



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 20 NOVEMBER 2023

Des Jennings
GENERAL MANAGER



QUALIFIED PERSONS ADVICE

The *Local Government Act 1993* Section 65 provides as follows:

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –
 - (a) the general manager certifies, in writing –
 - (i) that such advice was obtained; and
 - (ii) that the general manager took the advice into account in providing general advice to the council or council committee;
 - and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i) the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii) where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.

LIVESTREAMING AND RECORDING OF COUNCIL MEETINGS

Ordinary and Special Council Meetings held in Council's Chambers at 13 Smith Street, Longford will be audio live streamed and recorded and made on the internet via Council's website www.nmc.tas.gov.au.

The recording will be uploaded to Council's website as soon as possible and no later than four business days after the Council meeting (not including the day of the meeting). A link to the streaming service and recording of meetings will be made available on Council's website for ease of access.

Closed Council Meetings will not be live streamed or recorded.

A copy of the recording of the meeting will be placed on Council's website as soon as practicable after the meeting, the Closed Council session of the meeting will be redacted.

Regulation 33(4) provides that "a Council may determine any other procedures relating to the audio recording of meetings it considers appropriate".

In addition to the Live Streaming Policy, Council is to audio record meetings to assist Council officers in the preparation of minutes of proceedings.

The provision for audio recording of Council meetings in this policy:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- the recording will not replace written minutes and a transcript of the recording will not be prepared by Council;
- the recording may be used by Council staff to assist with the preparation of the minutes;
- the minutes of a meeting, once confirmed by Council, prevail over the audio recording of the meeting;

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Des Jennings
GENERAL MANAGER



GUIDELINES FOR COUNCIL MEETINGS

MEETING CONDUCT

- People attending Council Meetings are expected to behave in an appropriate manner.
- The following is not acceptable:
 - Offensive or inappropriate behaviour;
 - Personal insults; and
 - Verbal abuse.
- In the case of any inappropriate outburst or derogatory behaviour, an apology from the offending party or parties will be requested. Anyone at the meeting, if they feel offended in any way by any such behaviour specified above, should immediately bring the behaviour to the notice of the Chairperson by the way of a Point of Order.
- The Chairperson has the right to evict from a meeting any person who is not behaving to an appropriate standard.

PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* relates to the provision of Public Question Time during a Council meeting. Regulation 31(7) of the Regulations stipulate that “a Council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.”

Public question time is to commence at approximately 5.30pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting, up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days. Questions should preferably be in writing and provided to the General Manager at the Council Meeting.
- A person is entitled to ask no more than two questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each speaker is limited to a maximum of 3 minutes.

REPRESENTATIONS ON PLANNING ITEMS

A maximum of four persons per item (two for and two against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

PETITIONS

Part 6, Division 1 of the *Local Government Act 1993* refers to the presentation of a petition to Council. Council is to treat any petition received in accordance with the provisions of the *Local Government Act 1993*.



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY, 20 NOVEMBER 2023 AT 5.00 PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD


DES JENNINGS
GENERAL MANAGER
15 NOVEMBER 2023

4.00pm Councillor Workshop – closed to the public

5.30pm Public Questions & Statements

1 ATTENDANCE

PRESENT

In Attendance:

APOLOGIES



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3 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge Elders – past, present and emerging.

4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

RECOMMENDATION

Council resolved to accept the following Declarations of Interest:

- Mayor Mary Knowles -
- Deputy Mayor Janet Lambert -
- Councillor Dick Adams -
- Councillor Alison Andrews -
- Councillor Richard Archer -
- Councillor Matthew Brooks -
- Councillor Richard Goss -
- Councillor Andrew McCullagh -
- Councillor Paul Terrett -

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–*
 - (a) *has an interest; or*
 - (b) *is aware or ought to be aware that a close associate has an interest.*
 - (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*
-



5 PROCEDURAL

5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 16 October 2023, be confirmed as a true record of proceedings.

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held on Monday, 11 December 2023, in person only, commencing immediately following the Annual General Meeting which is to be held at 5.00pm.



5.3 MOTIONS ON NOTICE

The following motion/s on notice have been received.

5.3.1 Notice Of Motion: Applicants Name In Newspaper Advertisements

Responsible Officer: Des Jennings, General Manager

OFFICER'S RECOMMENDATION 1

That Council direct Officer's to prepare a report to the Planning Authority for consideration.

OR IN THE ALTERNATIVE

OFFICER'S RECOMMENDATION 2

That Council take no action with regard to the matter.

Councillor Terrett has requested the below Notice of Motion be tabled at the 20 November 2023 Council Meeting.

NOTICE OF MOTION

That Council show the name of the applicant on all development applications notices in accordance with section 57 of the *Land Use Planning and Approval Act 1993*.

BACKGROUND

The *Land Use Planning and Approvals Act 1993* does not require the name of the applicant to be included in the advertisement in the newspaper. However, a significant number of councils in Tasmania put the name of the applicant on all newspaper advertisement including Launceston City Council, West Tamar Council, Break O' Day Council and Meander Valley Council. While some would argue that this is not relevant in a planning consideration. This may not be the case, if the name of the applicant identifies a particular type of business, such as a fast-food outlet. The exhibition of planning notices in newspapers is part of the transparency of the process and is good governance for the name of the applicant to be shown.

Under the Land Use Planning and Approvals Regulation 2014, Clause 9 states:

9. Notice of application for permit

(1) For the purposes of [section 57\(3\)](#) of the Act, notice by a planning authority of an application for a permit is to be –

- (a) advertised in a daily newspaper circulating generally in the area relevant to the application; and
- (b) displayed at the planning authority's office; and
- (c) given to the owners and occupiers of all properties adjoining the land that is the subject of the application; and
- (d) displayed on the land that is the subject of the application –
 - (i) in a size not less than A4; and
 - (ii) as near as possible to each public boundary.

(2) [Paragraphs \(c\) and \(d\) of subregulation \(1\)](#) are taken to have been complied with if notice has been served in accordance with [section 14 of the Major Infrastructure Development Approvals Act 1999](#) on each owner of land within a proposed corridor as if the land within the proposed corridor were land that was the subject of an application for a permit referred to in [section 57](#) of the Act.

(3) A notice under [subregulation \(1\)](#) is to –

- (a) specify the content of the development proposal specified in the application and the location of the affected area; and
- (b) advise that representations in relation to the application may be made in accordance with [section 57\(5\)](#) of the Act; and



(c) explain how those representations may be made.

(4) A notice under [subregulation \(1\)](#) may include any other details determined by the planning authority.

This permits council under Clause 9 (4) to include any other details determined by the planning authority. This could include the name of the applicant.

OFFICER'S COMMENTS

Council does not include the applicant(s) name of the development application in newspaper advertisements as there is no legislative requirement in the *Land Use Planning and Approvals Act* or the *Land Use Planning and Approvals Regulations 1993* to do so. Had Parliament wanted the applicant's name(s) to be included, they would have specified that in the legislation and/or regulations, like with other mandated requirements. Furthermore, who the applicant is, is not a relevant planning consideration.

A further consideration against the inclusion of the applicant's name is that it may encourage bias against that development application. Who the applicant is should have no impact on a use or developments assessment against the Planning Scheme by the Planning Authority.

It is often the case that development applications are lodged by third party organisations and not the property owners, such as planning consultants. The example of a fast-food outlet is not particularly relevant, as such large organisations almost always have a consulting firm lodge the development application on their behalf.

Finally, including additional unnecessary information on the newspaper advert adds to the cost of the advert (which are costly as is). Should the applicant's details be included, the costs will need to be passed on, including Council's fees being raised. This could make the Northern Midlands a less attractive place to develop/do business compared to other municipalities.

Regulation 9 of the *Land Use Planning and Approvals Regulations 1993* provides that notice details are to be determined by the Planning Authority. As a matter of process, should Council wish to consider this Notice of Motion further, it ought to direct that a further report be prepared and presented to Council while sitting as the Planning Authority and included within that part of the agenda.

ATTACHMENTS

Nil



5.3.2 Notice Of Motion: Workforce Planning Strategy

Responsible Officer: Des Jennings, General Manager

OFFICER'S RECOMMENDATION

That the matter of preparing a Workforce Planning Strategy be listed for the 2024/2025 Budget deliberations.

Councillor Terrett has requested the below Notice of Motion be tabled at the 20 November 2023 Council Meeting.

NOTICE OF MOTION

That Council develop a Workforce Planning Strategy.

BACKGROUND

In Tasmania, local government workforce planning is especially important given future challenges for employment such as an ageing population, youth unemployment and competition from other public and private sector organisations, especially for managerial and professional level staff. There is an ongoing decline in the representation of employees under 30 years of age, a significant decline in apprentices and trainees and 69% of councils experiencing skill shortages and 50% experiencing skills gaps - as outlined in the LGAT 2018 Local Government Workforce Future Skills Report https://www.lgat.tas.gov.au/_data/assets/pdf_file/0028/662329/LG-Workforce-and-Future-Skills-Report-Tasmania-Sept-2018-FINAL.pdf.

In addition to asset management and financial planning, workforce planning is a critical component of long-term strategic planning. It is essential that council have a strategy so it can meet the needs of our community and deliver a growing, prosperous Northern Midlands Council.

The Northern Midlands Council's has a workforce where more than 26% of staff are over the age of 60. Currently, Council reviews its staffing requirements as part of the annual budget process. This lack of long-term planning places Council at risk in being unable to attract new staff and not having adequate succession planning in place to upskill existing employees.

In 2022, the Australian Local Government Association released a report on Workforce Skills shortages in Tasmania. <https://alga.com.au/app/uploads/LG-Workforce-Skills-and-Capability-Survey-TAS-Report.pdf> and the Local Government Association of Tasmania with Skills Tasmania has released helpful guidelines for workforce planning local government. https://www.uts.edu.au/sites/default/files/Final%20workforce%20planning%20guidelines_Guidelines_August%202016.pdf. These highlight the need for all Councils to have robust Workforce Planning Strategies to meet future resourcing needs.

What is workforce planning?

Workforce planning is an ongoing process to ensure that organisations have the right people in the right place at the right time to carry out the activities which will ultimately meet their goals.

Workforce planning is different from operational human resource planning because it covers a much longer timeframe, is integrated into strategic planning, is focused on trends which affect the availability of the workforce and implements strategies to ensure organisations continue to deliver the services the community needs.

Workforce planning also helps to address issues such as:

- The need to provide services efficiently and effectively.



- The impact of an ageing workforce, for example, in outdoor and maintenance staff
- Skills gaps due to changes in technology or a shortage of applicants for certain jobs, for example, planners, engineers and environmental health officers
- Succession planning from middle to senior management positions, especially for a growing cohort of senior women within local government.
- Likely requests for more flexible working conditions in the future.

OFFICER'S COMMENTS

There is no formal requirement existing which requires the preparation of a Workforce Planning Strategy, however it would be good practice to support the preparation of the document.

Officers recommend that if Council was to support the preparation of a Workforce Planning Strategy, that an estimate of costs be sought from external, independent human resources consultants to carry out the review and prepare the strategy.

Council Officers currently consider staffing levels at budget review time and review each position when they become vacant.

RECOMMENDATION: That the matter of preparing a Workforce Planning Strategy be listed for the 2024/2025 Budget deliberations.

ATTACHMENTS

Nil



5.3.3 Notice Of Motion: Longford Town Hall Committee

Responsible Officer: Des Jennings, General Manager

OFFICER'S RECOMMENDATION

That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.

Councillor Terrett has requested the below Notice of Motion be tabled at the 20 November 2023 Council Meeting.

NOTICE OF MOTION

At the December 2023 meeting Council ratifies the members of the Longford Town Hall Committee following the Annual General Meeting on 4 December 2023, in accordance with Section 24 of the Local Government Act 1993.

That the Council directs the Longford Town Hall Committee to charge hiring fees in accordance with the Northern Midlands Council's Fees and Charges.

That Council directs that the Longford Town Hall Committee establish a separate bank account for the Committee.

That Council works with Longford Town Hall Committee to provide administrative support to look at ways of improving the Committee's operations and compliance.

BACKGROUND

At the meeting of council on 21 February 2022, council resolved to establish the Longford Town Hall Management committee. Governance Report Item 9.2 <https://northernmidlands.tas.gov.au/source-assets/files/2022-Council-Agenda-and-Attachments/2022-02-21-Minutes-open-council.pdf> . (Attachment 1) The Council resolved that:

Moved: Deputy Mayor Goss/Cr Polley

That Council establishes the Longford Town Hall Management Committee as a special committee of Council in accordance with section 24 of the Local Government Act 1993, in accordance with the attached Management Agreement; and appoints Cr Goss as Council's Representative to the Committee.

Carried Unanimously

Voting for the Motion: Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion: Nil

The request to establish the Special Committee of Council was for the purpose of managing the Longford Town Hall. Council would pay a \$3,000 annual management fee to run and maintain the Longford Town Hall. It was also proposed in the report that the Committee manage the Longford Town Hall for a trial period of 12 months.

Membership of the committee

At the inaugural meeting 30 March 2022, a number of people were elected to the Special Committee, however these people were not appointed by Council in accordance with Section 24 of the Act.

Section 24 Special committees

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.
- (2) A special committee consists of **such persons appointed by the council** as the council thinks appropriate.
- (3) The council is to determine the procedures relating to meetings of a special committee.

Management of Hall Hiring



Several obligations are placed on these special committees and the need to have records of all transactions and activities of the committee under Section 83 and most importantly under section 84 to prepare financial statements for each financial year, and under 84 (d) special committees to prepare a statement of any revenue and expenditure.

A review of the Longford Town Hall Committee records show several inconsistencies with the Council's Fees and Charges, as set by Council.(Attachment 2)

In one instance a Facility Hire Agreement was completed for 2 events on 23 May 2023 and 21 June 2023 for the period 2pm to 4pm (booking fee \$18.50 x 4 hours - \$70 plus Insurance \$10). In the name of the Norfolk Plains History Committee signed by the Secretary, on 27 October 2023. No payment can be identified in the bank statement; however payment may have been received after the Agreement was signed on 27 October 2023. (Attachment 3) It is noted that on 12 July 2023 the Longford Historical Committee booked the hall for a meeting and paid \$37, it is unknown whether this is a related event.

A number of hall hires were paid after the event, despite the requirement to pay 50% of the booking fee within 7 days of hiring the hall. (Attachment 3). It is noted that this includes payments by Council to the Longford Town Hall Committee for the Longford Train Exhibition on 21/22 July 2023 where full payment was not received from the Northern Midlands Council until 23 October 2023. (attachment 4)

Longford Art Group

Reduced booking fees were permitted for the Longford Arts Group which was a set of \$5 per person rather than the local rate of \$18.50 per hour. A review of the Committee's minutes shows no reference to this reduced fee or who authorised this lower fee in the Committee's meeting minutes. It is noted that some members of the Longford Town Hall Committee are also regular participants in the Longford Art Group.

The reduction of the monthly hiring fee from \$55.50 (\$18.50 (local rate) by 3 hours), resulted in a loss of \$178.40 to the Committee.

The only reference to this lower fee was on a payment account form on 1 June 2023, it is noted that:

Longford Art Group

It has been decided that due to the nature of the Longford Art Group, that they will be charged a fee of \$5.00 per person in attendance at each meeting for the hire of the Longford Town Hall.

The reasoning behind this decision is that all members of the Art Group are either Aged or Disability Pensioners. Attendance at each meeting varies from 3 to sometimes (very rarely) more than ten but is not consistent. It was decided that the mental health and social interaction of those who attend was, in this particular instance, of greater importance than the hire cost of the hall. Participants don't have another suitable or affordable venue in Longford and for many of them this is their only social activity. As the Longford Town Hall is for the use of the Community, it was considered that this decision was fitting due to the age and financial constraints of those involved.

This decision by persons unknown, discriminates against other groups in the community who also have a desire to meet on a regular basis, such as Red Cross, who pay the local rate of \$18.50 per hour to hire the hall.

It had been in operation from March 2023, hiring fees of \$140 were not paid for the period from May 2023 to September 2023 until 26 October 2023.(Attachment 5)

Art Show

In relation to the Art show in July/ August 2023 the amount charged was \$650. According to councils' own documentation the fees and charges for the hall require that the 50% of the function bookings are to be paid within 7 days to confirm booking. The correct amount using the 2023/2024 Fees and Charges Schedule should have been \$1082.40. This is based on a local's fee of \$164 per day (non-locals \$216 per day) for 10 days less 33% rebate (for functions local groups not-for-profit 3 days or more). Resulting in a loss of \$432.40. This arrangement also operated in 2022/2023 which resulted in a further loss of \$432.40. Payment was not received for this event until 31 August and 6 September 2023. (Attachment 6)



The Bond for the Art Show was paid by the Longford Art Group, however the amount of the Bond is not shown. It is believed that the Longford Art Show uses the insurances of the Longford Jazz Festival for this event.

Discounting of Hiring Fees and Charges

Special committees are not able to discount, negotiate or waiver any fees, as the fees are set by Council and these charges should be applied rigorously. Under the Management Agreement Clause 6 (a) *allows the Committee to manage and maintain the Facility without interruption*. It does not override the resolution of council to set Fees and Charges for the facility, nor does it give council the approval to abrogate its responsibility for facilities to special committees.

The only avenue available to groups wishing to use the Longford Town Hall who want a reduced hiring fees is to apply to Council to decide whether any reduced rate can be applied. I note the Local Government Act section 77 Gifts and Benefits (1A) A benefit provided under [subsection \(1\)](#) may include –(a) in-kind assistance; and (b) fully or partially reduced fees, rates or charges. (2) The details of any grant made or benefit provided are to be included in the annual report of the council. These discounted fees were not shown in the last annual report.

The 28 August 2023 Meeting minutes makes note that a charge of \$54.12 per day plus clean up fee – total \$650 total, was determined after negotiations for the group. The minutes do not call out who the negotiations were with, but does make reference to what is happening within Launceston City Council which is not relevant to Northern Midlands Council facilities. The management agreement does not authorise the committee to negotiate lower fees for groups. Such action will prejudice Council in setting fees and charges for council facilities and by setting precedent for discounting Council's Fees and Charges.

Financial Management

A review of the bank statements for the Committee shows that the payments were made to the Longford Cultural Society. This is an Incorporated organisation with an ABN number, 32 741 004 644, this is a separate independent organisation and not associated with the Council or the Committee (other than having some member on both). Since the Committee was established, Council deposited its grants to this account and all book hall hire funds are banked into this account.

It is important that there is a clear separation between Longford Cultural Society and the Longford Town Hall Committee and a separate bank account needs to be establish to ensure financial probity.

Disclosures of Conflicts of Interest

From the Longford Town Hall Committee's minutes provided, I note that there have been no declarations of conflicts of interest in accordance with Section 48A of the Act, given that some members of the management committee hold positions in other groups using the Longford Town Hall, including the Cultural Society, Art Group, Arts Show and/or Jazz Festival.

Renewal of Management Agreement

At the time of establishing the special committee the report stated that the special committee of council for the Longford Town Hall was for a trial period of 12 months. This was reflected in the Agreement under clause 9, *for the period of one (1) year from 1 February 2022, concluding on 31 January 2023*. There was no report tabled of any review being undertaken of the Committee as implied in the report to establish the committee. I am unclear as to how a new agreement could be initiated without Council first reviewing the original operations of the committee. The original management agreement expired on 31 January 2023 and a new a management agreement was entered into on 2 August 2023, 7 months after the expiry of the original agreement. The term expires on 30 June 2024.

Annual General Meeting

The Committee will be holding its Annual General Meeting at 3pm on 4 December 2023, this is an ideal time to reset the Committee and improve the Committees operation and compliance. There appears to be a desire to see Longford Town Hall operate better by the current Committee and the increase support from Council staff in recent time has been a positive step forward which is facilitating better governance process.



Council does not micromanage special committees and entrusts the operation of the facilities to the Management Committees. Nevertheless, the current approach has resulted in areas of non-compliance with the Local Government Act and areas of poor governance. It is important that Council builds a positive relationship with all management committees and ensure that council facilities are managed appropriately.

The Management Agreements of the 15 management committees will be reviewed in early 2024 and this should allow Council to provide additional administrative support to look at ways of improving the Special Committees of Council. There are advantages in using the experience of the Longford Town Hall Committee to better assist the Special Committees such as the use of a better booking procedures and the management of finances.

OFFICER'S RECOMMENDATION

Pursuant to the Local Government Act 1993 Section 63, the General Manager must ensure that Council receives advice from persons who have the necessary qualification or experience to give such advice, information or recommendation on the matter before Council.

Council's normal practice has been to seek the relevant committee's views on proposed changes prior to implementation.

RECOMMENDATION: That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.

ATTACHMENTS

1. Attachment 1 [5.3.3.1 - 4 pages]
2. Attachment 2 [5.3.3.2 - 2 pages]
3. Attachment 3 [5.3.3.3 - 6 pages]
4. Attachment 4 [5.3.3.4 - 5 pages]
5. Attachment 5 [5.3.3.5 - 11 pages]
6. Attachment 6 [5.3.3.6 - 13 pages]



5.4 QUESTIONS ON NOTICE

Councillor McCullagh has submitted a number of questions on notice to the General Manager.

A response to questions posed will be provided at the Council meeting.



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

RECOMMENDATION

That the following Minutes of the Meetings of Council Committees be received.

Minutes of meetings of the following Committees are attached:

Date	Committee	Meeting
10/10/2023	Evandale Community and Information Centre and Memorial Hall Management Committee	Ordinary
10/10/2023	Liffey Hall Management Committee	AGM
10/10/2023	Liffey Hall Management Committee	Ordinary
11/10/2023	Morven Park Management Committee	Ordinary
11/10/2023	Ross Community Sports Club Management Committee	Ordinary
10/10/2023	Local Recycling Committee	Ordinary
24/10/2023	Campbell Town Museum and Information Centre Management Committee	AGM
24/10/2023	Campbell Town Museum and Information Centre Management Committee	Ordinary
01/11/2023	Longford Local District Committee Meeting	Ordinary
07/11/2023	Campbell Town District Forum Meeting	Ordinary
07/11/2023	Evandale Advisory Committee Meeting	Ordinary
7/11/2023	Perth Local District Committee	Ordinary

Matters already considered by Council at previous meetings have been incorporated into **Information Item: Officer's Actions**.

In the attached minutes of Council Committees, recommendations of Committees are listed for Council's consideration in the Agenda Item 7 below.



7 COUNCIL COMMITTEES - RECOMMENDATIONS

7.1 CAMPBELL TOWN DISTRICT FORUM

At the ordinary meeting of the Campbell Town District Forum held on 7 November 2023 the following motion/s were recorded for Council's consideration:

REMOVAL OF TREES - VALLEYFIELD/MACQUARIE ROAD:

Officer Recommendation:

That Council notes the recommendations from the Campbell Town District Forum meeting held 7 November 2023 which are operational matters.

Committee Recommendation:

That Council abide by the Local Government Act and that the General Manager notify landowners before entering private property.

Committee Recommendation:

That in future, tree felling that affects the amity and/or aesthetics of the municipality, receive community feedback through the normal planning process.

Officer Comment:

A landowner advised a member that he was not notified about the removal of trees from his property and the road easement by Council and sought assistance from the Campbell Town District Forum to address this.

This matter was directly raised by email to Council through the Local District Forum prior to their meeting however in accordance with the District Committee Memorandum of Understanding Item 2. Purpose states:

For the purposes of this Memorandum of Understanding the term "advisory" means:

- *having or consisting in the power to make recommendations but not to take action enforcing them.*
- *Local District Committees and Forums do not deal with complaints. Complaints should be directed to Council.*

Members were advised that the landowner must direct his complaint to Council.



7.2 LONGFORD LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 1 November 2023 the following motion/s were recorded for Council's consideration:

LONGFORD PROMOTIONAL SIGNS "WELCOME TO LONGFORD":

Officer Recommendation:

That Council notes the LLDC request and refers the matter to the appropriate officer.

Committee Recommendation:

LLDC request that the two Longford promotional signs "Welcome to Longford" located either side of the Illawarra Road roundabout be re-formatted and re-sited.

LLDC requests an on-site meeting with Council Officers to discuss further.

Officer Comment:

The Longford Local District Committee have informed that the existing Longford promotional signs need to be updated and have suggested new promotional signage either side of Longford Roundabout on Illawarra Road.

The current location of the signs was based on safety requirements.

If signs are designated "Welcome Signs" and not advertising events the placement of the signs will be less restrictive.

The current signs are still in good order and replacement costs will be significant.



NORTHERN MIDLANDS COMMUNITY EXPO 9 SEPTEMBER 2023:

Officer Recommendation:

That Council notes the sentiment of the Longford Local District Committee.

Committee Recommendation:

LLDC wishes to thank Fiona Dewar, Tourism & Events Officer NMC, for her organisation and running of the successful Community Expo on 9th September 2023.

Officer Comment:

The Community Expo started as a concept in 2018 following a visit to our region by the then Governor, the Honourable Kate Warner AC. The Governor was greeted by a handful of community groups gathered who showcased what they offered within our community. Council planned to hold an event in March 2020 however, that event was cancelled due to Covid-19. Eventually planning commenced again, resulting in the 2023 Northern Midlands Community Expo.

The prospectus received enthusiastic support and a total of 51 exhibitors were present on the day, demonstrating a range of vibrant, active organisations, groups, and clubs, proudly welcoming community members to visit their stall showcasing activities and the services they offer to the people in their municipality.

The objective was to highlight the many connections to be made within our own neighbourhoods, and the 2023 Community Expo was a great start.



NORFOLK PLAINS HISTORY COMMITTEE - SID BOON CLOCK:

Officer Recommendation:

That Council notes the Norfolk Plain History Committee request for the Sid Boon Clock to be displayed in Council offices or in another Council owned public space in Longford, and that in principle agreement is offered subject to a suitable location being identified.

Committee Recommendation:

LLDC requests (on behalf of the Norfolk Plains History Committee) that Council considers placing the Sid Boon Clock on public display (on Loan) in the Council offices, or in another Council owned public space in Longford.

Officer Comment:

The Sid Boon Clock was built by a Longford resident in the 1930's. It is one of a kind with no other replica like this in Tasmania, or most likely anywhere else in Australia. The clock was donated to the National Trust (Tasmania) to become part of the Norfolk Plains Collection approximately 20 years ago. For several years prior to this, it was on display in the Longford Uniting Church Hall. The clock belongs to the people of Longford under the care of the Norfolk Plains History Committee, in conjunction with the National Trust (Tasmania). The clock display case measures 1200mm wide x 2440mm high x 620mm deep

Sid Boon Clock – Norfolk Plains Collection



Clock History:

- *The Strasbourg replica clock was built by Sid Boon, resident of Longford, in the 1930's.*
- *Sid and his wife Vonda lived in the small, stone Georgian cottage, in Smith Street, opposite Toosey.*
- *Michael McWilliams is Sid Boon's grandson.*
- *Michael said his grandfather had a workshop behind the cottage while he was alive and made many interesting things, including a steam engine he invented. "He was interested in putting things together and finding out how they worked," Michael said.*
- *Vonda, lived on after Mr Boon for many years, and continued to live in the stone cottage.*
- *Michael said that there weren't any other direct descendants of Mr Boon living in the area anymore.*
- *He said that the clock had been on display at the Longford Uniting Church Hall for a number of years before it was given to the local branch of the National Trust.*
- *Michael presumed his grandfather, who died before Michael was born, had donated it locally.*

The item is a significant size and Council should consider this when discussing potential locations. Further placing such an important item into a public location without the appropriate security, could lead to the item being damaged. For example, if the item were to be on display in a location such as the refurbished Longford Memorial Hall, it would not have an appropriate guardian during times of hire and would be at risk of being damaged.



The Council administration area does not have a suitable amount of space in the reception, chambers, or Councillor meeting room.

It has been suggested that the most appropriate location might be the library.



LONGFORD MEMORIAL HALL MEETING ROOM FOR LLDC COMMITTEE MEETINGS:

Officer Recommendation:

That Council notes the request of the Longford Local District Committee meeting which is an operational matter.

Committee Recommendation:

LLDC requests that Council allocates a meeting room in the Longford Memorial Hall for the committee's monthly meetings once redevelopment of the hall is complete.

Officer Comment:

Longford Local District Committee has been required to change the venue where its meetings are held on a number of occasions which is not conducive to the smooth running of the Committee and accessibility for the broader community.

At Councils 16 October 2023 ordinary meeting, the following decision was made regarding the waiver of fees:

5.3.1 Notice Of Motion: Waiver Of Hire Fees For District Committees

Responsible Officer: Des Jennings, General Manager

MINUTE NO. 23/0357

DECISION

Cr Terrett/Deputy Mayor Lambert

That Council waive all fees and charges for District Committees when meeting in council facilities.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss and Cr Terrett

Voting Against the

Motion:

Nil

Local District Committees are entitled to hire Council facilities like any other member of the public however, the process to do so is by contacting Councils administration office. This is an operational issue and does not require a decision of Council.



7.3 PERTH LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Perth Local District Committee held on 7 November 2023 the following motion/s were recorded for Council's consideration:

BANNER POLES:

Officer Recommendation:

That Council note the request of the Perth Local District Committee for banners to be placed on the banner poles all year round and the Christmas banners be placed as soon as possible.

Committee Recommendation:

The Perth Local District Committee requests that banners be placed on the banner poles all year round. Noting that there had been no banners up since Anzac Day. The committee also noted that new Christmas banners were being prepared for 2024 and requested that this year's Christmas banners be placed asap.

Officer Comment:

That the request be noted. The omission to replace the Anzac Day banner display was due to oversight.



PUBLIC TRANSPORT:

Officer Recommendation:

That the recommendation of the Perth Local District Committee in relation to future planning for the provision of public transport services be noted.

Committee Recommendation:

The committee requests the council to work in conjunction with public transport providers to plan for future services in view of expanding population and the proposed upgrading and beautification of the Main Street.

Officer Comment:

The Committee noted that an issue about bus stops had been raised in the community.

The bus operator and the State Government undertake periodic reviews of this service and make changes as required.



SHADE SAILS AT PLAYGROUNDS:

Officer Recommendation:

That Council note that provision was made in the 2023/2024 Municipal Budget to erect a solid shade structure at the Seccombe Street playground; and that fabrication of the structure is in progress, the final location of the structure to be determined. Advice to be provided to the Committee.

Committee Recommendation:

For the Council to re-consider their objections to the erection of shade sails over play equipment especially in Seccombe Street.

Officer Comment:

It should be noted that provision was made in the 2023/2024 Municipal Budget to erect a solid shade structure at the Seccombe Street playground. Fabrication of the structure is in progress, the final location of the structure to be determined.



PROVISION OF PUBLIC SHOWER FACILITY AT CHARLES BERRYMAN RESERVE:

Officer Recommendation:

That the future provision of public shower facilities at the Charles Berryman Reserve in Perth be considered as part of the investigation currently underway; advice to be provided to the Committee.

Committee Recommendation:

For the Council to consider installation of a shower in public toilets at Charles Berryman Picnic ground and for an update on any improvements to this facility.

Officer Comment:

Council is currently investigating the feasibility of providing public shower facilities as part of upgrades to amenities in towns.

There are no plans currently underway to upgrade the amenities located at the Charles Berryman Reserve.



8 INFORMATION ITEMS

RECOMMENDATION

That the Open Council Information items be received.

8.1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Des Jennings, General Manager

The General Manager advised that the following workshops/ meetings had been held:

Date Held	Purpose of Workshop
2023-11-20	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 16 October to 15 November 2023 are as follows:

Date	Activity
16 October 2023	Attended Workshop and Council Meeting, Longford
17 October 2023	Attended Local Government Association of Tasmania (LGAT) GMC meeting online, Gipps Creek
18 October 2023	Attended legal meeting online, Longford
18 October 2023	Attended meeting with Campbell Town resident
19 October 2023	Attended Fire and Emergency Services Briefing online, Gipps Creek
21 October 2023	Officiated at two events, Longford Show, Longford
23 October 2023	Attended ABC Monday Mayor radio interview, Gipps Creek
24 October 2023	Attended Tamar Estuary Management Taskforce meeting, Launceston
25 October 2023	Attended Tamar Estuary & Esk Rivers Kanamaluka Forum, Launceston
26 October 2023	Attended Black Dog Ride start, JJ's, Longford
26 October 2023	Attended Airport meeting, Longford
26 October 2023	Attended 16 Days of Activism online meeting, Longford
26 October 2023	Attended Visit Northern Tasmania Tourism Awards, Glendale, West Tamar
27 October 2023	Attended Ross Men's Shed funding launch, Ross
27 October 2023	Attended Woolmers Art Exhibition Cocktail Party and Auction, Woolmers
31 October 2023	Attended Parliamentary Briefing on Feral Deer, Hobart
1 November 2023	Attended Local Government Association of Tasmania (LGAT) Annual Conference, Devonport
2 November 2023	Attended meeting with Minister McBain and Brian Mitchell, Longford
7 November 2023	Attended Campbell Town District Forum, Campbell Town
7 November 2023	Attended Climate Health and Resilient Communities Workshop, Campbell Town
10 November 2023	Attended Perth Lions Club official launch of their Perth Bicentenary Silhouette, Perth
10 November 2023	Officially launched the Ladies Longford to Poatina Spirit of Tasmania Cycle Tour, Longford
10 November 2023	Attended the 2024 Tasmanian Australian of the Year Awards, Hobart
11 November 2023	Attended Remembrance Day Service, Campbell Town
14 November 2023	Participated in the 2024 Student Leadership Interviews, Cressy District High School, Cressy
14 November 2023	Attended tour of Launceston Recycling Facility, Launceston
14 November 2023	Attended 16 Days of Activism online meeting, Longford



Date	Activity
14 November 2023	Attended Local Recycling Committee meeting, Longford
15 November 2023	Guest Speaker at the Salvation Army WESP Women's Essential Service Providers AGM, Campbell Town
	Attended to email, phone, media, and mail inquiries.

8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's Activities Attended & Planned for the period 12 October to 15 November are as follows:

Meetings were attended either in-person, or via electronic means (on-line or via conference call).

Date	Activity
16 October	Attended Council Workshop and Council Meeting
17 October	Attended Northern Tasmanian Development Corporation Board Meeting
20 October	Met with Taswater and MAKE Studios re customer service
20 October	Attended Regional General Manager's meeting
23 October	Attended TEER Strategy and Partnership Committee Meeting
26 October	Met with Hazell Bros
26 October	Met with representatives from Launceston Airport
30 October	Met with representatives from Boral and Gradco re West Street, Campbell Town
2 November	Met with The Hon Kristy McBain, Minister for Regional Development, Local Government & Territories and Federal Member for Lyons, Brian Mitchell
2 November	Met with ratepayer
3 November	Met with service provider re GIS options
7 November	Attended Tasmanian Councils supporting climate healthy and resilient communities workshop
8 November	Attended Office of Local Government's Unreasonable Conduct workshop
14 November	Attended Northern Tasmanian Development Corporation Board Meeting
15 November	Met with Department of State Growth re Conara Park

8.4 PETITIONS

PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2021-2027* and the *Local Government Act 1993, S57-S60*, provision is made for Council to receive petitions tabled at the Council Meeting.

OFFICER'S COMMENT

In relation to the receipt of petitions, the following provisions of the *Local Government Act 1993, Part 6 - Petitions, polls and public meetings, S57 and S58*, should be noted:

Section 57. Petitions

[Section 57 Substituted by No. 8 of 2005, s. 46, Applied:01 Jul 2005]

(1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.

(2) A person lodging a petition is to ensure that the petition contains –

(a) a clear and concise statement identifying the subject matter and the action requested; and

(b) in the case of a paper petition, a heading on each page indicating the subject matter; and

(c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and

(d) a statement specifying the number of signatories; and

(e) at the end of the petition –

(i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and

(ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –



electronic petition means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;

paper petition means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;

petition means a paper petition or electronic petition;

signatory means –

(a) *in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and*

(b) *in the case of an electronic petition, a person who has added his or her details to the electronic petition.*

58. Tabling petition

(1) A councillor who has been presented with a petition is to –

(a)

(b) *forward it to the general manager within 7 days after receiving it.*

(2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.

(3) A petition is not to be tabled if –

(a) *it does not comply with section 57 ; or*

(b) *it is defamatory; or*

(c) *any action it proposes is unlawful.*

(4) *The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.*

PETITIONS

No petitions received.

ATTACHMENTS

Nil

8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

No reports relating to attendance at Conferences and Seminars have been received.

8.6 132 & 337 CERTIFICATES ISSUED

In relation to the issue of 132 and 337 certificates, the following provisions of the *Local Government Act 1993*, Section 132 and Section 337, should be noted:

S132. Certificate of liabilities

(1) A person referred to in [subsection \(2\)](#) may apply to the general manager for a certificate stating–

(a) *the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;*

(b) *any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and*

(c) *the amount of any charge on the land recoverable by the council.*

S337. Council land information certificate

(1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.

(2) The general manager, on receipt of an application made in accordance with [subsection \(1\)](#), is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.

(3) A certificate under [subsection \(2\)](#) relates only to information that the council has on record as at the date of issue of the certificate.

(4) A prescribed fee is payable in respect of the issue of a certificate.

(5) The general manager, on request, may provide in or with the certificate any other information or document relating to the land that the general manager considers relevant.

(6) A council does not incur any liability in respect of any information provided in good faith from sources external to the council.

(7) A person, with the consent of the occupier or owner of specified land, may request in writing to the general manager that an inspection be carried out of that land to obtain supplementary information relevant to that land.

(8) If the general manager agrees to a request under [subsection \(5\)](#) or [\(7\)](#), the general manager may impose any reasonable charges and costs incurred.

(9) In this section –

land includes –

(a) *any buildings and other structures permanently fixed to land; and*

(b) *land covered with water; and*

(c) *water covering land; and*

(d) *any estate, interest, easement, privilege or right in or over land.*



	No. of Certificates Issued 2022/2023 year												Total	Total	Total
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	2023/2024 YTD	2022/2023	2021/2022
132	88	63	68	71									290	763	995
337	23	34	29	41									127	391	530

8.7 ANIMAL CONTROL

Prepared by: Maree Bricknell, Corporate Services Manager

Item	Income/Issues 2022/2023		Income/Issues for October 2023		Income/Issues year to date 2023/2024	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,229	108,313	256	\$7,889	3,740	\$97,494
Dogs Impounded	44	3,545	2	\$372	7	\$1,110
Euthanised	2				2	
Re-claimed	36		2		5	
Re-homed/Dogs Home	6					
New Kennel Applications	10	745				
Renewed Kennel Licences	83	3,818			82	\$3,844
Infringement Notices (paid in full)	53	9,465	12	\$3,315	21	\$6,407
Legal Action						
Livestock Impounded						
TOTAL		\$125,886		\$11,576		\$108,855

Audits:

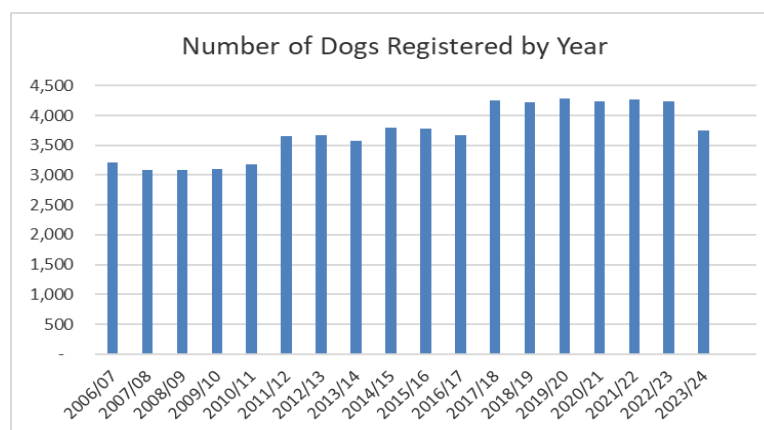
Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

Microchips:

No longer offering this service

Attacks:

0 attack – 0 investigation.





8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Kate Clark, Environmental Health Officer

Achieve improved levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures to comply with legislation.

Ensure safe standards of food offered for sale are maintained.

Investigations/ Licences Issued	Inspections/ 2020/2021	Prior Years	
		2021/2022	2022/2023
Notifiable Diseases	0	1	8
Inspection of Food Premises	67	170	133
Place of Assembly Approvals	1	14	9

Actions	2023/2024												
	YTD	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	67/ 231	10	15	25	17								
Routine Mobile/Market stall Food Inspections	17	5	2	6	4								
Preliminary Site Visits – Licensed Premises	1	0	1	0	0								
On-site wastewater Assessments	16	4	5	4	3								
Complaints/Enquiries – All Types	282	67	75	72	68								
Place of Assembly approvals	2	0	0	1	1								
Notifiable Diseases	7	1	1	2	3								

All Food premises are due for at least one inspection from 1 July of each year. The number of inspections in the table above is the total number carried out since 1 July in each financial year.

Inspections are conducted according to a risk-based assessment and cover all aspects of food storage, handling and preparation.

A total of 35 criteria are assessed for either compliance, non-compliance or serious non-compliance.

The Tasmanian Department of Health has produced a legal framework, the Food Business Risk-Classification System (RCS), to classify food premises for registration and notification purposes under the *Food Act 2003*.

Actions, including follow-up inspections, are taken according to the outcome of inspections, the RCS can be used to prioritise the inspection of food businesses, with inspection frequency being increased for high risk classified food premises. In addition, poorly performing food premises would be inspected more frequently.

For those enquiring about opening a food business i.e. Home based food business, officers inspect the premises and after a risk assessment determine whether a food licence is to be issued.

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.
- Council conducts a desk top assessment of the application in accordance with the Food Business Risk Classification System issued by Tasmanian Department of Health. The assessment is based on the information provided by the applicant.
- Based on the Risk assessed an invoice is issued to the applicant.
- Upon receipt of payment Council issues a Certificate of Registration.
- Council conducts an inspection of the premises during their operation to ensure compliance with the *Food Act* and Regulations and the Food Standards Code. The business is also assessed in line with their Risk Classification.
- Further inspections may be required to ensure any non-compliance issued have been addressed.

On-site Wastewater Assessments are completed after receiving a system design report from a consultant which basically determines what type of sewage system is required (septic or AWTS) and the method of distributing the sewage effluent on site based on AS1547.

A place of assembly is required for any mass outdoor public event. This means an event with over 1000 people for 2 hours or more. It may be any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance or publicly advertised lecture.

Notifiable Disease investigations are carried out by Council's Environmental Health Officer at the request of the Department of Health. Investigations typically relate to cases of food borne illness. While some investigations are inconclusive others can be linked to other cases and outbreaks within Tasmania and across Australia. Under the Public Health Act 1997, investigations are confidential.



8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	20/21	21/22	22/23	YTD 23/24	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	35	26	28	14	4	3	4	3								
Building & Planning	17	77	52	18	9	6	2	1								
Community Services	26	54	44	12	5	2	4	1								
Corporate Services	13	48	23	11	2	5	4	-								
Governance	6	15	21	3	2	-	1	-								
Waste	1	12	11	4	-	4	-	-								
Works	352	368	352	136	31	27	28	50								

8.10 GIFTS & DONATIONS (UNDER SECTION 77 OF THE LGA)

Date	Recipient	Purpose	Amount \$
18-Jul-23	Danielle Smith	Representation - International Netball Festival	\$100.00
18-Jul-23	Courtney Goss	Representation - International Netball Festival	\$100.00
18-Jul-23	Hunter McGee	Representation - Tas Thunder State Touch Football Team	\$100.00
18-Jul-23	Lucy Johnston	Representation - Tas Interschools Esquestrian Team	\$100.00
23-Aug-23	Poppy Beaumont	Representation - Tas Touch Football Girls U14 Team	\$100.00
8-Nov-23	Ryan Sansom	Donation - Tasmanian Junior 8-ball Nationals - Jan 2024	\$100.00
8-Nov-23	Jordan Sansom	Donation - Tasmanian Junior 8-ball Nationals - Jan 2024	\$100.00
11-Oct-23	Perth Fire Brigade	Contribution towards Christmas Lolly Run 2023	\$100.00
11-Oct-23	Longford Fire Brigade	Contribution towards Christmas Lolly Run 2023	\$100.00
11-Oct-23	Campbell Town District High School	Contribution for end of year school presentation - Secondary	\$100.00
11-Oct-23	Campbell Town District High School	Contribution for end of year school presentation - Primary	\$50.00
11-Oct-23	Perth Primary School	Contribution for end of year school presentation	\$50.00
11-Oct-23	Longford Primary School	Contribution for end of year school presentation	\$50.00
11-Oct-23	Cressy District High School	Contribution for end of year school presentation - Secondary	\$100.00
11-Oct-23	Cressy District High School	Contribution for end of year school presentation - Primary	\$50.00
11-Oct-23	Evandale Primary School	Contribution for end of year school presentation	\$50.00
		TOTAL	\$1,350.00

8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	Completed	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 Harbour Software Support No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Gail Eacher Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eacher Letter received from property owner. Draft response to queries raised prepared. 01/04/2022 Gail Eacher Letter sent to property owner, response awaited. 08/07/2022 Gail Eacher Further information being sought prior to workshop discussion. 13/02/2023 Gail Eacher Correspondence sent to the property owners on 27 January 2023. 27/02/2023 Gail Eacher No response



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						to date. 09/05/2023 Gail Eachar Listed for July workshop. 04/08/2023 Gail Eachar Seeking heritage advice, prior to workshop consideration. 28/09/2023 Gail Eachar Response awaited from Heritage Tasmania. 14/11/2023 Gail Eachar Report to Council.
16/10/2023	13.5	Annual General Meeting 2023	Completed	That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 11 December 2023, commencing at 5pm.	Gail Eachar	20/10/2023 Gail Eachar Noted, meeting to be advertised and Agenda prepared.
16/10/2023	13.3	Appointment of Council Representatives to Special Committees, Advisory Committees & Outside Bodies: Campbell Town Museum & Morven Park Recreation Ground Special Committees of Council	Completed	That Council a) appoint Cr Terrett as its representative on the Campbell Town Museum Special Committee; and b) amend the Councillor representative schedule in relation to the Morven Park Recreation Ground Committee to Cr Terrett only for the 2022-2026 period.	Gail Eachar, Victoria Veldhuizen	23/10/2023 Victoria Veldhuizen Campbell Town Museum & Information Centre Management Committee advised of the Councillor appointment. Councillor Representatives updated. 23/10/2023 Gail Eachar Lists updated and Committees advised.
16/10/2023	13.6	Council Calendar: 2024 Schedule of Council Meetings and Workshop Dates	Completed	Action as per resolution.	Gail Eachar	23/10/2023 Gail Eachar Noted. Advertising etc. scheduled.
21/08/2023	13.5	Lease: Northern Midlands Health, Fitness and Sports Centre	Completed	That Council: a) lease the premises known as Northern Midlands Health, Fitness and Sports Centre, situate at 8 Burghley Street, Longford. b) publicly advertise its intention to lease the Northern Midlands Health, Fitness and Sports Centre and calls for expressions of interest to lease the premises with the intention it is operated as a Sports Centre. c) obtain a market rental valuation for the Northern Midlands Health, Fitness and Sports Centre. d) advertises the lease of the Northern Midlands Health, Fitness and Sports Centre as a whole, including the basketball stadium, existing storeroom, gymnasium, children's play areas, aerobic room, squash courts x2, reception area, massage room, the former gym area and mezzanine level. e) cease advertising for lease the mezzanine level of the Northern Midlands Health, Fitness and Sports Centre presently listed with Knight Frank for the duration of the tender process and re-assess following the tender process whether to continue listing the mezzanine level with Knight Frank.	Victoria Veldhuizen	25/08/2023 Victoria Veldhuizen Listing of lease for mezzanine level withdrawn from market for duration of tender. Valuation report arranged. Tender documents being prepared for advertisement. 20/09/2023 Victoria Veldhuizen Expressions of Interest for Lease advertised 16 September 2023, with applications closing 13 October 2023. Report to November Council meeting with result from applications. 23/10/2023 Victoria Veldhuizen Expressions of Interest re-advertised on 21 and 25 October 2023, with applications closing 17 November 2023. To be discussed at November 2023 meeting.
16/10/2023	13.4	Local Government Association of Tasmania (LGAT): 1 November 2023 General Meeting	Completed	That Council in relation to the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 delegate Mayor Knowles to vote... (as per decision)	Des Jennings, Gail Eachar	23/10/2023 Gail Eachar Voting preferences provided.
16/10/2023	13.2	Policy: Unreasonable Customer Conduct (New Policy); and Customer Service Charter (Review)	Completed	That Council a) endorse the Unreasonable Customer Conduct Policy; and b) endorse the minor amendments to the Customer Service Charter, together with the Service Standards Schedule.	Gail Eachar, Maree Bricknell	23/10/2023 Gail Eachar Policy Manual updated.
18/09/2023	7 1.2	Recognition of persons who have made a significant	Completed	That Council approve the Avoca, Royal George and Rossarden Local District Committee project to recognise the significant	Gail Eachar	10/10/2023 Gail Eachar Next meeting scheduled for 23 November, Committee to be advised. 23/10/2023 Gail Eachar Members advised and work has



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		contribution to the local community		contribution of local persons who have had a positive impact on the local community, e.g. Avoca Angels; and recommend to the Committee that they make application for Special Project Funding in 2024.		commenced on planning for the project. Draft concept expected to be tabled at 23 November ARGR LDC meeting.
16/10/2023	13.1	Review of Local District Committee Structure	Completed	That Council extend the period of operation of the current Memorandum of Understanding until 30 June 2024 (or sooner if resolved) to allow additional time for the review of the Memorandum of Understanding to be undertaken.	Victoria Veldhuizen	23/10/2023 Victoria Veldhuizen Advice provided to the Local District Committee's.
16/10/2023	15.3	Policy Review: Audit Committee	Completed	That Council endorse the minor amendments to the Audit Committee Policy.	Gail Eacher, Maree Bricknell	Updates completed.
21/08/2023	7 1.2	CTDF Recommendation: Community Notice Board - 1 August 2023	In progress	That Council investigate options and costs of the construction and installation of a community notice board at Valentines Park, in Campbell Town.	Leigh McCullagh	28/09/2023 Gail Eacher Works Manager to attend CTDF meeting on 3 October to discuss further with Committee.
21/08/2023	7 3.2	EAC Recommendation: Speed Zones Around the Leighlands Road and High Street Intersection - 1 August 2023	In progress	That Council notes the concerns of the Evandale Advisory Committee and writes to the Department of State Growth in support of the speed zone changes requested.	Jonathan Galbraith, Leigh McCullagh	28/09/2023 Gail Eacher Matter being progressed with DSG. 06/10/2023 Jonathan Galbraith Council officers have written to the Traffic Engineering Branch at the Department of State Growth, awaiting response. 13/11/2023 Jonathan Galbraith No response received to date.
21/08/2023	7 4.3	LLDC Recommendation: Mill Dam - 5 July 2023	In progress	That Council receive a report regarding the Mill Dam reserve area and future ownership thereof.	Victoria Veldhuizen	12/09/2023 Gail Eacher Meeting set for discussion on master plan for the precinct. 11/10/2023 Gail Eacher Design requested, plan awaited.
26/06/2023	13.1	Local Community Strategies Consultation Report	In progress	That Council a) accept in-principle the Local Community Strategies Consultation Report, b) not request further community consultation regarding the five community strategies, and c) request the five draft community be revised in light of the recommendations made in the Consultation Report, and the revised strategies be tabled at the August 2023 Council Meeting. d) Revise/implement recommendations as follows: communication strategy (in order of preference) 11, 8, 10, 9. and workshop the strategies.	Des Jennings, Lorraine Green	06/07/2023 Lorraine Green The strategies are being reviewed in light of the recommendations made in the Consultation Report
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 ii) That LGAT lobby the State Government to provide an accessible online user interface for purchasers, residents and developers to all available flood mapping in populated areas in Tasmania; and assist Councils to flood map low lying land, inclusive of climate change impacts, so the effect flooding could have on property, including future developments, renovations and subdivisions is known statewide; and councils be obligated to include flood mapping in all form 337's issued.	Cameron Oakley, Gail Eacher, Victoria Veldhuizen	11/09/2023 Gail Eacher Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 iv) Statewide tyre recycling.	Jonathan Galbraith, Victoria Veldhuizen	11/09/2023 Gail Eacher Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/08/2023	13.3	Local Government Association of Tasmania (LGAT): Motions for the November 2023 General Meeting	In progress	list the following matter for consideration at the Local Government Association of Tasmania (LGAT) General Meeting to be held on 1 November 2023 i) Rate equivalent payments applied to electricity generators, storage plant and equipment.	Victoria Veldhuizen	11/09/2023 Gail Eacher Advice received that LGAT Agenda for November meeting closed. Motion to be prepared for the first meeting in 2024.
26/06/2023	5 3.1	Notice of Motion: Conara Park - 24 Hour Toilet	In progress	That Council write to State Growth raising concerns the current state of the parking area and about people defecating in Conara Park near the Midlands Highway; and seek consent from State Growth to allow Council to develop a concept plan for the park, including the construction of a toilet; and that a further report be brought back to Council on the Conara Park Concept Plan.	Des Jennings	12/07/2023 Gail Eacher Letter to be drafted, master plan to be workshopped. 04/08/2023 Gail Eacher Letter sent. 07/09/2023 Gail Eacher Matter to be workshopped following advice received from DSG. The department is supportive of Council's proposal, however given the department has already, at Council's request, provided funding to Council for improvements to the facilities at Valentines Park in Campbell Town as an alternative to Conara Park, it is not appropriate for the department to contribute further funds. Also noted that the property forms part of the department's conservation management program and that only previously disturbed areas of the park will be considered for development (or redevelopment). The department is willing to support Council in leasing the Conara Park area, as well as contributing to rationalising the Conara Park area, including arranging for the removal of any surplus infrastructure to ensure the area is fit for purpose.
26/06/2023	5 3.2	Notice of Motion: Infrastructure Contribution	In progress	3) That Council conduct a review of its development contribution policy to better address key infrastructure.	Erin Miles, Paul Godier	06/07/2023 Erin Miles Council officers are currently undertaking a review of the Public Open Space Contribution Policy and will present the proposed amendments to the policy for Council endorsement, at a future meeting. Council does not have any other kind of Development Contribution Policy.
26/06/2023	5 3.2	Notice of Motion: Infrastructure Contribution	In progress	1) That Council advocates for the introduction of a consistent state-wide approach to developer contribution charges to ensure that the burden of public infrastructure provision is shared equitably between the council, developers and communities. 2) That Council writes to the Minister for Planning, Shadow Minister for Planning and local members of the Parliament seeking a contemporary, best practice infrastructure contributions framework be integrated into the Land Use Planning and Approvals Act 1993.		12/07/2023 Gail Eacher Letter to be drafted
20/03/2023	16.1	Sticky Beaks Cafe Corner (cnr Wellington and Marlborough Streets): Upgrades and Safety	In progress	That the JMG report Option Two (steel bollards) be revisited and that a time-line be put in place to implement this recommendation should that be an approved solution. Further that a report be undertaken to develop a detailed analysis for the intersection and the traffic flows in the centre of Longford.	Des Jennings, Jonathan Galbraith, Leigh McCullagh	23/03/2023 Gail Eacher Meeting arranged with Garry Hills, Dept. of State Growth. 17/04/2023 Jonathan Galbraith Council officers met with Garry Hills on March 30, 2023. The Department of State Growth has agreed to do engage a consultant to carry out an independent traffic study of the intersection. Awaiting further information from the Department of State Growth. 04/05/2023 Jonathan Galbraith Garry Hills from the Department of State Growth has advised that they are in the process of organising and independent report on the safety of the intersection 15/06/2023 Gail Eacher Further contact made with DSG, requested that a timeline be provided for provision of the independent traffic study for Sticky Beaks Corner. 11/07/2023 Gail Eacher Subject to available funding, DSG have advised they have an in-principle agreement in place to review the works. 10/08/2023 Jonathan Galbraith Council officers have requested an update on when this project will commence from the Department of State Growth and are still awaiting a response 28/09/2023 Gail Eacher Further correspondence sent to General Manager of State



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						Roads requesting update and timeline for review. 26/10/2023 Jonathan Galbraith Awaiting response from Department of State Growth 13/11/2023 Jonathan Galbraith Awaiting response from State Growth
16/10/2023	15.4	Assistance for Events: Round 2	Not yet started	That Council allocate Round 2 Event assistance to the Tasmanian Trout Expo as per the schedule; and That Council allocate Round 2 Event assistance as per the schedule.	Maree Bricknell	
18/09/2023	13.7	Campbell Town Swimming Pool	Not yet started	That Council hold a community meeting to discuss or seek interest to formulate a new Campbell Town Swimming Pool Management Committee.	Des Jennings, Gail Eacher	
18/09/2023	13.7	Campbell Town Swimming Pool	Not yet started	That Council review the opening hours and guaranteed hours for lifeguards after 1 month of operation of the Campbell Town Pool 2023/2024 season.	Leslie Hall	
16/10/2023	5 3.1	Notice of Motion: Waiver of Hire Fees for District Committees	Not yet started	That Council waiver all fees and charges for District Committees when meeting in council facilities.	Maree Bricknell	
16/10/2023	7 3.2	Request to place a Public Shower at the Memorial Hall	Not yet started	That Council investigate the need for a public shower within Longford and if appropriate, including a suitable location by way of a future report to Council; and that Helping Hand and other community groups be included in the discussions.	Lorraine Green, Lorraine Wyatt	
16/10/2023	15.2	Review of New Road Name at Western Junction (Corbould Close Not Approved)	Not yet started	That Council approve the name Hercules Close for road created by subdivision off Evandale Road, Western Junction.	Maree Bricknell, Natalie Horne	
16/10/2023	7 1.2	Speed Limit: Cressy Main Street	Not yet started	That Council put out a statement about the reduction in the speed limit within Cressy and that the Department of State Growth refuse to support the reduction; and that Council publicise contact details for State politicians so that the public can contact them to discuss the matter, together with a media release.	Des Jennings, Lorraine Wyatt	

8.12 RESOURCE SHARING SUMMARY: 01 JULY 2023 TO 30 JUNE 2024

Resource Sharing Summary 1/7/23 to 30/6/24 As at 31 October 2023	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	90.50	4,236
Street Sweeper - Plant Hire Hours	90.50	6,215
Total Services Provided by NMC to Meander Valley Council		10,451
Net Income Flow	90.50	10,451
Total Net		10,451
Private Works and Council Funded Works for External Organisations		
Works Department Private Works Carried Out	Hours	Amount \$
	118.50	6,808
	118.50	6,808



8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Oct 2023	Estimated Cost of Damages	
			Total 2023/24	Total 2022/23
Tables and signs at Mill Dam vandalised	Longford	\$ 4,000		
Vandalism at skate park	Longford	\$ 1,000		
Vandalism at Valentines Park Toilets	Campbell Town	\$ 500		
TOTAL COST VANDALISM		\$ 5,500	\$ 17,900	\$ 18,600

8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, Youth Officer

PCYC Program

Council fund PCYC activities in the Northern Midlands. The program is currently being facilitated in Perth on Thursdays during school terms. Attendance numbers for the Perth program in October as follows:

Session Venue	Date of Session	Attendance	Comment
Perth			
	11/10	13	
	18/10	16	

Free2B Girls Program

Free2b Girls Longford numbers have had a significant increase and currently at maximum attendance numbers. The group has received a donation for the ongoing support of a Program Facilitator for an initial period of 12 months from Longford Rotary and JBS Australia

Free2b Girls Campbell Town will continue thanks to Thrive Womens Grants supporting the Program Facilitator.

Attendance for the month of October as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
			School Holidays
	25/10	3	
Longford			
			School Holidays
			Volunteer unavailability. Sessions resume November

Meetings

Natalie Dell represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.

Evandale PCYC: free after school activities are commencing in Evandale for Grade 4-6 in Term 4. PCYC team to facilitate the MAC program.

Branching Out Longford: Commenced in Term 3 as an extension of the Free2b Girls Program and will continue in Term 4. Young people 14-16 years old are invited to attend.

Reclink: commenced after school activities in Perth during Term 3 and will continue in Term 4. Focusing on promoting physical activities and social engagement opportunities. Young people have had opportunity for input into program activities

Perth Milo Club: Youth Officer has been supporting the Milo Club at Perth Primary School.

Christmas Banners: Each school has had the opportunity to contribute designs for the Christmas Banners to be displayed



in their town, the Youth Officer has been assisting to facilitate this project.

Breakfast Club- Cressy: The Cressy Breakfast program has been further developed liaising with the School Chaplain and Youth Officer, to provide freely available Breakfast items for approximately 40 students. The School has identified several young people who will benefit from participating in the cooking program. The program helps address students' health, well-being, and food security. The program provides nearly double the numbers of previous years. This program is being well received by the students and School.

Quote from students:

'The best part about all of it is that I get come and help, and I get to cook with Gabi' Year 3 student

'This activity is so beneficial for the student in my class that regularly participates. She is an alternative educational program and the teaching of life skills in a calm and supportive environment is exactly what she needs and enjoy and is directly linked to her individual educational plan goals for the year.' Teacher, CDHS.

SPARK: Program aim: To help foster leadership and support youth focused initiatives in Schools. School Representative Councils (SRC) can apply for funding of projects (up to \$300/year) to be held in their schools. Supporting education and employment opportunities for young people. Schools that have accessed this program include: Longford Primary School, Cressy and Campbell Town District High Schools.

Breakfast Club Campbell Town District High School: Youth Officer is providing support to the Breakfast Club by working with students to prepare and cook items for the program. Approximately 50 students attend the Breakfast Club each day.

Leadership sessions: Youth Officer has been working with Student Leaders at Cressy District High School running workshops focusing on leadership development. Planning has commenced for ongoing offerings.

Youth Advisory Group: resume in Term 1.

8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

Prepared by: Maree Bricknell, Corporate Services Manager & Lorraine Green, Project Officer

CURRENT AS OF 1 NOVEMBER 2023

Progress Report:

 Not Started (obstacles)

 On Hold

 On Track

 Completed

INTEGRATED PRIORITY PROJECTS PLAN:

Project	Status	Budget 2023-24	\$	Scheduled
1 Progress: Economic health and wealth - grow and prosper				
Foundation Projects				
4.1 <i>Main Street Upgrades: Campbell Town, Longford & Perth</i>	Gov	Campbell Town Business Case submitted to secure the 2022 Election Commitment. DA being prepared	Budget allocation 2023-24 plus contribution from \$8m Federal Govt Election Commitment 2022.	2,450,000 DA to November Meeting
	Gov	Longford DA submitted.	Budget allocation 2023-24 from Federal Govt Election Commitment 2019.	1,793,628 DA to November Meeting
	C&D	Perth Business Case submitted to secure the 2022 Election Commitment.	Contribution from \$8m Federal Govt Election Commitment 2022.	1,641,000 DA to November Meeting
4.1. <i>Longford Memorial Hall Upgrade</i>	Gov	Work underway: milestone report to activate first grant instalment approved	Federal Govt Election Commitment 2019; Local Roads and Community Infrastructure allocation confirmed	3,109,479 Completion anticipated New Year 2024
4.4 <i>TRANSLink Intermodal Facility</i>	Gov	Included in NMC Priority Projects document. Business Case being prepared to secure the 2022 Election Commitment. Due Dec 23. Approved by NTDC as a Northern Tas Priority Project.	Federal Election commitment of \$5m for planning stage. No Council funded Budget allocation 2023-24. Further \$30m commitment subject to planning stage.	5,000,000 SGS assisting with Business Case application .



Project		Status		Budget 2023-24	\$	Scheduled
Enabling Projects						
5.1	Perth Sports Precinct & Community Centre	Gov	Concept master plan developed October 2020. Included in NMC Priority Projects document.	Valuation sought – anticipated Oct/Nov 23. No budget allocation 2023-24 staff resources only.		Not scheduled at this stage.
5.1	Ben Lomond Public Shelter Development	Gov	Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania Included in NMC Priority Projects document. Govt has completed new public shelter. Government has committed to development of a master plan.	No allocation 2023-2024, staff resources only to support grant funding applications.		Not scheduled at this stage.
5.3	Campbell Town – Town Hall Sale or Lease	Gov	Agent appointed – all offers to be presented to Council.			Council to rezone property. Consider offers as presented.
5.3	Longford Library & exhibition Building on the Village Green	Gov	Longford Motor Sport Museum Included in NMC Priority Projects document.	No budget allocation staff resources only.		Not scheduled. Moving from Woolmers to Symmons Plains Race Track.
5.3	Power Undergrounding in Evandale, Longford & Perth	Works	Awaiting funding streams to come available. Included in NMC Priority Projects document.	No budget allocation staff resources only.		Not scheduled at this stage.
5.4	Subdivisions (several – Cressy, Evandale, Longford & Perth)	C&D	Council to identify opportunities to provide infrastructure and secure funding. Included in NMC Priority Projects document.	Drainage easement secured at Evandale. Detention basin secured at TRANSlink.		Detention works not scheduled at this stage.
2 People: Cultural and society – a vibrant future that respects the past						
Enabling Projects						
5.1	Recreation Ground Upgrades)	Gov	Campbell Town, Evandale and Cressy NMC Priority Projects document. Funding to be sought for oval upgrades.			Not scheduled at this stage.
		Gov	Cressy Recreation Ground Cricket Australia & State Govt funding secured towards the upgrade of the practice facility, car park and dump point.	Budget allocation in 2023-24 Budget	115,000	Completed: acquittal reports submitted August 2023.
			Perth Recreation Ground Amenities, topdressing, cricket net upgrade.	Cricket Australia grant of \$30,000 secured towards cricket nets upgrade.	135,000	Civil works completed, waiting for netting
			Longford Recreation Ground Irrigation system install and preparation for 2 nd ground.		255,000	Irrigation installation complete
5.1	Swimming Pool Upgrades (several)	Gov	Covering of Campbell Town & Cressy Swimming Pools Included in NMC Priority Projects document.	No allocation 2023-24 staff resources only.		- Not scheduled at this stage.
		Gov	Cressy: Solar system replacement Ross: Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	Allocation 2023-24 Budget allocation 2023-24 towards WHS issues.	50,000	Completion prior to season opening.
5.2	Shared Pathways	Gov	Applications submitted to Growing Regions Program and Better Active Transport Tas program. Included in NMC Priority Projects document.	Funding applications outcome awaited.		Design stage.



Project		Status	Budget 2023-24	\$	Scheduled
		Hobart Road shared pathway submitted to NTDC as a Northern Tas Priority Project.			
4 Place: Nurture our heritage environment					
Foundation Projects					
4.2	<i>Perth South Esk River Parklands</i>	Gov	Building Better Regions Fund grant secured towards the extension of the walkway, installation of footbridge and BBQ. Included in NMC Priority Projects document.	Footbridge and pathways completed.	Project completed August 23. Acquittal report submitted.
4.3	<i>Sheepwash Creek Corridor & Open Space</i>	Gov	Grants secured for major new/improved infrastructure. Included in NMC Priority Projects document.	Commonwealth Government Disaster Ready funding successfully sought.	3,700,000 Scheduled.
4.5	<i>Municipal Tree Planting Program</i>		Annual program being implemented. Included in NMC Priority Projects document.	Budget allocation 2023-2024.	100,000 Ongoing.
Enabling Projects					
5.1	<i>Conara Park Upgrade</i>	Gov	Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.	No budget allocation staff resources only. Renegotiating with State Growth.	- Not scheduled at this stage.
5.3	<i>Redevelop Bartholomew Park Cressy</i>	Gov	Liaising with Local District Committee to establish/prepare plans for upgrade.	Budget allocation 2023/2024.	\$100,000 During 2023/24.

Other projects:

- Open Spaces and Active Infrastructure Grants Programs: soccer field and half-basketball courts – Grant funding applications submitted.
- Laycock Street Park LRCI funding allocation approved – scheduled in 2023/24 budget period.
- Morven Park Miniature Railway Storage Shed: TCF application lodged – unsuccessful.
- Ross Men’s Shed Extension: Grant Agreement signed.
- Napoleon Street Park – awaiting subdivision works.
- Longford Community/Neighbourhood House – lobbying State Government.
- Longford Caravan Park Amenities – under construction.
- Seccombe Street Reserve Raised Pavement Platform – Vulnerable Road User grant of \$50,000 secured – work scheduled in 2023/24 budget period.

8.16 TOURISM & EVENTS AND HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) UPDATE

Prepared by: *Fiona Dewar, Tourism and Events Officer*

Tourism update:

- Events:
 - Liaise with event organisers re planning and information required, assist those seeking funding and in-kind support. Provide assistance to event organisers to fulfil Council compliance requirements.
 - Update and distribute “What’s On” events list.
 - Update NMC website calendar.
- Northern Midlands Community Expo 2023:
 - Create and distribute feedback survey to exhibitors, collate responses.
- Northern Midlands Visitor Centres Group:
 - Facilitate and attend industry famil for Visitor Centres volunteers at Glover Country and Clarendon House.
 - Liaise with Centres re enquiries.
 - Disseminate information from TVIN.
 - Disseminate updates from fire and weather alert agencies.



- Liaise with local tourism operators to provide industry information.

HHTRA update:

- Facilitate and attend Workshop with Brand Tasmania 10 October.
 - Ongoing marketing activities include website blog posts and social media.
 - Administrative tasks.
 - Updates to Quick Reference Guide.
 - Progress planning for next Brand Tasmania workshop on 23 November.
-



9 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

Public question time is to commence at approximately 5:30pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days.
- Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each submission speaker is limited to a maximum of 3 minutes.

PUBLIC QUESTIONS



10 COUNCIL ACTING AS A PLANNING AUTHORITY

RECOMMENDATION

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Items 11.1 to 11.7.

Section 25 (1) of the Local Government (meeting procedures) Regulations require that if a Council intends to act at a meeting as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, the Chairperson is to advise the meeting accordingly.

10.1 STATEMENTS

REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

PLAN 11.1: PLN23-0099: 157 Blackwood Creek Road, Blackwood Creek - Visitor Accommodation

PLAN 11.2: PLN23-0160: 1440 Saundridge Road Cressy - Battery Energy Storage System

PLAN 11.3: Draft Amendment 12/2023: 75-77 High Street, Campbell Town

PLAN 11.4: PLN23-0199: Campbell Town Streetscape Project

PLAN 11.5: PLN23-0169: Perth Streetscape Project

PLAN 11.6: PLN23-0188: Longford Streetscape Project

PLAN 11.7: Amend Part 5 Agreement: 15 Monastery Court, Longford



11 PLANNING REPORTS

11.1 PLN23-0099: 157 BLACKWOOD CREEK ROAD, BLACKWOOD CREEK - VISITOR ACCOMMODATION

File: 101100.02; PLN23-0099
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That application PLN23-0099 to develop and use the land at 157 Blackwood Creek Road, Blackwood Creek for Visitor Accommodation be approved subject to the following conditions:

Endorsed Documents

The use and development must be in accordance with the endorsed documents:

- P1 – P5 (Cumulus drawings J22108-SK01, SK02, SK03, SK04, SK05, SK06, 8/6/2023); and
- D1 Agricultural assessment and compliance report, Pinion Advisory, May 2022.

Plans Required

Before the commencement of the development, or the issue of a building permit under the Building Act 2016, whichever occurs first, a plan to the approval of the General Manager must be submitted. The plan must show a multi-tiered, dense vegetation buffer with a width of at least 10m between the proposed development site and the adjacent property to the east (1363 Blackwood Creek Rd) located substantially in accordance with Attachment 1 (Exemplified Vegetation Buffer, RMCG) to this permit. When approved the plan will be endorsed and will form part of this permit.

Vegetation Buffer

- Before the use commences, the vegetation buffer required by condition 2 must be planted.
- The vegetation buffer must be maintained for the duration of the use.

Access Track

Before the issue of a building permit under the Building Act 2016, or the commencement of works, whichever occurs first, the private access track to the visitor accommodation must be constructed entirely within CT109824/1.

TasNetworks' Power Pole and Line

Before the issue of a building permit under the Building Act 2016, or the commencement of works, whichever occurs first, approval must be sought and gained from TasNetworks for the relocation of the power pole shown on the endorsed plans, and the pole relocated in accordance with such approval.

1 INTRODUCTION

This report assesses an application for a new dwelling to be use for visitor accommodation at Nosswick, 157 Blackwood Creek Road, Blackwood Creek.

2 BACKGROUND

Applicant:

Cumulus Studio

Zone:

21.0 Agriculture Zone

Owner:

Nosswick Pty Ltd

Codes:

C2.0 Parking and Sustainable Transport Code



Classification under the Scheme:

Visitor Accommodation

Deemed Approval Date:

25 November 2023

Existing Use:

Resource Development

Recommendation:

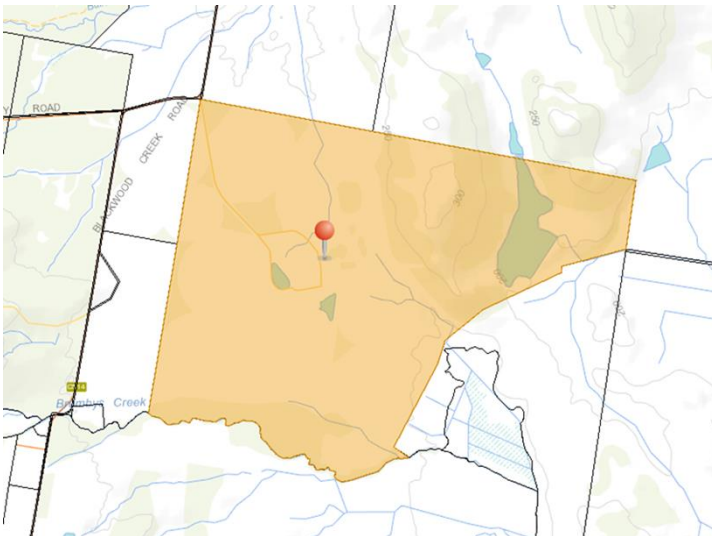
Approve

Discretionary Aspects of the Application:

- Visitor Accommodation is a discretionary use in the Agriculture Zone (clause 21.3.1 P1 and P2);
- Variation to development standards – setback less than 200m from boundary (Clause 21.4.2 P2)

Planning Instrument:

- *Tasmanian Planning Scheme – Northern Midlands, effective from 9th November 2022.*



^Image 1 – Subject site

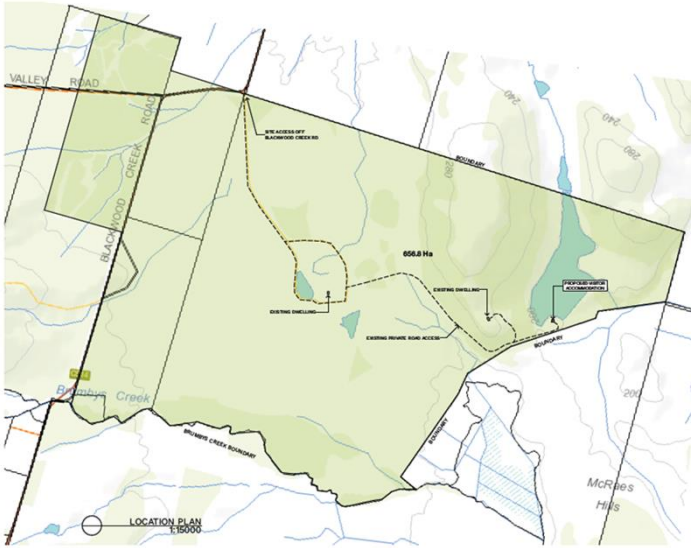
3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

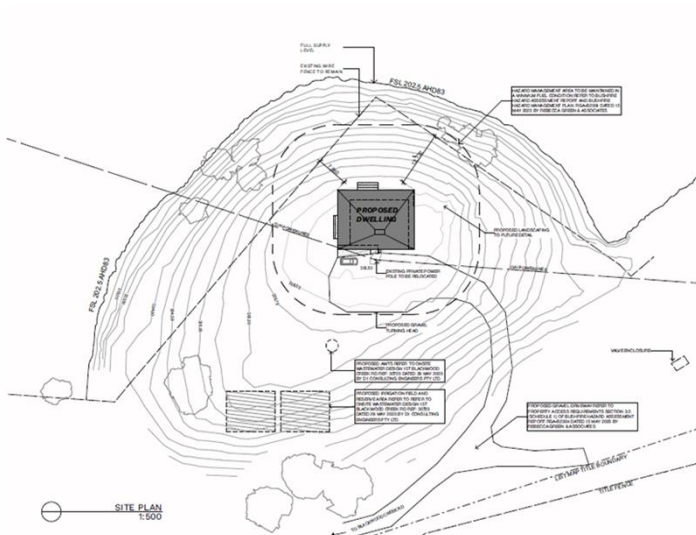
4 ASSESSMENT

4.1 Proposal

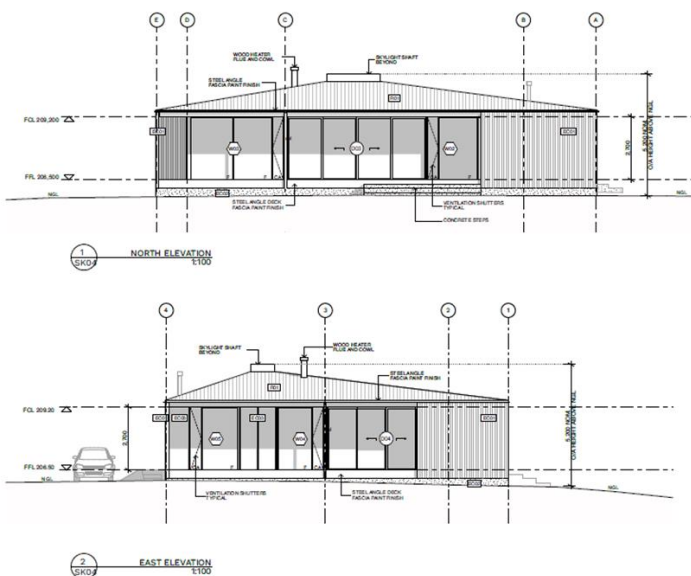
The application advises that it is proposed to construct a new dwelling for farm stay visitor accommodation for visiting family members and other visitors to the region to enjoy a farm star lifestyle experience.



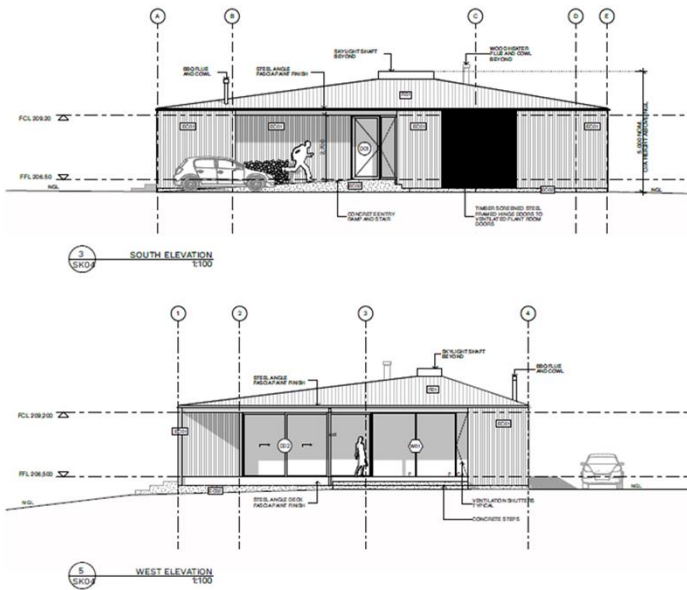
^Image 2 - Site Plan



^Image 3 – site plan

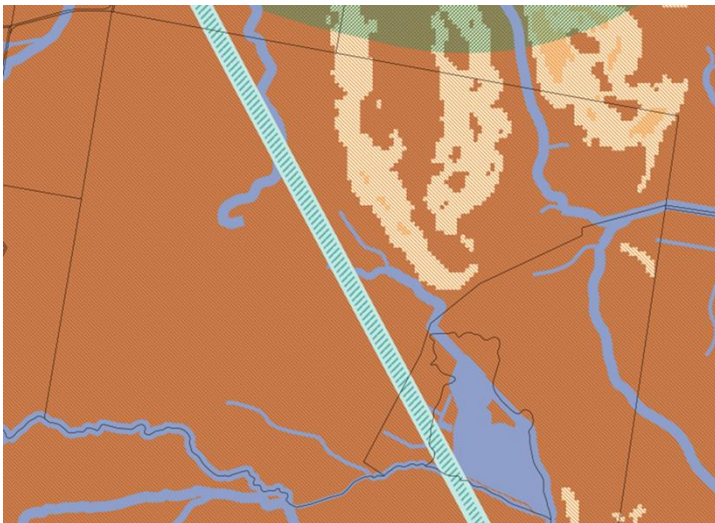


^Image 4 - Elevations



^Image 5 - Elevations

4.2 Zone and Land Use



^Image 6 - Zone Map – 21.0 Agriculture

The land is in the Agriculture Zone.

The relevant Planning Scheme definitions are:

<p><i>Visitor Accommodation</i></p>	<p><i>Use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex</i></p>
<p><i>Resource Development</i></p>	<p><i>use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry, forest operations, turf growing and marine farming shore facility.</i></p>

Visitor Accommodation is Discretionary in the zone.



4.3 Subject Site and Locality

The author of this report carried out a site visit on 3 November 2023. As noted in the Agricultural Assessment and Compliance Report, the vegetation present on the property is predominantly improved pastures, with seasonal cropping grown on the land and there are patches of native vegetation and established shelterbelts of trees and shrubs. The adjoining property is discussed in the assessment of the Agriculture Zone provisions.



^Image 7 - House site looking towards dam on subject site



^Image 8 - House site looking towards dam on subject site



^Image 9 - House site looking towards adjoining property

4.4 Permit/Site History

Relevant permit history includes:

- 1/82 – Dwelling
- 42/81 – Machinery Shed/Workshop
- 57/84 – Garage
- P07-023 – Boundary Adjustment
- P08-195 – Boundary Adjustment
- P17-199 – Dwelling
- P88-43 – Shearing Shed
- P90-30 – Extension

4.5 Referrals

TasNetworks advised:

Based on the information provided, the development is likely to adversely affect TasNetworks’ operations. TasNetworks advises there is an existing high voltage feeder traversing the property and in the area of the proposed dwelling. Plans provided note ‘existing private power pole to be relocated’ however I can confirm that this pole and overhead line is owned by TasNetworks. It is recommended that the customer or their electrician submit an application to TasNetworks for the relocation of this pole to support this development.

4.6 Planning Scheme Assessment

21.0 Agriculture Zone

21.1 Zone Purpose

The purpose of the Agriculture Zone is:

21.0.1 To provide for the use or development of land for agricultural use.

21.0.2 To protect land for the use or development of agricultural use by minimising:

(a) conflict with or interference from non-agricultural uses;

(b) non-agricultural use or development that precludes the return of the land to agricultural use; and

(c) use of land for non-agricultural use in irrigation districts.

To provide for use or development that supports the use of the land for agricultural use.

Comment

The proposal complies with the Zone Purpose.

21.2 Use Table



The proposed use and development are for works associated with Visitor Accommodation.

Comment

Visitor Accommodation use is Discretionary in the zone.

21.3 Use Standards

21.3.1 Discretionary uses

Objective:

That uses listed as Discretionary:

- (a) support agricultural use; and
- (b) protect land for agricultural use by minimising the conversion of land to non- agricultural use.

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: <ul style="list-style-type: none"> (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use; (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities

Comment

The proposal complies with P1.

A2 No Acceptable Solution.	P2 A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to: <ul style="list-style-type: none"> (a) the area of land being converted to non- agricultural use; (b) whether the use precludes the land from being returned to an agricultural use; (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.
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Comment

Council's advice from RMC Tasmania, agricultural consultants, is:

- a) The area where the proposed visitor accommodation will occur is located on a part of the farm that is not utilised for cropping or grazing. It has been assessed as having a Land Capability Class of 6 and so has negligible agricultural potential. It is also located in a part of the farm that is removed from the main grazing and cropping areas. The amount of land being converted is approximately 0.05% of the total property. The loss will have no impact on the existing agricultural operations of the farm.*
- b) It is unlikely that the land would be converted back to agricultural use once the new building is constructed. However, this will have no impact on the overall farming operation.*
- c) The proposed use is located in an area of the farm that is not utilised for agriculture. It will have no impact on the operational areas of the farm. The extra workers accommodation and occasional visitor accommodation will facilitate the farming operations and assist with providing additional farm income. Given that there is a proposed centre pivot on the adjacent title within 200m of the proposed use, there is a low risk that the proposed use could restrain future uses on the adjacent land, as there is a topographical buffer. A vegetated buffer would further minimise this risk.*

The proposal complies with the performance criteria.

A3 No Acceptable Solution.	P3 A use listed as Discretionary, excluding Residential, located on prime agricultural land must: <ul style="list-style-type: none"> (a) be for Extractive Industry, Resource Development or Utilities, provided that: <ul style="list-style-type: none"> (i) the area of land converted to the use is minimised; (ii) adverse impacts on the surrounding agricultural use are minimised; and (iii) the site is reasonably required for operational efficiency; or (b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.
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Comment

Not applicable, not prime agricultural land.

A4 No Acceptable Solution.	P4 A Residential use listed as Discretionary must: <ul style="list-style-type: none"> (a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) the scale of the agricultural use; (ii) the complexity of the agricultural use;
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	<p>(iii) the operational requirements of the agricultural use;</p> <p>(iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and</p> <p>(v) proximity of the dwelling to the agricultural use; or</p> <p>(b) be located on a site that:</p> <p>(i) is not capable of supporting an agricultural use;</p> <p>(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and</p> <p>(iii) does not confine or restrain agricultural use on adjoining properties.</p>
<p>Comment Not applicable.</p>	

<p>21.4 Development Standards for Buildings and Works</p> <p>21.4.1 Building height</p>	
<p>Objective: To provide for a building height that:</p> <p>(a) is necessary for the operation of the use; and</p> <p>(b) minimises adverse impacts on adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must be not more than 12m.</p>	<p>P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:</p> <p>(a) the proposed height of the building;</p> <p>(b) the topography of the site;</p> <p>(c) the bulk and form of the building;</p> <p>(d) separation from existing use on adjoining properties;</p> <p>(e) the nature of the existing uses on adjoining properties; and</p> <p>(f) any buffers created by natural or other features.</p>
<p>Comment Complies with A1.</p>	

<p>21.4.2 Setbacks</p>	
<p>Objective: That the siting of buildings minimises potential conflict with use on adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or</p> <p>(b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<p>P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:</p> <p>(a) the bulk and form of the building;</p> <p>(b) the nature of existing use on the adjoining properties;</p> <p>(c) separation from existing use on the adjoining properties; and</p> <p>(d) any buffers created by natural or other features.</p>
<p>Comment Complies with A1.</p>	
<p>A2 Buildings for a sensitive use must have a setback from all boundaries of:</p> <p>(a) not less than 200m; or</p> <p>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<p>P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the existing and potential use of adjoining properties;</p> <p>(e) any proposed attenuation measures; and</p> <p>(f) any buffers created by natural or other features.</p>
<p>Comment Council's advice from RMC Tasmania, agricultural consultants, is:</p>	



a) The proposed location of the new use is on the northern face of a slight hilltop that is adjacent to an existing dam to the north. The aspect is easterly. The overall size of the subject title is 651ha, while the proposed development area will be less than 0.25ha.

b) There is a dwelling located on 433 Blackwood Creek Rd (CT 50856/1), adjacent to the west of the subject title, that is approximately 100m from the subject titles south western boundary. There are no other sensitive uses with 100m of the subject title.

c) The existing property homestead is located approximately 1.7km to the west of the proposed development site. The homestead is located in the central area of the property and is near the main farm sheds. There is a manager's residence on the subject title that is 465m to the west of the proposed development area. The proposed development would have no impact on either of the existing dwellings on the site or other existing farm buildings.

d) The nearest adjacent property is 1363 Blackwood Creek Rd, which is 80m to the south of the proposed development area. At the time the Ag Report by Pinion was completed, and also based on aerial imagery, the current adjacent land use on 1363 Blackwood Creek Rd is dryland grazing. However, as per the representation from the adjacent landowner, there are plans for the adjacent land to have significant irrigation infrastructure development. This will include a centre pivot irrigator that will be located approximately 170m from the proposed visitor accommodation. If the adjacent land use was going to continue to be dryland grazing, then, due to the low intensity nature of this activity (see Appendix 3 for potential conflict issues), the proposed 80m setback would be sufficient. However, because there are plans for the adjacent land to be further developed for irrigation, it is considered highly likely that the adjacent land use will intensify. Because of this, a 200m setback from the proposed adjacent centre pivot is considered appropriate. However, if a vegetation buffer is established between the pivot and the proposed visitor accommodation, similar to what is shown in Figure A2-2, then the 170m will be sufficient as there is already some topographic buffering afforded by the hilltop immediately south of the proposed accommodation. All other adjacent properties are greater than 200m from the proposed development site.

e) A multi-tiered, dense vegetation buffer with a width of 5-10m between the proposed development site and the adjacent property to the east (1363 Blackwood Creek Rd) will provide an adequate buffer from the visitor accommodation to the proposed new centre pivot on the adjacent property.

f) There are natural buffers to the west, north and south, such as changes in topography and existing native vegetation that buffer the proposed development from the main farming areas of the subject title.

The proposal complies with the performance criteria.

21.4.3 Access for new dwellings

Comment

Complies with A1, existing access to Blackwood Creek Road to be utilised and maintained.

21.5 Development Standards for Subdivision

21.5.1 Lot design

Comment

Not applicable

CODES		
C1.0	Signs Code	N/A
C2.0	Parking and Sustainable Transport Code	Complies – See code assessment below
C3.0	Road and Railway Assets Code	N/A
C4.0	Electricity Transmission Infrastructure Protection Code	N/A
C5.0	Telecommunications Code	N/A
C6.0	Local Historic Heritage Code	N/A
C7.0	Natural Assets Code	N/A - proposed development not located within mapped area.
C8.0	Scenic Protection Code	N/A
C9.0	Attenuation Code	N/A
C10.0	Coastal Erosion Hazard Code	N/A
C11.0	Coastal Inundation Hazard Code	N/A
C12.0	Flood-Prone Areas Hazard Code	N/A
C13.0	Bushfire-Prone Areas Code	N/A
C14.0	Potentially Contaminated Land Code	N/A
C15.0	Landslip Hazard Code	N/A
C16.0	Safeguarding of Airports Code	N/a – exempt as development less than 670.56m AHD.

C2.0 Parking and Sustainable Transport Code



<p>C2.1 Code Purpose</p> <p>The purpose of the Parking and Sustainable Transport Code is:</p> <p>C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.</p> <p>C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.</p> <p>C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.</p> <p>C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.</p> <p>C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.</p> <p>C2.1.6 To provide for parking precincts and pedestrian priority streets.</p>
<p>Comment</p> <p>The proposal complies with the Code Purpose.</p>

<p>C2.5 Use Standards</p> <p>C2.5.1 Car parking numbers</p>	
<p>Objective:</p> <p>That an appropriate level of car parking spaces are provided to meet the needs of the use.</p>	
<p>Acceptable Solutions</p> <p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p style="padding-left: 40px;">(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p style="padding-left: 40px;">(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p style="padding-left: 80px;">$N = A + (C - B)$</p> <p style="padding-left: 80px;">N = Number of on-site car parking spaces required</p> <p style="padding-left: 80px;">A = Number of existing on site car parking spaces</p> <p style="padding-left: 80px;">B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p style="padding-left: 80px;">C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>Performance Criteria</p> <p>P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p style="padding-left: 40px;">(i) variations in car parking demand over time; or</p> <p style="padding-left: 40px;">(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) 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;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and 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 surrounding area.</p>
<p>Comment</p> <p>Table C2.1 requires 1 space per self-contained accommodation unit, or 1 space per 4 beds, whichever is the greater. The plans show 3 bedrooms with 1 car parking space adjacent to the Visitor Accommodation building.</p> <p>Complies with A1.</p>	

<p>C2.5.2 Bicycle parking numbers</p>	
<p>Objective:</p> <p>That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>



<p>A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.</p>	<p>P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>
<p>Comment There is no requirement for bicycle parking for visitor accommodation.</p>	

<p>C2.5.3 Motorcycle parking numbers</p>	
<p>Objective: That the appropriate level of motorcycle parking is provided to meet the needs of the use.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</p>	<p>P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.</p>
<p>Comment There is no requirement for motorcycle parking for visitor accommodation.</p>	

<p>C2.5.4 Loading Bays</p>	
<p>Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.</p>
<p>Comment Not applicable.</p>	

<p>C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone</p>	
<p>Objective: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p>	<p>P1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area;</p>



<p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p>(c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</p>
<p>Comment Not applicable.</p>	

<p>C2.6 Development Standards for Buildings and Works</p>	
<p>C2.6.1 Construction of parking areas</p>	
<p>Objective: That parking areas are constructed to an appropriate standard.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so 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.</p>
<p>Comment Proposed gravel driveway complies with A1 (a) and (b). A1 (c) is not applicable to the Agriculture Zone.</p>	

<p>C2.6.2 Design and layout of parking areas</p>	
<p>Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with Australian Standard AS 2890-Parking facilities, Parts 1-6.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-</p>



<p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.¹ <p>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>	<p>street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>
<p>Comment Complies with A1 (a). A1.2 does not apply.</p>	

<p>C2.6.3 Number of accesses for vehicles</p>	
<p>Objective: That:</p> <ul style="list-style-type: none"> (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.
<p>Comment Complies with A1.</p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <ul style="list-style-type: none"> (a) not have an adverse impact on: <ul style="list-style-type: none"> (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape.
<p>Comment Not applicable.</p>	

<p>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</p>	
<p>Objective: That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:</p> <ul style="list-style-type: none"> (a) enables easy and efficient use; (b) promotes the safety of users; (c) minimises opportunities for crime or anti-social behaviour; and (d) prevents unreasonable light overspill impacts. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting</i> –</p>	<p>P1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> (a) enabling easy and efficient use of the area; (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles; (c) minimising opportunities for crime or anti-social behaviour



<i>Performance and design requirements.</i>	though the creation of concealment spaces; (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and (e) the hours of operation of the use.
Comment Not applicable.	

C2.6.5 Pedestrian access	
Objective: That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p style="padding-left: 40px;">(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p style="padding-left: 40px;">(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the nature of the use;</p> <p>(c) the number of parking spaces;</p> <p>(d) the frequency of vehicle movements;</p> <p>(e) the needs of persons with a disability;</p> <p>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>
Comment Not applicable.	

C2.6.6 Loading bays	
Objective: That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.	
Acceptable Solutions	Performance Criteria
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <p>(a) the types of vehicles likely to use the site;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the topography of the site;</p> <p>(f) the location of existing buildings on the site; and</p> <p>(g) any constraints imposed by existing development.</p>
Comment Not applicable.	
<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 - Off-street commercial vehicle facilities.</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to:</p> <p>(a) the types of vehicles associated with the use;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the location of the site and nature of traffic in the area of the site;</p> <p>(f) the effectiveness or efficiency of the surrounding road network; and</p> <p>(g) site constraints such as existing buildings, slope,</p>



	drainage, vegetation, parking and landscaping.
Comment	
Not applicable.	

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	
Objective: That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.	
Acceptable Solutions	Performance Criteria
A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.	P1 Bicycle parking must be provided in a safe, secure and convenient location, having regard to: (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites.
Comment	
Not applicable.	
A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (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 (c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.	P2 Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to: (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.
Comment	
Not applicable.	

C2.6.8 Siting of parking and turning areas	
Objective: That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria
A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.	P1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;



	<p>(g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.</p>
<p>Comment Not applicable.</p>	
<p>A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.</p>	<p>P2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to: (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and (c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.</p>
<p>Comment Not applicable.</p>	

<p>C2.7 Parking Precinct Plan C2.7.1 Parking precinct plan</p>	
<p>Objective: To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within a parking precinct plan, on-site car parking must: (a) not be provided; or (b) not be increased above existing parking numbers.</p>	<p>P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to: (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: (i) variations in parking demand over time; or (ii) efficiencies gained by consolidation of parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (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) the streetscape; (g) the topography of the site; (h) the location of existing buildings on the site; (i) any constraints imposed by existing development; and (j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</p>
<p>Comment Not applicable.</p>	

PARTICULAR PURPOSE ZONES		
NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable



NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS		
7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that 1 representation (attached) was received from:

- Woolcott Surveys obo John & Nancy Smith, 1363 Blackwood Creek Rd Blackwood Creek.

The matters raised in the representation are outlined below followed by the planner's comments.

Issue 1: The application shows that the existing private access track is shown as being on the subject land adjacent to the eastern title boundary. The track actually encroaches significantly onto CT25054/4. There is no Right of Carriageway or easement which would provide legal right to access the proposed visitor accommodation over CT 25054/4.

If the track does in fact proposed to be realigned to within their own title boundary, then this would constitute a valid application. Should a permit be issued a condition should be included that requires the access track to be entirely contained within CT109824/1. The track must be in place prior to the development commencing, which will ensure any contractors or worker will not be utilizing the existing access over CT520054/4.

Planner's comment:

The following condition is recommended:

- Before the issue of a building permit under the Building Act 2016, or the commencement of works, whichever occurs first, the private access track to the visitor accommodation must be constructed entirely within CT109824/1.

Issue 2: Council must also consider proximity of the proposed accommodation and the setback from CT52054/4.

Our clients currently run a working farm, with plans to undertake extensive irrigation via pivots across their land. They have recently established a new dam on McRaes Hill to the south east.

The Pinion Agricultural report has not made any recommendations regarding buffering or vegetation screening which can often be utilised where there is the potential for land use conflict.

The Pinion report states that there are buffers created by landform and topography, however this part of the site where the reduced setback is occurring is level, sitting at approximately the 200m AHD contour.

In my view there are limited topographical features which would provide a benefit or added protection from land use conflict. There are no current vegetation buffers occurring along or within proximity to the southern boundary.



The report makes no reference to the existing dam on McRae's Hill to the south, and what the impacts of having a dwelling downstream of the existing dam are. It is unclear whether the application for a dwelling been discussed with Department of Natural Resources, and Environment Tasmania (NRE) to ensure compliance with Dam safety and separation requirements for dwellings.

A draft irrigation design for our client's land shows a future pivot irrigation being 170m from the proposed dwelling. Impacts on this dwelling can include irrigation overspray and chemical spraying.

Crop protection and vermin control is a common occurrence on farms; however, it is noted a person must not discharge a firearm within 250m of a dwelling. How this dwelling may constrain and impact our client's ability to manage vermin and pests on his own property is concerning. The farm operates 24 hours a day and 7 days a week, resulting in emissions that would typically be expected from a working farm.

Visitors to the proposed accommodation may expect a certain level of amenity be provided, however the reality is that noise, odours, and other farming related activities will occur. The primary zone purpose of the Agriculture Zone is to provide for use and development of land for agricultural use.

Our clients are not opposed to the visitor accommodation development, however are concerned by the access road location and the offset from the boundary. It would be appreciated if the applicant may be able to consider an alternative location for the accommodation that would comply with the 200m acceptable solution setback for sensitive uses.

Planner's comment:

Council sought advice from RMCG Tasmania, agricultural consultants which is:

Aerial imagery indicates there is insufficient vegetation present to be considered an appropriate buffer. The 1m contours indicate that the boundary between the two properties is 5m below the proposed development area, hence the average slope over the 80m that separates the proposed visitor accommodation, and the adjacent boundary, is approximately 3°. However, we also note that the highest point on the hilltop, south of the proposed accommodation, is 206.5m in elevation. Hence, depending on the exact location and survey data, there is potentially around 2m vertical difference between the footings of the accommodation and the crest of the hill immediately to the south. In our opinion a 2m difference in elevation does provide a buffer from a topographical perspective.

RMCG would generally recommend a minimum buffer of 50m between a new dwelling (or visitor accommodation) and an adjacent title, if the adjacent land use is dryland grazing only. Hence, in this situation, based on the Ag report description of the adjacent land, we would agree that the proposed 80m buffer is sufficient. However, based on the additional information provided by the representor, including draft irrigation plans (developed by Pinion) it appears that significant investment of irrigation infrastructure is proposed on the adjacent property, which includes a centre pivot irrigator that will be located within approximately 170m of the proposed visitor accommodation.

Given the proposed pivot is located on land mapped as Land Capability Class 4 (the LIST), it is considered likely that a similar cropping regime to the subject property (two in 10-year) would be established within this pivot. Hence, the Planning Scheme defined 200m setback is appropriate to the pivot. However, in our opinion, if a vegetation buffer was established between the proposed visitor accommodation and the adjacent property, then this would assist with offsetting the reduced setback

Based on the contours, the dam wall crest is constructed to just above the 204m Above Sea Level (ASL) contour and the proposed visitor accommodation appears to be located above this. However, the exact location of the accommodation and elevation of the footings has not been provided. The highest contour on the hilltop in the vicinity of the accommodation is 206.5m and the accommodation is located on the northern side of this hilltop. As a result, the Consequence Category 1 of the dam is considered to not be impacted by the proposed accommodation, as the proposed accommodation is above the flood inundation area in the event of a dam failure. In response to the representations third point, the Water Management Act 1999 and the Water Management (Safety of Dams) Regulations 2015 ensure owners of existing dams meet their dam safety responsibilities. Responsibility of ongoing dam management and safety lies with the dam owner, including being aware of potential changes to a dam's consequence category and resulting dam safety



inspection and reporting requirements as a result of downstream development. Hence, it is not required for the proponent to discuss the application with the Department of Natural Resources and Environment Tasmania.

The representation also points out that if they are wanting to discharge a firearm to control wildlife then they would need permission from the occupant/owner of the any residential building with 250m. We agree this is a requirement, however, also note that the Planning Scheme Acceptable Solution of a 200m setback for a dwelling/sensitive use to an adjacent boundary also does not deal with this issue. In this situation, given both properties are managed as commercial farms, it seems reasonable that through open lines of communication, an agreement around managing wildlife could be made between the two landowners.

In the event that such an agreement cannot be reached, approximately 5.6ha will be impacted by a shooting exclusion zone.

4.8 Objectives of the Land Use Planning and Approvals Act 1993

The proposal is consistent with the objectives of the Land Use Planning and Approvals Act 1993.

4.9 State Policies

The proposal is consistent with all State Policies.

4.10 Strategic Plan/Annual Plan/Council Policies

Strategic Plan - Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

No applicable to this application

6 OPTIONS

Approve subject to conditions or refuse and state reasons for refusal.

7 DISCUSSION

Discretion to refuse the application is limited to:

- Visitor Accommodation is a discretionary use in the Agriculture Zone (clause 21.3.1 P1 and P2).
- Variation to development standards – setback less than 200m from boundary (Clause 21.4.2 P2).

Conditions that relate to any aspect of the application can be placed on a permit.

As discussed in this report it is found that the proposal complies with the relevant performance criteria. It is recommended that the application be approved subject to conditions.

8 ATTACHMENTS

1. Proposal Page APPLICATIO N- FOR M- Planning [**11.1.1** - 1 page]
2. Title Plans [**11.1.2** - 2 pages]
3. 20230608 NOSSWICK GUEST HOUSE D A 01 [**11.1.3** - 6 pages]
4. Blackwood Creek 157 Blackwood Creek Rd (Scott Colvin)_ FINAL [**11.1.4** - 38 pages]
5. Bushfire Assessment - 157 Blackwood Creek Road Blackwood Creek [**11.1.5** - 39 pages]
6. Bushfire Emergency Plan V 1 EVACUATE 157 Blackwood Creek Road Blackwood Creek [**11.1.6** - 13 pages]
7. 35723 OWMS Report - 157 Blackwood Creek Road, Blackwood Creek [**11.1.7** - 59 pages]
8. Representation - Woolcott Surveys [**11.1.8** - 7 pages]
9. RMCG Review - 157 Blackwood Creek Rd [**11.1.9** - 13 pages]



11.2 PLN23-0160: 1440 SAUNDRIDGE ROAD CRESSY - BATTERY ENERGY STORAGE SYSTEM

File: 112000.18; PLN23-0160
Responsible Officer: Des Jennings, General Manager
Report prepared by: John Ayres, Consultant Planner

RECOMMENDATION

That application PLN-23-0160 at 1440 Saundridge Road Cressy (CT 105802/1); 4554 Poatina Road Cressy Palmerston Transend Substation (CT 142369/1; CT 142369/2; CT 142369/3) to develop and use Utilities described as Palmerston Battery Energy Storage System (BESS) incorporating multiple Lithium-ion batteries in series (2022 Tesla Megapack unit containerised 3MWh battery system), bidirectional inverters and transformers, switchgear and electrical conduits, 33kV underground reticulation to the Palmerston Substation; site office, maintenance and operations sheds, vehicle parking, vegetation screening, and associated works including trenching and cabling, access tracks, road upgrades, perimeter fencing, be approved subject to the following conditions:

USE AND DEVELOPMENT

1. The use and development must be substantially in accordance with the endorsed documents, unless modified by a condition of Permit:
 - (a) Cogency, 09 August 2023 *Palmerston BESS Planning Application Report*;
 - (b) Akaysha Energy Pty Ltd, 05 September 2023 *Concept Layout Plan* (Masterplan);
 - (c) Nature Advisory Pty Ltd, 27 October 2022, *1440 Saundridge Road, Cressy Tasmania Flora and Fauna Overview Assessment Nature Advisory Ref.No.22285.01*;
 - (d) Hannah S & Graham V, Cultural Heritage Management Australia, 17 February 2023, *Palmerston Battery Energy Storage System (BESS) Project 1440 Saundridge Road Cressy. Aboriginal Heritage Assessment Report Final Version 1*.
 - (e) Pitt & Sherry, 11 August 2023, *Palmerston BESS Traffic Impact Assessment Rev00*;
 - (f) Orbit Solutions, 05 June 2023, *Palmerston Battery Energy Storage System (BESS) Landscape & Visual Impact Assessment*;
 - (g) SLR Consulting Pty Ltd, April 2023, *Palmerston Energy Storage System Noise Impact Assessment, SLR Ref: 640.30604-R01, Version No: -v1.1*;
 - (h) NJM Design, 13 July 2023, *Fire Hazard and Risk Assessment Palmerston BESS (Battery Energy Storage System)*;
 - (i) Cogency obo Akaysha Energy Pty Ltd, 09 August 2023, *Planning Application Form*;
 - (j) Dalton Consulting Engineers, September 2023, *Palmerston Substation BESS, Stormwater Management Strategy DCE Ref: 23154*.

PARKING AND MANOEUVRING

2. Before the use commences, areas set aside for parking, driveway, access ways, manoeuvring and circulation as shown on the endorsed plans must be:
 - (a) Constructed in accordance with the endorsed plans;
 - (b) Constructed with a durable all-weather pavement (spray seal or asphalt is **not** required); and
 - (c) Adequately drained to prevent stormwater being discharged to adjoining properties.

LANDSCAPE SCREENING PLAN

3. Landscape screen planting as proposed by the applicant – Ref: *Concept Layout Plan* September 2023 must be:
 - (a) Designed, installed and approved by the General Manager in accordance with a plan prepared by a suitably qualified person;
 - (b) Completed within three (3) months of the use commencing;
 - (c) Maintained as part of the approved use and development. It must not be removed or destroyed without the written consent of Council.



AMENDED DOCUMENTATION REQUIRED

4. Detailed civil engineering and drainage designs, modelling, and a Flood Hazard Report must be provided before the development commences which clearly show:
 - 4.1 That a tolerable risk to new buildings and infrastructure is achieved for the intended life of the development;
 - 4.2 Any filling of the land required to achieve a tolerable risk;
 - 4.3 That building, filling, or drainage works do not contribute or increase flood risk on the site, on adjacent land, or on public infrastructure.
 - 4.4 The Flood Hazard Report shall be undertaken by a suitably qualified person, be in accordance with the processes and procedures contained in *Australian Rainfall and Runoff Guidelines 2019*, and consider the range of 1% AEP Climate Change events.

REPAIR OF PALMERSTON SUBSTATION ACCESS ROAD

5. Potholes on Palmerston Substation Access Road must be repaired prior to the commencement of the proposed works

SITE MANAGEMENT

6. Prior to the commencement of any works on site, a Construction Environmental Management Plan must be prepared to the approval of the Council's General Manager, and must address (but not limited to):
 - (a) Construction hours;
 - (b) Management of building and construction waste;
 - (c) Measures to mitigate noise, dust, odour and other emissions through the construction phase on adjacent land; and
 - (d) Measures to mitigate pollution of local waterways arising from construction activities and include mitigation measures to measure accidental spillage and failure of control measures;
 - (e) The environmental best practice guidelines in the *Wetlands and Waterways Works Manual*.Once approved, the plan will form part of this permit.
7. Prior to the commencement of any works on the site, an Operational Environmental Management Plan must be prepared to the approval of the Council's General Manager to identify mitigation measures to manage the long-term environmental impacts of the proposed use and development and address the best environmental best practice guidelines in the *Wetlands and Waterways Works Manual*. Once approved, the plan will form part of this permit.
8. Prior to the commencement of any works on site, a Soil and Water Management Plan (SWMP) must be implemented to ensure soil and sediment does not leave the site during the construction process. The SWMP must be submitted to and approved by the Council's General Manager. Once approved, the plan will form part of this permit.
9. From commencement of works on the site to the completion of construction process the developer must, to the satisfaction of the General Manager, and unless otherwise noted on the endorsed plans or approved in writing by the General Manager:
 - (a) Ensure soil, building waste and debris does not leave the site other than in accordance with the Construction Environmental Management Plan referred to in condition 6 of this Permit, and is disposed of at an approved landfill site;
 - (b) Not burn debris or waste on the site; and
 - (c) Ensure that public land or roads are not unreasonably obstructed by vehicles, machinery or materials.

REHABILITATION AND DECOMMISSIONING

10. Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the use, the person responsible for the management of the use must notify Council's General Manager in writing of that event or decision. The applicant/operator must specify the date upon which the activity is expected



to cease or has ceased.

11. Prior to the permanent cessation of the use, a Decommissioning and Rehabilitation Plan must be prepared and submitted for approval by the Council's General Manager addressing:
- (a) Soil and water issues associated with the decommissioning of plant and equipment;
 - (b) Stabilisation of any land surfaces that may be subject to erosion;
 - (c) Removal or mitigation of all environmental hazards or land contamination that might pose an ongoing risk of causing environmental harm, including any controlled waste;
 - (d) Removal of equipment and infrastructure as required;
 - (e) Decommissioning of any equipment that has not been removed; and
 - (f) Demonstrate that the site has been rehabilitated and is suitable for agricultural use.

1 INTRODUCTION

This report assesses an application for the development of a Battery Energy Storage System (BESS) and electricity transmission infrastructure at Cressy adjacent the Palmerston Transend Substation site. The main development footprint is approximately 1.5ha located on land leased from the property owner at 1440 Saundridge Road. The electricity infrastructure connection to the substation extension is on land owned by Tasmanian Networks Pty Ltd (4554 Poatina Road Cressy).

Batteries are an energy storage technology that uses chemicals to absorb and release energy on demand. Lithium-ion, as is proposed by Akaysha Energy Pty Ltd is the most common battery chemistry used to store electricity. Coupling batteries with renewable energy generation allows energy to be stored during times of low demand and released at times of peak demand. Batteries are particularly valuable because they provide flexibility in the absorption and release of energy responding faster than other energy storage or generation technologies helping maintain the grid stability by turning on and off in fractions of a second. The technology provides resilience to the electricity grid in the provision of a consistent energy supply. The development of utility scale BESS presents the opportunity to store energy produced by renewable resources, such as wind, solar and hydro, to be used on demand.

The battery energy storage system represents an important plank in the management of stored energy within the renewable energy generation market. The Australian Renewable Energy Agency was established by the Federal government in 2012 and its focus is the support of improvements in the competitiveness of renewable energy and enabling technologies, the increase in supply of renewable energy in Australia and the facilitation of the achievement of Australia's greenhouse gas emission targets. This is done through the provision of project funding assistance and knowledge sharing to accelerate innovation and investment in these new technologies.

The introduction of this technology installed as grid-scale is considered an important element in the transition to net zero emissions.

The proponents refer to the significant benefits of the proposal including the following:

- Storage and discharge of electricity using advanced lithium-ion batteries to assist improvement of the Tasmanian and National electricity grid;
- Support for the use of renewables in electricity generation;
- Site efficiencies located adjacent the Palmerston Substation avoiding the need for transmission lines, achieving visual compatibility with the existing infrastructure;
- Strategic location within a Renewable Energy Zone (REZ);
- The site which has been significantly disturbed, has been selected to reduce impact upon agricultural activities.

The development includes the siting of multi lithium-ion batteries connected in series, bidirectional inverters and transformers, switchgear and electrical conduits, access tracks and road upgrades, perimeter fencing, on site office and

maintenance storage sheds, vegetation screening and associated works. An underground 33kV line will provide connection to the Palmerston Substation via an extension to the existing substation facility.

An example of the layout of battery energy storage systems developed in Australia is shown below.



Figure 1 Typical Large scale Battery Energy Storage facility layout - Darlington Point NSW. Source Edify: Darlington Point & Riverina Battery



Figure 2 Example: Battery storage units and Lithium-ion battery pods

The proposed development is defined by the *Tasmanian Planning Scheme Northern Midlands* as 'Utilities' which is a discretionary use within the Agriculture Zone.

2 BACKGROUND

Applicant:

Akaysha Energy Pty Ltd

Owner:

Scott Young Pty Ltd

Tasmanian Networks Pty Ltd

Zone:

21.0 Agriculture

26.0 Utilities

Codes:

C2.0 Parking and Sustainable Transport Code

C3.0 Road and Railway Assets Code



C4.0 Electricity Transmission Infrastructure Protection Code

C7.0 Natural Assets Code

C13.0 Bushfire-Prone Areas Code

C16.0 Safeguarding of Airports Code

Classification under the Scheme:

Utilities

Deemed Approval Date:

09/10/2023

NB: Application lodged 14/08/2023; Fees paid 29/08/2023.

Extension of Time approved by the parties until 24/11/2023.

Existing Use:

Utilities & associated works

Recommendation:

Approve subject to conditions

Discretionary Aspects of the Application:

- **21.0 Agriculture Zone**
Clause 21.2 Use Table: Utilities - Discretionary use
Clause 21.3.1 P1, P2, P3 Utilities use Change of use (Utilities)
Clause 21.4.2 P1 Setbacks
- **C2.0 Parking and Sustainable Transport Code**
C2.6.2 P1 Design and Layout of Parking Areas
C2.6.6 P1 Loading Bays
- **C3.0 Roads and Railway Access Code**
C3.5.1 P1 Traffic Generation Vehicle/Level Crossing, New Junction (Construction Phase)
- **C4.0 Electricity Transmission Infrastructure Code**
C4.6.1 P1 Buildings or works within a transmission corridor
C4.6.2 P1 Buildings or works within a substation buffer area - minor encroachment
- **C7.0 Natural Assets Code (Waterways)**
C7.6 Development Standards for Buildings and Works
C7.6.1 P1.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Planning Instrument:

- *Tasmanian Planning Scheme – Northern Midlands (effective date 27 June 2023).*

Summary Overview: Appendices (technical reports):

The following appendices form a part of the development planning submission:

Ecology - Appendix C - Native Vegetation Assessment, Nature Advisory Pty Ltd

A native vegetation assessment was undertaken by Nature Advisory Pty Ltd which reviewed the DRNE's TASVEG 4.0 and a walk over the site. The assessment found that the site's vegetation consisted of mostly introduced pasture grasses and associated weed species. The introduced species found widely on disturbed and previously cleared ground does not compromise native vegetation communities listed in TASVEG 4.0. There was no remnant native vegetation identified. The development footprint is a relatively small area of agricultural land which is currently used for grazing and is dominated by exotic species.

Aboriginal Cultural Heritage - Appendix D - Cultural Heritage Management Australia

An Aboriginal cultural heritage assessment was undertaken by Cultural Heritage Management Australia (CHMA). The assessment included 3 stages - Stage 1 pre-field and background work; Stage 2 Field work; and Stage 3 Report preparation. The Aboriginal Heritage Register (AHR) search found that there are 28 registered Aboriginal sites within a 5km radius of the development site (1.5ha study area), the closest of which (identified as AH8949) was 1.3km south of the study area. The findings of the assessment conclude that the impact of the proposal on places of Aboriginal cultural heritage will be negligible.

Traffic - Appendix E - Traffic Impact Assessment - Pitt & Sherry

A traffic impact assessment considering the impacts of the development was undertaken by Pitt & Sherry. The report determined that the traffic impacts will be negligible in terms of the site operation and will be highest during the 12-month development construction phase. The report recommends that identified potholing be repaired prior to the commencement of construction and that a planning condition requiring a Traffic Management Plan and or a Construction Management Plan be required prior to construction. The report concludes that the impact upon the function and safety of the local network is insignificant.

Landscape and Visual impact - Appendix F - Orbit Solutions

The assessment by Orbit Solutions reviewed key viewpoints and locations including sensitive receptors, dwellings and scenic lookouts with potential views of the proposal site. The assessment included the preparation of a photomontage survey methodology. The assessment concluded that the proposal and existing terminal station with their similar use and characteristics can visually integrate harmoniously into the existing environment without significant impacts. Existing vegetation and screening measures mitigate potential impacts upon views of the site from nearby dwellings and from roads.



Figure 3 Photomontages from viewpoint Source: Orbit Solutions

Acoustic - Appendix G - Noise Impact Assessment - SLR Consulting



Noise monitoring included an identified sensitive receptor (nearby dwelling 1.5km from the development site) to ensure measurements were representative of the existing ambient environment. Potential impacts were identified as follows:

Construction activities - Based upon the short construction duration and the distance of the site to the closest receptors, noise impacts are anticipated to be relatively minor. In addition, construction works will be scheduled to avoid 'Prohibited hours' and application of best practice noise management controls applied.

Operational activities - the BESS will exceed night-time requirements by a small amount at the nearest receptor 770m south-east of the site. The EPP (Noise) goals are expected to be achieved with the introduction of noise mitigation measures including low noise BESS fans and/or silencing treatment, noise and operational control measures; i.e. load locking during night periods.

Overall, the acoustic impacts generated by the proposal are assessed as negligible.

Fire Risk and Bushfire - Appendix H - Fire Hazard and Risk Assessment - NJM Design

The fire assessment scope included:

A risk review consistent with fire risk assessment techniques for Hazardous industry planning; quantify the severity of fires including heat radiation level at various distances from the BESS and transformer fires and fire duration; Risks placed in context via comparison with other accepted risks such as those from existing power infrastructure and surrounding buildings in the community; and recommended mitigation measures.

Whilst under the Bushfire-prone Areas Code the use is not listed as 'Hazardous', the proposal has been designed as if the risk was higher. The assessment concludes the risk is Very Low and that further emergency and hazard management plans are appropriate for preparation, as a condition of permit.

Other relevant and associated issues include:

Agriculture

The submission prepared by group *Cogency* considers that the proposal (site) will not impact agriculturally productive land and the development provides an additional revenue stream for the landowner by incorporating development on land which has been treated as residual to the agricultural use of the land given its unproductive characteristics. This area of land which is not considered 'irrigated' characterises the site as of lower agricultural productivity. The locational advantages of the site, being adjacent the Palmerston Substation are self-evident and is appropriately developed for this purpose, on a site which minimises the potential for conflict and interference with agricultural use.

Water, Groundwater and Flooding

The *Cogency* submission assesses the impact of the proposal on groundwater, concluding the development will not lead to drainage issues as stormwater and fire-fighting runoff will be appropriately managed, nor will the proposal require the consumption of water resources. The Construction and Environmental Management Plan proposed as a condition of permit will detail measures to minimize water use and impact mitigation. Whilst the site is not designated flood prone, the applicants are in the process of completing a Stormwater Management Strategy incorporating a review of 1% AEP analysis. A permit would be appropriately conditioned to require the applicant to demonstrate the following: *that there is a tolerable risk to buildings and infrastructure, that any filling of the land be designed to achieve a tolerable risk, and that works do not contribute to an increased risk of flood on the site, adjacent land or public infrastructure.*

Submission conclusion

The *Cogency* group in support of the application submit the following:

- the proposal is sited specifically adjacent the existing electrical infrastructure (Palmerston Substation) to maximise benefits to the grid;
- the development will be distant from sensitive receptors, and importantly is located on non-productive agricultural land within a relatively small footprint;
- the design is such that it will sit comfortably within the landscape; and
- the proposal will not result in significant changes to the environmental condition of the site, or surrounding areas including bushfire risk and water balance/management.



Figure 4 Aerial image - Development locality. Source the LIST

3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e., a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

The proposal is defined as 'Utilities' under the Planning Scheme, which is a discretionary use within the Agriculture Zone. The development footprint is 1.5ha of modified agricultural land immediately adjacent the Palmerston Substation. The development is a battery energy storage system which will connect to the Palmerston Substation. The proposal will include the following elements:

- Multiple lithium-ion batteries connected in series
- Bidirectional inverters and transformers
- Switchgear and electrical conduits
- Underground 33kV connection line to the Palmerston Substation
- Site offices, storage and maintenance sheds
- Access tracks and road access upgrades
- Security fencing
- Landscape screen plantings
- Associated works including a minor extension to the Substation infrastructure to enable connection

KEY aspects of the proposal are described in Table 5 below:

Infrastructure	Details
Batteries	The proposed BESS comprises advanced lithium-ion battery modules connected in series. The proposed energy storage product (battery) is the 2022 Tesla Megapack. A single Megapack unit is a containerised 3 MWh battery system, with integrated modules, inverters and thermal control systems.
Inverters and Transformers	An inverter is needed to convert the battery terminals' DC voltage into an AC voltage, suitable for transmission. The proposed 2022 Tesla Megapacks include bidirectional inverters.
Reticulation to Palmerston Substation	The BESS will be connected directly to the Palmerston Substation using an underground, 33 kV reticulation. The reticulation will be insulated from any other power lines in order and be routed from the BESS to the substation's 33 kV switchgear. The switchgear can then control the flow of electricity from the BESS to the substation, allowing for it to be used in the local network.
Cabling and Trenches	The batteries will be connected using trenched underground cabling.
Site Access and Access Roads	Access to the Development Area will be provided from the Palmerston Substation Access Road – a dedicated private access road from Poatina Road.
Fencing	The Proposal will be surrounded using ~3m high black-coated, chain-mesh fence, punctuated by gates as needed.
Hard standing	The main infrastructure components will require concrete hardstands, that will be surrounded by gravel surfacing.
Culverts and Drainage Infrastructure	To minimise the impact on the minor tributary through the Site, the Proposal will manage stormwater runoff and waterflows, so that the flow direction and capacity is maintained.
Buildings	A small site office to accommodate on site workers, along with maintenance and operations sheds, will be included, clad in non reflective materials and visually recessive colors.

Figure 5 Table Extract: Summary of Proposed Infrastructure Elements: Source Table 2 Cogency Palmerston BESS Planning Application Report p16.

Figure 1 and 2 show an indicative image of site layout for battery energy storage systems, battery structures and storage pod units. The precise design of these elements will be determined prior to the construction phase, but will reflect the design images presented.

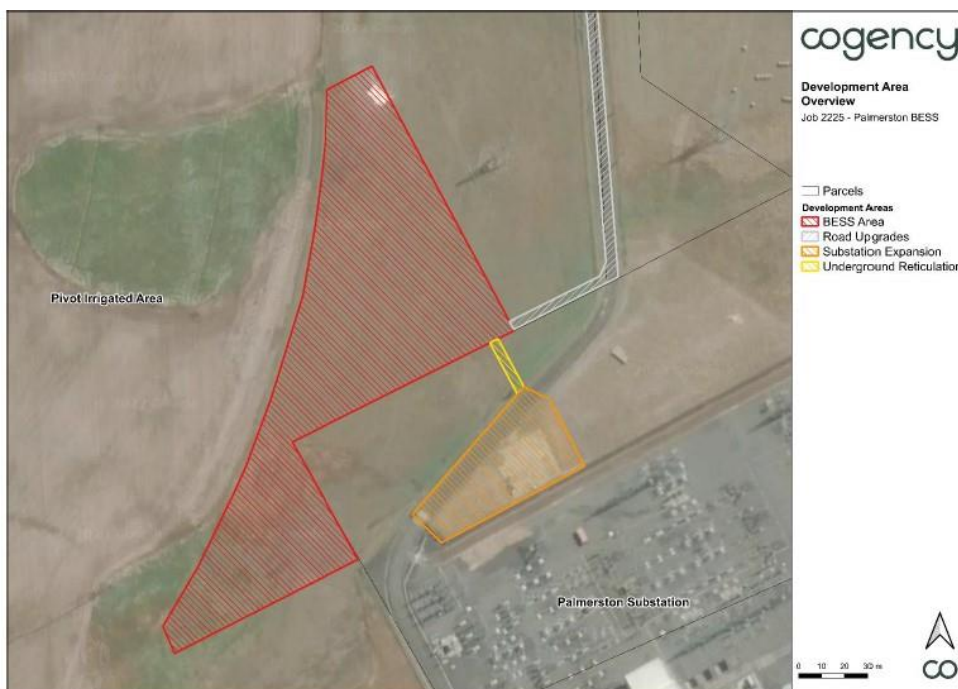


Figure 6 Site plan; Development footprint shown as red cross hatch and yellow highlight

4.2 Zone and Land Use

The land is zoned 21.0 Agriculture & 26.0 Utilities

The relevant Planning Scheme definition is:



Clause 21.0	Agriculture Zone
21.1	Zone Purpose <i>The purpose of the Agriculture Zone is:</i>
21.1.1	<i>To provide for the use or development of land for agriculture use.</i>
21.1.2	<i>To protect land for use or development of agricultural use by minimising:</i> <i>(a) Conflict with or interference from non-agricultural uses;</i> <i>(b) Non-agricultural use or development that precludes the return of the land to agricultural use; and</i> <i>(c) Use of land for non-agricultural use in irrigation districts.</i>
21.1.3	<i>To provide for use or development that supports the use of the land for agricultural use.</i>
Clause 26.0	Utilities Zone
26.1	Zone Purpose <i>The purpose of the Utilities Zone is:</i>
26.1.1	<i>To provide land for major utilities installations and corridors.</i>
26.1.2	<i>To provide for other compatible uses where they do not adversely impact on the utility.</i>
Use	
Utilities	<i>Use of land for utilities and infrastructure including:</i> <i>(a) telecommunications;</i> <i>(b) electricity generation;</i> <i>(c) transmitting or distributing gas, oil or electricity;</i> <i>(d) transport networks;</i> <i>(e) collecting, treating, transmitting, storing or distributing water; or</i> <i>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</i> <i>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</i>

4.3 Subject Site and Locality

The author of this report carried out a site visit in the week of the 18 September 2023. The site is situated to the north and west of the Palmerston Substation on Poatina Road Cressy and consists of 2 titles, 1 property lot and one road lot.

The main lot (CT105802/1) contains the bulk of the development footprint and is described as 1440 Saundridge Road, Cressy. The development site will be accessed from Poatina Road via an internal private access road as shown below (Figure 8) as a dashed red line (CT142369/2). The access road is contained in the Palmerston Substation title. Connection from the Battery Storage System is provided to the 33 kV substation extension as shown on the *Concept Layout Plan* and described as 4554 Poatina Road Cressy (CT142369/2).

Agricultural use defines the character of the area which is 50 km southwest of Launceston. The development site is within 2.5 km of the Poatina township and is immediately adjacent the Palmerston Substation.

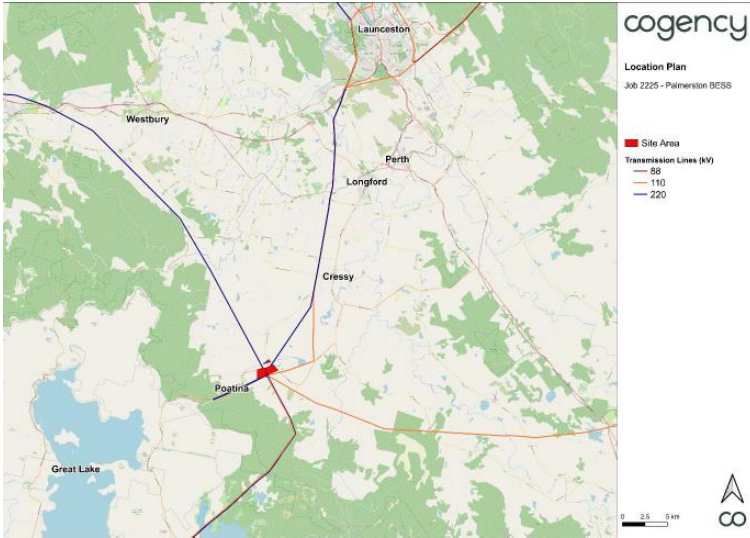


Figure 7 Location Plan Source: Extract Palmerston BESS Planning Application Report p12.



Figure 8 Aerial image showing road access to the site - red highlight Source: the LIST

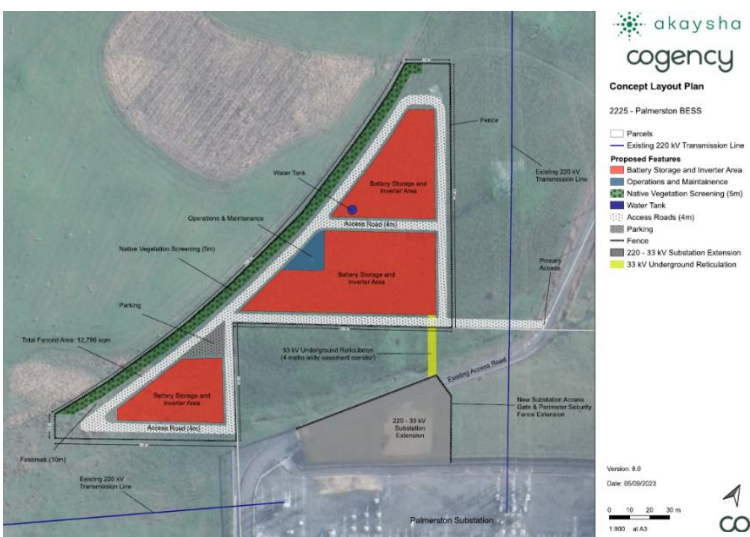


Figure 9 Development layout - Concept Layout Plan

4.6 Planning Scheme Assessment

21.0 Agriculture Zone



Figure 11 Zone Plan Source: the LIST

21.1 **Zone Purpose**

The purpose of the Agriculture Zone is:

- 21.1.1 To provide for the use or development of land for agricultural use.
- 21.1.2 To provide for use or development that supports the use of the land for agricultural use by minimizing:
 - (a) conflict with or interference from non-agricultural uses;
 - (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
 - (c) use of land for non-agricultural use in irrigation districts.

Comment: Compliance with 21.1.2(a) and (b).

The development footprint is located within the southeast corner of the main title area and is immediately adjacent the Palmerston Substation. The area is appropriately described as disturbed rural land used in association with stock grazing absent irrigation. The total development area of the BESS proposal is 1.5ha representing only .61% of the agricultural land title (CT 105802/1). The non-agricultural use is therefore a small area in the context of the property thus minimising potential conflict or interference with the existing agricultural use. Importantly, access to the site is provided via an existing private road avoiding further conversion of the agricultural property. It can be legitimately argued that the opportunity for diversification of use within the subject title value adds the agricultural operation providing an additional revenue stream to support the existing agricultural use.

21.2 **Use Standards**

21.2.1 Discretionary uses

Objective:	That uses listed as Discretionary: (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non- agricultural use.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use;	



	<ul style="list-style-type: none"> (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities.
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Comment: Complies with P1 (b), (e) and (f).
 The location has been selected for operational reasons. The site is immediately adjacent the Palmerston Substation and allows direct access for stored energy to the state grid. From an operational perspective the site avoids the unnecessary alienation of agricultural land whilst adding significantly to the flexibility and capacity of energy production and distribution. The substation meets the criteria (b) and the development achieves the diversification envisaged by paragraph (e). The application is for the introduction of a battery storage Utility (f), supplementing the electricity grid.

<p>A2 No Acceptable Solution.</p>	<p>P2 A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <ul style="list-style-type: none"> (a) the area of land being converted to non- agricultural use; (b) whether the use precludes the land from being returned to an agricultural use; (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.
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Comment: Complies with P2
 The development site represents .61% of the subject title area. The position of the development on the south east corner of the property as close as possible to the existing substation ensures that the conversion of the agricultural land is minimal. Whilst unlikely that the land would at any stage be returned to an agricultural use, such a decision would be counter intuitive to the overriding goal of energy sustainability and net zero emissions. The overriding result however reinforces the objective minimising the conversion of agricultural land to a non-agricultural use.

<p>A3 No Acceptable Solution.</p>	<p>P3 A use listed as Discretionary, excluding Residential, located on prime agricultural land must:</p> <ul style="list-style-type: none"> (a) be for Extractive Industry, Resource Development or Utilities, provided that: <ul style="list-style-type: none"> (i) the area of land converted to the use is minimised; (ii) adverse impacts on the surrounding agricultural use are minimised; and (iii) the site is reasonably required for operational efficiency; or (b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.
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Comment: Complies with P3 (a) and (b)
 In short, and notwithstanding that the site is not defined as *prime agricultural land*, the development will minimise the area of conversion, the impact upon the existing and potential agricultural use of the main title, and achieves the siting of the Utility (BESS) at the most efficacious site for the purposes of operational efficiency, whilst providing a significant regional benefit in terms of energy storage, distribution and power load transfer flexibility.

<p>A4 No Acceptable Solution.</p>	<p>P4 A Residential use listed as Discretionary must:</p> <ul style="list-style-type: none"> (a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> (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) be located on a site that: <ul style="list-style-type: none"> (i) is not capable of supporting an agricultural use; (ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and
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	(iii) does not confine or restrain agricultural use on adjoining properties.
Comment: Not applicable, there is no residential use proposed.	

21.2.2 Development Standards for Buildings and Works

21.2.3 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
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Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 12m.	P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the proposed height of the building; (b) the topography of the site; (c) the bulk and form of the building; (d) separation from existing use on adjoining properties; (e) the nature of the existing uses on adjoining properties; and (f) any buffers created by natural or other features.

Comment: Complies with A1.
The application demonstrates that all structures developed on the site will be well within the maxima of 12m including small staff office, maintenance building/structures, battery units and associated infrastructure. The modelling of the structure profiles completed as a part of the *Landscape and Visual Impact Assessment* demonstrates the visual impact of the development and the minimal impact of same in terms of the landscape more generally and impact upon near properties in particular. The structure heights are no greater than 6m, their bulk and form will sit comfortably within the view field of the current substation, whilst vegetation screen planting along the north west edge of the development footprint achieves a result avoiding unreasonable impact upon adjoining properties.

21.2.4 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining properties.
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Acceptable Solutions	Performance Criteria
A1 Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.

Comment: Complies with A1.
Building structures proposed within the operations and maintenance area in particular (shown in the *Concept Layout Plan* at Appendix B), and outside the proposed site internal circulation road system providing adequate vehicle access ensuring there will be no unreasonable impact upon adjoining properties. This is demonstrated by the *Traffic Impact Assessment prepared by Pitt & Sherry* presented with the application. Other than for the Palmerston Substation itself, the proposed development is significantly separated from adjoining properties, being positioned within the southeast corner of the main property title.

A2 Buildings for a sensitive use must have a setback from all boundaries of: (a) not less than 200m; or (b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the	P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to: (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site; (d) the existing and potential use of adjoining properties; (e) any proposed attenuation measures; and
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existing building.	(f) any buffers created by natural or other features.
Comment: Not applicable, the proposal does not involve the development of buildings for a sensitive use.	

21.2.5 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions	Performance Criteria	
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 is appropriate having regard to: (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; (g) the construction, maintenance and usage of the road; and (h) any advice from the road authority.	
Comment: Not applicable, the application does not include residential dwellings.		

21.5 *Development Standards for Subdivision*

21.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use, irrigation infrastructure or Utilities; and (b) protects the long term productive capacity of agricultural land.	
Acceptable Solutions	Performance Criteria	
A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone.	P1 Each lot, or a lot proposed in a plan of subdivision, must: (a) provide for the operation of an agricultural use, having regard to: (i) not materially diminishing the agricultural productivity of the land; (ii) the capacity of the new lots for productive agricultural use; (iii) any topographical constraints to agricultural use; and (iv) current irrigation practices and the potential for irrigation; (b) be for the reorganisation of lot boundaries that satisfies all of the following: (i) provides for the operation of an agricultural use, having regard to: 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; and d. current irrigation practices and the potential for irrigation; (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	
	(c) be for the excision of a use or development existing at the effective date that satisfies all of the following: (i) the balance lot provides for the operation of an agricultural use, having regard to: a. not materially diminishing the agricultural productivity of the land; 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 under 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;	



	<p>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</p> <p>(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.</p>
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Comment: Not applicable. The proposal does not involve subdivision of land.

<p>A2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic, including pedestrians; and</p> <p>(d) the pattern of development existing on established properties in the area.</p>
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Comment: Not applicable. The proposal does not involve subdivision of land.

26.0 Utilities Zone

26.1 Zone Purpose

The purpose of the Utilities Zone is:

26.1.1 To provide land for major utilities installations and corridors.

26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

Comment: Complies with the zone purpose. The development is for a major battery energy storage utility and associated infrastructure.

26.2 Use Standards

26.2.1 All uses

Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.

Acceptable Solutions	Performance Criteria
<p>A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>

Comment: Not applicable, the development proposal is for a Utility which is not within 50m of the referenced zones, and is exempt from the use standard.

<p>A2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must:</p> <p>(a) not operate within the hours of 11.00pm and 6.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property.</p>	<p>P2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the level of illumination and duration of lighting; and</p> <p>(b) the distance to habitable rooms of an adjacent dwelling.</p>
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Comment: Not applicable, the development proposal is for a Utility which is not within 50m of the referenced zones, and is exempt from the use standard.

<p>A3 Commercial vehicle movements and the unloading and loading of commercial</p>	<p>P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General</p>
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<p>vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and sensitive use; and</p> <p>(f) potential conflicts with other traffic.</p>
<p>Comment: Not applicable, the development proposal is for a Utility which is not within 50m of the referenced zones, and is exempt from the use standard.</p>	

26.2.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise the use of land for Utilities.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A use listed as Discretionary must not compromise or restrict the operations of an existing or proposed utility, having regard to:	
	<p>(a) the compatibility of the utility and the proposed use;</p> <p>(b) the location of the proposed use in relation to the utility, or any proposed utility;</p> <p>(c) existing land uses on the site; and</p> <p>(d) any proposed or existing buffers or mitigation measures.</p>	
<p>Comment: Not applicable. The development proposes establishment of a 'Utilities' use. <i>Note that the proposed development will not compromise or restrict the existing substation utility given the integrated function of the proposed use, its proximate location and the connection required to ensure the storage and redistribution of the stored energy.</i></p>		

26.3 **Development Standards for Buildings and Works**

26.3.1 Building height

Objective:	To provide for a building height that:	
	<p>(a) is necessary for the operation of the use; and</p> <p>(b) minimises adverse impacts on adjoining properties and the visual character of the area.</p>	
Acceptable Solutions	Performance Criteria	
A1 Building height must be not more than:	P1 Building height must:	
<p>(a) 10m; or</p> <p>(b) 15m if for a structure, such as a tower, pole or similar.</p>	<p>(a) be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to:</p> <p>(i) the bulk and form of the building;</p> <p>(ii) separation from existing buildings on adjoining properties; and</p> <p>(iii) any buffers created by natural or other features; and</p> <p>(b) not unreasonably impact on the visual character of the area, having regard to:</p> <p>(i) the topography of the site;</p> <p>(ii) any existing vegetation; and</p> <p>(iii) visibility from adjoining roads and public open space.</p>	
<p>Comment: Complies with A1. The infrastructure being developed within the zone from BESS is a 33kV underground cable. <i>Note that the development proposed within the zone is an underground cable connection and extension to the existing substation.</i></p>		
A2 Building height, excluding a structure such as a tower, pole or similar:	P2 Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must not cause an unreasonable loss of residential amenity, having regard to:	
<p>(a) within 10m of an adjoining property in a General Residential Zone, Low Density Residential Zone or Rural Living Zone,</p>	<p>(a) compatibility with buildings on established properties in the adjoining</p>	



<p>must be not more than 8.5m; or</p> <p>(b) within 10m of an adjoining property in an Inner Residential Zone, must be not more than 9.5m.</p>	<p>zone;</p> <p>(b) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(c) overlooking and reduction of privacy to adjoining properties; and</p> <p>(d) visual impacts caused by the apparentscale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p>Comment: Not applicable. The proposed development is not within the buffer area to the referenced zones.</p>	

26.3.2 Setbacks

Objective:	That building setbacks are:	
	<p>(a) compatible with the character of the surrounding area; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining properties.</p>	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Buildings, excluding a structure such as a tower, pole or similar, must have a setback from all boundaries of not less than:</p> <p>(a) 5m; or</p> <p>(b) an existing building on the lot.</p>	<p>P1</p> <p>Buildings, excluding a structure such as a tower, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setback of existing buildings on the site and on adjoining properties;</p> <p>(d) the bulk and form of proposed buildings;</p> <p>(e) overlooking and reduction of privacy of dwellings on adjoining properties;</p> <p>(f) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and</p> <p>(g) any existing screening or the ability to implement screening.</p>	
<p>Comment: Not applicable. There are no structures as referred to in the standard proposed within the zone.</p>		
<p>A2</p> <p>Air extraction, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone¹.</p>	<p>P2</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of adjoining sensitive uses; and</p> <p>(d) any proposed or existing mitigationmeasures.</p>	
<p>Comment: Not applicable. The development is not within the distances to zones specified in the standard.</p>		

26.3.3 Fencing

Objective:	That fencing:	
	<p>(a) does not detract from the appearance of the site or surrounding area; and</p> <p>(b) provides for passive surveillance.</p>	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30%.</p>	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to:</p> <p>(a) the height, design, location and extent of the fence;</p> <p>(b) the degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>	



Comment: Not applicable. The development is not within the distances specified to zones referenced by the standard.	
<p>A2 Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not use barbed wire.</p>	<p>P2 Common boundary fences with a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) the height, design, location and extent of the fence; and</p> <p>(b) the proposed materials and construction.</p>
Comment: Not applicable. The development does not adjoin the specified zones.	

26.3.4 Outdoor storage areas

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.
Acceptable Solutions	Performance Criteria
<p>A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
Comment: Not applicable. Outdoor storages are not proposed as part of the application within the zone.	

26.4 *Development Standards for Subdivision*

26.4.1 Subdivision

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate frontage to a road.
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or lot proposed in a plan of subdivision, must:</p> <p>(a) be required for public use by the Crown, a council or a State authority;</p> <p>(b) be required for the provision of Utilities; or</p> <p>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</p>	<p>P1 Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lot;</p> <p>(b) location of existing buildings on the lot;</p> <p>(c) likely location of buildings on the lot; and</p> <p>(d) accessibility for vehicles.</p>
Comment: Not applicable. Subdivision development is not proposed.	
<p>A2 Each lot, or lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.</p>	<p>P2 Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p> <p>(c) the functionality and useability of the frontage;</p> <p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
Comment: Not applicable. Subdivision development is not proposed.	

<p>A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the</p>	<p>P3 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p>
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requirements of the road authority.	<ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; and (d) the pattern of development existing on established properties in the area.
Comment: Not applicable. Subdivision development is not proposed.	

26.4.2 Services

Objective:	That the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions	Performance Criteria	
A1 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	P1 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.	
A2 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	P2 Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of providing an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land. 	
Comment: Not applicable. Subdivision development is not proposed.		

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

C2.1 **Code Purpose**

The purpose of the Parking and Sustainable Transport Code is:

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
- C2.1.6 To provide for parking precincts and pedestrian priority streets.

C2.2 ***Application of this Code***

C2.2.1 Unless stated otherwise in a particular purpose zone, or sub-clause C2.2.2, C2.2.3 or C2.2.4, this code applies to all use and development.

C2.2.2 Clause C2.5.3 only applies to use and development in the following Use Classes:

- (a) Business and Professional Services;
- (b) Community Meeting and Entertainment;
- (c) Custodial Facility;
- (d) Crematoria and Cemeteries;
- (e) Educational and Occasional Care;
- (f) Food Services;
- (g) General Retail and Hire;
- (h) Hospital Services;
- (i) Hotel Industry;
- (j) Pleasure Boat Facility;
- (k) Residential if for a communal residence, multiple dwellings or hostel use;
- (l) Sports and Recreation; and
- (m) Tourist Operation.



C2.2.3 Clause C2.5.4 only applies to use and development in the following Use Classes:

- (a) Bulky Goods Sales;
- (b) General Retail and Hire;
- (c) Manufacturing and Processing; and
- (d) Storage.

C2.2.4 Clause C2.5.5 only applies to use and development in the following Use Classes:

- (a) Business and Professional Services;
- (b) Community Meeting and Entertainment;
- (c) Educational and Occasional Care;
- (d) Emergency Services;
- (e) Food Services;
- (f) General Retail and Hire;
- (g) Sports and Recreation; and
- (h) Utilities, if not for minor utilities.

C2.3 *Definition of Terms*

C2.3.1 In this code, unless the contrary intention appears:

Term	Definition
container refund scheme space	means the area of land required to house a container refund machine or a bad drop refund point on a site plus space for pedestrians to queue at the container refund machine or bag drop refund point.
floor area	means the gross floor area, excluding the area of stairs, loading bays, access ways, or parking areas, of any area occupied by machinery required for air conditioning, heating, power supply, or lifts.
no requirement	means the use or development is not required to provide any on-site parking.
parking precinct plan	means a plan relating to on-site parking of cars within a defined area of land, shown on an overlay map in the relevant Local Provisions Schedule.
pedestrian priority street	means a road shown on an overlay map in the relevant Local Provisions Schedule, as having active street frontages where pedestrian movement and activity take priority over siting of vehicle parking and access.

C2.4 *Use or Development Exempt from this Code*

C2.4.1 There are no exemptions to this code.

C2.5 *Use Standards*

C2.5.1 Car parking numbers

Objective:	That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria	
A1 The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (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	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (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) the availability and frequency of other transport alternatives; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;	



<p>specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>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 the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>(f) 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;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and 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 surrounding area.</p>
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Comment: Not applicable to the proposed Utilities use.

There is no parking space requirement for Utilities use class in Table C2.1 as referenced in the standard. However, the application demonstrates that adequate areas exist within the site for vehicle parking during the period of construction and subsequent use. Notably service vehicles accessing the site during operations will be minimal with adequate area available for parking and associated maintenance purposes. The development application provides an analysis and traffic impact assessment prepared by Pitt & Sherry which supports the proposition.

C2.5.2 Bicycle parking numbers

Objective:	That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria	
A1 Bicycle parking spaces must:	P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:	
(a) be provided on the site or within 50m of the site; and	(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and	
(b) be no less than the number specified in Table C2.1.	(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.	
Comment: Not applicable to the proposed Utilities use class.		
There are no bicycle parking space requirements for Utilities use class in Table C2.1 as referenced in the standard. Notwithstanding, in the unlikely event that the need is there, the site will provide sufficient space for the purpose. Refer Traffic Impact Assessment prepared by Pitt & Sherry.		

C2.5.3 Motorcycle parking numbers

Objective:	That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria	
A1 The number of on-site motorcycle parking spaces for all uses must:	P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:	
(a) be no less than the number specified in Table C2.4; and	(a) the nature of the proposed use and development;	
(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	(b) the topography of the site;	
	(c) the location of existing buildings on the site;	
	(d) any constraints imposed by existing development; and	
	(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.	



Comment: Not applicable to the proposed Utilities use class.
There are no motorcycle parking space requirements for Utilities use class in Table C2.1 as referenced in the standard. Notwithstanding, there is more than adequate space within the development site to provide parking for motorcycles accessing the site - refer Traffic Impact Assessment prepared by Pitt & Sherry.

C2.5.4 Loading Bays

Objective:	That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions		Performance Criteria
A1	A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: <ul style="list-style-type: none"> (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
Comment: Not applicable. The development proposal does not include a building with floor area greater than 1000m ² . Notwithstanding, the Traffic Impact Assessment prepared by Pitt & Sherry confirms sufficient site area within the development footprint to allow loading bays if required.		

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone

Objective:	To: <ul style="list-style-type: none"> (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse. 	
Acceptable Solutions		Performance Criteria
A1	Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: <ul style="list-style-type: none"> (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone. 	P1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: <ul style="list-style-type: none"> (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a



	100m radius of the subject site.
<p>Comment: Not applicable. The development is not proposed in a General Residential or Inner Residential Zone.</p>	

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

Objective:	That parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria	
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> (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. 	
<p>Comment: Complies with A1. The development will require access ways, parking and turning areas to be appropriately designed, constructed drained and maintained to service the development. The application can be appropriately conditioned so as to achieve the outcomes specified in A1 (a) and (b), noting that development within the Agriculture Zone is exempt from the surfacing requirements of paragraph (c).</p>		

C2.6.2 Design and layout of parking areas

Objective:	That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria	
<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <ul style="list-style-type: none"> (a) comply with the following: <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>. <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and 	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of <i>Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking</i> and <i>AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities</i>. 	



<p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> ¹</p>	
<p>Comment: Complies with P1. As noted by the Traffic Impact Assessment report provided by Pitt & Sherry, the site will only receive occasional vehicle visits to the site during its operation and a small area for carparking has been set aside for this purpose (refer Concept Layout Plan at Appendix B). Pitt & Sherry expect the parking facilities will operate effectively in meeting demand absent the need for delineation. The application can be appropriately conditioned to meet demand requirements including as necessary accessible parking spaces where required. Note that the site and associated facilities are contained within the development footprint and so will not impact adjoining property or use or pedestrian traffic other than that associated with the facilities use.</p>	

¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016

C2.6.3 Number of accesses for vehicles

Objective:	<p>That:</p> <ul style="list-style-type: none"> (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.
Acceptable Solutions	Performance Criteria
<p>A1 The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.
<p>Comment: Complies with A1. <i>Note that the site access is via the existing private access road to the Palmerston Substation. There are no new access points created as part of the development. This ensures that there will be no loss of amenity to adjoining owners neither will there be unreasonable impact upon the streetscape-which is characterized as a rural landscape.</i></p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <ul style="list-style-type: none"> (a) not have an adverse impact on: <ul style="list-style-type: none"> (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape.
<p>Comment: Not applicable. Access is not within a Central Business Zone.</p>	

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

Objective:	<p>That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:</p> <ul style="list-style-type: none"> (a) enables easy and efficient use; (b) promotes the safety of users; (c) minimises opportunities for crime or anti-social behaviour; and (d) prevents unreasonable light overspill impacts.
Acceptable Solutions	Performance Criteria
<p>A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5</p>	<p>P1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p>



<p>or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i></p>	<ul style="list-style-type: none"> (a) enabling easy and efficient use of the area; (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles; (c) minimising opportunities for crime or anti-social behaviour through the creation of concealment spaces; (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and (e) the hours of operation of the use.
<p>Comment: Not applicable. The development is not within a General Business or Central Business Zone.</p>	

C2.6.5 Pedestrian access

Objective:	That pedestrian access within parking areas is provided in a safe and convenient manner.	
<p>Acceptable Solutions</p> <p>A1.1 Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>Performance Criteria</p> <p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety. 	
<p>Comment: Not applicable. The Utilities Use Class does not attract a car parking requirement under Table C2.4. Notwithstanding however, the Traffic Impact Assessment prepared by Pitt & Sherry notes that the site development layout will allow compliance with the standard A1.2 as necessary.</p>		

C2.6.6 Loading bays

Objective:	That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.	
<p>Acceptable Solutions</p> <p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	<p>Performance Criteria</p> <p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <ul style="list-style-type: none"> (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development. 	
<p>Comment: Complies with P1. There are no loading Bays specified on site, however the Traffic Impact Assessment (TIA) notes that there is sufficient space on site for loading purposes.</p>		
<p>A2 The type of commercial vehicles likely to use the site must be able to enter, park</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to:</p> <ul style="list-style-type: none"> (a) the types of vehicles associated with the use; 	



<p>and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</i></p>	<ul style="list-style-type: none"> (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.
<p>Comment: Complies with A1. Again, the TIA concludes that there is sufficient space on site for commercial vehicles to enter, park, turn and exit the site in a forward direction. Swept path analyses demonstrate this for the largest expected vehicle - Liebherr LTM 1400-7 Mobile Crane.</p>	

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone

Objective:	That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.	
Acceptable Solutions	Performance Criteria	
<p>A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</i> 	<p>P1 Bicycle parking must be provided in a safe, secure and convenient location, having regard to:</p> <ul style="list-style-type: none"> (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites. 	
<p>Comment: Not applicable. The development is not proposed in a General Business or Central Business Zone.</p>		
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (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 (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i> 	<p>P2 Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of <i>Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.</i> 	
<p>Comment: Not applicable. The development is not proposed in a General Business or Central Business Zone.</p>		

C2.6.8 Siting of parking and turning areas

Objective:	That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria	
<p>A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or</p>	<p>P1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning</p>	



<p>General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.
<p>Comment: Not applicable. The development is not proposed in a Zone specified in the standard.</p>	

<p>A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 	<p>P2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and (c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.
<p>Comment: Not applicable. The development is not proposed in a Central Business Zone.</p>	

C2.7 Parking Precinct Plan

C2.7.1 Parking precinct plan

<p>Objective:</p>	<p>To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within a parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 	<p>P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in parking demand over time; or (ii) efficiencies gained by consolidation of parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (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) the streetscape; (g) the topography of the site; (h) the location of existing buildings on the site; (i) any constraints imposed by existing development; and (j) any assessment by a suitably qualified person of the actual parking demand,



	determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.
Comment: Not applicable. The area is not subject to a Precinct Parking Plan.	

Table C2.1 *Parking Space Requirements*

Use		Parking Space Requirements	
		Car	Bicycle
Bulky Goods Sales	Motor vehicle, boat or caravan sales	1 space per 100m ² of display, storage and workshop floor area	1 space per 500m ² of floor area
	Retail plant nursery	15 spaces or 0.5 spaces per 100m ² of site area, whichever is greater	No requirement
	Bulky Goods Sales, excluding as otherwise specified in this Table	1 space per 50m ² of floor area	1 space per 500m ² of floor area
Business and Professional Services	Bank, real estate agency, travel agent	1 space per 50m ² of floor area	1 space per 500m ² of floor area
	Office	1 space per 40m ² of floor area	1 space per 500m ² of floor area
	Doctors' surgery, clinic, consulting room	4 spaces per practitioner	2 spaces for each 8 practitioners
	Veterinary centre	4 spaces per practitioner	No requirement
	Funeral parlour	1 space per employee + 1 visitor space + 1 space per 4 chapel seats	1 space per 50 chapel seats
	Business and Professional Services, excluding as otherwise specified in this Table	1 space per 30m ² of floor area	1 space per 500m ² of floor area
Community Meeting and Entertainment	Art and craft centre	1 space per 30m ² of floor area	1 space per 50m ² floor area or 1 space per 40 seats whichever is greater
	Exhibition centre, library, museum or public art gallery	1 space per 20m ² of floor area	4 spaces plus 2 spaces for each 1500m ² of floor area
	Cinema, place of worship, civic centre, function centre, public hall, theatre	1 space per 15m ² of floor area, or 1 space per 3 seats, whichever is greater	1 space per 50m ² floor area or 1 space per 40 seats whichever is greater
	Community Meeting and Entertainment, excluding as otherwise specified in this Table	1 space per 15m ² of floor area or 1 space per 4 seats, whichever is greater	1 space per 50m ² floor area or 1 space per 40 seats whichever is greater
Custodial Facility		1 space per 2 employees + 1 space per 5 inmates	No requirement
Crematoria and Cemeteries		1 space per employee + 1 visitor space + 1 space per 4 chapel seats	1 space per 50 chapel seats
Domestic Animal Breeding, Boarding or Training		1 space per employee + 2 visitor spaces	No requirement

Use		Parking Space Requirements	
		Car	Bicycle
Educational and Occasional Care		1 space per employee + 1 space per 6 tertiary education students	1 space per 5 employees and tertiary education students
Emergency Services	Fire/ambulance	1 space per employee	No requirement
	Emergency Services, excluding as otherwise	No requirement	No requirement



	specified in this Table		
Equipment and Machinery Sales and Hire		1 space per 50m ² of floor area	No requirement
Extractive Industry		1 space per 2 employees	No requirement
Food Services	Restaurant	1 space per 15m ² of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable), unless subject to Clause C2.5.5	1 space per 75m ² floor area
	Take away food premises	1 space per 15m ² of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable), unless subject to Clause C2.5.5	1 space per 75m ² floor area
	Food Services, excluding as otherwise specified in this Table	15 for each 100m ² of floor area or 1 space per 3 seats, whichever is greater, unless subject to Clause C2.5.5	1 space per 75m ² floor area
General Retail and Hire	Drive-in bottle shop, if associated with a Hotel Industry	6 spaces	No requirement
	General Retail and Hire, excluding as otherwise specified in this table	1 space per 30m ² of floor area, unless subject to Clause C2.5.5	1 space per 100m ² of floor area
Hospital Services		1 space per 4 beds + 1 space per doctor + 1 space per 2 other employees	1 space per 10 beds
Hotel Industry		1 space per 20m ² of floor area available to the public + 1 space per bedroom	1 space per 100m ² of floor area available to the public
Manufacturing and Processing		1 space per 200m ² of floor area or 2 spaces per 3 employees, whichever is greater	1 space per 5 employees
Motor Racing Facility		No requirement	No requirement
Natural and Cultural Values Management		No requirement	No requirement
Passive Recreation		No requirement	No requirement
Pleasure Boat Facility	Marina	0.6 spaces for each wet berth and 0.2 spaces for each dry storage berth and 0.5 spaces per marina employee	No requirement
	Boathouse	0.5 space for each boathouse	No requirement

Use		Parking Space Requirements	
		Car	Bicycle
	Pleasure Boat Facility, excluding as otherwise specified in this Table	No requirement	No requirement
Port and Shipping		No requirement	No requirement
Recycling and Waste Disposal		1 space per 500m ² of site area + 1 space per employee	No requirement
Research and Development		1 space per 100m ² of floor area or 2 spaces per 3 employees, whichever is greater	No requirement
Residential	If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	No requirement
	If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being	2 spaces per dwelling	No requirement



	used as a bedroom)		
	Visitor parking for multiple dwellings in the General Residential Zone	1 dedicated space per 4 dwellings (rounded up to the nearest whole number); or if on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number)	No requirement
	Other Residential use in the General Residential Zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 10 bedrooms (rounded up to the nearest whole number)	No requirement for residential care facility, assisted housing and retirement village. All other uses require 1 space per 5 bedrooms in other forms of accommodation.
	Any Residential use in any other zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 multiple dwellings or every 10 bedrooms for a non-dwelling residential use (rounded up to the nearest whole number)	No requirement for single dwellings, multiple dwellings, residential care facility, assisted housing and retirement village. All other uses require 1 space per 5 bedrooms in other forms of accommodation.

Use		Parking Space Requirements	
		Car	Bicycle
Resource Development	Aquaculture	2 spaces per 3 employees	No requirement
	Resource development, excluding as otherwise specified in this Table	No requirement	No requirement
Resource Processing		2 spaces per 3 employees	1 space per 5 employees
Service Industry		1 space per 80m ² of floor area or 2 spaces per 3 employees, whichever is greater	1 space per 5 employees
Sports and Recreation	Bowling green	6 spaces per bowling rink	No requirement
	Fitness centre	4.5 spaces per 100m ² of floor area	No requirement
	Golf course	4 spaces per golf hole	No requirement
	Swimming pool (other than in conjunction with a single dwelling)	5 spaces for each 100m ² of site area	1 space per 100m ² of site area
	Tennis court or Squash court (other than in conjunction with a single dwelling)	3 spaces for each tennis or squash court + 1 space per 5 spectator places	No requirement
	Major Sporting Facility	1 space per 5 seats	No requirement
	Sports and Recreation, excluding as otherwise specified in this Table	50 spaces per facility	No requirement
Storage		1 space per 200m ² of the site area or 1 space per 2 employees, whichever is greater	No requirement
Tourist Operation		1 space per 200m ² of floor area or 1 space for each 500m ² of the site area, whichever is greater	1 space per 1000m ² of floor area or 1 space per



		500m ² of site area, whichever is the greater
Transport Depot and Distribution	3.5 spaces for each 100m ² of gross floor area	1 space per 5 employees
Utilities	No requirement	No requirement
Vehicle Fuel Sales and Service	4 spaces per service bay	1 space per 5 employees
Vehicle Parking	No requirement	No requirement
Visitor Accommodation	1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater	No requirement

Notes to Table C2.1:

- (1) The number of parking spaces required is to be calculated based on the proposed use or development.
- (2) Parking spaces must be individually accessible, excluding tandem parking spaces which may be used to serve a dwelling.
- (3) Excluding visitor parking for multiple dwellings in the General Residential Zone, fractions of a space are to be rounded to the nearest whole number, so that a full number of spaces is provided for any fraction of a quota of floor area or number of employees.
- (4) Where a proposal contains multiple Use Classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.
- (5) Reference to an employee is equivalent to 1 full-time employee.

Table C2.2 Internal Access Way Widths for Vehicles

Number of parking spaces served	Internal access way widths	Passing bay dimensions for twoway traffic in addition to the access way width
1 to 5	A width not less than 3m.	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.
6 to 20	(a) A width not less than 4.5m for the first 7m from the road carriageway and 3m thereafter, and (b) At changes of direction or intersections have: (i) an internal radius of not less than 4m, or (ii) a width more than 4.2m.	2m wide by 5m long, plus entry and exit tapers, every 30m.
21 and over	A width not less than 5.5m.	Not applicable

Table C2.3 Dimensions of Car Parking Spaces and Combined Access and Manoeuvring Space Adjacent to Parking Spaces

Angle of car spaces to manoeuvring space	Combined access and manoeuvring width	Car park widths	Car park length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
90 degrees	5.8m	2.8m	5.4m
90 degrees	5.2m	3m	5.4m
90 degrees	4.8m	3.2m	5.4m

Notes to Table C2.3:



- (1) If entry to the car space is from a road, the combined access and manoeuvring width may include the road.

Table C2.4 *Motorcycle Parking Space Requirements*

Number of car parking spaces required for a use	Number of motorcycle parking spaces required for a use
0-20	No requirement
21-40	1 space
41 or more	1 space for every additional 20 car parking spaces required

C3.0 Road and Railway Assets Code

C3.1 Code Purpose

The purpose of the Road and Railway Assets Code is:

- C3.1.1 To protect the safety and efficiency of the road and railway networks; and
 C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

C3.2 Application of this Code

C3.2.1 This code applies to a use or development that:

- (a) will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;
- (b) will require a new vehicle crossing, junction or level crossing; or
- (c) involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.

C3.3 Definition of Terms

C3.3.1 In this code, unless the contrary intention appears:

Term	Definition
annual average daily traffic	means the number of vehicles per day averaged over all days in a calendar year.
category 1 road	means a category 1 road as defined in the <i>State Road Hierarchy</i> .
future major road	means land within which a major road is intended to be built shown as a future major road on an overlay map in the relevant Local Provisions Schedule.
future railway	means land on which an extension to the rail network is intended to be built shown as a future railway on an overlay map in the relevant Local Provisions Schedule.
limited access road	means a road declared to be a limited access road under s.52A of the <i>Roads and Jetties Act 1935</i> .
major road	means a category 1, 2 or 3 road as defined in the <i>State Road Hierarchy</i> , and any other road described in an other major roads list in the relevant Local Provisions Schedule.
private level crossing	means a level crossing across the rail network by a private road or vehicular right of way which does not service any public use.

Term	Definition
rail network	means as defined in the <i>Rail Infrastructure Act 2007</i> and corridors declared under the <i>Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016</i> .
road or railway attenuation area	means a road or railway attenuation area shown on an overlay map in the relevant Local Provisions Schedule or, if not shown, an area within 50m of the boundary of: <ul style="list-style-type: none"> (a) a major road with a speed limit above 60km/h; (b) the rail network; (c) a future major road; or (d) a future railway.
traffic impact assessment	means a study or a statement prepared in accordance with the <i>Guide to Traffic Management Part 12: Traffic Impacts of Development 2009</i> by a person with qualifications and a level of experience appropriate to the significance of the traffic impact.
vehicular traffic	means traffic composed of motor vehicles as motor vehicle is defined in section 3 of the <i>Vehicle and Traffic Act 1999</i> .

C3.4 Use or Development Exempt from this Code

C3.4.1 There are no exemptions from this code.



C3.5 Use Standards

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

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solutions	Performance Criteria	
<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority. 	
<p>Comment: The analysis has looked at both the operation and construction phase and concludes as follows: Complies with A1 during the operation phase. A1.1 Poatina Road is not a Category 1 or limited access road. A1.2 The development will access the existing road access and junction with Poatina Road. A1.3 Not applicable. No rail infrastructure. A1.4 The TIA expects that the average daily increase in traffic to and from the site will increase by no more than 2% which satisfies the criteria of Table 3 of 20%. A1.5 All traffic will enter and exit the site in a forward direction given the proposed layout of site road circulation design. Complies with P1 during the construction phase. (a) The TIA calculates that there will be an increase in daily vehicle movements 100 light and 40 heavy vehicles which represents an increase of 32% of present traffic exceeding the criteria of Table C3.1. However, the analysis concludes given the existing low volume of traffic, that the increase whilst significant in comparison is not expected to compromise the safety or function of the road. (b) The mix of traffic on the road including the number of heavy vehicles is prevalent on the network and the presence of increased numbers is not inconsistent with the present circumstance. (c) The site access is via the existing private road to the Palmerston Substation and there are no new access points proposed impacting major roads in the vicinity. (d) Speed limits are expected to remain low. (e) There is no alternative access road to the site. (f) The new facility adds an energy storage capacity which is a vital component in the area of energy efficiency, reliability and capacity. (g) The TIA prepared for the development concludes that the BESS is not expected to compromise the function or safety of the road network. (h) The advice issued by the road authority relative to the impact upon Poatina Road does not raise concerns relative to this aspect of the proposal.</p>		



Table C3.1 *Acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)*

Location of vehicular traffic	Amount of acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)	
	Vehicles up to 5.5m long	Vehicles longer than 5.5m long
Vehicle crossing on major roads and private level crossings	10% or 10 vehicle movements per day, whichever is the greater	10%
Vehicle crossings on other roads	20% or 40 vehicle movements per day, whichever is the greater	20% or 5 vehicle movements per day, whichever is the greater

C3.6 Development Standards for Buildings or Works

C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area

Objective:	To minimise the effects of noise, vibration, light and air emissions on sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solutions	Performance Criteria	
A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive use; or (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i> .	P1 Habitable buildings for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to: (a) the topography of the site; (b) the proposed setback; (c) any buffers created by natural or other features; (d) the location of existing or proposed buildings on the site; (e) the frequency of use of the rail network; (f) the speed limit and traffic volume of the road; (g) any noise, vibration, light and air emissions from the rail network or road; (h) the nature of the road; (i) the nature of the development; (j) the need for the development; (k) any traffic impact assessment; (l) any mitigating measures proposed; (m) any recommendations from a suitably qualified person for mitigation of noise; and (n) any advice received from the rail or road authority.	
Comment:	Not applicable. No habitable buildings are proposed within a road or railway attenuation area as part of the application.	

Table C3.2 *Acceptable noise levels within a road or railway attenuation area*

Roads	Railways
The arithmetic average of the A-weighted L10 sound pressure levels for each of the one-hour periods between 6:00am and midnight on any day [L10 (18- hour)] of 63 dB(A).	A 24-hour Leq and Lmax noise level of 65 dB(A) and 87dB(A) Lmax assessed as a single event maximum sound pressure level.

C3.7 Development Standards for Subdivision

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area

Objective:	To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solutions	Performance Criteria	
A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	P1 A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to: (a) the topography of the site;	



	<ul style="list-style-type: none"> (b) any buffers created by natural or other features; (c) the location of existing or proposed buildings on the site; (d) the frequency of use of the rail network; (e) the speed limit and traffic volume of the road; (f) any noise, vibration, light and air emissions from the rail network or road; (g) the nature of the road; (h) the nature of the intended uses; (i) the layout of the subdivision; (j) the need for the subdivision; (k) any traffic impact assessment; (l) any mitigating measures proposed; (m) any recommendations from a suitably qualified person for mitigation of noise; and (n) any advice received from the rail or road authority.
<p>Comment: Not applicable. Subdivision is not part of this application.</p>	

C4.0 Electricity Transmission Infrastructure Protection Code

C4.1 Code Purpose

The purpose of the Electricity Transmission Infrastructure Protection Code is:

- C4.1.1 To protect use and development against hazards associated with proximity to electricity transmission infrastructure.
- C4.1.2 To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.
- C4.1.3 To maintain future opportunities for electricity transmission infrastructure.

Comment: Complies with C4.1.1, C4.1.2 and C4.1.3

The proposed development is positioned to avoid the creation of hazards to existing electricity infrastructure, will not adversely affect the safe and reliable operation with the adjacent electricity infrastructure and Substation and will not compromise opportunities for the future expansion of the electricity transmission infrastructure.

Development components within the relevant overlay corridor

The electricity transmission corridor is 120m in width and comprises an inner zone 80m and 20m either side.

The Code which is mapped across the site covers the existing overhead transmission lines and the Palmerston Substation. The proposed development includes some works within the substation facility buffer area and the facility itself. The proponent continues ongoing consultation with TasNetworks.

The works proposed within the overlay include:

1. Substation facility: electrical infrastructure connection works and extension of the existing perimeter security fencing to enclose the new structure;
2. Substation facility buffer area: all components of the proposal, including the BESS;
3. Inner protection area: perimeter fencing for the BESS compound which is marginally within this inner protection area;
4. Electricity transmission corridor: a small section of each of the components including the BESS.

Exemptions within the Code (not included within the assessment following)

On the basis of the development footprint and the intersection with the corridor/overlay, the Code applies to this development, noting that some elements of the development retain an exemption – reference clause C4.4.1(d) *use or development of electricity infrastructure*. This will include the 33kV underground transmission line, electrical infrastructure and associated structures and infrastructures including access tracks.

Works within the substation facility associated with electricity transmission infrastructure are likewise exempt.

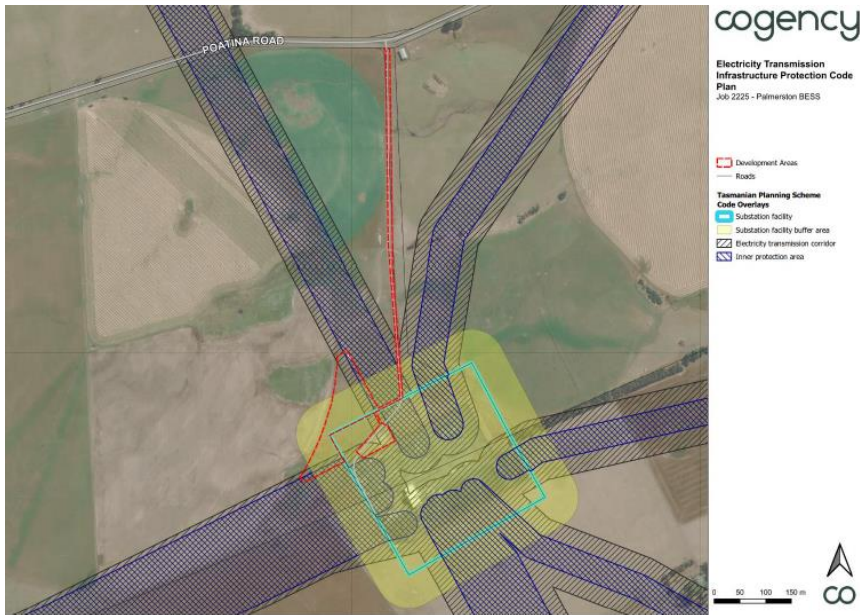


Figure 12 Electricity Transmission Infrastructure Protection Code Overlay: Development footprint see dashed red line. Source Palmerston BESS Planning Application Report Cogency 2023, p.36.

C4.2 Application of this Code

C4.2.1 This code applies to use or development of land within the following areas:

- (a) electricity transmission corridor, and if for:
 - (i) buildings or works;
 - (ii) a sensitive use contained within a building;
 - (iii) use listed in Table C4.1; or
 - (iv) subdivision; and
- (b) communications station buffer area, and if for:
 - (i) buildings or works; or
 - (ii) subdivision; and
- (c) substation facility buffer area, and if for:
 - (i) a sensitive use contained within a building;
 - (ii) a use listed in Table C4.1;
 - (iii) buildings or works within 5m of a substation facility; or subdivision.

C4.3 Definition of Terms

C4.3.1 In this code, unless the contrary intention appears:

Term	Definition
communications station	means an antenna and any supporting tower or pole that is: <ul style="list-style-type: none"> (a) used for carrying communications associated with the electricity entity; and (b) located on land within a communications station buffer area.
communications station buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a communications station buffer area.
electricity entity	means as defined in the <i>Electricity Supply Industry Act 1995</i> that is licenced to carry on operations in the electricity supply industry under that Act, with respect to transmission of electricity.
electricity transmission corridor	means land shown on an overlay map in the relevant Local Provisions Schedule, as within an electricity transmission corridor, and may include an inner protection area or a registered electricity easement.
electricity transmission infrastructure	means infrastructure for or associated with the transmission of electricity. It includes overhead lines, underground electricity and communication cables, substations, communications station, buildings, structures and access tracks for or associated with the transmission of electricity, and the like.
inner protection area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within an inner protection area.
registered electricity	means:



easement	(a) an easement registered under the <i>Land Titles Act 1980</i> that relates to electricity transmission infrastructure; or (b) a registered wayleave as defined in the <i>Electricity Wayleaves and Easement Act 2000</i> .
substation facility	means land shown on an overlay map in the relevant Local Provisions Schedule, as containing a substation facility.
substation facility buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a substation facility buffer area.

C4.4 Use or Development Exempt from this Code

C4.4.1 The following use or development is exempt from this code:

- (a) buildings or works, or a sensitive use within an electricity transmission corridor, but not within an inner protection area or registered electricity easement for:
 - (i) alterations or extensions to an existing building provided it does not increase the site coverage by more than 150m² from that existing at the effective date;
 - (ii) a non-habitable building provided the site coverage is not more than 150m² from that existing at the effective date; or
 - (iii) minor utilities;
- (b) buildings or works within a communications station buffer area if:
 - (i) the building height is not more than 9.5m; and
 - (ii) is located not less than:
 - a. 5m from a security fence associated with a communications station; or
 - b. 5m from the boundary of a lot containing a communications station;
- (c) use or development for Utilities within a communications station buffer area;
- (d) use or development of electricity transmission infrastructure;
- (e) use or development within a building area on a sealed plan approved under this planning scheme; and
- (f) consolidation of lots.

C4.5 Use Standards

C4.5.1 Sensitive use within a substation facility buffer area

Objective:	That a sensitive use contained within a building and located within a substation facility buffer area is located and designed to not cause an unreasonable loss of amenity due to substation noise.	
Acceptable Solutions	Performance Criteria	
A1 A sensitive use, excluding any non-habitable rooms, contained within a building and located within a substation facility buffer area must: (a) be for an existing sensitive use, provided the distance between the building and the substation facility is not reduced; or (b) not be exposed to substation noise emission higher than: (i) 55 dB(A) (LAeq) within the hours of 8:00am to 6:00pm; (ii) 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, within the hours of 6:00pm to 8:00am; and (iii) 65 dB(A) (LMax). Noise levels are to be averaged over a 15 minute interval.	P1 A sensitive use, excluding any non-habitable rooms, contained within a building and located within a substation facility buffer area must be appropriately located or designed to not cause unreasonable loss of amenity due to substation noise emission, having regard to: (a) the nature of the sensitive use; (b) proximity to the substation facility; (c) noise levels generated by the substation facility; (d) any existing buffers to noise impacts; (e) any mitigation measures proposed; (f) any written advice from a suitably qualified person; and (g) any advice from the electricity entity.	
Comment: Not applicable Sensitive uses are not proposed as a part of the development.		

C4.5.2 Dust or other airborne particulates within an electricity transmission corridor

Objective:	That dust or other airborne particulates do not adversely affect the safe and reliable operation of overhead electricity transmission infrastructure within an electricity transmission corridor.
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Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1 A use listed in Table C4.1 and located within an electricity transmission corridor must not generate dust or other airborne particulates that will cause an unreasonable impact on the operation of overhead electricity transmission infrastructure, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the proposed use and the materials that will be stored and handled on the site; (b) the conductivity or corrosiveness of any dust or other airborne particulates and its potential to affect the operation of the electricity transmission infrastructure; (c) proximity to the electricity transmission infrastructure; (d) any mitigation measures proposed; and (e) any advice from the electricity entity.
<p>Comment: Not applicable The proposed use is not listed in Table C4.1</p>	

C4.5.3 Dust or other airborne particulates within a substation facility buffer area

Objective:	That dust or other airborne particulates do not cause an unreasonable impact on the safe and reliable operation of electricity transmission infrastructure within a substation facility buffer area.
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1 A use listed in Table C4.1 and located within a substation facility buffer area must not generate dust or other airborne particulates that will cause an unreasonable impact on the operation of a substation facility, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the proposed use and the materials that will be stored and handled on the site; (b) the conductivity or corrosiveness of any dust or other airborne particulates and its potential to affect the operation of the substation facility; (c) proximity to the substation facility; (d) any mitigation measures proposed; and (e) any advice from the electricity entity.
<p>Comment: Not applicable The proposed use is not listed in Table C4.1</p>	

Table C4.1 Uses with the Potential to Create Dust or Other Airborne Particulates

Use Class	Qualification
Bulky Goods Sales	If not located within a building and: <ul style="list-style-type: none"> (a) for garden and landscaping materials suppliers; (b) for a supplier for Extractive Industry, Resource Development or Resource Processing; or (c) for a timber yard.
Crematoria and Cemeteries	If for a crematorium.
Extractive Industry	If not located within a building.
Manufacturing and Processing	If not located within a building.
Recycling and Waste Disposal	If not located within a building.
Resource Processing	If not located within a building.
Service Industry	If not located within a building.
Storage	If not located within a building and: <ul style="list-style-type: none"> (a) for a liquid, solid or gas fuel depot; or (b) for a woodyard.



C4.6 Development Standards for Buildings or Works

C4.6.1 Buildings or works within an electricity transmission corridor

Objective:	That buildings or works within an electricity transmission corridor are located at appropriate distances from transmission lines or cables to: <ul style="list-style-type: none"> (a) ensure operational efficiencies, access to, and security of, existing or future electricity transmission infrastructure; and (b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure. 	
Acceptable Solutions		Performance Criteria
A1	Buildings or works within an electricity transmission corridor must not be within: <ul style="list-style-type: none"> (a) an inner protection area; or (b) a registered electricity easement. 	P1 Buildings or works within an electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to: <ul style="list-style-type: none"> (a) the nature, height and materials of the buildings and works; (b) the extent of encroachment of the buildings and works into the electricity transmission corridor; (c) the location of the buildings and works within the electricity transmission corridor; and (d) any advice from the electricity entity.
<p>Comment: Complies with P1</p> <p>The proposed building development will not result in unreasonable impact upon the safety, security, operations of or access to existing or future electricity transmission infrastructure on the basis that</p> <ul style="list-style-type: none"> (a) the encroachment of the security fence within the inner protection zone is minor, the height of which is 2.1m; (b) and (c) the encroachment within the transmission corridor will include the BESS and associated elements but is not considered to impact existing or future transmission infrastructure given its scale bulk and location; and (d) discussions with TasNetworks are ongoing and will continue through the design and development phases. 		

C4.6.2 Buildings or works within a substation facility buffer area

Objective:	That buildings or works within a substation facility buffer area are appropriately located to minimise risk to the security, operation, safety and access to existing and future electricity transmission infrastructure.	
Acceptable Solutions		Performance Criteria
A1	Buildings or works within a substation facility buffer area must be located not less than 5m from a substation facility.	P1 Buildings or works within a substation facility buffer area and located less than 5m from a substation facility, must minimise any impact on the safety, security, operation or access to the substation facility, having regard to: <ul style="list-style-type: none"> (a) the nature, height, and materials of the buildings and works; (b) the location of the buildings and works; (c) any proposed mitigation measures; and (d) any advice from the electricity entity.
<p>Comment: Complies with P1</p> <p>The proposal whilst having elements within the specified distances will not impact the safety, security, operation or access to the substation facility given:</p> <ul style="list-style-type: none"> (a) the height of all structures is under 6m, and the fire-retardant nature of materials cladding; (b) the location of the structures, a minimum 20m from the existing security fencing; (c) introduction of mitigation measures as specified in the <i>Fire Hazard and Risk Assessment</i> prepared by NJM Design; and (d) ongoing consultation and communication with TasNetworks through the design and construction phase. 		

C4.6.3 Buildings or works within a communications station buffer area

Objective:	That buildings or works do not adversely impact upon the safety, security, operation of, and access to, a communications station.
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings or works within a communications station buffer area must:</p> <p>(a) be located:</p> <p>(i) not less than 5m from any security fence associated with a communications station; or</p> <p>(ii) not less than 5m from a lot boundary of a lot containing a communications station; and</p> <p>(b) building height must be not more than the height of the communications station's antennae.</p>	<p>P1</p> <p>Buildings or works within a communications station buffer area must not cause an unreasonable impact on the safety, security, operation of, or access to, the communication station, having regard to:</p> <p>(a) the nature, height and materials of the buildings and works;</p> <p>(b) the location of the buildings and works; and</p> <p>(c) any advice from the electricity entity.</p>
<p>Comment: Not applicable. The development is not within a communications station buffer area.</p>	

C4.7 Development Standards for Subdivision

C4.7.1 Subdivision

Objective:	To provide for subdivision:
	<p>(a) that allows for development to be suitably located to avoid hazards from electricity transmission infrastructure and enable appropriate levels of amenity; and</p> <p>(b) so that future development does not compromise safety, security, access to, and operation of, existing and future electricity transmission infrastructure.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A lot, or a lot proposed in a plan of subdivision, within an electricity transmission corridor, must:</p> <p>(a) be for the creation of separate lots for existing buildings where the buildings are located wholly outside an inner protection area or a registered electricity easement;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the creation of a lot that contains a building area not less than 10m x 15m entirely located outside an inner protection area or registered electricity easement.</p>	<p>P1</p> <p>A lot, or a lot proposed in a plan of subdivision, within the electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to:</p> <p>(a) the intended use of the proposed lots;</p> <p>(b) the location of any proposed building areas; and</p> <p>(c) any advice from the electricity entity.</p>
<p>Comment: Not applicable. The proposal does not include subdivision.</p>	
<p>A2</p> <p>A lot, or a lot proposed in a plan of subdivision, within a substation facility buffer area, must be:</p> <p>(a) for the creation of separate lots for existing buildings;</p> <p>(b) be for the creation of a lot that contains a building area not less than 10m x 15m entirely located outside the substation facility buffer area; or</p> <p>(c) be for the creation of a lot with a building area not less than 10m x 15m and satisfies the following:</p> <p>(i) is not less than 5m from the substation facility; and</p> <p>(ii) if the subdivision creates an opportunity for a sensitive use, is not exposed to substation noise emissions that exceed the following:</p> <p>a. 55 dB(A) (LAeq) within the hours of 8.00am</p>	<p>P2</p> <p>A lot, or a lot proposed in a plan of subdivision, within a substation facility buffer area, must not cause an unreasonable impact on the operation of the substation facility, having regard to:</p> <p>(a) provision of access to and security of the substation facility;</p> <p>(b) safety hazards associated with proximity to the substation facility;</p> <p>(c) if the subdivision creates an opportunity for a sensitive use:</p> <p>(i) the nature of the sensitive use;</p> <p>(ii) proximity to the substation facility;</p> <p>(iii) noise levels generated by the substation facility;</p> <p>(iv) any existing buffers to noise impacts;</p> <p>(v) any mitigation measures proposed; and</p> <p>(vi) any advice from a suitably qualified person regarding the likelihood of a sensitive use on the lot experiencing an environmental nuisance as a result of noise</p>



<p>to 6.00pm;</p> <p>b. 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, within the hours of 6.00pm to 8.00am; and</p> <p>c. 65 dB(A) (L_{Amax}).</p> <p>Noise levels are to be averaged over a 15 minute interval.</p>	<p>emissions from the substation facility; and</p> <p>(d) any advice from the electricity entity</p>
<p>Comment: Not applicable. The proposed development does not include subdivision.</p>	
<p>A3</p> <p>A lot, or a lot proposed in a plan of subdivision, within a communications station buffer area, must:</p> <p>(a) be for the creation of separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, a State;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) identify a building area with dimensions of not less than 10m x 15m that is located no less than either:</p> <p>(i) 5m from any security fence associated with a communications station; or</p> <p>(ii) 5m from a boundary of a lot that accommodates a communications station.</p>	<p>P3</p> <p>A lot, or a lot proposed in a plan of subdivision, within a communications station buffer area, must identify a building area that will not compromise access to, security of, or the operation of a communications station, having regard to:</p> <p>(a) the intended use of the proposed lots;</p> <p>(b) the location of any proposed building areas; and</p> <p>(c) any advice from the electricity entity.</p>
<p>Comment: Not applicable</p> <p>The proposal does not include subdivision.</p>	

C7.0 Natural Assets Code

C7.1 Code Purpose

The purpose of the Natural Assets Code is:

- C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To minimise impacts on identified priority vegetation.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

C7.2 Application of this Code

- 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) Future Urban Zone;
 - (xi) Particular Purpose Zone; or
 - (xii) General Residential Zone or Low Density Residential Zone, only if an application for subdivision.
- C7.2.2 This code does not apply to use.



C7.3 *Definition of Terms*

C7.3.1 In this code, unless the contrary intention appears:

Term	Definition
coastal values	means the values of coastal areas derived from their coastal habitat and vegetation, physical elements, landscape values, recreational values and economic values and the processes and functions that underpin them.
future coastal refugia	means land where coastal processes are likely to occur naturally and can continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes, and other sensitive coastal habitats due to sea-level rise.
future coastal refugia area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a future coastal refugia area.
littoral vegetation	means vegetation adjacent to a sea, lake or river that is close to the shore. It includes the intertidal zone to high water mark and can include wetlands.
natural streambank and streambed condition	means the natural rate of erosion or accretion of the bank and bed of a watercourse and natural hydrological processes, as determined using <i>The Tasmanian River Condition Index Book 2 Hydrology User's Manual and Book 3 Physical Form Field Manual</i> .
natural assets	means biodiversity, environmental flows, natural streambank and streambed condition, riparian vegetation, littoral vegetation, water quality, wetlands, river condition and waterway and/or coastal values.
priority vegetation	means native vegetation where any of the following apply: (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i> ; (b) is a threatened flora species; (c) it forms a significant habitat for a threatened fauna species; or (d) it has been identified as native vegetation of local importance.
priority vegetation area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area.
residual impacts	means those environmental effects predicted to remain after the initial effects of development have been avoided or minimised through design.
riparian vegetation	means vegetation found within or adjacent to watercourses, wetlands, lakes and recharge basins.
river condition	means condition of a waterway as determined using the <i>Tasmanian River Condition Index</i> .
significant habitat	means the habitat within the known or core range of a threatened fauna species, where any of the following applies: (a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or (b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species.
threatened fauna species	means listed under the <i>Threatened Species Protection Act 1995</i> or listed as threatened or migratory under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
threatened flora species	means listed under the <i>Threatened Species Protection Act 1995</i> or as threatened under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
waterway and coastal protection area	means land: (a) shown on an overlay map in the relevant Local Provisions Schedule as within a waterway and coastal protection area; or (b) within the relevant distance from a watercourse, wetland, lake or the coast shown in the Table C7.3 below, but does not include a piped watercourse or piped drainage line. If an inconsistency for the width exists between Table C7.3 and the area shown on the overlay map, the greater distance prevails, excluding the width measured from the high water mark of tidal waters where the distance shown on the overlay map in the relevant Local Provisions Schedule prevails. The depiction of a watercourse, or a section of a watercourse on an overlay map in



	the relevant Local Provisions Schedule, is definitive regardless of the actual area of the catchment.
waterway values	means the values of watercourses and wetlands derived from their aquatic habitat and riparian vegetation, physical elements, landscape function, recreational function and economic function.

Table C7.3 Spatial Extent of Waterway and Coastal Protection Areas

Spatial Extent of Waterway and Coastal Protection Areas	Width
Class 1: Watercourses named on the 1:100,000 topographical series maps, lakes, artificial water storages (other than farm dams), and the high water mark of tidal waters.	40m
Class 2: Watercourses from the point where their catchment exceeds 100ha.	30m
Class 3: Watercourses carrying running water for most of the year between the points where their catchment is from 50ha to 100ha.	20m
Class 4: All other watercourses carrying running water for part or all of the year for most years.	10m
Ramsar Wetlands: Wetlands listed under the Convention on Wetlands of International Importance, (the Ramsar Convention).	100m
Other Wetlands: Wetlands not listed under the Ramsar Convention.	50m
<p>(a) For the purpose of spatially defining 'width' in Table C7.3:</p> <ul style="list-style-type: none"> (i) width is measured from the top of bank or high water mark of tidal waters, watercourses or freshwater lakes; and (ii) in the case of watercourses or wetlands, the waterway and coastal protection area includes the waterway or wetland itself, being between the top of the banks on either side. <p>(b) Any watercourse, including the tidal waters of any river, creek or stream, within or adjoining the following zones is deemed to be a Class 4 watercourse:</p> <ul style="list-style-type: none"> (i) Inner Residential Zone; (ii) General Residential Zone; (iii) Low Density Residential Zone; (iv) Urban Mixed Use Zone; (v) Local Business Zone; (vi) General Business Zone; (vii) Central Business Zone; (viii) Commercial Zone; (ix) Light Industrial Zone; (x) Major Tourism Zone; (xi) Port and Marine Zone; (xii) Particular Purpose Zone; or (xiii) Future Urban Zone. 	

C7.4 Use or Development Exempt from this Code

C7.4.1 The following use or development is exempt from this code:

- (a) works by or on behalf of the Crown, State authority, or council to remedy an unacceptable risk to public or private safety or to mitigate or prevent environmental harm;
- (b) development assessed as a Level 2 Activity;
- (c) clearance of native vegetation within a priority vegetation area,
 - (i) on existing pasture or crop production land; or
 - (ii) if the vegetation is within a private garden, public garden or park, national park, or within State-reserved land or a council reserve,
 provided the native vegetation is not protected by legislation, a permit condition, an agreement made under section 71 of the Act, or a covenant;



- (d) forest practices or forest operations in accordance with a forest practices plan certified under the *Forest Practices Act 1985*, unless for the construction of a building or the carrying out of any associated development;
- (e) works by or on behalf of the Crown, State authority, or council for the protection of a water supply, watercourse, lake, wetland, or tidal waters or coastal assets as part of an endorsed or approved management plan;
- (f) coastal protection works by or on behalf of the Crown, State authority, or council that have been designed by a suitably qualified person; and
- (g) consolidation of lots.

C7.5 Use Standards

C7.5.1 There are no Use Standards in this code.

C7.6 Development Standards for Buildings and Works

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective:	That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solutions	Performance Criteria	
<p>A1 Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property; (m) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i>; and (n) the guidelines in the <i>Tasmanian Coastal Works Manual</i>. <p>P1.2 Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; 	



	<ul style="list-style-type: none"> (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; or (f) provisions of open space or for marine-related educational, research, or recreational facilities.
<p>Comment: Complies with P1.1</p> <p>The site is not within a coastal protection area and will not impact coastal processes. However, the site may be impacted by tributary water flows running through and around the development site. The nature of the watercourses in the vicinity of the development footprint is that of the lower order of streams and are more appropriately described as drains running through rural paddocks. In this regard the development is not expected to impact the watercourses with the exception of some minor diversion around proposed assets.</p> <p>The main watercourses include Woodside Rivulet to the south and Palmers Rivulet to the north, both outside the subject title, and both well removed from the site’s development footprint.</p> <p>It is proposed that key infrastructure will be elevated to avoid water runoff and or site infiltration.</p> <p>The nature of the identified waterways in the vicinity of the development will mean that there are no impacts upon flora or fauna, nor generate bed or bank erosion. Note however that the development will be appropriately conditioned to address potential water balance – refer proposed permit condition 4.</p>	

<p>A2</p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2.1</p> <p>Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas; (b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation; (c) allowing the coastal processes of sand deposition or erosion to continue to occur; (d) the need to group new facilities with existing facilities, where reasonably practical; (e) the impacts on native vegetation; (f) minimising cut and fill; (g) building design that responds to the particular size, shape, contours or slope of the land; (h) the impacts of sea-level rise on natural coastal processes and coastal habitat; (i) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i>; and (j) the guidelines in the <i>Tasmanian Coastal Works Manual</i>. <p>P2.2</p> <p>Buildings and works within a future coastal refugia area must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; and (f) provision of open space or for marine-related
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	educational, research, or recreational facilities.
Comment: Not applicable. The development footprint is not within a future coastal refugia area.	

<p>A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.
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Comment: Complies with A3. The development will not involve a new stormwater point discharge into a watercourse, wetland or lake.

<p>A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P4.1 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must minimise adverse impacts on natural coastal processes and natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) the need to avoid land filling of wetlands; (d) impacts on sand movement and wave action; and (e) the potential for increased risk to inundation of adjacent land. <p>P4.2 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary:</p> <ul style="list-style-type: none"> (a) to continue an existing use or development on adjacent land; or (b) for a use which relies upon a coastal location to fulfil its purpose, having regard to: <ul style="list-style-type: none"> (i) the need to access a specific resource in a coastal location; (ii) the need to operate a marine farming shore facility; (iii) the need to access infrastructure available in a coastal location; (iv) the need to service a marine or coastal related activity; (v) provision of essential utility or marine infrastructure; and (vi) provision of open space or for marine- related educational, research, or recreational facilities.
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Comment: Complies with A4. There are no dredging works proposed.

<p>A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P5 Coastal protection works or watercourse erosion or inundation protection works within a waterway and coastal protection area or a future coastal refugia area must be designed by a suitably qualified person and minimise adverse impacts on natural coastal processes, having regard to:</p> <ul style="list-style-type: none"> (a) impacts on sand movement and wave action; and (b) the potential for increased risk of inundation to adjacent
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	land.
Comment: Complies with A5. There are no watercourse erosion protection works proposed.	

C7.6.2 Clearance within a priority vegetation area

Objective:	That clearance of native vegetation within a priority vegetation area: <ul style="list-style-type: none"> (a) does not result in unreasonable loss of priority vegetation; (b) is appropriately managed to adequately protect identified priority vegetation; and (c) minimises and appropriately manages impacts from construction and development activities..
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Acceptable Solutions	Performance Criteria
<p>A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.</p>	<p>P1.1 Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> (a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person; (b) buildings and works associated with the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or (f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. <p>P1.2 Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> (a) the design and location of buildings and works and any constraints such as topography or land hazards; (b) any particular requirements for the buildings and works; (c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings; (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.

Comment: Not applicable. The site is not within a priority vegetation area.
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C7.7 Development Standards for Subdivision

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

Objective:	That: <ul style="list-style-type: none"> (a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.
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Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:</p> <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse</p>



<p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</p>	<p>impacts on natural assets, having regard to:</p> <p>(a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and</p> <p>(b) future development likely to be facilitated by the subdivision.</p>
<p>Comment: Not applicable. The application does not include subdivision.</p>	

C7.7.2 Subdivision within a priority vegetation area

<p>Objective:</p>	<p>That:</p> <p>(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.</p>
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <p>(a) be for the purposes of creating separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</p>	<p>P1.1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <p>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;</p> <p>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</p> <p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</p> <p>(e) subdivision involving clearance of native vegetation where it is demonstrated that on- going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2</p> <p>Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</p> <p>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>
<p>Comment: Not applicable. The application does not include subdivision.</p>	

C12.0 Flood-Prone Areas Hazard Code

C12.1 Code Purpose

The purpose of the Flood-Prone Areas Hazard Code is:



- C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:
- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
 - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and
 - (c) it does not increase the risk from flood to other land or public infrastructure.
- C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.

C12.2 Application of this Code

- C12.2.1 This code applies to development of land within a flood-prone hazard area.
- C12.2.2 This code applies to use of land within a flood-prone hazard area if for:
- (a) a change of use that converts a non-habitable building to a habitable building; or
 - (b) a new habitable room within an existing building.

Comment: The development site is not within a defined flood-prone hazard area. However, Council information suggests that the proposed development and particularly the southern extent will be affected by 1% AEP climate change flooding from localised overland flow paths/ and or breakout flooding from nearby Woodside Rivulet.

On that basis a condition applied to the permit will require the proponent to show that the proposed drainage and fill works will not impact the neighbouring properties. The applicant will be required to provide, detailed civil engineering and drainage designs, modelling and a Flood Hazard Report undertaken by a suitably qualified person which is to be in accordance with the processes and procedures contained in *Australian Rainfall and Runoff Guidelines 2019*, and consider the range of 1% AEP Climate Change events.

The report must be provided to demonstrate:

- That a tolerable risk to new buildings and infrastructure is achieved for the intended life of the development;
- That any filling of the land required to achieve a tolerable risk; and
- That building, filling or drainage works do not contribute or increase flood risk on the site, on adjacent land, or on public infrastructure.

The condition and request will be applied to the permit in accordance with *clause 12.2.4* of the Code.

In the submission from *Cogency page 48*, it is noted the applicant refers to measures which can be implemented to mitigate flood impacts affecting the development including:

- *Implementing protective measures in the system design, such as designing the battery system to incorporate an elevated container, elevated racks, and/or an elevated platform to allow for greater flood resistance;*
- *Developing waterproof sealing mats, materials and other waterproofing methods in the battery storage system to prevent flooding from entering the system;*
- *Installing a water detection system to alert personnel of water infiltration in the system;*
- *Implementing a monitoring system to track the battery systems performance during a flood event;*
- *Establishing a contingency/emergency response plan to ensure that the battery system can be safely taken offline in the event of a flood;*
- *Have regularly scheduled maintenance and regular system inspections to identify and address any potential issues.*

C12.2.3 This code applies to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is lodged with an application for a permit, or required in response to a request under section 54 of the Act, as subject to risk from flood or that has the potential to cause increased risk from flood.

C12.2.4 The planning authority may only make a request under clause C12.2.3 where it reasonably believes, based on information in its possession, that the land is subject to risk from flood or has the potential to cause increased risk from flood.

C12.2.5 This code does not apply to land subject to the Coastal Inundation Hazard Code.

C12.3 Definition of Terms

C12.3.1 In this code, unless the contrary intention appears:

Term	Definition
critical use	means a use that is within one of the following Use Classes:



	(a) Emergency Services; or (b) Hospital Services.
flood	means the risk of periodic or permanent flooding of land from a watercourse or other inland water source.
flood-prone hazard area	means land: (a) shown on an overlay map in the relevant Local Provisions Schedule, as within a flood-prone hazard area; or (b) identified in a report for the purposes of C12.2.3.
flood hazard report	means a report prepared by a suitably qualified person for a site, that must include: (a) details of, and be signed by, the person who prepared or verified the report; (b) confirmation that the person has the appropriate qualifications and expertise; (c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and (d) conclusions based on consideration of the proposed use or development: (i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land; (ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to: a. the nature, intensity and duration of the use; b. the type, form and duration of any development; c. the likely change in the level of risk across the intended life of the use or development; d. the ability to adapt to a change in the level of risk; e. the ability to maintain access to utilities and services; f. the need for flood reduction or protection measures beyond the boundary of the site; g. any flood management plan in place for the site and/or adjacent land; and h. any advice relating to the ongoing management of the use or development; and (iii) any matter specifically required by Performance Criteria in this code.

Term	Definition
flood management plan	means a management plan for a flood-prone hazard area endorsed by the relevant council.
hazardous use	means a use that is within one of the following Use Classes: (a) Crematoria and Cemeteries; (b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity; (c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity; (d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity; (e) Recycling and Waste Disposal; (f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity; (g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity; (h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity; (i) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity; or (j) Vehicle Fuel Sales and Service.
vulnerable use	means a use that is within one of the following Use Classes:



	<ul style="list-style-type: none"> (a) Custodial Facility; (b) Educational and Occasional Care; (c) Residential, if for a respite centre, residential care facility, retirement village or assisted housing; or (d) Visitor Accommodation, if the use accommodates more than 12 guests.
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C12.4 Use or Development Exempt from this Code

C12.4.1 The following use or development is exempt from this code:

- (a) alterations or extensions to an existing building if:
 - (i) the site coverage is not increased by more than 20m² from that existing at the effective date; and
 - (ii) not for a critical, hazardous, or vulnerable use;
- (b) use or development of land for:
 - (i) Natural and Cultural Values Management;
 - (ii) Passive Recreation;
 - (iii) Port and Shipping in a proclaimed wharf area;
 - (iv) Resource Development, excluding a habitable building;
 - (v) minor utilities;
 - (vi) infrastructure for the generation of hydro-electricity; and
 - (vii) outbuildings;
- (c) planting or disturbance of vegetation on existing pasture or crop production land; and
- (d) consolidation of lots.

C12.5 Use Standards

C12.5.1 Uses within a flood-prone hazard area

Objective:	That a habitable building can achieve and maintain a tolerable risk from flood.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	<p>P1.1 A change of use that, converts a non-habitable building to a habitable building, or a use involving a new habitable room within an existing building, within a flood-prone hazard area must have a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the building; (b) the advice in a flood hazard report; and (c) any advice from a State authority, regulated entity or a council. <p>P1.2 A flood hazard report also demonstrates that:</p> <ul style="list-style-type: none"> (a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or (b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures. 	
<p>Comment: A condition applied to the permit will require the proponent to show that the proposed drainage and fill works will not impact the neighbouring properties. Detailed civil engineering and drainage designs, modelling and a Flood Hazard Report undertaken by a suitably qualified person is to be prepared in accordance with the processes and procedures contained in <i>Australian Rainfall and Runoff Guidelines 2019</i>, and consider the range of 1% AEP Climate Change events.</p>		

C12.5.2 Critical use, hazardous use or vulnerable use

Objective:	That critical, hazardous and vulnerable uses, located within a flood-prone hazard area can achieve and maintain a tolerable risk from flood.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A critical, hazardous, or vulnerable use within a flood- prone hazard area must achieve a	



	<p>tolerable level of risk from flood, having regard to:</p> <ul style="list-style-type: none"> (a) the type form and duration of the use; and (b) a flood hazard report that demonstrates that: <ul style="list-style-type: none"> (i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or (ii) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
<p>Comment: Not applicable. The proposed use is not defined as critical, hazardous or vulnerable.</p>	
<p>A2 No Acceptable Solution.</p>	<p>P2 In addition to the requirements in clause C12.5.2 P1, a critical use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> (a) the ability of the use to function and maintain service during the flood event and recovery period; (b) any interruption to the operation of the critical use in locations external to the immediate impact of the flood; (c) the creation of risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> (i) a water supply service; or (ii) the drainage and treatment of waste water; (d) the advice contained in a flood hazard report; and (e) any advice from a State authority, regulated entity or a council.
<p>Comment: Not applicable. The proposed use is not defined as critical, hazardous or vulnerable.</p>	
<p>A3 No Acceptable Solution.</p>	<p>P3 In addition to the requirements in clause C12.5.2 P1, the impact of flood on a hazardous use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> (a) the health and safety of people; (b) any impact on property; (c) any impact on the environment; (d) the advice contained in a flood hazard report; and (e) any advice from a State authority, regulated entity or a council.
<p>Comment: Not applicable. The proposed use is not defined as hazardous.</p>	
<p>A4 No Acceptable Solutions.</p>	<p>P4 In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:</p> <ul style="list-style-type: none"> (a) any protection measures, existing or proposed; (b) the ability and capability of people in a flood event who may live, work or visit the site, to: <ul style="list-style-type: none"> (i) protect themselves; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of an emergency; (c) any emergency evacuation plan; (d) the level of risk for emergency personnel involved in evacuation and rescue tasks; (e) the advice contained in a flood hazard report; and (f) any advice from a State authority, regulated entity or a council.
<p>Comment: Not applicable. The proposed use is not defined as vulnerable.</p>	

C12.6 Development Standards for Buildings and Works

C12.6.1 Buildings and works within a flood-prone hazard area

Objective:	<p>That:</p> <ul style="list-style-type: none"> (a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and (b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.
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Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1.1 Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <ul style="list-style-type: none"> (a) the type, form, scale and intended duration of the development; (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; (c) any advice from a State authority, regulated entity or a council; and (d) the advice contained in a flood hazard report. <p>P1.2 A flood hazard report also demonstrates that the building and works:</p> <ul style="list-style-type: none"> (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
<p>Comment: A condition applied to the permit will require the proponent to show that the proposed drainage and fill works will not impact the neighbouring properties. Detailed civil engineering and drainage designs, modelling and a Flood Hazard Report undertaken by a suitably qualified person is to be prepared in accordance with the processes and procedures contained in <i>Australian Rainfall and Runoff Guidelines 2019</i>, and consider the range of 1% AEP Climate Change events.</p>	

C12.7 Development Standards for Subdivision

C12.7.1 Subdivision within a flood-prone hazard area

Objective:	That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must:</p> <ul style="list-style-type: none"> (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities. 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in risk from flood for adjacent land; (b) the level of risk to use or development arising from an increased reliance on public infrastructure; (c) the need to minimise future remediation works; (d) any loss or substantial compromise by flood of access to the lot, on or off site; (e) the need to locate building areas outside the flood-prone hazard area; (f) any advice from a State authority, regulated entity or a council; and (g) the advice contained in a flood hazard report.
<p>Comment: Not applicable. Subdivision is not proposed by the application.</p>	

C13.0 Bushfire-Prone Areas Code

C13.1 Code Purpose

The purpose of the Bushfire-Prone Areas Code is:

C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

C13.2 Application of this Code

C13.2.1 This code applies to:

- (a) subdivision of land that is located within, or partially within, a bushfire-prone area; and
- (b) a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.



Comment: Whilst a Battery Energy Storage System is not defined as a hazardous or vulnerable use, the application includes a Fire Hazard and Risk Assessment to address fire and bushfire risk and considers the surrounding landscape, emergency vehicle access, static water (firefighting) supply, vegetation layout, firebreaks and separation of components of the development.

The report prepared by NJM Design:

- (a) provides a risk review consistent with fire risk assessment techniques associated with Hazardous industry planning;
- (b) quantifies severity of fires including heat radiation level at various distances from BESS and transformer fires and fire duration;
- (c) places the risks into context comparison with other accepted risks such as those from the existing power infrastructure; and
- (d) recommends mitigation measures as required.

In terms of fire and battery hazards the report includes review findings from fire events at the *Victorian Big Battery* July 2021, and *S&C Electric Lithium-Ion ESS* fire in Wisconsin (2016), providing analysis of the facility components and design modifications.

Chapter 8.6 presents the findings of the report.

The report at Appendix H of the applicant planning submission - *Fire Hazard and Risk Assessment* prepared by NJM Design Consulting Engineers concludes:

1. *The design of the BESS units is acceptable and covers all fire infiltration and fire spread risks to an acceptable level.*
2. *Based on the AS 5139 Risk Methodology the risk of a fire would be considered Very Low, given that the consequence is Minor and the likelihood is Very Low.*
3. *The proposed installation procedures and Units have design and requirements that address the issues raised by the Victorian Big Battery (VBB) fire - see Appendix B to the assessment.*
4. *The risk of fire development and spread is no worse than that posed by existing utility infrastructure in the community or the adjacent buildings in the community.*
5. *Fire spread to adjacent allotments would not be predicted to occur, based on the distances from the subject site surpasses the clearances specified by the NCC and the Australian standards. This is confirmed by the fire spread analysis performed in sections 6.2,6.3, 6.4 and 6.5.*
6. *Fire spread between Battery Storage Units is not expected if a Battery Storage Unit reached flashover, however flashover (a fire spreading very rapidly through the air due to intense heat) is not expected to happen due to the fire safety measures and E-Stops (i.e., safety sensors, which will shut down the Battery Storage Unit to delay a possible battery-runaway failure and warn staff to perform the required maintenance before a battery catches on fire.*

The fire safety measures available by the providers usually are the following:

- *Heat detection; gas detection; smoke detection.*

And the E-Stops (i.e., safety sensors) will include:

- *Hydrogen sensor (signals H2 concentration reached set point); Trouble (loss of AC power or low battery voltage); Fire alarm (signals smoke and/or heat); Fire supervisory (signals tampering, low air, and high air); Door alarm (signals door open).*

7. *Given the subject site layout, fire spread from a Battery Storage Unit row is not expected to adjoining transformers or adjacent Battery Unit rows.*
8. *Fire brigade intervention is considered not to be affected by a fire based on preliminary fire modelling results presented within this report. There will be multiple hydrants and access roads outside the critical area around the transformers and battery (refer CFA Guideline in section 7.5).*
9. *If one of the site entrances were to be obstructed by a fire, it is expected that the fire brigade will be able to access through the alternative entrance on the east side of the development. The southwest corner of the BESS is proposed to have a single access given that a BESS fire in the southwest corner is not expected to extend up to the single access to block the access (the access road is located 20m approximately from the Energy Segments, whilst a BESS fire is not expected to extend more than 2.4m, hence the access road is not expected to be blocked).*
10. *The firefighting water will be sufficient for 4 hours supply based on at least 2 hydrants. The hydrants will be located such that all areas can be covered by at least 2 hydrants.*
11. *The other parts of the infrastructure such as the transformers and control room do not present a significant fire risk or higher hazard than other small buildings in the community that do not require particular fire safety precautions.*
12. *The adjoining allotments are private land with modified grassland. AS 3959-2018 considers this grassland as a low threat and hence the development does not require specific construction specifications.*
13. *Based upon the analysis performed at section 7.5, it is considered that the design and layout of the BESS complies with the CFA guidelines, hence providing an acceptable level of fire safety to personnel, fire brigade and adjacent*

properties.



Figure 13 Concept plan - Main site access - Extract Fire Hazard and Risk Assessment, Palmerston BESS (Battery Energy Storage System) NJM Design July 2023 Figure 12 at p.20

C13.3 Definition of Terms

C13.3.1 In this code, unless the contrary intention appears:

Term	Definition
accredited person	means as defined in the Act.
bushfire attack level (BAL)	means the bushfire attack level as defined in <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i> as 'a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire'.
bushfire hazard management plan	means as defined in the Act.
bushfire protection measures	means the measures that might be used to reduce the risk of bushfire attack and the threat to life and property in the event of bushfire.
bushfire-prone area	means: (a) land shown on an overlay map in the relevant Local Provisions Schedule, as within a bushfire-prone area; or (b) where there is no overlay map in the relevant Local Provisions Schedule, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.
bushfire-prone vegetation	means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.
carriageway	means the section of road formation which is used by traffic, and includes all the area of the traffic lane pavement together with the formed shoulders.
contiguous	means separated by less than 20m.
emergency management strategy (hazardous use)	means a strategy that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use



	<p>considering:</p> <ul style="list-style-type: none"> (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; and (b) available fire protection measures to: <ul style="list-style-type: none"> (i) prevent the hazardous use from contributing to the spread or intensification of bushfire; (ii) limit the potential for bushfire to be ignited on the site; (iii) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and (iv) reduce risk to emergency service personnel.
emergency management strategy (vulnerable use)	<p>means a strategy that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering:</p> <ul style="list-style-type: none"> (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (b) the ability of occupants of the vulnerable use to: <ul style="list-style-type: none"> (i) protect themselves and defend property from bushfire attack; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of a bushfire; and (c) any bushfire protection measures available to reduce risk to emergency service personnel.
fire fighting water point	<p>means the point where a fire appliance is able to connect to a water supply for fire fighting purposes. This includes a coupling in the case of a fire hydrant, offtake or outlet, or the minimum water level in the case of a static water supply.</p>
fire hydrant	<p>means as described in <i>Australian Standard AS2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i>.</p>
hardstand	<p>means as described in <i>Australian Standard AS 2419.1-2005 Fire hydrant installations, Part1: System design, installation and commissioning</i>.</p>
hazard management area	<p>means the area, between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.</p>
hazardous use	<p>means a use where:</p> <ul style="list-style-type: none"> (a) hazardous chemicals of a manifest quantity are stored on a site; or (b) explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the <i>Explosives Act 2012</i>
hose lay	<p>means the distance between two points established by a fire hose laid out on the ground, inclusive of obstructions.</p>
property access	<p>means the carriageway which provides vehicular access from the carriageway of a road onto land, measured along the centre line of the carriageway, from the edge of the road carriageway to the nearest point of the building area.</p>
static water supply	<p>means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.</p>
TFS	<p>means Tasmania Fire Service.</p>
vulnerable use	<p>means a use that is within one or more of the following use classes:</p> <ul style="list-style-type: none"> (a) Custodial Facility; (b) Education and Occasional Care; (c) Hospital Services; (d) Residential if the use is for assisted housing, residential care facility, respite centre or retirement village.
water corporation	<p>means the corporation within the meaning of the <i>Water and Sewerage Corporation Act 2012</i>.</p>

C13.4 Use or Development Exempt from this Code

C13.4.1 The following use or development is exempt from this code:

- (a) any use or development that the TFS or an accredited person, having regard to the objective of all



- applicable standards in this code, certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; and
 (b) adjustment of a boundary in accordance with clause 7.3 of this planning scheme.

C13.5 Use Standards

C13.5.1 Vulnerable uses

Objective:	That vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A vulnerable use must only be located in a bushfire- prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy (vulnerable use) and bushfire hazard management plan; and (e) other advice, if any, from the TFS.	
Comment: Not applicable. The Utilities use class is not a vulnerable use.		
A2 An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.	P2 No Performance Criterion.	
Comment: Not applicable. The Utilities use class is not a vulnerable use.		
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	P3 No Performance Criterion.	
Comment: Not applicable. The Utilities use class is not a vulnerable use.		

C13.5.2 Hazardous uses

Objective:	That hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A hazardous use must only be located in a bushfire- prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy (hazardous use) and bushfire management plan; and (e) other advice, if any, from the TFS.	
Comment: Not applicable. The Utilities use class is not a hazardous use.		
A2 An emergency management strategy (hazardous use) endorsed by the TFS or accredited person.	P2 No Performance Criterion.	
Comment: Not applicable. The Utilities use class is not a hazardous use.		
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified	P3 No Performance Criterion.	



by the TFS or an accredited person.	
Comment: Not applicable. The Utilities use class is not a hazardous use.	

C13.6 Development Standards for Subdivision

C13.6.1 Provision of hazard management areas

Objective:	That subdivision provides for hazard management areas that: <ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 	
Acceptable Solutions		Performance Criteria
<p>A1</p> <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i>; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas</i>; and (c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan. 		<p>P1</p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <ul style="list-style-type: none"> (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each lot at any stage of staged subdivision; (c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (d) the topography, including site slope; (e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and (h) any advice from the TFS.
Comment: Not applicable. Subdivision is not proposed.		

C13.6.2 Public and fire fighting access

Objective:	That access roads to, and the layout of roads, tracks and trails, in a subdivision: <ul style="list-style-type: none"> (a) allow safe access and egress for residents, fire fighters and emergency service personnel; (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken; (c) are designed and constructed to allow for fire appliances to be manoeuvred; (d) provide access to water supplies for fire appliances; and (e) are designed to allow connectivity, and where needed, offering multiple evacuation points. 	
Acceptable Solutions		Performance Criteria
<p>A1</p> <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access 		<p>P1</p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <ul style="list-style-type: none"> (a) appropriate design measures, including:



<p>in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p> <p>(ix) limits on the length of cul-de- sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails; and</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>
<p>Comment: Not applicable. Subdivision is not proposed.</p>	

Table C13.1: Standards for Roads

Element		Requirement
A.	Roads.	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <p>(a) two-wheel drive, all-weather construction;</p> <p>(b) load capacity of at least 20 tonnes, including for bridges and culverts;</p> <p>(c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road;</p> <p>(d) minimum vertical clearance of 4m;</p> <p>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</p> <p>(f) cross falls of less than 3 degrees (1:20 or 5%);</p> <p>(g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;</p> <p>(h) curves have a minimum inner radius of 10m;</p> <p>(i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7m in width;</p> <p>(j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and</p> <p>(k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard AS1743:2018 Road signs-Specifications</i>.</p>

Table C13.2: Standards for Property Access

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <p>(a) all-weather construction;</p> <p>(b) load capacity of at least 20t, including for bridges and culverts;</p> <p>(c) minimum carriageway width of 4m;</p> <p>(d) minimum vertical clearance of 4m;</p> <p>(e) minimum horizontal clearance of 0.5m from the edge of the</p>



		<p>carriageway;</p> <p>(f) cross falls of less than 3 degrees (1:20 or 5%);</p> <p>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</p> <p>(h) curves with a minimum inner radius of 10m;</p> <p>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and</p> <p>(j) terminate with a turning area for fire appliances provided by one of the following:</p> <p>(i) a turning circle with a minimum outer radius of 10m; or</p> <p>(ii) a property access encircling the building; or</p> <p>(iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.</p>
C.	Property access length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <p>(a) the requirements for B above; and</p> <p>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</p>
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <p>(a) complies with requirements for B above; and</p> <p>(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.</p>

Table C13.3: Standards for Fire Trails

Element		Requirement
A.	All fire trails.	<p>The following design and construction requirements apply:</p> <p>(a) all-weather, 4-wheel drive construction;</p> <p>(b) load capacity of at least 20t, including for bridges and culverts;</p> <p>(c) minimum carriageway width of 4m;</p> <p>(d) minimum vertical clearance of 4m;</p> <p>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</p> <p>(f) cross falls of less than 3 degrees (1:20 or 5%);</p> <p>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</p> <p>(h) curves with a minimum inner radius of 10m;</p> <p>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed fire trails, and 10 degrees (1:5.5 or 18%) for unsealed fire trails;</p> <p>(j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and</p> <p>(k) terminate with a turning area for fire appliances provided by one of the following:</p> <p>(i) a turning circle with a minimum outer radius of 10m; or</p> <p>(ii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.</p>
B.	Fire trail length is 200m or greater.	<p>The following design and construction requirements apply:</p> <p>(a) the requirements for A above; and</p> <p>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</p>

C13.6.3 Provision of water supply for fire fighting purposes

Objective:	That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable Solutions		Performance Criteria
A1	P1	
In areas serviced with reticulated water by the water corporation:	No Performance Criterion.	
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply		



<p>for fire fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	
<p>Comment: Not applicable, there is no reticulated water service.</p>	
<p>A2</p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p>P2</p> <p>No Performance Criterion.</p>
<p>Comment: Complies with A2. The <i>Fire Hazard and Risk Assessment</i> prepared by NJM Design concludes that the firefighting water will be sufficient for 4 hours supply based on at least 2 hydrants and that the hydrants will be located such that all areas can be covered by at least 2 hydrants.</p> <p>The report recommends the following fire engineering requirements:</p> <ol style="list-style-type: none"> 1. A firebreak of at least 10m wide must be designed and maintained as per Appendix A of the NJM Design report; 2. A four metre perimeter road within the perimeter fire break must be designed and must comply with the requirements of the CFA Guidelines for Renewable Energy Facilities, compliant with the proposed layout in Appendix A. Structural characteristics must be verified by the designer. 3. A fire hydrant system must be provided in accordance with AS2419.1-2005: Fire Hydrant installations, Section 3.3: Open Yard Protection and any additional requirements of the Fire Brigade. Fire hydrants must be located not less than 8.0 metres from the small transformers/inverters. 4. Develop a Fire Management Plan as required by the CFA Guidelines for Renewable Energy Facilities fulfilling the requirements of <i>Table 1: Fire Management Plan Requirements</i> reference report p.6 of 55. 5. Smaller transformers (i.e., inverters and transformers) located in accordance with the proposed layout (Appendix A), must comply with the following: <ol style="list-style-type: none"> (a) Have an oil capacity of not more than 3,800 litres (3.8m³). (b) Be provided with enhanced protection in accordance with AS2067. (c) Where transformers are oil-insulated, transformers must use an FR3 (or similar) Ester oil; in lieu of the normal mineral oil. 6. Energy segment units must be provided with at least a smoke detection system. 7. The water storage tank is required to allow for 2 hydrants at 10L/s each four hours, i.e., 288kL. 	

Table C13.4: Reticulated Water Supply for Fire Fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <p>(a) the building area to be protected must be located within 120m of a fire hydrant; and</p> <p>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</p>
B.	Design criteria for fire hydrants.	<p>The following requirements apply:</p> <p>(a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia, WSA 03-2011-3.1 MRWA 2nd edition</i>; and</p>



		(b) fire hydrants are not installed in parking areas.
C.	Hardstand.	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> (a) no more than 3m from the hydrant, measured as a hose lay; (b) no closer than 6m from the building area to be protected; (c) with a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

Table C13.5: Static Water Supply for Fire Fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <ul style="list-style-type: none"> (a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Static Water Supplies.	<p>The static water supply:</p> <ul style="list-style-type: none"> (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) must be a minimum of 10,000L per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with Section 3.5 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i>, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports).	<p>Fittings and pipework associated with a fire fighting water point for a static water supply must:</p> <ul style="list-style-type: none"> (a) have a minimum nominal internal diameter of 50mm; (b) be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) be metal or lagged by non-combustible materials if above ground; (d) if buried, have a minimum depth of 300mm; (e) provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) ensure the coupling is accessible and available for connection at all times; (g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length); (h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and (i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) visible; (ii) accessible to allow connection by fire fighting equipment; (iii) at a working height of 450 – 600mm above ground level; and (iv) protected from possible damage, including damage by vehicles.
D.	Signage for static water connections.	<p>The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with:</p> <ul style="list-style-type: none"> (a) water tank signage requirements of <i>Australian Standard AS 2304:2019 Water storage tanks for fire protection systems</i>; or (b) <i>Water Supply Signage Guideline, version 1.0</i>, Tasmania Fire Service, February 2017.



E.	Hardstand.	A hardstand area for fire appliances must be: (a) no more than 3m from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access. (e) no more than 3m from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (f) no closer than 6m from the building area to be protected; (g) a minimum width of 3m constructed to the same standard as the carriageway; and (h) connected to the property access by a carriageway equivalent to the standard of the property access.
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4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that no representations were received.

4.8 Objectives of the Land Use Planning and Approvals Act 1993

The proposal is consistent with the objectives of the *Land Use Planning and Approvals Act 1993*.

4.9 State Policies

The proposal is consistent with all State Policies.

4.10 Strategic Plan/Annual Plan/Council Policies

Strategic Plan - Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocation.

6 OPTIONS

Approve subject to conditions or refuse and state reasons for refusal.

7 DISCUSSION

7.1 The application

The development proposal introduces an energy storage technology that enables the storage and release of energy on demand. The battery energy storage system represents an important element in the management of stored energy within the renewable energy generation market.

Lithium-ion, as is proposed by Akaysha Energy Pty Ltd is the most common battery chemistry used to store electricity. Coupling batteries with renewable energy generation allows energy to be stored during times of low demand and released at times of peak demand.

The development proposal is designed and sited to achieve the following:



the proposal is sited specifically adjacent the existing electrical infrastructure (Palmerston Substation) to maximise benefits to the grid;

the development will be distant from sensitive receptors, and importantly is located on non-productive agricultural land within a relatively small footprint;

the design is such that it will sit comfortably within the landscape; and

the proposal will not result in significant changes to the environmental condition of the site, or surrounding areas including bushfire risk and water balance/management.

7.2 Tasmanian Planning Scheme - Northern Midlands

7.2.1 Agriculture Zone:

An assessment of the development enables a conclusion that the development proposal achieves compliance with the zone objectives and standards. The overwhelming benefit of the battery storage utility, sited adjacent the Palmerston Substation, will result in significant benefit to the community in terms of power management and sharing in accordance with the objectives of net zero emissions and the capacity for storage.

The area of the proposed development is appropriately described as disturbed rural land used in association with stock grazing absent irrigation. The total development area of the BESS proposal is 1.5ha representing only .61% of the agricultural land title (CT 105802/1).

The non-agricultural use is therefore a small section in the context of the property thus minimising potential conflict or interference with the existing agricultural use. It can be legitimately argued that the opportunity for diversification of use within the subject title value adds the agricultural operation providing an additional revenue stream to support the existing agricultural use. Importantly, the Zone allows the development of nonagricultural use where conflict with agricultural use and the conversion of agricultural land is minimised. The development application demonstrates achievement of these objectives.

7.2.2 Use and Development standards (Agriculture Zone)

Section 4.6 of this report discusses and reviews the development's compliance with the Zones' use and development standards and concludes that the proposal achieves compliance with those standards.

7.2.3 Use and Development standards (Utilities Zone)

Section 4.6 of this report discusses and reviews the development's compliance with the Zones' use and development standards and concludes that the proposal achieves compliance with those standards.

7.2.4 Codes

Section 4.6 of this report also discusses and reviews the development's compliance with the relevant Code requirements and concludes that the proposal achieves compliance.

Note that the following Codes apply to the development:

Clause C2.0 Parking and Sustainable Transport Code	Compliance demonstrated - Pitt & Sherry report
Clause C3.0 Road and Railway Assets Code	Compliance demonstrated - Pitt & Sherry report
Clause C4.0 Electricity Transmission Infrastructure Protection Code	Compliance demonstrated – Cogency planning report
Clause C7.0 Natural Assets Code	Compliance demonstrated - Nature Advisory Pty Ltd report
Clause C13.0 Bushfire-Prone Areas Code	Compliance demonstrated - NJM Design assessment



Clause C16.0 Safeguarding of Airports Code	Compliance demonstrated (exemption under clause C16.4.1(a)).
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7.2.5 Additional supporting reports

Noise Impact Assessment	SLR Consulting Australia Pty Ltd – Appropriate analysis
Landscape & Visual Impact Assessment	Orbit Solutions – Appropriate analysis
Aboriginal Cultural Heritage	Cultural Heritage Management Australia – Appropriate analysis
Stormwater Management Strategy	Dalton Consulting Engineers – High level analysis <i>Supplement required refer proposed permit condition 4</i>

7.3 CONCLUSION

The application is recommended for approval subject to conditions.

8 ATTACHMENTS

1. Planning Application Proposal [11.2.1 - 1 page]
2. 2225 - Cover Letter Palmerston BESS 20230810 [11.2.2 - 2 pages]
3. 2225 - Palmerston BESS Planning Application Report - 20230809 [11.2.3 - 58 pages]
4. Folio Plan-105802-1 [11.2.4 - 1 page]
5. Folio Plan-142369-3 [11.2.5 - 1 page]
6. Appendix B Concept Layout Plan v 8 5 September 2023 [11.2.6 - 1 page]
7. Appendix C - Native Vegetation Assessment - Letter Report 221027 [11.2.7 - 5 pages]
8. Appendix D - ACHAR 1722023 v 1 [11.2.8 - 58 pages]
9. Appendix E - Traffic Impact Assessment [11.2.9 - 28 pages]
10. Appendix F - LVIA 2023 05 26 [11.2.10 - 89 pages]
11. Appendix G - Noise Impact 20230421 [11.2.11 - 25 pages]
12. Appendix H - Fire Hazard and Risk [11.2.12 - 70 pages]
13. 23154 Palmerston Substation BESS SWMS Rev B [11.2.13 - 36 pages]
14. DSG response [11.2.14 - 3 pages]



11.3 DRAFT AMENDMENT 12/2023: 75-77 HIGH STREET, CAMPBELL TOWN

File: 13/026/007/176; PLN23-0177
Responsible Officer: Des Jennings, General Manager
Report prepared by: Chloe Lyne, Planning Consultant

RECOMMENDATION

- 1 That, under section 40D(b) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority agrees to prepare Amendment 12/2023 to the Northern Midlands Local Provisions Schedule; and
- 2 That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, certify draft amendment 12/2023 of the Northern Midlands Local Provisions Schedule as meeting the LPS criteria
- 3 Pursuant to Section 40G and 40H of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition be 28 days

Draft Amendment 12/2023 of the Northern Midlands Local Provisions Schedule

- A. Rezone 75-77 High Street Campbell Town (Folio of the Register 149212/1 from Community Purposes to General Business

1 INTRODUCTION

This report assesses a draft amendment of the Northern Midlands Local Provisions Schedule to remove the land at 75-77 High Street, Campbell Town from the Community Purposes Zone and place it within the General Business Zone.

2 BACKGROUND

Applicant:

Northern Midlands Council

Zone:

27.0 Community Purpose

Classification under the Scheme:

Planning scheme amendment

Decision Date:

Not applicable

Owner:

Northern Midlands Council

Codes:

NOR-C6.2.1 Local Historic Heritage Code
Safeguarding of Airports Code
Natural Assets Code
NOR – 2.0 Campbell Town Specific Area Plan

Existing Use:

N/a

Recommendation:

That Council as planning authority agree to, and certify, the draft amendment 12/2023

Planning Instrument:

- *Tasmanian Planning Scheme - Northern Midlands, version 5, effective date 10 May 2023*

3 STATUTORY REQUIREMENTS

Land Use Planning and Approvals Act 1993

40D Preparation of draft amendments

A planning authority –

- (a) *must prepared a draft amendment of an LPS, and certify it under Section 40F, within 42 days after receiving the request made under section 37(1) to which the amendment relates, if –*



- (i) *it decides under section 38(2) to prepare a draft amendment of an LPS; or*
- (ii) *after reconsidering, in accordance with a direction under section 40B(4)(a), a request under section 47(1) whether to prepare a draft amendment of an LPS, it decides to prepare such an amendment; or*
- (b) *may, of its own motion, prepare a draft amendment of an LPS; or*
- (c) *must, if it receives under section 40C(1) a direction to do so, prepare a draft amendment of an LPS and submit it to the Commission within the period specified in the direction of a longer period allowed by the Commission.*

38. Decision in relation to request

- (1) *A planning authority, before deciding whether to prepare a draft amendment of an LPS in relation to a municipal area in accordance with a request under section 37(1), must be satisfied that such a draft amendment of an LPS will meet the LPS criteria.*
- (2) *A planning authority, within 42 days after receiving a request under section 37(1) or a longer period allowed by the Commission, must –*
 - (a) *decide to agree to the amendment and prepare a draft amendment of the LPS; or*
 - (b) *decide to refuse to prepare the draft amendment of the LPS.*

4 ASSESSMENT

4.1 Proposal

The application requests an amendment to the Northern Midlands Local Provisions Schedule as follows:

- remove the land at 75-77 High Street, Campbell Town from the Community Purposes Zone and place it within the General Business Zone.

Background

Council is seeking to rezone the property from Community Purposes to General Business as it is divesting the asset and it is no longer required for Community Purposes. The decision to divest the asset was made by Council following a review of the usage and potential opportunities for the Hall prepared on behalf of Council by Watershed Solutions.

The Review looked at two options for the Hall, being to sell the asset or retain as a community facility. Given the age and condition of the facility, the latter was viewed as not being economically viable, particularly given Council owns and manages the Campbell Town Multi Purpose Complex.

At its meeting on the 15th March 2021, Council resolved to sell the Campbell Town Hall.

That decision was then the subject of an Appeal to the Resource Management and Planning Appeals Tribunal which was unsuccessful on the merits.

At the 19 July 2021 Council Meeting, Council considered a report "Proposal to sell land: 75 – 77 High Street, Campbell Town – Campbell Town Hall" in Open Council. The purpose of this report was to consider a proposal to sell the Town Hall, Campbell Town. It was noted the Town Hall is classified as Public Land pursuant to section 177A of the Local Government Act 1993. At that meeting the Council resolved to sell the Campbell Town Hall.

That decision was again appealed to what is now the Tasmanian Civil and Administrative Tribunal (TASCAT).

On 9 March 2022, TASCAT released a decision *A McCullagh v Northern Midlands Council* [2022] TASCAT 24. TASCAT made the following Orders:

- a) *Pursuant to s 178B of the Local Government Act 1993, the Tribunal confirms the decision of Council to dispose of the land at 75-77 High Street, Campbell Town; and*
- b) *Parties to apply for costs within 21 days.*

Council then embarked on a process of retaining a Real Estate Agent for the Sale of the Hall.

The current zoning of the property of Community Purpose limits future use and development potential and therefore limits the value of the asset and the number of prospective purchasers.



The purpose statements of the Community Purpose Zone direction as to the types of sites that it is a suitable zone to be applied to:

Clause 27.1 – Community Purpose Zone purpose

27.1.1 *To provide for key community facilities and services including health, educational, government, cultural and social facilities.*

27.1.2 *To encourage multi-purpose, flexible and adaptable social infrastructure.*

It is clear from the Zone purpose statements for the Community Purpose zone that it is to be applied to land which provides community facilities. As the Council has determined the Campbell Town Hall is no longer a viable asset to retain and it is to be sold into private ownership, it is entirely appropriate that the zoning be amended to reflect the fact it will no longer be utilised for community purposes.

For these reasons, at its meeting on 21st August 2023, Council voted to initiate an amendment of the property to rezone it to 'General Business'.

17.1 CLOSED COUNCIL DECISIONS RELEASED

4.1 SALE OF TOWN HALL, CAMPBELL TOWN

MINUTE NO. 23/0296

DECISION

Cr Adams/Cr Brooks

That Council

- a) initiate and commence the rezoning process of the property such that the property is zoned 'Business General';
- b) in relation to this matter
 - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined to **release the decision only** to the public.

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Adams, Cr Andrews, Cr Brooks and Cr Goss

Voting Against the Motion:

Cr Archer and Cr Terrett

Im

Implications of the Amendment

The proposed rezoning amendment will allow for a broader range of uses to be allowable at the subject site.

Table 1 below provides a comparison of the 'no permit required', 'permitted' and 'discretionary' uses within the Community Purpose (existing) and General Business (proposed) zones. It is evident that except for 'Hospital Services' and 'Crematoria and Cemeteries', that all uses currently allowed under the Community Purposes Zone are also allowed under the General Business Zone. It is considered that the siting and design of the building means that it is unsuitable for Hospital Service or a Crematoria so the prohibition of these two uses does not present an issue in terms of the services available in the Campbell Town community. There is an existing hospital directly opposite the site which serves the community.

Table 1 – Comparison between allowable uses under existing and proposed zones

Community Purpose Zone	General Business Zone
<i>No permit required</i>	
Natural and Cultural Values Management	Business and Professional Services
Passive Recreation	Food Services



Utilities (if for minor utilities)	General Retail and Hire
	Natural and Cultural Values Management
	Passive Recreation
	Residential (if for a home based business)
	Utilities (if for minor utilities)
<i>Permitted</i>	
Business and Professional Services (if for a medical centre, community based organisation, government offices or funeral parlour)	Bulky Goods Sales
Community Meeting and Entertainment	Community Meeting and Entertainment
Crematoria and Cemeteries (if for a cemetery)	Educational and Occasional Care
Educational and Occasional Care	Emergency Services
Emergency Services	Hotel Industry
Hospital Services	Pleasure Boat Facility (if for a boat ramp)
Residential (if for a residential care facility, respite centre, retirement village or assisted housing; or accommodation for staff or students of a use on the site.	Research and Development
Tourist Operation (if for a visitor centre)	Residential (if not listed at No Permit required or Permitted)
	Resource Processing (if for food or beverage production)
	Service Industry
	Sports and Recreation
	Storage
	Tourist Operation
	Transport Depot and Distribution (if for a public transport facility or distribution of goods to or from land within the zone)
	Utilities (if not listed as No Permit Required)
	Vehicle Fuel Sales and Service
	Vehicle Parking
	Visitor Accommodation

The expanded range of uses allowed under the General Business Zone provisions provides any future owners of the site more opportunities to repurpose the building. The site sits at the northern end of a strip of land zoned General Business along High Street in Campbell Town and although it will not directly abut General Business Zone land due to the library and fire station being situated to the south, it clearly sits within the defined main street business precinct within the township.

The proposed amendment does not seek to remove any of the existing overlays that cover the site and therefore all existing relevant Code provisions that would apply to any planning application will continue to do so following the rezoning.

The key change in the use provisions that would apply to future use of the site between the two zones is that the 'permitted' hours of operation (given the site is within 50m of General Residential Zone land) would be expanded as shown in Table 2:

Table 2: Comparison of permissible operating hours between the Community Purpose Zone and General Business Zone

Community Purpose Zone	General Business Zone
<i>Hours of operation for use within 50m of General Residential Zone</i>	



8.00am – 8.00 pm Monday to Friday; and 9.00am- 6.00pm Saturday and 10.00am – 5.00pm Sunday and public holidays	7.00am – 9.00 pm Monday to Saturday; and 8.00am- 9.00pm Sunday and public holidays
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It is considered that the change will not have any unreasonable impact on the residential zoned properties to the rear of the site. It is likely that the front of the building will be the focus for any future use that requires patronage and this is sited some 53 metres from the nearest General Residential Zoned lot to the east. Notably this lot is currently vacant.

4.2 Zone and Land Use

The land is zoned Community Purposes and subject to the Local Heritage Precinct, Safeguarding of Airports Code, Airport obstacle limitation area, Campbell Town Specific Area Plan and partially within and is within a Priority Vegetation Area.

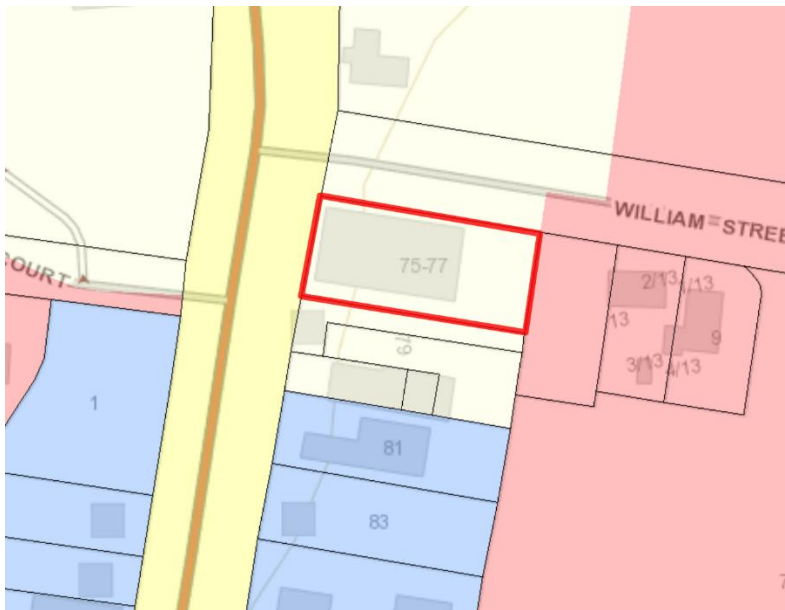


Figure 1: Zoning Plan

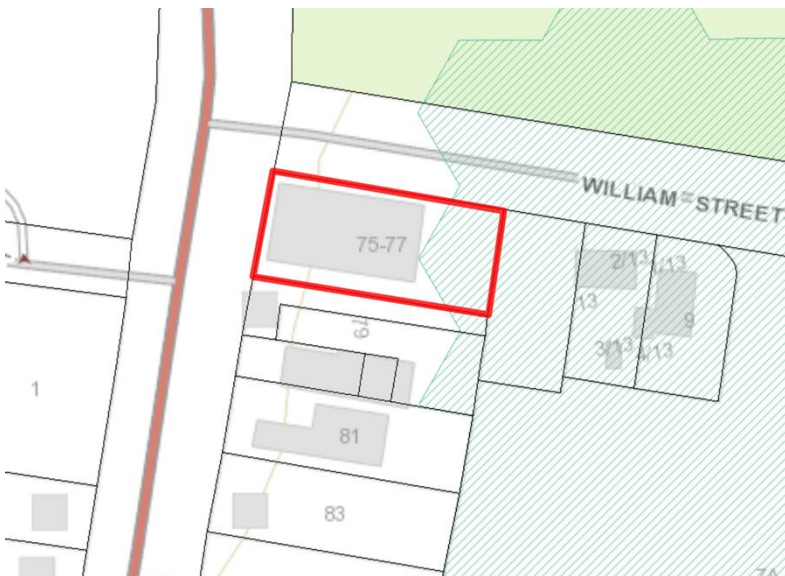


Figure 2: Extent of site subject to Priority Vegetation Overlay

4.3 Subject Site and Locality

The author of this report conducted a site visit on 7th November 2023



The subject site is a 1419m² rectangular shaped lot situated on the corner of High Street and William Street.

The site contains the Campbell Town Hall building which was constructed in 1939 with vehicular access to the site via William Street to the rear of the building.

The Current usage of the facility includes Services Tasmania, a volunteer visitor information centre, museum and a monthly community market.

The site is situated opposite the Anglican Church Hall to the north, a vacant residential lot to the east, the Fire Station to the south and the Campbell Town Health Service on the opposite side of High Street. The site is located on the northern end of the business district that runs along High Street in the township.

Photograph of subject site:



Photograph 1: View of the front of the Campbell Town Hall from High Street



Photo 2: View of the rear of the Campbell Town Hall with the fire station in the background



Aerial View of Subject Site

4.4 Permit/Site History

Includes:

- 1962 library
- P14-323 Signage for Campbell Town Museum
- P16-090 signage for Campbell Town Museum

4.5 Notice to agencies and State authorities

If Council as planning authority certifies the draft amendment, before exhibiting the draft amendment of an LPS, Section 40FA of the Land Use Planning and Approvals Act requires the planning authority to notify:

(a) the relevant agencies; and

(b) those State Service Agencies, or State authorities, that the planning authority considers may have an interest in the draft amendment of the LPS.

4.6 Notice of exhibition in relation to the draft amendment

Section 40G of the Land Use Planning and Approvals Act requires:

(1) A planning authority, as soon as practicable after providing to the Commission a copy of a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section.

(2) The exhibition notice is to be published once before, and once within 14 days after, the first day of the exhibition period, in a newspaper that is published in Tasmania and circulates generally in the area to which the draft amendment of an LPS relates.

(3) The exhibition notice is to –

(a) specify the period that is to be the exhibition period in relation to the draft amendment of the LPS; and

(b) specify that the draft amendment of the LPS is or will be –

(i) available for viewing by the public, during the exhibition period, at premises, that are offices of the planning authority, specified in the notice; and

(ii) available for viewing and downloading by the public, during the exhibition period, at an electronic address specified in the exhibition notice; and

(c) contain an invitation to all persons and bodies to, within the exhibition period, make to the planning authority a representation in relation to the draft amendment of the LPS by submitting the representation to –

(i) the premises specified in the notice in accordance with paragraph (b)(i) ; or



- (ii) an electronic address specified in the notice.*
- (4) The exhibition period, in relation to a draft amendment of an LPS, is to be a period of 28 days –*
 - (a) beginning on the day on which the draft amendment of the LPS begins to be available for viewing by the public at exhibition premises in accordance with section 40H ; and*
 - (b) excluding any days on which the exhibition premises are closed during normal business hours.*

Any representations received during the exhibition period will be considered by the Council as planning authority for reporting on to the Tasmanian Planning Commission.

4.7 Assessment Against LPS Criteria

34(2) The LPS criteria to be met by a relevant planning instrument are that the instrument –

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

The proposed rezoning has no impact on provisions required to be contained in an LPS.

(b) is in accordance with section 32

Under section 32:

- (3) An LPS may, if permitted to do so by the SPPs, include*
 - (a) a particular purpose zone...*
 - (b) a specific area plan, being a plan consisting of –*
 - (i) a map or overlay that delineates a particular area of land; and*
 - (ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs.*
 - (c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*
- (4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
 - (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
 - (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The draft amendment is in accordance with section 32. It is not proposed to include a Specific Area Plan, Particular Purpose Zone or a site specific qualification as part of the draft amendment.

(c) furthers the objectives set out in Schedule 1

Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity*

The proposed rezoning will not impact the attainment of this objective. The eastern end of the site is subject to the Priority Habitat Overlay and this will remain in place and therefore any works within that portion of the site will be subject to the Natural Assets Code. The site is an urban lot.

- (b) to provide for the fair, orderly and sustainable use and development of air, land and water*

The proposed rezoning of the land from Community Purpose to General Business represents a fair, orderly and sustainable use of air, land and water. As the name implies, the Community Purpose Zone is to provide for community facilities. The Council as the current owner of the asset has determined that the site is no longer required or financially viable to be continue to be used for public purposes and is to be sold. The town now has a Multi Purpose Facility which offers function/gathering areas that were previously provided within the Hall so there is no loss of the availability of such



facilities in the town when the site is sold on. The rezoning to General Business provides any future purchaser with more opportunities to use and develop the site and is consistent with the zoning of properties along High Street.

(c) to encourage public involvement in resource management and planning

If the draft amendment is certified by the planning authority it will be placed on public notification in accordance with the Land Use Planning and Approvals Act allowing for representations to the draft amendment to be submitted.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)

The rezoning will allow a future owner of the site more opportunities to use and develop the site given the broader range of uses permissible within the General Business Zone. The rezoning therefore creates the opportunity for future economic development in the town.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Notice of the draft amendment has been given to relevant agencies and State authorities.

Schedule 1, Part 2 – Objectives of the Planning Process Established by this Act

(a) to require sound strategic planning and co-ordinated action by State and local government

The draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy which identifies Campbell Town as a District Service Centre (SAC) under Section E the Regional Planning Policies. Table E.2 identifies the role and functions of the SAC as shown in Table 3:

District Service Centre (SAC)	George Town, Longford, Scottsdale, St Helens, Deloraine, Campbell Town and Exeter
Role	To provide predominantly non-urban communities with a range of goods and services to meet their daily and weekly needs. Provides that trips to larger centres are only required occasionally.
Employment	Highest concentration of employment for the sub-region, with a diversity of employment across business and industrial sectors.
Land Uses	
Commercial and Retail	Should offer at least one major supermarket, or a combination of independent supermarkets and a range of speciality shops. Local or district level commercial office space servicing the community. May include district offices of government functions if strong correlation to features of the surrounding location.
Government and Community	Should offer a range of health and cultural facilities required to support rural community including District Health Centre, Service Tasmania outlet, Community Centre/Community Hall.

With respect to Government and Community it is noted that even without the Campbell Town Hall in operation as a community hall, Campbell Town still offers all the recommended range of health and cultural facilities including:

- Campbell Town District Health Centre;
- Campbell Town Recreation Ground Complex; and
- Campbell Town Guide Hall.
- Service Tasmania – noting that Council is in negotiations with any potential new owners of the building for a lease arrangement to continue for Service Tasmania to remain at the site.

Section E of the NRLUS also provides a range of policies and actions around Social Infrastructure and Community.

SI-A05 states:

‘Planning Schemes are to support the co-location of community facilities and services, while encouraging multi-purpose, flexible and adaptable social infrastructure.’



Whilst the proposed rezoning doesn't go to the core of this Action item, it is noted that the Campell Town Recreation Ground Complex does provide a multi-purpose community facility and the proposal to rezone the subject site from Community Purposes to General Business does not change the use status of Community meeting and entertainment use class which is permitted under both zones. The proposed rezoning is therefore not precluding the attainment of SI-A05.

- (a) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land*

Consistent with that system, the planning authority determines whether to prepare the draft amendment. If the TPC approves the rezoning amendment, future use and development at the subject site will be subject to the General Business Zone provisions and remain subject to the existing relevant Code provisions.

- (b) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land*

The site is connected to full reticulated services. The effects on the environment are low. The amendment will have positive social and economic outcomes in that it will allow a broader range of uses to occur in what is currently an under utilised building.

- (c) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels*

The proposed amendment is consistent with local, regional and state policies.

- (d) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals*

The Act allows for a development application to be assessed in conjunction with a scheme amendment. However, the application is for a scheme amendment only.

- (e) *to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*

The General Business Zone provisions are appropriate to control use and development at the site in the future to ensure a pleasant, efficient and safe environment for working, living and recreation.

- (f) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

The Local Heritage Precinct overlay will remain which will protect the building from development that is not consistent with the Heritage Precinct.

- (g) *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*

The draft amendment will not have a negative impact on public infrastructure. The site is connected to existing services.

- (h) *to provide a planning framework which fully considers land capability.*

LIST Map shows that the site was excluded from the study area of the land potentially suitable for agriculture zone.

(d) is consistent with each State policy

State Policy on the Protection of Agricultural Land 2009

LIST Map shows that the site was excluded from the study area of the land potentially suitable for agriculture zone. The draft amendment does not impact on the State Policy on the Protection of Agricultural Land.



Tasmanian State Coastal Policy 1996

The subject site is not in a coastal zone and the Coastal Policy does not apply.

State Policy on Water Quality Management 1997

The site is connected to existing reticulated stormwater and sewerage services. The draft amendment is consistent with this State policy.

National Environmental Protection Measures (NEPMs)

In accordance with the State Policies and Projects Act 1993, a NEMP is taken to be a State Policy. The following NEMPs are therefore State policies:

- Air Toxics*
- Ambient Air Quality*
- Assessment of Site Contamination*
- Diesel Vehicle Emissions*
- Movement of Controlled Waste between States and Territories*
- National Pollutant Inventory*
- Used Packaging Materials*

None of the NEPMs apply to the subject site and proposed amendment.

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

Such criteria have been addressed in the provision and approval of the LPS and are not impacted on by the proposed rezoning.

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

The draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy as discussed in response to Schedule 1, Part 2 A.

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

The current strategic plan for the Northern Midlands is the Northern Midlands Council Strategic Plan 2021-2027. The plan focusses on the unique elements of the Northern Midlands, an enviable place to live, work and play. The Plan is based upon four key priorities:

- Lead: Serve with honesty, integrity, innovation and pride
- Progress: Economic health and wealth – grow and prosper
- People: Cultural and society – a vibrant future that respects the past
- Place: Nurture our heritage environment

Each priority is supported by four strategic outcomes that describe what the Council aims to achieve, and that are consistent with its vision.

Actions and projects to achieve these outcomes will be included in the Council's Annual Plan. Performance measures will be included in the Annual Plan to enable the Council to track its progress against each of the strategic outcomes.



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

While the site is not in close proximity to another municipal area, the draft amendment's consistency with the RLUS ensures a similar consistency and co-ordination with the LPSs of adjacent municipal areas.

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

The site is not in the vicinity of the Tasmanian Gas Pipeline.

7 OPTIONS

Decision in relation to request

The planning authority can:

- decide to agree to the amendment and prepare a draft amendment of the LPS; or
- decide to refuse to prepare the draft amendment of the LPS.

Preparation of draft amendment

If the planning authority decides to agree to the amendment, it must prepare a draft amendment. A draft amendment has been prepared as shown in the recommendation of this report.

Certification of draft amendment

- The planning authority must consider whether it is satisfied that the draft amendment meets the LPS criteria, see section 4.7.
- If the planning authority satisfied that the draft amendment meets the LPS criteria, it must certify the draft as meeting the requirements of the Land Use Planning and Approvals Act; or
- If the planning authority is not satisfied that the draft amendment meets the LPS criteria it must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

8 DISCUSSION

As discussed in this report, the draft amendment is in accordance with the LPS criteria. It is recommended that the planning authority certify the draft amendment. The draft amendment will then be placed on public exhibition and any representations received considered by the planning authority before providing a report on the representations to the Tasmanian Planning Commission.

9 ATTACHMENTS

1. 2023-08-21 Open Council Minutes [**11.3.1** - 1 page]
2. Folio Plan-149212-1 [**11.3.2** - 1 page]
3. Folio Text-149212-1 [**11.3.3** - 1 page]



11.4 PLN23-0199: CAMPBELL TOWN STREETScape PROJECT

File: PLN23-0199
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

RECOMMENDATION

That application PLN-23-0199 to develop and use the land at High Street (between William St Intersection and 115 High St), Campbell Town (with minor works into William St, Elizabeth Crt & Commonwealth Ln) for Campbell Town Streetscape/Roadworks Project (Heritage Precinct) be approved subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents P1 – P60, D1, D2 and D3 as follows:

- P1 - (Cover Sheet, rare., Project No: 17.340, Drawing No: COV, Rev: 0);
- P2 - (Civil Notes, rare., Project No: 17.340, Drawing No: C000, Rev: 0);
- P3-P6 - (Existing Survey/Demolition Plan, rare., Project No: 17.340, Drawing No's: C101-C104, Rev: 0);
- P7-P10 - (Bulk Earthworks Plan, rare., Project No: 17.340, Drawing No's: C201-C204, Rev: 0);
- P11-P14 - (Erosion Control Plan, rare., Project No: 17.340, Drawing No's: C301-C304, Rev: 0);
- P15-P19 - (Civil Work Plan, rare., Project No: 17.340, Drawing No's: C400-C404, Rev: 0);
- P20-P23 - (Pavement Jointing Plan, rare., Project No: 17.340, Drawing No's: C411-C414, Rev: 0);
- P24-P27 - (Civil Chainages & Spot Level Plan, rare., Project No: 17.340, Drawing No's: C421-C424, Rev: 0);
- P28-P29 - (Civil Longitudinal Sections, rare., Project No: 17.340, Drawing No's: C431-C432, Rev: 0);
- P30-P36 - (Civil Cross Sections, rare., Project No: 17.340, Drawing No's: C441-C447, Rev: 0);
- P37-P38 - (Civil Cross Sections, rare., Project No: 17.340, Drawing No's: C451-C452, Rev: 0);
- P39-P42 - (Line Marking & Signage Plan, rare., Project No: 17.340, Drawing No's: C461-C464, Rev: 0);
- P43-P46 - (Drainage Plan, rare., Project No: 17.340, Drawing No's: C501-C504, Rev: 0);
- P47-P49 - (Drainage Longitudinal Sections, rare., Project No: 17.340, Drawing No's: C521-C523, Rev: 0);
- P50-P53 - (Water Reticulation Plan, rare., Project No: 17.340, Drawing No's: C601-C604, Rev: 0);
- P54 - (Water Main Longitudinal Sections, rare., Project No: 17.340, Drawing No's: C611, Rev: 0);
- P55 - (Typical Civil Sections, rare., Project No: 17.340, Drawing No's: C701, Rev: 0);
- P56-P58 - (Civil Sections & Details, rare., Project No: 17.340, Drawing No's: C711-C713, Rev: 0);
- P59 - (Campbell Town Streetscape Redevelopment – Stage 1a Concept Plan, Lange Design, Rev: F, Dated: 28 September 2023);
- P60 - (Campbell Town Streetscape Redevelopment – Stage 1b Concept Plan, Lange Design, Rev: D, Dated: 28 September 2023);
- D1 - (Traffic Input Analysis, Email from Terry Eaton, Dated: 17 July 2018);
- D2 - (Planning Submission Statement, Northern Midlands Council, Dated: 15th September 2023); and
- D3 - (Tree Impact Assessment, ENSPEC Environment and Risk, Dated: 19th September 2023).

2 Council's Works Department conditions

2.1 As constructed information

- a) As Constructed Plans and Asset Management Information must be provided in accordance with Council's standard requirements.
- b) A CCTV inspection report must be provided for all new Council underground drainage pipes and pits.

2.2 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.



2.3 Works in State road reserve

- a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.
- b) Application requirements and forms can be found at transport.tas.gov.au/road/permits, applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.

2.4 Plans for approval by Councils Works Department

The applicant must provide full design plans for review by Councils Works Department prior to commencing any work on site. Plans must include road long sections and cross sections and long sections of the stormwater system.

3 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2023/01435-NMC) – attached at Appendix A.

4 Department of State Growth condition

Prior to commencement of the use, plans showing all works to be undertaken in the road reservation (road construction, drainage, sewer, water, power, communications, and traffic facilities etc.) along with must be submitted to the Department of State Growth for review and acceptance as part of applications for service works and access works permits, see Note 1.

NOTE 1: A valid works permit is required for all works undertaken in the State road (High Street) reservation. Details of the permit process and application forms can be found at:

www.transport.tas.gov.au/road_permits/permits_and_bookings/general_works_pathways,_stock_underpass.

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

5 Tree Impact Assessment

All works within proximity of the six heritage Fraxinus 'Raywood' (Claret Ash) and 3 other trees at the intersection of Elizabeth Court must be undertaken in accordance with the recommendations of the Tree Impact Assessment prepared by ENSPEC Environment and Risk, Dated: September 19th, 2023.

6 Dilapidation Report

Prior to any development commencing, a Dilapidation Report is to be prepared and submitted to the approval of the General Manager detailing the existing condition of adjoining buildings which abut the road reservation.

1 INTRODUCTION

This report assesses an application for the Campbell Town Streetscape/Roadworks Project (Heritage Precinct), High Street (between William St intersection and 115 High St), Campbell Town (with minor works into William St, Elizabeth Crt & Commonwealth Ln).

2 BACKGROUND

Applicant:

Northern Midlands Council

Owner:

Department of State Growth
Northern Midlands Council

Zone:

8.0 General Residential
15.0 General Business
26.0 Utilities

Codes:

C2.0 Parking and Sustainable Transport Code
C6.0 Local Historic Heritage Code
C16.0 Safeguarding of Airports Code



27.0 Community Purpose

NOR-S2.0 Campbell Town Specific Area Plan

29.0 Open Space

Classification under the Scheme:

Existing Use:

Utilities

Utilities

Deemed Approval Date:

Recommendation:

24 November 2023

Approve

Discretionary Aspects of the Application:

- Reliance on performance criteria P1 clause 15.4.4, fencing (pedestrian barriers) within the General Business Zone;
- Reliance on performance criteria of the Local Historic Heritage Code – works within a Heritage Precinct & proximity of works to Significant Trees.

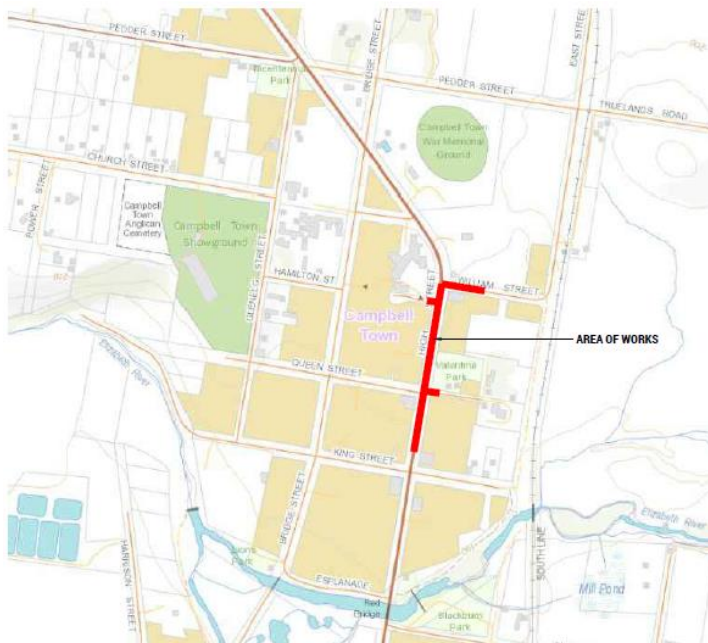
Planning Instrument:

- *Tasmanian Planning Scheme – Northern Midlands Version No: 5, Effective Date: 10th May 2023.*

Preliminary Discussion:

- Prior to the application being placed on public exhibition, the applicant held discussion with Council officers.

Subject Site



3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

It is proposed to undertake the following as part of the Campbell Town Streetscape/Roadworks Project:

- Kerb extension
- Pedestrian barriers and bollards



- NUMBER LEGEND**
- 1 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 2 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 3 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 4 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 5 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 6 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 7 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 8 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 9 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 10 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 11 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 12 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 13 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 14 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.
 - 15 New trees to be planted in the existing street trees to provide shade, form, colour and benefits.



4.2 Zone and Land Use

Zone Map





- | |
|--|
| <p>(c) <i>Transmitting or distributing gas, oil, or electricity;</i>
(d) <i>Transport networks;</i>
(e) <i>Collecting, treating, transmitting, storing or distributing water; or</i>
(f) <i>Collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</i>
<i>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam or weir.</i></p> |
|--|

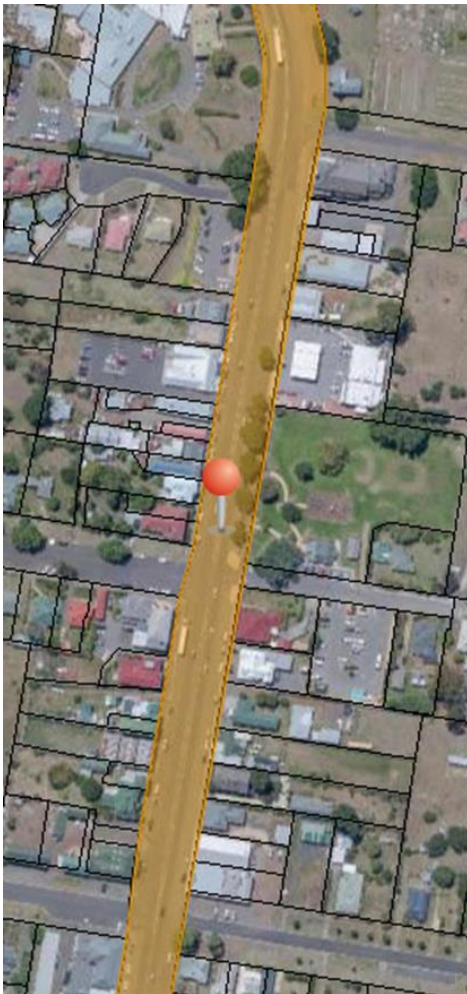
Utilities is a no permit required use within the Utilities zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use in the General Residential Zone, General Business Zone, Community Purpose Zone and the Open Space Zone, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status within these zones.

The site's location within the Heritage Precinct caused the application to become discretionary.

4.3 Subject Site and Locality

A site inspection was undertaken on 13th October 2023. The works are proposed in High Street between the intersection of William Street and 115 High Street and includes minor works into William Street, Elizabeth Court and Commonwealth Lane. The site is presently road infrastructure and associated items including vehicle parking and street furniture.

Aerial photograph of area





Photographs of subject site











4.4 Permit/Site History

There is no relevant site history

4.5 Referrals

The following referrals were required:



Council's Works Department

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 25th October 2023 and their recommended conditions are included in the conditions of approval.

TasWater

TasWater issued a Submission to Planning Authority Notice on 16th October 2023 (TasWater Ref: TWDA 2023/01435-NMC).

Heritage Advisor

Council's Heritage Advisor, David Denman, advised on 30th October 2023 that he has no objections to the proposal and his comments form part of the Heritage Code assessment of this report.

Tasmanian Heritage Council

The THC advised Council on 16th October 2023 that the Tasmanian Heritage Council can have no interest in determining this DA, as the works are not proposed to be carried out in relation to a registered place that is entered in the Tasmanian Heritage Register. The works are therefore not heritage works or development for the purpose of the Historic Cultural Heritage Act 1995.

Department of State Growth

The Department advised Council on 25th October 2023 that they have no objection to the proposal but note that there is road construction activity in the State road reservation and request a condition and note be placed on any planning permit issued.

4.6 Planning Scheme Assessment

8.0 General Residential Zone

8.1 Zone Purpose

The purpose of the General Residential Zone is:

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

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

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

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

Comment

The proposal is consistent with the zone purpose.

8.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

8.3 Use Standards

8.3.1 Discretionary uses

Comment

Not applicable.

8.3.2 Visitor Accommodation

Comment

Not applicable.

8.4 Development Standards for Dwellings

Comment

Not applicable.

8.5 Development Standards for Non-dwellings

8.5.1 Non-dwelling development

Objective:



<p>That all non-dwelling development:</p> <ul style="list-style-type: none"> (a) Is compatible with the character, siting, apparent scale, bulk, massing and proportion of residential development; and (b) Does not cause an unreasonable loss of amenity on adjoining residential properties. 	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) If the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) If the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (c) If for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street. 	<p>P1</p> <p>A building that is not a dwelling, excluding for Food Services and local shop, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>
<p>Comment</p> <p>Not applicable – no building proposed.</p>	
<p>A2</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) Be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> (i) A distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (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 or rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) Only have a setback less than 1.5m from a side or rear boundary if the building: <ul style="list-style-type: none"> (i) Does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) Does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser). 	<p>P2</p> <p>The siting and scale of a building that is not a dwelling must:</p> <ul style="list-style-type: none"> (a) Not cause an unreasonable loss of amenity, having regard to: <ul style="list-style-type: none"> (i) Reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property; (ii) Overshadowing the private open space of a dwelling on an adjoining property; (iii) Overshadowing of an adjoining vacant property; and (iv) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and (b) Provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.
<p>Comment</p> <p>Not applicable – no building proposed.</p>	
<p>A3</p> <p>A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) A site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) A site area of which not less than 35% is free from impervious surfaces. 	<p>P3</p> <p>A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) Site coverage consistent with that existing on established properties in the area; and (b) Reasonable space for the planting of gardens and landscaping.
<p>Comment</p> <p>Not applicable – no building proposed.</p>	
<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p>



	<ul style="list-style-type: none"> (a) Provide for security and privacy while allowing for passive surveillance of the road; and (b) Be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) The topography of the site; and (ii) Traffic volumes on the adjoining road.
<p>Comment Not applicable.</p>	
<p>A5 Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <ul style="list-style-type: none"> (a) Be visible from any road or public open space adjoining the site; and (b) Encroach upon parking areas, driveways or landscaped areas. 	<p>P5 Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> (a) The nature of the use; (b) The type of goods, materials or waste to be stored; (c) The topography of the site; and (d) Any screening proposed.
<p>Comment Not applicable.</p>	
<p>A6 Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.</p>	<p>P6 Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of any emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of the sensitive use; and (d) Any mitigation measures proposed.
<p>Comment Not applicable.</p>	

8.5.2 Non-residential garages and carports

Comment

Not applicable.

8.6 Development Standards for Subdivision

8.6.1 Lot design

Comment

Not applicable – applies only to subdivision.

8.6.2 Roads

Comment

Not applicable – applies only to subdivision.

8.6.3 Services

Comment

Not applicable – applies only to subdivision.

The application will meet all the requirements of the Exemptions 4.0 (4.2.4, 4.2.5 and 4.2.7).

15.0 General Business Zone

15.1 Zone Purpose



The purpose of the General Business Zone is:

15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.

15.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.

15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.

15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

Comment

The proposal is consistent with the zone purpose.

15.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

15.3 Use Standards

15.3.1 All uses

Objective:

That uses do not cause an unreasonable loss of amenity to residential zones.

Acceptable Solutions

Performance Criteria

A1

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:

- (a) 7.00am to 9.00pm Monday to Saturday; and
- (b) 8.00am to 9.00pm Sunday and public holidays.

P1

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to:

- (a) The timing, duration or extent of vehicle movements; and
- (b) Noise, lighting or other emissions.

Comment

Not applicable.

A2

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must:

- (a) Not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and
- (b) If for security lighting, must be baffled so that direct light does not extend into the adjoining property in those zones.

P2

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) The level of illumination and duration of lighting; and
- (b) The distance to habitable rooms of an adjacent dwelling.

Comment

Complies with A2, any proposed external lighting would be for security and safety purposes.

A3

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:

- (a) 7.00am to 9.00pm Monday to Saturday; and
- (b) 8.00am to 9.00pm Sunday and public holidays.

P3

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) The time and duration of commercial vehicle movements;
- (b) The number and frequency of commercial vehicle movements;
- (c) The size of commercial vehicles involved;
- (d) Manoeuvring required by the commercial vehicles, including the



	<p>amount of reversing and associated warning noise;</p> <p>(e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and</p> <p>(f) Potential conflicts with other traffic.</p>
<p>Comment Not applicable.</p>	

<p>15.3.2 Discretionary uses</p> <p>Comment Not applicable.</p>

<p>15.3.3 Retail impact</p> <p>Comment Not applicable.</p>
--

<p>15.4 Development Standards for Building and Works</p> <p>15.4.1 Building height</p> <p>Objective: That building height:</p> <p>(a) Is compatible with the streetscape; and</p> <p>(b) Does not cause an unreasonable loss of amenity to adjoining residential zones.</p>	
<p>Acceptable Solutions</p> <p>A1 Building height must be not more than 12m.</p>	<p>Performance Criteria</p> <p>P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <p>(a) The topography of the site;</p> <p>(b) The height, bulk and form of existing buildings on the site and adjacent properties;</p> <p>(c) The bulk and form of existing buildings;</p> <p>(d) The apparent height when viewed from the adjoining road and public places; and</p> <p>(e) Any overshadowing of public places.</p>
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 Building height:</p> <p>(a) Within 10m of a General Residential Zone must not be more than 8.5m; or</p> <p>(b) Within 10m of an Inner Residential Zone must not be more than 9.5m.</p>	<p>P2 Building height within 10m of a General Residential Zone or Inner Residential Zone must be consistent with building height on the adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) Overlooking and reduction of privacy to adjoining properties; or</p> <p>(c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p>Comment Not applicable – no building proposed.</p>	

<p>15.4.2 Setbacks</p> <p>Objective: That building setback:</p> <p>(a) Is compatible with the streetscape;</p> <p>(b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones; and</p> <p>(c) Minimises opportunities for crime and anti-social behaviour through setback of buildings.</p>	
<p>Acceptable Solutions</p> <p>A1 Buildings must be:</p> <p>(a) Built to the frontage at ground level; or</p>	<p>Performance Criteria</p> <p>P1 Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <p>(a) Providing small variations in building alignment to break up long facades;</p>



<p>(b) Have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>	<p>(b) Providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping; (c) The avoidance of concealment spaces; (d) The ability to achieve passive surveillance; and (e) The availability of lighting.</p>
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 Building must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than: (a) 5m; or (b) Half the wall height of the building, whichever is the greater.</p>	<p>P2 Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to the adjoining property; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p>Comment Not applicable – no building proposed.</p>	
<p>A3 Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.</p>	<p>P3 Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to: (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of the sensitive use; and (d) Any proposed mitigation measures.</p>
<p>Comment Not applicable.</p>	

<p>15.4.3 Design</p>	
<p>Objective: That building facades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 New buildings must be designed to satisfy all of the following: (a) Mechanical plant and other service infrastructure, such as heat pumps, air conditioning, switchboards, hot water units and the like, must be screened from the street and other public places; (b) Roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof; (c) Not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and (d) Provide external lighting to illuminate external vehicle parking areas and pathways.</p>	<p>P1 New buildings must be designed to be compatible with the streetscape, having regard to: (a) Minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places; (b) Minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and (c) Providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</p>
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 New buildings or alterations to an existing façade must be designed to satisfy all of the following: (a) Provide a pedestrian entrance to the building that is</p>	<p>P2 New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to: (a) How the main pedestrian access to the building addresses the</p>



<p>visible from the road or publicly accessible areas of the site;</p> <p>(b) If for a ground floor level façade facing a frontage:</p> <p>(i) Have not less than 40% of the total surface area consisting of windows or doorways; or</p> <p>(ii) Not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</p> <p>(c) If for a ground level façade facing a frontage must:</p> <p>(i) Not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</p> <p>(ii) Not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</p> <p>(d) Provide awnings over a public footpath if existing on the site or on adjoining properties.</p>	<p>street or other public places;</p> <p>(b) Windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</p> <p>(c) Architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</p> <p>(d) Installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</p> <p>(e) The need for provision of awnings over a public footpath.</p>
<p>Comment Not applicable – no building proposed.</p>	

<p>15.4.4 Fencing</p>	
<p>Objective: That fencing:</p> <p>(a) Is compatible with the streetscape; and</p> <p>(b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 No Acceptable Solution.</p>	<p>P1 A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <p>(a) Its height, design, location and extent;</p> <p>(b) Its degree of transparency; and</p> <p>(c) The proposed materials and construction.</p>
<p>Comment Pedestrian barriers are proposed and could be considered a form of fencing. The pedestrian barriers are designed to contribute to the streetscape and is consistent with the performance criteria.</p>	
<p>A2 Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must:</p> <p>(a) Have a height above existing ground level of not more than 2.1m; and</p> <p>(b) Not contain barbed wire.</p>	<p>P2 Common boundary fences with a property in the General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) Their height, design, location and extent; and</p> <p>(b) The proposed materials and construction.</p>
<p>Comment Not applicable.</p>	

<p>15.4.5 Outdoor storage areas</p>	
<p>Objective: That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>



Comment

Not applicable.

15.4.6 Dwellings

Objective:

To provide adequate and useable private open space and storage for the needs of residents.

Acceptable Solutions

A1
A dwelling must have private open space that is not less than:
(a) 24m² with a minimum horizontal dimension of not less than 4m; or
(b) 8m² with a minimum dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.

Performance Criteria

P1
A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.

Comment

Not applicable.

A2

Each dwelling must be provided with a dedicated and secure storage space of no less than 6m³.

P2

Each dwelling must be provided with adequate storage space.

Comment

Not applicable.

15.5 Development Standards for Subdivision

15.5.1 Lot design

Comment

Not applicable – applies only to subdivision.

15.5.2 Services

Comment

Not applicable – applies only to subdivision.

26.0 Utilities Zone

26.1 Zone Purpose

The purpose of the Utilities Zone is:

26.1.1 To provide land for major utilities installations and corridors.

26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

Comment

The proposal complies with the zone purpose.

26.2 Use Table

Comment

Utilities, if not listed as No Permit Required is permitted use in the zone.

26.3 Use Standards

26.3.1 All uses

Objective:

That uses do not cause an unreasonable loss of residential amenity to residential zones.

Acceptable Solutions

A1
Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be

Performance Criteria

P1
Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to:



<p>within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>(a) The timing, duration or extent of vehicle movements; and</p> <p>(b) Noise, lighting or other emissions.</p>
<p>Comment Not applicable.</p>	
<p>A2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must:</p> <p>(a) Not operate within the hours of 11.00pm and 6.00am, excluding any security lighting; and</p> <p>(b) If for security lighting, be baffled so that direct light does not extend into the adjoining property.</p>	<p>P2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) The level of illumination and duration of lighting; and</p> <p>(b) The distance to habitable rooms of an adjacent dwelling.</p>
<p>Comment Not applicable.</p>	
<p>A3 Commercial vehicle movement and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) The time and duration of commercial vehicle movements;</p> <p>(b) The number and frequency of commercial vehicle movements;</p> <p>(c) The size of commercial vehicles involved;</p> <p>(d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) Any noise mitigation measures between the vehicle movement areas and sensitive use; and</p> <p>(f) Potential conflicts with other traffic.</p>
<p>Comment Not applicable.</p>	

26.3.2 Discretionary uses

Comment

Not applicable.

26.4 Development Standards for Buildings and Works

26.4.1 Building height

Objective:

To provide for a building height that:

- (a) Is necessary for the operation of the use; and
- (b) Minimises adverse impacts on adjoining properties and the visual character of the area.

Acceptable Solutions

A1

Building height must be not more than:

- (a) 10m; or
- (b) 15m if for a structure, such as a tower, pole or similar.

Performance Criteria

P1

Building height must:

- (a) Be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to:
 - (i) The bulk and form of the building;
 - (ii) Separation from existing buildings on adjoining properties; and
 - (iii) Any buffers created by natural or other features; and
- (b) Not unreasonably impact on the visual character of the area, having regard to:
 - (i) The topography of the site;



	(ii) Any existing vegetation; and (iii) Visibility from adjoining roads and public open space.
Comment Not applicable – no building proposed.	
A2 Building height, excluding a structure such as a tower, pole or similar: (a) Within 10m of an adjoining property in a General Residential Zone, Low Density Residential Zone or Rural Living Zone, must be not more than 8.5m; or (b) Within 10m of an adjoining property in an Inner Residential Zone, must be not more than 9.5m.	P2 Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must not cause an unreasonable loss of residential amenity, having regard to: (a) Compatibility with buildings on established properties in the adjoining zone; (b) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (c) Overlooking and reduction of privacy to adjoining properties; and (d) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
Comment Not applicable – no building proposed.	

26.4.2 Setbacks	
Objective: That building setbacks are: (a) Compatible with the character of the surrounding area; and (b) Does not cause an unreasonable loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria
A1 Buildings, excluding a structure such as a tower, pole or similar, must have a setback from all boundaries of not less than: (a) 5m; or (b) An existing building on the lot.	P1 Buildings, excluding a structure such as a tower, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) The topography of the site; (b) The size, shape and orientation of the site; (c) The setback of existing buildings on the site and on adjoining properties; (d) The bulk and form of proposed buildings; (e) Overlooking and reduction of privacy of dwellings on adjoining properties; (f) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and (g) Any existing screening or the ability to implement screening.
Comment Not applicable – no building proposed.	
A2 Air extraction, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone.	P2 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to: (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of adjoining sensitive uses; and (d) Any proposed or existing mitigation measures.
Comment Not applicable.	

26.4.3 Fencing	
Objective: That fencing: (a) Does not detract from the appearance of the site or surrounding area; and (b) Provides for passive surveillance.	



Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2m if the fence is solid; or (b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provides a uniform transparency of not less than 30%. 	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) The height, design, location and extent of the fence; (b) The degree of transparency; and (c) The proposed material and construction.
<p>Comment</p> <p>Not applicable.</p>	
<p>A2</p> <p>Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must:</p> <ul style="list-style-type: none"> (a) Have a height above existing ground level of not more than 2.1m; and (b) Not use barbed wire. 	<p>P2</p> <p>Common boundary fences with a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) The height, design, location and extent of the fence; and (b) The proposed materials and construction.
<p>Comment</p> <p>Not applicable.</p>	

26.4.4 Outdoor storage areas	
<p>Objective:</p> <p>That outdoor storage areas do not detract from the appearance of the site or surrounding area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1</p> <p>Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
<p>Comment</p> <p>Not applicable.</p>	

26.5 Development Standards for Subdivision
<p>26.5.1 Subdivision</p> <p>Comment</p> <p>Not applicable – applies only to subdivision.</p>

26.5.2 Services
<p>Comment</p> <p>Not applicable – applies only to subdivision.</p>

27.0 Community Purpose Zone
<p>27.1 Zone Purpose</p> <p>The purpose of the Community Purpose Zone is:</p> <p>27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.</p> <p>27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.</p> <p>Comment</p> <p>The proposal is consistent with the zone purpose.</p>

27.2 Use Table
<p>Comment</p> <p>Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an</p>



existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

27.3 Use Standards

27.3.1 Non-residential use

Objective:

That non-residential use does not cause an unreasonable loss of amenity to residential zones.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 8.00am to 8.00pm Monday to Friday; (b) 9.00am to 6.00pm Saturday; and (c) 10.00am to 5.00pm Sunday and public holidays. 	<p>P1</p> <p>Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use having regard to:</p> <ul style="list-style-type: none"> (a) The timing, duration or extent of vehicle movements; and (b) Noise, lighting or other emissions.
<p>Comment</p> <p>Not applicable.</p>	
<p>A2</p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must:</p> <ul style="list-style-type: none"> (a) Not operate between 9.00pm and 6.00am, excluding any security lighting; and (b) If for security lighting, must be baffled so that direct light does not extend into the adjoining property. 	<p>P2</p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, within 50m of a General Residential Zone, Inner Residential Zone, and Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The level of illumination and duration of lighting; and (b) Distance to habitable rooms of an adjacent dwelling.
<p>Comment</p> <p>Not applicable.</p>	
<p>A3</p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not operate between 9.00pm and 6.00am.</p>	<p>P3</p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <ul style="list-style-type: none"> (a) The necessity of floodlighting for the Sports and Recreation use; (b) The frequency of the Sports and Recreation event; (c) Whether the event is of a special nature; (d) The duration of the event; and (e) Any lighting required to set up and pack up for the event.
<p>Comment</p> <p>Not applicable.</p>	
<p>A4</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 6.00pm Monday to Friday; and 	<p>P4</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Service, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone having regard to:</p> <ul style="list-style-type: none"> (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements;



(b) 9.00am to 5.00pm Saturday, Sunday and public holidays.	(c) The size of commercial vehicles involved; (d) Manoeuvring by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) The existing levels of amenity.
<p>Comment Not applicable.</p>	

<p>27.4 Development Standards for Buildings and Works</p>	
<p>27.4.1 Building height</p>	
<p>Objective: That building height: (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of amenity to adjoining residential properties.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Building height must be not more than 10m.</p>	<p>P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) The topography of the site; (b) The height, bulk and form of existing buildings on the site and adjacent properties; (c) The bulk and form of proposed buildings; (d) The apparent height when viewed from the road and public places; (e) Any overshadowing of adjoining properties or public places; and (f) The need to locate the building on the site.</p>
<p>Comment Not applicable – no building proposed.</p>	

<p>27.4.2 Setback</p>	
<p>Objective: That building setback: (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Buildings must have a setback from a frontage of: (a) Not less than 5m; or (b) Not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, Whichever is the lesser.</p>	<p>P1 Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to: (a) The topography of the site; (b) The setbacks of buildings on adjacent properties; (c) The height, bulk and form of existing and proposed buildings; and (d) The safety of road users.</p>
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than: (a) 3m; or (b) Half the wall height of the building, whichever is the greater.</p>	<p>P2 Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p>Comment Not applicable – no building proposed.</p>	
<p>A3</p>	<p>P3</p>



<p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone.</p>	<p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of adjoining sensitive uses; and (d) Any proposed mitigation measures.
<p>Comment Not applicable.</p>	

<p>27.4.3 Fencing</p>	
<p>Objective: That fencing:</p> <ul style="list-style-type: none"> (a) Is compatible with the streetscape; and (b) Provides for passive surveillance. 	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1 A fence (including a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> (a) Provide for security and privacy while allowing for passive surveillance of the road; and (b) Be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> (h) its height, design, location and extent; (i) the topography of the site; and (j) traffic volumes on the adjoining road.
<p>Comment Not applicable.</p>	

<p>27.4.4 Outdoor storage areas</p>	
<p>Objective: That outdoor storage areas do not detract from the appearance of the site or surrounding area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
<p>Comment Not applicable.</p>	

<p>27.5 Development Standards for Subdivision</p> <p>27.5.1 Lot design</p> <p>Comment Not applicable – applies only to subdivision.</p>
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<p>27.5.2 Services</p> <p>Comment Not applicable – applies only to subdivision.</p>

The application will meet all the requirements of the Exemptions 4.0 (4.2.4, 4.2.5 and 4.2.7).

<p>29.0 Open Space Zone</p> <p>29.1 Zone Purpose</p> <p>The purpose of the Open Space Zone is:</p> <ul style="list-style-type: none"> 29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity. 29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses. <p>Comment The proposal is consistent with the zone purpose.</p>



29.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

29.3 Use Standards

29.3.1 Discretionary uses

Comment

Not applicable.

29.4 Development Standards for Buildings and Works

29.4.1 Building height, setback and siting

Objective:

That building bulk, setback and siting:

- (a) Is compatible with the streetscape;
- (b) Does not cause unreasonable loss of amenity to adjacent properties;
- (c) Respects the natural and landscape values of the site; and
- (d) Minimises opportunities for crime and anti-social behaviour through setback of buildings.

Acceptable Solutions

Performance Criteria

A1

Building height must be not more than 10m.

P1

Building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:

- (a) The topography of the site;
- (b) The height, bulk and form of existing buildings on the site and adjacent properties;
- (c) The bulk and form of proposed buildings;
- (d) The requirements of the proposed use;
- (e) Sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;
- (f) The privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and
- (g) Any overshadowing of adjacent public places.

Comment

Not applicable – no building proposed.

A2

Buildings must have a setback from a frontage of:

- (a) Not less than 5m; or
 - (b) Not more or less than the maximum and minimum setbacks of the buildings on adjoining properties,
- Whichever is the lesser.

P2

Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:

- (a) Providing small variations in building alignment to break up long building facades;
- (b) Providing variations in building alignment to provide a forecourt or space for public use, such as outdoor dining or landscaping;
- (c) The avoidance of concealment spaces;
- (d) The ability to achieve passive surveillance; and
- (e) The availability of lighting.

Comment

Not applicable – no building proposed.

A3

Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:

- (a) 3m; or
- (b) Half the wall height of the building,

P3

Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:

- (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;
- (b) Overlooking and reduction of privacy of adjoining properties; or
- (c) Visual impacts caused by the apparent scale, bulk or proportions of the building



Whichever is the greater.	when viewed from the adjoining property.
Comment Not applicable – no building proposed.	
A4 Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.	P4 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to: (a) The characteristics and frequency of any emissions generated; (b) The nature of the proposed use; (c) The topography of the site; and (d) Any mitigation measures proposed.
Comment Not applicable.	

29.4.2 Outdoor storage areas	
Objective: That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.	P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Comment Not applicable.	

29.5 Development Standards for Subdivision
29.5.1 Lot design
Comment Not applicable – applies only to subdivision.
The application will meet all the requirements of the Exemptions 4.0 (4.2.4, 4.2.5 and 4.2.7).

CODES	
C1.0 Signs Code	N/a
C2.0 Parking and Sustainable Transport Code	Complies, see code assessment below.
C3.0 Road and Railway Assets Code	N/a
C4.0 Electricity Transmission Infrastructure Protection Code	N/a
C.5.0 Telecommunications Code	N/a
C6.0 Local Historic Heritage Code	Complies, see code assessment below.
C7.0 Natural Assets Code	N/a
C8.0 Scenic Protection Code	N/a
C9.0 Attenuation Code	N/a
C10.0 Coastal Erosion Hazard Code	N/a
C11.0 Coastal Inundation Hazard Code	N/a
C12.0 Flood-Prone Areas Hazard Code	N/a
C13.0 Bushfire-Prone Areas Code	N/a
C14.0 Potentially Contaminated Land Code	N/a
C15.0 Landslip Hazard Code	N/a
C16.0 Safeguarding of Airports Code	Exempt in accordance with C16.4.1, development not more than 230m AHD.

C2.0 Parking and Sustainable Transport Code
C2.1 Code Purpose
The purpose of the Parking and Sustainable Transport Code is: C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.



- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
- C2.1.6 To provide for parking precincts and pedestrian priority streets.

Comment

The proposal complies with the Code Purpose.

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective:

That an appropriate level of car parking spaces are provided to meet the needs of the use.

Acceptable Solutions

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 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; or
- (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 the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

Performance Criteria

P1.1

The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

- (a) the availability of off-street public car parking spaces within reasonable walking distance of the site;
- (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) the availability and frequency of other transport alternatives;
- (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (f) 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;
- (g) the effect on streetscape; and
- (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

P1.2

The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

- (a) the nature and intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and
- (c) the pattern of parking in the surrounding area.

Comment

Complies with A1, no parking requirements set for Utilities use.

C2.5.2 Bicycle parking numbers

Objective:

That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Acceptable Solutions

A1

Performance Criteria

P1



Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.	Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.
Comment Complies with A1, no parking requirements set for Utilities use.	

C2.5.3 Motorcycle parking numbers	
Objective: That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.
Comment Not applicable.	

C2.5.4 Loading Bays	
Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
Comment Not applicable.	

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	
Objective: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.	
Acceptable Solutions	Performance Criteria
A1	P1



<p>Within existing non-residential buildings in the General Residential Zone and Inner 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 specified in the relevant Acceptable Solution for the relevant zone.</p>	<p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to:</p> <p>(a) car parking demand generated by the proposed use during its proposed hours of operation;</p> <p>(b) the availability of on-street and public car parking in the surrounding area;</p> <p>(c) the availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) the availability and likely use of other modes of transport;</p> <p>(e) the availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any relevant parking plan for the area adopted by council;</p> <p>(i) any existing on-street car parking restrictions; and</p> <p>(j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</p>
<p>Comment Not applicable.</p>	

<p>C2.6 Development Standards for Buildings and Works C2.6.1 Construction of parking areas</p>	
<p>Objective: That parking areas are constructed to an appropriate standard.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>
<p>Comment Complies with A1. All on-street car parking is proposed to be appropriately sealed, levelled and drained and feature line marking to delineate car spaces.</p>	

<p>C2.6.2 Design and layout of parking areas</p>	
<p>Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p style="margin-left: 20px;">(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p style="margin-left: 20px;">(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p style="margin-left: 20px;">(iii) have an access width not less than the requirements in Table</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p>



<p>C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890-Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.¹</p> <p>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>	<p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>
<p>Comment Complies with A1.1 and A1.2 where relevant.</p>	

<p>C2.6.3 Number of accesses for vehicles</p>	
<p>Objective: That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>	
<p>Acceptable Solutions</p> <p>A1 The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>Performance Criteria</p> <p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>
<p>Comment Not applicable.</p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p style="padding-left: 40px;">(i) pedestrian safety and amenity; or</p> <p style="padding-left: 40px;">(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>
<p>Comment Not applicable.</p>	

<p>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</p>	
<p>Objective: That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are</p>	



used outside daylight hours, are provided with lighting to a standard which:

- (a) enables easy and efficient use;
- (b) promotes the safety of users;
- (c) minimises opportunities for crime or anti-social behaviour; and
- (d) prevents unreasonable light overspill impacts.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> (a) enabling easy and efficient use of the area; (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles; (c) minimising opportunities for crime or anti-social behaviour though the creation of concealment spaces; (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and (e) the hours of operation of the use.
<p>Comment Not applicable.</p>	

C2.6.5 Pedestrian access

Objective:

That pedestrian access within parking areas is provided in a safe and convenient manner.

Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1</p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety.
<p>Comment Not applicable.</p>	

C2.6.6 Loading bays

Objective:

That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of</p>	<p>P1</p> <p>Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <ul style="list-style-type: none"> (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site;



vehicles likely to use the site.	(f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.
Comment Not applicable.	
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 - Off-street commercial vehicle facilities.	P2 Access for commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.
Comment Not applicable.	

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	
Objective: That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.	
Acceptable Solutions	Performance Criteria
A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.	P1 Bicycle parking must be provided in a safe, secure and convenient location, having regard to: (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites.
Comment Not applicable.	
A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (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 (c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.	P2 Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to: (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.
Comment Not applicable.	

C2.6.8 Siting of parking and turning areas	
Objective: That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria



<p>A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>P1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.</p>
<p>Comment Not applicable.</p>	
<p>A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.</p>	<p>P2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to: (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and (c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.</p>
<p>Comment Not applicable.</p>	

<p>C2.7 Parking Precinct Plan C2.7.1 Parking precinct plan</p>	
<p>Objective: To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.</p>	
<p>Acceptable Solutions</p> <p>A1 Within a parking precinct plan, on-site car parking must: (a) not be provided; or (b) not be increased above existing parking numbers.</p>	<p>Performance Criteria</p> <p>P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to: (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: (i) variations in parking demand over time; or (ii) efficiencies gained by consolidation of parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (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) the streetscape; (g) the topography of the site; (h) the location of existing buildings on the site; (i) any constraints imposed by existing development; and (j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</p>
<p>Comment</p>	



Not applicable.

C6.0 Local Historic Heritage Code

C6.1 Code Purpose

The purpose of Local Historic Heritage Code is:

C6.1.1 To recognise and protect:

- (a) The local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and
- (b) Significant trees.

C6.1.2 This code does not apply to the Aboriginal heritage values.

Comment

Complies with the Code Purpose.

C6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts

C6.7.1 Demolition within a local heritage precinct

Objective: That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.

Acceptable Solutions

A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must:

- (a) Not be on a local heritage place;
- (b) Not be visible from any road or public open space; and
- (c) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.

Performance Criteria

P1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to:

- (a) The physical condition of the building, works, structure or trees;
- (b) The extent and rate of deterioration of the building, works, structure or trees;
- (c) The safety of the building, works, structure or trees;
- (d) The streetscape in which the building, works, structure or trees is located;
- (e) The special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule;
- (f) Any options to reduce or mitigate deterioration;
- (g) Whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and
- (h) Any economic considerations.

Comment

Not applicable.

C6.7.2 Demolition within a local historic landscape precinct

Not applicable.

C6.7.3 Buildings and works, excluding demolition

Objective: That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.

Acceptable Solutions

A1 Within a local heritage precinct, building and works, excluding demolition, must:

- (d) Not be on a local heritage place;
- (e) Not be visible from any road or public open space; and
- (f) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.

Performance Criteria

P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage plan of an architectural style different from that characterising the precinct, having regard to:

- (a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;
- (b) The character and appearance of the surrounding area;
- (c) The height and bulk of other buildings in the surrounding area;
- (d) The setbacks of other buildings in the surrounding area; and
- (e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.

P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:

- (a) The streetscape or townscape values identified in the local historic heritage significance



	<p>of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <ul style="list-style-type: none"> (b) The character and appearance of the surrounding area; (c) The height and bulk of other buildings in the surrounding area; (d) The setbacks of other buildings in the surrounding area; and (e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule. <p>P1.3 Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to:</p> <ul style="list-style-type: none"> (a) The landscape values identified in the statement of local historic heritage significance for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and (b) Any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.
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Comment

Proposal complies with P1.1. The proposed works appear to have been carefully considered, to ensure that they respect and enhance the historic heritage character of the streets and townscape. The existing conditions are tired and generally uncoordinated. Care has been taken to protect all existing significant trees and landscape values.

The proposed roadworks is guided by safety standards for pedestrians and cars.

All materials and landscape elements are considered acceptable to be sympathetic with the historic heritage character of the streets.

P1.2 and P1.3 – not applicable.

<p>A2 Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.</p>	<p>P2 Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> (a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) Height, form, style and materials of the proposed fence; and (c) The style, characteristics and setbacks of fences and gates in the surrounding area.
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Comment

Not applicable. No new front fences are proposed, however pedestrian barriers at intersections have been proposed for added safety, these are to be black in colour and the design will not detract away from the surrounding buildings or precinct.

C6.8 – Not applicable.

C6.9 Significant Trees

C6.9.1 Significant Trees

Objective: That significant trees are not unnecessarily destroyed and are managed in a way that maintains their health, structural stability and appearance.

Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1 Works involving construction, soil disturbance or soil compaction within the tree protection zone of a significant tree must not impact the health and appearance of the tree, and be supported by a written statement to that effect prepared by a suitably qualified person.</p>

Comment

Proposal complies with P1. Six heritage *Fraxinus* 'Raywood' (Claret Ash) are located the existing pavement of the road.

A Tree Impact Assessment prepared by ENSPEC Environment and Risk accompanied the application. The report considered that the proposed civil works do pose a significant risk of damage to these trees; however, it is considered that if well planned and carefully executed as described in the report, the proposal will ultimately enhance the growing environment for these trees.

There are three primary concerns with regard to the works and their potential impact on the trees-

1. Excavation of the carriageway side of the trees to lower the road profile and install new kerb;
2. Removal of the existing pavement; and
3. Damage to the trunk or crown from incidental impacts.

Demolition of the existing pavement and excavation associated with the project will result in previously covered roots of the trees being exposed to the open elements.

Exposure of the tree's roots should be avoided in hot weather, therefore, summer works should be avoided. Ideally the works should occur when the trees are dormant following leaf fall in early autumn.



With minor design changes, if well planned and carefully executed in accordance with recommendations of the Tree Impact Assessment, the proposal project will ultimately enhance the growing environment for these trees.

A2 No Acceptable Solution.	P2 Works requiring the removal of a listed tree or which may impact on the health, structure stability or appearance of a listed tree must demonstrate: <ul style="list-style-type: none"> (a) That there are no feasible alternatives which could be implemented to avoid impacting on the tree and the proposed methodology of the works incorporates measures to minimise and mitigate any damage to the tree; and (b) There are environmental, economic or safety reasons of greater value to the community than the cultural significance of the tree; or (c) The tree is determined to be dead or dying based on a written statement to that effect prepared by a suitably qualified person.
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Comment

Not applicable, no trees are proposed to be removed.

C6.10 – Not applicable.

NOR-Table C6.2 Local Heritage Precincts

NOR-C6.2.1 Campbell Town

The Campbell Town Heritage Precinct is unique because it is the core a substantially intact nineteenth century townscape, with its significant built fabric, and its atmosphere of a traditional resting place on the main road between the north and south. Its wide main street, historic buildings and resting places for travellers all contribute to its unique character. High Street has remained as the main commercial focus for the town, continuing to serve the needs of residents, visitors and the agricultural community. The War Memorial to the north marks the approach to the business area which terminates at the historic bridge over the Elizabeth River; a significant landscape feature. Traditional buildings in the Precinct include impressive examples of colonial architecture. The historic Valentine’s Park is the original foreground for ‘The Grange’ and provides a public outdoor resting place for visitors and locals at the heart of the town. Campbell Town’s heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.

PARTICULAR PURPOSE ZONES

NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS

NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Applies, no provisions apply to the proposal.
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS

7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Complies.
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable



4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that no representations were received.

4.8 Objectives of the *Land Use Planning and Approvals Act 1993*

The proposal is consistent with the objectives of the *Land Use Planning and Approvals Act 1993*.

4.9 State Policies

The proposal is consistent with all State Policies.

4.10 Strategic Plan/Annual Plan/Council Policies

Strategic Plan - Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

Approve subject to conditions or refuse and state reasons for refusal.

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on performance criteria P1 clause 15.4.4, fencing (pedestrian barriers) within the General Business Zone;
- Reliance on performance criteria of the Local Historic Heritage Code – works within a Heritage Precinct & proximity of works to Significant Trees.

Conditions that relate to any aspect of the application can be placed on a permit.

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

1. Application form [11.4.1 - 1 page]
2. Response to Request for Crown Landowner Consent - Trent Atkinson - High Street Campbell Town - FINAL [11.4.2 - 2 pages]
3. Plans (P 1- P 58) [11.4.3 - 58 pages]
4. Landscape Plans (P 59- P 60) [11.4.4 - 2 pages]
5. D 1 Campbell Town Traffic Analysis [11.4.5 - 2 pages]
6. D 2 Campbell Town Main Street Planning Submission [11.4.6 - 11 pages]
7. D 3 ENSPEC - Tree Impact Assessment High St Campbell Town 20230919 [11.4.7 - 23 pages]
8. DSG response to referral [11.4.8 - 1 page]
9. THC determination - No Interest [11.4.9 - 1 page]
10. SPAN TWDA 2023-01435- MVC [11.4.10 - 3 pages]



11.5 PLN23-0169: PERTH STREETScape PROJECT

File: *PLN23-0169*
Responsible Officer: *Des Jennings, General Manager*
Report prepared by: *Rebecca Green, Consultant Planner*

RECOMMENDATION

That application PLN-23-0169 to develop and use the land located at Main Road (between Mary Street and Old Bridge Road), Perth for with minor works into Little Mulgrave St, Mary St, Elizabeth St, King St, Fairtlough St, Frederick St, Scone St, Talisker St, Clarence St, Drummond St, Old Punt Rd & Old Bridge Rd for Perth Streetscape/Roadworks Project (Heritage Precinct) be approved subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents **P1 – P29, D1** and **D2** as follows, except as varied by Condition 2:

- **P1** - (Cover Sheet, rare., Project No: 221032, Drawing No: COV, Rev: A, Dated: 31-08-23);
- **P2** - (Staging & Sheet Plan, rare., Project No: 221032, Drawing No: C400, Rev: A, Dated: 31-08-23);
- **P3-P10** - (Site Works Plan, rare., Project No: 221032, Drawing No: C401-C408, Rev: A, Dated: 31-08-23);
- **P11-P18** - (Site Services Plan, rare., Project No: 221032, Drawing No: C501-C508, Rev: A, Dated: 31-08-23);
- **P19** - (Typical Civil Sections, rare., Project No: 221032, Drawing No: C701, Rev: A, Dated: 31-08-23);
- **P20-P21** - (Civil Sections & Details, rare., Project No: 221032, Drawing No: C711-C712, Rev: A, Dated: 31-08-23);
- **P22-P23** - (Sweep Path Plans, rare., Project No: 221032, Drawing No: C801-C802, Rev: A, Dated: 31-08-23);
- **P24-P29** - (Perth Streetscape Redevelopment, Lange Design, Sheet No's: 1-6, Dated: 30 August 2023);
- **D1** - (Planning Submission Statement, Northern Midlands Council, Dated: 13th September 2023, Rev: B); and
- **D2** - (Traffic Comment including Crash Stats, Andrew Howell, Dated: Sept 2023, Rev: B).

2 Amended Plans

Prior to the commencement of works, amended plans must be submitted to the satisfaction of Council's General Manager showing:

- a) Removal of a single tree outside of 5 Scone Street and footpath re-alignment on the Scone Street frontage of 5 Scone Street to the back side of the kerb;
- b) Removal of a single tree outside 2 Scone Street on the Main Road frontage where it conflicts with the school zone speed sign.

3 Council's Works Department conditions

3.1 Engineering Plans

- a) Prior to the commencement of any works, detailed engineering plans by a certified engineer, to the approval of Council's Works Manager must be lodged with Council.
- b) The plans must include:
 - An engineering design of the road including pavement long sections and cross sections.
 - An engineering design of the drainage system including calculations.

3.2 Roadworks

- a) All road works must be carried out in accordance with the LGAT standard drawings.
- b) All seal works must be asphalt.

3.3 Works on Council Infrastructure

The applicant must complete a Council Road Opening Permit prior to constructing any infrastructure in the road reserve which will become Council responsibility including kerb and channel, footpaths and stormwater. Works must not commence until the permit has been approved by Council.



4 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2023/01333-NMC) – *attached at Appendix A.*

5 Department of State Growth condition

Prior to commencement of the use, plans showing all works (drainage, sewer, water, power and communications etc.) and general construction works to be undertaken in the road reservation must be submitted to the Department of State Growth for review and acceptance as part of applications for service works and access works permits, see Note 1.

NOTE 1: A valid works permit is required for all works undertaken in the State road (High Street) reservation. Details of the permit process and application forms can be found at:

www.transport.tas.gov.au/road_permits/permits_and_bookings/general_works_pathways_stock_underpass.

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

6 Tasmanian Heritage Council Requirements

The proposed development must comply with the advice of the Tasmanian Heritage Council Notice of No Interest (Reference #8273, File No. 10-91-88 THC, 26 September 2023) – *attached as Appendix B.*

7 Dilapidation Report

Prior to any development commencing, a Dilapidation Report is to be prepared and submitted to the approval of the General Manager detailing the existing condition of adjoining buildings which abut the road reservation.

8 Street Tree Species Selection

Final tree selection must be to be approval of Council's Works Manager to ensure consistency with the area and must consider ongoing maintenance requirements.

Note: At least one customer pedestrian access must be available to each business during the respective business's normal business hours. Temporary alternative footpath access to businesses must be made available when footpath works are being undertaken.

1 INTRODUCTION

This report assesses an application for Perth Streetscape/Roadworks Project (Heritage Precinct) at Main Road (between Mary Street and Old Bridge Road), Perth to with minor works into Little Mulgrave St, Mary St, Elizabeth St, King St, Fairtlough St, Frederick St, Scone St, Talisker St, Clarence St, Drummond St, Old Punt Rd & Old Bridge Rd.

2 BACKGROUND

Applicant:

Northern Midlands Council

Owner:

Department of State Growth
Northern Midlands Council

Zone:

8.0 General Residential
15.0 General Business
26.0 Utilities
29.0 Open Space

Codes:

C2.0 Parking and Sustainable Transport Code
C6.0 Local Historic Heritage Code
C16.0 Safeguarding of Airports Code
NOR-S7.0 Perth Specific Area Plan

Classification under the Scheme:

Utilities

Existing Use:

Utilities



Expiry Date:
24 November 2023

Recommendation:
Approve

Discretionary Aspects of the Application:

- Reliance on performance criteria P1 clause 15.4.4, fencing (pedestrian barriers) within the General Business Zone;
- Reliance on performance criteria of the Local Historic Heritage Code – works within a Heritage Precinct

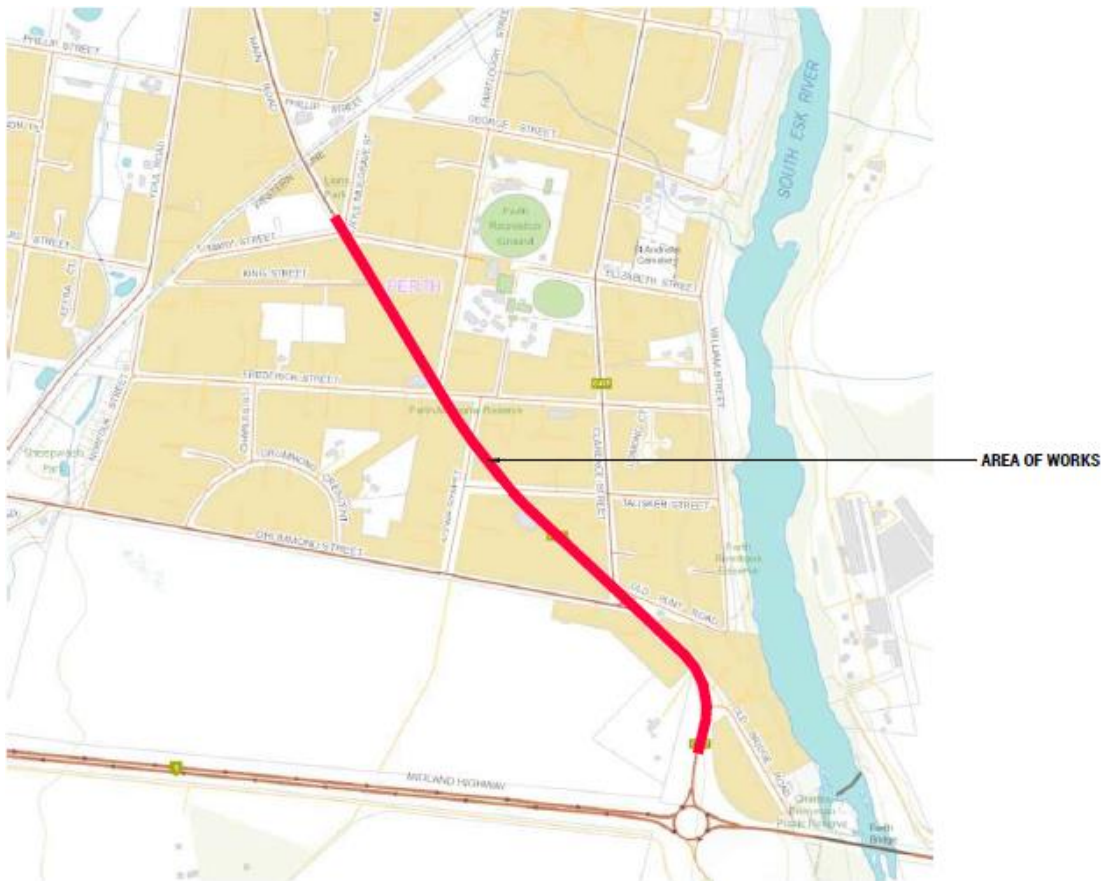
Planning Instrument:

- *Tasmanian Planning Scheme – Northern Midlands Version No: 5, Effective Date: 10th May 2023.*

Preliminary Discussion:

Prior to the application becoming being placed on public exhibition, the applicant held discussion with Council officers.

Subject Site



3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

It is proposed to undertake the following as part of the Perth Streetscape/Roadworks Project:



- Kerb extension
- Bicycle treatments
- Pedestrian barriers and bollards
- Street furniture
- Rain gardens for stormwater filtration
- Garden beds within kerb build-outs and along footpaths
- Interpretation signage
- Replacement kerb in areas
- Side street threshold surface treatments
- New concrete pavement to footpaths
- New pedestrian nodes with island refuge
- Pavement drainage

The Perth design is to enhance the visual amenity of the streetscape and to provide a safer environment for pedestrians of all ages and mobility. Key aspects of the design focus on reducing the amount of hardstand at each intersection by incorporating kerb build-outs, and to add greenery in the form of low planting and street furniture. Rain gardens are also proposed for the kerb build-outs to harvest stormwater and provide a low level of filtration before the run-off re-enters the stormwater pipe network.

Proposed kerb build-outs will provide safer pedestrian crossing nodes by reducing the amount of exposed roadway that a person has to cross, without reducing the actual width of the carriageway. By reducing this hardstand area, and maintaining the existing carriageway width, drivers are encouraged to slow down to allow them to navigate safely through the intersections.

Other aspects of the design include upgrading damaged kerb and channeling and providing consistent and themed pedestrian concrete pavement treatments throughout.

Proposed street furniture will include custom made drink fountains, bollards, bike racks, pedestrian barriers, litter bins and interpretation signage frames. The general theme of the street furniture will be based on the post members that will feature a low pyramid chamfered top with a recessed band below. Satin black is the proposed colour to ensure the items are visible but do not clash with the heritage fabric of the adjoining buildings. Pedestrian barriers are proposed for kerb build-outs to clearly define the pedestrian crossing noised to add to pedestrian safety, and to provide visual encouragement for drivers to slow down.

Interpretation signage is proposed for key areas and intersections along the streetscape that focus on the historical features, stories, and characters of Perth. The actual graphic design and wording of these interpretation signs will be a separate project within itself.

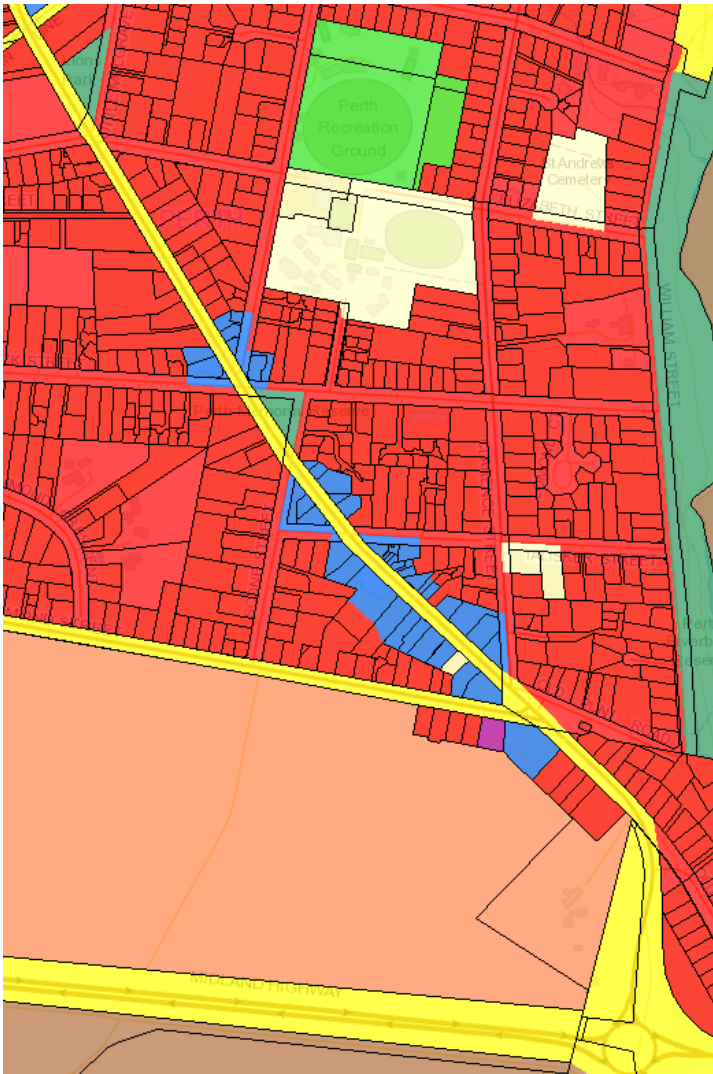
Concept Plan





4.2 Zone and Land Use

Zone Map



The land within Main Road is zoned Utilities with minor works proposed in the side streets within the General Residential Zone, General Business and Open Space zones.

The relevant Planning Scheme definition is:

<i>utilities</i>	<i>means use of land for utilities and infrastructure including:</i> <i>(a) Telecommunications;</i>
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- (b) Electricity generation;
 - (c) Transmitting or distributing gas, oil, or electricity;
 - (d) Transport networks;
 - (e) Collecting, treating, transmitting, storing or distributing water; or
 - (f) Collecting, treating, or disposing of storm or floodwater, sewage, or sullage.
- Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam or weir.*

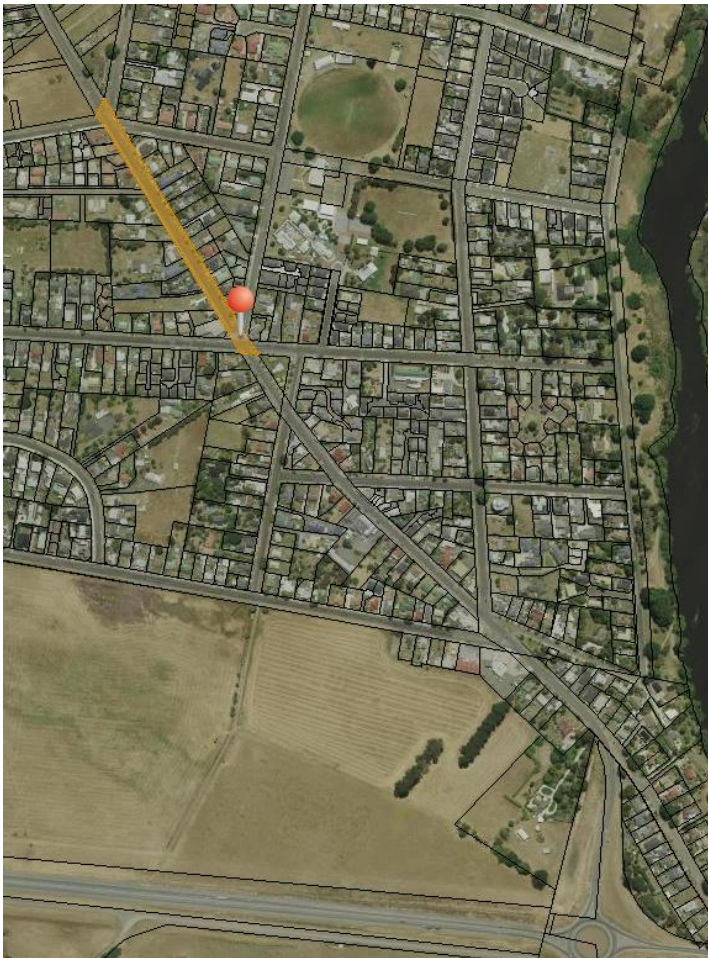
Utilities is a no permit required use within the Utilities zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use in the General Residential Zone, General Business Zone and the Open Space Zone, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status within these zones.

The site's location within the Heritage Precinct caused the application to become discretionary.

4.3 Subject Site and Locality

A site inspection was undertaken on 22nd September 2023. The works are proposed in Main Road between Mary Street and Old Bridge Road and includes minor works into Little Mulgrave Street, Mary Street, Elizabeth Street, King Street, Fairtlough Street, Frederick Street, Scone Street, Talisker Street, Clarence Street, Drummond Street, Old Punt Road and Old Bridge Road. The site is presently road infrastructure and associated items including vehicle parking and street furniture.

Aerial photograph of area





Photographs of subject site











4.4 Permit/Site History

There is no relevant site history.

4.5 Referrals

The following referrals were required:

Council's Works Department

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 27th September 2023 and their recommended conditions are included in the conditions of approval.

TasWater

TasWater issued a Submission to Planning Authority Notice on 28th September 2023 (TasWater Ref: TWDA 2023/01333-NMC).

Heritage Advisor

Council's Heritage Advisor, David Denman, advised on 12th October 2023 that he has no objections to the proposal and his comments form part of the Heritage Code assessment of this report.

Tasmanian Heritage Council

The THC issued a Notice of No Interest on 26th September 2023 (Ref: 10-91-88THC). A Planning Permit will condition the development to be in accordance with the Notice of No Interest.
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Department of State Growth

The Department advised Council on 9th October 2023 that they have no objection to the proposal but note that there is road construction activity in the State road reservation and request a condition and note be placed on any planning permit issued.
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4.6 Planning Scheme Assessment

8.0 General Residential Zone

8.1 Zone Purpose

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:
 - (a) primarily serves the local community; and
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Comment

The proposal is consistent with the zone purpose.

8.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

8.3 Use Standards

8.3.1 Discretionary uses

Comment

Not applicable.

8.3.2 Visitor Accommodation

Comment

Not applicable.

8.4 Development Standards for Dwellings

Comment

Not applicable.

8.5 Development Standards for Non-dwellings

8.5.1 Non-dwelling development

Objective:

That all non-dwelling development:

- (a) Is compatible with the character, siting, apparent scale, bulk, massing and proportion of residential development; and
- (b) Does not cause an unreasonable loss of amenity on adjoining residential properties.

Acceptable Solutions

A1

A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:

- (a) If the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;
- (b) If the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or
- (c) If for a vacant site and there are existing dwellings on adjoining

Performance Criteria

P1

A building that is not a dwelling, excluding for Food Services and local shop, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.



<p>properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street.</p>	
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) Be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> (i) A distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (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 or rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) Only have a setback less than 1.5m from a side or rear boundary if the building: <ul style="list-style-type: none"> (i) Does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) Does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser). 	<p>P2 The siting and scale of a building that is not a dwelling must:</p> <ul style="list-style-type: none"> (a) Not cause an unreasonable loss of amenity, having regard to: <ul style="list-style-type: none"> (i) Reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property; (ii) Overshadowing the private open space of a dwelling on an adjoining property; (iii) Overshadowing of an adjoining vacant property; and (iv) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and (b) Provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.
<p>Comment Not applicable – no building proposed.</p>	
<p>A3 A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) A site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) A site area of which not less than 35% is free from impervious surfaces. 	<p>P3 A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) Site coverage consistent with that existing on established properties in the area; and (b) Reasonable space for the planting of gardens and landscaping.
<p>Comment Not applicable – no building proposed.</p>	
<p>A4 No Acceptable Solution.</p>	<p>P4 A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> (a) Provide for security and privacy while allowing for passive surveillance of the road; and (b) Be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) The topography of the site; and (ii) Traffic volumes on the adjoining road.
<p>Comment Not applicable.</p>	
<p>A5 Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <ul style="list-style-type: none"> (a) Be visible from any road or public open space adjoining the site; and (b) Encroach upon parking areas, driveways or landscaped areas. 	<p>P5 Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> (a) The nature of the use; (b) The type of goods, materials or waste to be



	<p>stored;</p> <p>(c) The topography of the site; and</p> <p>(d) Any screening proposed.</p>
<p>Comment Not applicable.</p>	
<p>A6 Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.</p>	<p>P6 Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <p>(a) The characteristics and frequency of any emissions generated;</p> <p>(b) The nature of the proposed use;</p> <p>(c) The topography of the site and location of the sensitive use; and</p> <p>(d) Any mitigation measures proposed.</p>
<p>Comment Not applicable.</p>	
<p>8.5.2 Non-residential garages and carports</p>	
<p>Comment Not applicable.</p>	
<p>8.6 Development Standards for Subdivision</p>	
<p>8.6.1 Lot design</p>	
<p>Comment Not applicable – applies only to subdivision.</p>	
<p>8.6.2 Roads</p>	
<p>Comment Not applicable – applies only to subdivision.</p>	
<p>8.6.3 Services</p>	
<p>Comment Not applicable – applies only to subdivision. The application will meet all the requirements of the Exemptions 4.0 (4.2.4, 4.2.5 and 4.2.7).</p>	
<p>15.0 General Business Zone</p>	
<p>15.1 Zone Purpose</p>	
<p>The purpose of the General Business Zone is:</p> <p>15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania’s main suburban and rural centres.</p> <p>15.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.</p> <p>15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.</p> <p>15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.</p>	
<p>Comment The proposal is consistent with the zone purpose.</p>	
<p>15.2 Use Table</p>	
<p>Comment Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.</p>	



15.3 Use Standards	
15.3.1 All uses	
Objective: That uses do not cause an unreasonable loss of amenity to residential zones.	
Acceptable Solutions	Performance Criteria
A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to: (a) The timing, duration or extent of vehicle movements; and (b) Noise, lighting or other emissions.
Comment Not applicable.	
A2 External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must: (a) Not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) If for security lighting, must be baffled so that direct light does not extend into the adjoining property in those zones.	P2 External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) The level of illumination and duration of lighting; and (b) The distance to habitable rooms of an adjacent dwelling.
Comment Complies with A2, any proposed external lighting would be for security and safety purposes.	
A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within eh hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) Potential conflicts with other traffic.
Comment Not applicable.	
15.3.2 Discretionary uses	
Comment Not applicable.	
15.3.3 Retail impact	
Comment Not applicable.	



15.4 Development Standards for Building and Works	
15.4.1 Building height	
Objective: That building height: (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 12m.	P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) The topography of the site; (b) The height, bulk and form of existing buildings on the site and adjacent properties; (c) The bulk and form of existing buildings; (d) The apparent height when viewed from the adjoining road and public places; and (e) Any overshadowing of public places.
Comment Not applicable – no building proposed.	
A2 Building height: (a) Within 10m of a General Residential Zone must not be more than 8.5m; or (b) Within 10m of an Inner Residential Zone must not be more than 9.5m.	P2 Building height within 10m of a General Residential Zone or Inner Residential Zone must be consistent with building height on the adjoining properties and not cause an unreasonable loss of residential amenity, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
Comment Not applicable – no building proposed.	
15.4.2 Setbacks	
Objective: That building setback: (a) Is compatible with the streetscape; (b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones; and (c) Minimises opportunities for crime and anti-social behaviour through setback of buildings.	
Acceptable Solutions	Performance Criteria
A1 Buildings must be: (a) Built to the frontage at ground level; or (b) Have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	P1 Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to: (a) Providing small variations in building alignment to break up long facades; (b) Providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping; (c) The avoidance of concealment spaces; (d) The ability to achieve passive surveillance; and (e) The availability of lighting.
Comment Not applicable – no building proposed.	
A2 Building must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than: (a) 5m; or (b) Half the wall height of the building, whichever is the	P2 Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to the adjoining property; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building



greater.	when viewed from the adjoining property.
Comment Not applicable – no building proposed.	
A3 Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.	P3 Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to: <ul style="list-style-type: none"> (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of the sensitive use; and (d) Any proposed mitigation measures.
Comment Not applicable.	

15.4.3 Design	
Objective: That building facades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A1 New buildings must be designed to satisfy all of the following: <ul style="list-style-type: none"> (a) Mechanical plant and other service infrastructure, such as heat pumps, air conditioning, switchboards, hot water units and the like, must be screened from the street and other public places; (b) Roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof; (c) Not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and (d) Provide external lighting to illuminate external vehicle parking areas and pathways. 	P1 New buildings must be designed to be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> (a) Minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places; (b) Minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and (c) Providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.
Comment Not applicable – no building proposed.	
A2 New buildings or alterations to an existing façade must be designed to satisfy all of the following: <ul style="list-style-type: none"> (a) Provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site; (b) If for a ground floor level façade facing a frontage: <ul style="list-style-type: none"> (i) Have not less than 40% of the total surface area consisting of windows or doorways; or (ii) Not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%; (c) If for a ground level façade facing a frontage must: <ul style="list-style-type: none"> (i) Not include a single length of blank wall greater than 30% of the length of façade on that frontage; or (ii) Not increase the length of an existing blank wall, if already greater than 30% of 	P2 New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> (a) How the main pedestrian access to the building addresses the street or other public places; (b) Windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; (c) Architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; (d) Installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and (e) The need for provision of awnings over a public footpath.



<p>the length of the façade on that frontage; and (d) Provide awnings over a public footpath if existing on the site or on adjoining properties.</p>	
<p>Comment Not applicable – no building proposed.</p>	

<p>15.4.4 Fencing</p>	
<p>Objective: That fencing: (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 No Acceptable Solution.</p>	<p>P1 A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to: (a) Its height, design, location and extent; (b) Its degree of transparency; and (c) The proposed materials and construction.</p>
<p>Comment Pedestrian barriers are proposed and could be considered a form of fencing. The pedestrian barriers are designed to contribute to the streetscape and is consistent with the performance criteria.</p>	
<p>A2 Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must: (a) Have a height above existing ground level of not more than 2.1m; and (b) Not contain barbed wire.</p>	<p>P2 Common boundary fences with a property in the General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to: (a) Their height, design, location and extent; and (b) The proposed materials and construction.</p>
<p>Comment Not applicable.</p>	

<p>15.4.5 Outdoor storage areas</p>	
<p>Objective: That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
<p>Comment Not applicable.</p>	

<p>15.4.6 Dwellings</p>	
<p>Objective: To provide adequate and useable private open space and storage for the needs of residents.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 A dwelling must have private open space that is not less than: (a) 24m² with a minimum horizontal dimension of not less than 4m; or (b) 8m² with a minimum dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.</p>	<p>P1 A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.</p>



Comment Not applicable.	
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.
Comment Not applicable.	

15.5 Development Standards for Subdivision 15.5.1 Lot design
Comment Not applicable – applies only to subdivision.

15.5.2 Services
Comment Not applicable – applies only to subdivision.

26.0 Utilities Zone 26.1 Zone Purpose
The purpose of the Utilities Zone is: 26.1.1 To provide land for major utilities installations and corridors. 26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.
Comment The proposal complies with the zone purpose.

26.2 Use Table
Comment Utilities, if not listed as No Permit Required is permitted use in the zone.

26.3 Use Standards 26.3.1 All uses	
Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions	Performance Criteria
A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to: (a) The timing, duration or extent of vehicle movements; and (b) Noise, lighting or other emissions.
Comment Not applicable.	
A2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must: (a) Not operate within the hours of 11.00pm and 6.00am, excluding any security lighting; and (b) If for security lighting, be baffled so that direct light does not extend into the adjoining property.	P2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) The level of illumination and duration of lighting; and (b) The distance to habitable rooms of an adjacent dwelling.



Comment Not applicable.	
<p>A3 Commercial vehicle movement and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	<p>P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and sensitive use; and (f) Potential conflicts with other traffic.
Comment Not applicable.	

26.3.2 Discretionary uses

Comment
Not applicable.

26.4 Development Standards for Buildings and Works

26.4.1 Building height

Objective:

To provide for a building height that:

- (a) Is necessary for the operation of the use; and
- (b) Minimises adverse impacts on adjoining properties and the visual character of the area.

Acceptable Solutions	Performance Criteria
<p>A1 Building height must be not more than:</p> <ul style="list-style-type: none"> (a) 10m; or (b) 15m if for a structure, such as a tower, pole or similar. 	<p>P1 Building height must:</p> <ul style="list-style-type: none"> (a) Be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to: <ul style="list-style-type: none"> (i) The bulk and form of the building; (ii) Separation from existing buildings on adjoining properties; and (iii) Any buffers created by natural or other features; and (b) Not unreasonably impact on the visual character of the area, having regard to: <ul style="list-style-type: none"> (i) The topography of the site; (ii) Any existing vegetation; and (iii) Visibility from adjoining roads and public open space.

Comment
Not applicable – no building proposed.

<p>A2 Building height, excluding a structure such as a tower, pole or similar:</p> <ul style="list-style-type: none"> (a) Within 10m of an adjoining property in a General Residential Zone, Low Density Residential Zone or Rural Living Zone, must be not more than 8.5m; or (b) Within 10m of an adjoining property in an Inner Residential Zone, must 	<p>P2 Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) Compatibility with buildings on established properties in the adjoining zone; (b) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (c) Overlooking and reduction of privacy to adjoining properties; and (d) Visual impacts caused by the apparent scale, bulk or proportions of the
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be not more than 9.5m.	building when viewed from the adjoining property.
Comment Not applicable – no building proposed.	

26.4.2 Setbacks	
Objective: That building setbacks are: (a) Compatible with the character of the surrounding area; and (b) Does not cause an unreasonable loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria
A1 Buildings, excluding a structure such as a tower, pole or similar, must have a setback from all boundaries of not less than: (a) 5m; or (b) An existing building on the lot.	P1 Buildings, excluding a structure such as a tower, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) The topography of the site; (b) The size, shape and orientation of the site; (c) The setback of existing buildings on the site and on adjoining properties; (d) The bulk and form of proposed buildings; (e) Overlooking and reduction of privacy of dwellings on adjoining properties; (f) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and (g) Any existing screening or the ability to implement screening.
Comment Not applicable – no building proposed.	
A2 Air extraction, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone.	P2 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to: (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of adjoining sensitive uses; and (d) Any proposed or existing mitigation measures.
Comment Not applicable.	

26.4.3 Fencing	
Objective: That fencing: (a) Does not detract from the appearance of the site or surrounding area; and (b) Provides for passive surveillance.	
Acceptable Solutions	Performance Criteria
A1 A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than: (a) 1.2m if the fence is solid; or (b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provides a uniform transparency of not less than 30%.	P1 A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to: (a) The height, design, location and extent of the fence; (b) The degree of transparency; and (c) The proposed material and construction.
Comment Not applicable.	
A2 Common boundary fences with a property in a General Residential	P2 Common boundary fences with a property in the General



<p>Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must:</p> <ul style="list-style-type: none"> (a) Have a height above existing ground level of not more than 2.1m; and (b) Not use barbed wire. 	<p>Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) The height, design, location and extent of the fence; and (b) The proposed materials and construction.
<p>Comment Not applicable.</p>	

<p>26.4.4 Outdoor storage areas</p>	
<p>Objective: That outdoor storage areas do not detract from the appearance of the site or surrounding area.</p>	
<p>Acceptable Solutions</p> <p>A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>Performance Criteria</p> <p>P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
<p>Comment Not applicable.</p>	

<p>26.5 Development Standards for Subdivision</p> <p>26.5.1 Subdivision</p>
<p>Comment Not applicable – applies only to subdivision.</p>

<p>26.5.2 Services</p>
<p>Comment Not applicable – applies only to subdivision.</p>

<p>29.0 Open Space Zone</p> <p>29.1 Zone Purpose</p>
<p>The purpose of the Open Space Zone is:</p> <p>29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.</p> <p>29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.</p>
<p>Comment The proposal is consistent with the zone purpose.</p>

<p>29.2 Use Table</p>
<p>Comment Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.</p>

<p>29.3 Use Standards</p> <p>29.3.1 Discretionary uses</p>
<p>Comment Not applicable.</p>

<p>29.4 Development Standards for Buildings and Works</p> <p>29.4.1 Building height, setback and siting</p>
<p>Objective: That building bulk, setback and siting:</p> <ul style="list-style-type: none"> (a) Is compatible with the streetscape; (b) Does not cause unreasonable loss of amenity to adjacent properties; (c) Respects the natural and landscape values of the site; and



(d) Minimises opportunities for crime and anti-social behaviour through setback of buildings.	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must be not more than 10m.</p>	<p>P1 Building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:</p> <ul style="list-style-type: none"> (a) The topography of the site; (b) The height, bulk and form of existing buildings on the site and adjacent properties; (c) The bulk and form of proposed buildings; (d) The requirements of the proposed use; (e) Sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties; (f) The privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and (g) Any overshadowing of adjacent public places.
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> (a) Not less than 5m; or (b) Not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, <p>Whichever is the lesser.</p>	<p>P2 Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> (a) Providing small variations in building alignment to break up long building facades; (b) Providing variations in building alignment to provide a forecourt or space for public use, such as outdoor dining or landscaping; (c) The avoidance of concealment spaces; (d) The ability to achieve passive surveillance; and (e) The availability of lighting.
<p>Comment Not applicable – no building proposed.</p>	
<p>A3 Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</p> <ul style="list-style-type: none"> (a) 3m; or (b) Half the wall height of the building, <p>Whichever is the greater.</p>	<p>P3 Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <ul style="list-style-type: none"> (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy of adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
<p>Comment Not applicable – no building proposed.</p>	
<p>A4 Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.</p>	<p>P4 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of any emissions generated; (b) The nature of the proposed use; (c) The topography of the site; and (d) Any mitigation measures proposed.
<p>Comment Not applicable.</p>	

29.4.2 Outdoor storage areas



Objective: That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.	P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Comment Not applicable.	

29.5 Development Standards for Subdivision
29.5.1 Lot design
Comment Not applicable – applies only to subdivision.

The application will meet all the requirements of the Exemptions 4.0 (4.2.4, 4.2.5 and 4.2.7).

CODES		
C1.0	Signs Code	N/a
C2.0	Parking and Sustainable Transport Code	Complies, see code assessment below.
C3.0	Road and Railway Assets Code	N/a
C4.0	Electricity Transmission Infrastructure Protection Code	N/a
C.5.0	Telecommunications Code	N/a
C6.0	Local Historic Heritage Code	Complies, see code assessment below.
C7.0	Natural Assets Code	N/a
C8.0	Scenic Protection Code	N/a
C9.0	Attenuation Code	N/a
C10.0	Coastal Erosion Hazard Code	N/a
C11.0	Coastal Inundation Hazard Code	N/a
C12.0	Flood-Prone Areas Hazard Code	N/a
C13.0	Bushfire-Prone Areas Code	N/a
C14.0	Potentially Contaminated Land Code	N/a
C15.0	Landslip Hazard Code	N/a
C16.0	Safeguarding of Airports Code	Exempt in accordance with C16.4.1, development not more than 230m AHD.

C2.0 Parking and Sustainable Transport Code
C2.1 Code Purpose
The purpose of the Parking and Sustainable Transport Code is: C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development. C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas. C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate. C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area. C2.1.5 To ensure that parking spaces and accesses meet appropriate standards. C2.1.6 To provide for parking precincts and pedestrian priority streets.
Comment The proposal complies with the Code Purpose.

C2.5 Use Standards	
C2.5.1 Car parking numbers	
Objective: That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs



<p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p style="padding-left: 40px;">(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p style="padding-left: 40px;">(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p style="padding-left: 80px;">$N = A + (C - B)$</p> <p style="padding-left: 80px;">N = Number of on-site car parking spaces required</p> <p style="padding-left: 80px;">A = Number of existing on site car parking spaces</p> <p style="padding-left: 80px;">B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p style="padding-left: 80px;">C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p style="padding-left: 40px;">(i) variations in car parking demand over time; or</p> <p style="padding-left: 40px;">(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) 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;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and 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 surrounding area.</p>
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Comment

Complies with A1, no parking requirements set for Utilities use.

C2.5.2 Bicycle parking numbers

Objective:

That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</p> <p>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>

Comment

Complies with A1, no parking requirements set for Utilities use.

C2.5.3 Motorcycle parking numbers

Objective:

That the appropriate level of motorcycle parking is provided to meet the needs of the use.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site motorcycle parking spaces for all</p>	<p>P1</p> <p>Motorcycle parking spaces for all uses must be provided to meet the</p>



uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.
Comment Not applicable.	

C2.5.4 Loading Bays	
Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
Comment Not applicable.	

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	
Objective: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.	
Acceptable Solutions	Performance Criteria
A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	P1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.



Comment

Not applicable.

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

Objective:

That parking areas are constructed to an appropriate standard.

Acceptable Solutions

A1

All parking, access ways, manoeuvring and circulation spaces must:

- (a) be constructed with a durable all weather pavement;
- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

Performance Criteria

P1

All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so 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.

Comment

Complies with A1. All on-street car parking is proposed to be appropriately sealed, levelled and drained and feature line marking to delineate car spaces.

C2.6.2 Design and layout of parking areas

Objective:

That parking areas are designed and laid out to provide convenient, safe and efficient parking.

Acceptable Solutions

A1.1

Parking, access ways, manoeuvring and circulation spaces must either:

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

A1.2

Parking spaces provided for use by persons with a disability must satisfy the following:

- (a) be located as close as practicable to the main entry point to the building;
- (b) be incorporated into the overall car park design; and
- (c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.¹

¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

Performance Criteria

P1

All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:

- (a) the characteristics of the site;
- (b) the proposed slope, dimensions and layout;
- (c) useability in all weather conditions;
- (d) vehicle and pedestrian traffic safety;
- (e) the nature and use of the development;
- (f) the expected number and type of vehicles;
- (g) the likely use of the parking areas by persons with a disability;
- (h) the nature of traffic in the surrounding area;
- (i) the proposed means of parking delineation; and
- (j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.

Comment



Complies with A1.1 and A1.2 where relevant.

C2.6.3 Number of accesses for vehicles

Objective:

That:

- (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
- (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
- (c) the number of accesses minimise impacts on the streetscape.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.

Comment

Not applicable.

<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <ul style="list-style-type: none"> (a) not have an adverse impact on: <ul style="list-style-type: none"> (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape.
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Comment

Not applicable.

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

Objective:

That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:

- (a) enables easy and efficient use;
- (b) promotes the safety of users;
- (c) minimises opportunities for crime or anti-social behaviour; and
- (d) prevents unreasonable light overspill impacts.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> (a) enabling easy and efficient use of the area; (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles; (c) minimising opportunities for crime or anti-social behaviour though the creation of concealment spaces; (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and (e) the hours of operation of the use.

Comment

Not applicable.

C2.6.5 Pedestrian access

Objective:



That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p style="padding-left: 40px;">(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p style="padding-left: 40px;">(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the nature of the use;</p> <p>(c) the number of parking spaces;</p> <p>(d) the frequency of vehicle movements;</p> <p>(e) the needs of persons with a disability;</p> <p>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>
Comment Not applicable.	

C2.6.6 Loading bays	
Objective: That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.	
Acceptable Solutions	Performance Criteria
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <p>(a) the types of vehicles likely to use the site;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the topography of the site;</p> <p>(f) the location of existing buildings on the site; and</p> <p>(g) any constraints imposed by existing development.</p>
Comment Not applicable.	
<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 - Off-street commercial vehicle facilities.</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to:</p> <p>(a) the types of vehicles associated with the use;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the location of the site and nature of traffic in the area of the site;</p> <p>(f) the effectiveness or efficiency of the surrounding road network; and</p> <p>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>
Comment Not applicable.	

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	
Objective: That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.	
Acceptable Solutions	Performance Criteria



<p>A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements. 	<p>P1 Bicycle parking must be provided in a safe, secure and convenient location, having regard to:</p> <ul style="list-style-type: none"> (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites.
<p>Comment Not applicable.</p>	
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (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 (c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking. 	<p>P2 Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.
<p>Comment Not applicable.</p>	

<p>C2.6.8 Siting of parking and turning areas</p>	
<p>Objective: That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>P1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.
<p>Comment Not applicable.</p>	
<p>A2 Within the Central Business Zone, on-site parking</p>	<p>P2 Within the Central Business Zone, on-site parking at ground level adjacent to a</p>



<p>at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	<p>frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <p>(a) the streetscape;</p> <p>(b) any unreasonable loss of amenity of the occupants of adjoining properties; and</p> <p>(c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.</p>
<p>Comment Not applicable.</p>	

<p>C2.7 Parking Precinct Plan C2.7.1 Parking precinct plan</p>	
<p>Objective: To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Within a parking precinct plan, on-site car parking must:</p> <p>(a) not be provided; or</p> <p>(b) not be increased above existing parking numbers.</p>	<p>P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to:</p> <p>(a) the availability of off-street public parking spaces within reasonable walking distance;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p style="padding-left: 20px;">(i) variations in parking demand over time; or</p> <p style="padding-left: 20px;">(ii) efficiencies gained by consolidation of parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(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;</p> <p>(f) the streetscape;</p> <p>(g) the topography of the site;</p> <p>(h) the location of existing buildings on the site;</p> <p>(i) any constraints imposed by existing development; and</p> <p>(j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</p>
<p>Comment Not applicable.</p>	

<p>C6.0 Local Historic Heritage Code C6.1 Code Purpose</p>
<p>The purpose of Local Historic Heritage Code is:</p> <p>C6.1.1 To recognise and protect:</p> <p style="padding-left: 20px;">(a) The local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and</p> <p style="padding-left: 20px;">(b) Significant trees.</p> <p>C6.1.2 This code does not apply to the Aboriginal heritage values.</p>
<p>Comment Complies with the Code Purpose.</p>

<p>C6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts C6.7.1 Demolition within a local heritage precinct</p>	
<p>Objective: That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and</p>	<p>P1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the</p>



<p>outbuildings must:</p> <ul style="list-style-type: none"> (a) Not be on a local heritage place; (b) Not be visible from any road or public open space; and (c) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule. 	<p>relevant Local Provisions Schedule, having regard to:</p> <ul style="list-style-type: none"> (a) The physical condition of the building, works, structure or trees; (b) The extent and rate of deterioration of the building, works, structure or trees; (c) The safety of the building, works, structure or trees; (d) The streetscape in which the building, works, structure or trees is located; (e) The special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule; (f) Any options to reduce or mitigate deterioration; (g) Whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and (h) Any economic considerations.
<p>Comment Not applicable.</p>	

<p>C6.7.2 Demolition within a local historic landscape precinct</p>
<p>Not applicable.</p>

<p>C6.7.3 Buildings and works, excluding demolition</p>	
<p>Objective: That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within a local heritage precinct, building and works, excluding demolition, must:</p> <ul style="list-style-type: none"> (d) Not be on a local heritage place; (e) Not be visible from any road or public open space; and (f) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule. 	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage plan of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> (a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) The character and appearance of the surrounding area; (c) The height and bulk of other buildings in the surrounding area; (d) The setbacks of other buildings in the surrounding area; and (e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule. <p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> (a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) The character and appearance of the surrounding area; (c) The height and bulk of other buildings in the surrounding area; (d) The setbacks of other buildings in the surrounding area; and (e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule. <p>P1.3 Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to:</p> <ul style="list-style-type: none"> (a) The landscape values identified in the statement of local historic heritage significance for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and (b) Any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.

<p>Comment Proposal complies with P1.1. The works have been designed to be sympathetic with the historic heritage character of the precinct. The proposed works achieve an acceptable balance between conserving the historic heritage character of the streetscape whilst</p>



providing new street amenities, landscaping and traffic management safety measures that will result in the overall enhancement of the Perth Main Street and Townscape.

P1.2 and P1.3 – not applicable.

A2 Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.

P2 Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:

- (a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;
- (b) Height, form, style and materials of the proposed fence; and
- (c) The style, characteristics and setbacks of fences and gates in the surrounding area.

Comment

Not applicable. No new front fences are proposed, however pedestrian barriers at intersections have been proposed for added safety, these are to be black in colour and the design will not detract away from the surrounding buildings or precinct.

C6.8 – C6.10 – Not applicable.

NOR-Table C6.2 Local Heritage Precincts

NOR-C6.2.4 Perth

The Perth Heritage Precinct is unique because it is still the core of a small nineteenth century riverside town, built around the thoroughfare from the first bridge to cross the South Esk River, and which retains its historic atmosphere. It combines significant colonial buildings, compact early river's edge residential development, and retains the small-scale commercial centre which developed in the nineteenth century at the historic crossroads and river crossing for travel and commerce between Hobart, Launceston and the North West. Perth's heritage ambience is acknowledged by many of those who live in or visit the town, and enhanced by the Midland Highway bypass.

PARTICULAR PURPOSE ZONES

NOR-P1.0 Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0 Particular Purpose Zone – Epping Forest	Not applicable

SPECIFIC AREA PLANS

NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Not applicable
NOR-S7.0	Perth Specific Area Plan	Applies, no provisions apply to the proposal.
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS

7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Complies
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable



4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that 12 representations (attached) were received, and 1 representation was received outside of the statutory timeframe. Representations were received from:

- (1) Tim Roden, email address supplied
- (2) Phil Groves, Sausage Shop, Main Road, Perth
- (3) Leanne Dunn, 8 Cromwell Street, Perth
- (4) Alice Loone, 83 Main Road, Perth
- (5) Nerrilee Chalmers, 1-3 George Street, 5 Scone Street & 57 Main Road, Perth
- (6) Rev. Warwick Cuthbertson, 78 Main Road, Perth
- (7) Maj. Gen. David Chalmers, 1-3 George Street, Perth
- (8) A. Lohrey, Perth IGA, 65 Main Road, Perth
- (9) Brian Ralph, 5 Scone Street, Perth
- (10) Jean Holland, 94 Main Road, Perth
- (11) Jason Horton, PO Box 120, Longford
- (12) Russell Mackenzie, 38 Edward Street, Perth
- (13) Felicity Clark and Lewis Cheetham, Feast Tasmania, 59 Main Road, Perth (received out of time)

The matters raised in the representations are outlined below followed by the planner's comments.

Representation 1

Issue 1

- The planting of tree(s) in the area around 106 Main Road could defeat the purpose of the zone. There is ample vegetation at the property boundary to obviate the need for extra planting and maintain sight lines for traffic entering and leaving the garage/roadhouse.

Planner's comment:

A Traffic Comment report was submitted with the application from a suitably qualified person. The report provides consideration to the planting of trees that have an elevated canopy so that visibility of crossing pedestrians and vehicles using designated turning points can be maximised, with clearance of foliage above trunk up to the height of around 2 metres plus where possible, or at juvenile stages be suitable narrowed/constrained.

Representation 2

Issue 1

- Objection to the removal of parking spaces in front of the main road businesses. The planter boxes would be better on the footpath, the same as the ones in front of the post office.

Planner's comment:

Carparking spots affect by the proposal are as follows:

- 1 spot reduced between Scone Street and Frederick Street
- 6 spots reduced between Scone Street and Talisker Street
 - 4 for pedestrian crossing
 - 2 for trees
- 8 spots reduced between Talisker Street and Drummond Street
 - 4 for pedestrian crossing
 - 4 for trees
- 5 spots approximately reduced between Drummond Street and Old Bridge Road



Total of 20 spots reduced over the length of the 1.2km development.

It is not recommended to remove any pedestrian crossings as that will defeat the purpose of the proposal to provide for safer pedestrian nodes and the proposal had limited options due to driveways. Removal would also go against the advice of the traffic consultant.

Whilst not a consideration of the Planning Scheme, the Planning Authority may consider the removal of a single tree outside 88 Main Road (Queens Head Inn) to the north, together with reduction of the width of the pedestrian crossing outside 69-71 Main Road and 88 Main Road. These minor changes would still retain the aesthetics of the proposal and potentially gain 3 more car parking spaces between Talisker Street and Drummond Street. Council may decide to consider this alteration by way of request for amended plans in any permit.

Representation 3

Issue 1

- Concerns raised in relation to the reduction of parking spaces in the shopping precinct.

Planner's comment:

As detailed in a response to Representation 2, above, a potential option for Council to decide may be to consider a compromise to the design and alter the plans with minor changes between Talisker Street and Drummond Street by way of providing an opportunity for 3 additional car parking spaces whilst not impacting pedestrian safety or altering the aesthetics of the proposal overall.

Representation 4

Issue 1

- Drainage issued outside of 83 Main Road, and request to improve the drainage in this area.

Planner's comment:

Council is and will continue to be managing/maintaining their stormwater from any overland flow path. Any work should improve the situation but cannot guarantee as dampness may be an underlying issue. The proposal cannot and will not lower ground level but will be putting in extra street drainage in this area as incorporated in the design.

Representation 5

Issue 1

- Concerns raised in relation to security and safety concerns outside the pedestrian entrance to the property at 5 Scone Street and potential maintenance and foundation impacts.

Planner's comment:

Council's Project Manager has met with this representor and agrees to the removal of the tree outside 5 Scone Street from the plans and the footpath to be re-aligned. The tree outside at 5 Main Road was not agreed upon for removal and shall be retained. A condition on any approval will require amended plans to show the tree removal outside of 5 Scone Street and footpath re-alignment as the proponent has compromised with the concerns raised.

Representation 6

Issue 1

- Two trees are proposed outside 78 Main Road and 2 Scone Street. One is to be placed in front of the current electronic school sign adjacent to the property vehicular access. The introduction of the two trees would effectively reduce the parking by two parking spaces.



Planner's comment:

Council's Project Manager has met with this representor and agrees to the removal of the single tree outside 2 Scone Street (on the Main Road frontage) from the plans as this would conflict with the school speed sign and a condition on any permit will be placed requiring amended plans to this effect. Council may choose the second tree proposed outside the north part of 78 Main Road.

Representation 7

Issue 1

- Safety concerns, reduced parking availability for shoppers and reduced amenity and adverse impact on businesses.

Planner's comment:

As detailed in a response to Representation 2, above, a potential option for Council to decide may be to consider a compromise to the design and alter the plans with minor changes between Talisker Street and Drummond Street by way of providing an opportunity for 3 additional car parking spaces whilst not impacting pedestrian safety or altering the aesthetics of the proposal overall.

Further tree removal is agreed upon by the Council's Project Manager and it be conditioned that a single tree be removed from outside 5 Scone Street and a single tree be removed from outside 2 Scone Street (Main Road frontage).

Representation 8

Issue 1

- Reduced parking availability for shoppers and reduced amenity and adverse impact on businesses.

Planner's comment:

As detailed in a response to Representation 2, above, a potential option for Council to decide may be to consider a compromise to the design and alter the plans with minor changes between Talisker Street and Drummond Street by way of providing an opportunity for 3 additional car parking spaces whilst not impacting pedestrian safety or altering the aesthetics of the proposal overall.

Perth shopping area is unique in that many businesses do not provide, or provide limited customer off-street car parking. The IGA is a good example whereby for the scale of the business, not off-street car parking is provided. A Council owned car parking providing for 7 off-street car parking spaces is available in Talisker Street, however this is known to be frequented by employees of the nearby businesses on many occasions, leaving little off-street parking availability in the area. A Supermarket, should it be proposed as a new use under the current Planning Scheme would require 1 off-street parking space per 30m² of floor area. Reliance on on-street parking is therefore dominant in the shopping precinct of Perth. Council may want to review parking time limitations in the area, particularly in the Council car park in Talisker Street, however this would be outside the process of assessment of this application.

Issue 2

- Accessibility during construction of the development concerns.

Planner's comment:

Council's Project Manager has advised the author of this report that during construction of the development, the selected contractors will ensure that safe access to businesses will be maintained. Night works will limit any disruptions to these businesses. A note is recommended on any permit to limit works during normal business hours outside places of business to minimise any disruptions.

Issue 3

- Maintenance issues, cleaning of footpath.



Planner's comment:

Tree species selection will be what is available at the time, and some substitution may be required from those specified in the Landscape Concept Plans, by Lange Design. Final tree selection to the approval of the Works Manager for consistency with the area shall be a condition on any approval.

Representation 9

Issue 1

- Similar issues were raised as those in Representation 5.

Planner's comment:

Council's Project Manager has met with this representor and agrees to the removal of the tree outside 5 Scone Street from the plans and the footpath to be re-aligned. The tree outside at 5 Main Road was not agreed upon for removal and shall be retained. A condition on any approval will require amended plans to show the tree removal outside of 5 Scone Street and footpath re-alignment as the proponent has compromised with the concerns raised.

Representation 10

Issue 1

- Concerns in relation to loss of parking. Could the proposal incorporate angle parking and also allow for a dedicated space for caravans and boats. Talisker Street pedestrian crossing idea raised.

Planner's comment:

As detailed in a response to Representation 2, above and others, a potential option for Council to decide may be to consider a compromise to the design and alter the plans with minor changes between Talisker Street and Drummond Street by way of providing an opportunity for 3 additional car parking spaces whilst not impacting pedestrian safety or altering the aesthetics of the proposal overall.

Angle parking would involve reversing of vehicles on Main Road, and the width of Main Road is not enough to accommodate this and would be against the advice of the Traffic consultant.

Whilst no long vehicle spaces are dedicated in the design, there is ample space on side through streets to provide opportunities for long parking within short walking distance to business premises.

Talisker Street intersection provides a difficulty due to alignment to provide pedestrian crossing directly at this intersection and the reason why this was not incorporated into the proposal.

Representation 11

Issue 1

- The design does not protect Heritage Listed properties and other significant buildings.

Planner's comment:

The proposal will not impact upon any buildings. No work is offered within privately owned property. The Tasmanian Heritage Council has issued a Notice of No Interest and Council's Heritage Advisor has provided assessment against the Local Historic Heritage Code due to works proposed within the Heritage Precinct of Perth.

Issue 2

- Concerns in relation to rain gardens not in keeping with the town.

Planner's comment:

Concerns noted.

Issue 3

- Selection of tree species and size concerns.



Planner's comment:

The tree species selection has been undertaken by the Landscape Architect. The Traffic report requires trees to be maintained so as not to obstruct the view of traffic.

Issue 4

- Cycle path concerns.

Planner's comment:

No designated bicycle lands are proposed, the proposal incorporates an integrated advisory zone/shared area with road markings and signage only.

Issue 5

- The speed limit should be reduced.

Planner's comment:

The speed limit will not be reduced. Department of State Growth knocked back previous request of Council.

Issue 6

- Reduction of parking areas concerns.

Planner's comment:

Parking has been reduced in areas where designated pedestrian crossings are proposed and street trees. This matter has been considered and addressed previously.

Issue 7

- The council should encourage outside dining areas.

Planner's comment:

The design demonstrates space outside relevant businesses for future on-street dining opportunities.

Representation 12

Issue 1

- Angled parking should be considered.

Planner's comment:

Angle parking would involve reversing of vehicles on Main Road, and the width of Main Road is not enough to accommodate this and would be against the advice of the Traffic consultant.

Issue 2

- Interpretation panels should be incorporated into the design.

Planner's comment:

As detailed on the Lange Designs (Point 4), interpretation signage was incorporated into the design. Specific details of the panels within the frames will be a project specifically within itself in the future.

Representation 13 (received out of time)

Issue 1

- Concerns of reduction of parking outside business at 59 Main Road.

Planner's comment:

It is not recommended to remove any pedestrian crossings as that will defeat the purpose of the proposal to provide for safer pedestrian nodes and the proposal had limited options due to driveways. Removal would also go against the advice of the traffic consultant.



Whilst not a consideration of the Planning Scheme, the Planning Authority may consider the reduction of the width of the pedestrian crossing outside 59 Main Road and 82 Main Road. These minor changes would still retain the aesthetics of the proposal and potentially gain 2 more car parking spaces between Talisker Street and Scone Street. Council may decide to consider this alteration by way of request for amended plans in any permit.

4.8 Objectives of the *Land Use Planning and Approvals Act 1993*

The proposal is consistent with the objectives of the *Land Use Planning and Approvals Act 1993*.

4.9 STATE Policies

The proposal is consistent with all State Policies.

4.10 Strategic Plan/Annual Plan/Council Policies

Strategic Plan - Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

Approve subject to conditions or refuse and state reasons for refusal.

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on performance criteria P1 clause 15.4.4, fencing (pedestrian barriers) within the General Business Zone;
- Reliance on performance criteria of the Local Historic Heritage Code – works within a Heritage Precinct.

Conditions that relate to any aspect of the application can be placed on a permit.

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

1. Application Form [11.5.1 - 1 page]
2. Response to Request for Crown Landowner Consent - Trent Atkinson - Main Road Perth - FINAL (002) [11.5.2 - 2 pages]
3. Perth Main Street Planning Submission Revision B [11.5.3 - 11 pages]
4. Plans P 1- P 23 [11.5.4 - 23 pages]
5. Plans P 24- P 29 [11.5.5 - 6 pages]
6. NMC Perth Main Street Improvements - Traffic Comment - Rev B [11.5.6 - 15 pages]
7. ATTACHMENT 2 - DSG Crash Stats - Perth Main St-2013-2023 - Copy [11.5.7 - 1 page]
8. TWDA 2023-01333- NMC [11.5.8 - 2 pages]
9. No Interest THC PL N 23-0169 Main Rd Perth [11.5.9 - 1 page]
10. DSG referral response [11.5.10 - 2 pages]
11. Works Permit NE W 33-22 - Amendment - Perth Main Road and various roads in the Perth area - Northern [11.5.11 - 6 pages]
12. 1. Representation T Roden.msg [11.5.12 - 1 page]
13. 2. Representation P Groves.msg (2) [11.5.13 - 3 pages]
14. 3. Representation Leanne Dunn [11.5.14 - 1 page]
15. 4. Representation Alice Loone [11.5.15 - 1 page]
16. 5. Representation N Chalmers [11.5.16 - 4 pages]



17. 6. Representation Rev W Cuthbertson [**11.5.17** - 8 pages]
18. 7. Representation Maj Gen D Chalmers [**11.5.18** - 2 pages]
19. 8. Representation A Lohrey Perth IGA [**11.5.19** - 1 page]
20. 9. Representation B. Ralph [**11.5.20** - 1 page]
21. 10. Representation J Holland [**11.5.21** - 1 page]
22. 11. Representation J Horton [**11.5.22** - 2 pages]
23. 12. Representation R Mac Kenzie [**11.5.23** - 1 page]
24. Rep outside of Stat timeframe - Clark & Cheetham [**11.5.24** - 2 pages]



11.6 PLN23-0188: LONGFORD STREETScape PROJECT

File: PLN23-0188
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Consultant Planner

RECOMMENDATION

That application PLN-23-0188 to develop and use the land at Wellington St from adjacent to 19 & 22 Wellington St to adjacent to 69 Wellington St & 2A William St, Longford (with minor works into Union St, Mason St, Smith St, Archer St, Lyttleton St). for Longford Streetscape/Roadworks Project (Heritage Precinct) be approved subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents P1 – P13, D1 and D2 as follows:

- P1 - (Cover Sheet, pitt&sherry, Project No: S-P.21.0231-11-CIV-DRG, Drawing No: 1000, Rev: F, Dated: 30-08-23);
- P2-P4 - (General Arrangement and Stormwater Plan, pitt&sherry, Project No: S-P.21.0231-11-CIV-DRG, Drawing No: 1010-1012, Rev: F, Dated: 29-08-23);
- P5 - (General Arrangement and Stormwater Plan, pitt&sherry, Project No: S-P.21.0231-11-CIV-DRG, Drawing No: 1013, Rev: G, Dated: 29-08-23);
- P6-P7 - (Stormwater Longitudinal Sections, pitt&sherry, Project No: S-P.21.0231-11-CIV-DRG, Drawing No: 1014-1015, Rev: B, Dated: 21-02-22);
- P8 - (Sections Wellington Street, pitt&sherry, Project No: S-P.21.0231-11-CIV-DRG, Drawing No: 1020, Rev: D, Dated: 29-08-23);
- P9-P10 - (Longford Streetscape Redevelopment, Concept Plan, Lange Design, Sheet No's: 1-2, Dated: 20 September 2023, Rev: D (P9) and E (P10));
- P11-P13 - (Wellington Street Streetscape, Footpath Pavement Plan – Heritage Precinct, Lange Design, Sheet No's: 1-3, Dated: 16 August 2023, Rev: A);
- D1 - (Planning Submission Statement, Northern Midlands Council, Dated: 13th September 2023); and
- D2 - (Traffic Impact Assessment, pitt&sherry, Dated: 8 September 2023, Rev: 01).

2 Council's Works Department conditions

2.1 As constructed information

- a) As Constructed Plans and Asset Management Information must be provided in accordance with Council's standard requirements.
- b) A CCTV inspection report must be provided for all new Council underground drainage pipes and pits.

2.2 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

2.3 Works in State road reserve

- a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.
- b) Application requirements and forms can be found at transport.tas.gov.au/road/permits, applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.



2.4 Plans for approval by Councils Works Department

The applicant must provide full design plans for review by Councils Works Department prior to commencing any work on site. Plans must include road long sections and cross sections and long sections of the stormwater system.

3 Department of State Growth condition

Prior to commencement of the use, plans showing all works to be undertaken in the road reservation (road construction, drainage, sewer, water, power, communications, and traffic facilities etc.) along with must be submitted to the Department of State Growth for review and acceptance as part of applications for service works and access works permits, see Note 1.

NOTE 1: A valid works permit is required for all works undertaken in the State road (High Street) reservation. Details of the permit process and application forms can be found at:

www.transport.tas.gov.au/road_permits/permits_and_bookings/general_works_pathways,_stock_underpass.

Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

4 Tasmanian Heritage Council Requirements

The proposed development must comply with the advice of the Tasmanian Heritage Council Notice of No Interest (Reference #8290, File No. 09-70-18 THC, 23 October 2023) – attached as Appendix A.

5 Dilapidation Report

Prior to any development commencing, a Dilapidation Report is to be prepared and submitted to the approval of the General Manager detailing the existing condition of adjoining buildings which abut the road reservation.

6 Construction Environmental Management Plan (CEMP)

Prior to any development commencing, a CEMP is to be prepared and submitted to the approval of the General Manager and must include the provision of vibration monitoring and reporting that will be undertaken during the construction phase of the project for adjoining buildings which abut the road reservation.

7 Sub-floor Ventilation System

The works approved must ensure that as part of the development phase of the project, the covered vents at all affected properties on Wellington Street, Longford be unblocked and shielded from surface water entering the vents.

8 Protection of private property and disability parking – 58 Wellington Street

- a) Heritage style protection bollards similar to those located in front of the Longford Village Green must be installed to provide adequate protection to privately owned residential property at the western side of the car park located adjacent at 58 Wellington Street, Longford.
- b) A minimum of one (1) DDA parking space must be included within the car park located at 58 Wellington Street in accordance with all applicable standards.

9 Delineation of Parking Spaces adjacent to 65 Wellington Street

Prior to the completion of the works, car parking spaces adjacent to 65 Wellington Street, Longford must be line marked in accordance with all relevant standards.

1 INTRODUCTION

This report assesses an application for Wellington St from adjacent to 19 & 22 Wellington St to adjacent to 69 Wellington St & 2A William St, Longford (with minor works into Union St, Mason St, Smith St, Archer St, Lyttleton St). to Longford Streetscape/Roadworks Project (Heritage Precinct).



2 BACKGROUND

Applicant:

Northern Midlands Council

Zone:

8.0 General Residential

15.0 General Business

18.0 Light Industrial

26.0 Utilities

27.0 Community Purpose

29.0 Open Space

Classification under the Scheme:

Utilities

Expiry Date:

24 November 2023

Owner:

Department of State Growth

Northern Midlands Council

Codes:

C2.0 Parking and Sustainable Transport Code

C6.0 Local Historic Heritage Code

C16.0 Safeguarding of Airports Code

NOR-S6.0 Longford Specific Area Plan

Existing Use:

Utilities

Recommendation:

Approve

Discretionary Aspects of the Application:

- Reliance on performance criteria P1 clause 15.4.4, fencing (pedestrian barriers) within the General Business Zone;
- Reliance on performance criteria of the Local Historic Heritage Code – works within a Heritage Precinct.

Planning Instrument:

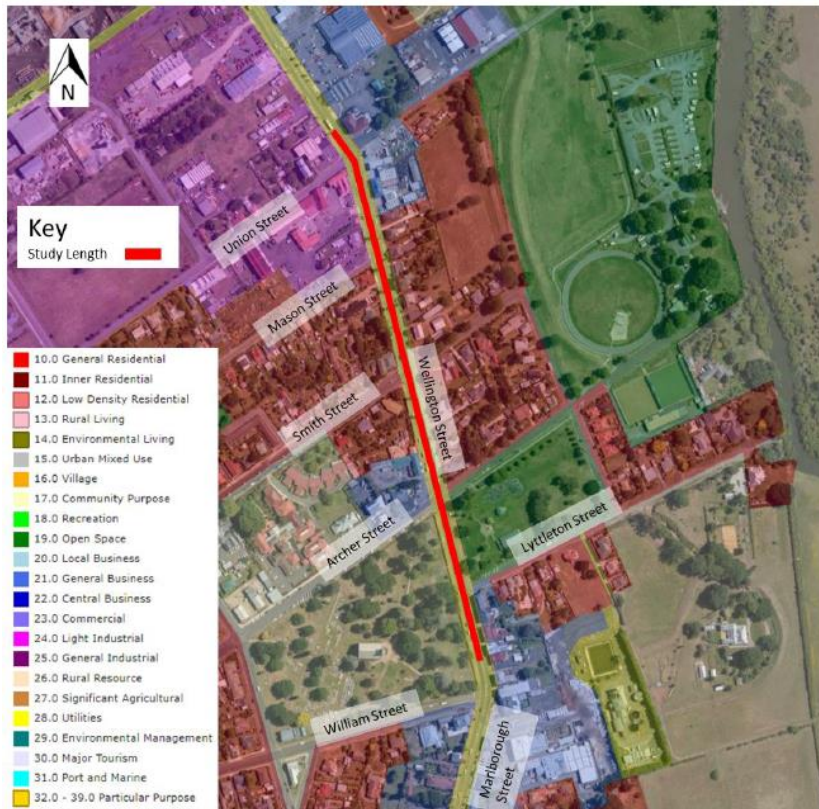
- *Tasmanian Planning Scheme – Northern Midlands Version No: 5, Effective Date: 10th May 2023*

Preliminary Discussion:

- Prior to the application becoming valid / being placed on public exhibition, the applicant held discussion with Council officers.



Subject Site



3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

It is proposed to undertake the following as part of the Longford Streetscape/Roadworks Project:

- Kerb extension
 - Bicycle lanes
 - Pedestrian barriers and bollards
 - Street furniture
 - Rain gardens for stormwater filtration
 - Gardens beds within kerb build-outs and along footpaths
 - Interpretation signage
 - Replacement kerb in areas
 - Side street threshold surface treatments
 - New concrete pavement to footpaths
 - New pedestrian nodes with island refuge
 - Existing carpark layout revised (corner of Archer and Wellington Street)
 - Pavement drainage

The Longford design is to enhance the visual amenity of the streetscape and to provide a safer environment for pedestrians of all ages and mobility. Key aspects of the design focus on reducing the amount of hardstand at each



intersection by incorporating kerb build-outs, and to add greenery in the form of low planting and street furniture. Rain gardens are also proposed for the kerb build-outs to harvest stormwater and provide a low level of filtration before the run-off re-enters the stormwater pipe network.

Proposed kerb build-outs will provide safer pedestrian crossing nodes by reducing the amount of exposed roadway that a person has to cross, without reducing the actual width of the State Growth owned carriageway. By reducing this hardstand area, and maintaining the existing carriageway width, drivers are encouraged to slow down to allow them to navigate safely through the intersections.

The revised submission has included bicycle lanes from Union Street to Archer Street, truck parking adjacent to the Village Green and reduced kerb build-outs.

Other aspects of the design include upgrading damaged kerb and channeling, reducing the number and extent of unnecessary driveway crossovers, and providing consistent and themed pedestrian concrete pavement treatments from Union Street through to William Street.

Concrete pavements will consist of 1.8m wide plain concrete footpaths fronting the industrial and residential precinct from Union Street through to Archer Street, and plain concrete pavement with a themed troweled joint pattern from Archer Street through to William Street. A light tan coloured concrete with a light exposed finish, together with the themed troweled joints are proposed for the section of the streetscape from Lyttleton Street to William Street, which highlights the heritage precinct of Longford.

The themed concrete pavement troweled joints within the heritage precinct are based on desired off-sets from the road reserve boundary and the kerb line, with perpendicular joints highlighting the extent of each building and doorways. The intent is to add visual interest along the pavement from one end of the heritage precinct to the other.

Proposed street furniture will include custom made drink fountains, bollards, bike racks, pedestrian barriers, litter bins and interpretation signage frames. The general theme of the street furniture will be based on the post members that will feature a low pyramid chamfered top with a recessed band below. Satin black is the proposed colour to ensure the items are visible but do not clash with the heritage fabric of the adjoining buildings. Pedestrian barriers are proposed for kerb build-outs to clearly define the pedestrian crossing nodes to add to pedestrian safety, and to provide visual encouragement for drivers to slow down.

Interpretation signage is proposed for key areas and intersections along the streetscape that focus on the historical features, stories, and characters of Longford. The actual graphic design and wording of these interpretation signs will be a separate project within itself.



Concept Plans



Received
05/10/2023

PLAN LEGEND

- Blue line where road width is allow.
- Plain concrete footpath 1.8m wide to the residential precinct, along the kerb with a gap between the path and boundary for hardy and suitable planting.
- Plain concrete footpath from the kerb to the property boundary to the Longford Green precinct, with decorative flower pots to add interest to the pavement.
- Coloured concrete footpath from the kerb to the property boundary to the historic precinct, with decorative flower pots to add interest to the pavement.
- New bike lane where road width allow.
- New kerb extensions to increase pedestrian safety, reduce vehicle speeds, and to add colour and texture the intersection.
- Decorative road treatment to highlight the thresholds to side streets and pedestrian crossing areas.
- Residential precinct driveway crossovers consisting of plain concrete with an exposed finish.



NUMBER LEGEND

1. The new kerb extensions provide a separation between vehicles and pedestrians, as well as low colourful planting, pedestrian barriers, street furniture and interpretation signage illustrating the history of buildings, local identities and activities.
2. Match pattern within the concrete pavement to provide a subtle highlight to the corner area.
3. Pedestrian corners with heavy duty posts installed with the garden to prevent large vehicles from illegally turning around in Union Street and driving over the kerbs to get to the fuel station bowlers.
4. Existing bus stop to be retained.
5. Rain gardens within the kerb extensions to filter road stormwater runoff before it flows to the South Esk River.
6. The existing old weigh station in front of 'Midlands tractors' to be retained with interpretation signage added to inform of the features history.
7. Existing street trees to be retained.
8. Existing shop owning over the footpath add to the history of the Longford streetscape.

PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	HUB*
Strelitzia reginae	Strelitzia	3.0m
Dianella laurifolia	Southern Flax Lily	2.0-2.5m
Dianella caerulea	Spotted Lily	2.0-2.5m
Fuchsia magellanica	Knobby Clubmoss	0.8-1.0m
Chenopodium quinoa	Quinoa	2.0-2.5m
Hebe buxifolia	Hebe	1.0-1.5m
Hibiscus speciosus	Guinea Flower	2.0-2.5m
Lonicera caerulea	Hadjice	0.8-1.0m
Lomandra longifolia	Lomandra	1.0-1.5m
Phlox subulata	Phlox	0.8-1.0m
Osteospermum ecklonii	African Lily	0.8-1.0m
Verbena speciosa	Verbena	1.0-1.5m
Hebe speciosa	Hebe	1.0-1.5m

*Plant denotes approximate height by width of maturity.



PAVEMENT

- Plain concrete
- Exposed concrete

STREET FURNITURE

- Drink Fountain
- Interpretation sign
- Seating
- Pedestrian barrier
- 1200L Bin enclosure

Received
05/10/2023



PLAN LEGEND

- Plain concrete footpath 1.8m wide to the residential precinct, along the kerb with a gap between the path and boundary for hardy and suitable planting.
- Plain concrete footpath from the kerb to the property boundary to the Longford Green precinct, with decorative flower pots to add interest to the pavement.
- Coloured concrete footpath from the kerb to the property boundary to the historic precinct, with decorative flower pots to add interest to the pavement.
- New bike lane where road width allow.
- New kerb extensions to increase pedestrian safety, reduce vehicle speeds, and to add colour and texture the intersection.
- Decorative road treatment to highlight the thresholds to side streets and pedestrian crossing areas.
- Residential precinct driveway crossovers consisting of plain concrete with an exposed finish.



NUMBER LEGEND

1. The new kerb extensions provide a separation between vehicles and pedestrians, as well as low colourful planting, pedestrian barriers, street furniture and interpretation signage illustrating the history of buildings, local identities and activities.
2. Match pattern within the concrete pavement to provide a subtle highlight to the corner area.
3. New concrete pavement to include pedestrian access points to front gates of the adjoining private residences.
4. Existing raised brick paving and seating area to be retained.
5. Rain gardens within the kerb extensions to filter road stormwater runoff before it flows to the South Esk River.
6. Existing street trees to be retained.
7. New concrete pavement to cover the full extent of the area between the back of kerb and the property boundary fronting J.J. Baker.
8. New pedestrian nodes with island refuge.

9. Bollards within the garden provide a safety barrier between the new car park layout and the pathway.
10. Existing car park layout revised to provide a safer area for pedestrians travelling across the Wellington Street and Archer Street intersection.
11. New planting between the existing hedge and the new pavement.
12. Existing bus stop to be retained.
13. New large pavement area framing the Link Library and the adjoining Club to allow for social interaction and outdoor dining.
14. New pit drains within the concrete pavement and offset from the building to collect any overland stormwater flows that may occur in inclement weather.
15. Existing lawn area to be replaced with hardy colourful groundcovers.
16. Existing cast iron horse water trough to be retained.



PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	HUB*
Strelitzia reginae	Strelitzia	3.0m
Dianella laurifolia	Southern Flax Lily	2.0-2.5m
Dianella caerulea	Spotted Lily	2.0-2.5m
Fuchsia magellanica	Knobby Clubmoss	0.8-1.0m
Chenopodium quinoa	Quinoa	2.0-2.5m
Hebe buxifolia	Hebe	1.0-1.5m
Hibiscus speciosus	Guinea Flower	2.0-2.5m
Lonicera caerulea	Hadjice	0.8-1.0m
Lomandra longifolia	Lomandra	1.0-1.5m
Phlox subulata	Phlox	0.8-1.0m
Osteospermum ecklonii	African Lily	0.8-1.0m
Verbena speciosa	Verbena	1.0-1.5m
Hebe speciosa	Hebe	1.0-1.5m

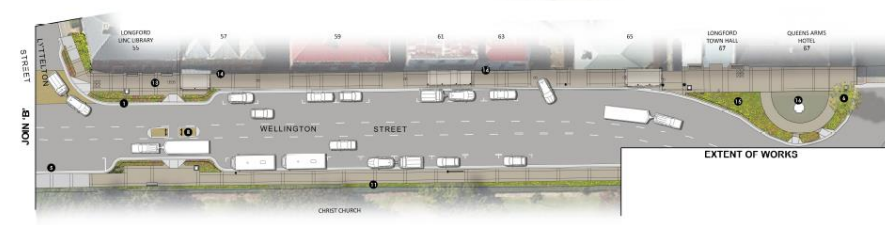
*Plant denotes approximate height by width of maturity.

PAVEMENT

- Plain concrete
- Exposed concrete

STREET FURNITURE

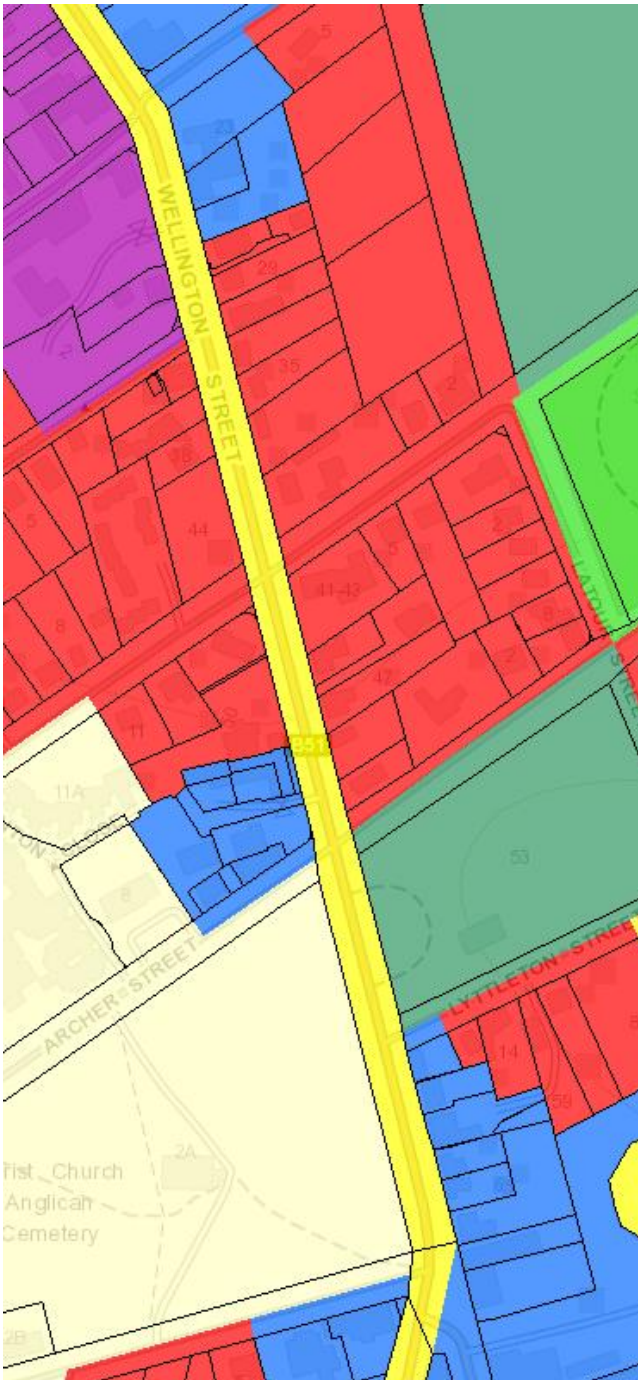
- Drink Fountain
- Interpretation sign
- Seating
- Bollard / Bike rack
- Pedestrian barrier
- 1200L Bin enclosure





4.2 Zone and Land Use

Zone Map



The land within Wellington Street is zoned Utilities with minor works in side street proposed within the General Residential, General Business, Light Industrial, Community Purpose and Open Space zones.

The relevant Planning Scheme definition is:

<i>utilities</i>	<i>means use of land for utilities and infrastructure including:</i> <i>(a) Telecommunications;</i> <i>(b) Electricity generation;</i> <i>(c) Transmitting or distributing gas, oil, or electricity;</i> <i>(d) Transport networks;</i> <i>(e) Collecting, treating, transmitting, storing or distributing water; or</i>
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<p><i>(f) Collecting, treating, or disposing of storm or floodwater, sewage, or sullage. Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam or weir.</i></p>

Utilities is a no permit required use within the Utilities zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use in the General Residential Zone, General Business Zone, Light Industrial Zone, Community Purpose Zone and the Open Space Zone, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status within these zones.

Vehicle Parking is Discretionary in the General Business zone, however in accordance with clause 7.2.1, the relocation of car parking is permitted.

The site's location within the Heritage Precinct caused the application to become discretionary

4.3 Subject Site and Locality

A site inspection was undertaken on 20th October 2023. The works are proposed in Wellington Street from adjacent to 19 and 22 Wellington Street to adjacent to 69 Wellington Street and 2A William Street and includes minor works into Union Street, Mason Street, Smith Street, Archer Street and Lyttleton Street. The site is presently road infrastructure and associated items including vehicle parking and street furniture.



Aerial photograph of area





Photogra







4.4 Per

Relevant permit history includes:

- PLN22-0040 – Roadworks/streetscape works in Wellington Street and others

Changes from the 2022 proposal include:

- The removal of the outstand on the north-eastern corner of Union Street;
- Kerb build-outs throughout the proposal have been reduced;
- Bicycle lanes from Union Street to Archer Street have been included;
- Centre median strip from Smith Street to Archer Street has been removed to accommodate bicycle lanes;
- Significant reduction of kerb build-out adjacent to Lyttleton Street; and
- 50m long Truck Zone adjacent to Lyttleton Street for users to access Council’s 24 hour public amenities

4.5 Referrals

The following referrals were required:



Council's Works Department

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 25th October 2023 and their recommended conditions are included in the conditions of approval.

TasWater

TasWater advised Council on 25th October 2023 that they have assessed the application and have determined that the proposed development does not require a submission from TasWater.

Heritage Advisor

Council's Heritage Advisor, David Denman, advised on 7th November 2023 and his comments form part of the Heritage Code assessment of this report.

Tasmanian Heritage Council

The THC issued a Notice of No Interest on 23rd October 2023 (Ref: 09-70-18THC). A Planning Permit will condition the development to be in accordance with the Notice of No Interest.

Department of State Growth

The Department advised Council on 25th October 2023 that they have no objection to the proposal but note that there is road construction activity in the State road reservation and request a condition and note be placed on any planning permit issued.

4.6 Planning Scheme Assessment

8.0 General Residential Zone

8.1 Zone Purpose

The purpose of the General Residential Zone is:

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

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

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

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

Comment

The proposal is consistent with the zone purpose.

8.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

8.3 Use Standards

8.3.1 Discretionary uses

Comment

Not applicable.

8.3.2 Visitor Accommodation

Comment

Not applicable.

8.4 Development Standards for Dwellings

Comment

Not applicable.

8.5 Development Standards for Non-dwellings

8.5.1 Non-dwelling development

Objective:



<p>That all non-dwelling development:</p> <ul style="list-style-type: none"> (a) Is compatible with the character, siting, apparent scale, bulk, massing and proportion of residential development; and (b) Does not cause an unreasonable loss of amenity on adjoining residential properties. 	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A building that is not a dwelling, excluding for Food Services, local shop, garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) If the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) If the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (c) If for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining properties on the same street. 	<p>P1</p> <p>A building that is not a dwelling, excluding for Food Services and local shop, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>
<p>Comment</p> <p>Not applicable – no building proposed.</p>	
<p>A2</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) Be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> (i) A distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (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 or rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) Only have a setback less than 1.5m from a side or rear boundary if the building: <ul style="list-style-type: none"> (i) Does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) Does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser). 	<p>P2</p> <p>The siting and scale of a building that is not a dwelling must:</p> <ul style="list-style-type: none"> (a) Not cause an unreasonable loss of amenity, having regard to: <ul style="list-style-type: none"> (i) Reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property; (ii) Overshadowing the private open space of a dwelling on an adjoining property; (iii) Overshadowing of an adjoining vacant property; and (iv) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and (b) Provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.
<p>Comment</p> <p>Not applicable – no building proposed.</p>	
<p>A3</p> <p>A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) A site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) A site area of which not less than 35% is free from impervious surfaces. 	<p>P3</p> <p>A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) Site coverage consistent with that existing on established properties in the area; and (b) Reasonable space for the planting of gardens and landscaping.
<p>Comment</p> <p>Not applicable – no building proposed.</p>	
<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>A fence (including a free-standing wall) for a building</p>



	<p>that is not a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> (a) Provide for security and privacy while allowing for passive surveillance of the road; and (b) Be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) The topography of the site; and (ii) Traffic volumes on the adjoining road.
<p>Comment Not applicable.</p>	
<p>A5 Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <ul style="list-style-type: none"> (a) Be visible from any road or public open space adjoining the site; and (b) Encroach upon parking areas, driveways or landscaped areas. 	<p>P5 Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> (a) The nature of the use; (b) The type of goods, materials or waste to be stored; (c) The topography of the site; and (d) Any screening proposed.
<p>Comment Not applicable.</p>	
<p>A6 Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.</p>	<p>P6 Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of any emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of the sensitive use; and (d) Any mitigation measures proposed.
<p>Comment Not applicable.</p>	

8.5.2 Non-residential garages and carports

Comment
Not applicable.

8.6 Development Standards for Subdivision

8.6.1 Lot design

Comment
Not applicable – applies only to subdivision.

8.6.2 Roads

Comment
Not applicable – applies only to subdivision.

8.6.3 Services

Comment



Not applicable – applies only to subdivision.

The application will meet all the requirements of the Exemptions 4.0 (4.2.4, 4.2.5 and 4.2.7).

15.0 General Business Zone

15.1 Zone Purpose

The purpose of the General Business Zone is:

15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania’s main suburban and rural centres.

15.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.

15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.

15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

Comment

The proposal is consistent with the zone purpose.

15.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

15.3 Use Standards

15.3.1 All uses

Objective:

That uses do not cause an unreasonable loss of amenity to residential zones.

Acceptable Solutions

A1

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:

- (a) 7.00am to 9.00pm Monday to Saturday; and
- (b) 8.00am to 9.00pm Sunday and public holidays.

Performance Criteria

P1

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to:

- (a) The timing, duration or extent of vehicle movements; and
- (b) Noise, lighting or other emissions.

Comment

Not applicable.

A2

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must:

- (a) Not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and
- (b) If for security lighting, must be baffled so that direct light does not extend into the adjoining property in those zones.

P2

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) The level of illumination and duration of lighting; and
- (b) The distance to habitable rooms of an adjacent dwelling.

Comment

Complies with A2, any proposed external lighting would be for security and safety purposes.

A3

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General

P3

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity



Residential Zone or Inner Residential Zone, must be within eh hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	to the residential zones, having regard to: (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) Potential conflicts with other traffic.
Comment Not applicable.	

15.3.2 Discretionary uses
Comment Not applicable.

15.3.3 Retail impact
Comment Not applicable.

15.4 Development Standards for Building and Works	
15.4.1 Building height	
Objective: That building height: (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 12m.	P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) The topography of the site; (b) The height, bulk and form of existing buildings on the site and adjacent properties; (c) The bulk and form of existing buildings; (d) The apparent height when viewed from the adjoining road and public places; and (e) Any overshadowing of public places.
Comment Not applicable – no building proposed.	
A2 Building height: (a) Within 10m of a General Residential Zone must not be more than 8.5m; or (b) Within 10m of an Inner Residential Zone must not be more than 9.5m.	P2 Building height within 10m of a General Residential Zone or Inner Residential Zone must be consistent with building height on the adjoining properties and not cause an unreasonable loss of residential amenity, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
Comment Not applicable – no building proposed.	

15.4.2 Setbacks
Objective: That building setback: (a) Is compatible with the streetscape; (b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones; and (c) Minimises opportunities for crime and anti-social behaviour through setback of buildings.



Acceptable Solutions	Performance Criteria
<p>A1 Buildings must be:</p> <ul style="list-style-type: none"> (a) Built to the frontage at ground level; or (b) Have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties. 	<p>P1 Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> (a) Providing small variations in building alignment to break up long facades; (b) Providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping; (c) The avoidance of concealment spaces; (d) The ability to achieve passive surveillance; and (e) The availability of lighting.
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 Building must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than:</p> <ul style="list-style-type: none"> (a) 5m; or (b) Half the wall height of the building, whichever is the greater. 	<p>P2 Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</p> <ul style="list-style-type: none"> (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to the adjoining property; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
<p>Comment Not applicable – no building proposed.</p>	
<p>A3 Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.</p>	<p>P3 Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of the sensitive use; and (d) Any proposed mitigation measures.
<p>Comment Not applicable.</p>	

15.4.3 Design

Objective:

That building facades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.

Acceptable Solutions	Performance Criteria
<p>A1 New buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> (a) Mechanical plant and other service infrastructure, such as heat pumps, air conditioning, switchboards, hot water units and the like, must be screened from the street and other public places; (b) Roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof; (c) Not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and (d) Provide external lighting to illuminate external vehicle parking areas and pathways. 	<p>P1 New buildings must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) Minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places; (b) Minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and (c) Providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.
<p>Comment Not applicable – no building proposed.</p>	



<p>A2 New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> (a) Provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site; (b) If for a ground floor level façade facing a frontage: <ul style="list-style-type: none"> (i) Have not less than 40% of the total surface area consisting of windows or doorways; or (ii) Not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%; (c) If for a ground level façade facing a frontage must: <ul style="list-style-type: none"> (i) Not include a single length of blank wall greater than 30% of the length of façade on that frontage; or (ii) Not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and (d) Provide awnings over a public footpath if existing on the site or on adjoining properties. 	<p>P2 New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) How the main pedestrian access to the building addresses the street or other public places; (b) Windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; (c) Architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; (d) Installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and (e) The need for provision of awnings over a public footpath.
<p>Comment Not applicable – no building proposed.</p>	

<p>15.4.4 Fencing</p>	
<p>Objective: That fencing:</p> <ul style="list-style-type: none"> (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 No Acceptable Solution.</p>	<p>P1 A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) Its height, design, location and extent; (b) Its degree of transparency; and (c) The proposed materials and construction.
<p>Comment Pedestrian barriers are proposed and could be considered a form of fencing. The pedestrian barriers are designed to contribute to the streetscape and is consistent with the performance criteria.</p>	
<p>A2 Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must:</p> <ul style="list-style-type: none"> (a) Have a height above existing ground level of not more than 2.1m; and (b) Not contain barbed wire. 	<p>P2 Common boundary fences with a property in the General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) Their height, design, location and extent; and (b) The proposed materials and construction.
<p>Comment Not applicable.</p>	

<p>15.4.5 Outdoor storage areas</p>	
<p>Objective: That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>



Comment

Not applicable.

15.4.6 Dwellings

Objective:

To provide adequate and useable private open space and storage for the needs of residents.

Acceptable Solutions

A1

A dwelling must have private open space that is not less than:

- (a) 24m² with a minimum horizontal dimension of not less than 4m; or
- (b) 8m² with a minimum dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.

Performance Criteria

P1

A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.

Comment

Not applicable.

A2

Each dwelling must be provided with a dedicated and secure storage space of no less than 6m³.

P2

Each dwelling must be provided with adequate storage space.

Comment

Not applicable.

15.5 Development Standards for Subdivision

15.5.1 Lot design

Comment

Not applicable – applies only to subdivision.

15.5.2 Services

Comment

Not applicable – applies only to subdivision.

18.0 Light Industrial Zone

18.1 Zone Purpose

The purpose of the Light Industrial Zone is:

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.

18.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

Comment

The proposal complies with the zone purpose.

18.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

18.3 Use Standards

18.3.1 All uses

Objective:

That uses do not cause an unreasonable loss of amenity to residential zones.

Acceptable Solutions

A1

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low

Performance Criteria

P1

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of



<p>Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	<p>amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The timing, duration or extent of vehicle movements; and (b) Noise, lighting or other emissions.
<p>Comment Not applicable.</p>	
<p>A2 External lighting for a use, excluding Natural and Cultural Values Management, or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must:</p> <ul style="list-style-type: none"> (a) Not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) If for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones. 	<p>P2 External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The level of illumination and duration of lighting; and (b) The distance to habitable rooms of an adjacent dwelling.
<p>Comment Not applicable.</p>	
<p>A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	<p>P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) Potential conflicts with other traffic.
<p>Comment Not applicable.</p>	

18.3.2 Discretionary uses

Comment

Not applicable.

18.4 Development Standards for Building and Works

18.4.1 Building height

Objective:

To provide for a building height that:

- (a) Is necessary for the operation of the use; and
- (b) Minimises adverse impacts on adjoining properties.

Acceptable Solutions

A1
Building height must be not more than 10m.

Performance Criteria

P1
Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:

- (a) The bulk and form of the building;
- (b) Separation from existing uses on adjoining properties; and
- (c) Any buffers created by natural or other features.

Comment

Not applicable – no building proposed.



<p>A2 Building height:</p> <ul style="list-style-type: none"> (a) Within 10m of a General Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m; or (b) Within 10m of an Inner Residential Zone must be not more than 9.5m. 	<p>P2 Building height within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be consistent with building height on adjoining properties in those zones and not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining properties.
<p>Comment Not applicable – no building proposed.</p>	

<p>18.4.2 Setbacks</p>	
<p>Objective: That building setbacks:</p> <ul style="list-style-type: none"> (a) Are appropriate for the site; and (b) Do not cause an unreasonable loss of residential amenity to adjoining residential zones. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> (a) Not less than 5.5m; (b) Not less than existing buildings on the site; or (c) Not more or less than the maximum and minimum setbacks of the buildings on adjoining properties. 	<p>P1 Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to:</p> <ul style="list-style-type: none"> (a) The topography of the site; (b) The setback of buildings on adjacent properties; and (c) The safety of road users.
<p>Comment Not applicable – no building proposed.</p>	
<p>A2 Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than:</p> <ul style="list-style-type: none"> (a) 4m; or (b) Half the wall height of the building, Whichever is the greater. 	<p>P2 Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, having regard to:</p> <ul style="list-style-type: none"> (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy; and (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
<p>Comment Not applicable – no building proposed.</p>	
<p>A3 Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone.</p>	<p>P3 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of the sensitive use; and (d) Any proposed mitigation measures.
<p>Comment Not applicable.</p>	

<p>18.4.3 Fencing</p>
<p>Objective:</p>



That fencing does not cause an unreasonable loss of residential amenity to adjoining residential zone.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to: (a) Their height, design, location and extent; and (b) The proposed materials and construction.
Comment Not applicable.	

18.4.4 Outdoor storage areas	
Objective: Outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Comment Not applicable.	

18.4.5 Landscaping	
Objective: That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.	
Acceptable Solutions	Performance Criteria
A1 If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: (a) To a depth of not less than 5.5m; or (b) Not less than the frontage of an existing building if it is a lesser distance.	P1 If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to: (a) The width of the setback; (b) The width of the frontage; (c) The topography of the site; (d) Existing vegetation on the site; (e) The location, type and growth of the proposed vegetation; and (f) Any relevant local area objectives contained within the relevant Local Provisions Schedule.
Comment Not applicable.	

18.5 Development Standards for Subdivision	
18.5.1 Lot design	
Comment Not applicable – applies only to subdivision.	

18.5.2 Services	
Comment Not applicable – applies only to subdivision.	

26.0 Utilities Zone	
26.1 Zone Purpose	
The purpose of the Utilities Zone is: 26.1.1 To provide land for major utilities installations and corridors. 26.1.2 To provide for other compatible uses where they do not adversely impact on the utility.	
Comment The proposal complies with the zone purpose.	



26.2 Use Table	
Comment Utilities, if not listed as No Permit Required is permitted use in the zone.	
26.3 Use Standards	
26.3.1 All uses	
Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions	Performance Criteria
A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to: (a) The timing, duration or extent of vehicle movements; and (b) Noise, lighting or other emissions.
Comment Not applicable.	
A2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must: (a) Not operate within the hours of 11.00pm and 6.00am, excluding any security lighting; and (b) If for security lighting, be baffled so that direct light does not extend into the adjoining property.	P2 External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) The level of illumination and duration of lighting; and (b) The distance to habitable rooms of an adjacent dwelling.
Comment Not applicable.	
A3 Commercial vehicle movement and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and sensitive use; and (f) Potential conflicts with other traffic.
Comment Not applicable.	
26.3.2 Discretionary uses	
Comment Not applicable.	



26.4 Development Standards for Buildings and Works	
26.4.1 Building height	
Objective: To provide for a building height that: (a) Is necessary for the operation of the use; and (b) Minimises adverse impacts on adjoining properties and the visual character of the area.	
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than: (a) 10m; or (b) 15m if for a structure, such as a tower, pole or similar.	P1 Building height must: (a) Be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to: (i) The bulk and form of the building; (ii) Separation from existing buildings on adjoining properties; and (iii) Any buffers created by natural or other features; and (b) Not unreasonably impact on the visual character of the area, having regard to: (i) The topography of the site; (ii) Any existing vegetation; and (iii) Visibility from adjoining roads and public open space.
Comment Not applicable – no building proposed.	
A2 Building height, excluding a structure such as a tower, pole or similar: (a) Within 10m of an adjoining property in a General Residential Zone, Low Density Residential Zone or Rural Living Zone, must be not more than 8.5m; or (b) Within 10m of an adjoining property in an Inner Residential Zone, must be not more than 9.5m.	P2 Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must not cause an unreasonable loss of residential amenity, having regard to: (a) Compatibility with buildings on established properties in the adjoining zone; (b) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (c) Overlooking and reduction of privacy to adjoining properties; and (d) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
Comment Not applicable – no building proposed.	
26.4.2 Setbacks	
Objective: That building setbacks are: (a) Compatible with the character of the surrounding area; and (b) Does not cause an unreasonable loss of amenity to adjoining properties.	
Acceptable Solutions	Performance Criteria
A1 Buildings, excluding a structure such as a tower, pole or similar, must have a setback from all boundaries of not less than: (a) 5m; or (b) An existing building on the lot.	P1 Buildings, excluding a structure such as a tower, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) The topography of the site; (b) The size, shape and orientation of the site; (c) The setback of existing buildings on the site and on adjoining properties; (d) The bulk and form of proposed buildings; (e) Overlooking and reduction of privacy of dwellings on adjoining properties; (f) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and (g) Any existing screening or the ability to implement screening.
Comment Not applicable – no building proposed.	
A2 Air extraction, refrigeration systems,	P2 Air conditioning, air extraction, pumping, heating or refrigeration systems,



<p>compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone.</p>	<p>compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of adjoining sensitive uses; and (d) Any proposed or existing mitigation measures.
<p>Comment Not applicable.</p>	

<p>26.4.3 Fencing</p>	
<p>Objective: That fencing:</p> <ul style="list-style-type: none"> (a) Does not detract from the appearance of the site or surrounding area; and (b) Provides for passive surveillance. 	
<p>Acceptable Solutions</p> <p>A1 A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2m if the fence is solid; or (b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provides a uniform transparency of not less than 30%. 	<p>Performance Criteria</p> <p>P1 A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) The height, design, location and extent of the fence; (b) The degree of transparency; and (c) The proposed material and construction.
<p>Comment Not applicable.</p>	
<p>A2 Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must:</p> <ul style="list-style-type: none"> (a) Have a height above existing ground level of not more than 2.1m; and (b) Not use barbed wire. 	<p>P2 Common boundary fences with a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) The height, design, location and extent of the fence; and (b) The proposed materials and construction.
<p>Comment Not applicable.</p>	

<p>26.4.4 Outdoor storage areas</p>	
<p>Objective: That outdoor storage areas do not detract from the appearance of the site or surrounding area.</p>	
<p>Acceptable Solutions</p> <p>A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>Performance Criteria</p> <p>P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>
<p>Comment Not applicable.</p>	

<p>26.5 Development Standards for Subdivision</p>	
<p>26.5.1 Subdivision</p>	
<p>Comment Not applicable – applies only to subdivision.</p>	



26.5.2 Services

Comment

Not applicable – applies only to subdivision.

27.0 Community Purpose Zone

27.1 Zone Purpose

The purpose of the Community Purpose Zone is:

27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.

27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.

Comment

The proposal is consistent with the zone purpose.

27.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

27.3 Use Standards

27.3.1 Non-residential use

Objective:

That non-residential use does not cause an unreasonable loss of amenity to residential zones.

Acceptable Solutions

A1

Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:

- (a) 8.00am to 8.00pm Monday to Friday;
- (b) 9.00am to 6.00pm Saturday; and
- (c) 10.00am to 5.00pm Sunday and public holidays.

Performance Criteria

P1

Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use having regard to:

- (a) The timing, duration or extent of vehicle movements; and
- (b) Noise, lighting or other emissions.

Comment

Not applicable.

A2

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must:

- (a) Not operate between 9.00pm and 6.00am, excluding any security lighting; and
- (b) If for security lighting, must be baffled so that direct light does not extend into the adjoining property.

P2

External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, within 50m of a General Residential Zone, Inner Residential Zone, and Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) The level of illumination and duration of lighting; and
- (b) Distance to habitable rooms of an adjacent dwelling.

Comment

Not applicable.

A3

Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must

P3

Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone,



not operate between 9.00pm and 6.00am.	having regard to: <ul style="list-style-type: none"> (a) The necessity of floodlighting for the Sports and Recreation use; (b) The frequency of the Sports and Recreation event; (c) Whether the event is of a special nature; (d) The duration of the event; and (e) Any lighting required to set up and pack up for the event.
Comment Not applicable.	
A4 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> (a) 7.00am to 6.00pm Monday to Friday; and (b) 9.00am to 5.00pm Saturday, Sunday and public holidays. 	P4 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Service, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone having regard to: <ul style="list-style-type: none"> (a) The time and duration of commercial vehicle movements; (b) The number and frequency of commercial vehicle movements; (c) The size of commercial vehicles involved; (d) Manoeuvring by the commercial vehicles, including the amount of reversing and associated warning noise; (e) Any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) The existing levels of amenity.
Comment Not applicable.	

27.4 Development Standards for Buildings and Works 27.4.1 Building height	
Objective: That building height: <ul style="list-style-type: none"> (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of amenity to adjoining residential properties. 	
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 10m.	P1 Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> (a) The topography of the site; (b) The height, bulk and form of existing buildings on the site and adjacent properties; (c) The bulk and form of proposed buildings; (d) The apparent height when viewed from the road and public places; (e) Any overshadowing of adjoining properties or public places; and (f) The need to locate the building on the site.
Comment Not applicable – no building proposed.	

27.4.2 Setback	
Objective: That building setback: <ul style="list-style-type: none"> (a) Is compatible with the streetscape; and (b) Does not cause an unreasonable loss of residential amenity to adjoining residential zones. 	
Acceptable Solutions	Performance Criteria
A1 Buildings must have a setback from a frontage of: <ul style="list-style-type: none"> (a) Not less than 5m; or (b) Not more or less than the maximum and minimum setbacks of the buildings on 	P1 Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to: <ul style="list-style-type: none"> (a) The topography of the site; (b) The setbacks of buildings on adjacent properties;



adjoining properties, Whichever is the lesser.	(c) The height, bulk and form of existing and proposed buildings; and (d) The safety of road users.
Comment Not applicable – no building proposed.	
A2 Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than: (a) 3m; or (b) Half the wall height of the building, whichever is the greater.	P2 Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to: (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy to adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
Comment Not applicable – no building proposed.	
A3 Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone.	P3 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to: (a) The characteristics and frequency of emissions generated; (b) The nature of the proposed use; (c) The topography of the site and location of adjoining sensitive uses; and (d) Any proposed mitigation measures.
Comment Not applicable.	

27.4.3 Fencing	
Objective: That fencing: (a) Is compatible with the streetscape; and (b) Provides for passive surveillance.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A fence (including a free-standing wall) within 4.5m of a frontage must: (a) Provide for security and privacy while allowing for passive surveillance of the road; and (b) Be compatible with the streetscape, having regard to: (h) its height, design, location and extent; (i) the topography of the site; and (j) traffic volumes on the adjoining road.
Comment Not applicable.	

27.4.4 Outdoor storage areas	
Objective: That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Comment Not applicable.	



27.5 Development Standards for Subdivision

27.5.1 Lot design

Comment

Not applicable – applies only to subdivision.

27.5.2 Services

Comment

Not applicable – applies only to subdivision.

29.0 Open Space Zone

29.1 Zone Purpose

The purpose of the Open Space Zone is:

29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.

Comment

The proposal is consistent with the zone purpose.

29.2 Use Table

Comment

Utilities, if not listed as No Permit Required is discretionary use in the zone. In accordance with Clause 7.2.1, as development is for an existing discretionary use, and the proposal for development does not establish a new use, or substantially intensity the existing use, the proposal has a Permitted status under this Table.

29.3 Use Standards

29.3.1 Discretionary uses

Comment

Not applicable.

29.4 Development Standards for Buildings and Works

29.4.1 Building height, setback and siting

Objective:

That building bulk, setback and siting:

- (a) Is compatible with the streetscape;
- (b) Does not cause unreasonable loss of amenity to adjacent properties;
- (c) Respects the natural and landscape values of the site; and
- (d) Minimises opportunities for crime and anti-social behaviour through setback of buildings.

Acceptable Solutions

A1

Building height must be not more than 10m.

Performance Criteria

P1

Building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:

- (a) The topography of the site;
- (b) The height, bulk and form of existing buildings on the site and adjacent properties;
- (c) The bulk and form of proposed buildings;
- (d) The requirements of the proposed use;
- (e) Sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;
- (f) The privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and
- (g) Any overshadowing of adjacent public places.

Comment

Not applicable – no building proposed.

A2

Buildings must have a setback from a frontage of:

- (a) Not less than 5m; or

P2

Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour,



<p>(b) Not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, Whichever is the lesser.</p>	<p>having regard to:</p> <ul style="list-style-type: none"> (a) Providing small variations in building alignment to break up long building facades; (b) Providing variations in building alignment to provide a forecourt or space for public use, such as outdoor dining or landscaping; (c) The avoidance of concealment spaces; (d) The ability to achieve passive surveillance; and (e) The availability of lighting.
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Comment

Not applicable – no building proposed.

<p>A3 Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</p> <ul style="list-style-type: none"> (a) 3m; or (b) Half the wall height of the building, Whichever is the greater. 	<p>P3 Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <ul style="list-style-type: none"> (a) Overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) Overlooking and reduction of privacy of adjoining properties; or (c) Visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
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Comment

Not applicable – no building proposed.

<p>A4 Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone.</p>	<p>P4 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) The characteristics and frequency of any emissions generated; (b) The nature of the proposed use; (c) The topography of the site; and (d) Any mitigation measures proposed.
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Comment

Not applicable.

29.4.2 Outdoor storage areas

Objective:

That outdoor storage areas do not detract from the appearance of the site or surrounding area.

Acceptable Solutions	Performance Criteria
<p>A1 Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1 Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>

Comment

Not applicable.

29.5 Development Standards for Subdivision

29.5.1 Lot design

Comment

Not applicable – applies only to subdivision.

CODES	
C1.0 Signs Code	N/a
C2.0 Parking and Sustainable Transport Code	Complies, see code assessment below.
C3.0 Road and Railway Assets Code	N/a
C4.0 Electricity Transmission Infrastructure	N/a



Protection Code	
C.5.0 Telecommunications Code	N/a
C6.0 Local Historic Heritage Code	Complies, see code assessment below.
C7.0 Natural Assets Code	N/a
C8.0 Scenic Protection Code	N/a
C9.0 Attenuation Code	N/a
C10.0 Coastal Erosion Hazard Code	N/a
C11.0 Coastal Inundation Hazard Code	N/a
C12.0 Flood-Prone Areas Hazard Code	N/a
C13.0 Bushfire-Prone Areas Code	N/a
C14.0 Potentially Contaminated Land Code	N/a
C15.0 Landslip Hazard Code	N/a
C16.0 Safeguarding of Airports Code	Exempt in accordance with C16.4.1, development not more than 316m AHD.

C2.0 Parking and Sustainable Transport Code

C2.1 Code Purpose

The purpose of the Parking and Sustainable Transport Code is:

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
- C2.1.6 To provide for parking precincts and pedestrian priority streets.

Comment

The proposal complies with the Code Purpose.

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective:

That an appropriate level of car parking spaces are provided to meet the needs of the use.

Acceptable Solutions

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 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; or
 - (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

Performance Criteria

P1.1

The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

- (a) the availability of off-street public car parking spaces within reasonable walking distance of the site;
- (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) the availability and frequency of other transport alternatives;
- (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (f) 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;
- (g) the effect on streetscape; and
- (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to



<p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>the scale and nature of the use and development.</p> <p>P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.</p>
<p>Comment Complies with A1, no parking requirements set for Utilities use.</p>	

<p>C2.5.2 Bicycle parking numbers</p>	
<p>Objective: That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.</p>	<p>P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>
<p>Comment Complies with A1, no parking requirements set for Utilities use.</p>	

<p>C2.5.3 Motorcycle parking numbers</p>	
<p>Objective: That the appropriate level of motorcycle parking is provided to meet the needs of the use.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</p>	<p>P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.</p>
<p>Comment Not applicable.</p>	

<p>C2.5.4 Loading Bays</p>	
<p>Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area;</p>



	<p>(f) the area and dimensions of the site; and</p> <p>(g) the topography of the site;</p> <p>(h) the location of existing buildings on the site; and</p> <p>(i) any constraints imposed by existing development.</p>
<p>Comment Not applicable.</p>	

<p>C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone</p>	
<p>Objective: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p>P1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</p>
<p>Comment Not applicable.</p>	

<p>C2.6 Development Standards for Buildings and Works</p>	
<p>C2.6.1 Construction of parking areas</p>	
<p>Objective: That parking areas are constructed to an appropriate standard.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so 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.</p>
<p>Comment Complies with A1. All on-street car parking is proposed to be appropriately sealed, levelled and drained and feature line marking to delineate car spaces.</p>	

<p>C2.6.2 Design and layout of parking areas</p>
<p>Objective:</p>



That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or <p>(b) comply with Australian Standard AS 2890-Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.¹ <p>¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.
<p>Comment Complies with A1.1 and A1.2 where relevant.</p>	

C2.6.3 Number of accesses for vehicles	
Objective:	
That:	
<ul style="list-style-type: none"> (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape. 	
Acceptable Solutions	Performance Criteria
<p>A1 The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.
<p>Comment Not applicable.</p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <ul style="list-style-type: none"> (a) not have an adverse impact on: <ul style="list-style-type: none"> (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape.



Comment

Not applicable.

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

Objective:

That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:

- (a) enables easy and efficient use;
- (b) promotes the safety of users;
- (c) minimises opportunities for crime or anti-social behaviour; and
- (d) prevents unreasonable light overspill impacts.

Acceptable Solutions

A1
In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in *Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements*.

Performance Criteria

P1
In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:

- (a) enabling easy and efficient use of the area;
- (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles;
- (c) minimising opportunities for crime or anti-social behaviour though the creation of concealment spaces;
- (d) any unreasonable impact on the amenity of adjoining properties through light overspill; and
- (e) the hours of operation of the use.

Comment

Not applicable.

C2.6.5 Pedestrian access

Objective:

That pedestrian access within parking areas is provided in a safe and convenient manner.

Acceptable Solutions

A1.1
Uses that require 10 or more car parking spaces must:

- (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:
 - (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
 - (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and
- (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.

A1.2
In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.

Performance Criteria

P1
Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- (a) the characteristics of the site;
- (b) the nature of the use;
- (c) the number of parking spaces;
- (d) the frequency of vehicle movements;
- (e) the needs of persons with a disability;
- (f) the location and number of footpath crossings;
- (g) vehicle and pedestrian traffic safety;
- (h) the location of any access ways or parking aisles; and
- (i) any protective devices proposed for pedestrian safety.

Comment

Not applicable.

C2.6.6 Loading bays

Objective:

That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.

Acceptable Solutions

A1
The area and dimensions of loading bays and access way areas must be designed in accordance with

Performance Criteria

P1
Loading bays must have an area and dimensions suitable for the use, having regard to:



<p>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>(a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.</p>
<p>Comment Not applicable.</p>	
<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 - Off-street commercial vehicle facilities.</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>
<p>Comment Not applicable.</p>	

<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	
<p>Objective: That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.</p>	
<p>Acceptable Solutions</p> <p>A1 Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</p>	<p>Performance Criteria</p> <p>P1 Bicycle parking must be provided in a safe, secure and convenient location, having regard to: (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites.</p>
<p>Comment Not applicable.</p>	
<p>A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (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 (c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</p>	<p>P2 Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to: (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking.</p>
<p>Comment Not applicable.</p>	



C2.6.8 Siting of parking and turning areas	
<p>Objective: That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>P1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) the nature of the zone in which the site is located and its preferred uses; and (j) opportunities for passive surveillance of the road.
<p>Comment Not applicable – parking area at 58 Wellington Street is already provided in front of the building line.</p>	
<p>A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 	<p>P2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and (c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.
<p>Comment Not applicable.</p>	

C2.7 Parking Precinct Plan	
C2.7.1 Parking precinct plan	
<p>Objective: To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Within a parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 	<p>P1 Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in parking demand over time; or (ii) efficiencies gained by consolidation of parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (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;



	<p>(f) the streetscape; (g) the topography of the site; (h) the location of existing buildings on the site; (i) any constraints imposed by existing development; and (j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</p>
<p>Comment Not applicable.</p>	

<p>C6.0 Local Historic Heritage Code</p>	
<p>C6.1 Code Purpose</p>	
<p>The purpose of Local Historic Heritage Code is:</p>	
<p>C6.1.1 To recognise and protect:</p>	
<p>(a) The local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and (b) Significant trees.</p>	
<p>C6.1.2 This code does not apply to the Aboriginal heritage values.</p>	
<p>Comment Complies with the Code Purpose.</p>	

<p>C6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts</p>	
<p>C6.7.1 Demolition within a local heritage precinct</p>	
<p>Objective: That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must:</p> <p>(a) Not be on a local heritage place; (b) Not be visible from any road or public open space; and (c) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to:</p> <p>(a) The physical condition of the building, works, structure or trees; (b) The extent and rate of deterioration of the building, works, structure or trees; (c) The safety of the building, works, structure or trees; (d) The streetscape in which the building, works, structure or trees is located; (e) The special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule; (f) Any options to reduce or mitigate deterioration; (g) Whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and (h) Any economic considerations.</p>
<p>Comment Not applicable.</p>	

<p>C6.7.2 Demolition within a local historic landscape precinct</p>
<p>Not applicable.</p>

<p>C6.7.3 Buildings and works, excluding demolition</p>	
<p>Objective: That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Within a local heritage precinct, building and works, excluding demolition, must:</p> <p>(d) Not be on a local heritage place; (e) Not be visible from any</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage plan of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) The character and appearance of the surrounding area;</p>



<p>road or public open space; and</p> <p>(f) Not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</p>	<p>(c) The height and bulk of other buildings in the surrounding area;</p> <p>(d) The setbacks of other buildings in the surrounding area; and</p> <p>(e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</p> <p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) The character and appearance of the surrounding area;</p> <p>(c) The height and bulk of other buildings in the surrounding area;</p> <p>(d) The setbacks of other buildings in the surrounding area; and</p> <p>(e) Any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</p> <p>P1.3 Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to:</p> <p>(a) The landscape values identified in the statement of local historic heritage significance for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and</p> <p>(b) Any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.</p>
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Comment

Proposal complies with P1.1. The proposed works have been carefully considered, to ensure that they respect and enhance the historic heritage character of the street and townscape.

The works will result in a more co-ordinated streetscape.

Care have been taken to protect all existing significant trees and landscape values.

The proposed roadwork is guided by safety standards for pedestrians and cars.

All materials and landscape elements are considered acceptable to be sympathetic with the historic heritage character of the precinct.

P1.2 and P1.3 – not applicable.

<p>A2 Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.</p>	<p>P2 Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:</p> <p>(a) The streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) Height, form, style and materials of the proposed fence; and</p> <p>(c) The style, characteristics and setbacks of fences and gates in the surrounding area.</p>
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Comment

Not applicable. No new front fences are proposed, however pedestrian barriers at intersections have been proposed for added safety, these are to be black in colour and the design will not detract away from the surrounding buildings or precinct.

C6.8 – C6.10 – Not applicable.

NOR-Table C6.2 Local Heritage Precincts

NOR-C6.2.3 Longford

The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid-nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses servicing local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.

PARTICULAR PURPOSE ZONES

NOR-P1.0	Particular Purpose Zone – Campbell Town Service Station	Not applicable
NOR-P2.0	Particular Purpose Zone – Epping Forest	Not applicable



SPECIFIC AREA PLANS		
NOR-S1.0	Translink Specific Area Plan	Not applicable
NOR-S2.0	Campbell Town Specific Area Plan	Not applicable
NOR-S3.0	Cressy Specific Area Plan	Not applicable
NOR-S4.0	Devon Hills Specific Area Plan	Not applicable
NOR-S5.0	Evandale Specific Area Plan	Not applicable
NOR-S6.0	Longford Specific Area Plan	Applies, no provisions apply to the proposal.
NOR-S7.0	Perth Specific Area Plan	Not applicable
NOR-S8.0	Ross Specific Area Plan	Not applicable

GENERAL PROVISIONS		
7.1	Changes to an Existing Non-conforming Use	Not applicable
7.2	Development for Existing Discretionary Uses	Not applicable
7.3	Adjustment of a Boundary	Not applicable
7.4	Change of Use of a Place listed on the Tasmanian Heritage Register or a Local Heritage Place	Not applicable
7.5	Change of Use	Not applicable
7.6	Access and Provision of Infrastructure Across Land in Another Zone	Not applicable
7.7	Buildings Projecting onto Land in a Different Zone	Not applicable
7.8	Port and Shipping in Proclaimed Wharf Areas	Not applicable
7.9	Demolition	Not applicable
7.10	Development Not Required to be Categorised into a Use Class	Not applicable
7.11	Use or Development Seaward of the Municipal District	Not applicable
7.12	Sheds on Vacant Sites	Not applicable

4.7 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that nine (9) representations (attached) were received and a further one representation received outside of the statutory timeframe. Representations were received from:

- (1) B. Lindsay, 113 Marlborough Street, Longford
- (2) R. Lees, 65 Wellington Street, Longford
- (3) G. Green, email address supplied
- (4) R. Cuthbert, email address supplied
- (5) R. Bayles, Tasmanian Truck Owners & Operators Association
- (6) G. Truloff, 61 Wellington Street, Longford
- (7) D. McCullagh, 67 Bulwer Street, Longford
- (8) K. Mercer, 18 Goderich Street, Longford
- (9) TFGA, 41-43 Wellington Street, Longford
- (10) R. & A. Aldersea, PO Box 171, Longford (received out of time)

The matters raised in the representations are outlined below followed by the planner's comments.

Representation 1

Issue 1

- The principal concern is one of public safety. Concerns that the inclusion of cycle paths there is not enough space from vehicles to cyclists. Concerns for severe traffic disruption.

Planner's comment:

Within an area with a speed limit over 60km/h, a 1.5m width must be observed between a cyclist and a vehicle. In areas with a speed limit less than 60km/h, a 1.0m width of separation must be observed. The proposed design allows



adequate width for legal truck width in both directions and cyclists in both directions to meet legal requirements provided a driver complies with the Tasmanian Road Rules which is their legal duty.

Whether a bike lane is dedicated or not, the legal separation remains between a vehicle and a cyclist. Having a dedicated bike lane legally requires a cyclist to remain within that zone, thereby reducing conflict. The National Heavy Vehicle Regulator (NHVR) governs all vehicle widths/loads greater than 2.5m to require permits/signage/escorts. Agricultural equipment is exempt from permits under the NHVR but are still required to have the appropriate safety measures in place when greater than 3.5m width or 12.5m in length.

A Traffic Impact Assessment accompanied the application and considered traffic safety. The proposed bike lanes are a minimum width of 1.2m, which meets the requirements of Austroads Guide Part 6A.

Representation 2

Issue 1

- The subject representors operate a business at 65 Wellington Street. The plans advertised do not indicate on-street parking outside of the front of this premises.

Planner's comment:

Although no formal line marking was shown on the plans, the intent of the proposal was to never restrict parking outside 65 Wellington Street. A condition is proposed on any approval to require parking spaces be line marked in this area.

Representation 3

Issue 1

- The new kerb alignment design in the side street will mean only one vehicle can enter Wellington Street any time.

Planner's comment:

The kerb build-outs provides increased Safe Intersection Sight Distance (SISD) for vehicles entering Wellington Street from a side street. Whether a vehicle needs to wait a little longer to enter the intersection is not to override the intent to improve safety for all road users.

Issue 2

- At times large over wide vehicles pass through Longford, the proposal will not enhance their passage.

Planner's comment:

The proposal does not decrease the carriageway width any less than the current street trees, pedestrian crossing nodes or vehicles when parked.

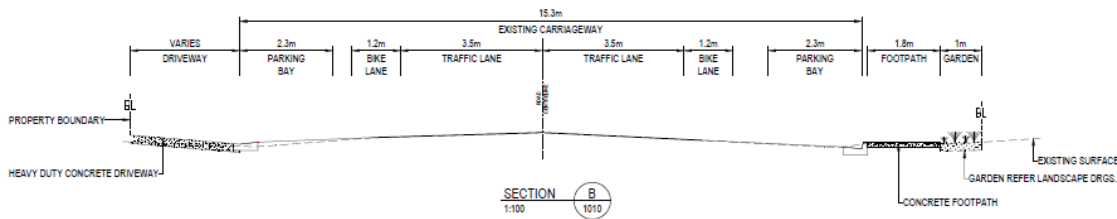
There are existing areas outside the boundaries of the scope of this project on Marlborough Street with narrower carriageway width than that forming part of this proposal.

Issue 3

- Concerns that larger vehicles will protrude into the bicycle lane making it difficult for vehicles entering Wellington Street to see.

Planner's comment:

Plans indicate a 2.3m wide parking bays, a 1.2m wide bicycle lane together with an area of separation between the parking bays and bicycle lane in each direction, which allows for space for passing of wider vehicles, this is clear on plans outside of JJ's Bakery for example. The 15.3m wide carriageway allows a 1.3m wide flexible space increase due to the removal of the centre median.



Parking is prevented 10m from an intersection, so from the kerb build-outs the proposal assists in helping the line of sight from a side street. A Traffic Impact Assessment accompanied the application and the proposal have been approved by the Department of State Growth (the relevant road authority), and does not pose safety concerns.

Representation 4

Issue 1

- Query why the existing asphalt footpath which is in perfect condition is to be replaced with concrete. Asphalt is common and equally as aesthetic as concrete.

Planner's comment:

The proposal has been designed to mitigate issues within the street. The main objectives of the project are to provide a safer environment for pedestrians of all ages and mobility and to enhance the visual amenity of the streetscape.

Issue 2

- Concerns in relation to potential structural damage from works (including jack hammering - vibrations) which may impact on building foundations. A dilapidation survey is requested to be conducted prior to commencing any construction to confirm property conditions. Also, vibration monitoring sensors are requested to be installed to confirm actual vibration levels experienced during construction.

Planner's comment:

The proponent has advised that a dilapidation report is to be undertaken. A condition is to be proposed to any approval requiring this to be undertaken prior to any works commencing.

Issue 3

- Concern raised in relation to the proposed garden bed immediately outside the Library. A number of bollards were installed to create an outdoor sitting area a couple of years ago but were removed as they were deemed a traffic hazard. This garden bed would appear to be a repetition of that issue.

Planner's comment:

The Traffic Impact Assessment which accompanied the application did not consider this design element to be a traffic hazard.

Issue 4

- The plans advertised do not indicate on-street parking outside of the front of the property.

Planner's comment:

Although no formal line marking was shown on the plans, the intent of the proposal was to never restrict parking outside 65 Wellington Street. A condition is proposed on any approval to require parking spaces be line marked in this area.

Representation 5



Issue 1

The representor has reviewed the application and found that there are a lot of issues that have not been addressed from the original application.

Planner's comment:

Changes from the original 2022 proposal include:

- The removal of the kerb build-out on the north-eastern corner of Union Street.
- Kerb build-outs through the proposal have been reduced.
- Bicycle lanes from Union Street to Archer Street have been included.
- Centre median strip from Smith Street to Archer Street has been removed to accommodate bicycle lanes.
- Significant reduction of kerb build-out adjacent to Lyttleton Street.
- 50m long truck zone adjacent to Lyttleton Street for users to access Council's 24-hour public amenities.

The proponent met with TTOOA and took their concerns on board as part of the re-design.

Representation 6

Issue 1

- Concerns regarding works outside 61 Wellington Street, namely blockage of the sub-floor ventilation system as a result of previous road and footpath upgrades. Request is made that the project design includes the provisions of building air vents intended to reinstate the sub-floor ventilation and prevent further damage to the buildings ground floor structure.

Planner's comment:

The proponent has confirmed that the proposed works will unblock any covered vents and shield them from surface water, as indicated in the proposal plans. The addition of the strip drain down from the Town Hall to the Library will prevent any overland water from reaching the buildings and prevent it from entering the unblocked sub floor ventilation to the buildings. These measures are recommended to be conditioned.

Issue 2

- A business owner has concerns in relation to the continuity of business operations due to the extensive nature of the works directly in front of the property at 57 Wellington Street.

Planner's comment:

The proponent has advised that as part of the successful contractor's methodology, limiting disruptions to all business will be paramount, however it is inevitable due to the location and nature of the works that there will be some disruptions. The proponent will endeavour to keep any disruption as minor as possible and work with businesses and property owners throughout the process.

Representation 7

Issue 1

- Concerns about traffic congestion through the main shopping area down to the IGA.

Planner's comment:

Although the scope of the proposed works does not extend to the IGA (Hill Street), a Traffic Impact Assessment accompanied the application and the proposal have been approved by the Department of State Growth (the relevant road authority), and does not pose safety concerns.

Issue 2

- There is already limited room for traffic.



Planner's comment:

The proposal does not decrease the carriageway any less than the current street trees, pedestrian crossing nodes or cars when parked.

Issue 3

- Concerns and challenges to cross Wellington Street for pedestrians.

Planner's comment:

The proposal has incorporated 3 pedestrian crossing (with shorter crossing distances), improving the current situation.

Issue 4

- Already have trees on the roadway.

Planner's comment:

The proposal will improve further the visual amenity of the area.

Representation 8

Issue 1

- Concerns and challenges to cross Wellington Street for pedestrians. The inclusion of bicycle lanes will be inappropriate.

Planner's comment:

A Traffic Impact Assessment accompanied the application and the proposal have been approved by the Department of State Growth (the relevant road authority), and does not pose safety concerns. The proposal has incorporated 3 pedestrian crossing (with shorter crossing distances), improving the current situation.

Issue 2

- Wasteful use of ratepayer's money.

Planner's comment:

This is not a matter for the Planning Authority to take into consideration when assessing a planning application.

Representation 9

Issue 1

The representor is concerned that the proposed kerb build-outs will reduce approximately 16 kerbside car parking spaces in the immediate vicinity of the premises at the corner of Smith and Wellington Streets.

Planner's comment:

Car parking spaces affected by the proposal:

- 3 additional spaces created in front of 24-26 Wellington Street (Midlands Tractors) due to formalized kerb and channel works.
- 2 spaces are reduced around the Smith Street intersection (one either side of Wellington St).
- 3 spaces are reduced around the Archer Street intersection to allow for formalized pedestrian crossings.
- 3 spaces are reduced around the pedestrian crossing in front of 55 Wellington Street (Library) to allow for formalized pedestrian crossing and traffic calming around Lyttleton Street intersection.
- 2 additional spaces created in front of 61 Wellington Street (one either side) due to the removal of the pedestrian crossing.

Total is 3 spaces reduced over the length of the proposal. 2 spaces only will be reduced in the area of concern (1 on either side of the road). PLN-22-0171 proposed 14 off-street parking spaces for the intended 14 employees of the



business at the premises at 41-43 Wellington Street. The planning application noted that not all staff were full time, and demonstrated that 14 spaces within the private property met the performance criteria at the time for the use of that site.

Issue 2

The proposal will reduce the width of the carriageway and will cause significant problems.

Planner's comment:

The proposal does not decrease the carriageway width any less than the current street trees, pedestrian crossing nodes or vehicles when parked. The centre median is to be removed and will allow for the bicycle lane between Archer Street and Smith Street. The Department of State Growth are satisfied with the proposal and have not raised any objections.

Issue 3

There would appear to be scant demand for a bicycle lane in Longford.

Planner's comment:

This is the author's opinion and there is no further comment on this issue needed.

Issue 4

The proposal is a waste of time and ratepayer's money.

Planner's comment:

This is not a matter for the Planning Authority to take into consideration when assessing a planning application.

Representation 10 (received out of time)

Issue 1

No existing street trees should be removed to complete the works.

Planner's comment:

No street trees are being removed as noted on the plans, see below.

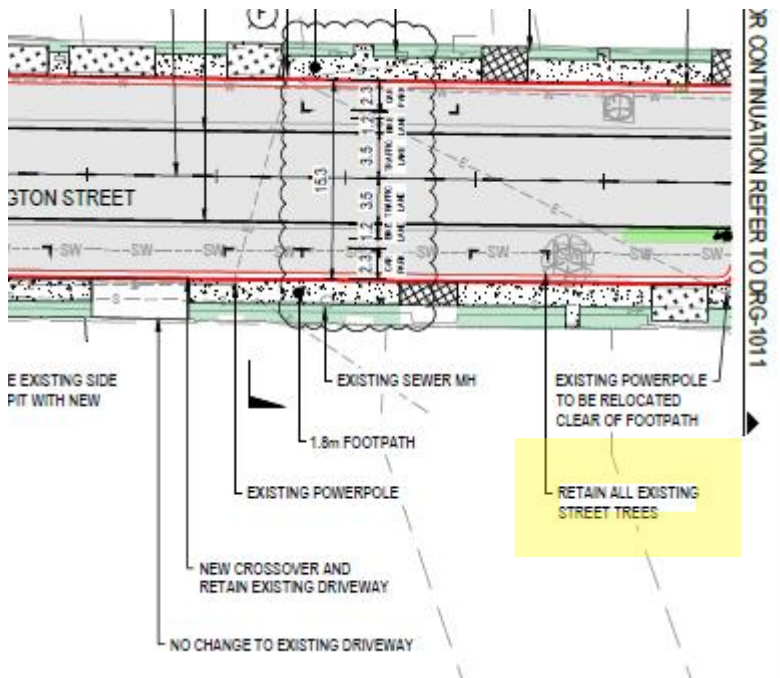


Image: pitt&sherry sheet 1 of 4 extract

Issue 2

- Query why the existing asphalt footpath which is in perfect condition is to be replaced with concrete.

Planner's comment:

The proposal has been designed to mitigate issues within the street. The main objectives of the project are to provide a safer environment for pedestrians of all ages and mobility and to enhance the visual amenity of the streetscape.

Issue 3

- All footpath surfaces must join to the kerb (except those with garden beds).

Planner's comment:

Plans submitted as detailed by pitt&sherry show the footpath abutting the kerb.

Issue 4

- The road treatment must be of a quality that does not wear or faces or can be easily maintained.

Planner's comment:

Noted, the proponent will be seeking the most durable product/treatment possible.

Issue 5

- The representor sees little value in the proposed bicycle lanes.

Planner's comment:

The proposal is a start to a larger concept whereby the Council has endorsed a Municipal Bicycle and Shared Pathway Strategy.



Issue 6

- The garden beds in front of the Visitor Information Shelter in the Village Green and into Archer Street should be landscaped and fully planted.

Planner's comment:

These garden beds are existing and do not form part of this development.

Issue 7

- The Council must be committed to maintaining the new gardens beds.

Planner's comment:

Noted, Council will have to maintain the garden beds and have adequate staff to maintain all garden beds. This is not a matter for the Planning Authority to take into consideration when assessing a planning application.

Following discussions with members of the public and taking into consideration of the previous assessment PLN-22-0040, conditions relating to the protection of private residential property at 58 Wellington Street and disability parking within the car park at 58 Wellington Street and consideration of sub-floor ventilation systems in a number of abutting private properties further along Wellington Street, conditions are proposed.

4.8 Objectives of the *Land Use Planning and Approvals Act 1993*

The proposal is consistent with the objectives of the *Land Use Planning and Approvals Act 1993*.

4.9 State Policies

The proposal is consistent with all State Policies.

4.10 Strategic Plan/Annual Plan/Council Policies

Strategic Plan - Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application

6 OPTIONS

Approve subject to conditions or refuse and state reasons for refusal.

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on performance criteria P1 clause 15.4.4, fencing (pedestrian barriers) within the General Business Zone;
- Reliance on performance criteria of the Local Historic Heritage Code – works within a Heritage Precinct.

Conditions that relate to any aspect of the application can be placed on a permit.

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

1. Application [**11.6.1** - 1 page]
2. Response to Request for Crown Landowner Consent - Trent Atkinson - Wellington Street, Longford - FIN [**11.6.2** - 2 pages]



3. Longford Main Street Planning Submission Revised Bike Lanes [**11.6.3** - 13 pages]
4. Plans - P 1- P 8 [**11.6.4** - 8 pages]
5. Plans P 9- P 10 [**11.6.5** - 2 pages]
6. Plans P 11- P 13 [**11.6.6** - 3 pages]
7. T- P.21.0231- TR A- RE P-001- Rev 01 [**11.6.7** - 44 pages]
8. Tas Water response to referral PL N 23-0188 [**11.6.8** - 2 pages]
9. Response THC No Interest PL N 23-0188 [**11.6.9** - 2 pages]
10. 1. Representation B Lindsay [**11.6.10** - 1 page]
11. 2. Representation R Lees [**11.6.11** - 1 page]
12. 3. Representation G Green [**11.6.12** - 1 page]
13. 4. Representation R Cuthbert [**11.6.13** - 1 page]
14. 5. Representation R Bayles [**11.6.14** - 1 page]
15. 6. Representation G Truloff [**11.6.15** - 1 page]
16. 7. Representation D Mc Cullagh [**11.6.16** - 1 page]
17. 8. Representation K Mercer [**11.6.17** - 1 page]
18. 9. Representation TGFA (2) [**11.6.18** - 1 page]
19. Rep received out of time - PL N-23-0188 Representation - Rob and Annette Aldersea [**11.6.19** - 2 pages]



11.7 AMEND PART 5 AGREEMENT: 15 MONASTERY COURT, LONGFORD

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That the Planning Authority, under section 75 of the *Land Use Planning and Approvals Act 1993*, agree to amend section 3 of the Part 5 Agreement so that it reads:

The owners of any dwelling forming part of the Land formally acknowledge that the Council will provide a recycling collection service but will not provide a waste collection service and the owner must arrange for private waste (but not recycling) collection.

1 PURPOSE OF REPORT

This report seeks the Planning Authority's agreement to amend a Part 5 Agreement for a multiple dwelling development to require only onsite waste collection, with recycling collection to be kerbside.

2 INTRODUCTION/BACKGROUND

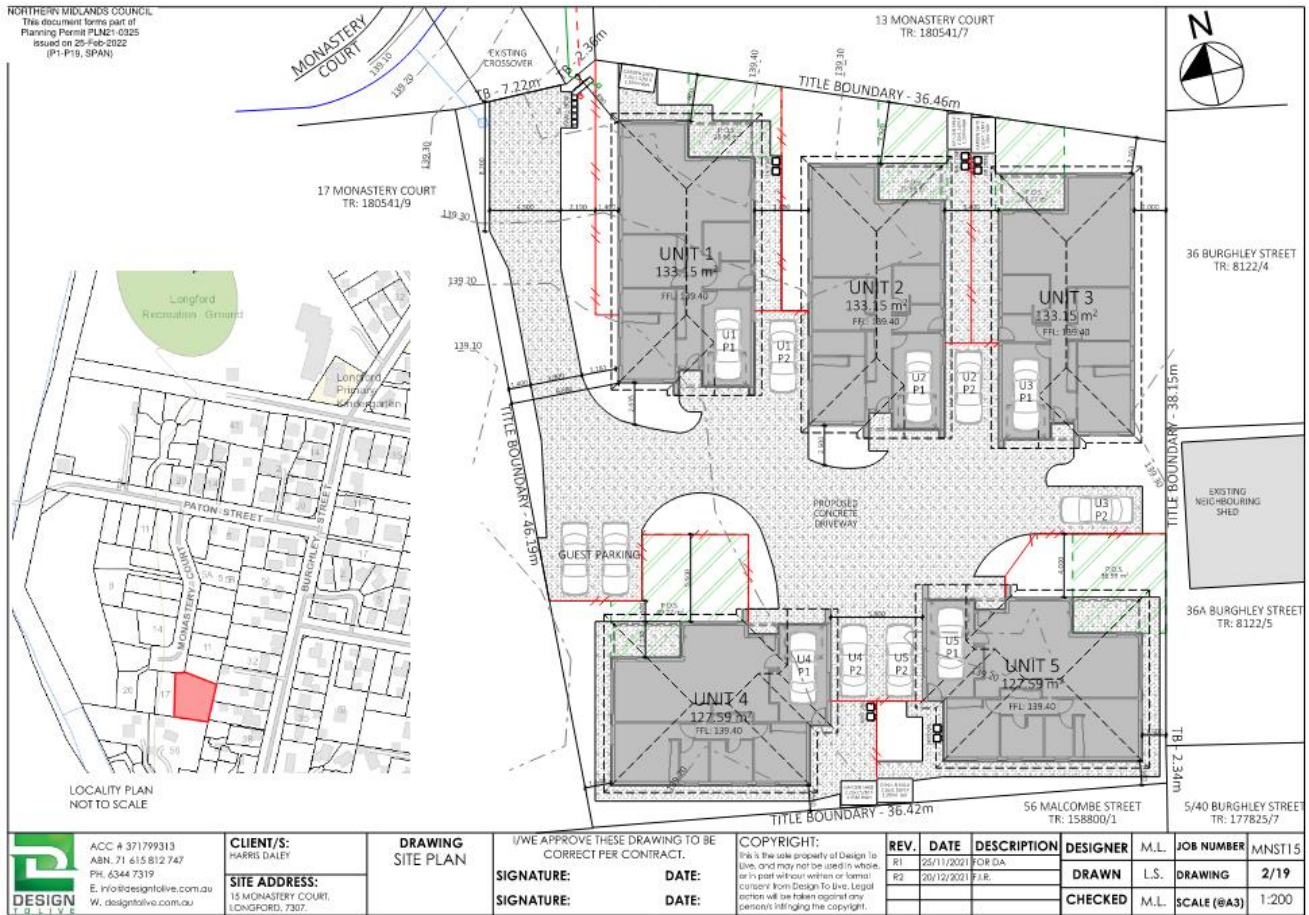
Planning application PLN21-0325 for 5 multiple dwellings was lodged in November 2021. In December 2021 the applicant was advised that Council will not provide a wheelie bin collection service for this development due to the number of bins (5 waste and 5 recycling) compared to the available frontage. This was informed by advice from Veolia dated 21 September 2021 on another application in Longford that Veolia could provide a private on-site waste and recycling collection using rear lift trucks.

At its meeting of 21 February 2022, Council approved the planning application and added the following condition:

The applicant must enter into an agreement with the Northern Midlands Council under Part 5 of the Land Use Planning and Approvals Act 1993 to provide for the following:

The owner acknowledges that the Council will not provide a waste collection service and the owner must arrange for private waste collection.

Veolia advised in November 2023 that it can only provide a private on-site waste collection service to 15 Monastery, not a recycling service. JJ Richards and Cleanaway have advised that they do not service the area.



^Approved Site Plan



^Footpath outside adjoining property



3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.4 Towns are enviable places to visit, live and work

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 Land Use Planning and Approvals Act 1993

71. Planning authority may enter into agreements

- (1) A planning authority may enter into an agreement with an owner of land in the area covered by a planning scheme.
- (2) A planning authority may enter into the agreement on its own behalf or jointly with any other person.
- (3) A planning authority may enter into an agreement under subsection (1) with a person in anticipation of that person becoming the owner of the land.
- (4) The planning authority is not entitled to apply to have the agreement referred to in subsection (3) registered under section 78 until the person becomes the owner of the land but the agreement is binding on the parties.
- (5) An agreement is binding on the parties to the agreement on the day on which it is executed.

75. Amendment of agreements

An agreement may be amended by agreement between the planning authority and all persons who are bound by any covenant in the agreement.

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

Not required for this matter.

9 COMMUNITY CONSULTATION

Not required for this matter.



10 OPTIONS FOR COUNCIL TO CONSIDER

Amend or not amend the Part 5 Agreement.

11 OFFICER'S COMMENTS/CONCLUSION

Given that Veolia, JJ Richards and Cleanaway are unable to provide an onsite recycling collection service for 15 Monastery Court it is recommended that the Part 5 Agreement be amended to:

The owner acknowledges that the Council will provide a recycling collection service but will not provide a waste collection service and the owner must arrange for private waste (but not recycling) collection.

12 ATTACHMENTS

Nil



12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.



13 COMMUNITY & DEVELOPMENT REPORTS

13.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: *Des Jennings, General Manager*

RECOMMENDATION

That the report be noted.

1 PURPOSE OF REPORT

The purpose of this report is to present the Development Services activities as at the month's end.

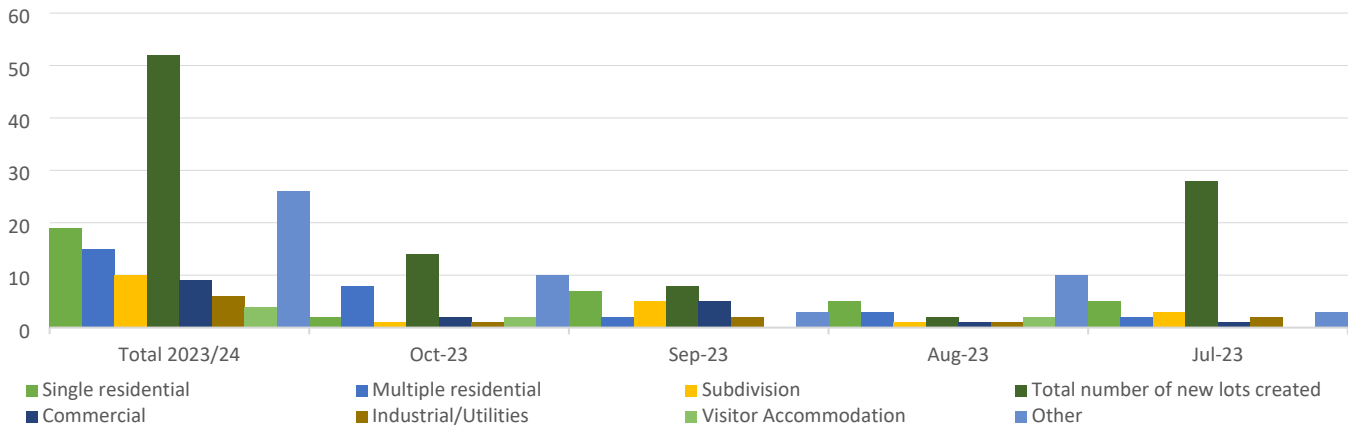
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

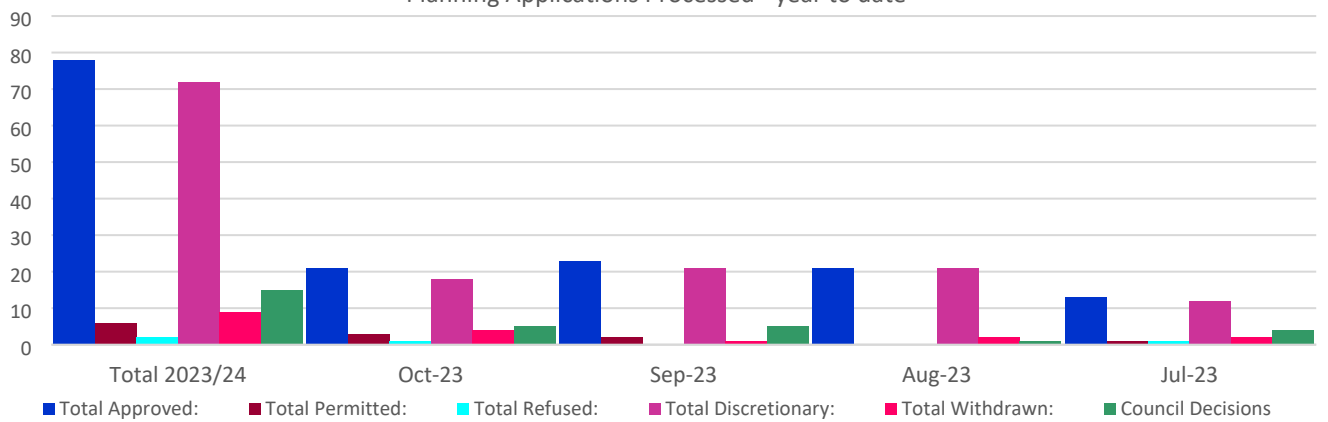
	2021/20 22	2022/ 2023	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	254	195	52	16	13	11	12								
Applications on STOP for further information				66	62	53	59								
Single residential	36	48	19	5	5	7	2								
Multiple residential	92	31	15	2	3	2	8								
Subdivision	37	34	10	3	1	5	1								
Total number of new lots created	91	203	52	28	2	8	14								
Commercial	37	27	9	1	1	5	2								
Industrial/Utilities	30	12	6	2	1	2	1								
Visitor Accommodation	10	8	4	0	2	0	2								
Total permitted	0	1	0	0	0	0	0								
Total discretionary	10	7	4	0	2	0	2								
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc.]	99	85	26	3	10	3	10								
Total No. Applications Approved:	273	228	78	13	21	23	21								
Total Permitted:	36	33	6	1	0	2	3								
Average Days for Permitted	17.25	11	15	22	-	13	11								
Days allowed for approval by LUPAA	28	28	28	28	28	28	28								
Total Exempt under IPS:	84	83	45	23	2	4	16								
Total Refused:	16	5	2	1	0	0	1								
Total Discretionary:	239	198	72	12	21	21	18								
Average Days for Discretionary:	37.33	33.3	31.5	32	30	32	32								
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42								
Total Withdrawn:	20	39	9	2	2	1	4								
Council Decisions	41	36	15	4	1	5	5								
Appeals lodged by the Applicant	9	6	1	0	0	0	1								
Appeals lodged by third party	1	2	0	0	0	0	0								



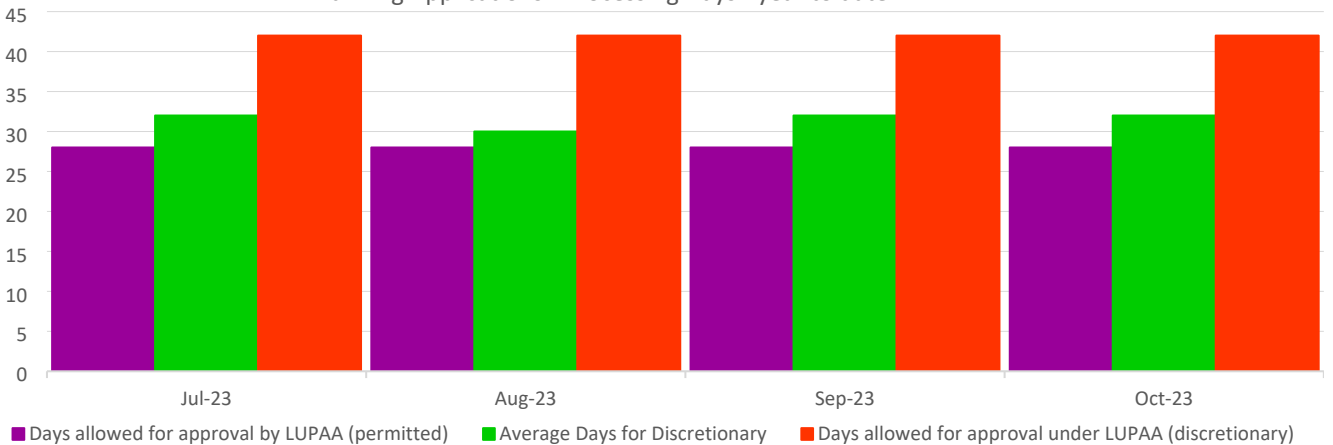
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-20-0273 - 1	Remove concrete deck and laminated beams and replace with hardwood logs and deck boards	Blackman River Bridge, 78 Tunbridge Tier Road, Tunbridge TAS 7120	Dept of State Growth	21	A
PLN-21-0135 - 1	Change grassed areas to crushed rock, additional concrete areas in private open space	125 Wellington Street, Longford TAS 7301	Artem Filipovskiy	21	A
PLN-23-0041	Dwelling extension (Vary 11.4.2 Building height, setback and siting P3; and C8.6.1 Development within a scenic protection area P1.2)	2 Sinclair Street, Perth TAS 7300	Peter & Judy Cowan	11	D
PLN-23-0127	Conversion of Stable to Visitor Accommodation Unit (Discretionary Use, Attenuation)	990 Pateena Road, Longford TAS 7301	Murfett Investments Pty Ltd	22	D



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-23-0139	Multiple Dwellings x5 (5x new) including demolition of existing outbuilding (Perth SAP, Density, Vary Internal Lot Frontage, Parking and Sustainable Transport Code)	36 Cromwell Street, Perth TAS 7300	S. Group	34	D
PLN-23-0150	Bulk Storage Facility including 3 x Silos, Testing Cabin & Weighbridge and Signage (Vary height, Signs Code)	Midland Highway, Powranna (CT139950/1) (access over CT173566/1) TAS 7300	Bison Constructions Pty Ltd	42	D
PLN-23-0163	Proposed 2nd Crossover and Gravel Driveway (Parking and Sustainable Transport Code)	42 Forster Street, Campbell Town TAS 7210	Narelle Lobdale obo Engineering Plus	24	D
PLN-23-0166	New Shed (12m x 6m) (Vary internal lot frontage setback, side setback (E) and building envelope, Parking and Sustainable Transport Code)	55 Hobhouse Street, Longford TAS 7301	The Shed Company	29	D
PLN-23-0167	Garage and New Crossover (site coverage, front setback, side setback)	16 Seccombe Street, Perth TAS 7300	Mr Richard Duggan	25	D
PLN-23-0171	Secondary Residence (conversion of existing outbuilding) (Vary Setbacks, Attenuation)	578 Relbia Road, Relbia TAS 7258	6ty°	34	D
PLN-23-0172	New farm shed comprising workshop and machinery storage on prime agricultural land	95 Brookdene Road, Bishopsbourne TAS 7301	Stewart McGee	32	D
PLN-23-0174	Mobile Telecommunications Facility	3370 Lake Leake Road, Lake Leake TAS 7210	BMM Group Pty Ltd obo Amplitel Pty Ltd	29	D
PLN-23-0176	Change of use to Visitor Accommodation (8.3.2 Visitor Accommodation P2, Heritage Listed Place, Heritage Precinct, Perth SAP)	77 Clarence Street, Perth TAS 7300	Roger & Sandra Butorac	27	D
PLN-23-0179	Shed (vary side (S) setback, Scenic Road Corridor)	860 Hobart Road, Breadalbane TAS 7258	Mr Gerard Taylor	28	D
PLN-23-0180	Dwelling & Shed (Heritage Listed Place, Parking and Sustainable Transport Code, Perth SAP)	63 Fairtlough Street, Perth TAS 7300	Prime Design	35	D
PLN-23-0184	Proposed Shed (Longford SAP, Heritage Precinct)	2 William Street, Longford TAS 7301	Narelle Lobdale obo Engineering Plus	31	D
PLN-23-0183	Multiple dwellings (2 existing, 1 new) (Perth SAP) (Safeguarding Airports)	3A Tabernacle Place, Perth TAS 7300	Design to Live	19	P
PLN-23-0195	Awning Addition to Existing Dwelling (Perth SAP)	U 2/4 Opal Place, Perth TAS 7300	Optimo Awnings Northern Pty Ltd	7	P
PLN-23-0196	Garage with Amenities (Safeguarding Airports, Attenuation, Perth SAP)	240 Perth Mill Road, WESTERN JUNCTION TAS 7212	Mr Anthony Boyd	6	P
COUNCIL DECISIONS					
PLN-23-0085	15 residential lot subdivision incl. filling of land, & 1 road lot & 2 footway lots, 2.4m high fence along East St boundary & infrastructure works in William St and East St	7A William Street & William St & East St, Campbell Town TAS 7210	Woolcott Surveys	42	C
PLN-23-0126	New Shed & Fence; Retrospective Internal Alterations to Existing Dwelling & Change of Use from Studio to Secondary Residence (Attenuation, Longford SAP, Heritage Precinct)	15 & 17 Latour St, LONGFORD TAS 7301	Plans to Build	42	C
PLN-23-0135	Multiple Dwellings x 2 (2 New)(Vary Side Setbacks, Longford SAP, Density, Parking and Sustainable Transport Code)	21 Bulwer Street, Longford TAS 7301	Prime Design	42	C
PLN-23-0168	Retaining Wall and Privacy Screen on Existing Rear Boundary Fence	11 Muirton Way, Perth TAS 7300	Katelyn Prosser	42	C
COUNCIL DECISIONS - REFUSAL					
PLN-23-0086	24-hour vehicle fuel sales for cars and trucks (illuminated signage, vary sign height and area per face)	26A Tannery Road (and works in road reservation), Longford TAS 7301	Woolcott Surveys	42	CR
DELEGATED DECISIONS - REFUSAL					

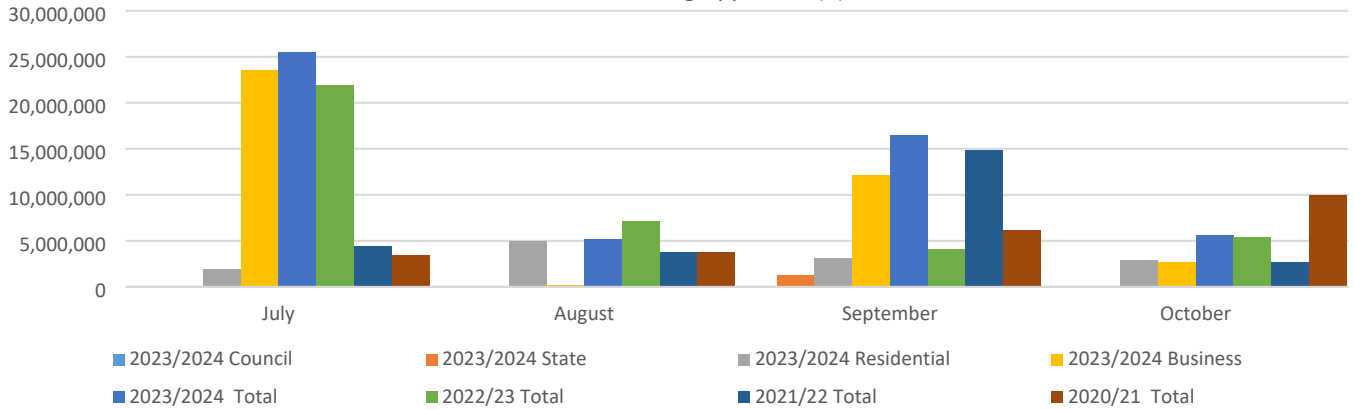
2.2 Value of Planning Approvals

	Council	State	Residential	Business	Total	Total	Total	Total
July	35,000	0	1,947,265	23,500,000	25,482,265	21,899,020	4,380,747	3,377,500
August	0	0	4,968,200	210,000	5,178,200	7,155,844	3,781,274	3,709,500
September	0	1,300,000	3,088,664	12,115,000	16,503,664	4,097,900	14,817,000	6,189,000
October	0	0	2,912,210	2,650,000	5,562,210	5,353,500	2,638,795	9,987,000



	Council	State	Residential	Business	Total	Total	Total	Total
YTD Total	35,000	1,300,000	12,916,339	38,475,000	52,726,339	38,506,264	25,617,816	23,263,000
Annual Total						76,384,582	91,715,427	59,101,247

Value of Planning Approvals (\$)



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-23-0086	Appeal P2023/122. 26A Tannery Road, appeal against Council's refusal of application for 24 hour vehicle fuel sales. Preliminary conference held 13 November 2023. Mediation being undertaken. Hearing set for 8 March 2024.
Decisions received	
-	-
TPC	TASMANIAN PLANNING COMMISSION
PLN-23-0164	Draft Amendment 10/2023 for site specific qualification to add General Retail and Hire "if for market and directly associated with the Evandale Market" as a discretionary use in the General Residential zone, if on part of folio of the Register 141412/1. Certified by Council on 16 October 2023. On public notification until 28 November 2023.
PLN-23-0118	Draft Amendment 09/2023 to insert a Site Specific Qualification to the existing Translink Specific Area Plan to allow Equipment & Machinery Sales and Hire as a Permitted Use to Table NOR-S1.5.2 - Area 2 for 19 Johns St Western Junction. Exhibition complete, no representations received. Report sent to TPC 17 October 2023. Awaiting decision.
DECISIONS RECEIVED	
PLN-22-0056	Draft Amendment AP-NOR-03-2022 to rezone part of folio of the Register 173776/1 to General Residential in conjunction with an s43A application for a 3 Lot subdivision. Placed on public exhibition. TPC has been advised that no representations were received. Report under section 40K provided to TPC on 12 January 2023 as required. Hearing held 30 March 2023. Additional information including confirmation of the planning authority's position in relation to the draft amendment provided to the Commission on 30 June 2023 as required. The Commission held a hearing on 20 September 2023. The Commission's decision was received 30 October 2023 rejecting the draft amendment and refusing the permit.
PLN-22-0183	Draft Amendment AM-NOR-01-2022 LPS. Various amendments to the Translink Specific Area Plan Use Table (clause NOR-S1.5.4) and transfer part of folio of the Register 182274/2 from Translink Specific Area Plan Area 1 to Area 4. On public exhibition for 28 days until 15 January 2023. No representations received. Additional information provided to the Commission as required. Commission held a hearing 4 August 2023 and mapping provided by 15 September as required. Tasmanian Planning Commission approved the draft amendment subject to modifications, effective 9 November 2023.

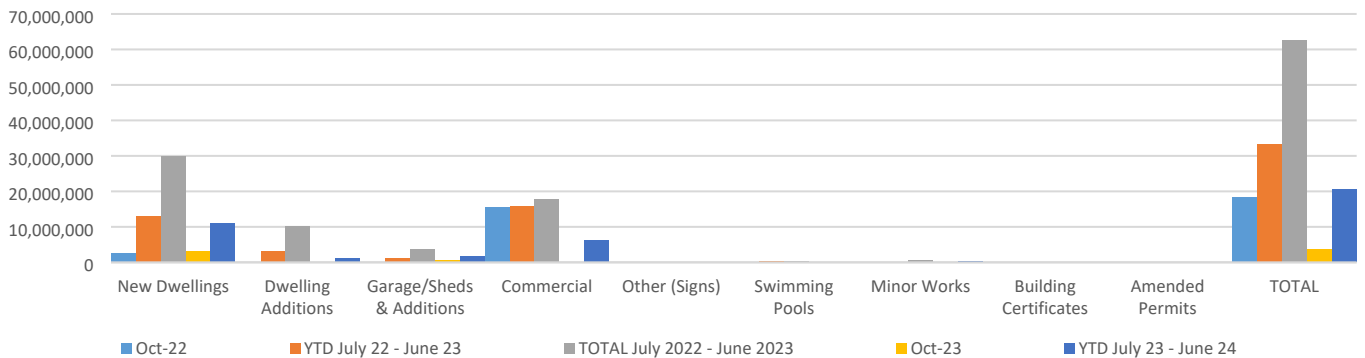


2.4 Building Approvals

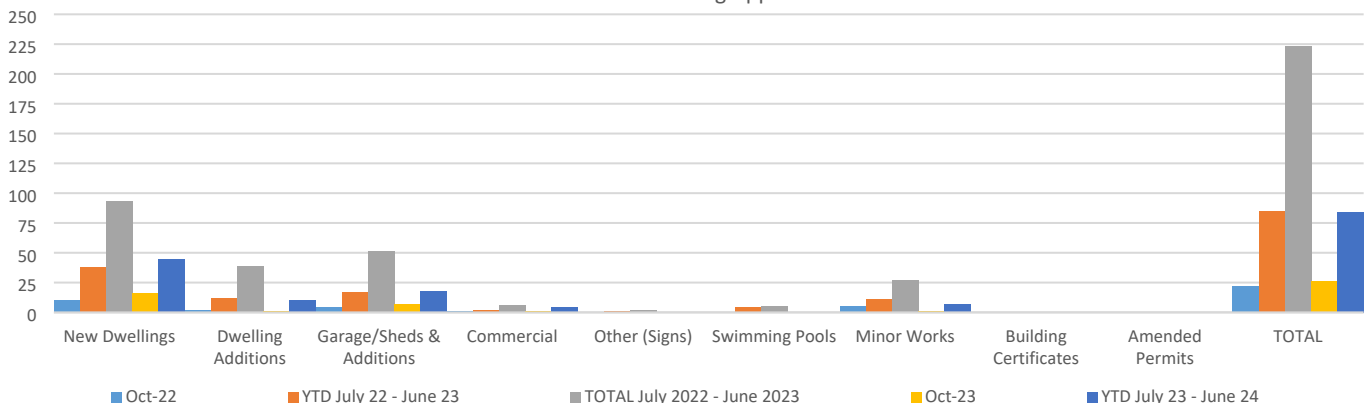
The following table shows a comparison of the number and total value of building works for 2022-2023 and 2023-2024.

	YEAR: 2022-2023				YEAR		YEAR: 2023-2024			
	Oct 2022		YTD 2022-2023		July 2022 - June 2023		Oct 2023		YTD 2023-2024	
	No.	Total Value \$	No.	No.	No.	Total Value \$	No.	Total Value \$	No.	No.
New Dwellings	10	2,602,685	38	13,105,790	93	30,059,415	16	3,200,664	45	10,972,845
Dwelling Additions	2	170,000	12	3,120,160	39	10,252,722	1	20,000	10	1,219,400
Garage/Sheds & Additions	4	163,000	17	1,061,000	51	3,583,957	7	493,000	18	1,763,000
Commercial	1	15,500,000	2	15,700,000	6	17,742,000	1	30,000	4	6,230,000
Other (Signs)	0	0	1	27,945	2	82,945	0	0	0	0
Swimming Pools	0	0	4	296,000	5	374,750	0	0	0	0
Minor Works	5	34,814	11	100,786	27	481,351	1	10,000	7	331,533
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	0	0
TOTAL	22	18,470,499	85	33,411,681	223	62,577,140	26	3,753,664	84	20,516,778
Inspections										
Building	0		0		10		0		0	
Plumbing	27		92		280		35		138	

Value of Building Approvals



Number of Building Approvals



2.5 Planning, Building & Plumbing Compliance – Permit Review

Below are tables of inspections and action taken for the financial year.

Planning Permit Reviews	This Month	2023/2024	Total 2022/2023
Number of Inspections	10	31	79
Property owner not home or only recently started			
Complying with all conditions / signed off		5	1
Not complying with all conditions			
Re-inspection required	8	21	64
Notice of Intention to Issue Enforcement Notice			5



Planning Permit Reviews	This Month	2023/2024	Total 2022/2023
Enforcement Notices issued			1
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	2	5	14
Building / Plumbing Permit Reviews	This Month	2023/2024	Total 2022/2023
Number of Inspections	1	19	29
Property owner not home or only recently started			
Complying with all conditions / signed off		4	
Not complying with all conditions			
Re-inspection required	1	9	10
Building Notices issued			2
Building Orders issued			
No Further Action Required		6	19
Illegal Works – Building / Plumbing	This Month	2023/2024	Total 2022/2023
Number of Inspections	8	24	78
Commitment provided to submit required documentation	4	5	11
Re-inspection required		8	42
Building Notices issued	1	5	12
Building Orders issued	2	3	7
Emergency Order			3
No Further Action Required	4	11	25
Illegal Works - Planning	This Month	2023/2024	Total 2022/2023
Number of Inspections		4	40
Commitment provided to submit required documentation		2	2
Re-inspection required			24
Enforcement Notices issued			3
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued	1	1	
No Further Action Required		2	14

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4.4 Our heritage villages and towns are high value assets



3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Enabling Project/s:

Projects which are considered to be incrementally important – usually by improving existing facilities or other complementary upgrades to infrastructure (does not include Council's business as usual projects including renewal and maintenance of existing assets)

5.4 Subdivisions:

Several at Cressy, Evandale, Longford & Perth - the Northern Midlands Council is a planning authority with responsibilities specified in the Land Use Planning and Approvals Act 1993 (LUPAA). These responsibilities include developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others and making decisions on individual developments in accordance with the planning scheme. Several significant subdivisions in the Northern Midlands region have recently been identified and are in various stages of conceptual design or planning.

4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

The planning process is regulated by the *Land Use Planning & Approvals Act 1993*, section 43 of which requires Council to observe and enforce the observance of its planning scheme.

4.2 Building Act 2016

The *Building Act 2016* requires Council to enforce compliance with the Act.

5 RISK ISSUES

Lack of public awareness is a risk to Council. If people are not aware of requirements for planning, building and plumbing approvals, this may result in work without approval. Council continues to promote requirements to ensure the public is aware of its responsibility when conducting development.

6 COMMUNITY CONSULTATION

Discretionary applications are placed on public notification in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*.

From time to time, articles are placed in the Northern Midlands Courier and on Council's Facebook page, reminding the public of certain requirements.

7 OFFICER'S COMMENTS/CONCLUSION

There have been 4 commercial building approvals valued a total of \$6,230,000 for 2023/24 (year to date) compared to 2 commercial building approvals valued a total of \$15,700,000 (year to date) for the previous year.

In total, there have been 84 building approvals valued at \$20,516,778 (year to date) for 2023/2024 compared to 85 building approvals valued at \$33,411,681 (year to date) for the previous year.



13.2 DRAFT LAND USE PLANNING AND APPROVALS (DEVELOPMENT ASSESSMENT PANEL) AMENDMENT BILL 2024

Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Project Officer

RECOMMENDATION

That Council endorse the draft submission for participation in the consultation process on the Development Assessment Panel (DAP) Framework Position Paper.

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of a submission in response to the Development Assessment Panel (DAP) Framework Position Paper.

2 INTRODUCTION/BACKGROUND

On 20 July 2023 Premier Rockliff wrote to Mayor Knowles advising that the State Government would shortly commence with the development of a new legislated pathway to allow some planning decisions to be made by an independent Development Assessment Panel established by the Tasmanian Planning Commission (TPC). At the 21st August 2023 Council Meeting, the following decision was made:

MINUTE NO. 23/0274

DECISION

Cr Terrett/Cr Adams

- a) That Council notes the report.*
- b) That Council participates in the consultation process conducted by the Government via the State Planning Office.*
- c) That Council reply to Premier Rockliff's correspondence, inclusive of the Officers comments contained within the report, and copy the correspondence to local members voicing concerns about the proposed changes.*

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss, Cr McCullagh and Cr Terrett

Voting Against the Motion:

Nil

Part (a) & (c) of the decision have been completed, and a position paper has now been released and is open for comment until **5pm on Thursday 30 November 2023**.

As the November workshop was cancelled, all Councillors were provided the opportunity to provide feedback on the consultation questions via email, with two Councillors taking up the opportunity to provide comment. The feedback provided has aided in the preparation of the attached submission.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community



- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

3.2 Integrated Priority Projects Plan 2021

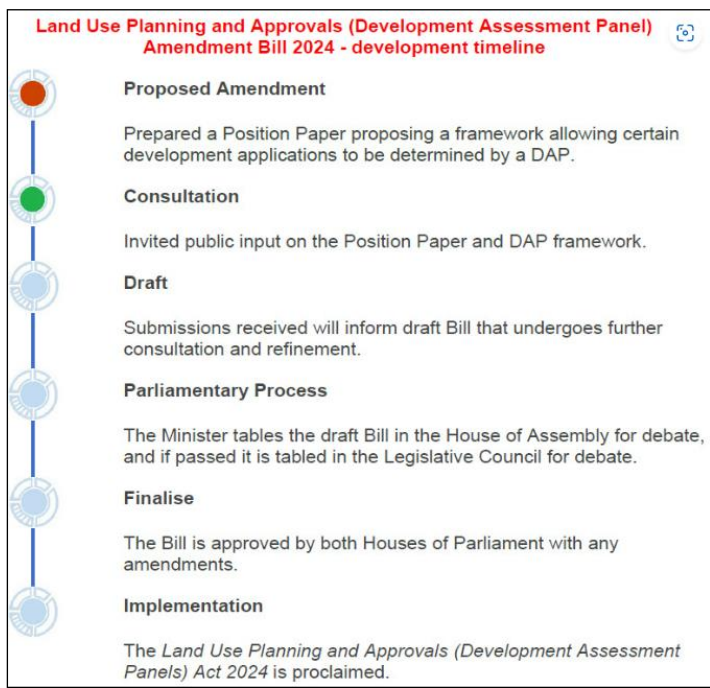
Not applicable.

4 POLICY IMPLICATIONS

Depending on the changes that occur to the assessment process as a result of the proposed legislation, Council may need to review relevant policies and previous Council decisions or develop new policies to ensure consistency in the application of the legislation.

5 STATUTORY REQUIREMENTS

The consultation process on the position paper and Development Assessment Panel Framework will inform the Draft Bill, which will be subject to further consultation. An outline of the process is provided below:



6 FINANCIAL IMPLICATIONS

The proposed changes have the potential to significantly increase the workload of Council staff for DAP referred applications, and currently there is no mechanism proposed for Council to recoup these costs. This issue is discussed in the submission. Council currently retains the right to charge normal application fees.

7 RISK ISSUES

The risks to Council are discussed in the attached submission. Key risks include: increased workload for Council staff without remuneration, loss of connection to community concerns, confusion regarding application process amongst community and developers, changes required to IT systems to accommodate new process and loss of decision making powers for the Planning Authority for certain types of applications.



8 CONSULTATION WITH STATE GOVERNMENT

The consultation process is being run by the State Government.

9 COMMUNITY CONSULTATION

The consultation process being run by the State Government is open to all members of the community.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has previously decided that it wishes to be involved in the consultation process.

Council may either a) Endorse the submission as provided or b) endorse the submission with changes.

11 OFFICER'S COMMENTS/CONCLUSION

The position paper outlines that the purpose of establishing the DAP is to 'take the politics out of planning' by providing an alternative approval pathway for more complex or contentious development applications, namely by separating the role of the Planning Authority under section 48 of the *Land Use Planning and Approvals Act 1993* (LUPAA) and the role of Councillors under the *Local Government Act 1993*. The conflicted role of Councillors was identified in the Future of Local Government Review Stage 2 Interim Report.

While the concept of a separate pathway for certain types of the development is not new – currently there is a separate pathway for: major projects, planning scheme amendments, linear infrastructure across multiple municipalities and Projects of State Significance, the criteria for DAP assessed applications is based on who the applicant is, the value of projects, critical infrastructure, and the contentious nature of an application or perceived bias regarding a decision.

The criteria proposed raises questions with regard to how this process aligns with the objectives of LUPAA (in particular those 'bolded'), which relating to the Resource Management and Planning System of Tasmania, are:

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and*
- (b) to **provide for the fair, orderly and sustainable use** and development of air, land and water; and*
- (c) to **encourage public involvement** in resource management and planning; and*
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and*
- (e) to **promote the sharing of responsibility** for resource management and planning between the different spheres of Government, the community and industry in the State.*

The attached submission is divided into two parts – (1) answers to the consultation questions outlined within the position paper, and (2) a response against each step of the application process outlined within Attachment 1 to the position paper. A cover letter will be provided with the submission.

12 ATTACHMENTS

1. Submission response to DAP consultation questions and appendix 1 [13.2.1 - 24 pages]



14 GOVERNANCE REPORTS

No Governance reports are included in this Council meeting agenda for Council's consideration.



15 CORPORATE SERVICES REPORTS

15.1 MONTHLY REPORT: FINANCIAL STATEMENT

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 October 2023, and
- ii) authorise Budget 2023/24 alterations as listed in Item 4.

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 31 October 2023.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 October 2023 is circulated for information.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

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2.1 Strategic, sustainable, infrastructure is progressive

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region.

4 ALTERATIONS TO 2022-23 BUDGET

Following a budget review of income and expenditure items the following alterations/variances are highlighted and explained:

SUMMARY FINANCIAL REPORT

For Month Ending: 31-Oct-23 4

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 25%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$14,203,781	-\$14,203,781	-\$14,262,202	\$58	100.4%	Raised in July 2023
Recurrent Grant Revenue	-\$5,205,188	-\$2,168,828	-\$613,948	-\$1,555	28.3%	100% FAGS grants paid 22/23
Fees and Charges Revenue	-\$2,604,486	-\$868,162	-\$1,125,272	\$257	129.6%	
Interest Revenue	-\$1,292,579	-\$430,861	-\$95,550	-\$335	22.2%	Timing variance
Reimbursements Revenue	-\$45,197	-\$15,066	\$38,086	-\$53	-252.8%	
Other Revenue	-\$1,449,288	-\$483,096	-\$169,731	-\$313	35.1%	Timing variance



	-\$24,800,519	-\$18,169,794	-\$16,228,617	-\$1,941	89.3%	
Employee costs	\$6,677,119	\$2,225,706	\$2,007,925	\$218	90.2%	
Material & Services Expenditure	\$6,799,926	\$2,266,642	\$2,199,956	\$67	97.1%	
Depreciation Expenditure	\$7,163,532	\$2,387,844	\$2,387,844	\$0	100.0%	Insurances paid for full year
Government Levies & Charges	\$1,151,278	\$383,759	\$452,138	-\$68	117.8%	
Councillors Expenditure	\$223,690	\$74,563	\$59,153	\$15	79.3%	
Interest on Borrowings	\$63,900	\$21,300	\$0	\$21	0.0%	
Other Expenditure	\$1,745,581	\$581,860	\$95,377	\$486	16.4%	
Plant Expenditure Paid	\$568,462	\$189,487	\$578,916	-\$389	305.5%	
	\$24,393,488	\$8,131,163	\$7,781,309	\$350	95.7%	
	-\$407,031	-\$10,038,631	-\$8,447,308			
Gain on sale of Fixed Assets	\$0	\$0	-\$109,635	\$110	0.0%	
Loss on Sale of Fixed Assets	\$401,388	\$133,796	\$1,532	\$132	1.1%	*Asset recognition EOY
Underlying (Surplus) / Deficit	-\$5,643	-\$9,904,835	-\$8,555,411			1*
	\$0		\$0			
Capital Grant Revenue	-\$7,227,321	-\$2,409,107	-\$1,918,685	-\$490	79.6%	* Not paid until milestones met
Subdivider Contributions	-\$362,067	-\$120,689	0	-\$121	0.0%	* Not recognised until EOY
Capital Revenue	-\$7,589,388	-\$2,529,796	-\$1,918,685			

Budget Alteration Requests

- For Council authorisation by absolute majority

	Budget Operating	Budget Capital	Actuals
<i>Capital works budget variances above 10% or \$10,000 are highlighted</i>			
<i>October</i>			
Additional Pool Car	700013	\$32,000	
Additional Parks & Reserves Light Truck	700028	\$31,000	
Fleet 20 - B/Fwd WIP	700020	\$35,000	
Fleet 3 - B/Fwd WIP	700003	\$20,000	
Fleet 23 - B/Fwd WIP	700023	\$22,000	
Fleet 33 - B/Fwd Truck WIP	700033	\$156,000	
Fleet 42 - B/Fwd Truck WIP	700042	\$156,000	
Ctown - B/Fwd Rec Building Complex WIP	707805.89	\$41,500	
Cry - Hall Access Ramp WIP	707868	\$60,000	
Lfd - Bulwer Street footpath WIP	750213.6	\$20,000	
Pth - Edward St Footpath WIP	750395.6	\$62,000	
Lfd - Anstey St K&C WIP	788651.1	\$55,000	
Evan - Barclay Street WIP	788632	\$41,000	
Pth - Fairtlough St School Crossing WIP	752026	\$52,300	\$783,800
<i>September</i>			
<i>August</i>			
<i>July</i>			
Longford Rec Ground - Top Dressing	707835	-\$11,400	
Longford Rec Ground - Scoreboard replacement	707937	\$11,400	\$0

B. Balance Sheet Items

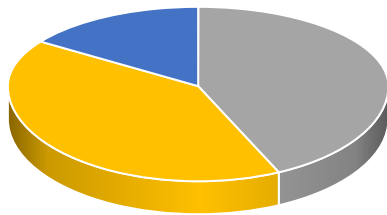
	Year to Date Actual	Monthly Change	Same time last year	Comments
Cash & Cash Equivalents Balance	Year to Date			
- Opening Cash balance	\$20,722,818	\$24,071,471		
- Cash Inflow	\$13,014,359	\$2,341,181		
- Cash Payments	-\$9,624,978	-\$2,300,453		
- Closing Cash balance	\$24,112,199	\$24,112,199		



Account Breakdown					
- Trading Accounts	\$566,156				
- Investments	\$23,546,043				
	\$24,112,199				
	-				

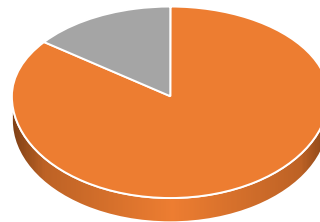
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	1/10/2023	31/10/2023	4.10	\$5,623	\$5,642
CBA Call Account	1/10/2023	31/10/2023	0.25	\$0	\$0
Commonwealth Business Online Saver Account	1/10/2023	31/10/2023	4.15	\$6,352,266	\$6,352,988
Westpac Corporate Regulated Interest Account	1/10/2023	31/10/2023	4.35	\$175,701	\$175,701
CBA	30/06/2023	7/11/2023	4.56	\$2,000,000	\$2,032,482
CBA	30/06/2023	14/11/2023	4.65	\$1,000,000	\$1,017,453
CBA	11/07/2023	8/04/2024	5.32	\$2,000,000	\$2,079,290
My State Financial	25/05/2023	21/12/2023	4.85	\$3,462,454	\$3,542,508
Westpac - Stimulus Fund Investment	30/06/2023	29/12/2023	5.16	\$1,050,000	\$1,077,016
Westpac - Stimulus Fund Investment	30/06/2023	16/12/2024	1.60	\$3,000,000	\$3,070,356
Westpac	23/10/2023	24/06/2024	5.09	\$3,000,000	\$3,102,497
Westpac	23/10/2023	24/06/2024	5.09	\$1,000,000	\$1,034,166
Westpac	11/09/2023	11/06/2024	4.99	\$1,500,000	\$1,556,189
Total Investments				\$24,546,043	\$25,046,288

Investments by Institution



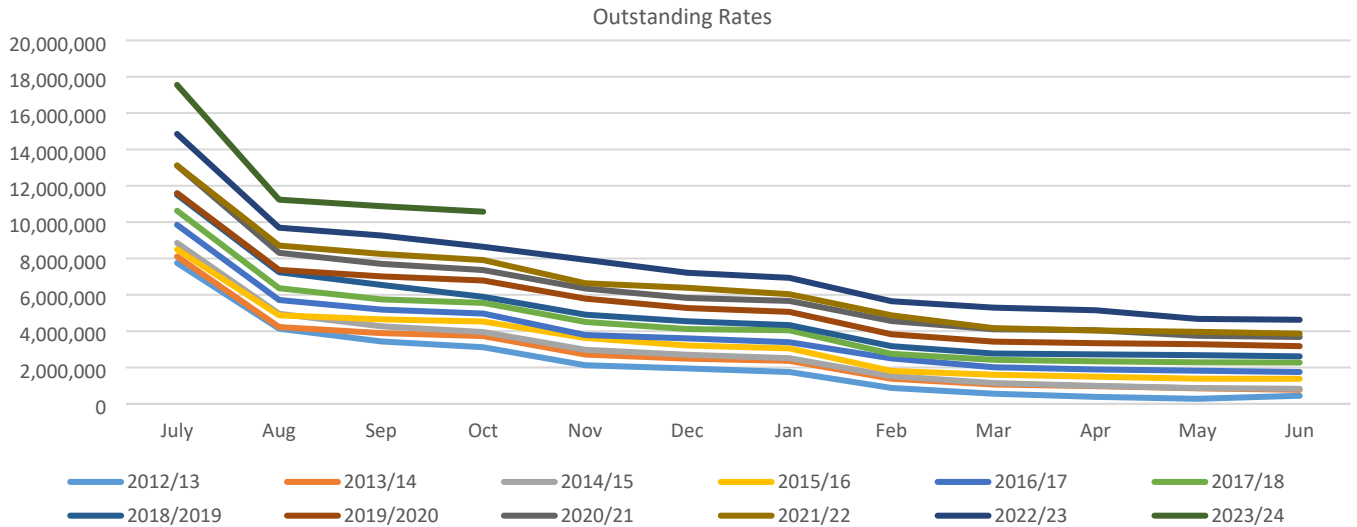
Bank of Us (B&E) Tascorp Westpac CBA MyState

Total Investments by Rating (Standard & Poor's)



AA+ AA- BBB Unrated

Rate Debtors	2023/24	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$4,626,436		\$3,863,134	
Rates Raised	\$14,372,522		\$13,138,029	
	\$18,998,958		\$17,001,162	
Rates collected	\$7,832,997	52.4%	\$7,807,948	59.4%
Pension Rebates	\$564,437	3.9%	\$524,012	4.0%
Discount & Remissions	\$26,783	0.2%	\$25,946	0.2%
	\$8,424,218		\$8,357,907	
Rates Outstanding	\$10,574,740	57.3%	\$8,643,256	65.8%
Advance Payments received	-\$319,887	2.7%	-\$318,655	2.4%



Trade Debtors			
Current balance	\$701,882		
- 30 Days		\$101,262	
- 60 Days		\$34,461	
- 90 Days		\$14,011	
- More than 90 days		\$552,148	
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales		171	
- Hire/lease of facilities		31,422	
- Removal of fire hazards		7,345	
- Dog Registrations & Fines		19,899	
- Private Works		8,139	
- Regulatory Fees		18,772	
- Govt Reimbursements		466,400	

C. Capital Program

	Budget	Actual (\$,000)	Target 33%	Comments
Renewal	\$14,698,619	\$3,733,476	25%	
New assets	\$5,636,696	\$606,621	11%	
Total	\$20,335,315	\$4,340,097	21%	

Major projects:

- Lfd Memorial Hall upgrade	\$3,109,479	\$1,325,642	43%	In progress
- Lfd Urban Streetscape Improvements	\$1,793,628	\$216,625	12%	DA stage
- Ctown Urban Streetscape Improvements	\$2,450,000	\$265,344	11%	Design stage
- Pth Urban Streetscape Improvements	\$1,641,000	\$437,443	27%	Stormwater in progress
- Lfd Caravan Park Amenities replacement	\$450,000	\$37,966	8%	Commences May 2024
- Ashby Road reconstruction	\$500,000	\$0	0%	
- Bishopsbourne Road Reconstruction	\$504,900	\$18,027	4%	Commenced
- Lfd Laycock Street Reserve	\$500,768	\$0	0%	
- Cry Bridge Replacements (3)	\$907,500	\$97,938	11%	In progress

* Full year to date capital expenditure for 2023/24 provided as an attachment.

D. Financial Health Indicators

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	57.3%	87.9%	-30.6%	↘	
- Own Source Revenue / Total Revenue	79%	96%	-17.2%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.0%	52.7%	-52.7%	↘	



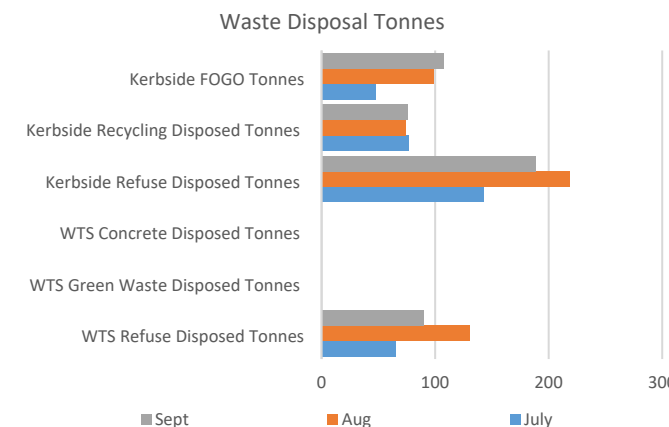
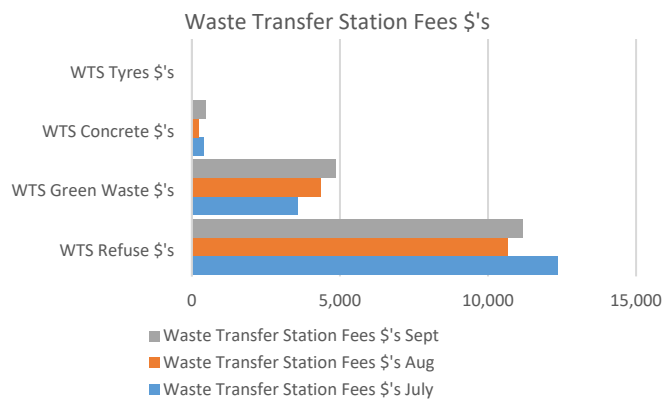
- Debt / Own Source Revenue	37.9%	47.5%	-9.7%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	57.5%	55.4%	2.2%	↘	
- Employee costs / Revenue	26.9%	12.4%	14.6%	↗	
- Renewal / Depreciation	205.2%	156.4%	48.8%	↗	
Unit Costs					
- Waste Collection per bin	\$13.74	\$22.87		↔	
- Employee costs per hour	\$55.64	\$32.80		↗	
- Rate Revenue per property	\$1,999.41	\$2,007.63		↔	
- IT per employee hour	\$5.45	\$4.66		↘	

E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	94	94	
New Employees	8	1	
Resignations	6	0	
Total hours worked	61,217	13,282	
Medical Treatment Injury	2	0	
Safety Incidents Reported	0	0	
Hazards Reported	11	6	
Workplace Inspections	4	0	
Risk Incidents Reported	1	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	1	0	
IT - Unplanned lost time	0	0	
Open W/Comp claims	3	0	

F. Waste Management

Waste Transfer Station	2021/22	2022/23	2023/24 Budget	2023/24 Year to Date
Takings				
- Refuse	\$135,285	\$11,074	\$36,669	\$34,201
- Green Waste	\$82,450	\$6,931	\$21,637	\$12,793
- Concrete	\$2,980	\$214	\$943	\$1,093
- Tyres	694	\$54	\$170	\$0
Total Takings	\$221,409	\$18,273	\$59,419	\$48,087
Tonnes Disposed				
WTS Refuse Disposed Tonnes	1349	1298	324	286
WTS Green Waste Disposed Tonnes	2760	5970	1,493	0
WTS Concrete Disposed Tonnes	3056	0	-	0
Kerbside Refuse Disposed Tonnes	2430	2341	585	551
Kerbside Recycling Disposed Tonnes	1048	1035	259	227
Total Waste Tonnes Disposed	10643	10644	2661	1064





5 OFFICER COMMENTS

Copies of the financial reports are also made available at the Council office.

6 ATTACHMENTS

1. Monthly Account Management Report - October 2023 [**15.1.1** - 1 page]
2. Monthly Capital Financial Report to Council - October 2023 [**15.1.2** - 7 pages]



16 WORKS REPORTS

16.0 OVERHANGING TREES: HEDGE AT MACQUARIE STREET, EVANDALE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Leigh McCullagh, Works Manager

RECOMMENDATION

That Council endorse the 21 October 2019 (minute reference 324/19) decision of Council that requires the owners of 12 Macquarie Street, Evandale to remove the hedge in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly.

1 PURPOSE OF REPORT

This purpose of this report is for Council to review the matter of an overhanging hedge at 12 Macquarie Street, Evandale.

2 INTRODUCTION/BACKGROUND

In March 2020 Councillors Davis and Lambert requested that this matter be reconsidered by Council prior to any further action being taken in regard to Council's 21 October 2019 decision.

Council has an Overhanging Tree Policy. The objective of the policy is:

To provide a fair and consistent approach to the reduction of potential nuisance caused by overhanging trees within the settlement areas of the Northern Midlands.

A copy of the policy is attached to this report.

There is a hedge at 12 Macquarie Street, Evandale which takes up the entire footpath, and impedes vision when turning from Macquarie Street on to Arthur Street.

At the time of the 2019 report:

- an arborist had inspected the hedge and advised if the hedge was to be cut back hard, it would die;
- the property owners advised that they had engaged an arborist on a biannual basis to trim the top of the hedge to reduce any overhang on the road.

The hedge contravenes the Overhanging Tree Policy in that it is not cut back to the boundary.

At the 21 October 2019 Council meeting (minute reference 324/19) this matter was considered with the following being the decision of Council at that time:

DECISION

Cr Polley/Cr Goninon

That the matter be discussed.

Carried unanimously

Cr Goninon/Cr Brooks

That Council requires the owners of 12 Macquarie Street, Evandale, and any other locations in the municipality to remove their hedges in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly and proceed in accordance with Council's Overhanging Tree Policy.

Carried

Voting for:

Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss, Cr Polley



Voting against:

Mayor Knowles, Cr Davis, Cr Lambert

Councillors Davis and Lambert requested that this matter be reconsidered by Council prior to any further action being taken in regard to the 21 October 2019 decision of Council.

The report was again tabled at the 16 March 2020 Council meeting at which time it was determined to defer the matter to a later date.

On several occasions Council has made contact with the property owners in an attempt to find a resolution.

Most recently, Council wrote to the property owners on 27 January 2023, as follows:

As requested previously, in order to progress the resolution of this long outstanding matter, Council seeks your advice as to your preferred option.

Further, as the hedge continues to advance into the roadway, has taken over the road reserve and is creating a blind spot at the road intersection, Council is seeking advice on your public liability insurance. As we wish to bring to your attention that Council's insurers would more than likely seek to recover any costs for an accident were it to occur within the road reserve adjacent to your property, where it is proven that the hedge was a contributing factor to the incident.

It should be noted that the property owners have continued to maintain the hedge on the inside of the property boundary; However, it is evident that little, if any, maintenance has been undertaken on that part of the hedge overhanging the footpath; as is evident in photographs taken recently, it appears that the hedge has encroached further onto the footpath/roadway than was previously identified in the photographic evidence of 2019 and 2022.

Further, had maintenance been undertaken on the part of the hedge which overhangs the footpath, permission would need to have been sought and granted by Council for traffic management to be in place whilst maintenance was being undertaken. The photographs taken in July 2023 further demonstrate that the hedge is a hazard not only to pedestrians, but for vehicular traffic. In addition, the hedge overhanging the footpath hinders Council in its regular maintenance works and in the long term is likely to cause issues with services which are located beneath the footpath surface.

Below are photos of the hedge dated 14 October 2019.





Below are photos of the hedge dated 1 June 2022.



Below are photos of the hedge dated July 2023





3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

- 4.1 Cherish and sustain our landscape
- 4.2 Meet environmental challenges
- 4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

The hedge contravenes Council's Overhanging Tree Policy.

Council has not previously enforced the Policy in relation to this hedge, allowing it to reach this size.



5 STATUTORY REQUIREMENTS

Local Government Act 1993

Local Government (Highways) Act 1982

Land Use Planning and Approvals Act 1993



^Heritage Precinct in green

6 FINANCIAL IMPLICATIONS

It is the responsibility of the property owner to bear the cost of the hedge removal in accordance with Council's Overhanging Tree Policy. The hedge, where it is on 12 Macquarie Street, is located within the heritage precinct therefore will require planning approval for its removal. There is an application fee (currently \$724) including advertising fee for the planning application

If the owner of the hedge disputes a decision of Council to remove the hedge Council may incur legal fees to defend its decision.

The following estimates have been provided for the removal of the hedge:

- Hedge removal (4 days at \$4,200/day, includes traffic control, backhoe and large tree chipper)
- Reinstatement of ironstone footpath – \$70/m²
- Reinstatement of kerb and channel - \$120/lm
- Stump grinding - \$2,000
- Other costs may arise, for example if there are services located within the area.

7 RISK ISSUES

At the time of writing this report, Officers are aware of four other hedges encroaching partly onto Council land of a similar nature, two in Evandale and two in Perth. If Council enforces the removal of one hedge, it may need to ensure consistency and enforce the same decision for all the hedges of a similar nature, when/if they present a hazard.



Council has set a precedent by not enforcing its policy in relation to the hedge at 12 Macquarie Street, Evandale.

There is a risk to Council if someone is caused injury because of the hedge. Council is liable because it is aware of the obstruction.

Council has sought advice from the property owners in relation to their public liability insurance status as the hedge continues to advance into the roadway, has taken over the road reserve and is creating a blind spot at the road intersection; and noted that there is a likelihood that Council's insurers would seek to recover any costs for an accident were it to occur within the road reserve adjacent to your property, where it is proven that the hedge was a contributing factor to the incident. No response has been provided by the property owners in relation to the status of their public liability coverage.

Maintenance of the hedge on the street frontage appears to have been minimal in recent times. As the hedge has already completely overgrown the footpath and naturestrip, Council needs to determine the extent to which it will permit the hedge to encroach the road pavement.

8 CONSULTATION WITH STATE GOVERNMENT

Council has recently undertaken consultation with both the National Trust and Heritage Tasmania, with the following advice received:

National Trust: Many thanks for your email. I am not sure why this correspondence has been directed to the National Trust of Australia (Tasmania). The Trust is not the owner of 12 Macquarie Street, Evandale. Furthermore, the hedge would appear to date from c1975+ so we are not clear that this is a heritage issue.

Heritage Tasmania: Thank you for your email. I have looked at your draft report and I am not sure why you are seeking advice from us (Heritage Tasmania), since the property at 12 Macquarie Street, Evandale is not registered in the Tasmanian Heritage Register.

9 COMMUNITY CONSULTATION

No community consultation has occurred with regard to the removal of the hedge.

The removal of the hedge would be subject to a discretionary planning application which would give the opportunity for representations to be made.

10 OPTIONS FOR COUNCIL TO CONSIDER

- A That Council requires the owners of 12 Macquarie Street, Evandale to remove the hedge in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly.
- B That Council gives notice to owners that it will seek planning approval to cut back the hedge to the boundary line at council cost given no response from the owners and the risk issues associated with the hedge encroaching onto the roadway.

And if Council opt to rescind the decision, the following options are listed for Council to consider:

- limit traffic entering/leaving the street by making the street one way, with no entry into Arthur Street from Macquarie Street, creating kerb outstands, line-marking and signage.
- terminate the intersection (on the southern side of Arthur Street) and not allow any traffic to enter onto Arthur Street from Macquarie Street.
- install a kerb outstand to Macquarie Street so that motorist exiting Macquarie Street are able to see further down the street and install parking restriction on Macquarie Street.



- requiring the property owner to install a driveway outstand at the entry of 12 Macquarie Street at their expense.
- consulting with affected parties in the immediate vicinity as to the preferred outcome.

11 OFFICER'S COMMENTS/CONCLUSION

The overgrown hedge has been a matter of contention for a number of years, however, more recently the need for action has been escalated due to the receipt of complaints and in the interests of public safety.

The following is a timeline of events in relation to this matter:

- 11 March 2005 *Customer request received from Mr Stickley*
- 1 April 2005 *Response sent to Mr Stickley advising Council cannot justify sealing the footpaths on both sides of Macquarie Street, Evandale.*
- 12 April 2017 *Letter sent to Fitch & Pellow from Compliance Officer requesting overhanging hedge be trimmed within 14 days.*
- 14 June 2018 *Letter sent to Fitch & Pellow from General Manager advising complaints had been received, inspection carried out and demanding removal of hedge within 60 days of the date of the notice.*
- 16 July 2018 *Letter from Fitch & Pellow requesting statement of reasons from Council.*
- 18 July 2018 *Fitch & Pellow letter to Council requesting:*
- *Procedures required by Council to remove hedge;*
 - *Who they would need to contact regarding underground services and damage to footpath, kerb and roadway*
 - *Requirements for replacement of hedge within heritage precinct*
 - *Reason relating to decision to issue notice to remove*
- 18 July 2018 *Onsite meeting between General Manager, Works Manager, Fitch & Pellow.*
- 23 July 2018 *Email from Pellow advising arborist had been contacted and meeting with them on 5 September 2018*
- 6 August 2018 *Council received advice from arborist that:*
- *Hedge can be cut back without killing it but it will be ruined leaving exposed seemingly dead branches and no foliage would regenerate*
 - *The hedge cannot be gradually cut back*
- 12 November 2018 *Council letter to Fitch & Pellow advising arborist report received and will be considered at a Council workshop.*
- 19 November 2018 *Email from Pellow advising they have commenced twice yearly trimming program which will hopefully gradually reduce the hedge size over time*
- 12 December 2018 *Letter from Pellow & Fitch confirming twice yearly trimming program had commenced with traffic management*
- 21 October 2019 *Council considered the matter and decided:*
- Cr Goninon/Cr Brooks*
- That Council requires the owners of 12 Macquarie Street, Evandale, and any other locations in the municipality to remove their hedges in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly and proceed in accordance with Council's Overhanging Tree Policy.*
- Carried*
- Voting for:*
- Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon, Cr Goss, Cr Polley*
- Voting against:*
- Mayor Knowles, Cr Davis, Cr Lambert*
- 7 November 2019 *Email from Compliance Officer to Pellow seeking meeting following decision of Council.*
- 26 November 2019 *Letter from Compliance Officer to Pellow seeking meeting following decision of Council.*
- 17 January 2020 *Letter from Compliance Officer to Pellow requesting response to above requests for meeting*
- 28 January 2020 *email from Pellow advising had not received correspondence and expressing disappointment with how Council is handling this matter.*



- 11 February 2020 *Email from Community & Development Manager to Pellow detailing background, decision of Council and planned way forward.*
- 2 March 2020 *Council considered at workshop and requested report to Council with property owner being advised first.*
- 5 March 2020 *Community & Development Manager spoke with Fitch advising report being presented to March Council meeting regarding hedge and suggesting he read.*
- 12 March 2020 *Letter from National Trust to Council advising the hedge at 12 Macquarie Street, Evandale is listed on the National Trust Significant Tree Register and the National Trust will strongly oppose its removal.*
- 12 March 2020 *Email to National Trust confirming Council is well aware of its legal obligations.*
- 16 March 2020 *Agenda Item deferred.*
- April and August 2021 *Listed on Council workshop Agenda. Appears to have been decided to stay enforcement action until further notice?*
- 4 January 2022 *Letter from Works Manager to Pellow & Fitch requesting the hedge be cut back or application be lodged for its removal.*
- 4 February 2022 *Letter from Pellow requesting how Council would be willing to assist with removal of the hedge. The letter also requested a statement of reasons regarding Council's initial decision.*
- 16 February 2022 *Letter from Works Manager hand delivered to Pellow & Fitch advising a report would need to go to Council for assistance to remove the hedge, and providing statement of reasons for initial abatement notice. (information provided is detailed below)*
- 28 April 2022 *Letter from General Manager to Pellow & Fitch requesting response to correspondence of 16 February 2022.*
- 27 January 2023 *Letter from General Manager to Pellow & Fitch requesting advice as to a resolution.*
- 19 April 2023 *Annual Municipal Bus Tour - Councillors and officers undertook an inspection of the hedge.*
- 26 September 2023 *Council provided Heritage Tasmania with the Draft Report and invited officers to inspect the site together with Council officers.*
- 3 October 2023 *Response received from the Heritage Support Officer of Heritage Tasmania advising "...I have looked at your draft report and I am not sure why you are seeking advice from us (Heritage Tasmania), since the property at 12 Macquarie Street, Evandale is not registered in the Tasmanian Heritage Register. ..." and recommending that the matter be referred to the National Trust.*
- 4 October 2023 *Council invited the CEO of the National Trust to inspect the site with Council officers.*
- 4 October 2023 *Advice received from the Managing Director of the National Trust that "...The Trust is not the owner of 12 Macquarie Street, Evandale. Furthermore, the hedge would appear to date from c1975+ so we are not clear that this is a heritage issue."*
- 24 & 25 October 2023 *Council officer attended the site in order to advise that a report was to be tabled at the November Council meeting. The property owners were not at home on both occasions. A note was left requesting that they make contact with Council. At the time of finalising this report, no contact had been made with Council officers.*

In order to progress this matter, in early January 2022, the Works Manager wrote to the property owners seeking action in relation to the maintenance of the hedge; subsequently on 4 February 2022 Council received correspondence from the property owners requesting further information.

On 16 February 2022 Council's Works Manager wrote to the property owners providing the following advice, which was hand delivered to the property owners, together with a number of attachments:

The following information is provided in relation the matters raised in your correspondence:

1. *Assistance with Removal of the Hedge:*

If you were to advise that you wished to proceed with the removal of the hedge, a report would be prepared for Council's consideration recommending that Council assist you, as the property owners, to remove the hedge in its entirety or to the boundary line, dependent on your preference.



2. Reason for the issue of an Abatement Notice

2.1 Overhanging Tree Policy

In 2015 Council adopted an Overhanging Tree Policy (attached). The objective of the policy is to provide a fair and consistent approach to the reduction of potential nuisance caused by overhanging trees within the settlement areas of the Northern Midlands.

The definition of overhanging trees within the policy is: ..overhanging trees refers to all vegetation, including but not limited to trees, shrubs and plants, that extends beyond the property boundary...

The hedge contravenes the Overhanging Tree Policy in that it is not cut back to the boundary.

2.2 Traffic Impact Assessments

In September 2020 Council procured a Traffic Safety Assessment from JMG Engineers in relation to this intersection (copy attached). The report notes:

- *There are three existing hazards:*
 - *2.1 Hazard 1*

An impinged sight distance for north bound vehicles turning left from Macquarie Street and west into Arthur Street. The sight distance from the driver to the centerline of the road is reduced from 25 metres to 14 metres by the presence of the hedge. A reduction approaching 45%. This is a substantial reduction and means that the safe vehicle speed for the available stopping sight distance is reduced from 301 km/hr to 18 k/h. The hazard risk is that a vehicle travelling east in Arthur Street may be on the wrong side of the road, whilst maneuvering around a parked car, and be in the sight distance blind spot.
 - *2.2 Hazard 2*

A pedestrian could be walking on the south side of the road because there is no footpath width on the South side of Arthur Street. There is no need for a constructed footpath on each side of a road in a low speed residential environment, but there ought to be at least 300 mm of room for a person to be able to get off the carriageway should the need arise in an emergency. In this case there is no such room as the hedge extends right up to the kerb line. This is clearly evident in Figures 3 & 4 above. This can't be improved without laying new kerb and gutter in Arthur Street. However the likelihood of the need to escape the carriageway is small given that there are no destinations or origins for pedestrians on this side of the street, and in this vicinity. It would be reasonable to expect all pedestrians to be on the North Side of the road.
 - *2.3 Hazard 3*

There is limited sight distance for any car exiting No 12 Macquarie street into Arthur Street. This configuration is in the worst possible combination in that the sight distance to the East is the least and this west bound vehicle is the one which presents the greatest hazard. Normally a driver can see most of the road before their vehicle crosses the kerb line. In this case the driver may still be 1.5 m away from the kerb, with limited sight distance when the vehicle begins crossing the kerb line to enter traffic. See Figure 6. One presumes the current drivers existing from the property edge onto the road slowly and hope that anyone travelling west will see their vehicle emerging from the driveway and stop – well before the home user can see them. This is a risky strategy. The west bound vehicle may have only 8 metres of stopping distance from seeing an emerging vehicle. To stop within that distance, they would need to be travelling at less than 12 km/hr, which could be unlikely.
- *There are provisions under the Local Government Highways Act for Council to serve notice on owners to attend to any excess vegetation.*
- *Possible remedies*
 - *Sight Distance deficiency – Driveway Exit from 12 Macquarie St in Arthur Street. The driveway outstand is recommended. This is a minimal cost and avoids possibly unsightly alterations to the hedge. It would not be unreasonable for council to install the outstand at the cost of the landowner as a trade off against hedge removal.*
 - *Sight Distance deficiency - Left turn sight Macquarie Street North Bound to Arthur Street The risk is eliminated by the proposed one-way System. It comes at some reasonable cost of \$20,000, but seems an excessive approach. All one-way street systems have an impact on the local community, even when limited to just the intersection. A better alternative would be to undertake additional line marking of a centre line and kerb line no parking for a cost of \$2,000. This would reinstate the same level of safety that would have existed if the hedge had not grown past the property line.*



In June 2021, Council sought further advice from Andrew Howell, Civil Engineer, in regard to traffic management at this location (copy of advice attached). Mr Howell advised:

I have reviewed the site and yes there are some challenges here with this hedge.

There is a sight distance issue for vehicles exiting from No 12 as you noted, with limited visibility to the North East, as cars need to move forward into the lane to be able to see oncoming traffic potentially coming from the Macquarie/Arthur junction.

The footpath is also unable to be used by pedestrians where the hedge is, and this may mean some pedestrians may walk up alongside the hedge to the corner and be walking on the roadway but be hidden by the hedge from turning traffic off Macquarie.

It is not ideal from a traffic/safety perspective.

The obvious option is removal of the hedge from public land, as it has taken over the footpath/limiting pedestrian access, and presents as a sight distance risk for the driveway for #12 when entering onto Arthur Street.

However I understand this may not be palatable for the landowners, or there may be other heritage considerations that Council may wish to address on considering this option further.

I would seek advice as to the options for cutting back the hedge from an arborist etc to see what suggestions may exist around best preserving the hedge, and pursue with stakeholders beyond that such options.

I can't see any specific vehicle sight distance risks for the intersection (Arthur/Macquarie) at this stage, as the junction angles and general visibility still likely exists here for most turning movements, but note the pedestrian sight distance risks mentioned above remain.

Should Council determine that the hedge should remain in place as it currently exists, it would probably be worthwhile ensuring it does not get any larger and encroach further by putting in some control mechanisms - i.e. with a management agreement considered going forward perhaps with regular monitoring and pruning required etc..

From a traffic and road safety perspective, it may be prudent to consider some of the following if the hedge is generally to stay in place:

- 1. Provision of a pram crossing (or similar capacity for prams, wheelchairs, pedestrians) near to where the current footpath runs out due to the hedge blocking the existing footpath, to allow safe transit to the footpath on the other side of the road, if considered necessary based on Council understanding of likely need/usage .*
 - 2. Consideration of cutting back part of the hedge on the end closest to the driveway and placing new planting to recover the open end over time, to create further visibility of existing vehicles from #12 and increase their sight distance (subject to arborist advice) - again this may not be palatable to landowner/stakeholders and would require arborist advice on extent of the cutting and what sight distance could reasonably be achieved.*
 - 3. Consideration of making the street one way, with no entry in off Macquarie Street or similar, and perhaps also creating kerb outstands at the junction Macquarie/Arthur and near to the driveway (nth side) so as to ensure this is complied with - requiring new signage and linemarking also. Other routes exist for similar vehicle movements in adjacent streets, however again this would require stakeholder consultation and review prior to action - and formal design detail to be developed*
 - 4. The existing street at round 7m width does not appear not wide enough to permit other treatments at this location easily (part-outstands etc whilst maintaining two lanes of traffic)*
 - 5. There are some issues with pedestrian sight lines due to the edge as mentioned - it would be worthwhile similarly reviewing minor hedge trimming options (refer #2 above) with regard to ensuring that pedestrian sight lines could be improved - refer Aust Standard extract from off-street parking code (AS2890) for details, attached.*
- 3. Reason that Council formed the view that the hedge is causing an "obstruction, interference or inconvenience" to the use of Arthur Street, and why other options, such as trimming of the hedge was not preferred (including inspection, photographs, complaints).*

Since the adoption of the Policy, Council has received a complaint through the Evandale Advisory Committee regarding the obstructive nature of the hedge. Subsequently an inspection of the hedge was undertaken by Council officers and the hedge was found to be in contravention of the Overhanging Tree Policy in that it is not cut back to the boundary.



Upon inspection the hedge was found to take up the entire footpath, and impede vision when turning from Macquarie Street on to Arthur Street. This finding was consistent with and the basis of the complaint which was received by the Evandale Advisory Committee and brought to the attention of Council through that Committee.

Arborist advice received by Council has indicated that should the hedge be heavily trimmed to the boundary, the hedge is not likely to recover (Copy of email attached).

A copy of Council Meeting Minute 324/19 is attached for your reference.

4. *Council has received legal advice on this matter. Legal advice indicates that should an accident or injury occur, Council could be held liable if no action has been taken to remove the obstruction.*

It should be noted that in the event that the hedge is retained a contribution to the cost of the preferred remedial options for the management of traffic, as suggested in the Traffic Impact Assessments, would likely be sought by Council.

In the event that you wish to remove the hedge, it should be noted that planning approval would be required:

- as the hedge is located within the heritage precinct; and*
- should you wish to replace the hedge with a fence structure, any replacement would require planning approval, and an extract from the Northern Midlands Interim Planning Scheme 2013 (F2 Heritage Precincts Specific Area Plan; F2.5.15 Fences and Gates) is attached for your reference.*

The cost for the maintenance of boundary vegetation is the responsibility of the property owner, however, as noted previously should you wish to proceed with the removal of the hedge Council may be prepared to assist with its removal.

Council did not receive a response from the property owners and, on 28 April 2022, the general manager forwarded the following correspondence to the property owners.

I refer to Council's previous letter and information which, as requested, was hand delivered to your home on 16 February 2022.

As requested in your letter of 4 February 2022, the correspondence included information on the following matters:

- Assistance with Removal of the Hedge*
- Reason for the issue of an Abatement Notice*
- Reason that Council formed the view that the hedge is causing an "obstruction, interference or inconvenience" to the use of Arthur Street.*

In order to progress the resolution of this long outstanding matter, Council now seeks your advice in regard to your preferred option.

Should you wish to discuss this matter, please do not hesitate to contact

The 27 January 2023 letter to the property owners advised as follows:

As requested previously, in order to progress the resolution of this long outstanding matter, Council seeks your advice as to your preferred option.

Further, as the hedge continues to advance into the roadway, has taken over the road reserve and is creating a blind spot at the road intersection, Council is seeking advice on your public liability insurance. As we wish to bring to your attention that Council's insurers would more than likely seek to recover any costs for an accident were it to occur within the road reserve adjacent to your property, where it is proven that the hedge was a contributing factor to the incident.

To date no response has been received from the property owners in relation to the correspondence.

The Council decision of 21 October 2019 (minute reference 324/19) follows:

That Council requires the owners of 12 Macquarie Street, Evandale, and any other locations in the municipality to remove their hedges in accordance with Council's Overhanging Tree Policy, and that Council officers notify the owners accordingly and proceed in accordance with Council's Overhanging Tree Policy.

Previously a proposal was put forward by Councillors Davis and Lambert to rescind this decision; and that in order to accomplish this, the following motion be considered by Council:

That the decision regarding removal of hedges (meeting 21/10/19) be rescinded and that Council instead undertake a detailed



risk assessment of the hedge at 12 Macquarie St Evandale and investigate alternate less drastic methods of mitigating any risks identified.

It should be noted that Council has arboreal advice to say that the hedge will die if it is cut back, however, Council may also be a party to any damages if an accident were to occur due to sight lines being hampered by the overhanging hedge. It is the Officer's view that the options available to Council are either to

- cut the hedge back to the boundary, or
- remove the hedge, or
- leave the hedge as it is and accept the risks.

The advice received from both the National Trust and Heritage Tasmania that the hedge is not considered to be a heritage asset should be taken into consideration when considering the risks posed should Council not take appropriate action.

12 ATTACHMENTS

1. Policy: Overhanging Trees [**16.0.1** - 2 pages]



16.1 REVIEW OF KERBSIDE FOGO COLLECTION

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

RECOMMENDATION

That these matters be noted.

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information regarding the kerbside FOGO (Food Organics, Garden Organics) collection service.

2 INTRODUCTION/BACKGROUND

In the last week of January 2023 Council commenced a kerbside FOGO collection service in the towns of Breadalbane, Cressy, Perth, Evandale, Longford, Campbell Town, Ross, Conara, and Avoca. The FOGO collection does not cover all the rural areas which have waste and recycling collection services and information from other Councils who have a FOGO collection service has indicated that there is less need for the service in areas where people have larger properties.

2.1 Statewide Waste Levee

The Statewide Waste levy was introduced in July 2022 and is a levee that is charged on all waste that does not go to landfill. The levee is not charged on FOGO material because it is recycled as compost and does not go to landfill. By commencing a separate FOGO collection this material has been removed from the kerbside waste collection, which reduces the amount of material on which Council is required to pay the levee.

The levee commenced at \$20 per tonne and is currently \$21.36 per tonne. It will continue to increase over coming years until it reaches a rate of \$40 per tonne.

2.2 Review of Kerbside Collection and Waste Transfer Station Data

The tables below show the amount of FOGO and kerbside waste collected from July 2022 through to September 2023. The amount of material collected per month varies depending on when in the month the collection cycle falls so it is difficult to make comparisons on a monthly basis and at least a full twelve months of data is required to accurately assess the impact of the FOGO collection in reducing the amount of material taken to landfill, but it can be seen that there was a significant decrease in the amount of waste sent to landfill at the time the FOGO collection commenced.

It is anticipated that FOGO collections will be higher at the warmer times of year when people are more likely to be working in their gardens and the limited amount of data collected to date seems to confirm this.

A large amount of the material which is disposed of in the FOGO bins is garden waste and some of this would have previously been taken direct to the waste transfer stations at Longford, Evandale, Campbell Town and Avoca. The amount of greenwaste collected at these sites fluctuates from month to month and there is still not sufficient data available to determine the impact of the FOGO collection on greenwaste disposal at waste transfer stations but it can be seen from table 2 below that there was a reduction in the amount of greenwaste collected in February 2023 when the kerbside FOGO collection commenced. If greenwaste is diverted from the Waste Transfer Station to the kerbside FOGO collection this is a cost saving for Council because greenwaste at the waste transfer stations is mulched and then transported off site at a significant cost to Council. It also appears that residents are now using some of the additional



space which is available in their kerbside refuse bins due to having an additional FOGO bin, to dispose of other types of waste that they would previously have taken to the waste transfer station. Disposing of waste in the kerbside refuse bin is more cost efficient for Council than taking it to the waste transfer station.

TABLE 1: Kerbside Refuse and FOGO Collections July 2022 – September 2023

	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23
Kerbside FOGO (T)								80	120	100	114	74	48	99	50
Kerbside waste (T)	151	220	191	198	258	201	250	180	156	168	242	223	143	219	94

TABLE 2 - Greenwaste Takings at Waste Transfer Stations (\$)

Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23
6,368	4,571	5,655	6,261	8,974	9,260	10,158	6,858	6,434	5,205	4,218	3,849	3,575	4,362	4,856

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

4.2 Meet environmental challenges

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

In future budgets Council may be asked to consider rolling out FOGO collections to other parts of the municipality, but any further extensions to the current route are likely to involve long travel distances for a small number of additional bins.

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

To date 685t of FOGO material has been collected. The costs are summarised in the table below.

FOGO Collection Costs

Kerbside collection costs Jan 22 – Sep 23	Processing costs Jan 22 – Sep 23
\$167,313	\$50,621

There is a saving to Council as a result of FOGO waste which has been removed from the kerbside refuse bins and also the reduction in greenwaste and general refuse which is disposed of at the waste transfer station. Based on the information that is available this is estimated to \$30,000 - \$40,000 per year.



7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Community consultation was carried out prior to the introduction of the kerbside FOGO service.

10 OPTIONS FOR COUNCIL TO CONSIDER

That this information be noted.

11 OFFICER'S COMMENTS/CONCLUSION

The service commenced in January, so a full twelve months of data is not yet available. The collection data can be reviewed in more detail once information for the full twelve-month period is available, population growth during this time would also need to be considered.

Overall, the greenwaste collection seems to have been very well received. The collection has been expanded to include a number of areas that were not part of the initial collection area due to requests from residents, which indicates a strong interest in the service, and information provided by the Launceston Waste Centre indicates that the material received is of good quality and the rate of contamination with other materials are very low.

12 ATTACHMENTS

Nil



16.2 PREFERRED CONTRACTORS REGISTER FOR CIVIL WORKS

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

RECOMMENDATION

That Council implement a Preferred Contractor Register for civil works in Council's road reserves.

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider introducing a Preferred Contractor Register for civil works, to ensure that works are completed in accordance with the appropriate standards of safety and quality.

2 INTRODUCTION/BACKGROUND

Many contractors who carry out works in the Council road reserve are engaged by members of the public such as developers or property owners to carry out works including property accesses, privately owned irrigation pipes under roads in rural areas or infrastructure associated with subdivisions.

Members of the public who engage a contractor must seek approval from Council prior to the contractor starting work in the road reserve. As part of the approval process Council Officers will require that inspections are carried out at various stages during the works to ensure compliance with relevant standards. It is important that these works are constructed to the correct standard because many of them become assets that Council is responsible to maintain once works are completed.

Members of the public who engage contractors sometimes do not have a background in civil construction and may sometimes engage contractors who have limited understanding of Council standards or safety requirements when working on a road. Supervising contractors who have limited experience in the work they are undertaking has a significant impact on Council resources and sometimes leads to poor quality workmanship having to be removed at the property owner or contractors' expense.

Due to the current economic climate experienced civil contractors are very busy and there has been an increase in the number of inexperienced contractors carrying out work in the Council road reserve. There has also been an increase in contractors who do not have the appropriate traffic management qualifications applying to carry out private works in the Council road reserve. A contractor who does not have the appropriate traffic management qualifications is not legally allowed to carry out some types of work in the Council road reserve and Council Officers have to advise the contractors or property owners that they cannot carry out the works they have applied to complete.

A number of other Councils in Tasmania have had preferred contractor register for many years and others are looking at implementing this procedure.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:



1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

3.2 Integrated Priority Projects Plan 2021

Not applicable.

4 POLICY IMPLICATIONS

This proposal will mean that some contractors will be refused permission to work in the Council's road reserve.

5 STATUTORY REQUIREMENTS

The Local Government (Highways) Act 1982.

6 FINANCIAL IMPLICATIONS

There are no financial costs to Council to implement this proposal and there will be significant savings to Council both in the amount of staff time that is spent inspecting works and dealing with issues that arise as a result of poor workmanship and in the amount of maintenance works that are required on these assets over time.

7 RISK ISSUES

The following are risk issues associated with private contractors doing works in the Council's road reserve:

1. Council may need to do additional maintenance work or replace these assets if they have not been constructed to the correct standard.
2. Inexperienced contractors may have limited understanding of the safety requirements when working on Council property which is a risk to the public and Council.
3. If Council requires contractors or property owners to remove poor quality work this may impact negatively on the reputation of Council.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to implement a preferred contractor register or not.

11 OFFICER'S COMMENTS/CONCLUSION

This proposal will improve the quality of work being carried out on Council roads and also improve public safety. There will only be minimal time involved in setting the system up and it will make it easier for Council officers to ensure that contractors and complying the appropriate standards for workmanship and safety.



12 ATTACHMENTS

1. Example - Approved Road Reserve Contractors July 2023 [16.2.1 - 1 page]



17 ITEMS FOR THE CLOSED MEETING

RECOMMENDATION

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Executive Officer and Executive Assistant to discuss Closed Council Items.

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Procedural Matters	15(2)(g)
Personnel Matters	15(2)(a)
Action Items: Status Report	15(2)(g)
Legal Matter	15(2)(i)
Legal Matter	15(2)(i)
Personnel Matters	15(2)(a)
Legal Matter	15(2)(i)
Legal Matter	15(2)(i)
Contract/Tender	15(2)(d)&(g)
Land Acquisition/Purchase	15(2)(f)
Contract/Tender	15(2)(d)&(g)
Contract/Tender	15(2)(d)
Contract/Tender	15(2)(d)&(g)
Confidential Information	15(2)(b)
Confidential Information	15(2)(g)

Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
 - (i) *prejudice the commercial position of the person who supplied it; or*
 - (ii) *confer a commercial advantage on a competitor of the council; or*
 - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
 - (i) *the council, councillors and council staff; or*
 - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



18 CLOSURE

RECOMMENDATION

That Council move out of the "Closed Meeting".

Mayor Knowles closed the meeting at