
From: Sharon Holland <Sharon.Holland@latrobe.tas.gov.au>
Sent: Wednesday, 23 December 2020 3:04 PM
To: TPC Enquiry
Subject: Latrobe Interim Planning Scheme 2013 - Draft Amendment 04/20

At its meeting held on 14 December 2020, Council approved Draft Amendment 04/20 to the Latrobe Interim Planning Scheme 2013.

The draft amendment was advertised in The Advocate Newspaper on 19 December 2020 and 23 December 2020.

The files associated with the draft amendment can be accessed via the following link

<https://www.dropbox.com/home/Sharon%20Holland/LIPS%202013%20Amendment%2004-20%20-%20s35%20info>

I have arranged for the lodgement fee to be forwarded by Council's finance department.

Should you have any queries please contact me as per the details below.

Regards
Sharon

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REPORT TO: COUNCIL MEETING DATED 14 DECEMBER 2020

REPORT TITLE: LATROBE INTERIM PLANNING SCHEME 2013
DRAFT AMENDMENT 04/20
MERSEY COMMUNITY HOSPITAL HELIPAD - OPERATIONAL AIRSPACE OVERLAY

REPORT AUTHOR: STRATEGIC PLANNER – SHARON HOLLAND

Note: The Report Author does not have a pecuniary interest in the subject matter

AUTHORISING MANAGER: ACTING GENERAL MANAGER – PAUL WEST

DATE OF REPORT: 07 DECEMBER 2020

REPORT CLASS: OPEN

FILE NO: AMENDMENT 04/20

ATTACHMENTS TO REPORT: AMENDMENT 04/20, INCLUDING OVERLAY MAPS, & SUPPORTING SUBMISSION

1. PURPOSE OF REPORT

The purpose of this report is to initiate an amendment, under the *Land Use Planning and Approvals Act 1993* (the Act), to the Latrobe Interim Planning Scheme 2013 (LIPS 2013) to:

- introduce an additional overlay map that will trigger the Airport Management Code; and
- include additional provisions in Clause E2.0 Airport Impact Management Code;

for the purpose of protecting operational airspace within the inbound and outbound flight path for helicopters utilising the helipad at the Mersey Community Hospital (MCH) at Latrobe.

2. BACKGROUND INFORMATION

The Mersey Community Hospital now provides the opportunity for a helicopter involved with the transfer of a patient, to land on the custom designed helipad facility on the site. The dedicated helicopter landing pad was constructed for the purpose of allowing emergency transfer aircraft to operate directly into the hospital facility. Helicopter transfer of patients from a remote site into the hospital for treatment, or from the hospital to other facilities for more specialist treatment, is a key part of the arrangements for public health care on the northwest of Tasmania. This has provided a safer and more efficient means by which to bring patients into or out of the hospital by air.

Contemporary air safety standards require the hospital must apply measures to minimise any risk to the long-term and sustainable use of the new helipad.

A helipad is an airport for the purposes of aviation safety standards and law. The Commonwealth Airports Act regulates use and development of land in the vicinity of a Commonwealth airport but does not apply for non-Commonwealth airports. The current approach to protection of non-Commonwealth airports in Tasmania is to insert requirements into the relevant municipal planning scheme to restrict the height of buildings to avoid interference with aircraft movements, and to limit the occurrence of sensitive use development on sites exposed to aircraft noise.

The current interim planning schemes for municipalities where there is an airport, including the Latrobe Interim Planning Scheme 2013, each have an airport management code to protect airport operations. The State Planning Provisions contain mandatory provisions to safeguard airports against use or development which may interfere with or limit aircraft activity.

3. SITE LOCATION AND CHARACTERISTICS

The Mersey Community Hospital is located on a 3.163ha lot on the edge of the main urban development area of Latrobe. The site has frontage to the Bass Highway, Moriarty Road and Torquay Road. It is relatively level and contains health care, administration and maintenance buildings, the helipad, car parking and vehicular circulation areas in a landscaped setting.

The primary vehicular access is from Torquay Road. Moriarty Road provides access for Ambulance Tasmania and the Bass Highway provides access to emergency vehicles only.

The site is zoned Community Purpose under the LIPS 2013 and is adjoined by land zoned Utilities that contains the Bass Highway road corridor and land zoned General Residential for residential purposes, including the Strathdevon aged care facility. Land to the northwest of these areas is zoned Rural Resource and is used for a range of rural activities, including horse training. Many of these lots also contain dwellings.

4. PROPOSED AMENDMENT

The proposed amendment is to:

- insert the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme; and
- include additional provisions in Clause E2.0 Airport Impact Management Code;

to better facilitate application of the Airport Impact Management Code, which is already contained in the ordinance provisions, in order to protect the operations of the MCH helipad as well as the Devonport Airport.

The maps were prepared by AviPro and are based on *Guidelines for Hospital Helicopter Landing Sites in NSW: NSW Ministry of Health*. An Aviation Report by Avipro is included in the application detail attached.

The standards of the Code will apply to any land parcels identified in the new overlay maps whenever use or development is proposed beneath or within the operational airspace or within the ANEF noise contours.

The existing Standards include an Acceptable Solution granting permitted status to all use and development outside the proposed operational airspace or the ANEF 20 contour. Any new development that would be beneath the operational airspace or within the ANEF 20 contour would need to be assessed under the Performance Criteria and therefore have discretionary status.

The operational airspace is horizontally defined by the blue shading on the overlay maps. The blue shaded areas also contain information to identify the obstacle limitation surface by reference to the vertical height above the Australian Height Datum, which acts as both the floor of the operational airspace and the deemed acceptable maximum height for any built structure.

The performance characteristics of a helicopter mean that a landing or a take-off is best achieved on an inclined plane in much the same manner as a fixed wing aircraft. Vertical take-off and landings are not desirable for safety and operational reasons. For this reason, helicopters operating from the helipad will commence their descent some distance out from the helipad and will climb away from the facility at a relatively shallow angle over some distance.

The operation of the helipad will involve aircraft approaching and departing the landing facility on a fixed flightpath. The approach and departure path on the north will pass over land between Frankford Highway and the Bass Highway as well as some land parcels in Torquay Road and Hawkins Street and along the southern edge of the Bass Highway in close proximity to the MCH.

The approach and departure path to the south will pass over land developed for residential purposes in, or in close proximity to Bradshaw Street and land in Shale Road and Railton Road used primarily for rural activities.

The direction of travel for individual flights along these flight paths will depend on the prevailing wind at the time. Air safety standards define that part of the sky within which an aircraft is required to fly when approaching and departing a particular landing and take-off facility as “operational airspace”. The underside of operational airspace is known as the Obstacle Limitation Surface (OLS) and is best described as an imaginary inclined plane rising away from the landing point at the lowest height to which an aircraft may descend while making an approach for landing and rising away from the take-off point at the lowest height at which an aircraft may be while climbing after take-off. The OLS is described by reference to a datum or elevation for the landing or take-off point and extends to a height of 150m above that datum and then horizontally for a radius of up to 15km from the landing point. Each airport operator is required to prepare a map showing the height of the OLS relative to the airport datum point. The height shown for the OLS is not the height above the ground directly below the OLS. This is because natural ground level can undulate and the clearance between ground level and the OLS will vary at any particular point. The safe, efficient and certain movement of aircraft within operational airspace requires that no permanent or temporary obstacle with likelihood to interfere or conflict safe and efficient aircraft movements must intrude into operational airspace. Air safety standards consider any object fixed to or originating from ground level, and which physically extends above the OLS to be an obstacle which threatens the safety and operational efficiency of aircraft. Australian law requires every airport operator must take measures to ensure objects such as buildings, aeriels, vegetation, and high-speed emissions from vents and smoke stacks, do not intrude into operational airspace. The sustainable operation of helicopter transfer arrangements for the Mersey Hospital requires that the airspace within which aircraft operate when approaching or departing the site must be kept free of any activity, building or structure which may present an obstacle and adversely affect the function and safety of an aircraft. The current arrangement in Tasmania for management of use or development on land under operational airspace is to include a requirement in the applicable planning scheme.

The proposed amendment is to insert an additional overlay map into the LIPS 2013 that will trigger the Airport Impact Management Code for the purpose of protecting the operational airspace for aircraft utilising the MCH helipad.

This Code was prepared as part of the Cradle Coast Region’s model provisions for planning schemes; and has been included in the planning schemes for those Cradle Coast municipalities where there is an airport. The Code will mean that any proposed use or development on land below the Mersey Community Hospital helipad flight paths will require a permit, and the proposed use or development must be assessed for likely impact on the safety, efficiency, and certainty of aircraft movements. The primary control is whether the proposed height of a building or structure will intrude into operational airspace. The advice of the airport operator will be required before a permit application is determined if the proposed use or development is likely to penetrate above the OLS. The maps provided with the request to initiate a draft scheme amendment show the OLS height in AHD for each lot below the operational air space and establish the maximum height against AHD for any proposed structure on that site. Practical application of the OLS datum will require the datum for each lot must also be known in order to establish the maximum height of a building or structure above existing ground level.

The Table in Section 3.3, which can be found in pages 7, 8 and 9 of the supporting submission lodged with Council, notes the maximum achievable building height for any new development on each identified site will generally be less than 10m at its highest point. This is because these lots are located within an area of high ground above which an aircraft on the approach or departure surface is very low to ground level. The affected sites are all assigned to the General Residential zone for which the acceptable solution building height is 8.5m above existing ground level. A building on land in the General Residential zone with a height at or below 8.5m above existing ground level does not require a permit under the current provisions of the LIPS 2013. However, introduction of the Airport Management Code will mean that many of the sites identified in the Table may be limited to buildings of a lesser height in order to avoid any future intrusion into operational airspace. The majority of affected lots are already developed. The main impact of the proposed Code will be for alterations and additions which may increase building height, and for any future redevelopment.

The standard Airport Management Code also includes provisions in relation to managing the effect of airport noise. The purpose is to manage new sensitive use development, including for

residential use, so as to avoid any subsequent concern about the health risk of exposure to aircraft noise which may result in a need to limit the type, frequency or period within which aircraft may operate into or out of the airport facility.

The Helicopter Noise Impact Assessment report by ARUP submitted with the application has identified a number of properties within the proposed ANEF 20 Contour. These are listed in the Table on page 9 of the supporting submission lodged with the application. Future development on these properties may need to address additional criteria in mitigate noise impacts.

The Executive Summary of the ARUP report contains the following statement:

Existing buildings within ANEC 20 and ANEC 25 contours will be subject to a small number of helicopter events and are not strictly subject guidelines of AS2021:2015. Council may however, consider sound insulation upgrades for these buildings but we note that there are a relatively small number of individual events rather than a sustained impact over a long period.

Based on this statement, it is considered that no noise mitigation measures are necessary for existing dwellings.

5. LAND USE PLANNING AND APPROVALS ACT 1993

Section 32 of the former provisions of LUPAA requires that an amendment to a planning scheme must:

- *as far as practicable avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
- *must not conflict with the requirements of Section 300; and*
- *must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

Potential for Land Use Conflict

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and to include additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

It must be acknowledged there may be the potential for a small degree of land use conflict in respect of undeveloped sites and the need to protect the operational airspace of the MCH helipad. There is also some potential for conflict due to the impact on residential amenity in the areas in close proximity to the flight path required by users of the MCH helipad.

Existing buildings within ANEC 20 and ANEC 25 contours will be subject to a small number of helicopter events. However, it should be noted that there are a relatively small number of individual events rather than a sustained impact over a long period

The proposed amendment has limited or minimal potential for land use conflict.

Section 300

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and to include additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

It does not introduce any new development standards but will improve the application of the Airport Impact Management Code.

The proposed amendment is consistent with the requirements of Section 300.

Regional Land Use Strategy

The policies of the Cradle Coast regional land use strategy are not contravened by the amendment.

Section 20 of LUPAA requires an amendment to a planning scheme to further the Objectives set out in Schedule 1. The amendment meets these objectives as follows:

Part 1

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

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and the inclusion of some additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

It will not impact any natural or physical resources, ecological processes or genetic diversity.

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

The proposed amendment will provide greater clarity for the community in determining what land parcels are deemed to have the potential to impact the operations of the MCH helipad if further development is proposed. The overlay maps have been prepared giving regard to physical characteristics of the impacted area and the *Guidelines for Hospital Helicopter Landing Sites in NSW: NSW Ministry of Health*.

Protection of the MCH Helipad operational airspace is vital to the sustainable use of the facility and provision of health services to the area.

Due to the relatively small number of undeveloped sites in the impacted area and the low number of helicopter events that are expected to occur on a regular basis, the proposed amendment has limited or minimal potential for impact on the community.

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

The proposed amendment will be publicly exhibited as per statutory requirements. The community will have the opportunity to comment on the proposed amendment during the statutory public exhibition period.

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

The proposed amendment will support a more efficient method of patient transport and emergency response for local, region and statewide medical situations and thereby have a positive economic effect for Tasmania's health system.

- (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.*

Assessment of the proposed amendment is a collaborative effort between Council, the community and the Tasmanian Planning Commission, which is a State entity, to ensure it is technically sound and appropriate to local circumstances.

Part 2

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

The municipal planning scheme is the most effective means to protect the operations of the MCH helipad and the investment by the State Government in health infrastructure constructed in accordance with the State Health Plan.

- (b) *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;*

The proposed amendment has been prepared in accordance with State Policies and seeks to further the objectives contained in the Planning Scheme and Schedule 1 of the Act.

Incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and the inclusion of some additional provisions in Clause E2.0 Airport Impact Management Code will protect the operations of the MCH helipad and improve the application of the Airport Impact Management Code.

- (c) *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 proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and the inclusion of some additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

The proposed amendment is unlikely to cause any significant environmental impact and will provide valuable social and economic benefits to the community and the State Health system.

- (d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic conversation and resource management policies at state, regional and municipal levels;*

The proposed amendment furthers the objectives of and the *Land Use Planning and Approvals Act 1993*, is in accordance with the Latrobe Council Strategic Plan and the Cradle Coast Regional Land Use Strategy and is not in conflict with State Policies.

- (e) *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 proposed amendment is being considered by Council under Section 34 of the *Land Use Planning and Approvals Act 1993*.

Any development proposals must comply with all relevant provisions of the Latrobe Interim Planning Scheme 2013. The proposed amendment will provide greater clarity in determining whether or not use and development of land has the potential to impact on the MCH helipad operations.

The AviPro report lodged with the application states that the design of operational airspace models for this type of facility is not required to be registered or approved by a separate Government and/or aviation authority.

- (f) *to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;*

The proposed amendment will provide greater clarity in determining whether or not use and development of land has the potential to impact on the MCH helipad operations.

In this manner use of the MCH helipad and future residential use and development can occur within a safe environment.

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

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and the inclusion of some additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

The proposed amendment does not impact this objective.

- (h) *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 proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and the inclusion of some additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad. The operation of this facility provides support for patient transport and emergency health events in accordance with the State's Health Plan.

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

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and the inclusion of some additional provisions in Clause E2.0 Airport Impact Management Code in order to trigger the application of the Airport Impact Management Code to protect the operations of the MCH helipad.

It does not impact this objective.

State Policy for the Protection of Agricultural Land 2009

The purpose of this policy is to foster sustainable agriculture in Tasmania by ensuring the continued productive capacity of the State's agricultural land resource.

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and to include additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

The proposed amendment will only impact development on rural land if development is of a height that is likely to penetrate the MCH helipad's OLS. Due to the topography of the area and the distance of the helipad from land zoned for rural purposes, this is unlikely.

The proposed amendment does not impact this Policy.

State Policy on Water Quality Management 1997

The State Policy on Water Quality Management 1997 applies to all surface waters, including coastal waters, and groundwaters (with exceptions for those in private ownership or not accessible to the public), or waters in any tank, pipe or cistern.

The purpose of this Policy is;

to achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of the RMPS.

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and to include additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

The proposed amendment will not impact upon water quality.

State Coastal Policy 1996

The site subject of the amendment is not within 1km of the coast (the coastal zone) and therefore the principles of the Tasmanian State Coastal Policy 1996 do not apply to the proposed amendment.

The proposed amendment does not impact this Policy.

National Environmental Protection Measures (NEPM)

- Ambient Air Quality June 2002
- Diesel Vehicle emission 2001
- Assessment of site contamination 1999
- Used Packaging Materials 1999
- Movement of Controlled Waste between States and Territories 1998
- National Pollutant Inventory June 2000

The proposed amendment is for incorporation of the Mersey Community Hospital Operational Airspace Protection Overlay Maps into the planning scheme and to include additional provisions in Clause E2.0 Airport Impact Management Code in order to protect the operations of the MCH helipad.

The proposed amendment does not impact any of the NEPMs.

The proposed amendment is not contrary to any State Policies.

The proposed amendment is consistent with Council's strategic plan and the regional land use strategy, Living on the Coast: Cradle Coast Regional Land Use Planning Framework 2010.

The Mersey Community Hospital Operational Airspace Protection Overlay Maps are not affected by the Tasmanian gas pipeline and the proposed amendment does not impact the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

6. RELATIONSHIP WITH STRATEGIC PLANNING AND POLICY

Cradle Coast Regional Land Use Strategy

Living on the Coast: The Cradle Coast Regional Land Use Strategy 2010 - 2030 (CCLUS), is a statutory planning instrument under the Tasmanian Resource Management and Planning System. The purpose of the Strategy is to provide a consistent policy foundation for the regulatory intentions and requirements contained in local planning schemes prepared for each municipal area.

Part B is the background for introducing and justifying the Cradle Coast Regional Land Use Strategy (CCRLUS). It provides the framework to inform decision-making. In Section 3 it discusses the need for service industries to be recognised and located in a manner that will support the function of individual or clusters of settlement and the need to plan strategically to allow ease of access to services industries, such as health services.

Section 4 discusses the dispersed nature of urban settlement areas, population distribution and access to services, including health services, in the Cradle Coast region.

It states that Tasmania's Health Plan (2007) promotes a service capacity framework for providing clinical services according to whether they can attract adequate patient volume from a local referral population or whether there is a dependency on a broader population base to sustain quality service. It goes further to state that Tasmania's Health Plan (2007) provides a practical application for an "activity centre" for healthcare and the need for the Cradle Coast Framework (CCF) to provide a sustainable service capacity for those activities that are of a regional importance.

The CCF proposes that the scale and function of each centre be focused to deliver key community requirements in a manner which is complimentary and efficient to the needs of the resident and catchment population of that centre. It lists Latrobe as being a District Activity Centre.

Part C is the Cradle Coast Land Use Strategy. The CCRLUS contains a number of fundamental principles for implementing the Strategy, with one being the following:

All levels of government, industry and the community work collaboratively, share responsibility, and are accountable for sustainable land use.

It goes further to state that:

Land use planning must operate in conjunction with all Tasmania's statutory and structural frameworks and is not to embellish, substitute or override the intentions, rules and requirements of other arrangements for managing social, economic and environmental outcomes for the State.

Section 2.5 of the CCLUS requires that land use planning processes ensure the sustainable use and development of land in accordance with capability to provide the greatest economic and social outcomes for the region's community's benefit.

Three of the supporting strategic outcomes for liveable and sustainable communities listed in Section 4.2 read as follows:

- *There is co-ordinated and equitable access to provision of regional level services;*
- *Each settlement provides a healthy, pleasant and safe place in which to live, work and visit;*
- *Transport, utility and human service infrastructure is planned and available to meet local and regional need.*

Section 4.5 sets out the strategic direction for facilitating access to business and community services. It states that land use planning processes should:

Locate business and community service activity reliant for operational efficiency on a regional-scale population or on a single or limited number of sites at Burnie or Devonport, and at Latrobe, Ulverstone, Sheffield, Wynyard, Smithton, Currie and Queenstown.

The principles of the State's Health Plan (2007) are being enacted in the decisions made by the State Government for the delivery of health services and access to them. The MCH helipad is vital in providing patient transport and access to clinical services located in other parts of Tasmania.

The proposed amendment will protect the operations of the MCH helipad and also the health and safety for occupants, owners and users of other land in the area.

Council's Strategic Plan

The amendment complies with the Latrobe Council Strategic Plan 2020-2030 as follows:

2.1 Business Development

Objective:

Identify, promote, and support business and economic development opportunities.

Strategy:

Support and assist developers in identifying and managing opportunities for business growth and development

2.4 Community Facilities/ Services

Objective:

Provide a range of quality community facilities and services which engage and empower the community to participate

Strategy:

Support local opportunities in the health and human services sectors that arise from the Mersey Community Hospital being situated in the municipal area

4.1 Planning and Building Services

Objective:

Effectively manage land use planning and building services.

Strategy:

Administer the Planning Scheme to manage development and land use.

7. LEGAL AND/OR RISK IMPLICATIONS

The amendment has been drafted in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA), which outlines the process that Council must undertake when initiating and certifying amendments.

A range of matters have been considered in documenting the proposal to ensure that it meets the objectives of the Tasmanian Resource Management and Planning System and the planning process, which are outlined as schedules to LUPAA.

Consideration has also been given to Tasmanian Sustainable Development Policies (State Policies) as required by the *State Policies and Projects Act 1993*. The amendment process includes assessment by the Tasmanian Planning Commission (TPC). If the TPC do not see merit in the proposed bushfire prone area overlap maps, the amendment may be refused.

8. FINANCIAL IMPLICATIONS

The cost of undertaking the draft amendment includes the Tasmanian Planning Commission's lodgment fee of \$324 plus the cost of notices required to be placed on two separate occasions in the local newspaper, which amounts to approximately \$1,000.

9. CONSULTATION

Section 38 of LUPAA requires a statutory public exhibition period, of at least 28 days, to be undertaken once Council certifies the amendment.

The *Land Use Planning and Approvals Regulations 2014* state that should a draft amendment not relate to just an individual parcel of land, the planning authority is not required to give notice of the exhibition of the draft amendment to –

- (a) the owner of that parcel of land; or
- (b) the owners and occupiers of land sharing a common boundary with that parcel of land.

The Regulations require that the proposed amendment be advertised on at least two (2) separate occasions in the local newspaper with at least one of those occasions to be on a Saturday. This ensures that the public has ample opportunity to make comment.

10. OFFICER'S COMMENTS/CONCLUSION

The proposed amendment to insert the Mersey Community Hospital Operational Airspace Protection Overlay Maps and include additional provisions in Clause E2.0 Airport Impact Management Code to protect the operations of the MCH helipad and inform surrounding land use and development.

It will provide improved clarity to property owners, developers, planners and permit authorities in respect of planning controls that support the protection of a vital community facility, the efficient and sustainable delivery of health services to the region's residents and visitors and the health and safety of the area's residents.

The proposed amendment gives effect to all relevant legislation.

11. RECOMMENDATION:

That the report by Strategic Planner dated 07 December 2020 concerning Draft Amendment 04/20 be received and that Council:

- (a) pursuant to section 34(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, resolve to initiate Amendment 04/20 to the Latrobe Interim Planning Scheme 2013 to insert the Mersey Community Hospital Operational Airspace Protection Overlay Maps and include additional provisions in Clause E2.0 Airport Impact Management Code; and
- (b) pursuant to section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, certify that Amendment 04/20, to the Latrobe Interim Planning Scheme 2013, meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*;
- (c) pursuant to section 56S of the *Water and Sewer Industry Act 2008*, refer draft Amendment 04/20 to TasWater; and
- (d) pursuant to section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, place draft Amendment 04/20 to the Latrobe Interim Planning Scheme 2013 on public exhibition for a period of 28 days.

16568 LATROBE INTERIM PLANNING SCHEME 2013 – DRAFT AMENDMENT 04/20 – MERSEY COMMUNITY HOSPITAL HELIPAD – OPERATIONAL AIRSPACE OVERLAY:

Cr McLaren moved and Cr Sims seconded that the report by Strategic Planner dated 7 December 2020 concerning Draft Amendment 04/20 be received and that Council:

- (a) pursuant to section 34(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, resolve to initiate Amendment 04/20 to the Latrobe Interim Planning Scheme 2013 to insert the Mersey Community Hospital Operational Airspace Protection Overlay Maps and include additional provisions in Clause E2.0 Airport Impact Management Code; and
- (b) pursuant to section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, certify that Amendment 04/20, to the Latrobe Interim Planning Scheme 2013, meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*;
- (c) pursuant to section 56S of the *Water and Sewer Industry Act 2008*, p refers draft Amendment 04/20 to TasWater; and
- (d) pursuant to section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, place draft Amendment 04/20 to the Latrobe Interim Planning Scheme 2013 on public exhibition for a period of 28 days.

CARRIED UNANIMOUSLY

Mrs Holland left the meeting at this time, 6.08pm.

16569 PLANNING AUTHORITY:

Cr McLaren moved and Cr Wicks seconded that Council cease to act as a Planning Authority.

CARRIED UNANIMOUSLY

DEVELOPMENT AND REGULATORY SERVICES DEPARTMENT

16570 BUILDING DEPARTMENT REPORT – NOVEMBER 2020:

Cr Sims moved and Cr McLaren seconded that the report advising of Building and Plumbing Applications and Notifications received for the month of November 2020 be received.

CARRIED UNANIMOUSLY

Cr McLaren left the meeting at this time, 6.11pm and returned to the meeting at 6.12pm.