

**From:** [State Planning Office Shared Mailbox](#)  
**To:** [TPC Enquiry](#)  
**Subject:** State Planning Provisions amendment 01-2022 - Container Refund Scheme  
**Date:** Thursday, 10 August 2023 4:00:32 PM  
**Attachments:** [image002.png](#)  
[SPP amendment 01-2022 - container refund scheme - SPO submission letter for representation responses - 10 August 2023.pdf](#)  
[SPP amendment 01-2022 - container refund scheme - Response to the representations.pdf](#)

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Good afternoon,

Please see attached correspondence from Brian Risby, Director – State Planning Office.

Kind regards,

**State Planning Office**

**Department of Premier and Cabinet**

Level 7 / 15 Murray Street, Hobart TAS 7000 | GPO Box 123, Hobart TAS 7001

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10 August 2023

Mr Roger Howlett  
Delegate (Chair)  
Tasmanian Planning Commission  
GPO Box 1691  
Hobart TAS 7001

by email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Mr Howlett,

**SPP Amendment 01-2022 Container Refund Scheme and draft Planning Directive No. 9**

Following the State Planning Office (SPO) submission on 3 August 2023 in which alterations to the documents that were exhibited relating to Draft Amendment 01-2022 to the State Planning Provisions (the draft amendment) and Draft Planning Directive No. 9 (the draft planning directive) were proposed, the attached document contains a written submission in response to the representations.

The SPO appreciates the opportunity to make a written submission in response to the representations and looks forward to discussing the matters raised in this submission during the hearing.

If you wish to discuss any issue relating to this please contact us on 1300 703 977 or by email on [Stateplanning@dpac.tas.gov.au](mailto:Stateplanning@dpac.tas.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Brian Risby".

Brian Risby  
**Director**

**Attachments**

SPP amendment 01-2022 – Response to representations

### SPP amendment 01-2022 – Container Refund Scheme

The table below contains the State Planning Office (SPO) written submission in response to the representations relating to the amendment.

It is intended that where any response below relates to the same provision in the draft planning directive, then the response be also taken to be made in relation to the draft planning directive.

There are matters that have been raised in the representations that need further discussion at the hearing, which may lead to a further request for some alterations to the amendment.

Clause No	Clause	Matter(s) raised in the representations	SPO's response
Nil – general comment	Nil.	Guidance or similar material should be provided to assist in interpreting and applying the suite of provisions for the Container Refund Scheme (CRS).	The SPO intends to produce guidance material to support the interpretation and application of the suite of provisions for the CRS. Currently, that is still a work in progress.
Nil – general comment	Nil.	The draft amendment should facilitate the delivery of automated and manual depots in the Commercial Zone and be more flexible in the Light Industrial Zone (i.e., 'P' use). There should be a clear 'P' decision pathway for automated depots.	These comments should be further explored at the hearing.
Nil – impacts on TasRail network	Nil.	Any land owned and used by TasRail should be excluded from the operation of the CRS, and any adjacent operation of the CRS should consider land use conflict with the Rail network.	These comments should be further explored at the hearing, as the group of preferred sites may not be adjacent to the TasRail network. Notwithstanding this, it should be noted that the inclusion of the words 'By, or on behalf of the Crown' in the leading sentences in clauses 4.2.10 and 4.2.11 ensures that the exemptions be only possible when container refund points are proposed or allowed by the Crown or CRS network operator. Noting that both NRE and TasRail are Tasmanian Government entities and that the CRS network

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			<p>operator will have contractual obligations in relation to traffic efficiency and safety, it is highly unlikely that the exemptions will be used to facilitate the delivery of container refund points that may interfere in any way with the TasRail network.</p> <p>Moreover, if a container refund point were to be proposed within TasRail owned or managed land, as the landowner or manager, TasRail will have control on whether a container refund point can or cannot be set up on their land, and if there are any additional conditions that the CRS network operator will have to comply with.</p>
Nil – general comment	Nil.	The proposed amendment does not specify what space or grades are required for pedestrians to safely queue or access the container refund point, which needs to be accessible to all with wheelchair access, and, if in a car park, protected by energy-absorbing bollards.	This comment should be further explored at the hearing, noting that the SPPs do not go down to this fine grain of detail for other similar matters.
Table 3.1	Planning Terms and Definitions	The container refund points regulated by the draft amendment should be categorisable within a Use Class.	<p>Such a categorisation is unnecessary because the exemptions and general provisions in the draft amendment and draft planning directive cover all of the intended land-use scenarios related to those types of container refund points.</p> <p>The CRS will only regulate container refund points for a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point.</p> <p>Other types of container refund points are intended to be able to be classified in the Recycling and Waste</p>

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			<p>Disposal Use Class by virtue of the revised definition of a 'waste transfer station', and then assessed under the regular applicable SPP zone and code provisions.</p>
4.2.10	By, or on behalf of the Crown, if for:	<p>The exemptions in clause 4.2.10 should be limited to non-residential zones.                      Note: issues raised for both a) &amp; b)</p>	<p>It is anticipated that the draft amendment and draft planning directive will facilitate the delivery of approximately 40 to 50 container refund points across Tasmania. Given the limited rollout of container refund points, it is unlikely that a business in a residential zone would contain the qualities needed for a container refund point to maximise its potential, which is primarily given by high public visitation.</p> <p>The words 'By, or on behalf of the Crown' in the leading sentence in clause 4.2.10 are intended to make these exemptions possible only when proposed or allowed by the Crown or CRS network operator.</p> <p>Moreover, the exemptions only apply when container refund points are co-located with existing businesses.</p> <p>Thus, it is improbable that container refund points for businesses in residential zones will be proposed or allowed when other more suitable locations are available.</p> <p>However, this possibility should not be precluded since there could be unique circumstances where container refund points associated with businesses in residential zones may be deemed appropriate for the purposes of the CRS.</p>

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		<p>The provisions need to include requirements for it to be safely accessed by staff. Note: issues raised for both a) &amp; b)</p>	<p>This comment should be further explored at the hearing, as this matter is not expressed in any other SPPs that relate to storage.</p>
		<p>The exemptions in clause 4.2.10 should not allow container refund points to encroach upon car parking areas. Note: issues raised for both a) &amp; b)</p>	<p>The nature of the exemptions that are provided for, is that those types of refund points are not planned to be located in car parking spaces, with the exception of any space required for storage of the returned containers.</p> <p>It is anticipated that the draft amendment and draft planning directive will facilitate the delivery of approximately 40 to 50 container refund points across Tasmania, with only some of these container refund points making use of the exemptions. Thus, the overall impact of the exempt container refund points on car parking is expected to be minimal.</p> <p>Furthermore, it would be in the best interest of the Crown, CRS network operator and business owners and managers that container refund points, and their storage, be situated to not adversely impact parking efficiency and safety.</p>
	<p>a) an over-the-counter refund point with external storage located to the side or rear of the business premises if:</p>	<p>The exemption in clause 4.2.10 (a) should have regard to amenity impacts from external storage (e.g., by regulating separation distance from existing buildings on-site and property boundaries similarly to that of the outbuildings' exemption in clause 4.3.7 of the SPPs).</p>	<p>Outbuildings are non-habitable buildings; with many of them located in the residential zones. The setback requirements in clause 4.3.7 of the SPPs are primarily intended to regulate their potential impact on residential amenity, both on-site and for adjoining properties.</p> <p>In contrast, it is improbable that this exemption would be used to propose over the counter refund points (including their external storage) within</p>

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			<p>residential zones. Yet, if they were to be located within or next to a residential zone, the overall requirements in the exemption in clause 4.2.10 (a) are considered sufficient to ensure amenity impacts are not unreasonable.</p> <p>Perhaps for further discussion at the hearing regarding the interface with the boundary of residential zones, noting that in the General Residential Zone an outbuilding can be built on the boundary to a height of 3m, which aligns with the requirements in the proposed exemption.</p>
	i. it operates within the normal hours of operation of that business;	Nil.	Nil.
	ii. external storage of the returned approved containers is an area of not more than 15m <sup>2</sup> and a height of not more than 3m or is provided in a shipping container; and	Nil.	Nil.
	iii. the external storage is not visible from a road or public space adjoining the site; or	Nil.	Nil.
	b) a container refund machine or bag drop refund point if:	The exemption in clause 4.2.10 (b) should have regard to security-related matters so that non-staff cannot easily access storage areas.	The exemption has been modified to refer to “secure structures for storage”
	i. co-located on a site with an existing business;	Nil.	Nil.

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	ii. the structure has a base area of not more than 4m <sup>2</sup> and a height of not more than 2.2m; and	Nil.	Nil.
	iii. the returned approved containers are stored inside the structure or the bags are stored in a relocatable bin that is not visible from any road or public space adjoining the site,	The requirement in clause 4.2.10 (b) (iii) should be modified to facilitate the development of standalone Reverse Vendor Machines, which may require on-site storage outside the actual structure.	The clause has been modified to enable the returned approved containers to be transferred into relocatable bins for later collection, if needed to keep the container refund machine operational.
	unless the Local Historic Heritage Code applies and requires a permit for the use or development.	Nil.	Nil.
4.2.11	By, or on behalf of the Crown, if for:	Delete 'By, or on behalf of the Crown' from the leading sentence in clause 4.2.11 to incentivise the delivery of temporary container refund points.	The words 'By, or on behalf of the Crown' in the leading sentence in clause 4.2.11 are intended to achieve a greater level of control over the use of public land for temporary container refund points. Removing those words may result in the proliferation of unauthorised temporary container refund points on public land.
	a) a pop-up refund point on public land and used:	Nil.	Nil.
	i. for a period not longer than 2 days; or	Increase the time allowance in clause 4.2.11 (a) (i) from 2 to 7 days to facilitate the set-up, use and removal of this type of container refund points.	It is considered that it would not take too long to set-up or remove temporary container refund points, the 2-day timeframe is only intended for their use. This timeframe is reasonable, particularly considering that the allowance in clause 4.2.11 (a) (ii) provides extra flexibility in relation to key spaces



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			and events. Hence, this timeframe does not undermine the CRS program's objectives.
	ii. in association with a market, sporting, social or cultural event; or	Nil.	Nil.
	b) a container refund machine or a bag drop refund point on a registered trailer and used:	Nil.	Nil.
	i. for a period of not longer than 2 days;	Increase the time allowance in clause 4.2.11 (b) (i) from 2 to 7 days to facilitate the set-up, use and removal of this type of container refund points.	It is considered that it would not take too long to set-up or remove temporary container refund points, the 2-day timeframe is only intended for their use. This timeframe is reasonable, particularly considering that the allowances in clauses 4.2.11 (b) (ii) and (iii) provide extra flexibility in relation to key spaces, events, and occasions. Hence, this timeframe does not undermine the CRS program's objectives.
	ii. in association with a market, sporting, social or cultural event; or	Nil.	Nil.
	iii. during the months from November to April if needed to provide additional capacity for demand from tourists as endorsed by the Crown; and	Nil.	Nil.
	c) the temporary container refund point is removed after its use.	Nil.	Nil.
7.14.1	Use and development for an over the counter refund point, pop-up	Clause 7.14.1 should have regard to the hours of operation of any co-located business.	Clause 7.14.1 provides a discretionary pathway for the container refund points in the leading sentence.

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	refund point, bag drop refund point or a container refund machine is Discretionary and in determining an application the planning authority must have regard to:		Regardless of whether or not those container refund points are co-located on sites with existing businesses, this clause includes sufficient elements of discretion, including some to avoid unreasonable loss of amenity to adjacent sensitive uses in residential zones.  Clause 7.14.1a) enables consideration of relevant zone provisions, which include hours of operation when within residential zones or in proximity to residential zones.
	a) the purpose and provisions of the zone;	Nil.	Nil.
	b) the purpose and provisions of any applicable code, except C2.5 of the Parking and Sustainable Transport Code;	Any signage required for discretionary container refund points should be considered under the Signs Code.	The requirement in clause 7.14.1 (b) helps to ensure that a proposal for a discretionary container refund point also involving the development of signage has regard to the purpose and provisions of the Signs Code.
	c) any relevant local area objectives;	Nil.	Nil.
	d) the purpose and provisions of any applicable specific area plan;	Nil.	Nil.
	e) pedestrian safety on the site;	Nil.	Nil.
	f) potential conflicts with traffic movement on the site; and	Nil.	Nil.
	g) use of an over the counter refund point, pop-up refund point, bag drop refund point or a container refund machine within	Nil.	Nil.

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	50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone must not cause an unreasonable loss of residential amenity having regard to:		
	i. the timing, duration or extent of vehicle movements, including the amount of reversing and associated warning noise from service vehicles;	Nil.	Nil.
	ii. noise levels generated at the container refund point above background noise levels;	Nil.	Nil.
	iii. any noise mitigation measures between the container refund point and the residential zone; and	Nil.	Nil.
	iv. lighting duration or light spill.	Nil.	Nil.
7.14.2	Notwithstanding subclause 7.14.1, use and development for a bag drop refund point or a container refund machine on a site in the Local Business Zone, General Business Zone, Central Business Zone, Urban Mixed-Use Zone, Village Zone, Commercial Zone, Community Purpose Zone or	Clause 7.14.2 should have regard to the need for clearing vegetation within a Priority Vegetation Area Overlay in a similar way that clause 7.14.2 (k) considers impacts on local historic heritage values.	<p>Since clause 7.14.2 restricts the permitted pathway to zones where vegetation cover tends to be low, it is unlikely that the use and development regulated by this clause will result in an unreasonable loss of priority vegetation.</p> <p>Additionally, any threatened species are protected under the <i>Tasmanian Threatened Species Protection Act 1995</i>.</p> <p>Notwithstanding this, if the Commission considers it necessary, an additional requirement could be</p>

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	Recreation Zone, is Permitted and a permit must be granted if:		added to minimise or appropriately manage impacts on priority vegetation.
		The grammar is lost between 7.14.2 ..." must be granted if:"...and (c) "a sign that is attached to...must:.."	Agreed. Alterations have been suggested to address the grammar issues.
	a) co-located on a site with an existing place of business;	Nil.	Nil.
	b) there are not more than 2 signs for the bag drop refund point or container refund machine that are not attached to the bag drop point or container refund machine structure and the signs are not:	Nil.	Nil.
	i. less than 2m from the boundary of a property in a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone;	Nil.	Nil.
	ii. illuminated;	Nil.	Nil.
	iii. more than 2m <sup>2</sup> combined total area; an	Nil.	Nil.
	iv. a third-party sign as defined in C1.3 of the C1.0 Signs Code;	Nil.	Nil.
	c) a sign that is attached to a bag drop point or the container refund machine structure must:	Nil.	Nil.

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	i. not be illuminated:	Nil.	Nil.
	ii. comply with C1.6.4 A1 of the C1.0 Signs Code; and	Nil.	Nil.
	iii. be for the following sign types, as defined in C1.3 of the C1.0 Signs Code:	Nil.	Nil.
	a. an awning fascia sign that does not project above or below the fascia of the awning to which it is attached, and has a height of not less than 2m above ground level;	Nil.	Nil.
	b. a building fascia sign that does not project above or below the fascia of the building, and does not project horizontally more than 200mm from the vertical face of the fascia;	Nil.	Nil.
	c. a painted wall sign;	Nil.	Nil.
	d. a wall sign that does not project above the top of the wall to which it is attached; or	Nil.	Nil.
	e. a wall mural sign;	Nil.	Nil.
	d) in the Local Business Zone, General Business Zone or Central Business Zone the setback from a frontage is:	Clauses 7.14.2 (d) and (e) appear to contain the same requirements.	Clauses 7.14.2 (d) and (e) deal with different frontage setback requirements. As a way of explanation, in business zones, it is required that buildings sit on the frontage to minimise opportunities for crime or anti-social

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			<p>behaviour. In contrast, in the other zones, it is typically allowed that buildings sit on or behind the minimum frontage setback for amenity-related reasons.</p> <p>Thus, a differentiated approach is needed for the business zones as opposed to other zones.</p>
	i. equal to or more than the relevant Acceptable Solution frontage setback for the relevant zone ; and	Nil.	Nil.
	ii. not less than that the relevant Acceptable Solution frontage setback of any applicable specific area plan;	Nil.	Nil.
	e) in the Village Zone, Urban Mixed-Use Zone, Commercial Zone, Community Purpose Zone or Recreation Zone the setback from a frontage is:	Clauses 7.14.2 (d) and (e) appear to contain the same requirements.	Please refer to the response provided in relation to clause 7.14.2 (d).
	i. not less than the relevant Acceptable Solution frontage setback for the relevant zone; and	The frontage setback in clause 7.14.2 (e) (i) should be standardised to 4m for all zones to streamline the planning approval process.	It is considered that development should fit within the frontage setback for the relevant zone, particularly considering that standardising the setback could contribute to deteriorating the streetscape in certain areas.
	ii. not less than the Acceptable Solution frontage setback of any applicable specific area plan;	Nil.	Nil.

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	f) the side and rear setback is not less than the relevant Acceptable Solution side or rear setback for the relevant zone or any applicable specific area plan;	Review the use of 'and' and 'or' in accordance with the intent of the requirement in clause 7.14.2 (f).	The intent of the requirement in clause 7.14.2 (f) is to regulate setbacks from both the side and rear boundaries. Thus, it is recommended that the wording of this clause be modified to make sure that there is consideration for both setbacks.
	g) the height of the structure for a bag drop refund point or container refund machine is not more than 5m;	Nil.	Nil.
	h) the area of each structure is not more than:	Consider including a maximum cumulative area of structures.	<p>It is anticipated that the draft amendment and draft planning directive will facilitate the delivery of approximately 40 to 50 container refund points across Tasmania. These container refund points are expected to be distributed across different municipal areas and suburbs, so it is improbable that the Crown or CRS network operator will use the permitted pathway to propose or allow more than 1 bag drop refund point or container refund machine per site.</p> <p>However, this possibility should not be precluded since there could be busier sites (e.g., large shopping centres) where more than 1 bag drop refund point or container refund machine may be deemed appropriate and required to meet demand.</p>
	i. 20m <sup>2</sup> for the bag drop refund point; or	Consider increasing the area to facilitate the development of automated depots.	The draft amendment and draft planning directive have been designed to regulate specific types of container refund points; thus, it may be worth exploring at the hearing what exactly is meant by 'automated depots' and if they should be facilitated
	ii. 60m <sup>2</sup> for the container refund machine;		

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			via amending the permitted pathway in clause 7.14.1.
	i) the container refund machine operates within the same hours of operation as the existing business on the site, unless 7.14.2 (l) is applicable;	Nil.	Nil.
	j) the location of the container refund point satisfies the requirements in the acceptable solutions for C2.6.2, C2.6.3, C2.6.4, C2.6.5 and C2.6.6;	Concerns regarding the development of container refund scheme spaces in parking areas.	The overall impact of container refund points on parking areas is expected to be minimal. For the CRS program to be successful, it is required that container refund points be located in places with high accessibility and visibility and that provide for passive surveillance and, as such, car parks are key locations for container refund points when adequate space is available.
	k) the Local Historic Heritage Code does not require a permit for use or development; and	Reword this subclause to delete any reference to 'use'.	While it is true that the Local Historic Heritage Code does not apply to use, the exemptions and general provisions of the draft amendment have been drafted to be consistent with the existing SPPs. Thus, the wording of this clause should be kept as it is for consistency with other SPPs, particularly considering that there are no practical implications in doing so. The matter raised could be considered as part of future SPPs reviews.
	l) use of a bag drop refund point or a container refund machine within 50m of a General Residential Zone, Inner Residential	The 50m-separation-distance requirement should be reduced to 30m and exclude roads in the General Residential, Inner Residential and Low-Density Residential zones to increase the number of sites suitable for container refund	A nuanced approach to separation distance from residential zones would be inconsistent with the current SPPs approach. The proposed separation distance allows for adequate consideration of potential impacts from



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	Zone, or Low Density Residential Zone must have:	scheme points without having to go through discretionary planning approval.	the container refund points on adjacent residential zones without unreasonably compromising their feasibility. Thus, it is considered that a container refund point that cannot comply with the requirement in clause 7.14.2 (l) should be assessed under the discretionary pathway.
	i. hours of operation: within the hours of:	Delete the colon immediately after the word 'operation'.	Agreed. This is a typographical error that should be rectified.
	a. 7.00am to 9.00pm Monday to Saturday; and	Reword for clarity since the intent is to group 'a plus b' as the primary allowance versus 'c' as the alternative allowance; however, the requirement currently reads as 'a' plus 'b or c'.	Agreed. It is recommended that this requirement be modified as follows: <i>"a. 7.00am to 9.00pm Monday to Saturday; and b. 8.00am to 9.00pm on Sundays and public holidays; c. or alternatively within the hours of operation of the co-located business;"</i> .
	b. 8.00am to 9.00pm on Sundays and public holidays; or		
	c. operation of the co-located business,		
	whichever is the lesser;		
	ii. external lighting that does not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and	Security lighting should be baffled.	Agreed. It is recommended that this requirement be modified as follows: <i>"ii. external lighting that does not operate within the hours of 11.00pm to 6.00am, excluding any baffled security lighting; and"</i> .
	iii. service vehicles for the container refund point that operate within the hours of:	The hours of operation in this clause 7.14.2 (l) (iii) should be expanded to allow container refund points to be serviced outside of public operating hours.	A nuanced approach to vehicle movements associated with container refund points would be inconsistent with the current SPPs approach.  The proposed hours of operation allow for the reasonable servicing of container refund points while maintaining adequate amenity for adjoining land use and development. Consequently, no modifications should be made.
	a. 7.00am to 9.00pm Monday to Saturday; and		
	b. 8.00am to 9.00pm Sunday and public holidays.		

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7.14.3	No other provisions in this planning scheme apply to a use or development in accordance with subclause 7.14.2.	Replace 'in accordance with' with 'that complies with' for greater clarity.	Agreed. It is recommended that this requirement be modified as follows: <i>"No other provisions in this planning scheme apply to a use or development that complies with subclause 7.14.2."</i>
		Clause 7.14.3 has no regard for potential traffic impacts or natural hazards such as flooding.	<p>The permitted pathway in clause 7.14.2 is intended to deliver a more flexible approach in relation to container refund bag drop points and container refund machines that comply with the requirements in clause 7.14.2. These requirements, along with the limited number of container refund points that are expected to benefit from the permitted pathway, are sufficient to ensure that the overall cumulative effects of container refund points on traffic efficiency and safety are minimal.</p> <p>Moreover, any structures associated with permitted container refund points are unlikely to exacerbate risks from natural hazards on-site and for adjoining land, particularly considering that their installation involves minimal site disturbance, their site coverage is limited, and they are not intended to store hazardous materials, by virtue of the allowed zones where they can be located.</p>
7.14.4	There is no requirement to provide car parking spaces for container refund points approved under subclauses 7.14.1 or 7.14.2.	Nil.	Nil.
7.14.5	A container refund point granted a permit under subclauses 7.14.1 or 7.14.2 can include a condition relating to maintaining the	Reword this subclause to clarify that the permit –and not the actual container refund point– can include the condition.	Agreed. It is recommended that this clause be modified as follows: <i>"A permit granted under subclauses 7.14.1 or 7.14.2 may include conditions</i>

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	tidiness of the container refund point and pedestrian safety.		<i>relating to maintaining the tidiness of the container refund point and pedestrian safety."</i>
C2.3.1 (Definition of '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.	Replace the term 'bad drop' with 'bag drop'.	Agreed. This is a typographical error that should be rectified.
C2.5.1 A1 (Leading sentence)	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:	Reword the proposed leading sentence to facilitate user interpretation.	Agreed. It is recommended that the leading sentence be modified as follows: <i>"The number of on-site car parking spaces must be no less than the number specified in Table 2.1, or the number of on-site car parking spaces can be reduced in accordance with the space used for container refund scheme space, excluding if:"</i>
		The reduction in the number of car parking spaces to provide for CRS spaces should be dealt with under the Performance Criteria, not the Acceptable Solution, so that the objective of clause C2.5.1 is not undermined.	Given that clause 7.14.4 does not require the provision of car parking spaces for container refund points approved under subclauses 7.14.1 or 7.14.2, the proposed modification to the leading sentence is intended to facilitate amendments to existing permits that require a minimum number of on-site car parking spaces or future proof any future development of the sites by the existing businesses.  If this proposition is not accepted by the Commission, then any reduction in the number of car parking spaces required by existing permits will need to be considered under the Performance Criteria, as suggested by the representor. Yet, it

Appendix 1 – Response to the representations

Clause No	Clause	Matter(s) raised in the representations	SPO's response
			<p>should be noted that taking this approach will create uncertainty for the delivery of the CRS program and may even undermine its implementation in the locations where it can best perform.</p> <p>Hence, it is recommended that a more lenient approach be taken in relation to container refund scheme spaces so that they can fit within the existing built environment, particularly considering that, as stated above, their overall impact on car parking is expected to be minimal.</p>
		<p>Providing for container refund scheme spaces within parking areas could create conflicts between users and should have regard to proper accessibility and safety features (e.g., maximum gradients, bollards).</p>	<p>As indicated before, it would be in the best interest of the Crown, CRS network operator and business owners and managers that container refund points be situated to not adversely impact parking efficiency and safety.</p> <p>Yet, it is an important consideration that should be discussed at the hearing to determine if further modifications to the draft amendment and draft planning directive are required or if this can be managed through contractual obligations imposed on the CRS network operator during the tendering process.</p>