

**From:** [State Planning Office Shared Mailbox](#)  
**To:** [TPC Enquiry](#);  
**Subject:** State Planning Provisions - Draft Amendment 01-2022 - Planning Directive No.9  
**Date:** Thursday, 3 August 2023 5:00:17 PM  
**Attachments:** [image002.png](#)  
[Appendix 3 - Planning Directive No 9 - Proposed alterations to the draft planning directive.pdf](#)  
[Appendix 1 - SPP amendment 01-2022 - Container Refund Scheme - proposed alterations.pdf](#)  
[Appendix 2 - SPP amendment 01-2022 - Proposed alterations to the draft amendment.pdf](#)  
[State Planning Office submission on Draft Amendment 01-2022 to the State Planning Provisions Draft Planning Directive No. 9 - August 2023.PDF](#)

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Good afternoon,

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

Kind regards,

**State Planning Office**

**Department of Premier and Cabinet**

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

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3 August 2023

Mr Roger Howlett  
Delegate (Chair)  
Tasmanian Planning Commission

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

Dear Mr Howlett,

Thank you for your letter of 20 July 2023 providing the State Planning Office (SPO) with an opportunity to make a submission identifying any errors or changes required to the documents that were exhibited relating to Draft Amendment 01-2022 to the State Planning Provisions (the draft amendment) and Draft Planning Directive No. 9 (the draft planning directive). The SPO has conducted a review of those documents and has prepared the following appendices:

- Appendix 1 contains a table that includes any proposed alterations to the exemptions and general provisions of the draft amendment. Although the comments relate to the draft amendment, they are transferable to the equivalent exemptions and general provisions of the draft planning directive. There are also some specific comments about the draft planning directive, in cases where a particular interim planning scheme no longer exists.
- Appendix 2 contains the draft amendment text with any insertions, deletions, replacements and format changes.
- Appendix 3 contains the draft planning directive text with any insertions, deletions, replacements and format changes.

The SPO appreciates the opportunity to make a submission on this matter and will provide another written submission in response to the representations a week prior to the hearing.

The SPO also looks forward to participating in the hearing and continuing dialogue with the stakeholders.

If you require further information please contact us on 1300 703 977 or by email [Stateplanning@dpac.tas.gov.au](mailto:Stateplanning@dpac.tas.gov.au).

Yours sincerely,

Brian Risby  
**Director**  
**State Planning Office**

Attachments:

Appendix 1 – list of alterations  
Appendix 2 – revised SPP draft amendment 01-2022  
Appendix 3 – revised draft Planning Directive No 9  
23/493627

## SPP amendment 01-2022 – Container Refund Scheme

The table below contains a list of proposed alterations to the amendment. The changes are a mixture of identified typos or grammar errors, responses to representations received or just through taking a further review of the amendment in light of issues raised in the representations.

It is intended that where any change identified below relates to the same provision in the draft planning directive, then the draft planning directive is also proposed to be modified.

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

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
Table 3.1 definition of waste transfer station	means use of land to receive and temporarily store waste before it is removed elsewhere and includes a container refund point, excluding a bag drop refund point, container refund machine, over the counter refund point or pop-up refund point.	Insert “a” before “container refund machine” Insert “an” before “over the counter refund point” Replace “or” with “and” Insert “a” before “pop-up refund point”	SPO review	means use of land to receive and temporarily store waste before it is removed elsewhere and includes a container refund point, excluding a bag drop refund point, a container refund machine, an over the counter refund point and a pop-up refund point.
4.2.10 a) i)	i. it operates within the normal hours of operation of that business;	Delete “normal”	SPO review – removes any doubt as to what ‘normal’ might be.	i. it operates within the hours of operation of that business;
4.2.10 a) ii)	ii. external storage of the returned approved containers is an area of not more than 15m <sup>2</sup> and a height of not more than 3m or is provided in a shipping container; and	Insert “provided within secure structures with” after “containers is”	SPO review	ii. external storage of the returned approved containers is provided within secure structures with an area of not more than 15m <sup>2</sup> and a height of not more than 3m or is provided in a shipping container; and

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
4.2.10 a) iii)	iii. the external storage is not visible from a road or public space adjoining the site; or	Insert "open" after "public"	SPO review to clarify meaning of public space	iii. the external storage is not visible from a road or public open space adjoining the site; or
4.2.10 b)	b) a container refund machine or bag drop refund point if:	Insert "a" after "or"	SPO review to clarify meaning	b) a container refund machine or a bag drop refund point if:
4.2.10 b) ii)	ii. the structure has a base area of not more than 4m <sup>2</sup> and a height of not more than 2.2m; and	Delete "base" and replace the first "a" with "an"	SPO review to be consistent with exemption terminology	ii. the structure has an area of not more than 4m <sup>2</sup> and a height of not more than 2.2m; and
4.2.10 b) iii)	iii. the returned approved containers are stored inside the structure or the bags are stored in a relocatable bin that is not visible from any road or public space adjoining the site, unless the Local Historic Heritage Code applies and requires a permit for the use or development.	Insert "open" after "public" Delete "the bags are stored" Replace second "the" with "a secure"	SPO review to clarify meaning of public space  Representation	iii. the returned approved containers are stored inside a secure structure or in a relocatable bin that is not visible from any road or public open space adjoining the site, unless the Local Historic Heritage Code applies and requires a permit for the use or development.
7.14.1	Use and development for an over the counter refund point, pop-up refund point, bag drop refund point or a container refund machine is Discretionary and in determining an application the planning authority must have regard to:	Re-order CRS points in alphabetical order, ie "bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point" Replace first "an" with "a"	SPO review	7.14.1 Use and development for a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point is Discretionary and in determining an application the planning authority must have regard to:

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
7.14.1 g)	g) use of an over the counter refund point, pop-up refund point, bag drop refund point or a container refund machine within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone must not cause an unreasonable loss of residential amenity having regard to:	Re-order CRS points in alphabetical order, ie “bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point” Replace first “an” with “a” Delete “,” before “or Low Density”	SPO review	g) use of a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of residential amenity having regard to:
7.14.2	Notwithstanding subclause 7.14.1, use and development for a bag drop refund point or a container refund machine on a site in the Local Business Zone, General Business Zone, Central Business Zone, Urban Mixed-Use Zone, Village Zone, Commercial Zone, Community Purpose Zone or Recreation Zone, is Permitted and a permit must be granted if:	Re-order zones in their numerical order in the SPPs, eg “Village Zone, Urban Mixed-Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone, Community Purpose Zone or Recreation Zone”	SPO review	7.14.2 Notwithstanding subclause 7.14.1, use and development for a bag drop refund point or a container refund machine on a site in the Village Zone, Urban Mixed-Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone, Community Purpose Zone or Recreation Zone, is Permitted and a permit must be granted if:
7.14.2 a)	a) co-located on a site with an existing place of business;	Delete “place of”	SPO review	a) co-located on a site with an existing business;

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
7.14.2 b) i)	i. less than 2m from the boundary of a property in a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone;	Replace "property" with "lot" Replace "a" with "the"	SPO review	i. less than 2m from the boundary of a lot in the General Residential Zone, Inner Residential Zone, or Low Density Residential Zone;
7.14.2 b) iii)	iii. more than 2m <sup>2</sup> combined total area; and	Insert "in" before "combined"	SPO review	iii. more than 2m <sup>2</sup> in combined total area; and
7.14.2 c)	c) a sign that is attached to a bag drop point or the container refund machine structure must:	Modify as follows "For an attached sign on a bag drop refund point or container refund machine structure, that sign must:"	representation	c) for an attached sign on a bag drop refund point or container refund machine structure, that sign must:
7.14.2 c) i)	i. not be illuminated:	Replace ":" with ";	SPO review	i. not be illuminated;
7.14.2 c) ii)	ii. comply with C1.6.4 A1 of the C1.0 Signs Code; and	Add "clause" after "with"	SPO review	ii. comply with clause C1.6.4 A1 of the C1.0 Signs Code; and
7.14.2 c) iii)	iii. be for the following sign types, as defined in C1.3 of the C1.0 Signs Code:	Insert "table" after "in"	SPO review	iii. be for the following sign types, as defined in table C1.3 of the C1.0 Signs Code:
7.14.2 c) iii) b.	b. a building fascia sign that does not project above or below the fascia of the building, and does not project horizontally more than 200mm from the vertical face of the fascia;	Delete "," after "building"	SPO review	b. a building fascia sign that does not project above or below the fascia of the building and does not project horizontally more than 200mm from the vertical face of the fascia;

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
7.14.2 d)	d) in the Local Business Zone, General Business Zone or Central Business Zone the setback from a frontage is:	Insert “,” after “Central Business Zone”	SPO review	d) in the Local Business Zone, General Business Zone or Central Business Zone, the setback from a frontage is:
7.14.2 d) i)	i. equal to or more than the relevant Acceptable Solution frontage setback for the relevant zone ; and	Delete the space between “zone” and the “semicolon”	SPO review	i. equal to or more than the relevant Acceptable Solution frontage setback for the relevant zone; and
7.14.2 d) ii)	ii. not less than that the relevant Acceptable Solution frontage setback of any applicable specific area plan;	Delete “that” after “than”	SPO review	ii. not less than the relevant Acceptable Solution frontage setback of any applicable specific area plan;
7.14.2 e)	e) in the Village Zone, Urban Mixed-Use Zone, Commercial Zone, Community Purpose Zone or	Insert “,” after “Recreation Zone”	SPO review	
7.14.2 f)	f) the side and rear setback is not less than the relevant Acceptable Solution side or rear setback for the relevant zone or any applicable specific area plan;	Modify as follows: “f) the side and rear setback is not less than the relevant zone or an applicable specific area plan Acceptable Solution for side and rear setbacks;”	Representation	f) the side and rear setback is not less than the relevant zone or an applicable specific area plan Acceptable Solution for side and rear setbacks;
7.14.2 g)	g) the height of the structure for a bag drop refund point or container refund machine is not more than 5m;	Insert “a” after “point or”	SPO review	g) the height of the structure for a bag drop refund point or a container refund machine is not more than 5m;

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
7.14.2 i)	i) the container refund machine operates within the same hours of operation as the existing business on the site, unless 7.14.2 (l) is applicable;	Delete “same”	SPO review	i) the container refund machine operates within the hours of operation as the existing business on the site, unless 7.14.2 (l) is applicable;
7.14.2 l)	l) use of a bag drop refund point or a container refund machine within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone must have:	Delete “,” after “Inner Residential Zone”	SPO review	l) use of a bag drop refund point or a container refund machine within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must have:
7.14.2 l) i)	i. hours of operation: within the hours of:	Delete “:” after “operation”	SPO review	i. hours of operation within the hours of:
7.14.2 l) i) a, b & c	a. 7.00am to 9.00pm Monday to Saturday; and b. 8.00am to 9.00pm on Sundays and public holidays; or c. operation of the co-located business, whichever is the lesser;	Modify as follows: “a. 7.00am to 9.00pm Monday to Saturday; and b. 8.00am to 9.00pm on Sundays and public holidays; c. or alternatively within the hours of operation of the co-located business;”.	Representation	a. 7.00am to 9.00pm Monday to Saturday; and b. 8.00am to 9.00pm on Sundays and public holidays; c. or alternatively within the hours of operation of the co-located business;
7.14.2 l) ii)	ii. external lighting that does not operate within the hours of 11.00pm to 6.00am,	Insert “baffled” after “any”	Representation	ii. external lighting that does not operate within the hours of 11.00pm to 6.00am, excluding any baffled security lighting; and



Clause No	Clause	alteration	Reason/source	Appearance of revised provision
	excluding any security lighting; and			
7.14.3	No other provisions in this planning scheme apply to a use or development in accordance with subclause 7.14.2.	Replace “in accordance” with “that complies”	Representation	No other provisions in this planning scheme apply to a use or development that complies with subclause 7.14.2.
7.14.5	A container refund point granted a permit under subclauses 7.14.1 or 7.14.2 can include a condition relating to maintaining the tidiness of the container refund point and pedestrian safety.	Modify as follows: “A permit granted under subclauses 7.14.1 or 7.14.2 may include conditions relating to maintaining the tidiness of the container refund point and pedestrian safety.”. Replace “and” with “or”	Representation	A permit granted under subclauses 7.14.1 or 7.14.2 may include conditions relating to maintaining the tidiness of the container refund point or pedestrian safety.
C2.3.1 definition of container refund scheme space	means the area of land required to house a container refund machine or a bad drop refund point on a site plus space for pedestrians to queue at the container refund machine or bag drop refund point.	Replace “bad” with “bag”	Representation	means the area of land required to house a container refund machine or a bag drop refund point on a site plus space for pedestrians to queue at the container refund machine or bag drop refund point.

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
C2.5.1 A1	The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:	Modify as follows “The number of on-site car parking spaces must be no less than the number specified in Table 2.1, or the number of on-site car parking spaces can be reduced in accordance with the space used for container refund scheme space, excluding if.”	Representation	The number of on-site car parking spaces must be no less than the number specified in Table 2.1, or the number of on-site car parking spaces can be reduced in accordance with the space used for container refund scheme space, excluding if:

## Specific comments to Draft Planning Directive No. 9

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
6.0 (c)	the provision in clause 3.2.2 of Attachment 3 is in substitution for E6.6.1 of the Break O'Day Interim Planning Scheme 2013,	Delete clause and renumber accordingly	SPO review to delete reference to Interim Planning Schemes no longer in effect	
9.1.1 b) i)	E9.5.1 - E9 Traffic Generating Use and Parking Code – Kentish, King Island, Latrobe and Waratah-Wynyard Interim Planning Schemes;	Modify as follows: “E9.5.1 - E9 Traffic Generating Use and Parking Code – Kentish and King Island Interim Planning Schemes;”.	SPO review to delete reference to Interim Planning Schemes no longer in effect	E9.5.1 - E9 Traffic Generating Use and Parking Code – Kentish and King Island Interim Planning Schemes;
9.1.1 b) ii)	E6.6.1 – E6 Parking and Sustainable Transport Code – Break O'Day, and George Town Interim Planning Schemes; and	Modify as follows: “E6.6.1 – E6 Parking and Sustainable Transport Code – George Town Interim Planning Schemes; and”.	SPO review to delete reference to and Interim Planning Scheme no longer in effect	E6.6.1 – E6 Parking and Sustainable Transport Code – George Town Interim Planning Schemes; and
9.1.1 b) iii)	E6.6.1 – E6 Parking and Access Code – Central Highlands, Derwent Valley, Hobart, Huon Valley and Kingborough Interim Planning Schemes;	Delete “Central Highlands”	SPO review to delete reference to and Interim Planning Scheme no longer in effect	E6.6.1 – E6 Parking and Access Code – Derwent Valley, Hobart, Huon Valley and Kingborough Interim Planning Schemes;

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
9.1.2 c) i) last paragraph	comply with E7.4 or E7.6 A1 of the Signs Code in the relevant Kentish, King Island, Latrobe and Waratah-Wynyard Interim Planning Scheme;	Modify as follows: “comply with E7.4 or E7.6 A1 of the Signs Code in the relevant Kentish and King Island Interim Planning Scheme;”.	SPO review to delete reference to Interim Planning Schemes no longer in effect	comply with E7.4 or E7.6 A1 of the Signs Code in the relevant Kentish and King Island Interim Planning Scheme;
9.1.2 j) i)	E9.5.2 and E9.6.1 in the E9 Traffic Generating Use and Parking Code in the relevant Kentish, King Island, Latrobe and Waratah-Wynyard Interim Planning Scheme;	Delete “Latrobe and Waratah-Wynyard” Insert “and” before “King”	SPO review to delete reference to Interim Planning Schemes no longer in effect	E9.5.2 and E9.6.1 in the E9 Traffic Generating Use and Parking Code in the relevant Kentish and King Island Interim Planning Scheme;
9.1.2 j) ii)	E6.7 in the E6 Parking and Sustainable Transport Code in the relevant Break O’Day and George Town Interim Planning Scheme; and	Delete “Break O’Day and”	SPO review to delete reference to Interim Planning Schemes no longer in effect	E6.7 in the E6 Parking and Sustainable Transport Code in the relevant George Town Interim Planning Scheme; and
9.1.2 j) iii)	E6.7, except for E6.7.8, E6.7.9, E6.7.10, E6.7.11, E6.7.12 in the E6 Parking and Access Code in the relevant Central Highlands, Derwent Valley, Hobart, Huon Valley and Kingborough Interim Planning Scheme;	Delete “Central Highlands,”	SPO review to delete reference to Interim Planning Schemes no longer in effect	E6.7, except for E6.7.8, E6.7.9, E6.7.10, E6.7.11, E6.7.12 in the E6 Parking and Access Code in the relevant Derwent Valley, Hobart, Huon Valley and Kingborough Interim Planning Scheme;

Clause No	Clause	alteration	Reason/source	Appearance of revised provision
3.2.2	E6.6.1 Car parking numbers (Break O'Day Interim Planning Scheme)	Delete provision and renumber accordingly	SPO review to delete provision in relation to and Interim Planning Scheme no longer in effect	
3.3.3	E6.6.1 Number of Car Parking Spaces (Derwent Valley Interim Planning Scheme)	Fix numeration in the 'objective' box	SPO review	To ensure that: (a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport. (b) A use or development does not detract from the amenity of users or the locality by: (i) Preventing regular parking overspill; (ii) Minimising the impact of car parking on heritage and local character
3.3.4	E6.6.1 Number of Car Parking Spaces (Huon Valley Interim Planning Scheme)	Fix numeration in the 'objective' box	SPO review	To ensure that: (a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport. (b) A use or development does not detract from the amenity of users or the locality by: (i) Preventing regular parking overspill; (ii) Minimising the impact of car parking on heritage and local character

## Appendix 2 – Proposed alterations to the draft amendment

### SPPs amendment 01/2022 - Container Refund Scheme - Exemptions and Special Provisions

#### 1.0 Definitions

Amend Table 3.1 Planning Terms and Definitions by inserting the following terms and definitions in alphabetical order:

Term	Definition
approved container	means as defined in the <i>Container Refund Scheme Act 2022</i> .
container refund machine	means as defined in the <i>Container Refund Scheme Act 2022</i> .
container refund point	means as defined in the <i>Container Refund Scheme Act 2022</i> .
bag drop refund point	means the use of land for a container refund point to receive and internally store bags of approved containers for later collection.
over the counter refund point	means the use of part of an existing business premises for a container refund point to receive approved containers over the counter and store on-site for later collection.
pop-up refund point	means the use of land for a staffed mobile facility, such as a trailer or tent, as a container refund point to receive and temporarily store approved containers.

Amend Table 3.1 Planning Terms and Definitions by deleting the definition for the term waste transfer station and inserting the following definition:

Term	Definition
waste transfer station	means use of land to receive and temporarily store waste before it is removed elsewhere and includes a container refund point, excluding a bag drop refund point, a container refund machine, an over the counter refund point and a pop-up refund point.

#### 2.0 Exempt use and development

Amend Table 4.2 Exempt infrastructure use or development by inserting clauses 4.2.10 and 4.2.11 as follows:

4.2.10	container refund point	<p>By, or on behalf of the Crown, if for:</p> <p>a) an over the counter refund point with external storage located to the side or rear of the business premises if:</p> <ul style="list-style-type: none"> <li>i. it operates within the hours of operation of that business;</li> <li>ii. external storage of the returned approved containers is provided within secure structures with an area of not more than 15m<sup>2</sup> and a height of not more than 3m or is provided in a shipping container; and</li> <li>iii. the external storage is not visible from a road or public open space adjoining the site; or</li> </ul> <p>b) a container refund machine or a bag drop refund point if:</p> <ul style="list-style-type: none"> <li>i. co-located on a site with an existing business;</li> <li>ii. the structure has an area of not more than 4m<sup>2</sup> and a height of not more than 2.2m; and</li> </ul>
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## Appendix 2 – Proposed alterations to the draft amendment

		<p>iii. the returned approved containers are stored inside a secure structure or in a relocatable bin that is not visible from any road or public open space adjoining the site,</p> <p>unless the Local Historic Heritage Code applies and requires a permit for the use or development.</p>
4.2.11	temporary container refund point	<p>By, or on behalf of the Crown, if for:</p> <p>a) a pop-up refund point on public land and used:</p> <p>i. for a period not longer than 2 days; or</p> <p>ii. in association with a market, sporting, social or cultural event; or</p> <p>b) a container refund machine or a bag drop refund point on a registered trailer and used:</p> <p>i. for a period of not longer than 2 days;</p> <p>ii. in association with a market, sporting, social or cultural event; or</p> <p>iii. during the months from November to April if needed to provide additional capacity for demand from tourists as endorsed by the Crown; and</p> <p>c) the temporary container refund point is removed after its use.</p>

### 3.0 General Provisions

After clause 7.13, insert clause 7.14 as follows:

#### 7.14 Container Refund Points

7.14.1 Use and development for a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point is Discretionary and in determining an application the planning authority must have regard to:

- a) the purpose and provisions of the zone;
- b) the purpose and provisions of any applicable code, except C2.5 of the Parking and Sustainable Transport Code;
- c) any relevant local area objectives;
- d) the purpose and provisions of any applicable specific area plan;
- e) pedestrian safety on the site;
- f) potential conflicts with traffic movement on the site; and
- g) use of a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of residential amenity having regard to:
  - i. the timing, duration or extent of vehicle movements, including the amount of reversing and associated warning noise from service vehicles;
  - ii. noise levels generated at the container refund point above background noise levels;
  - iii. any noise mitigation measures between the container refund point and the residential zone; and
  - iv. lighting duration or light spill.

## Appendix 2 – Proposed alterations to the draft amendment

7.14.2 Notwithstanding subclause 7.14.1, use and development for a bag drop refund point or a container refund machine on a site in the Village Zone, Urban Mixed-Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone, Community Purpose Zone or Recreation Zone, is Permitted and a permit must be granted if:

- a) co-located on a site with an existing business;
- b) there are not more than 2 signs for the bag drop refund point or container refund machine that are not attached to the bag drop point or container refund machine structure and the signs are not:
  - i. less than 2m from the boundary of a lot in the General Residential Zone, Inner Residential Zone, or Low Density Residential Zone;
  - ii. illuminated;
  - iii. more than 2m<sup>2</sup> in combined total area; and
  - iv. a third-party sign as defined in C1.3 of the C1.0 Signs Code;
- c) for an attached sign on a bag drop refund point or container refund machine structure, that sign must:
  - i. not be illuminated;
  - ii. comply with clause C1.6.4 A1 of the C1.0 Signs Code; and
  - iii. be for the following sign types, as defined in table C1.3 of the C1.0 Signs Code:
    - a. an awning fascia sign that does not project above or below the fascia of the awning to which it is attached, and has a height of not less than 2m above ground level;
    - b. a building fascia sign that does not project above or below the fascia of the building and does not project horizontally more than 200mm from the vertical face of the fascia;
    - c. a painted wall sign;
    - d. a wall sign that does not project above the top of the wall to which it is attached; or
    - e. a wall mural sign;
- d) in the Local Business Zone, General Business Zone or Central Business Zone, the setback from a frontage is:
  - i. equal to or more than the relevant Acceptable Solution frontage setback for the relevant zone; and
  - ii. not less than the relevant Acceptable Solution frontage setback of any applicable specific area plan;
- e) in the Village Zone, Urban Mixed-Use Zone, Commercial Zone, Community Purpose Zone or Recreation Zone, the setback from a frontage is:
  - i. not less than the relevant Acceptable Solution frontage setback for the relevant zone; and
  - ii. not less than the Acceptable Solution frontage setback of any applicable specific area plan;
- f) the side and rear setback is not less than the relevant zone or an applicable specific area plan Acceptable Solution for side and rear setbacks;
- g) the height of the structure for a bag drop refund point or a container refund machine is not more than 5m;
- h) the area of each structure is not more than:
  - i. 20m<sup>2</sup> for the bag drop refund point; or
  - ii. 60m<sup>2</sup> for the container refund machine;
- i) the container refund machine operates within the hours of operation as the existing business on the site, unless 7.14.2 (l) is applicable;



## Appendix 2 – Proposed alterations to the draft amendment

- j) the location of the container refund point satisfies the requirements in the acceptable solutions for C2.6.2, C2.6.3, C2.6.4, C2.6.5 and C2.6.6;
- k) the Local Historic Heritage Code does not require a permit for the use or development; and
- l) use of a bag drop refund point or a container refund machine within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must have:
  - i. hours of operation within the hours of:
    - a. 7.00am to 9.00pm Monday to Saturday; and
    - b. 8.00am to 9.00pm on Sundays and public holidays;
    - c. or alternatively within the hours of operation of the co-located business;
  - ii. external lighting that does not operate within the hours of 11.00pm to 6.00am, excluding any baffled security lighting; and
  - iii. service vehicles for the container refund point that operate within the hours of:
    - a. 7.00am to 9.00pm Monday to Saturday; and
    - b. 8.00am to 9.00pm Sunday and public holidays.

7.14.3 No other provisions in this planning scheme apply to a use or development that complies with subclause 7.14.2.

7.14.4 There is no requirement to provide car parking spaces for container refund points approved under subclauses 7.14.1 or 7.14.2.

7.14.5 A permit granted under subclauses 7.14.1 or 7.14.2 may include conditions relating to maintaining the tidiness of the container refund point or pedestrian safety.

### 4.0 C2.0 Parking and Sustainable Transport Code

Amend clause C2.3.1 by inserting the following term and definition in alphabetical order:

Term	Definition
container refund scheme space	means the area of land required to house a container refund machine or a bag drop refund point on a site plus space for pedestrians to queue at the container refund machine or bag drop refund point.

Amend C2.5.1 A1 by deleting the leading sentence and inserting the following:

The number of on-site car parking spaces must be no less than the number specified in Table 2.1, or the number of on-site car parking spaces can be reduced in accordance with the space used for container refund scheme space, excluding if:

## Appendix 3 – Proposed alterations to the draft planning directive

### Planning Directive No. 9 - Container Refund Scheme - Exemptions and Special Provisions

#### 1.0 Citation

This planning directive may be cited as Planning Directive No. 9 – Container Refund Scheme - Exemptions and Special Provisions.

#### 2.0 Application

2.1 This planning directive applies to the following planning schemes:

- (a) interim planning schemes that have been declared in accordance with section 30F of the Act;
- (b) interim planning schemes made under section 30M of the Act; and
- (c) the Sullivans Cove Planning Scheme 1997.

#### 3.0 Interpretation

In this planning directive, unless the contrary intention appears, a term has the meaning as defined in Table 3.1.

**Table 3.1 Interpretation**

Term	Definition
approved container	means as defined in the <i>Container Refund Scheme Act 2022</i> .
container refund machine	means as defined in the <i>Container Refund Scheme Act 2022</i> .
container refund point	means as defined in the <i>Container Refund Scheme Act 2022</i> .
container refund space	means the area of land required to house a container refund machine or a bag drop refund point on a site plus space for pedestrians to queue at the container refund machine or bag drop refund point.
bag drop refund point	means the use of land for a container refund point to receive and internally store bags of approved containers for later collection.
over the counter refund point	means the use of part of an existing business premises for a container refund point to receive approved containers over the counter and store on-site for later collection.
pop-up refund point	means the use of land for a staffed mobile facility, such as a trailer or tent, as a container refund point to receive and temporarily store approved containers.
waste transfer station	means use of land to receive and temporarily store waste before it is removed elsewhere and includes a container refund point, excluding a bag drop refund point, a container refund machine, an over the counter refund point and a pop-up refund point.

#### 4.0 Effect of the planning directive – Exemptions

For all interim planning schemes to which this planning directive applies must have the effect that use or development listed in Table 4.1 of Attachment 1 is exempt from requiring a permit provided it meets the corresponding requirements.

## **Appendix 3 – Proposed alterations to the draft planning directive**

### **5.0 Effect of the planning directive – Special Provisions**

For all interim planning schemes to which this planning directive applies must have the effect that the provisions in clause 9.1 of Attachment 2 are Special Provisions for the purposes of Part C of the relevant interim planning scheme.

### **6.0 Effect of the planning directive – relevant Car Parking codes**

For all interim planning schemes to which this planning directive applies must have the effect that –

- (a) the provision in clause 3.1.1 of Attachment 3 is in substitution for E9.5.1 of the following:
  - (i) Kentish Interim Planning Scheme 2013, and
  - (ii) King Island Interim Planning Scheme 2013,
- (b) the provision in clause 3.2.1 of Attachment 3 is in substitution for E6.6.1 of the George Town Interim Planning Scheme 2013;
- (c) the provision in clause 3.3.1 of Attachment 3 is in substitution for E6.6.1 of the Kingborough Interim Planning Scheme 2015,
- (d) the provision in clause 3.3.2 of Attachment 3 is in substitution for E6.6.1 of the Hobart Interim Planning Scheme 2015,
- (e) the provision in clause 3.3.3 of Attachment 3 is in substitution for E6.6.1 of the Derwent Valley Interim Planning Scheme 2015,
- (f) the provision in clause 3.3.4 of Attachment 3 is in substitution for E6.6.1 of the Huon Valley Interim Planning Scheme 2015.

### **7.0 Effect of the planning directive on the Sullivans Cove Planning Scheme 1997**

For the Sullivans Cove Planning Schemes 1997 to which this planning directive applies must have the effect that –

- (a) use or development listed in Table 4.2 of Attachment 1 is exempt from requiring a permit provided it –
  - (i) meets the corresponding requirements in Table 4.2 of Attachment 1, and
  - (iii) is located in the Sullivans Cove Mixed Use area or the Sullivans Cove Gateway – Macquarie Point area, as shown in Figure 4 of the Sullivans Cove Planning Scheme 1997, and
- (b) use or development listed in Table 4.3 of Attachment 1 is exempt from requiring a permit provided it –
  - (i) meets the corresponding requirements in Table 4.3 of Attachment 1, and

### **Appendix 3 – Proposed alterations to the draft planning directive**

- (ii) is located in the Regatta Point area or the Sullivans Cove Working Port area, as shown in figure 4 of the Sullivans Cove Planning Scheme 1997.

#### **8.0 Commencement**

This Planning Directive takes effect on <insert date>.

## Appendix 3 – Proposed alterations to the draft planning directive

### Attachment 1 – Exemptions

**Table 4.1 Exempt use and development**

	Use	Requirements	Suspended PD1 clause
4.1.1	Container refund point	<p>By, or on behalf of the Crown, if for:</p> <p>a) an over the counter refund point with external storage located to the side or rear of the business premises if:</p> <ul style="list-style-type: none"> <li>i. it operates within the hours of operation of that business;</li> <li>ii. external storage of the returned approved containers is provided within secure structures with an area of not more than 15m<sup>2</sup> and a height of not more than 3m or is provided in a shipping container; and</li> <li>iii. the external storage is not visible from any road or public open space adjoining the site;</li> </ul> <p>or</p> <p>b) a container refund machine or a bag drop refund point if:</p> <ul style="list-style-type: none"> <li>i. co-located on a site with an existing business;</li> <li>ii. the structure has an area of not more than 4m<sup>2</sup> and a height of not more than 2.2m; and</li> <li>iii. the returned approved containers are stored inside a secure structure or in a relocatable bin that is not visible from any road or public open space adjoining the site,</li> </ul> <p>unless the Local Historic Heritage Code applies and requires a permit for the use or development.</p>	N/a
4.1.2	Temporary container refund point	<p>By, or on behalf of the Crown, if for:</p> <p>a) a pop-up refund point on public land and used:</p> <ul style="list-style-type: none"> <li>i. for a period not longer than 2 days; or</li> <li>ii. in association with a market, sporting, social or cultural event; or</li> </ul> <p>b) a container refund machine or a bag drop refund point on a registered trailer and used:</p> <ul style="list-style-type: none"> <li>i. for a period of not longer than 2 days;</li> <li>ii. in association with a market, sporting, social or cultural event; or</li> <li>iii. during the months from November to April if needed to provide additional capacity for demand from tourists as endorsed by the Crown; and</li> </ul> <p>c) the temporary container refund point is removed after its use.</p>	N/a

**Table 4.2 Exempt use and development – Sullivans Cove Mixed Use area or the Sullivans Cove Gateway**

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	Use	Requirements	Suspended PD1 clause
4.2.1	Container refund point	<p>By, or on behalf of the Crown, if for:</p> <p>a) an over the counter refund point with external storage located to the side or rear of the business premises if:</p> <ul style="list-style-type: none"> <li>i. it operates within the hours of operation of that business;</li> <li>ii. external storage of the returned approved containers is provided within secure structures with an area of not more than 15m<sup>2</sup> and a height of not more than 3m or is provided in a shipping container; and</li> <li>iii. the external storage is not visible from any road or public open space adjoining the site; or</li> </ul> <p>b) a container refund machine or a bag drop refund point if:</p> <ul style="list-style-type: none"> <li>i. co-located on a site with an existing business;</li> <li>ii. the structure has an area of not more than 4m<sup>2</sup> and a height of not more than 2.2m; and</li> <li>iii. the returned approved containers are stored inside the structure.</li> </ul>	N/a
4.2.2	Temporary container refund point	<p>By, or on behalf of the Crown, if for:</p> <p>a) a pop-up refund point on public land and used:</p> <ul style="list-style-type: none"> <li>i. for a period not longer than 2 days; or</li> <li>ii. in association with a market, sporting, social or cultural event; or</li> </ul> <p>b) a container refund machine or a bag drop refund point on a registered trailer and used:</p> <ul style="list-style-type: none"> <li>i. for a period of not longer than 2 days;</li> <li>ii. in association with a market, sporting, social or cultural event; or</li> <li>iii. during the months from November to April if needed to provide additional capacity for demand from tourists as endorsed by the Crown; and</li> </ul> <p>c) the temporary container refund point is removed after its use.</p>	N/a

**Table 4.3 Limited Exempt use and development – Regatta Point area or the Sullivans Cove Working Port**

	Use	Requirements	Suspended PD1 clause
4.3.1	Container refund point	<p>By, or on behalf of the Crown, if for a container refund machine if:</p> <ul style="list-style-type: none"> <li>a) co-located on a site with an existing business;</li> <li>b) the structure has an area of not more than 4m<sup>2</sup> and a height of not more than 2.2m; and</li> <li>c) the returned approved containers are stored inside the structure.</li> </ul>	N/a

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4.3.2	Temporary container refund point	By, or on behalf of the Crown, if for: a) a pop-up refund point on public land and used: i. for a period not longer than 2 days; or iii. in association with a market, sporting, social or cultural event, and b) the pop-up refund point is removed after its use.	N/a
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## Appendix 3 – Proposed alterations to the draft planning directive

### Attachment 2 – Special Provisions

#### 9.1 Container Refund Points

9.1.1 Use and development for a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point is Discretionary and in determining an application the planning authority must have regard to:

- a) the purpose and provisions of the zone;
- b) the purpose and provisions of any applicable code, except the following provisions in interim planning schemes:
  - i. E9.5.1 - E9 Traffic Generating Use and Parking Code – Kentish and King Island Interim Planning Schemes;
  - ii. E6.6.1 – E6 Parking and Sustainable Transport Code – George Town Interim Planning Schemes; and
  - iii. E6.6.1 – E6 Parking and Access Code – Central Highlands, Derwent Valley, Hobart, Huon Valley and Kingborough Interim Planning Schemes;
- c) any relevant local area objectives;
- d) the purpose and provisions of any applicable specific area plan;
- e) pedestrian safety on the site;
- f) potential conflicts with traffic movement on the site; and
- g) use of a bag drop refund point, a container refund machine, an over the counter refund point or a pop-up refund point within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of residential amenity having regard to:
  - i. the timing, duration or extent of vehicle movements, including the amount of reversing and associated warning noise from service vehicles;
  - ii. noise levels generated at the container refund point above background noise levels;
  - iii. any noise mitigation measures between the container refund point and the residential zone; and
  - iv. lighting duration or light spill.

9.1.2 Notwithstanding subclause 9.1.1, use and development for a bag drop refund point or a container refund machine on a site in the Village Zone, Urban Mixed-Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone, Community Purpose Zone or Recreation Zone, is Permitted and a permit must be granted if:

- a) co-located on a site with an existing business;
- b) there are not more than 2 signs for the bag drop refund point or container refund machine that are not attached to the bag drop point or container refund machine structure and the signs are not:
  - i. less than 2m from the boundary of a lot in the General Residential Zone, Inner Residential Zone, or Low Density Residential Zone;
  - ii. illuminated;
  - iii. more than 2m<sup>2</sup> in combined total area; and
  - iv. on a separate site to the bag drop refund point or container refund machine;
- c) for an attached sign on a bag drop refund point or container refund machine structure, that sign must:
  - i. be for the following sign types, as defined by the relevant interim planning scheme:



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- a. an awning fascia sign that does not project above or below the fascia of the awning to which it is attached, and has a height of not less than 2m above ground level;
  - b. a wall sign that does not project above the top of the wall to which it is attached; or
  - c. a wall mural sign;  
comply with E7.4 or E7.6 A1 of the Signs Code in the relevant Kentish and King Island Interim Planning Scheme;
- d) in the Local Business Zone, General Business Zone or Central Business Zone, the setback from a frontage is:
- i. equal to or more than the relevant Acceptable Solution frontage setback for the relevant zone; and
  - ii. not less than the relevant Acceptable Solution frontage setback of any applicable specific area plan;
- e) in the Village Zone, Urban Mixed-Use Zone, Commercial Zone, Community Purpose Zone or Recreation Zone, the setback from a frontage is:
- i. not less than the relevant Acceptable Solution frontage setback for the relevant zone; and
  - ii. not less than the Acceptable Solution frontage setback of any applicable specific area plan;
- f) the side and rear setback is not less than the relevant zone or an applicable specific area plan Acceptable Solution for side and rear setbacks;
- g) the height of the structure for a bag drop refund point or a container refund machine is not more than 5m;
- h) the area of each structure is not more than:
- i. 20m<sup>2</sup> for the bag drop refund point; or
  - ii. 60m<sup>2</sup> for the container refund machine;
- i) the container refund machine operates within the hours of operation as the existing business on the site, unless 9.1.2 (l) is applicable;
- j) the location of the container refund point satisfies the requirements in the acceptable solutions for C2.6.2, C2.6.3, C2.6.4, C2.6.5 and C2.6.6;
- k) the Local Historic Heritage Code does not require a permit for the use or development; and
- l) use of a bag drop refund point or a container refund machine within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must have:
- i. hours of operation within the hours of:
    - a. 7.00am to 9.00pm Monday to Saturday; and
    - b. 8.00am to 9.00pm on Sundays and public holidays;
    - c. or alternatively within the hours of operation of the co-located business;
  - ii. external lighting that does not operate within the hours of 11.00pm to 6.00am, excluding any baffled security lighting; and
  - iii. service vehicles for the container refund point that operate within the hours of:
    - a. 7.00am to 9.00pm Monday to Saturday; and
    - b. 8.00am to 9.00pm Sunday and public holidays.

7.14.3 No other provisions in the relevant planning scheme apply to a use or development that complies with sub clause 9.1.2.

7.14.4 There is no requirement for providing car parking spaces for container refund points approved under subclauses 9.1.1 or 9.1.2.

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7.14.5 A permit granted under subclauses 7.14.1 or 7.14.2 may include conditions relating to maintaining the tidiness of the container refund point or pedestrian safety.

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### Attachment 3 – Car Parking Provisions

#### 3.1 Cradle Coast Region – E9 Traffic Generating Use and Parking Code

##### 3.1.1 E9.5.1 Provision for parking (Kentish and King Island Interim Planning Schemes)

<b>Objective:</b>	
Provision is to be made for convenient, accessible, and usable vehicle parking to satisfy requirements for use or development without impact for use or development of other land or for the safety and operation of any road.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Provision for parking must be: <ul style="list-style-type: none"> <li>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the application standard for the use class as shown in the Table to this Code, minus the number of car parking spaces that cannot be provided due to the site including container refund scheme space.</li> </ul>	<b>P1</b> <ul style="list-style-type: none"> <li>(a) It must be necessary or unreasonable to require arrangements for the provision of vehicle parking; or</li> <li>(b) Adequate and appropriate provision must be made for vehicle parking to meet:               <ul style="list-style-type: none"> <li>(i) Anticipated requirement for the type, scale, and intensity of the use;</li> <li>(ii) Likely needs and requirements of site users; and</li> <li>(iii) Likely type, number, frequency, and duration of vehicle parking demand.</li> </ul> </li> </ul>

#### 3.2 Northern Tasmania Region – E6.0 Parking and Sustainable Transport Code

##### 3.2.1 E6.6.1 Car parking numbers (George Town Interim Planning Scheme)

<b>Objective:</b>	
To ensure that an appropriate level of car parking is provided to service the use.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The number of car parking spaces will not: <ul style="list-style-type: none"> <li>(a) If for dwellings in the General Residential Zone, be less than 100% of the requirements of Table E6.1; or</li> <li>(b) be less than 90% of the requirements of Table E6.1, minus the number of car parking spaces that cannot be provided due to the site including container refund scheme space, and not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone);</li> </ul>	<b>P1</b> The number of car parking spaces provided must have regard to: <ul style="list-style-type: none"> <li>(a) The provisions of any relevant location specific car parking plan; and</li> <li>(b) The availability of public car parking spaces within reasonable walking distance; and</li> <li>(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</li> <li>(d) The availability and frequency of public transport within reasonable walking distance of the site; and</li> </ul>

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	<ul style="list-style-type: none"> <li>(e) Site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</li> <li>(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</li> <li>(g) An empirical assessment of the car parking demand; and</li> <li>(h) The effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>(i) The recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>(j) Any heritage values of the site; and</li> <li>(k) For residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:             <ul style="list-style-type: none"> <li>(i) The size of the dwelling and the number of bedrooms; and</li> <li>(ii) The pattern of parking in the locality; and</li> <li>(iii) Any existing structure on the land.</li> </ul> </li> </ul>
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### 3.3 Southern Tasmania Region – E6 Parking and Access Code

#### 3.3.1 E 6.6.1 Number of Car Parking Spaces (Kingborough Interim Planning Scheme)

<b>Objective:</b>	
To ensure that:	
(a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.	
(b) A use or development does not detract from the amenity of users or the locality by:	
(i) Preventing regular parking overspill;	
(ii) Minimising the impact of car parking on heritage and local character.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The number of on-site car parking spaces must be: <ul style="list-style-type: none"> <li>(a) No less than the number specified in Table E6.1, minus the number of car parking spaces that cannot be provided due to the site including container refund scheme space</li> </ul> Except if:	<b>P1</b> The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following: <ul style="list-style-type: none"> <li>(a) Car parking demand;</li> <li>(b) The availability of on-street and public car parking in the locality;</li> <li>(c) The availability and frequency of public transport within a 400m walking distance of the site;</li> </ul>

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<p>(b) The site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cashin-lieu) must be in accordance with that plan.</p>	<p>(d) The availability and likely use of other modes of transport;</p> <p>(e) The availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) Any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirements, except in the case of substantial redevelopment of a site;</p> <p>(i) The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) Any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) Any relevant parking plan for the area adopted by Council;</p> <p>(l) The impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p> <p>(m) Whether provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.</p>
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#### 3.3.2 E6.6.1 Number of Car Parking Spaces (Hobart Interim Planning Scheme)

<p><b>Objective:</b></p>	
<p>To ensure that:</p> <p>(a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.</p> <p>(b) A use or development does not detract from the amenity of users or the locality by:</p> <p>(i) Preventing regular parking overspill;</p> <p>(ii) Minimising the impact of car parking on heritage and local character</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p>	<p><b>P1</b></p>

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<p>The number of on-site car parking spaces must be:</p> <p>(a) No less than the number specified in Table E6.1, minus the number of car parking spaces that cannot be provided due to the site including container refund scheme space</p> <p>Except if:</p> <p>(i) The site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan.</p> <p>(ii) The site is subject to clauses E6.6.5, E6.6.6, E6.6.7, E6.6.8, E6.6.9 or E6.6.10 of this planning scheme.</p>	<p>The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</p> <p>(a) Car parking demand;</p> <p>(b) The availability of on-street and public car parking in the locality;</p> <p>(c) The availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) The availability and likely use of other modes of transport;</p> <p>(e) The availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) Any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirements, except in the case of substantial redevelopment of a site;</p> <p>(i) The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) Any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) Any relevant parking plan for the area adopted by Council;</p> <p>(l) The impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p> <p>(m) Whether provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.</p>
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#### 3.3.3 E6.6.1 Number of Car Parking Spaces (Derwent Valley Interim Planning Scheme)

**Objective:**

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<p>To ensure that:</p> <p>(a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.</p> <p>(b) A use or development does not detract from the amenity of users or the locality by:</p> <p>(i) Preventing regular parking overspill;</p> <p>(ii) Minimising the impact of car parking on heritage and local character</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The number of on-site car parking spaces must be:</p> <p>(a) No less than the number specified in Table E6.1, minus the number of car parking spaces that cannot be provided due to the site including container refund scheme space</p> <p>Except if:</p> <p>(b) The site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cashin-lieu) must be in accordance with that plan.</p>	<p><b>P1</b></p> <p>The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</p> <p>(a) Car parking demand;</p> <p>(b) The availability of on-street and public car parking in the locality;</p> <p>(c) The availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) The availability and likely use of other modes of transport;</p> <p>(e) The availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) Any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirements, except in the case of substantial redevelopment of a site;</p> <p>(i) The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) Any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) Any relevant parking plan for the area adopted by Council;</p>

### Appendix 3 – Proposed alterations to the draft planning directive

	(l) The impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code.
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#### 3.3.4 E6.6.1 Number of Car Parking Spaces (Huon Valley Interim Planning Scheme)

<b>Objective:</b>	
To ensure that:	
(a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.	
(b) A use or development does not detract from the amenity of users or the locality by:	
(i) Preventing regular parking overspill;	
(ii) Minimising the impact of car parking on heritage and local character	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The number of on-site car parking spaces must be:</p> <p>(a) No less than the number specified in Table E6.1, minus the number of car parking spaces that cannot be provided due to the site including container refund scheme space</p> <p>Except if:</p> <p>(b) The site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cashin-lieu) must be in accordance with that plan.</p>	<p><b>P1</b></p> <p>The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</p> <p>(a) Car parking demand;</p> <p>(b) The availability of on-street and public car parking in the locality;</p> <p>(c) The availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) The availability and likely use of other modes of transport;</p> <p>(e) The availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) Any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirements, except in the case of substantial redevelopment of a site;</p> <p>(i) The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p>



**Appendix 3 – Proposed alterations to the draft planning directive**

	<ul style="list-style-type: none"><li>(j) Any verified prior payment of a financial contribution in lieu of parking for the land;</li><li>(k) Any relevant parking plan for the area adopted by Council;</li><li>(l) The impact on the heritage and character values of Franklin if subject to the Franklin Heritage Specific Area Plan.</li></ul>
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