for on-site wastewater and stormwater disposal and water supply; and(b) is not within an area where there is planned reticulated infrastructure.

14.0 Local Business Zone

14.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Use Class: Visitor Accommodation (permitted) Qualification: N/a	Use Class: Visitor Accommodation (permitted) Qualification: If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.	Add same qualifications as for general business zone.	Ensures consistency and provides protection for adjoining land users. All visitor accommodation uses are possible as 'discretionary' uses.	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not a camping and caravan park or overnight camping area.
Use class: Manufacturing and processing (Discretionary) Qualification: N/a	Use class: Manufacturing and processing (Discretionary) Qualification: N/a	Insert qualification to ensure a shop front and restrict floor area or certain industries	Ensure active street frontage are maintained and industrial uses do not dominate the business streetscape	TBA
N/a	Use class: Resource Processing Qualification: If for a distillery, brewery or cidery.	Add 'winery' to qualification	Similar use, particularly where a cellar door is present.	Use class: Resource Processing Qualification: If for a distillery, brewery, cidery or winery.
Use class: Storage (Discretionary) Qualification: N/a	Use class: Storage (Discretionary) Qualification: N/a	Delete use class or restrict to uses with a sales/shopfront component	Not consistent with zone purpose	N/a

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	Clause 14.4.3 (General)	<ul style="list-style-type: none"> • Provisions are very much directed at the design of new buildings, but wording applies to all buildings; • In many cases, the performance criteria are effectively the same as the acceptable solution or relate to necessity; • (d) & (e) could be combined; • (f) it is not clear what the issue with security shutters is and the performance criteria relates to being “essential for security”, which is very difficult to demonstrate. 	Revised wording or deletion required. The issues raised by the provisions do not present as planning issues.	See suggested changes and comments.

14.4.6 Dwellings (incorrectly numbered as 14.4.4)

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A2 Each dwelling must be provided with a dedicated and secure storage space of no less than 6m ³ . P2 Each dwelling must be provided with adequate storage space.	Define "secure storage space" and further definition of how adequate storage may be determined.	Definition could be clarified within the clause or in the terms and definitions table at 3.1.3.	A2 Dwellings with ground level private open space must be provided with a dedicated and secure storage space in the form of a garden shed or similar, of no less than 6m ³ . P2 Each dwelling must be provided with adequate storage space, having regard to: a) Alternative storage options; and b) The area of private open space to be maintained.

14.5.2 Services

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
20.4.2 A4 Each lot must be connected to a reticulated stormwater system.	A3 Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	Stormwater should service the whole of the lot.	The development area is not known at subdivision stage and provision should be made to dispose of stormwater from car parking and storage areas.	A3 Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the developable area by gravity.

15.0 General Business Zone

Carry over relevant changes from the Local Business Zone.

18.0 Light Industrial Zone

18.1 Zone Purpose

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>24.1 Zone Purpose</p> <p>24.1.1 Zone Purpose Statements</p> <p>24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.</p> <p>24.1.1.2 To focus light industrial use and development into appropriate areas suitable for its needs.</p> <p>24.1.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.</p>	<p>18.1 Zone Purpose</p> <p>The purpose of the Light Industrial Zone is:</p> <p>18.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.</p> <p>18.1.2 To provide for industrial activity with good access to strategic transport networks.</p> <p>18.1.3 To provide for compatible use or development that supports and does not adversely impact on industrial activity.</p>	<p>Reword TPS Light Industrial Zone Purpose 18.1.3</p>	<p>The intent of the NMIPS 2013 wording is much clearer.</p>	<p>18.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.</p>

18.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>N/a</p>	<p>Use Classes: Community Meeting and Entertainment, Domestic Animal Breeding, Boarding or Training & Sports and Recreation</p>	<p>Amend zone purpose or delete use classes</p>	<p>The use classes Community Meeting and Entertainment, Domestic Animal Breeding, Boarding or Training & Sports and Recreation in the TPS Light Industrial Zone are not supported by the zone purpose.</p>	<p>18.1.4 To provide for non-industrial uses which encourages the re-use of buildings, provided such uses will not constrain surrounding industrial uses.</p>

19.0 General Industrial

19.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	Resource Processing	Include qualifications where listed as 'permitted'	Resource processing is listed as discretionary with the qualification "if not listed as permitted" therefore the uses class resource processing should be qualified in the permitted section of the use class table.	To be determined once intent known.

21.0 Agriculture Zone

21.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Use Class: Educational and Occasional Care (Discretionary) Qualification: If providing education services for the resource development use class N/a – not listed	Use Class: Educational and Occasional Care (Discretionary) Qualification: N/a	Add qualification as per NMIPS 2013 use class table.	Restrict the conversion of agricultural land to development for education which supports the rural industry	Use Class: Educational and Occasional Care (Discretionary) Qualification: If providing education services for the resource development use class N/a – delete use class from use class table
	Use class: Manufacturing and Processing Qualification: If: (a) for the manufacturing of agricultural equipment; or (b) for the processing of materials from Extractive Industry.	Delete use class	Such manufacturing has no requirement to be located on agricultural land and should be limited to industrial zones	

<p><u>Permitted:</u> Use class: Residential Qualification: If for existing uses or home-based business in an existing dwelling <u>Discretionary:</u> Use class: Residential Qualification: If for single dwelling</p>	<p><u>Permitted:</u> Use class: Residential Qualification: If: (a) for a home based business; or (b) for alterations or extensions to an existing dwelling <u>Discretionary:</u> Use class: Residential Qualification: If not listed as Permitted</p>	<p>Qualify the discretionary residential use class to be for single dwellings only. Allowing for all residential uses includes: use of land for self-contained or shared living accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, hostel, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.</p>	<p>See comment below</p>	<p><u>Discretionary:</u> Use class: Residential Qualification: If for single dwelling Dwellings ancillary to agricultural uses (for farm workers) to be considered integral and subservient to the resource development use class. Alternatively, a new definition within the Residential use class for 'rural dwellings' could be created, and the discretionary qualification for the Residential use class could read: Qualification: If for single dwelling or rural dwellings.</p>
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Comment:

The current wording effectively allows for ALL uses under the residential use class, not associated with an agricultural use, to be located on agricultural land, provided that part (b) of the performance criteria P3 of clause 21.3.1 is met, which states:

P3

A Residential use listed as Discretionary in the Use

Table use must:

(a) be required as part of an agricultural use,

having regard to:

(i) the scale of the agricultural use;

(ii) the complexity of the agricultural use;

(iii) the operational requirements of the agricultural use;

(iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and

(v) proximity of the dwelling to the agricultural

*use; **OR***

(b) not confine or restrain agricultural use on adjoining properties and be located on a site that:

(i) is not capable of practically supporting an agricultural use; and

(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use.

The explanatory document for the draft of the state planning provisions of the Tasmanian Planning Scheme, states as follows:

An additional discretionary use is for residential uses that are not permitted allows for consideration of multiple dwellings where these are directly related to and subservient to a Resource Development Use. This has been included based on State Agency advice to enable the provision of more than a single dwelling to provide for agricultural workers required to be on-site. Any residential use needs to comply with the Use and Development Standards which address the PAL State Policy.

Part (b) of the performance criteria has no reference to the residential use being used ancillary to an agricultural use and performance criteria for the development standards allow for variations to the setback requirements. Accordingly, the zone purpose is not supported by the use class table and associated provisions relating to residential development. Dwellings required for workers on-farm should be considered as part of the Resource Development Use Class, as they are integral and subservient to this use. The current NMIPS appropriately deals with this matter through provisions relating to 'dwellings', irrespective of the use class and it would be appropriate to carry these provisions, which allow for the protection of agricultural land, through to the TPS.

21.4.3 Access for new dwellings

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>26.3.2 P1.3 A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.</p>	<p>A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority. P1 New dwellings must have legal access, by right-of-carriageway, to a road maintained by a road authority that satisfies the following: (a) the right-of-carriageway must be the subject of a Part 5 Agreement which provides for the construction and maintenance of the access,</p>	<p>Clarify if the part five agreement must come into effect prior to the application being valid.</p>	<p>Access arrangements are largely dependent on whether approval is granted for a dwelling or not.</p>	<p>P1 New dwellings must be capable of having legal access, by right-of-carriageway, to a road maintained by a road authority that satisfies the following: (a) the right-of-carriageway must be the subject of a Part 5 Agreement which provides for the construction and maintenance of the access, and for the continuity of the access; and...</p>

			<p>and for the continuity of the access; and (b) the right-of-carriageway is appropriate having regard to: (i) the number of users of the access; (ii) the length of the access; (iii) the suitability of the access for use by the occupants of the dwelling; (iv) the suitability of the access for emergency services vehicles; (v) the topography of the site; (vi) the construction and maintenance of the access; and (vii) the construction, maintenance and usage of the road.</p>	
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21.5.1 Lot design

NMIPS 2013	TPS	Suggested change to	Comment	Revised wording
26.4.2 Subdivision A1 Lots must be: a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or b) for the consolidation of a lot with another lot with no additional titles created; or	A1 Each lot on a plan of subdivision must: (a) be required for public use by the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State,	Delete reference to irrigation. Insert 'and', or 'or' after part (a) of acceptable solution A1.	As an acceptable solution, this provision may be abused due to the lack of clarification around this term. No information is available as to whether this relates solely for the purpose of establishing irrigation infrastructure, whether the subdivision of land allows for the funding of irrigation and whether consideration may	Delete reference to irrigation. Insert 'and', or 'or' after part (a) of acceptable solution A1.

<p>c) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>Council or by a statutory authority; (b) be required for the provision of Utilities or irrigation; or (c) be for the consolidation of a lot with another lot provided both lots are within the same Zone.</p>	<p>Revert to performance criteria of the NMIPS.</p>	<p>be given to 'future' irrigation schemes and the like.</p>	<p>P1 The subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision;</p>
<p>P1 The subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision;</p> <p>or</p> <p>b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.</p>	<p>P1 Each lot must:</p> <p>(a) provide for the sustainable operation of an agricultural use, having regard to:</p> <p>(i) not materially diminishing the agricultural productivity of the land;</p> <p>(ii) the capacity of the new lots for productive agricultural use;</p> <p>(iii) any topographical constraints to agricultural use; and</p> <p>(iv) current irrigation practices and the potential for irrigation;</p> <p>(b) be for the reorganisation of lot boundaries that satisfies all of the following:</p> <p>(i) provides for the sustainable operation of an</p>	<p>The performance criteria proposed by the TPS will unnecessarily complicate assessment and creates the potential for abuse of the provisions. The need for farmers to rid themselves of additional dwellings is outweighed by the negative impacts of creating residential uses scattered amongst rural enterprises and the conflict of use and change of character that follows.</p> <p>The current provisions under the NMIPS since their implementation, have proved very successful in ruling out illegitimate subdivision, while providing for the realignment of titles to better meet the needs of property owners for the establishment of irrigation infrastructure and the like.</p>	<p>P1 The subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision;</p> <p>or</p> <p>b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.</p>	

	<p>agricultural use, having regard to:</p> <ul style="list-style-type: none">a. not materially diminishing the agricultural productivity of the land;b. the capacity of the new lots for productive agricultural use;c. any topographical constraints to agricultural use; andd. current irrigation practices and the potential for irrigation; <ul style="list-style-type: none">(ii) all new lots must be not less than 1ha in area;(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and(v) it does not create any additional lots; or <p>(c) it is for the excision of an existing use or development that satisfies all of the following:</p> <ul style="list-style-type: none">(i) the balance lot provides for the sustainable operation of an agricultural use, having regard to: <ul style="list-style-type: none">a. not materially diminishing the agricultural productivity of the land;			
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b. the capacity of the balance lot for productive agricultural use;
c. any topographical constraints to agricultural use; and
d. current irrigation practices and the potential for irrigation;
(ii) an agreement pursuant to section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;
(iii) any existing buildings for a sensitive use must meet the performance criteria for clause 21.4.2 in relation to setbacks to new boundaries; and
(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.

21.5.2 Services

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A1 Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.	Delete provision	Rural lots located adjacent to towns, which are used solely for agricultural purposes, have no requirement for a water connection and accordingly, such a provision should not be enforced as a mandatory provision. The Explanatory document states: <i>Some rural areas are currently serviced by reticulated potable water supply. This standard requires new lots to be connected to the water supply where available to provide for efficient use of existing infrastructure. The standard is not applicable to areas unserved by a reticulated water supply.</i> It is not; however, efficient use of infrastructure if there is no requirement for such infrastructure.	Delete provision

27.0 Community Purposes Zone

27.2 Use Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<u>Discretionary</u> Use class: Business and Professional Services Qualification: N/a	<u>Permitted</u> Use class: Business and Professional Services Qualification: If:	Add 'or government' to permitted qualification, part (b).	Many existing Government based buildings are located within this zone.	<u>Permitted</u> Use class: Business and Professional Services Qualification: If:

	<p>(a) for medical centre; (b) for a community-based organisation; or (c) for funeral parlour.</p>		<p>(a) for medical centre; (b) for a community-based organisation; or (c) for funeral parlour. <u>Discretionary</u> Use class: Business and Professional Services Qualification: If not listed as Permitted.</p>	
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29.0 Open Space Zone


29.2 Use table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p><u>Discretionary</u> Use Classes: Food Services & General Retail & Hire</p>	<p>Qualify use classes to ensure development within these uses classes are of appropriate scale and context to the zone and meet the zone purpose.</p>	<p>Unqualified use classes could result in the application for inappropriate development.</p>	<p>As per suggested changes.</p>

CODES

1.0 Signs Code

Table C1.3 Sign Type Definitions

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	N/a	Insert 'Bracket Sign'	A sign commonly used for B & B Accommodation and small business.	Bracket Sign: means a sign affixed to a single pole by a bracket. Eg. 
Building fascia sign: A sign on the front of a building.	Building fascia sign: means a sign attached to the fascia of a building.	Replace 'fascia' with 'front'. Carry change through to table C1.6.	Not all buildings have a fascia band and the wording assists in defining where the signage may be located.	Building fascia sign: means a sign attached to the front of a building. Within table C1.6, insert standard that restricts signage to a percentage of the front of the building, if not located within the fascia band.
N/a	N/a	Define: Open Sign	Required to allow exemption for signs advertising that a business is open.	Open sign: A sign advising whether a business is open.

C1.4 Development Exempt from this Code

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	C1.4.3 Changes to the graphics of a sign that was lawfully displayed on the effective date, including text, graphic design and colour is	Allow for changes to signs after the effective date	Changes to legally established signs after the effective date should be allowed to change, as per signs established before the effective date.	C1.4.3 Changes to the graphics of a lawfully displayed sign, including text, graphic design and colour is

	<p>exempt from this Code provided that: (a) the sign has not changed in dimension, proportion or location; and (b) if an illuminated sign, the method of illumination has not changed</p>			<p>exempt from this Code provided that: (a) the sign has not changed in dimension, proportion or location; and (b) if an illuminated sign, the method of illumination has not changed</p>
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Table C1.4 Exempt Signs

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p>Sign Type: Community information Sign</p> <p>Requirement: No Restriction</p> <p>Definition: Means a sign erected by a statutory authority for the purpose of providing community information</p>	<p>Insert restriction on the maximum size of the sign and number of signs per site.</p>	<p>The definition of Community Information Sign is broad and requires further clarification as to the degree of the exemption.</p>	<p>Sign Type: Community Information Sign</p> <p>Requirement: Must: (a) Have a maximum area of 2m² per sign; and (b) Be limited to one sign per lot, unless a corner lot, where signage is limited to one sign per road frontage.</p>
<p>Election Sign: Must not exceed 1m² and being displayed only for the period between the issuing of a writ for an election and fourteen days after the election.</p>	<p>Sign Type: Election Sign</p> <p>Requirement: Must: (a) not encroach on any road or other public reservation; (b) have a maximum area of 1.5m²; (c) not be erected more than 8 weeks before the polling date; and (d) be removed within 7 days after the polling date.</p>	<p>Include limit of number of signs per site</p>	<p>It is not uncommon for repeated signage to be displayed during election periods, resulting in large areas being covered in signage and negating the size restriction on individual signs.</p>	<p>Sign Type: Election Sign</p> <p>Requirement: Must: (a) not encroach on any road or other public reservation; (b) have a maximum area of 1.5m²; (c) not be erected more than 8 weeks before the polling date; (d) be removed within 7 days after the polling date; and (e) be limited to one sign per site.</p>

<p>N/a – no exemption.</p>	<p>Sign Type: Portable Sign Requirement: No Requirements.</p>	<p>Inset size limit and number of signs allowed per exemption.</p>	<p>Could result in proliferation of portable signs. As they are exempt, portable signs on private land would be effectively unregulated.</p>	<p>Sign Type: Portable Sign Requirement: Must: (a) be limited to one sign per site; and (b) have maximum dimensions of: i) 1m high; and ii) 0.6m wide.</p>
<p>N/a</p>	<p>N/a</p>	<p>Provide exemption for an 'open sign'</p>	<p>Provides business owners surety that these signs do not require approval.</p>	<p>Open sign: Must be no larger than 0.125m² (based on these signs being 480mm x 250mm as advertised at Officeworks)</p>
<p>Real Estate Sign: Must be a sign within the following categories placed upon the relevant property prior to sale and not exceeding 21 days after the property is sold, let or withdrawn from the market: (a) A sign(s) indicating that a property is FOR SALE having a size not greater than 3m² in total. (b) A sign(s) indicating that a property is TO LET having a size not greater than 3m² in total. (c) A sign(s) indicating that a property is FOR AUCTION having a size not greater than 2.5m x 2m. A sign fixed on a private property indicating the direction to the property in categories (i), (ii) and (iii) having a size no greater than 1.5m x 1m.</p>	<p>Sign Type: Real Estate Sign Requirements: Must: (a) be erected only on the land for which the property is for let, lease or for sale; and (b) be removed within 7 days of the property being sold, leased or let.</p>	<p>Inset size limit on real estate signs and allow for directional real estate signs.</p>	<p>Provides a uniform guideline for real estate signage.</p>	<p>Real Estate Sign: Must be a sign within the following categories placed upon the relevant property prior to sale and not exceeding 21 days after the property is sold, let or withdrawn from the market: (a) A sign(s) indicating that a property is FOR SALE having a size not greater than 3m² in total. (b) A sign(s) indicating that a property is TO LET having a size not greater than 3m² in total. (c) A sign(s) indicating that a property is FOR AUCTION having a size not greater than 2.5m x 2m. A sign fixed on a private property indicating the direction to the property in categories (i), (ii) and (iii) having a size no greater than 1.5m x 1m.</p>

<p>Sport Sign Must not be seen from outside the subject site.</p>	<p>Sign Type: sports ground sign Restriction: Must not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code</p> <p>Definition: means a sign erected wholly within a sports ground.</p> <p>Sign Type: tourism visitor information sign Restriction: Must have written approval from Council or the relevant agency, where necessary.</p>	<p>Place a restriction on the number and size of signs, or visibility from public view points.</p>	<p>Despite the definition for a sports ground sign stating that it must be located wholly within a sports ground, there are no provisions relating to the size, number or visibility of signs.</p>	<p>Sign Type: Sports Ground Sign Restriction: Must: a) be limited to the name of the sports ground; or b) not be seen from outside the subject site.</p>
<p>N/a</p>	<p>Create sign type and definition in Table C1.3 Sign Type Definitions</p>		<p>Signage is undefined</p>	<p>N/a</p>

C1.6.1 Design and siting of signs

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>N/a</p>	<p>A3 The number of signs for each business or tenancy on a</p>	<p>b) each window should read each 'window assembly' to be consistent with the definition of window signs (window assembly to be defined). c & d) Change 'street frontage' to read 'lot frontage' d) fix typo. General: Reconsider if larger street frontages have a need for greater signage.</p>	<p>Changes required to assist in the interpretation of the clause.</p>	<p>As per suggested changes.</p>

			<p>street frontage of a building must be no more than:</p> <ul style="list-style-type: none"> (a) 1 of each sign type, unless otherwise stated in Table C1.6; (b) 1 window sign for each window; (c) 3 if the street frontage is less than 20m in length; and (d) 6 if the street frontage is 20m or more. <p>except for the following sign types, for which there is no limit:</p> <ul style="list-style-type: none"> (i) name plate; and (ii) temporary sign. 	<p>N/a</p>
<p>TBA</p>	<p>Performance criteria allows for increase, yet encourages decrease in signage in the same provision. Part (b) is already covered by 'visual clutter in part (a).</p>	<p>Reward Performance criteria</p>	<p>P3 The number of signs for each business or tenancy on a street frontage must:</p> <ul style="list-style-type: none"> (a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and (b) not involve the repetition of messages or information. 	

C1.6.2 Illumination of Signs

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Illumination covered within provisions for each sign type.	<p>A1 No Acceptable Solutions. P1 An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the sign; (b) the size of the sign; (c) the intensity of the lighting; (d) the hours of operation of the sign; (e) the purpose of the sign; (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity; (g) the intended purpose of the changing message of the sign; (h) the percentage of the sign that is illuminated with changing messages; (i) proposed dwell time; and (j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device. 	Acceptable solution for static externally illuminated signs.	Allow signage to be visible at night in unlit/poorly lit areas to assist visitors to the site in locating the property (such as for a motel).	TBA

<p>A2 An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.</p>	<p>P2 No Performance Criteria.</p>	<p>Allow performance criteria for signage that does not meet acceptable solution.</p>	<p>Illuminated message signs that change messages at varying intervals would not meet the acceptable solution and may be appropriate in certain situations (such as plaza blade signs depicting the time/temperature etc).</p>	<p>As per C1.6.2 P1.</p>
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C1.6.3 Third Party Signage

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>E15.5.1 A1 Must only advertise goods and services available from the site. P1 Shall be a Billboard Sign and consistent with the desired future character statements, if any.</p>	<p>A1 No Acceptable Solutions. P1 A third party sign must be compatible with the natural and built environment of the locality, having regard to: (a) the content of the sign; (b) the necessity for the advertisement to be in the location; (c) opportunities for alternative locations or other methods to achieve the intended purpose (e.g. eligibility for Tasmanian Visitor Information System (TVIS) signs); and (d) the likely impact on the operation and safety of a railway, road, footpath, navigable water, or controlled air space in accordance with the advice of any relevant regulatory entity.</p>	<p>1. Provide greater cohesion between the objective of the clause and the performance criteria. 2. Clarify the grounds on which the 'necessity' of a sign should be determined.</p>	<p>The necessity of a sign is subjective and further grounds would assist in ensuring uniform assessment across a range of proposals.</p>	<p>P1 A third party sign must be compatible with the existing or desired future character of the streetscape and the area in which it is proposed to be located, having regard to: (a) the content of the sign; (b) the necessity for the advertisement to be in the location, taking into account: i) topographical constraints, ii) access to road frontages; and iii) pattern of existing signage in the area; (c) opportunities for alternative locations or other methods to achieve the intended purpose (e.g. eligibility for Tasmanian Visitor Information System (TVIS) signs); and (d) the likely impact on the operation and safety of a railway, road, footpath,</p>

				navigable water, or controlled air space in accordance with the advice of any relevant regulatory entity.

Table C1.6 Sign Standards

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>A8 A banner sign must be located in the following zones:</p> <ul style="list-style-type: none"> • General Business (no permit required); or • Local Business (no permit required); or • Village. <p>P8 A banner sign located in the:</p> <ul style="list-style-type: none"> • Light Industrial Zone; or • General Industrial Zone <p>must demonstrate that:</p> <ol style="list-style-type: none"> a) no other form of permitted signage will meet the needs of the proprietor; and b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme. 	<p>Sign Type: banner - horizontal sign</p> <p>Applicable Zones:</p> <ul style="list-style-type: none"> Central Business Commercial Community Purpose Environmental Management General Business Light Industrial General Industrial Local Business Open Space Village Recreation Rural Resource Urban Mixed Use Utilities Village Port and Marine Major Tourism Particular Purpose <p>Sign Standards:</p> <p>Must:</p> <ol style="list-style-type: none"> (a) have a maximum vertical dimension of 1m; (b) have a maximum horizontal dimension of 6m; (c) have a minimum clearance above ground level of 5.5m; and (d) have a maximum area of 4m² if attached to the front of a building façade. 	<p>Allow reduced clearance above ground level if the Banner Sign is not located across a road.</p>	<p>The height above ground level is excessive if attached to the front of a building.</p>	<p>Sign Standards:</p> <p>Must:</p> <ol style="list-style-type: none"> (a) have a maximum vertical dimension of 1m; (b) have a maximum horizontal dimension of 6m; (c) have a minimum clearance above ground level of 5.5m if located over a road; and (d) have a maximum area of 4m² if attached to the front of a building façade.
<p>A9 A banner sign must:</p> <ol style="list-style-type: none"> a) not be erected for a period exceeding four weeks; and 				

<p>b) be attached to the front of a single building facade; and c) have a maximum area of 4m². P9 No performance criteria</p>	<p>As above</p>	<p>Sign Type: banner - vertical sign Applicable Zones: Central Business Commercial Community Purpose Environmental Management General Business Light Industrial General Industrial Local Business Open Space Village Recreation Rural Urban Mixed Use Utilities Village Port and Marine Major Tourism Particular Purpose Sign Standards: Must: (a) be no higher than 4.2m above the ground; (b) have a minimum clearance above ground level of 2.4m; and (c) have a maximum number of 2 banners per site frontage.</p>	<p>Allow reduced clearance above ground level if the Banner Sign is not located above a footpath.</p>	<p>The height above ground level is excessive if pedestrian access is not required.</p>	<p>Must: (a) be no higher than 4.2m above the ground; (b) have a minimum clearance above ground level of 2.4m if pedestrian access under the sign is required; and (c) have a maximum number of 2 banners per site frontage.</p>
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<p>NMIPS 2013 N/a</p>	<p>TPS Sign Type: Ground Based Sign Applicable Zones: All Zones Sign Standards: Must: (a) be limited to 1 ground base sign for each 20m of frontage or part thereof; (b) not be higher than 2.4m above the ground; and (c) have a supportive structure that does not project above the sign face, unless it forms a feature or is incorporated in the sign design.</p>	<p>Suggested change 1. Insert size restriction. 2. Delete part (c).</p>	<p>Comment Lack of size restriction could result in excessive signage along a road frontage. It may be argued that any projections beyond the sign face are 'incorporated in the sign design'.</p>	<p>Revised wording Sign Standards: Must: (a) be limited to 1 ground base sign for each 20m of frontage or part thereof; (b) not be higher than 2.4m above the ground; and (c) have a maximum area of 2.5m² for each face.</p>
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<p>NMIPS 2013 N/a</p>	<p>TPS Sign type: Hanging Sign Applicable Zones: All Zones Sign Standards: Must: (a) be limited to 1 hanging sign on each tenancy having frontage; (b) have a maximum vertical dimension of 800mm; (c) have a maximum distance of 200mm from the wall; (d) have a minimum clearance above ground level of 2.4m; (e) not be erected within 2.4m of any existing projecting sign; and (f) not be erected within 1.2m of any side boundary.</p>	<p>Suggested change to Delete reference to 'frontage' in part (a) of sign standards</p>	<p>Comment Allows for signage allocation for rear tenancies.</p>	<p>Revised wording Sign Standards: Must: (a) be limited to 1 hanging sign on each tenancy; (b) have a maximum vertical dimension of 800mm; (c) have a maximum distance of 200mm from the wall; (d) have a minimum clearance above ground level of 2.4m; (e) not be erected within 2.4m of any existing projecting sign; and (f) not be erected within 1.2m of any side boundary.</p>
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NIMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>Pole Sign P36 If greater than 5m in height or a face greater than 3m in height, it must be demonstrated that the sign will:</p> <ul style="list-style-type: none"> a) be sympathetic to the architectural character and detailing of the building; and b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and c) not result in loss of amenity to neighbouring properties; and d) not involve the unnecessary repetition of messages or information on the same street frontage; and e) not contribute to or exacerbate visual clutter; and f) not distract motorists as a result of size illumination or movement; and g) under no circumstances exceed 7m in height. 	<p>Sign Type: Pole Sign</p> <p>Applicable Zones: Central Business Commercial Community Purpose General Business Light Industrial General Industrial Recreation Open Space Local Business Port and Marine Major Tourism Particular Purpose</p> <p>Sign Standards: Must: (a) project not more than 1.2m beyond the boundary with the footpath or road reservation; (b) have no more than two faces; (c) have a maximum area of 5m² for each face; (d) have a maximum height above ground level of 5m; (e) have a clearance from ground level to the sign not less than 2.4m; and</p>	<p>Insert overall height restriction for Pole Signs</p>	<p>Signage over a maximum of 7m is not appropriate in many of the applicable zones.</p>	<p>Sign Standards: Must: (a) project not more than 1.2m beyond the boundary with the footpath or road reservation; (b) have no more than two faces; (c) have a maximum area of 5m² for each face; (d) have a maximum height above ground level of 5m; (e) have a clearance from ground level to the sign not less than 2.4m; and (f) under no circumstances exceed 7m in overall height.</p>

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
	<p>Sign Type: Poster Panel (billboard)</p> <p>Applicable Zones: Rural Living Urban Mixed Use Village Community Purposes Recreation Open Space Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Agriculture Major Tourism Port and Marine Particular Purpose</p> <p>Sign Standards: Must: (a) have a maximum vertical dimension of 3m; (b) have a maximum horizontal dimension of 6m; and (c) not extend vertically or horizontally from the surface to which it is attached.</p>	<p>1. Clarify that signage relates to the signage panel only and overall height for freestanding billboard signs. 2. Revise the zones in which Poster Panel (bill board) signs are allowable by removing the following zones: Rural Living Community Purposes Recreation Open Space Rural Agriculture</p>	<p>Assist interpretation of clause and prevent inappropriate signage in certain zones.</p>	<p>Sign Standards: Must: (a) have a maximum signage panel vertical dimension of 3m; (b) have a maximum signage panel horizontal dimension of 6m; (c) not extend vertically or horizontally from the surface to which it is attached; and (d) if freestanding, have a maximum overall height of 5m.</p>

C2.0 Parking and Sustainable Transport Code

C2.3 Definition of Terms

C2.3.1 - Table

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	N/a	Define 'Parking plan'	In keeping with a definition for a 'parking precinct plan', a 'parking plan' should also be defined.	To be determined by TPC.

C2.4 Use or Development Exempt from this Code

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
E6.5.1 There are no exemptions to this code.	C2.4.1 There are no exemptions to this Code.	Inset exemption for Subdivision	The future use of land is unknown, therefore, parking requirements are unable to be determined. The Parking and Sustainable Transport Code will apply to future development of any subdivided land.	C2.4.1 This Code does not apply to the use and development of land for subdivision.

C2.5.1 Car parking numbers

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
E6.6.1 A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	A1 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	Delete part (d) of clause C2.5.1 A1.	As the number of parking spaces are already determined by the intensification of the use (either floor area or number of employees), this clause is not required as it is already dealt with by Table C2.1. In any case, the equation is not completed as no definition is provided for "c".	Delete part (d).

be in accordance with that plan;

(b) the site is contained within a parking precinct plan and subject to Clause C2.7;

(c) the site is subject to Clause C2.5.5; or

(d) it relates to an intensification of an existing use or development or a change of use where:

(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.

(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:

$N = A + (C - B)$

N = Number of on-site car parking spaces required

A = Number of existing on-site car parking spaces

B = Number of on-site car parking spaces required for

<p>P1 The number of car parking spaces provided must have regard to:</p> <ul style="list-style-type: none"> a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and 	<p>P1.1 The number of on-site car parking spaces for uses other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-street public car parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (e) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (f) an assessment of the actual car parking demand determined taking into 	<p>Delete P1.2 so that variations for residential uses take into account the same matters as variations for all other uses.</p>	<p>Allows for matters such as site constraints and availability of public transport to be taken into account. Also provides greater consistency with the performance criteria for parking in the Inner Residential and General Residential Zones (clause C2.5.5 P1).</p>	<p>Delete performance criteria P1.2 of clause C2.5.1 so that P1 applies to all uses.</p>
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<p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>	<p>account the nature of the use and development;</p> <p>(g) the effect on streetscape; and</p> <p>(h) the recommendations of any traffic and parking impact assessment prepared by a suitably qualified person for the proposal; or</p> <p>P1.2 The number of car parking spaces for residential uses must meet the reasonable needs of the use, having regard to:</p> <p>(a) the intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the locality.</p>		
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C2.5.5 Number of Car Parking Spaces within the Inner Residential Zone and General Residential Zone

NMIIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p>A1 Within the Inner Residential Zone and General Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area provided the use complies with the hours of operation</p>	<p>1. Add acceptable solution for development in accordance with Table C2.1 - Parking Space Requirements or delete clause.</p> <p>2. Reconsider whether it is appropriate that Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and General Retail and Hire uses up to 100m² floor area provided the use complies</p>	<p>As there is no acceptable solution for all other uses, this clause effectively makes any parking in Inner Residential or General Residential Zone (other than Food services/General Retail & Hire) discretionary, as the performance criteria must be relied upon.</p> <p>The uses exempted by the acceptable solution have the</p>	<p>Delete entire clause and make all parking requirements in accordance with clause C2.5.1 – Car parking numbers.</p>

	specified for the relevant Zone.	with the hours of operation specified for the relevant Zone, are not required to provide parking.	potential to cause a nuisance through on-street parking in residential areas.	
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C2.6.1 Construction of parking areas

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
<p>E6.7.1 A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <ul style="list-style-type: none"> a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. 	<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) have a gradient of no more than 10%; (b) be constructed with a durable all weather pavement; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management 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; and (e) excluding a single dwelling, be delineated by line marking or other clear physical means. 	<p>1. Add single dwellings and Rural Living and Low Density Residential Zones to part (d). 2. Change all surfaces mentioned in part 'd' to 'impervious all weather seal'.</p>	<p>It is unreasonable to expect development for single dwellings, particularly on larger lots, to seal all parking and access ways with an impervious surface. The words 'impervious all weather seal' also covers all surface types mentioned in part 'd'.</p>	<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) have a gradient of no more than 10%; (b) be constructed with a durable all weather pavement; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) excluding single dwellings and all uses in the Rural Living, Low Density Residential, Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be provided with an impervious all weather seal ; and (e) excluding a single dwelling, be delineated by line marking or other clear physical means.

<p>N/a</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.</p>	<p>Change wording of part (e) to refer to the 'likely impact' of generating dust, rather than the likelihood.</p>	<p>It is inevitable that gravel access or parking areas will generate dust to varying degrees; however, the impact of dust generation will vary greatly, depending on the location and surrounding uses and is the determining factor as to whether a surface is appropriate or not.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likely impact of dust generation; and (f) the nature of the proposed surfacing and line marking.</p>
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C2.6.6 Loading Bays

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p>A2 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 Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities.</p>	<p>Reconsider location of this clause under the heading 'loading bays'.</p>	<p>This clause would be better located within C2.6.2 Design and Layout of Parking Areas.</p>	<p>N/a – re location of clause.</p>

C2.6.7 Bicycle Parking and Storage Facilities within the General Business Zone and Central Business Zone

NIMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p>Heading: C2.6.7 Bicycle Parking and Storage Facilities within the General Business Zone and Central Business Zone</p> <p>Objective: To ensure that parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business and the Zones.</p>	<p>1. Delete reference to storage from heading. 2. Fix errors in objective.</p>	<p>1. No reference to storage in provisions or objective. 2. Typos and grammatical errors.</p>	<p>As per suggested changes.</p>
N/a	<p>A2</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars;</p> <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> <p>(c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3 1993 Parking facilities</p> <p>Bicycle parking facilities Part 3: Bicycle parking facilities.</p>	<p>1. Clarify if A2 applies to all zones. If so, include separate provision that also allows for bicycles to be wall mounted in garages/garden sheds or the like for residential uses. 2. Include provision for a bike cage in part (c).</p>	<p>Changes required to assist interpretation of the clause.</p>	<p>As per suggested changes.</p>

C2.6.8 Siting of Parking and Turning Areas

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p>P1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone parking spaces and vehicle turning areas, including garages or covered parking areas may be located in front of the building line where topographical or other site constraints dictate that this is the only practical solution because of one or more of the following:</p> <ul style="list-style-type: none"> (a) there is insufficient space behind the building line; (b) it is not reasonably possible to provide vehicle access to the side or rear of the property; (c) the gradient between the front and the rear of existing or proposed buildings is more than 1 in 5; (d) the length of access or shared access required to service the car parking would constitute more than 75% of the depth of the relevant lot; or (e) the access driveway cannot be located at least 2.5m from a window of a 	<p>Revise 'and' or 'or' wording after part (e) to clarify how the last paragraph relates to section (a-e).</p>	<p>Revision required to assist interpretation of the clause.</p>	<p>As per suggested changes.</p>

	<p>habitable room of a dwelling; or and only if the parking spaces and vehicle turning areas are designed and located so that:</p> <ul style="list-style-type: none"> (i) they do not visually dominate the site; (ii) they maintain streetscape character and amenity; (iii) they do not result in an unreasonable loss of amenity for the occupants of immediately adjoining properties, having regard to the nature of the Zone in which the site is located and its preferred uses; and (iv) they facilitate opportunities for passive surveillance of the street. 			
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C2.7.1 Parking Precinct Plan

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A1 Within an area defined by parking precinct plan, on-site car parking must: (a) not provided; or (b) not increased above existing parking numbers.	Revise wording & fix errors.	Revision required to assist interpretation of the clause.	As per suggested changes.

Table C2.1 Parking Space Requirements

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Use Class: Bulky goods sales Vehicle parking requirements:	Use Class: Retail Plant Nursery Vehicle parking requirements:	Review parking space requirements and determine on the basis of floor area.	15 spaces for small retail plant nursery operations may be surplus to requirements.	As per suggested change.

1 space per employee + 1 space per 100m ² net floor area	15 spaces or 0.5 spaces per 100m ² of site area, whichever is greater			
Use class: doctors' surgery, clinic, consulting room, veterinary surgery Bicycle Parking: No Requirement	Use Class: Doctors' surgery, clinic, consulting room Bicycle Parking: 2 spaces for each 8 practitioners	Change to lowest denominator.	Required to assist interpretation of table.	Use Class: Doctors' surgery, clinic, consulting room Bicycle Parking: 1 space for each 4 practitioners

Table C2.2 Internal access way widths for vehicles

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
Passing bay width for 1-5 spaces: Every 30m	Passing Bay dimensions for 1-5 spaces: 2m wide by 5m long, plus entry and exit tapers, every 30m, unless on land within the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone or Open Space Zone.	Add Rural Living and Low Density Residential Zone requirements.	Driveways in these zones are similar to rural zones, as they typically experience low traffic volumes and have unofficial passing areas.	2m wide by 5m long, plus entry and exit tapers, every 30m, unless on land within the Rural Living, Low Density Residential, Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone or Open Space Zone.

C5.0 Telecommunications Code

C5.4.1 Use or Development Exempt from this Code

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	There are no exemptions from this Code.	Include reference to minor telecommunications, as per Table 4.1 Use or Development exempt from requiring a permit.	To provide for ease of interpretation.	The following use or development is exempt from this code: Minor Telecommunications If: (a) development of low impact facilities as defined in Part 3 of the Telecommunications (Low-

<p>Impact Facilities) Determination 1997; (b) works involved in the inspection of land to identify suitability for telecommunications infrastructure; (c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority; (d) works involved in the maintenance of telecommunication infrastructure; (e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the Telecommunications Act 1997; (f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles; or (g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks.</p>				
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C6.0 Local Historic Heritage Code

Table C6.4.1 Exempt Development

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	<p>Exempt Development: within a local heritage place, heritage precinct or historic landscape precinct.</p> <p>Qualification: (i) solar collector panels and photovoltaic cells aligned with the plane of a roof and located on a roof plane not visible from any public viewpoint including the street, road, access way, or public open space;</p>	<p>Allow provision for ground based solar-panels, constructed in accordance with Heritage Works Guidelines, to be exempt also.</p>	<p>Exempt non-invasive solar panels to be constructed without the need for gaining planning approval.</p>	<p>As per suggested changes.</p>
N/a	<p>Exempt Development: Signs</p> <p>Qualification: All signs, excluding any associated excavation works on a place or precinct of archaeological potential not exempt from this Code².</p> <p>² Standards for signs located on land in a local heritage place, heritage precinct or historic landscape precinct are contained in the Signs Code.</p>	<p>Remove exemption clause for signs.</p>	<p>This provision creates confusion as to whether signage is exempt or not. All signage provisions should be retained within the Signs Code.</p>	<p>As per suggested changes.</p>

C6.6.9 Outbuildings and Structures

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A1 Outbuildings and structures on local heritage places must: (a) not be located in the front setback; (b) not be visible from any public viewpoint including the street, road, access way, or public open space; (c) not have a side that is longer than 3m; (d) have a gross floor area less than 9m ² and a combined total area not more than 20m ² ; (e) have a maximum height less than 2.4m above existing ground level; (f) not have a maximum change of level as a result of cut or fill of more than 1m; and (g) not encroach on any service easement or be located within 1m of any underground service.	Change acceptable solution A1 (c-g) to match exempt outbuildings under the Buildings Regulations.	Provide uniform provisions across various pieces of legislation.	As per suggested change.

C6.6.10 Driveways and Parking

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	Heading: C6.6.10 Driveways and Parking	Add words 'for non-residential purposes'	Required to provide consistency with the clause provisions.	Heading: C6.6.10 Driveways and Parking for non-residential purposes

C6.6.11 Removal, Destruction or Lopping of Trees or Removal of Vegetation that is specifically part of a Local Heritage Place

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	A1 The removal, destruction or lopping of trees or the removal of vegetation which is specifically part of a local heritage place listed in the relevant Local Provisions Schedule, must be required only because the tree or vegetation is near the end of its expected life or in poor health, and its removal is supported by a statement prepared by a suitably qualified person.	Insert 'destruction or lopping' in second half of paragraph after 'removal'.	Required to ensure consistency throughout the clause.	A1 The removal, destruction or lopping of trees or the removal of vegetation which is specifically part of a local heritage place listed in the relevant Local Provisions Schedule, must be required only because the tree or vegetation is near the end of its expected life or in poor health, and its removal, destruction or lopping is supported by a statement prepared by a suitably qualified person.

C6.7.2 Buildings and Works other than Demolition

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
N/a	P1.1 Within a heritage precinct, design and siting of buildings and works other than demolition must be compatible with the local historic heritage significance of the heritage precinct, as identified in the relevant Local Provisions Schedule, except if the local heritage place is of an architectural style different from that characterising the precinct.	Replace 'local heritage place' with 'dominant building'.	Required to allow development to match an existing building on-site, within a heritage precinct, that is not a heritage listed place.	P1.1 Within a heritage precinct, design and siting of buildings and works other than demolition must be compatible with the local historic heritage significance of the heritage precinct, as identified in the relevant Local Provisions Schedule, except if the dominant building is of an architectural style different from that characterising the precinct.

<p>N/a</p>	<p>P1.2 Within a heritage precinct, extensions to existing buildings must be compatible with the local historic heritage significance of the heritage precinct, as identified in the relevant Local Provisions Schedule.</p>	<p>Delete provisions P1.2.</p>	<p>Such works are already covered by clause P1.1.</p>	
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C7.0 Natural Assets Code

C7.2 Application of this code

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
	<p>C7.2.1 This Code applies to development on land within the following areas: (a) a waterway and coastal protection area; (b) a future coastal refugia area; and (c) a priority vegetation area only if within the following zones: (i) Rural Living Zone; (ii) Rural Zone; (iii) Landscape Conservation Zone; (iv) Environmental Management Zone; (v) Major Tourism Zone; (vi) Utilities Zone; (vii) Community Purpose Zone; (viii) Recreation Zone; (ix) Open Space Zone; (x) Particular Purpose Zone; or (xi) General Residential Zone and Low Density Residential Zone only where application is for subdivision.</p>	<p>Insert Agriculture Zone in part (c).</p>	<p>To ensure areas of priority habitat in rural areas are protected. Provision for removal of vegetation on pasture or cropping land is provided for by the code exemptions.</p>	<p>C7.2.1 This Code applies to development on land within the following areas: (a) a waterway and coastal protection area; (b) a future coastal refugia area; and (c) a priority vegetation area only if within the following zones: (i) Rural Living Zone; (ii) Rural Zone; (iii) Landscape Conservation Zone; (iv) Environmental Management Zone; (v) Major Tourism Zone; (vi) Utilities Zone; (vii) Community Purpose Zone; (viii) Recreation Zone; (ix) Open Space Zone; (x) Particular Purpose Zone; (xi) Agriculture Zone; or (xii) General Residential Zone and Low Density Residential Zone only where application is for subdivision.</p>

C8.0 Scenic Protection Code

C8.2 Application of this Code

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
E7.2.1 This code applies to use or development of land within the scenic management – tourist road corridor and local scenic management areas.	C8.2.1 This Code applies to development on land within a scenic protection area or scenic road corridor and only if within the following Zones: (a) Landscape Conservation Zone; (b) Rural Living Zone; (c) Rural Zone; (d) Agriculture Zone; (e) Environmental Management Zone; or (f) Open Space Zone.	Apply code to Low Density Residential Zone	To ensure areas of Low Density Residential Zoned land in prominent scenic locations are covered by the code.	C8.2.1 This Code applies to development on land within a scenic protection area or scenic road corridor and only if within the following Zones: (a) Landscape Conservation Zone; (b) Low Density Residential Zone; (c) Rural Living Zone; (d) Rural Zone; (e) Agriculture Zone; (f) Environmental Management Zone; or (g) Open Space Zone.

C15.0 Landslip Hazard Code

C15.4 Use or Development Exempt from this Code

NMIPS 2013	TPS	Suggested change	Comment	Revised wording
E3.4.1 The following use or development is exempt from this code: a) use without development; b) development for forestry in accordance with a certified Forest Practices Plan.	C15.4.1 The following use or development is exempt from this Code: (a) Use and development for Extractive Industries where a mining lease under the Mineral Resources and Development Act 1995 is in force except where it is defined as a Hazardous Use; (b) Development for linear and minor utilities; (c) Development on land within a low or medium	1. Delete or revise (c-e). 2. Define 'major works'	Required to restrict subdivision on land in landslip prone areas that provides for future use and development of these lots that may be negatively impacted on by landslip.	As per suggested changes.

	<p>landslip hazard band for which a building permit is required;</p> <p>(d) Development including subdivision other than major works on land within a low landslip hazard band;</p> <p>(e) Subdivision in the medium-active or high landslip hazard band if it does not involve any works;</p> <p>(f) Subdivision of land within a medium landslip hazard band if:</p> <ul style="list-style-type: none">(i) it does not involve major works; or(ii) it does not create a new road lot, or extend an existing road.			
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