

File: 300800.055; PLN-21-0301301
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report recommends that Council:

- Initiate a draft amendment to make Emergency Services a Discretionary use in the General Residential zone at 17 Church Street, Campbell Town; and
- Approve the planning permit to develop and use the land for a co-located Emergency Services Facility for Tasmania Fire Service (TFS) and State Emergency Service (SES).

2 Summary Information

Applicant:

Department of Police, Fire and Emergency Management (DPFEM) c/- All Urban Planning Pty Ltd

Zone:

General Residential

Owner:

Midland Agricultural Association Incorporated

Codes:

Bushfire-Prone Areas Code;
Road and Railway Assets Code;
Car Parking and Sustainable Transport Code; and
Signs Code.

Proposal:

Make Emergency Services a Discretionary use in the General Residential zone at 17 Church Street, Campbell Town.

Existing Use:

Vacant

Critical Date:

Decision whether or not to initiate and certify the draft amendment must by 25 March 2022

Recommendation:

That Council initiate and certify the draft amendment and grant the planning permit.

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 36 Effective from 30 September 2021.

Preliminary Discussion

Council officers have discussed the proposed amendment with the applicant.



^ Subject Site

3 STATUTORY REQUIREMENTS

The *Land Use Planning & Approvals Act 1993* contains the following provisions:

- Section 33 (1) – A person may request planning authority to initiate an amendment of a planning scheme administered by it.
- Section 43A (1) - A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested.
- Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –
 - (a) whether the requested amendment is consistent with the requirements of [section 32](#); and
 - (ab) any representation made under [section 30I](#), and any statements in any report under [section 30J](#) as to the merit of a representation, that may be relevant to the amendment; and
 - (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.

Comment:

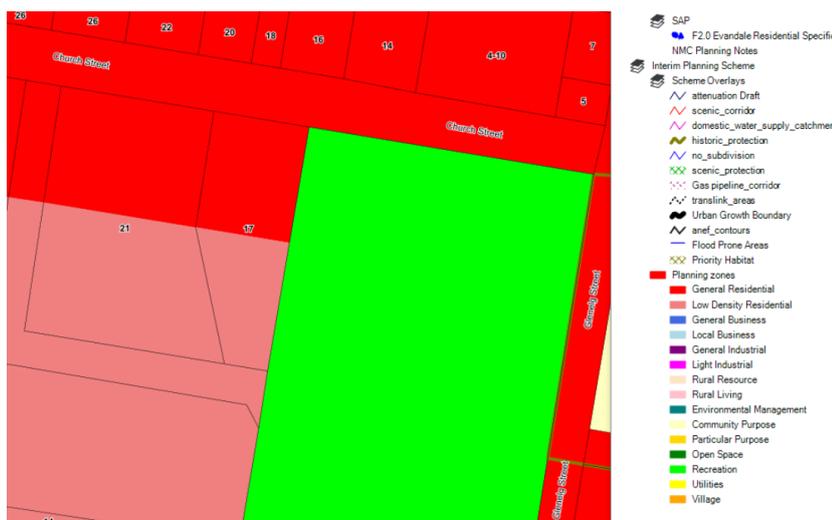
- (a) Part 7 of this report finds that the draft amendment is consistent with section 32 of the Act.
- (ab) There are no representations under section 30I relevant to the draft amendment.
- (b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).

4 Proposal

It is proposed to amend the use table of the General Residential zone, Discretionary Use Class Qualification for Emergency Services if on CT 76398/4 and 5 (176 High Street Campbell Town) to include “or on Folio of the Register 14992/1 (17 Church Street, Campbell Town)” in conjunction with a development application for an Emergency Services Facility.

Currently the TFS and SES provide services from two separate sites in Campbell Town. The proposal will provide significant opportunity for both agencies to operate in a more efficient and effective response as most SES members are dual members with TFS. The proposal will encourage continued collaboration across both agencies and provide a single facility for incident and emergency management.

4.2 Zone



^ Zone map - General Residential

The land is zoned **General Residential**. The title is split zoned with the rear part zoned Low Density Residential. A subdivision approved in 2021 was for a 3,304m² lot that is located entirely within the General Residential zoned portion of the land and coincides with the proposed development site.



^ Approved subdivision

4.3 Subject Site and Locality

A site inspection was undertaken on 11 January 2022. The subject property is situated on the western fringes of Campbell Town between the cemetery and showgrounds.



^Aerial photograph of area

Photographs of subject site





4.4 Permit/Site History

- PLN21-0138 – 2 Lot Subdivision

Reason for Proposed Amendment

The section of the site subject to this application is zoned General Residential where Emergency Services is a prohibited use.

Options are:

Rezone the site to Community Purposes where Emergency Services is a Permitted use.

Keep the General Residential zone of the land and make Emergency Services an allowable use on 17 Church Street, Campbell Town.

It is proposed insert Emergency Services as a Discretionary use in the General Residential zone if on 17 Church Street, Campbell Town.

Public Exhibition

Public Exhibition of the draft amendment and permit occurs after it has been certified, as per section 38 of the *Land Use Planning and Approvals Act 1993*:

- (1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –
 - (a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period

- agreed to by the planning authority and the Commission; and*
- (b) *advertise, as prescribed, the exhibition of the draft amendment.*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

6 OPTIONS

Initiation of draft amendment

Council can:

- Initiate the draft amendment; or
- Not initiate the draft amendment

Certification of draft amendment

If Council initiates the draft amendment, Council can:

- Certify the draft amendment as meeting the requirements of section 32; or
- Modify the draft amendment until meets the requirements of section 32, and then certify it.

Permit

Council can:

- Issue the permit with the recommended conditions;
- Issue the permit with different conditions; or
- Refuse the permit.

7 DISCUSSION

7.1 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the Land Use Planning & Approvals Act 1993 requires that an amendment of 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.

Comment: Retaining the General Residential zone and making Emergency Services a Discretionary use is expected to avoid, as far as practical, potential land use conflicts with the surrounding residential uses, more so than rezoning the land to Community Purposes, where a number of uses potentially incompatible with residential uses are Permitted.

Must be consistent with the Regional Land Use Strategy and any mandatory provisions ([section 300](#)).

Comment: The Northern Regional Land Use Strategy classifies Campbell Town as a Major District Centre.

District Centres are described as being significant regional settlement areas where residents of and visitors to the region can access a wide range of services, education and employment opportunities, although employment is strongly related to surrounding productive resources. Important centres to surrounding sub-region.

The draft amendment is consistent with the RLUS and is not inconsistent with mandatory provisions.

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.

Comment: The amendment seeks to make Emergency Services a Discretionary use in the General Residential zone, on 17 Church Street, Campbell Town. This use is expected to have a neutral impact in environmental terms and a positive impact in economic and social terms.

Must be consistent with the overarching requirements for planning schemes [sections 20(2), (3), (4), (5), (6), (7), (8), and (9)]:

(2) A planning scheme may—

(aa) make any provision which relates to the use, development, protection or conservation of any land in the area; and

(a) set out policies and specific objectives; and

- (b) regulate or prohibit the use or development of any land; and*
- (c) designate land as being reserved for public purposes; and*
- (d)*
- (e) set out requirements for the provision of public utility services to land; and*
- (f) require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and*
- (g) apply, adopt or incorporate any document which relates to the use, development or protection of land; and*
- (h) provide that any use or development of land is conditional on an agreement being entered into under [Part 5](#); and*
- (ha) set out provisions relating to the implementation in stages of uses or developments; and*
- (i) provide for any other matter which this Act refers to as being included in a planning scheme; and*
- (j) provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.*

Comment: The proposal is consistent with these requirements.

- (3) Subject to [subsections \(4\), \(5\) and \(6\)](#), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to–*
 - (a) prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or*
 - (b) prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or*
 - (c) prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or*
 - (d) prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or*
 - (e) require the removal or alteration of any lawfully constructed buildings or works; or*
 - (f) prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within–*
 - (i) 3 years of that coming into operation; or*
 - (ii) any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.*

Comment: The proposal is consistent with these requirements.

- (4) [Subsections \(3\) and \(3A\)](#) do not apply to a use of land–*
 - (a) which has stopped for a continuous period of 2 years; or*
 - (b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or*
 - (c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.*

Comment: The proposal is consistent with these requirements.

- (5) [Subsection \(3\)](#) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.*

Comment: The proposal is consistent with these requirements.

- (6) [Subsections \(3\) and \(3A\)](#) do not apply where a use of any land, building or work is substantially intensified.*

Comment: The proposal is consistent with these requirements.

- (7) Nothing in any planning scheme or special planning order affects –*
 - (a) forestry operations conducted on land declared as a private timber reserve under the [Forest Practices Act 1985](#); or*
 - (b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the [Mineral Resources Development Act 1995](#), provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or*
 - (c) fishing; or*
 - (d) marine farming in State waters.*

Comment: The proposal is consistent with these requirements.

(8) The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.

Comment: The proposal is consistent with these requirements.

(9) A planning scheme may require a use to which [subsection \(3\)](#) applies to comply with a code of practice approved or ratified by Parliament under an Act.

Comment: The proposal is consistent with these requirements.

Must seek to further the objectives in Schedule 1 of the Act

Part 1 – The objectives of 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.

Comment: The draft amendment is consistent with this objective.

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

Comment: This proposal will allow the use of a vacant site for a co-located Emergency Services Facility for Tasmania Fire Service (TFS) and State Emergency Service (SES). It is considered that the draft amendment is consistent with this objective.

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

Comment: If initiated, the draft amendment will be placed on public exhibition, providing an opportunity for public involvement.

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

Comment: The draft amendment is consistent with this objective.

(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.

Comment: Advice has been provided from TasWater. If certified, the proposal will be sent to the Tasmanian Planning Commission.

Part 2 – The objectives of the planning process established by the Act are, in support of the objectives set out in Part 1 of the Schedule –

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

Comment: The Northern Regional Land Use Strategy includes Campbell Town as a Major District Centre. Council's Settlement Strategy with regard to Campbell Town is to reinforce and encourage growth within the existing settlement pattern for commercial, residential, industrial and community development. The proposal is consistent with these strategies.

(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.

Comment: The Northern Midlands Interim Planning Scheme 2013 is the planning instrument that applies to the subject land.

(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.

Comment: The draft amendment is consistent with this objective.

(d) *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.*

Comment: The draft amendment is consistent with this objective.

(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.*

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with 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.*

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

Must be in accordance with State Policies.

State Policy for the Protection of Agricultural Land – the site is within the developed urban area of Campbell Town.

Water Quality Management State Policy – the site is developed with a building connected to the stormwater system.

State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands.

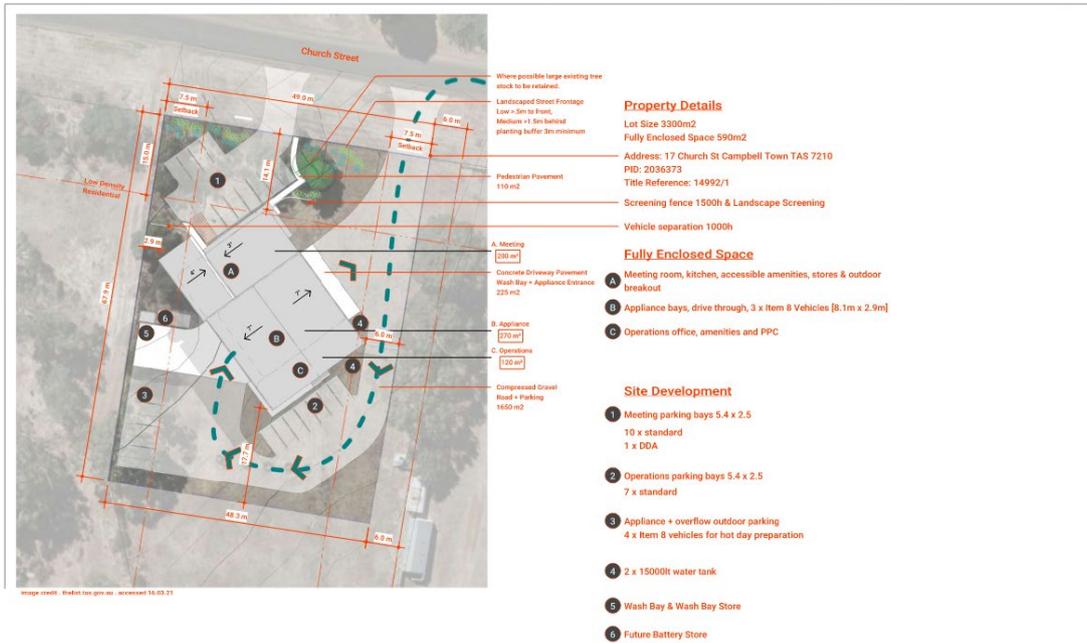
National Environmental Protection Measures – None relevant.

7.2 ASSESSMENT OF PLANNING APPLICATION

In accordance with section 43A (former provisions) of the *Land Use Planning & Approvals Act 1993*, where a planning authority has decided to initiate an amendment under [section 33\(3\)](#), it may consider the application for a permit concurrently with the preparation of the requested amendment to the planning scheme.

PROPOSAL

It is proposed to develop and use the site for a co-located Emergency Services Facility for Tasmania Fire Service (TFS) and State Emergency Service (SES).



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DA.1 Site Plan

Campbell Town TFS & SES

21.031 DPFEM 17 Church St Campbell Town
 C. Development
 NS NS NS NS
 Date: 08/08/21
 A3 1: 500



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DA.5 Elevations Sheet 1

Campbell Town TFS & SES

21.031 DPFEM 17 Church St Campbell Town
 C. Development
 NS NS NS NS
 Date: 08/08/21
 A3 1: 100



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DA.6 Elevations Sheet 2

Campbell Town TFS & SES

21.031 DPFEM 17 Church St Campbell Town

C. Devonport

M2 M3 M4 M5 M6

A3 1:100

Project: 21.031 DA.6
Date: 08/10/2021
Client: Tasmanian Fire Service & State Emergency Service
Location: Campbell Town TFS & SES
Scale: 1:100

1 3D Visualisation West

SCALE: NA

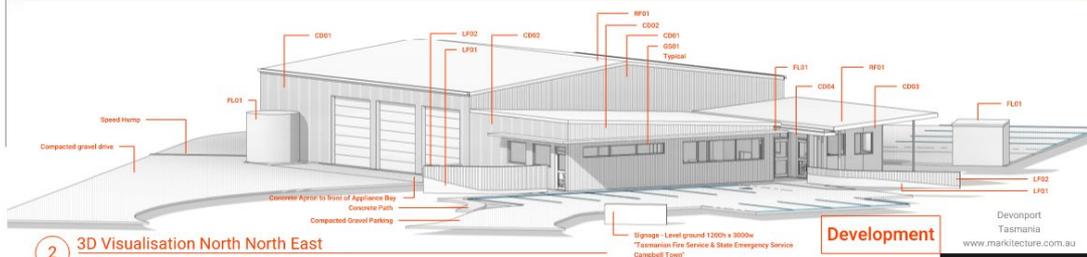


MATERIALS

RF01 Location: Roof Sheet Material: Tricolored Roofing Colour: Shale Grey	LF01 Location: Trims & Ancillary Material: Powdercoated Colour: Wallaby	CD01 Location: Cladding Material: Tricolored Colorbond Colour: Shale Grey	CD02 Location: Cladding Material: Tricolored Colorbond Colour: Wallaby	CD03 Location: Cladding Features Material: Cement Sheet Colour: Painted Wallaby	CD04 Location: Cladding Entrance Material: Aluminium Sheet Colour: Red/Orange Feature	SS01 Location: Door/Window Frames Material: Aluminium Colour: Monument	LF03 Location: Pavement + Screen Material: Concrete in situ Colour: Natural, broomed finish	LF02 Location: Screen Fencing Material: Hardwood timber oiled Colour: Silver Top Ash or Similar

2 3D Visualisation North North East

SCALE: NA



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DA.7 3D + Materials

Campbell Town TFS & SES

21.031 DPFEM 17 Church St Campbell Town

C. Devonport

M2 M3 M4 M5 M6

A3 1:150

Project: 21.031 DA.7
Date: 08/10/2021
Client: Tasmanian Fire Service & State Emergency Service
Location: Campbell Town TFS & SES
Scale: 1:150

PLANNING SCHEME PROVISIONS

8.2 Categorising Use or Development

8.2.1 Each proposed use or development must be categorised into one of the use classes in Table 8.2.

- 8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.
- 8.2.3 If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.
- 8.2.4 If a use or development does not readily fit any use class, it must be categorised into the most similar use class.
- 8.2.5 If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.

Table 8.2 includes the following use class:

Use Class	Description
Emergency services	use of land for police, fire, ambulance and other emergency services including storage and deployment of emergency vehicles and equipment. Examples include ambulance station, fire station and police station.

The proposed Emergency Services Facility for Tasmania Fire Service and State Emergency Service is in the use class Emergency Services.

10 General Residential Zone

10.1 Zone Purpose

10.1.1 Zone Purpose Statements

- 10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 10.1.1.3 Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.
- 10.1.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

Comment: The proposal is consistent with the zone purpose statement 10.1.1.2.

10.1.2 Local Area Objectives

To consolidate growth within the existing urban land use framework of the towns and villages.

To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.

To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.

Comment: The proposal is consistent with the local area objectives.

10.1.3 Desired Future Character Statements

There are no desired future character statements

10.2 Use Table (as per draft amendment)

No Permit Required	
Use Class	Qualification
Residential	If a single dwelling
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Residential	If a caretakers dwelling or home-based business If for multiple dwellings, except on CT 152543/1 and CT 159522/1

Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If a medical centre
Educational and occasional care	
Food services	If a cafe or takeaway food premises If a Restaurant on the land described in CT 3040/81 (114 Marlborough Street, Longford)
General retail and hire	If for a local shop If a hairdressing salon and the sale of clothing and accessories only on the land described in CT 110036/1 (4 Nile Road, Evandale)
Community meeting & entertainment	If not a cinema or function centre
Emergency Services	If on CT 76398/4 & 5 (176 High Street, Campbell Town); or on folio of the register 14992/1 (17 Church Street, Campbell Town)
Recycling and waste disposal	If on CT 135864/3
Residential	If a boarding house, communal residence, hostel, residential aged care facility, retirement village If on CT 152534/1 retirement village only
Resource development	If on CT 135864/3
Vehicle parking	If on CT 135864/3 and directly associated with the Evandale market
Visitor accommodation	
Utilities	If not for minor utilities
Prohibited	
All other uses	

10.3 Use Standards

10.3.1 Amenity

Objective	
To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Does not comply – Discretionary use.	The proposal is unlikely to cause or likely to cause an environmental nuisance. The activities will predominantly involve meeting, training and coordination and are not expected to involve significant noise emissions. Emergency services vehicle sirens are unlikely to be used from the site and any external lighting will be baffled and orientated to avoid light spill or glare to nearby properties. It is anticipated that vehicle movements will be low in number and during daytime hours except in the event of a significant emergency. Performance criteria met.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.

8.00am to 6.00pm Saturday and Sunday.	
It is anticipated that vehicle movements to the site will generally comply with these hours except for the occasional vehicle movements for emergency events.	Sirens will not be used from the site, with significant out of hours emergency activities expected to be infrequent. The site will be predominantly operated by volunteer members of the local community such that operations are likely to be managed to avoid unreasonable disturbance. Performance criteria met.
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
Does not comply – Discretionary use.	Any external lighting will be minimised, sited and orientated and baffled so as to avoid light spill or glare beyond the boundaries of the site. The proposal will therefore ensure that no unreasonable amenity impact results to nearby properties. Performance criteria met.

10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
The proposal is for a public facility and as such will not involve commercial vehicles. The proposal will accommodate all parking within the boundaries of the site.	N/a
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
There are no outdoor storage locations visible from adjacent properties, the road or public land.	N/a
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.
All waste will be stored in self contained receptacles in an area that is not visible from the road.	N/a

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

N/A – not a multiple dwelling

10.4.2 Setbacks and building envelope for all dwellings

N/A – not a dwelling

10.4.3 Site coverage and private open space for all dwellings

N/A – not a dwelling

10.4.4 Sunlight to private open space of multiple dwellings

N/A – not a multiple dwelling

10.4.5 Width of openings for garages and carports for all dwellings

N/A – not a dwelling

10.4.6 Privacy for all dwellings

N/A – not a dwelling

10.4.7 Frontage fences for all dwellings

N/A – not a dwelling

10.4.8 Waste storage for multiple dwellings

N/A – not a multiple dwelling

10.4.9 Storage for multiple dwellings

N/A – not a multiple dwelling

10.4.10 Common Property for multiple dwellings

N/A – not a multiple dwelling

10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

N/A – in the Emergency Services use class, not in the Residential Use Class

10.4.12 Site Services for multiple dwellings

N/A – not a multiple dwelling

10.4.13 Clauses 10.4.13.1 – 10.4.13.9 only apply to development within the Residential Use Class which is not a dwelling.

N/A – not in the Residential Use Class

10.4.14 Non Residential Development

Objective	
To ensure that all non-residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Development must be designed to protect the amenity of surrounding residential uses and must have regard to: <ul style="list-style-type: none"> a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and c) the height of development having regard to: <ul style="list-style-type: none"> i) the effect of the slope of the site on the height of the building; and ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and iii) the visual impact of the building when viewed from the road and from adjoining properties; and iv) the degree of overshadowing and overlooking of adjoining properties; and

	<ul style="list-style-type: none"> d) the level and effectiveness of physical screening by fences or vegetation; and e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and f) the location and impacts of illumination of the site; and g) passive surveillance of the site; and h) landscaping to integrate development with the streetscape.
Does not comply – Discretionary use.	See comments below. Performance criteria met.

Development must be designed to protect the amenity of surrounding residential uses and must have regard to:

- *the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings;*

Comment: There are no adjacent residential uses and the proposal will therefore not impact on privacy or solar access of any residential property.

- *the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents;*

Comment: The proposed setback of 14m from the Church Street frontage is considered to be appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents.

- *the height of development having regard to:*
 - *the effect of the slope of the site on the height of the building; and*
 - *the relationship between the proposed building height and the height of existing adjacent buildings; and*
 - *the visual impact of the building when viewed from the road and from adjoining properties; and*
 - *the degree of overshadowing and overlooking of adjoining properties; and*

Comment: The proposed height is 6.1m. The height is modest and comparable to the height of nearby residential buildings. The height together with the significant setback from the frontage boundary means that the building will not have an adverse visual impact when viewed from the road and adjoining properties.

- *the level and effectiveness of physical screening by fences or vegetation; and*

Comment: Landscaping is proposed but will not have much effect in providing screening of the building. The 1500mm high screen and screen landscaping proposed between the building and the street will however soften the appearance of the site.

- *the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries;*

Comment: The site has been laid out so that guest parking is provided at the front and the remainder of operational parking within the building or at the rear of the site away from residential properties. Any impact on traffic circulation and parking will therefore be minimised.

- *the location and impacts of illumination of the site;*

Comment: Any external lighting will be minimised, sited, orientated and baffled to avoid light spill or glare beyond the boundaries of the site. It will therefore ensure that no unreasonable amenity impacts result to nearby properties.

- *passive surveillance of the site; and*

Comment: The development has been designed to allow for passive surveillance of the site.

- *landscaping to integrate development with the streetscape*

Comment: The proposal includes landscaped screening between the building, parking areas and the street to soften the appearance of the development.

10.4.15 Subdivision

N/A – not a subdivision

CODES	
E1.0 Bushfire Prone Areas Code	N/A – subject proposal is not for a vulnerable use, hazardous use or subdivision.
E2.0 Potentially Contaminated Land	N/A
E3.0 Landslip Code	N/A
E4.0 Road & Railway Assets Code	Complies – see code assessment below
E.5.0 Flood Prone Areas Code	N/A
E6.0 Car Parking & Sustainable Transport Code	Complies – see code assessment below
E7.0 Scenic Management Code	N/A
E8.0 Biodiversity Code	N/A
E9.0 Water Quality Code	N/A
E10.0 Recreation & Open Space Code	N/A
E11.0 Environmental Impacts & Attenuation Code	N/A
E12.0 Airports Impact Management Code	N/A
E13.0 Local Historic Heritage Code	N/A
E14.0 Coastal Code	N/A
E15.0 Signs Code	Complies – see code assessment below

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.1 Purpose of Code

E4.1.1 The purpose of this provision is to:

- ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- maintain opportunities for future development of road and rail infrastructure; and
- reduce amenity conflicts between roads and railways and other use or development.

E4.2 Application of Code

E4.2.1 This code applies to use or development of land that:

- requires a new access, junction or level crossing; or
- intensifies the use of an existing access, junction or level crossing; or
- involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - a future road or railway; or
 - a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

E4.3. Definition of Terms

E4.3.1 In this code, unless the contrary intention appears:

- | | |
|-------------------------------------|---|
| Category 1 – Trunk Road | means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i> |
| Category 2 – Regional Freight Route | means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i> |

Category 3 – Regional Access Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*
 Category 4 – Feeder Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*
 Category 5 – Other Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Future road or railway means a future road or railway shown on the plans of this planning scheme.
 Junction means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.
 Limited access road means a road proclaimed as limited access under Section 52A of the *Roads and Jetties Act 1935*.

E4.4 Use or development exempt from this Code

E4.4.1 There are no exemptions from this Code.

E4.5 Requirements for a Traffic Impact Assessment (TIA)

- E4.5.1 A TIA is required to demonstrate compliance with performance criteria.
- E4.5.2 A TIA for roads must be undertaken in accordance with *Traffic Impact Assessment Guidelines*, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.
- E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:
 - a) road authority in respect of a road; and
 - b) rail authority in respect of a railway.
- E4.5.4 The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective	
To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/A – not a sensitive use.	N/A
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies – Less Than 40 vehicle entry and exit movements per day are expected.	N/A

<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
<p>N/A – speed limit of 50km/h</p>	<p>N/A</p>

E4.7 Development Standards

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <p>a) ensure the safe and efficient operation of roads and railways; and</p> <p>b) allow for future road and rail widening, realignment and upgrading; and</p> <p>c) avoid undesirable interaction between roads and railways and other use or development.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children’s play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant’s expense within three years or as otherwise agreed by the road or rail authority.</p>
<p>N/A</p>	<p>N/A</p>

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

A1	For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1	For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
The proposal separates visitor and operational vehicles with two accesses and must therefore be assessed under P1.		The proposed separate visitor and operational accesses are an appropriate response to manage safety for all road users including pedestrians and cyclists. Church Street is a low traffic environment, and it is considered that the proposed access arrangements will function safely. Performance criteria met.	
A2	For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2	For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/A		N/A	

E4.7.3 Management of Rail Level Crossings

Objective To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.	
Acceptable Solutions	Performance Criteria
A1 Where land has access across a railway: a) development does not include a level crossing; or b) development does not result in a material change onto an existing level crossing.	P1 Where land has access across a railway: a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and b) the proposal is dependent upon the site due to unique resources, characteristics or location attributes and the use or development will have social and economic benefits that are of State or regional significance; or c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and d) an alternative access or junction is not practicable.
N/A	N/A

E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.

<p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	
Complies	N/A

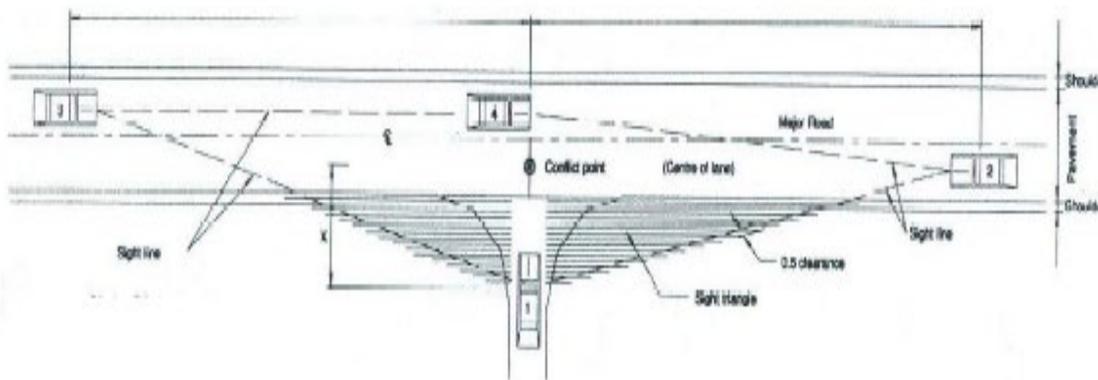


Figure E4.7.4 Sight Lines for Accesses and Junctions

X is the distance of the driver from the conflict point.

For category 1, 2 and 3 roads X = 7m minimum and for other roads X = 5m minimum.

Table E4.7.4 Safe Intersection Sight Distance (SISD)

Vehicle Speed	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

Notes:

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
 - (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
 - (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
 - (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;

- (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
- (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

**ASSESSMENT AGAINST E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Comment: The scheme does not provide a required number of parking spaces for Emergency Services. It is proposed to provide 26 spaces.</p>	<p>N/a</p>

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Emergency Services	-	-

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a) parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Complies. The scheme does not provide a required number of bicycle parking spaces.		N/A	

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that access for taxis is provided to meet the needs of the use.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment: No taxi drop-off or pickup spaces are required.		N/a	

E6.6.4 Motorcycle Parking Provisions

Objective: To ensure that motorcycle parking is provided to meet the needs of the use.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: No motorbike parking spaces are required.		N/a	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Comment: Does not comply – gravel access and parking.		Comment: The proposed access and parking areas will be designed to meet Australian Standards, drained and sealed with compacted gravel. All car parking spaces, will be readily identifiable.	

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:</p> <p>a) the layout of the site and the location of existing buildings; and</p> <p>b) views into the site from the road and adjoining public spaces; and</p> <p>c) the ability to access the site and the rear of buildings; and</p> <p>d) the layout of car parking in the vicinity; and</p> <p>e) the level of landscaping proposed for the car parking.</p>
<p>Comment: Does not comply, the proposed visitor/guest parking area for 11 spaces will be sited forward of the building line.</p>	<p>Comment: The proposed visitor/guest parking area in front of the building is considered acceptable.</p> <p>a) The site has been designed to separate visitor parking and traffic from operation movements and staff parking. This requires two separate accesses and requires the visitor parking to be in front of the building.</p> <p>b) The front setback will include a 1.5m high screen and landscaped screen planting to soften the appearance of the parking area from the street.</p> <p>c) It is not possible nor desirable to site the visitor parking area behind the building.</p> <p>d) The site is located between the cemetery and showgrounds and therefore there is no established pattern of parking in the vicinity.</p> <p>e) The proposal includes landscaped front setback that will largely attribute to screening and softening the appearance of the parking when viewed from the street.</p> <p>Performance criteria met.</p>
<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</p> <p>b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.</p>
<p>Comment: Complies</p>	<p>N/a</p>

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
6 to 20	4.5* for initial 7m from road carriageway and 3.0m thereafter	Every 30m

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solutions	Performance Criteria
A1 Car parking areas with greater than 20 parking spaces must be: a) secured and lit so that unauthorised persons cannot enter or; b) visible from buildings on or adjacent to the site during the times when parking occurs.	P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the: a) levels of activity within the vicinity; and b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: N/a – less than 20 spaces in any single car parking area.	N/a

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to: (a) the topography of the site; (b) the location and type of relevant facilities on the site or in the vicinity; (c) the suitability of access pathways from parking spaces, and (d) applicable Australian Standards.
Comment: Complies - One space is proposed and is located adjacent to the main entry.	N/a
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2 No performance criteria.
Comment: Complies – the proposal has been set out to comply with the Australian Standard.	N/a

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.

Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.	
Comment: N/A	Comment: N/A

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
N/a – The proposal does not provide bicycle parking.	N/a
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
N/a – No bicycle parking is being provided.	N/a

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Table E6.5 requires a 1m wide footpath for carparks that require 11 or more spaces. In this case a separate footway is provided from the front boundary to the main entry. Proposal complies.	N/a

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].

11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].
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Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
 - i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
 - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
 - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

SIGNS CODE

The proposal involves a modest free standing sign “Tasmania Fire Service & State Emergency Service Campbell Town” at the frontage measuring 1200mm high x 3000m wide. This is considered to be defined as an ‘other’ sign – any sign not listed in the signs code.

Other Sign	
Acceptable Solutions	Performance Criteria
A34 No acceptable solution	P34 Other signs can be located in any zone except the General Residential Zone and the Low Density Residential Zone, provided it can be shown that: <ul style="list-style-type: none"> a) no other form of permitted signage will meet the needs of the proprietor; and b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme. <ul style="list-style-type: none"> a) be sympathetic to the architectural character and detailing of the building; and b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and c) not result in loss of amenity to neighbouring properties; and d) not involve the unnecessary repetition of messages or information on the same street frontage; and e) not contribute to or exacerbate visual clutter; and f) not cause a safety hazard or obstruct movement of anyone inside or outside the associated building; and d) not distract motorists as a result of size, illumination or movement.
-	The proposed sign complies with the performance criteria.

SPECIFIC AREA PLANS	
F1.0 Translink Specific Area Plan	N/A
F2.0 Heritage Precincts Specific Area Plan	N/A

REFERRALS

Council’s Works and Infrastructure Department has provided the attached conditions, noting the concerns raised by Council’s consultant hydrologist below:

The designers have provided a proposal for mostly on-site stormwater disposal on the General Residentially zoned block. This relies on stormwater generated on the development, which is more of an industrial scale than residential, discharging to a detention basin and to infiltration beds. For a scale of development this size a connection to the formal stormwater system would normally be required. The only stormwater system in the area, however, is some nominal roadside shaping on the southern side of Church Street might be considered a drain. Unfortunately, the property slopes downhill away from the road.

The soil profile appears to be sandy, and as such could be expected to allow infiltration of concentrated stormwater in a relatively fast manner, the proposal is not without risks. These are:

- In the designer's calculations a generic saturated soil permeability has been assumed, while it is likely to be suitable, this permeability rate was used to determine the required size of the detention and infiltration. If the permeability is actually lower than assumed, the proposed arrangement will be undersized.
- While the soil is sand and should allow fast infiltration, it may not always be the case. For example, if the sand layer is prone to seasonal saturation from other ground water sources then it would not allow the high infiltration rates at all times. It is noted that at approximately 1.2m depth in the soil profile there is a high plasticity clay, which will prevent the downward migration of groundwater below this depth.
- Given the proposal of the site, mains water use is extremely likely for washdown of vehicles and plant, and potentially for training purposes. Any runoff from this use will likely enter the detention/infiltration system. It is not known what volumes of operational water will enter the proposed systems, or if they will enter the sewage system.
- Infiltration systems are prone to failure if they are not properly maintained. Runoff of hardstand, and from washdown water is likely to contain sediment, nutrients and other contaminants. This material should be removed or treated before entering the system. Sediment in particular, entering the infiltration system, will eventually lead to blockage and failure. Gross pollutants may enter the detention basin, causing it to overflow into the neighbouring property, if not removed. As such appropriate pre-treatment needs to be provided, and an Operation and Maintenance Manual adopted, which ensures any system is properly operated and maintained is critical in preventing failure.
- It is proposed that infiltration at the top of the site will overflow into the roadside drain in the 1% AEP event. The Operations Manager has suggested this drain is just the land beside the road, rather than part of the stormwater system, and as such may not be appropriate. This could be overcome, if necessary, by shaping/forming of the drain

If any of the above items in not properly considered there is the potential for the detention/infiltration system to fail and cause a nuisance. If the proposal was for a residential dwelling on the residential lot this overall risk of failure of system resulting in nuisance to adjacent owners would be low. This proposed development is unique in that it is more similar to an industrial site, which larger impervious surfaces discharging the system, and therefore the potential risk is greater. The alternative to an infiltration system would be for stormwater to be collected and pumped back to the roadside drain, once any upgrades to the drain had been completed, or pumped to a new pipe which would have to be constructed in Church Street, from the site 170m east to Glenelg Street.

TasWater provided a Submission to Planning Authority Notice (TWDA 2021/01946-NMC Dated 19/11/2021).

ATTACHMENTS

{attachment-list}

RECOMMENDATION

{recommendation-start}

1 That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 04-2021 to the Northern Midlands Interim Planning Scheme 2013 as follows:

- Amend Clause 10.2 Use Table by placing the following in the Discretionary category:

Discretionary	
Use Class	Qualification
Emergency Services	If on CT 76398/4 & 5 (176 High Street, Campbell Town); or on folio of the register 14992/1 (17 Church Street, Campbell Town)

2 That Council, acting as the Planning Authority, pursuant to section 35(1), former provisions, of the Land Use Planning and Approvals Act resolve to certify Planning Scheme Amendment 04/2021, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.

- 3 That pursuant to section 38, former provisions, of the *Land Use Planning and Approvals Act 1993*, the planning authority places the draft amendment on public exhibition for 28 days.
- 4 That, pursuant to section 43F (1), former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority, resolve to grant planning permit PLN21-0301, to develop and use the land at 17 Church Street, Campbell Town, for Emergency Services (Co-located Emergency Services Facility), in accordance with application PLN-21-0301 and subject to the following conditions:

1 LAYOUT NOT ALTERED

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

- P1 m architecture drawing DA.1 Site Plan, 08.10.2021
P2 m architecture drawing DA.2 General Arrangement Plan, 08.10.2021
P3 m architecture drawing DA.3 GA Plan North, 08.10.2021
P4 m architecture drawing DA.4 GA Plan South, 08.10.2021
P5 m architecture drawing DA.5 Elevations Sheet 1, 08.10.2021
P6 m architecture drawing DA.6 Elevations Sheet 2, 08.10.2021
P7 m architecture drawing DA.7 3D + Materials, 08.10.2021
E1 – E7 rare engineering drawings COV, C000, C101, C201, C301, C401, C411, C421, C422, C701, dated 28-10-21
S1 rare engineering letter dated 18th February 2022 and attachments.
S2 Site Classification and Stormwater Disposal Evaluation, Geoton, 20 July 2021.

2 COUNCIL'S WORKS AND INFRASTRUCTURE CONDITIONS

2.1 Stormwater

- a) Concentrated stormwater must not be discharged into neighbouring properties
- b) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- c) Prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first), amended plans must be provided showing:
- (i) all roofs that are capable of effectively draining to the kerb via charged connections, do drain to the kerb via a charged connection; and
 - (ii) hardstand areas and roofs unable to drain to the kerb via charged connection, are drained to a pumped stormwater system with combined effective storage design to cater for the range 20 year AEP event durations and otherwise designed and installed in accordance with AS3500.3:2018.
- These amended plans must be approved by Council's Works and Infrastructure Department.
- d) The amended plans must be accompanied by a detailed design of the pumped stormwater system prepared by a suitably qualified person which clearly shows:
- (i) that the capacity of the pumped system is to be achieved by a combination of pump capacity and wet well storage between the high and low working levels in the wet well;
 - (ii) that the combined effective storage comprising of the volume to be able to be pumped in 30 minutes plus the wet well storage shall not be less than the volume from the storm of ARI = 20 years and duration of 120 minutes
 - (iii) that the minimum wet well storage between the high and low working levels, expressed in m³, shall be 1% of the catchment area in m²; in any case it shall be not less than 3 m²;
 - (iv) that the combined effective storage design is sufficient to cater for the range of 20 year AEP events;
 - (v) that maximum pumped outflows to the kerb are 20 L/s or less
 - (vi) that the capacity of the kerb is not exceeded by pumped outflows, taking into account the existing catchment which flows to the kerb; and
 - (vii) that stormwater to be discharged to the kerb is at a maximum 45-degree angle in the direction of flow.

The detailed design must be approved by Council's Works and Infrastructure Department prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first).

- e) Prior to the commencement of the use, an 'Operation and Maintenance Manual' for the pumped stormwater system must be prepared by a suitably qualified person and provided to and approved by Council's Works and Infrastructure Department. The Operation and Maintenance Manual must:
- (i) provide a detailed description of the pumped stormwater system as well as the components included in the system covered in the manual;

- (ii) provide a comprehensive detailed explanation of all major operating procedures to ensure that the pumped system works as designed;
 - (iii) detail the preventive and corrective maintenance programs that must be adopted to ensure the system is in a proper working order, including maintenance schedules, procedures and test requirements; and
 - (iv) include 'as constructed' drawings of the pump and storage system as an annexure to the Operation and Maintenance Manual.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

2.2 Access

- a) A concrete driveway crossover and apron must be constructed for each dwelling from the edge of the road to the property boundary in accordance with Council standards.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.
- c) All works must be done in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager.

2.3 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

2.4 Works in Council road reserve

- a) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- b) Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

2.5 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

2.6 Nature strips

Any new nature strips, or areas of nature strip that are disturbed during construction, must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to Council accepting the development.

2.7 Part 5 Agreement

- (a) Prior to the commencement of the use, the landowner must enter into an agreement under Part 5 of the *Land Use Planning and Approvals Act 1993* with the Northern Midlands Council.
- (b) The agreement referred to in condition 6(a) will be in such form as Council may require at its discretion, and must include the following:
 - (i) that the landowner acknowledges that the property relies on a pumped stormwater system and that the purpose of the pumped stormwater system is to service and control the concentrated discharge of stormwater from any structures on the property which are not connected by gravity or charged pipes to Council's stormwater system.
 - (ii) that the landowner is responsible for the ongoing operation and maintenance of the pump and stormwater storage system;
 - (iii) that the landowner must operate and maintain the pumped stormwater system in accordance with the Operation and Maintenance Manual following its submission to and approval by the Council's Works and Infrastructure Department as required by condition 3.1(c) of this permit;
 - (iv) annex a copy of the approved Operation and Maintenance Manual as required by condition 3.1(c) of this permit to the Agreement.
 - (v) that the landowner must provide a report to the Council on or before 30 June every 12 month period, from a suitably qualified person confirming that the pumped stormwater system is in working order and that the

maintenance procedures and maintenance schedules described within the Operation and Maintenance Manual have been complied with.

- (vi) that the landowner must rectify any nuisance caused by the concentrated discharge of stormwater from the pumped stormwater system, to Council's requirements and at the owner's expense, within 14 days of Council giving notice of the requirement to do so.
- (vii) That the failure by the landowner to comply with a term or condition set out in the agreement allows the Council to undertake that work, with the costs of doing so to be a debt due and payable by the landowner to the Council.

The landowner is responsible for all Council and Land Titles Office costs, fees and charges associated with the preparation and lodgement of the Part 5 agreement.

3 TASWATER CONDITIONS

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2021/01949-NMC) attached as Appendix A.

4 LIGHTING

Outdoor lighting must be designed, baffled and located to prevent any adverse effect on adjoining land.

5 CARPARKING

Prior to commencement of the use, areas set aside for parked vehicles and access lanes must be constructed in accordance with the endorsed plans and maintained for the duration of the use.

6 Landscaping

- 6.1 Prior to the commencement of the use, landscaping works as shown on the endorsed plans must be completed.
- 6.2 The landscaping shown on the endorsed plans must be maintained including the replacement of any dead, diseased or damaged plants.

{recommendation-end}



Paul Godier

Senior Planner

10.03.2022



Des Jennings

General Manager

10.03.2022



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MINUTE NO. 22/98

DECISION

Deputy Mayor Goss/Cr Goninon

1 That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 04-2021 to the Northern Midlands Interim Planning Scheme 2013 as follows:

- Amend Clause 10.2 Use Table by placing the following in the Discretionary category:

Discretionary	
Use Class	Qualification
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Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Cr Brooks