

Our ref: Container Refund Scheme
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Roger Howlett
Chair of the Delegated Panel
Tasmanian Planning Commission
tpc@planning.tas.gov.au

Dear Mr Howlett

DRAFT AMENDMENT 01/2022 TO THE STATE PLANNING PROVISIONS - CONTAINER REFUND SCHEME – EXEMPTIONS AND SPECIAL PROVISIONS

I refer to draft amendment 01/2022 to the State Planning Provisions – exemptions and special provisions to implement infrastructure for the container refund scheme, on exhibition from 10 May 2023 to 11 July 2023.

Please consider the following comments from Glenorchy City Council officers as Council's representation on the draft amendment.

What is the use class for this type of use or development?

- Noting it doesn't have to be co-located with another use if Discretionary, should it be added as an example in the definition for Recycling and Waste Disposal, or is it not needed?

Clause 4.2.10 a)

- These provisions do not address any amenity impacts to adjoining lots/ developments. For instance, a shipping container could be placed on the boundary of a residential property and there is no consideration required to be given as to the cumulative impacts of other structures already on the boundary of the subject site. The exemptions need to include details and requirements, such as distance from existing buildings on the site and minimum distance from boundaries - similar to outbuildings exemption in Clause 4.3.7.
- The exemptions should be limited to non-residential zones.
- The external storage area should not be able to be located over existing car parking areas, access ways or circulation spaces, noting that parking spaces are not the appropriate location for such infrastructure as there could be conflicts with people/staff accessing the refund point and vehicle movements in the car park.

- The provisions need to include requirements for it to be safely accessed by staff.

Clause 4.2.10 b)

- Are there any issues or requirements needed to address security matters for this relocatable bin non-staff cannot access the containers?
- The exemptions should be limited to non-residential zones.
- The external storage area should not be able to be located over existing car parking areas, access ways or circulation spaces, noting that parking spaces are not the appropriate location for such infrastructure as there could be conflicts with people/staff accessing the refund point and vehicle movements in the car park.
- The provisions need to include requirements for it to be safely accessed by staff.

Clause 7.14.1

- Should some consideration be given to the hours of operation of the co-located business?
- As noted above, a definition is required for this use, to ensure that any proposed signage is clearly a separate component and must be considered under the C1.0 Signs Code, not under 7.14.1

Clause 7.14.2

- To have Permitted status there should be no vegetation clearing within a natural values overlay (similar to consideration of whether the Local Historic Heritage Code applies).
- The grammar is lost between 7.14.2 ...”must be granted if:”...and (c) “a sign that is attached to...must:..”

Clause 7.14.2 d) and e)

- What is the differentiation between these two provisions?

Clause 7.14.2 f)

- The sentence switches between “and” to “or” between the first and second half of the clause. Which is it?

Clause 7.14.2 h)

- Is there anything to stop there being multiple structures on a site? Does there need to be a cumulative total?

Clause 7.14.2 j)

- There needs to be consideration of parking for the existing use, if the structure is to be located over car parking spaces (noting the concerns about this approach below under C2.0 Parking and Sustainable Transport Code C2.3.1).

- It is unclear how this is meant to work with C2.6.2 *Design and layout of parking areas*.

Clause 7.14.2 k)

- Does this mean a permit for *the* use or development (noting also the Local Historic Heritage Code does not apply to use), as per the wording in the Table 4.6 Miscellaneous Exemptions. Further, where General Provision prevail, does the wording need to be revised to something like: *would not otherwise require a permit?*

Clause 7.14.2 l)(i)

- There is an extra colon in the middle of the sentence.
- The clause needs to be restructured to provide clarity re the grouping of ‘a plus b’ verses ‘c’ as the alternative (currently it could be read as ‘a’ plus ‘b or c’).

Clause 7.14.2 l)(ii)

- Security lighting must be baffled.

Clause 7.14.3

- Does “in accordance with” mean “that complies with?” What about flooding or other hazards? What about traffic generation (noting officers do not support the proposed changes to C2.0 Parking and Sustainable Transport Code).

Clause 7.14.5

- Reword to make it clear that the permit can include the condition (the provision can currently be read as if the container refund point itself can include the condition).

C2.0 Parking and Sustainable Transport Code C2.3.1

- Definition includes a typo: replace “bad drop” with “bag drop”.
- The proposed displacement of car parking requirements for other uses, to provide for container refund scheme space, is not supported as an Acceptable Solution. This would undermine the objective of C2.5.1 Car parking numbers. Instead, if a proposal results in a parking shortfall for the other use, then that should be assessed through the existing Performance Criteria for the standard.
- A parking space is not the appropriate location for such infrastructure as there could be conflicts with people accessing the refund point and vehicle movements in the car park.
- The proposed amendment does not specify what space or grades are required for pedestrians to safely queue or access the container refund point, which needs to be accessible to all with wheelchair access, and if in a car park, protected by energy absorbing bollards.

Please contact Lyndal Byrne, Coordinator Strategic Planning, on 03 6216 6424 or by email at Lyndal.byrne@gcc.tas.gov.au in respect to the representation.

Yours sincerely



Emilio Reale
Director Infrastructure and Works