



J Ramsay
Executive Commissioner
Tasmanian Planning Commission
tpc@planning.tas.gov.au

21 August 2023

Dear Mr Ramsay

**KING ISLAND INTERIM PLANNING SCHEME 2013 - AMENDMENT 01/2023
s.43 COMBINED PERMIT AND AMENDMENT – 45 MORRISON AVE, LOORANA (CT 246774/1)**

King Island Council, sitting as the Planning Authority at its meeting 15 August 2023, endorsed a proposed amendment to the King Island Interim Planning Scheme 2013 in accordance section 35(1)(a) of the former *Land Use Planning and Approvals Act 1993*. The amendment proposes to:

- (a) Rezone part of CT 246774/1, 45 Morrison Ave Loorana from Rural Resource to Utilities.

Council also endorsed, under former section 43(C)(1) of the Act approval of planning application DA 2023/06 for the:

- (a) Subdivision of 2ha; and
- (b) the development of secure vehicle parking and storage facilities

The proposed amendment is now submitted under section 35(4) of the former *Land Use Planning and Approvals Act 1993*. Please find attached the following:

- a copy of the agenda item and planning authority minutes;
- a copy of the certified draft amendment in PDF and Word format. Council is unable to provide a GIS file as we do not have a GIS system;
- a copy of development permit DA 2023/06;
- a copy of development application DA 2023/06 and all supporting documents and reports;
- a copy of the planner's report with recommendations;
- a copy of the owner's consent form (included in the application documents);
- a copy of CT 246774/1 is included in the application documents;
- a copy of the notice placed in The Advocate 19 August 2023. A further notice will be placed in The Advocate and King Island Courier 31 August 2023;
- a copy of the notification letters; and
- the proposal has been referred to TasWater. TasWater's response will be forwarded when received.



Payment of the application fee was paid by direct credit 18 August 2023. A copy of the remittance advice was forwarded to your office.

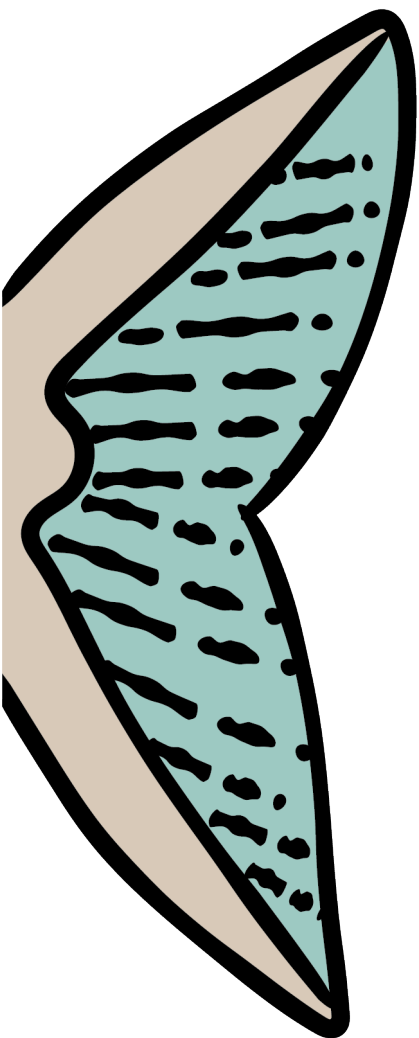
Should you have any queries regarding this matter please do not hesitate to contact me on 6462 9000 or rbarwick@kingisland.tas.gov.au.

Yours sincerely



Robyn Barwick
Development Services Coordinator





KING ISLAND COUNCIL

ATTACHMENT

Item 10.2

Tuesday 15 August 2023

Planning Scheme
Amendment 01/2023





KING ISLAND COUNCIL

Planning Scheme Amendment

Supporting Report

45 Morrison Avenue, Loorana (CT 246774/1)

Rezoning of Land to Utilities

August 2023





Figure 1- Identification of Subject Land



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1.0 Summary

King Island Council has received an application to amend the King Island Interim Planning Scheme 2013 (KIIPS) under s.43A of the former *Land Use Planning and Approvals Act 1993*¹.

The amendment PSA 01-2023 proposes to:

- (a) Rezone 2ha of CT 246774/1, 45 Morrison Avenue, Loorana from Rural Resource to Utilities; and
- (b) Retain the balance in the Rural Resource Zone.

The purpose of the rezoning is to allow Saistones Investments Pty Ltd, as the owner of the subject site, to:

- (a) subdivide the rezoned 2ha of land; and
- (b) develop a storage facility and vehicle parking area,

to provide for the expansion of facilities and services at the King Island Airport.

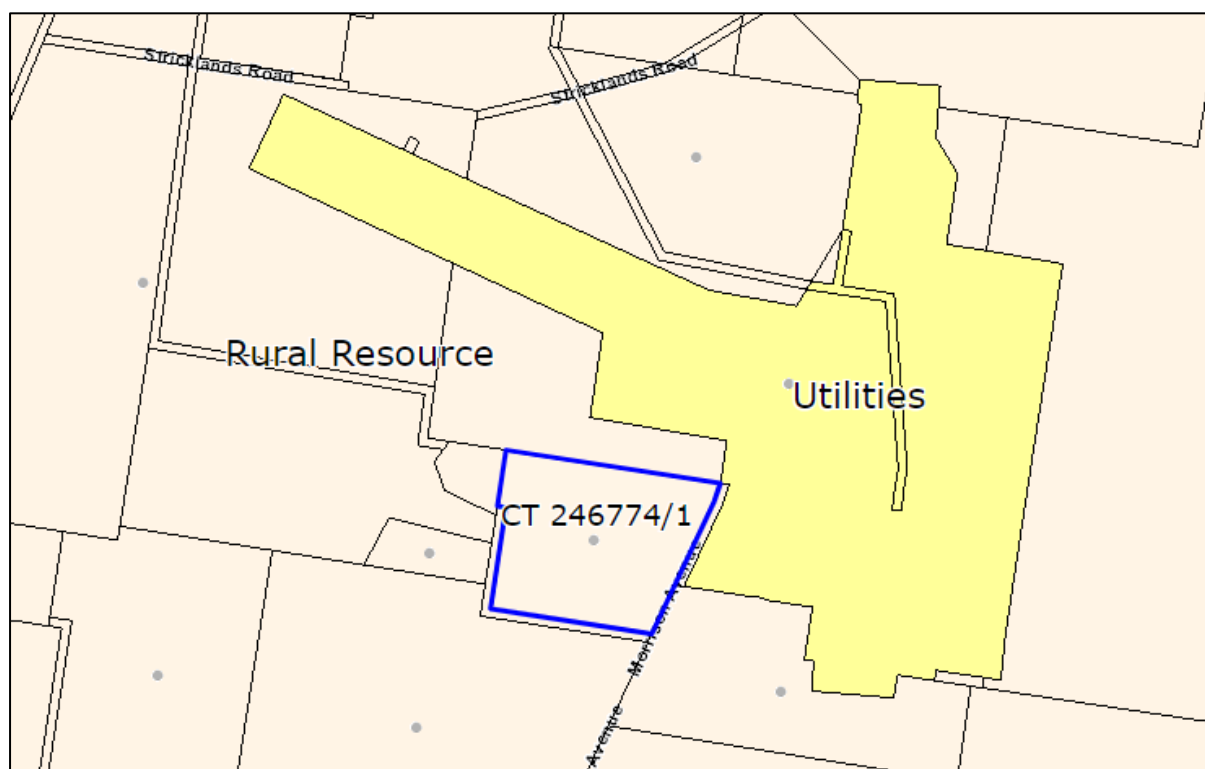


Figure 2 -- Identification of Subject Land and Surrounding Zoning

The supporting report¹ demonstrates that the amendment meets the requirements of the former *Land Use Planning and Approvals Act 1993*²

¹ Evan Broadman, e³, June 2023, Rezoning and Development Application Request, 45 Morrison Avenue Loorana, King Island.

² The reference is referring to the former provisions of the *Land Use Planning and Approvals Act 1993* that was in force before 16 December 2015 as per the transitional arrangements provided by *Schedule 6 of the Land Use Planning and Approvals Act 1993*.



2.0 Background

2.1 Site and Surrounds

The site subject to the rezoning applies to is described in Certificate of Title: 246774/1 as 15.271ha of land located at 45 Morrison Avenue, Loorana. The site does not contain any buildings and is currently used for grazing of animals. The site has frontage to Morrison Avenue, which is a State-owned road.

The site is zoned Rural Resource under the King Island Interim Planning Scheme 2013.

The adjoining land immediately to the north, west, south, and south-east is zoned Rural Resource. The King Island Airport is located north and east of the site and is zoned Utilities. Access to the airport is from the northern end of Morrison Avenue.

The site is not serviced by reticulated water and sewer and is not within a stormwater district under the *Urban Drainage Act 2013*.

The site is located within a bushfire-prone area.



Figure 3 - The Subject Lot is Adjacent to the King Island Airport

3.0 Description of the Proposed Amendment

A request has been received under s43A of the former *Land Use Planning and Approvals Act 1993* for a combined planning scheme amendment and development application.

The application proposes to amend the King Island Interim Planning Scheme 2013 by rezoning 2 hectares of the site at the north-eastern corner of land identified as 45 Morrison Avenue, Loorana, from Rural Resource to Utilities.



The rezoning aims to allow the development of vehicle parking and storage facility adjacent to the King Island Airport. The proposed development is prohibited under the Rural Resource zone.

The subdivision and development proposal will be assessed in a separate DA 2023/06 Development Assessment Report report. A full description of the proposal will be included in the development assessment report.

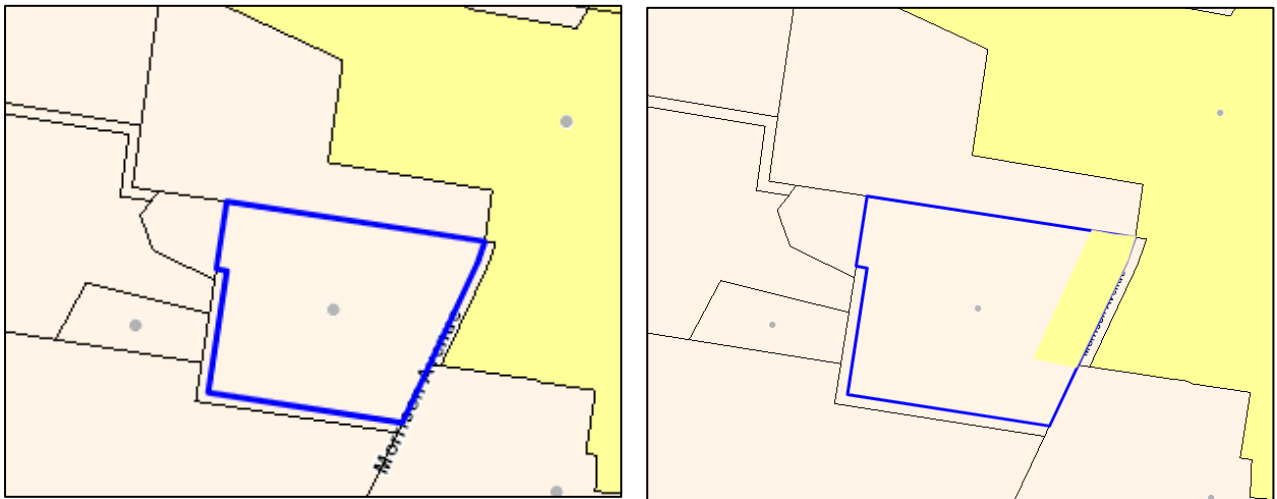


Figure 4 - Rezoning 2ha of 45 Morrison Avenue, Loorana from Rural Resource to Utilities.

4.0 Justification for the Amendment

4.1 Why Utilities zone?

Under the current zoning of Rural Resource, the proposed uses fall under the Use classifications of Storage (unless associated with or supporting primary industry) and Vehicle Parking, both of which are listed as prohibited.

Zones under which both proposed uses could be considered are:

- 21.0 General Business Zone; and
- 28.0 Utilities Zone

The area proposed to be rezoned would be contiguous with the existing Utilities Zone at the King Island Airport and provide an expanded airport precinct. The zoning would provide for private investment into the King Island Airport.

King Island Airport is owned and operated by the King Island Council. Airport services to the public are currently limited to vehicle parking. The public car park on the airport land is not secure and accessible at all times.

The purpose of the storage units and vehicle parking is to expand and diversify facilities and services at the King Island Airport. Use and development on the island rely heavily on trades and specialist skilled persons from off-island. King Island attracts a range of trades and service



persons to meet the servicing demand of the population. A range of trades and services travel regularly to the island and require safe storage for vehicles and equipment.

The proposed development is adjacent to the airport, which is a logical location for storage and vehicle parking. The use and development will provide a service to trades' people wishing to store vehicles and equipment securely on the island. The facility will also be available to store vehicles for people who travel to and from the island for work, medical appointments, holidays, or to visit friends and family. Additionally, the storage facility will also be for the storage of goods.

The proposed facility will provide easy access for travellers, particularly as there is no public transport on the island, meaning cars are often left for long periods in the unsecured airport car park, leaving them open to vandalism and theft. The local coastal conditions also lead to the rapid deterioration of vehicles and equipment left out in the open. The storage will be an opportunity to provide an enclosed storage facility.

5.0 Strategies

5.1 Cradle Coast Regional Land Use Strategy 2010-2030 (CCRLUS)

Section 300(1) of the *Land Use Planning Approvals Act 1993* provides that an amendment of an interim planning scheme may only be made if, as far as practicable, it is consistent with the regional land use strategy.

The Minister for Planning declared the amended *Cradle Coast Regional Land Use Strategy 2010-2030 (CCRLUS)* on 11 May 2022.

The draft amendment is considered consistent with the Strategic Outcomes to support the provision of land for Utilities in particular –

Part B Knowing Our Place

The Nature of Economic Activity (3.1)

King Island has a unique economy reflecting its historical development and geography. This has resulted in a mixture of rural, extractive industries and tourist uses within close proximity across the island. While Currie provides for a medium level service centre, access to the higher level service centres of the region is reliant on air and sea transport.

With the airport a critical link to higher level service centres, the proposed development offers a facility to airport's users, which is vital to the island's economic growth.

Land for Agriculture – growing food, fibre, fuel, flowers and pharmaceuticals (3.3)



The State has mandated that land significant for agriculture will be conserved and protected for priority access and sustainable agriculture without unreasonable constraint or conflict.

The Cradle Coast Agricultural Land as mapped by Norton (2009) fails to identify King Island in the Agricultural Estate. King Island has also been excluded from Land Capability mapping despite 83% of the municipality being used for grazing, with no other agricultural uses being undertaken on the island.

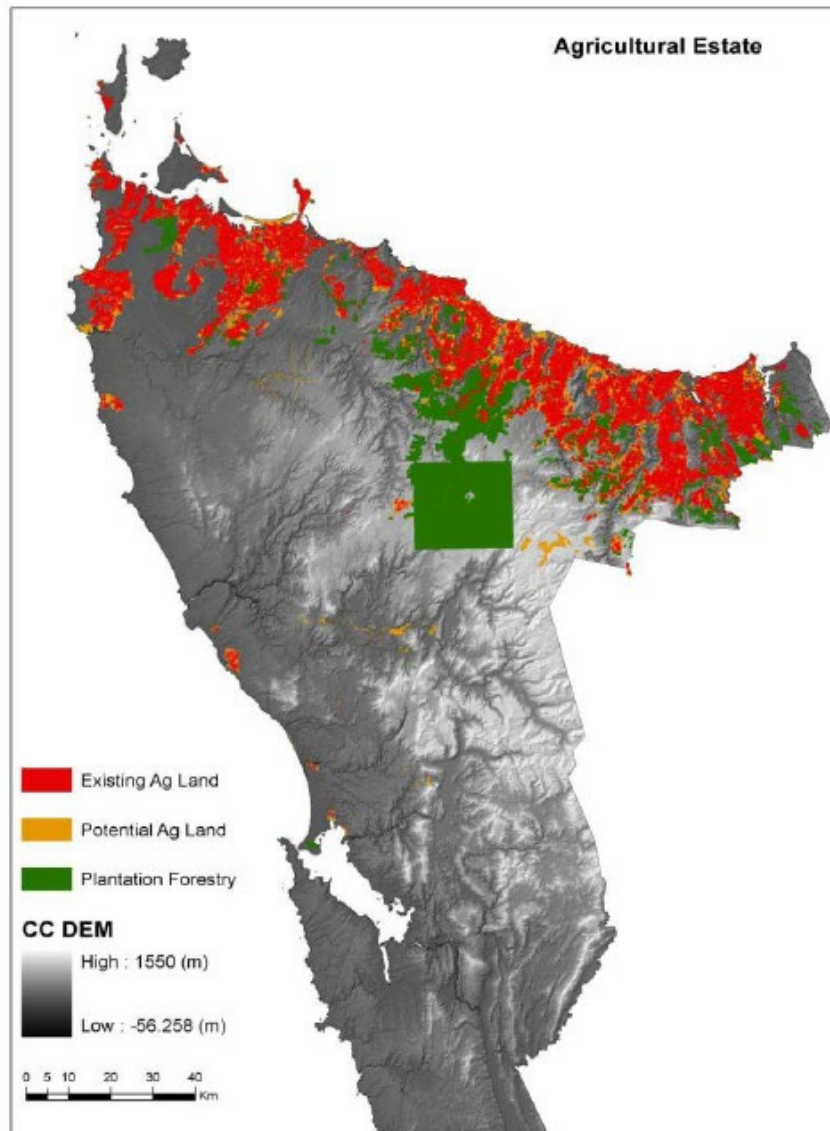


Figure 5 –Cradle Coast Agricultural Land – (Norton 2009)

With 83% of the island's land utilised for grazing, some rezoning of the land resource will inevitably be required to allow for alternative uses and industries to establish. The proposal supports the local economy and creates an opportunity to provide a new service on the island that cannot be accommodated on appropriately zoned land within the settlements of Currie, Grassy and Naracoopa.



The proposal will convert 2ha of Rural Resource land to Utilities. The loss of grazing land is considered minor and offset by the importance of establishing a facility on King Island, currently not offered to residents or off-island trades people.

The Cradle Coast Regional Land Use Planning Framework policies proposes –

- *recognise the isolation, historical development pattern and current economic circumstances of King Island require a nuanced approach to the use of agricultural land.*

The site and its development to support the King Island Airport is currently restricted by the Rural Resource zone. The use class ‘Storage’ qualification prohibits the site from being developed for the proposed purpose.

The rezoning supports economic development by providing storage opportunities on the island adjacent to the airport. The intention is that trades or other services will have a secure place to store the necessary equipment required to carry out their business, which cannot be provided by permanent trades or services on the island.

Agricultural Production (3.3.3)

- b. *exclude use or development that has no need or reason to locate of land significant for agriculture, unless the local unique circumstances of the King Island economy require a nuanced approach, and that approach is consistent with the State Policy on the Protection of Agricultural Land 2009.*

The King Island Airport is a critical piece of transport infrastructure. Consistency with the State Policy on the Protection of Agricultural Land 2009 (PAL) is assessed further when testing compliance with State Policies in section 6.0 of this report.

Part C Cradle Coast Regional Land Use Strategy 2010-2030

Air Transport (5.4.2)

- a. *Recognise the strategic significance of air transport for movement of people and specialist freight into and out of the Region.*
- b. *Protect the operation of airports by ensuring–*
 - i. *development for residential and other sensitive use is not exposed to excessive noise intrusion due to operation of the airport.*
 - ii. *use and development does not create a hazard to air navigation from obstacles such as height of buildings or structures or to activity which may increase likelihood of the hazards such as bird strikes to aircraft.*

The proposed rezoning and development recognise the significance of the King Island Airport through the intention of providing additional services to travellers otherwise not available elsewhere on the island.

The proposal is not for sensitive use, and with no full-time employees required, noise intrusion will not be an issue. The location has a similar separation as the existing long-term



car park within the airport boundary. The proposed buildings' height is below the site's Obstacle Limitation Surface (OLS) requirements.

5.2 King Island Land Use Plan 2018 (KILUP)

The King Island Land Use Plan 2018 creates a road map for the future use and development on the island.

The draft amendment is considered consistent with the Strategic Outcomes to support the provision of land for Utilities in particular-

Plan Objectives

Provide an opportunity for new economic investment supported by a level of infrastructure provision that can respond to new demand for services.

The proposal would provide much-needed storage and vehicle infrastructure to improve the operational commercial efficiency of King Island Airport.

It would provide flexibility to residents and visitors to the island to travel to and from the airport to their residence in their own vehicle.

It enables businesses and individuals to store goods, materials and vehicles at King Island's transport hub, improving its export potential.

Fostering population growth for an estimated additional 250 households, balanced with safeguarding our well-being, improving liveability, and providing lifestyle choices.

Making it easier and more efficient to travel to and from the island is a key driver to foster population growth.

Strategies

Balance – Provision of services to achieve the best possible use and efficiency from existing and new services in order to achieve a sustainable long-term outcome.

The proposal would improve the efficiency of the existing King Island Airport by providing a service and facility which is not currently available.

Opportunity - S18 The King Island Airport is developed as a transportation hub, supported by commercial and industrial uses, which value add to the freight and passenger services,

Opportunity – S19 Airport and port facilities are supported by commercial and industrial development uses that do not interfere with their function and operation.

The proposed commercial facility would; support the King Island Airport Transport Hub by expanding the existing services and facilities.

Policies

The King Island Airport and the Grassy Port are critical to exports and the visitor economy.

The Airport provides access to the island for visitors but also provides residents with capacity to travel to mainland Tasmania or other Australian States.



The airport is vital public infrastructure fundamental to continued tourism growth and freight.

The growing demands on this infrastructure and its capacity is an important consideration for developing the Plan.

Investment in the King Island Airport is considered vital to the future development of the economy of King Island. The proposal accords with the King Island Airport Masterplan 2018.

No incompatible land uses would be established adjacent to or within the confines of the airport.

5.3 King Island Airport Master Plan 2018

Investment in the King Island Airport is considered vital to the future development of the economy of King Island, as it provides the only opportunity to get people and goods on and off the Island. The proposal accords with the King Island Airport Masterplan 2018.

No incompatible land uses would be established adjacent to or within the confines of the airport.

5.4 King Island Townships Master Plans 2018 (KITMP)

The Master Plans relate to the settlements of Currie, Grassy and Naracoopa. The proposed development will have no impact on the township master plans.



6.0 State Policies

6.1 State Coastal Policy 1996

The *State Coastal Policy 1996* (SCP) applies to the sites within 1km of the high water mark. As the subject site is over 2.8km from the coastline the SCP does not require consideration.



Figure 6 - The Subject Site is Over 2.8km From the Coastline

6.2 State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management* is concerned with achieving ‘sustainable management of Tasmania’s surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource management and Planning System’.

Surface water management is appropriately managed through the current provisions within the Scheme 2013. The existing provisions are aligned with this State Policy. New use and development will be appropriately managed through the assessment process pursuant to section 57 or section 58 of the *Land Use Planning and Approvals Act 1993*.

6.3 State Policy on the Protection of Agricultural Land 2009

The purpose of the *State Policy on the Protection of Agricultural Land 2009* (PAL Policy) is - ‘To ‘conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land’.

The CJ Grose 1999 land capability classification assessment did not include King Island. Prime agricultural land is classified as Class 1, 2 or 3, suitable for intensive cropping or grazing. Neither activity is carried out on King Island, as the soil types do not support these uses.

In 2017 King Island Council engaged AK Consultants (now RMCG Tasmania) to undertake an agricultural assessment of several lots adjacent to the King Island Airport. The



assessment was commissioned to assist Council in determining the appropriate application of the Rural Zone or Agriculture Zone under the State Planning Provisions to several areas within the municipality.

The assessment concluded that:

There is scope to justify alternate zoning, other than Rural for both CT 47288/1, CT 246774/1 and possibly the part of CT 144588/2 closest to the airport to provide appropriately zoned land to allow for development/expansion of enterprises that are suitable to be within close proximity to the airport, if Rural Zoning is not appropriate.

The objectives of the Policy are–

To enable the sustainable development of agriculture by minimising:

- (a) Conflict or interference from other land uses; and*
- (b) Non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.*

The proposed use and development of the site does not fall within the definition of sensitive use, nor will it generate noise or other emissions that would cause conflict with the adjoining agricultural uses. In particular, the airport's landing and take-off of aircraft and the OLS are more likely to create interference and conflict with agricultural uses.

The proposed buildings and car parking area may preclude the land from being returned to agricultural use reliant on the soil. However, the infrastructure could be converted to farm infrastructure for the storage of machinery, equipment and fodder, and a service area.

7.0 Infrastructure & Access

7.1 Water & Sewer

Reticulated water and sewer are not available at the site. As no staff will be required on the site, amenities are not required. Should they be required in the future, roof water can be captured to provide drinking water, and the site will have a sufficient undeveloped area to provide onsite disposal of wastewater which would be limited to lunchroom and toilet facilities with the number of staff limited by the type and scale of permissible uses in the zone.

7.2 Stormwater

There is no stormwater infrastructure in the area. Roof water can be captured and retained in storage tanks to provide required firefighting water infrastructure and potentially drinking water. This system would also provide some detention, particularly during heavy or long rainfall periods with the slow release of stormwater to soakage drains within the site.

7.3 Traffic

The subject site has direct frontage to Morrison Avenue with access from that road. Morrison Avenue is a State-owned and controlled road.



Most vehicles accessing the site would result from persons about to fly off or just arrived on the island who would either have or collect a vehicle that would be otherwise parked within the airport grounds. This would not increase traffic movement substantially.

A small increase in traffic movements may be created by persons gaining access to the storage facilities. However, it is anticipated that the storage facilities will be predominately utilised by regularly visiting tradespersons on their arrival or departure.

7.4 Potential Land Use Conflict

Potential land use conflict has been discussed in considering the Policy for the Protection of Agricultural Land and found to be minimal.

7.5 Natural & Cultural Values

No natural or cultural values have been identified on the site.

7.6 Terrestrial Flora & Fauna

The vegetation on the site is classified as modified land being agricultural land.

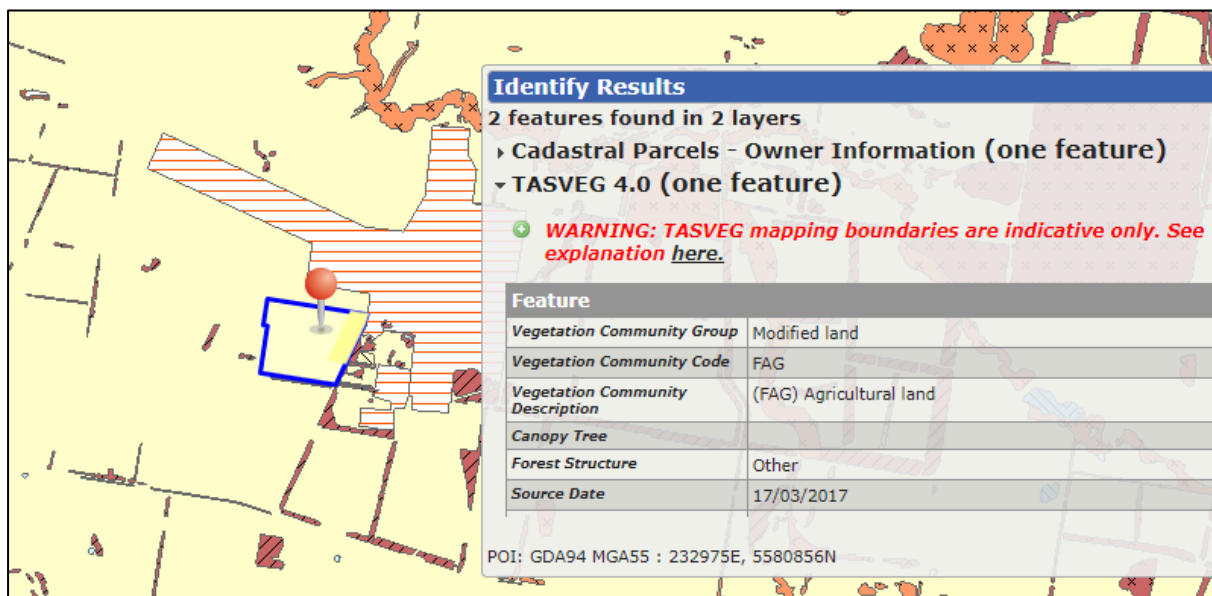


Figure 7 - The Vegetation Community on the Site is Classified as Modified Land

7.7 Aboriginal Cultural Heritage

There are no known values on the subject site.

7.8 Historic Cultural Heritage

There are no historic cultural heritage values on the subject site.



8.0 Land Use Planning Approvals Act 1993

8.1 Part 1 and Part 2 Objectives

The objectives of the Resource Management and Planning System must be furthered by the rezoning request.

Objectives – Part 1	Comment
(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;	<p>The proposal is not considered to impact existing ecological processes and genetic diversity. A site inspection and desktop analysis shows that no listed threatened species are recorded as being present on the Site.</p> <p>No native vegetation of any significance remains on the Site.</p> <p>The proposed storage sheds would provide improved facilities for the King Island Airport.</p>
(b) To provide for the fair, orderly and sustainable use and development of air, land and water;	<p>The rezoning would provide improved facilities and investment at the King Island Airport.</p>
(c) To encourage public involvement in resource management and planning;	<p>The public will be involved in the draft amendment through the opportunity to make representation and attend public hearings. The public has also had the opportunity to provide input into the King Island Land Use Plan 2018.</p>
(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) above.	<p>King Island Airport is a critical infrastructure that enables people to live on the island; providing for the airport's expansion and convenience is considered good strategic planning.</p> <p>The rezoning would enable much-needed private investment into the airport.</p>
(e) To promote sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	<p>The proposed draft amendment will require the approval of the Tasmanian Planning Commission following community consultation.</p>
Objectives – Part 2	Comments
(a) To require sound strategic planning and co-ordinated by state and local Government;	<p>The proposed draft amendment is consistent with the CCRLUS, KILUP.</p> <p>Providing for private investment into a critical piece of public infrastructure would improve the liveability of King Island and is considered sound strategic planning.</p>



(b) To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;	The proposal is submitted in accordance with the Act and is consistent with all relevant legislation. The draft amendment will form part of the Planning Scheme, which controls land use, development and protection.
(c) To ensure the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;	The site is cleared of all native vegetation, and constructing storage sheds on it would not impact the existing and surrounding environment.
(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;	N/A
(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;	The legislative process in place provides for this objective.
(f) To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;	The proposed car parking and storage facility would provide a more efficient working experience for tradespersons regularly visiting the island by enabling the storage of materials and equipment needed whilst on the island. Residents would have safe, secure vehicle storage off the island.
(g) To conserve those buildings, areas or other places which are of scientific, aesthetics, architectural or historical interest, or otherwise of special cultural value;	No buildings or places on the site are of scientific, aesthetic, architectural or historical interest or of special cultural value.
(h) To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;	The proposal would protect King Island Airport and provide for its long-term expansion and viability. The proposed storage sheds would add significant convenience and accessibility to King Island Airport. King Islanders could leave their car and other



	<p>valuables and equipment at the airport when traveling to and from the island.</p> <p>The King Island population and visitation have changed over the recent past, with an increasing number of people who have purchased holiday homes on the island traveling to and from the island regularly via the airport.</p> <p>There is no public transport or taxis on King Island to and from King Island, and the ability to leave a car at the airport is highly desirable.</p>
(i) To provide a planning framework which fully considers land capability;	The agricultural productivity of the Site is limited to the grazing of animals.

8.2 Public Exhibition

LUPPA requires the planning authority for the amendment, to consider section 32 of the act. Once the planning authority has certified the amendment to meet the requirements of section 32 of LUPPA, the draft amendment³ will be placed on public exhibition for at least 28 days. Any interested person can make a representation during the public exhibition period⁴.

The representations received during the public exhibition period will be collated and considered by the Council as part of its section 39(2) report. The Section 39(2) report will consider the merit of each representation and the impact on the draft amendment as a whole.

If no representations are received during public exhibition, it is recommended that the General Manager sign the 39(2) report, which would state that there were no representations received.

Following the section 39(2) report, the Tasmanian Planning Commission (TPC) must hold a hearing concerning each representation contained in the report. The TPC may dispense with holding a hearing if all representations support the draft amendment or a person who made representation does not wish to be heard.

Section 32, as provided below, requires that the planning authority be satisfied that the planning scheme amendment meets certain criteria:

- (1) *A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A):*

(a) -d)

³ The planning authority must provide the Tasmanian Planning Commission with a copy of a draft amendment of the Planning Scheme before it places it on public exhibition.

⁴ Representations received under section 30I



- (e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
 - (ea) must not conflict with the requirements of section 300; and*
 - (f) 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.*
- (2) The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

Section 30(O) requires an amendment consistent with the regional land use strategy and all mandatory provisions of the planning scheme. The extent of compliance with the CCRLUS is discussed earlier, and the rezoning is considered in compliance.

The potential for land use conflict with other existing or permissible uses is minimal.

Regarding the region, the amendment is considered to be of no consequence as it applies to a discrete part of the municipal area.

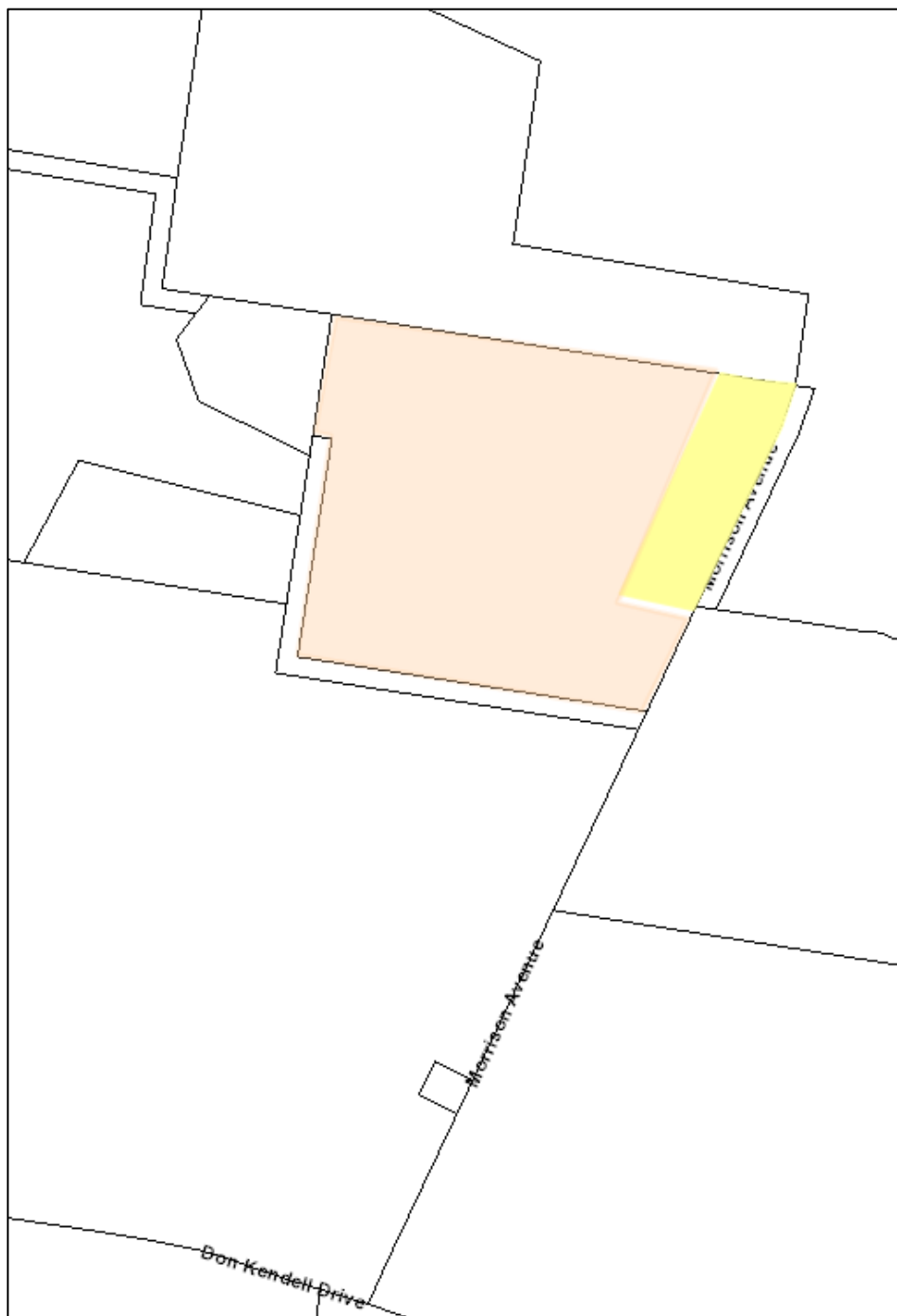
The Gas Pipelines Act 2000 is not applicable.



Attachment 1 – Draft Amendment

Rezone the following from Rural Resource zone to Utilities zone:

- (a) Rezone part of CT 246774/1, 45 Morrison Avenue Loran, from Rural Resource to Utilities.



SEARCH OF TORRENS TITLE

VOLUME 246774	FOLIO 1
EDITION 7	DATE OF ISSUE 02-Sep-2016

SEARCH DATE : 10-Feb-2023
SEARCH TIME : 11.54 AM

DESCRIPTION OF LAND

Parish of TAROONA, Land District of KING ISLAND
Lot 1 on Plan 246774
Derivation : The whole of Lot 53 Gtd. to C.N. Williams.
Prior CT 2494/24

SCHEDULE 1

E1816 TRANSFER to SAISTONES INVESTMENTS PTY LTD
Registered 02-Sep-2016 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

E.P. 1449
TASMANIA
REAL PROPERTY ACT, 1982, as amended

CERTIFICATE OF TITLE

Register Book
Vol. Fol.

NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE

2494 24

Purchase Grant Vol.231 Pol.40.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.



M. Hutchinson

Recorder of Titles.



DESCRIPTION OF LAND

PARISH OF PAROONA, KING ISLAND
EIGHTY ACRES AND THREE PERCHES and THIRTY SEVEN ACRES TWO ROODS
THIRTY EIGHT PERCHES On the Plan hereon

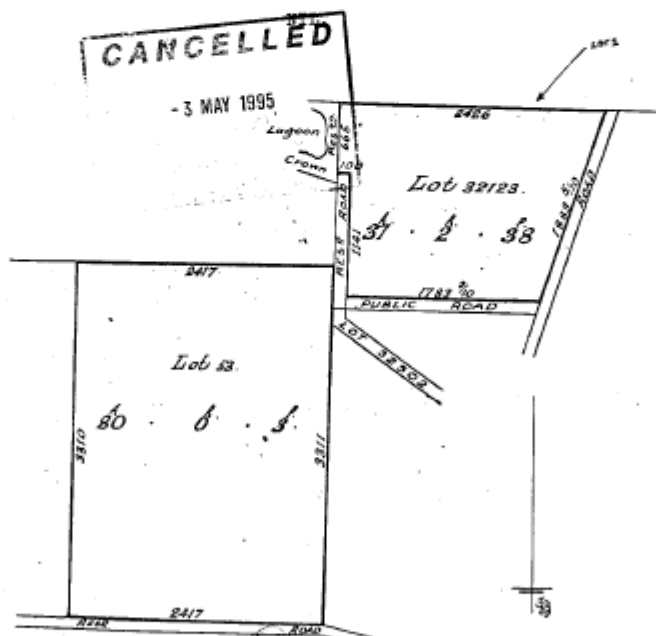
FIRST SCHEDULE (continued overleaf)

CYRIL NORMAN WILLIAMS of King Island, Farmer.

SECOND SCHEDULE (continued overleaf)

Lot 53 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER
246774



The whole of Lots 53 and 32123 - Gtd. to C.N.Williams. - Meas. in Links.
(Yambuccoon Estate)
FIRST Edition, Registered 10 JUL 1969

Derived from P.G.Vol.231 Pol.40.

REPORT TO:	Council
FILE REFERENCE:	DA 2023/06
APPLICANT/OWNER:	E3 Planning Pty Ltd obo T Stones
PROPOSAL:	Subdivision and Vehicle Storage and Parking
LOCATION:	45 Morrison Avenue, Loorana
PROPERTY NO. & CT REF:	3245310, CT 246774/1
ZONE:	Utilities & Rural Resource
USE/DEVELOPMENT CATEGORY:	Storage and Vehicle Parking
DEVELOPMENT STATUS:	Discretionary
DISCRETIONARY MATTERS:	28.4.3 Subdivision 26.4.4 Subdivision
RECOMMENDATION:	Approval

This proposal has been lodged under section 43A of the *Land Use Planning Approvals Act 1993*. The purpose of this section is to allow a permit to be considered for a use that could not be otherwise allowed without an amendment to the planning scheme, in this case the rezoning of the site.

The permit process differs to the normal process as the planning authority assesses the application and decides whether to grant or refuse the permit before it is publicly exhibited.

The planning authority must assess the permit application as if the draft amendment has been approved.

This report assesses the permit application against the applicable proposed zone criteria.

The purpose of this report is to assess and determine an application for the subdivision of 2 ha and vehicle parking and storage at 45 Morrison Avenue, Loorana.

The following figures demonstrate the site's location and zoning and submitted proposal plans.

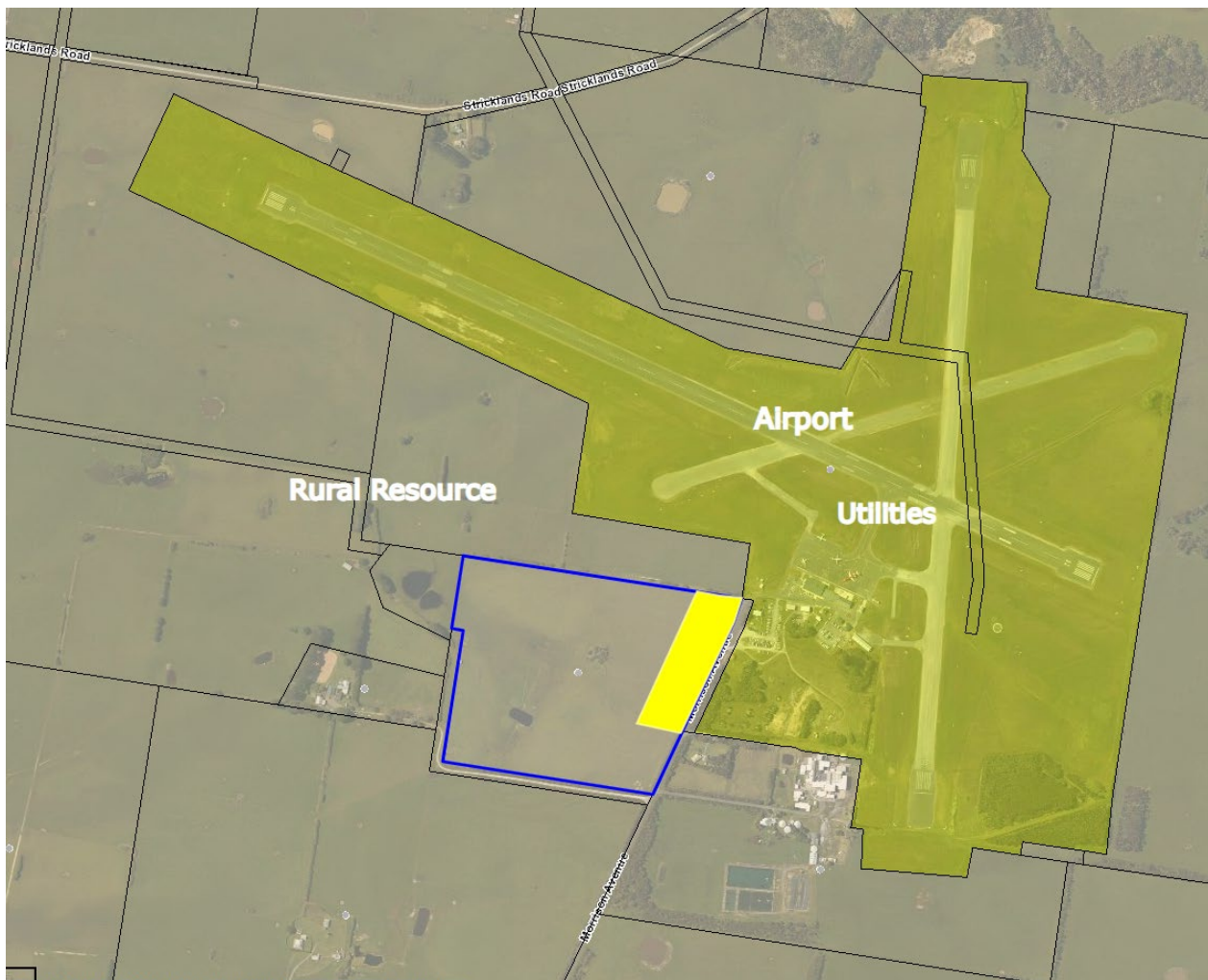


Figure 1 - Zoning and Location Map



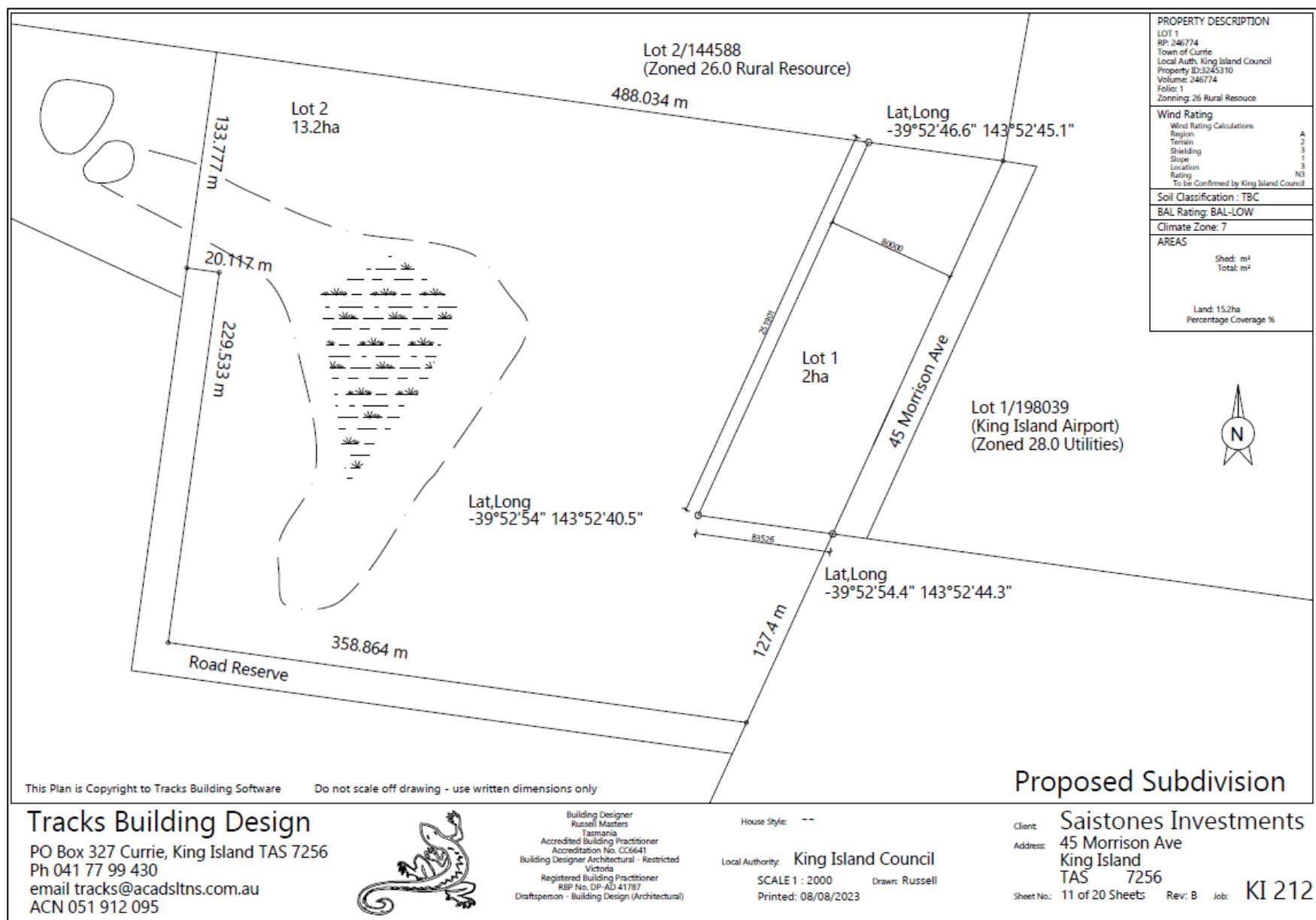


Figure 2 - Plan of Subdivision

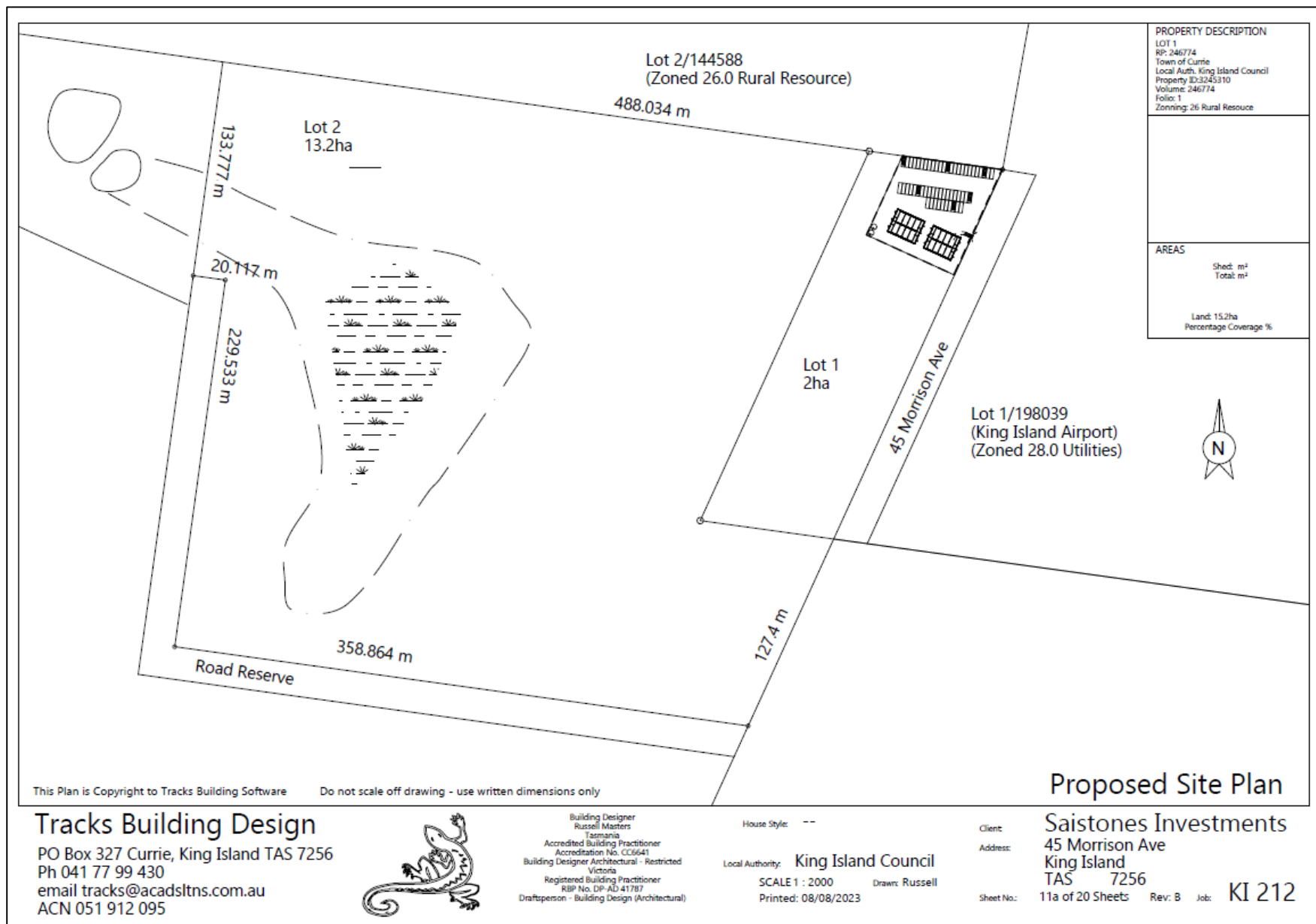


Figure 3 - Site Plan



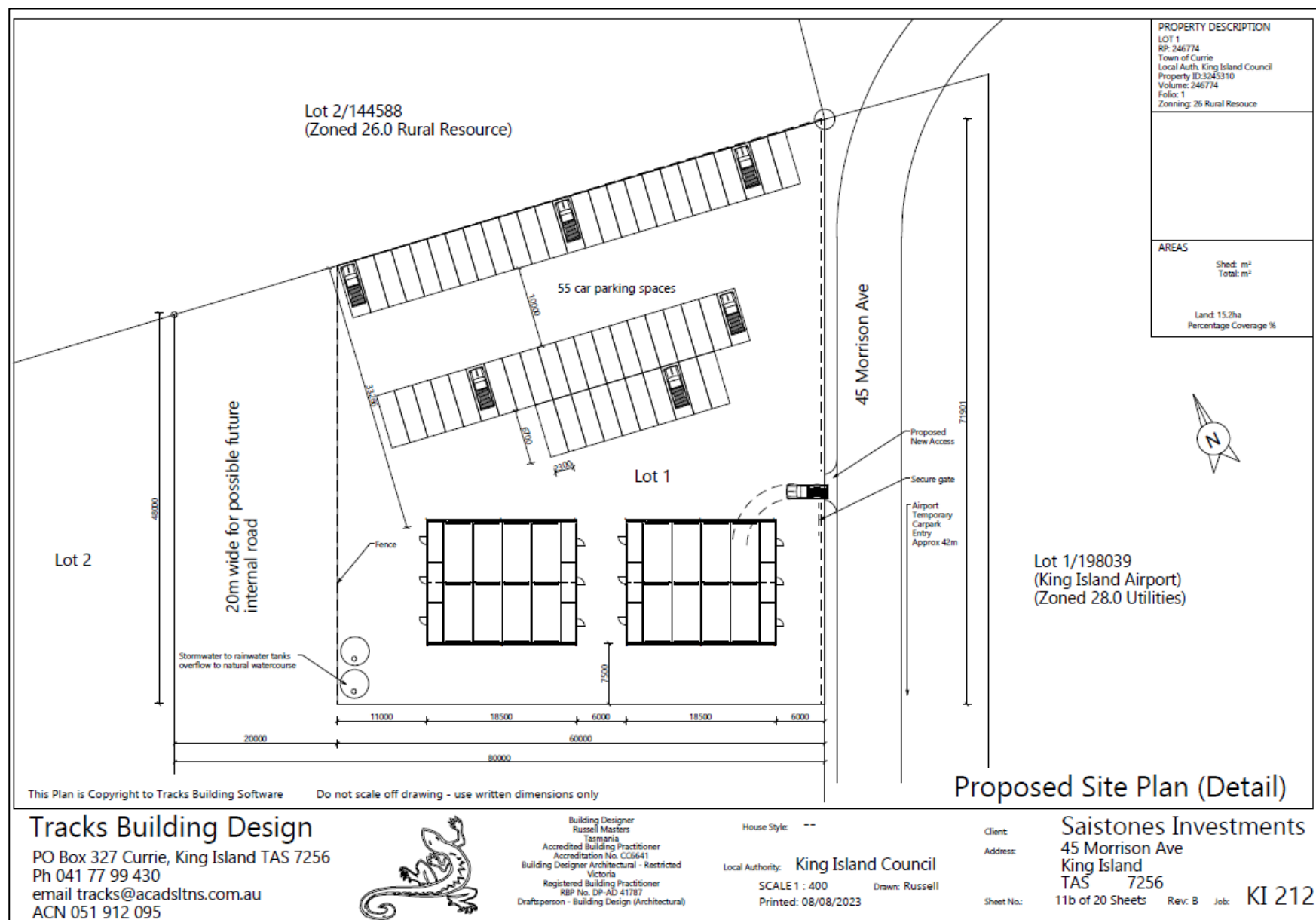
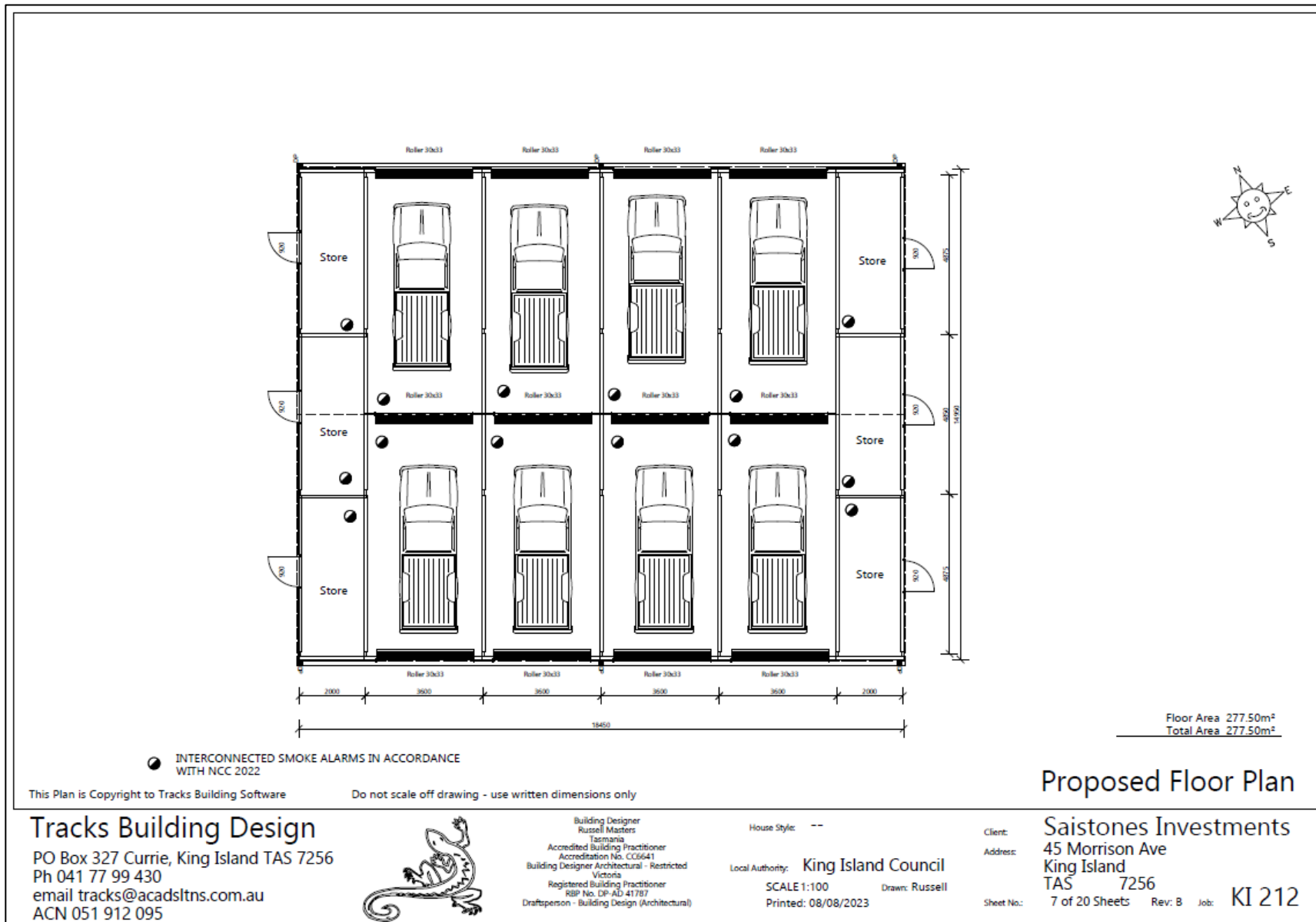


Figure 4 - Detailed Site Plan

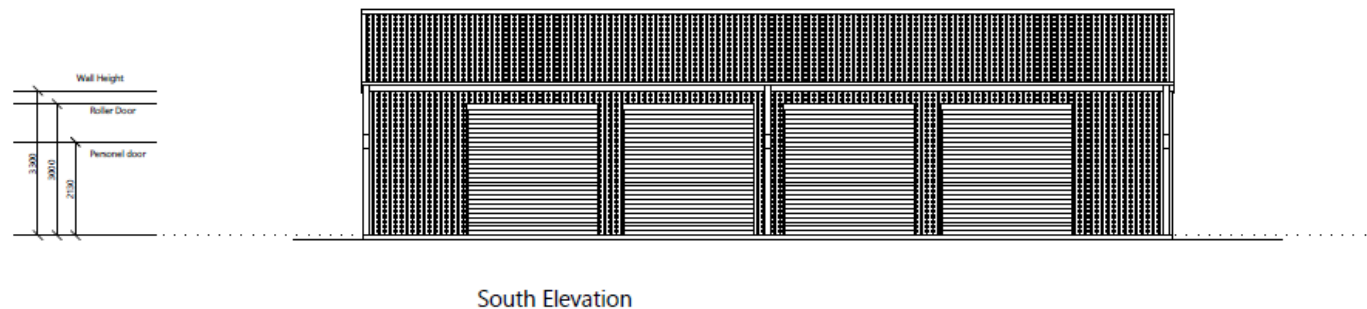
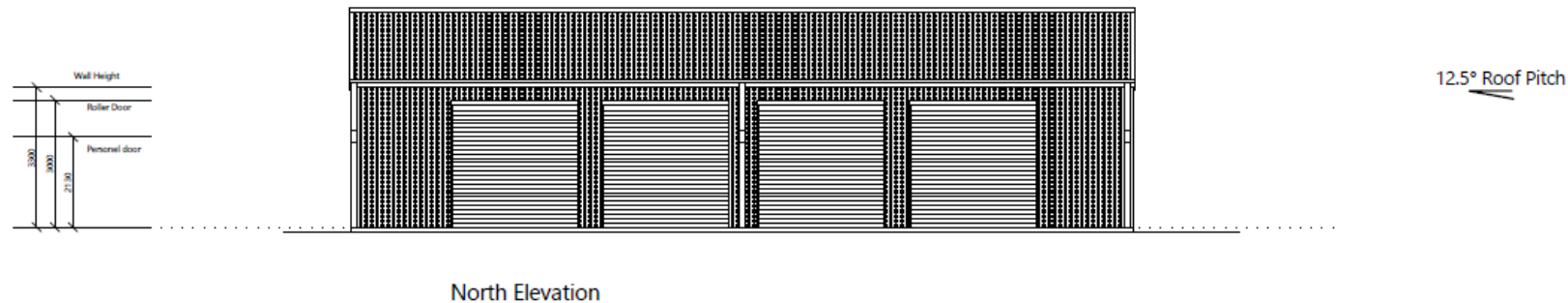
Tracks



1.

Figure 5 – Storage Sheds Floor Plan





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Proposed Elevations 1

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 ACN 051 912 095



Building Designer
 Russell Masters
 Tasmania
 Accredited Building Practitioner
 Accreditation No. CC6641
 Building Designer Architectural - Restricted
 Victoria
 Registered Building Practitioner
 RBP No. DP-AD 41787
 Draftsperson - Building Design (Architectural)

House Style: --

Local Authority: King Island Council

SCALE 1:100 Drawn: Russell
 Printed: 08/08/2023

Client: Saistones Investments
 Address: 45 Morrison Ave
 King Island
 TAS 7256
 Sheet No: 8 of 20 Sheets Rev: B Job: KI 212

Figure 6 – Storage Sheds North and South Elevations



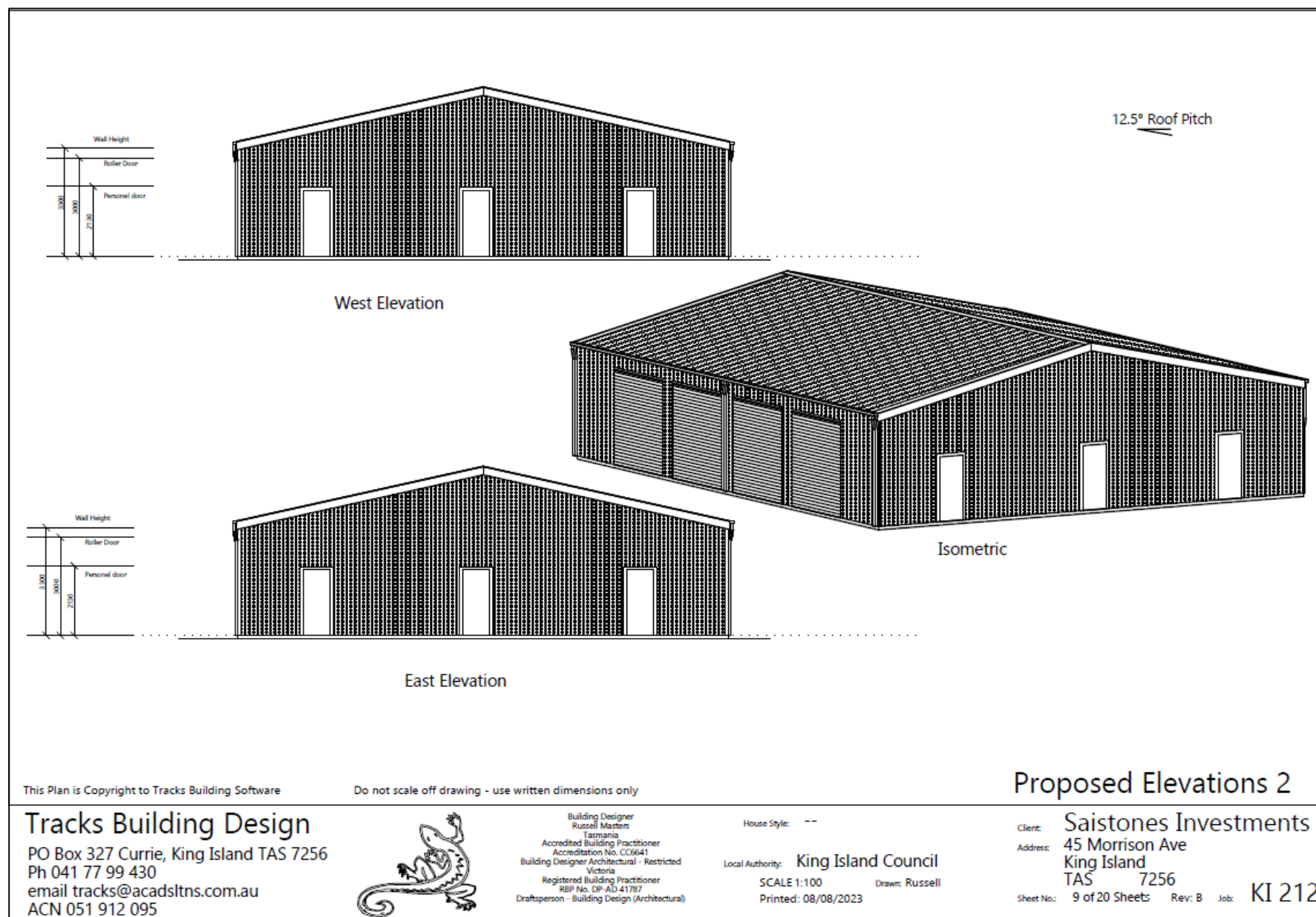


Figure 7 - Storage Sheds West and East Elevations

2023

The subject site is described by CT 246774/1 as 37 Acres, 2 Roods and 38 Perches, which converts to 15.271ha, located at 45 Morrison Avenue, Looorana has split zoning of Rural Resource and Utilities. The site, located on the western side of Morrison Avenue has a 378.89m frontage to that road. The site is relatively flat and contains no buildings or other structures. There is a dam and wetland in the western portion of the site. The site is currently used for the grazing of animals. The King Island Airport is located to the east and west of the subject site as identified in Figure 1.

The subject site falls outside of any declared water, sewer and stormwater district.

A 2ha area of the north-eastern corner of the site is zoned Utilities. This area has dimensions of $\pm 83.256\text{m} \times \pm 251.901\text{m}$ with a frontage to Morrison Avenue of $\pm 260\text{m}$. The remainder of the lot is zoned Rural Resource refer to Figure 1.

It is proposed to:

- subdivide the 2ha area zoned Utilities described within this report as Lot 1;
- construct within the northern section of proposed Lot 1:
 - two storage sheds each $14.95\text{m} \times 18.45\text{m} \times 5.26\text{m}$ high;
 - fifty-five vehicle parking spaces; and
 - securely fence the area which will be $48\text{m} \times 60\text{m}$; and
- retain the balance of land (lot 2) of 13.271ha zoned Rural Resource for the grazing of animals.

Each storage shed will contain fourteen individually secured storage units, eight of which can be accessed by a roller door and of sufficient size to allow for the parking of a vehicle. The remaining six storage units will be for the storage of goods with individual personal access doors.

One shed will be setback 6m from the Morrison Avenue frontage, with the second shed located directly 6m to the west and 31m from the proposed western boundary. Both buildings will be setback more than 30m from the northern boundary and 200m from the southern boundary.

The fifty-five vehicle parking spaces will be located to the north of the shed, set out in three rows with circulation areas between.

The area will be secured, to create a compound, by a 1.8m high chain link fence with 5m wide access gates to Morrison Avenue.

The proposed subdivision will be assessed against the provisions of both the Rural Resource zone and the Utilities zone. The proposed development will be assessed under the provisions of the Utilities zone.

Under the Utilities zone, Subdivision is Discretionary while the use classes Vehicle Parking and Storage are permitted.

Under the Rural Resource zone a subdivision is Discretionary with the retained use of grazing falling within the Resource Development use class which has No Permit Required status.

As such Discretionary assessment is required. The following report provides a discussion of the key planning issues associated with the proposed development and assessment against the relevant provisions of the Scheme.

REFERRALS

The application will be referred to the Department of State Growth as the Road Authority for Morrison Avenue through the adjoining owner notification process when the proposal is advertised.



Any representation received will be considered as part of the s.59 report to be completed at the end of the advertising (public notification) period.

INTERNAL REFERRALS

The application was referred to Council's Engineer and Airport Manager for comment.

Engineer's report and recommended conditions.

Comments: Prior to the commencement of any site works detailed engineered designs for the access, hardstand, parking, circulation areas and stormwater are to be provided for approval.

Conditions:

1. Prior to the commencement of site works detailed construction plans of all proposed works prepared by suitably qualified persons and complying with current Council standards are to be submitted and approved by Council's Works Manager.
2. Areas set aside for parking vehicles and access lanes must be:
 - i) set out to comply with the requirements of Australian Standard 2890.1-2004 (Parking Facilities, Part 1: Off-street car parking);
 - ii) surfaced to the satisfaction of Council so as to prevent any impact on the operations of the adjacent airport and the amenity of users of the airport by emissions of dust or the discharge of uncontrolled drainage;
 - iii) drained and connected to the stormwater system;
 - iv) marked and signed to indicate each car space and access lanes;
3. During construction dust must be suppressed by water to prevent impact on airport operations.
4. A single stormwater discharge point into the adjacent watercourse is to be constructed in a manner to minimise the carrying of sediment from the site and bank erosion.
5. Lighting must be located and designed with suitable baffled so that no direct light is emitted outside the boundaries of the site. Design and details of any proposed lighting are to be submitted to the Airport Manager for approval prior to installation.

Airport Manager's report and recommended conditions

Comments: The proposal has been considered under operational guidelines. The proposed buildings will not penetrate the obstacle limitation surface (OLS), Australian Noise Exposure Forecast (ANEF) is not applicable as it has not been applied to the King Island Airport. The proposal has been referred Airservices Australia as the location of the development is within the Satellite Ground Station assessment area detailed in the National Airports Safeguarding Framework (NASF) Guideline G Protection Aviation Facilities, Attachment 3 – Building Restricted Areas for Aviation Facilities as the plans show the shed will be located within Zone B and intrudes into the Area of Interest by 400mm.

Conditions: Nil, pending response from Airservices Australia.

ADVERTISING

On endorsement by Council the proposal will be advertised in accordance with the *Land Use Planning and Approvals Act 1993* s. 43F(1)(b) and placed on public exhibition for a period of 28 days.



28.0 Utilities Zone

28.1.2 Local Area Objectives

- (a) *Sites and corridors for existing and planned major utility installations of strategic significance to the municipal area, region, or Tasmania are identified for –*
 - (i) *electricity generation and substation facilities;*
 - (ii) *sewage and wastewater treatment and disposal facilities;*
 - (iii) *goods yards and inter-modal transport facilities*
 - (iv) *waste management and disposal;*
 - (v) *airports; and*
 - (vi) *road and railway networks*

The Utilities zone located at the end of Morrison Avenue is specifically for use as an airport, being the King Island Airport and associated uses. The airport is a major utility installation as it provides the only passenger access to the island and is a major freight hub for the island.

- (b) *Operation, safety and security of major utility installations and corridors are protected against conflict or interference from other use;*

The proposed storage and vehicle parking facility has been assessed against the applicable airport operation codes and standards and found to be generally compliant.

- (c) *Non-utility use may be permitted if dependent of an attribute in the land harmonious with the utility use, and without consequence for the health, safety or security of the utility, people, property, or the biophysical environment; and*

The proposed storage and vehicle parking facility depends on the adjacent airport as the intention is to provide secure vehicle parking and goods storage for residents and workers travelling to and from the island in the course of their business.

- (d) *Utilities are buffered and screened to attenuate risk to the health, safety. And peaceful enjoyment of people, property, and the environment on adjacent land.*

The proposed development will not impact the agricultural uses on the adjacent land as there will be no dust or fumes emitted and minimal noise that are not consistent with impacts caused by the airport.

28.3.1 Desire Future Character Statements

Use or development for utilities occur as site specific or linear development with distinctive physical, visual and operational characteristics and potential to be prominent, discordant, or otherwise incomparable with the purpose and objectives for adjacent land and the amenity of adjoining use.

Being located within the Utilities zone the proposed site and development are consistent with the distinctive physical and operational characteristics of the airport for which the zone is required as the building style and car parking facilities are similar to those within the airport site.

28.4 Development Standards

28.4.1 Suitability of a site or lot on a plan of subdivision for use or development

Objective

The minimum properties of a site and of each lot on a plan of subdivision are to -

- a) provide a suitable development area for the intended use;
- b) provide access from a road; and



c) make adequate provision for a water supply and for the drainage and disposal of sewage	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>A site or each lot on a plan of subdivision must contain a development area –</p> <ul style="list-style-type: none"> (a) clear of any applicable setback from a frontage, side, or rear boundary; (b) clear of any applicable setback from a zone boundary; (c) clear of any registered easement; (d) clear of any registered right of way benefitting other land; (e) clear of any restriction imposed by a utility; (f) not including an access strip (g) accessible from a frontage or access strip 	<p>P1</p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for erection of a building if required by the intended use;</p> <ul style="list-style-type: none"> (a) access to the site; (b) use or development of adjacent land; (c) a utility; and (d) any easement or lawful entitlement for access to other land.
<p>A2</p> <p>A site or each lot on a plan of subdivision must have a separate access from a road –</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has right of access with a width of not less than 20.0m; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land with a width of not less than 10.0m; or (c) by a right of way connecting to a road – <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part of the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (iii) with a width of not less than 10.0m; and (d) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan. 	<p>P2</p> <ul style="list-style-type: none"> (a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> (i) across a frontage; or (ii) by an access strip connecting to a frontage, if for an internal lot; or (iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> a. the intended use; and b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and (v) the relevant road authority in accordance with the Local Government (Highways) Act 1982 or the Roads and Jetties Act 1935 must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or



	(b) it must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.
<p>A3</p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply -</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if –</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for a use with an equivalent population of not more than 10 people per day</p>	<p>P3</p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be necessary to require a water supply</p>
<p>A4</p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) creates a total sewage and wastewater flow of not more than 1,000l per day; and</p> <p>(iv) the site has capacity for on-site disposal of domestic wastewater in accordance with AS/NZS 1547 :2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p>P4</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) In accordance with any prescribed emissions limits for discharge of wastewater;</p> <p>(ii) In accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste</p>



<p>A5</p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater -</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if storm water cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within a site if –</p> <p>a. the site has an area of not less than 5000m²;</p> <p>b. the disposal area is not within a defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious; and</p>	<p>P5</p> <p>(a) A site or each lot on a plan of subdivision must drain stormwater –</p> <p>(i) to accommodate the anticipated stormwater –</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without the likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharge to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for drainage and disposal of stormwater.</p>
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Proposed Lot 1 must contain a development area –

- (a) clear of any applicable setback requirements. The requirement for a 20m setback from the frontage cannot be satisfied, with one of the proposed buildings to have a setback to the frontage of 6m.
- (b) N/A - there are no specified setback to zone boundaries;
- (c) N/A – no registered easements on the title;
- (d) N/A – there are no existing or proposed right-of-ways;
- (e) N/A – there are no identified utilities within the proposed lot;
- (f) N/A – the proposed lot does not require an access strip; and
- (g) is accessible from the direct frontage to Morrison Avenue.

As subclause (a) cannot be satisfied the proposal must demonstrate compliance with Performance Criteria P1. Compliance with P1 will now be discussed.

Proposed Lot 1 will have sufficient area, as demonstrated in Figures 3 & 4, to provide for the proposed buildings required by the intended use without constraining or interfering with:

- (a) the access to the site as the access can be located clear of the proposed buildings allowing sufficient area for vehicles to manoeuvre within the site; and
- (b) airport operating space as confirmed by the Airport Manager. The proposed buildings will not interfere with nor are they likely to constrain the grazing practices of Lot 2;



(c) N/A -there are no utilities within the site; and

(d) N/A there are no access entitlements within the proposed lot.

The proposal has demonstrated compliance with Performance Criteria P1 for this Standard.

Lot 1 will have direct frontage to Morrison Avenue of $\pm 260\text{m}$ within which an access can be provided to Morrison Avenue. Department of State Growth approval will be required for the construction of the access.

The proposal complies with Acceptable Solution A2 for this Standard.

The proposal, as submitted, does not require a water supply as the development does not include any staff facilities with the development to be remotely managed. It is considered, however, that in the future there may be a caretaker role or other development on the balance of the 2ha site that would require the provision of a drinking water supply. It is therefore prudent to assess the capability of the proposed subdivision to be able to provide a rechargeable water supply.

Roof water from the sheds, each with a roof area $>277\text{m}^2$, will be directed to water storage tanks as part of the stormwater management system on the site. This storage system will be sufficient to provide for the required bushfire fighting water supply and any rechargeable water supply that may be required in the future to provide for an equivalent population of less than 10 people per day.

The proposal complies with Acceptable Solution A3 for this Standard.

The proposal, as submitted, does not require the provision of an onsite wastewater management system as the development does not include any staff facilities. It is considered, however, that in the future there may be a caretaker role or other development on the balance of the 2ha site that would require the provision of an onsite wastewater management system. It is therefore prudent to assess the capability of the proposed subdivision to be able to provide an onsite wastewater management system.

It is acknowledged that a site-specific assessment to determine the capability of the site to accommodate an onsite wastewater system has not been provided and would be required to accompany any future proposal. The type of any future development on the site that will be restricted by the zoning with any allowable use not likely to require numerous staff, any staff amenities are likely to be restricted to a luncheon room and single toilet which would produce a minimal amount of wastewater which could be managed within the 2ha site.

The proposal complies with Acceptable Solution A4 for this Standard.

Roof water from the storage facility sheds will be directed to water storage tanks within the site with overflow to be retained within the lot boundaries or a drainage easement established to allow the stormwater to be directed, in a suitable manner to minimise the carrying of sediment to the wetlands within Lot 2.

The proposal complies with Acceptable Solution A5 for this Standard.

The proposal complies with this Standard.

28.4.2 Location and configuration of development

Objective

The location and configuration of development within a site is not to dominate or otherwise unreasonably detract from the appearance, amenity, and character of adjacent land.



Acceptable Solution	Performance Criteria
<p>A1</p> <p>A building or a utility structure excluding bridges must be setback –</p> <ul style="list-style-type: none"> (a) not less than 20.0m from the frontage; or (b) if the development is on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road; and; (c) not less than 10.0m from each side boundary; (d) not less than 10.0m from the rear boundary; or (e) in accordance with any applicable building area shown on a sealed plan. 	<p>P1</p> <p>The setback of a building or utility structure excluding a bridge must be –</p> <ul style="list-style-type: none"> (a) consistent with the streetscape; and (b) required by a constraint imposed by – <ul style="list-style-type: none"> (i) size and shape of the site; (ii) orientation and topography of land; (iii) arrangements for connection to a utility; (iv) arrangements for vehicular or pedestrian access; (v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme; (vi) a utility; or (vii) any lawful and binding requirement – <ul style="list-style-type: none"> a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or b. an interest protected at law by an easement or other regulation.
<p>A2</p> <p>Building height or the height of a utility structure must not be more than 10.0m.</p>	<p>P2</p> <p>Building height or the height of a utility structure must –</p> <ul style="list-style-type: none"> (a) be consistent with the local area objectives; (b) consistent with any applicable desired future character statements; (c) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling; (d) take into account the scale, bulk, massing and proportion of any adjacent building; (e) take account of the streetscape; (f) take account of the effect of the slope and orientation of the site; and (g) take into account the effect and durability of screening other than vegetation to attenuate impact



The proposed setbacks for the storage sheds are as follows:

- 6m from the frontage;
- 31m from the proposed western (rear) boundary;
- > 30m from the northern boundary; and
- >200m from the southern boundary.

The required minimum setbacks to the side and rear boundaries are exceed. However, the setback of one of the storage sheds will be 6m from the frontage which is less than the allowable 20m. The proposal must therefore demonstrate compliance with the Performance Criteria.

In demonstrating compliance, the reduced setback from 20m to 6m from the frontage for one storage shed will:

- (a) be consistent with the streetscape as the design of the shed is in keeping with that of agricultural sheds which are scattered throughout the local landscape. Opposite the subject site, within the airport site area number of sheds of similar height and design along with an uncovered car park; and
- (b) proposed Lot 1 will have a width of 83.5m which does not allow for a 20m setback from the frontage along with the separation required between buildings and boundaries due to the site being in a bushfire prone area.

The depth of the proposed lot, of which the western boundary will align with the Utilities zone boundary, has been kept to a minimum to reduce the loss of agricultural land.

The proposal has demonstrated compliance with Performance Criteria P1 for this Standard.

The height of the two sheds will be 5.26m which is less than the allowable height of 10m.

The proposal complies with Acceptable Solution A2 for this Standard.

The proposal complies with this Standard.

28.4.3 Subdivision

Objective: The division and consolidation of estates and interests in land is to_ <ul style="list-style-type: none"> (a) adjust boundaries or size of a lot to improve the use of land for utilities; (b) create a lot for utilities; (c) create a new lot for a nominated permitted use only if without adverse impact for utilities; or (d) redeem land to assist a utility use 	
Acceptable Solutions	Performance Criteria
A1 Each new lot on a plan of subdivision must be – <ul style="list-style-type: none"> (a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all of the shares of which are held by or on behalf of the State , a Council, a Statutory authority 	P1 Each lot on a plan of subdivision must – <ul style="list-style-type: none"> (a) be required to restructure, re-size, or reconfigure land for utility purposes; (b) create a lot for a utility; or (c) be for a purpose permissible in the zone if – <ul style="list-style-type: none"> (i) consistent with local area objectives; (ii) consistent with any applicable desired future character statement; and



	<ul style="list-style-type: none"> (iii) be of a size and configuration sufficient for the intended use but that is not more than is necessary to minimise – <ul style="list-style-type: none"> a. permanent loss of land to utility purposes; and b. likely interference or constraint for existing and potential utility use on the site and on adjacent land; and (iv) retain the balance area for utility purposes
--	---

The proposal must demonstrate compliance with the Performance Criteria as the subdivision is land in private ownership for a private business.

Clauses (a) and (b) are not applicable as the proposed subdivision is to create a new lot that is not for a utility.

- (c) The proposed subdivision of one lot will be for a use permissible in the zone that –
- (i) as discussed under 28.1.2 has been found to be consistent with the local area objectives;
 - (ii) as discussed under 28.1.3 has been found to be consistent with the desired future character statement;
 - (iii) the purpose of the subdivision is to create a lot that separates the land within CT 246774/1 zoned Utilities from the balance of the lot zoned Rural Resource. This will assist with the proposed development which has already been identified as a use permissible within the Utilities zone and any future development through creating separate ownership rights and allowing for future subdivision if required.

The proposal has demonstrated compliance with Performance Criteria P1 for this Standard.

The proposal complies with this Standard.

26.0 Rural Resource zone

26.4 Development Standards

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

Objective The minimum properties of a site and of each lot on a plan of subdivision are to - <ul style="list-style-type: none"> (a) provide a suitable development area for the intended use; (b) provide access from a road; and (c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater. 	
Acceptable Solution A1 A site or each lot on a plan of subdivision must – <ul style="list-style-type: none"> (a) unless for agricultural use, have an area of not less than 1 hectare not including any access strip; and (b) if intended for a building, contain a building area – <ul style="list-style-type: none"> (i) of not more than 2000m² or 20% of the area of the site, whichever is the greater 	Performance Criteria P1 A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for – <ul style="list-style-type: none"> (a) erection of a building if required by the intended use; (b) access to the site;



<p>unless a crop protection structure for an agricultural use;</p> <ul style="list-style-type: none"> (ii) clear of any applicable setback from a frontage, side or rear boundary; (iii) clear of any applicable setback from a zone boundary; (iv) clear of any registered easement; (v) clear of any registered right of way benefiting other land; (vi) clear of any restriction imposed by a utility; (vii) not including an access strip; (viii) accessible from a frontage or access strip. 	<ul style="list-style-type: none"> (c) use or development of adjacent land; (d) a utility; and (e) any easement or lawful entitlement for access to other land.
<p>A2</p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by a right of way connecting to a road – <ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part of the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (d) with a width of frontage and any access strip or right of way not less than 6.0m; and– (e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan. 	<p>P2</p> <ul style="list-style-type: none"> (a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> (i) across a frontage; or (ii) by an access strip connecting to a frontage, if for an internal lot; or (iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> a. the intended use; and b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and (v) the relevant road authority in accordance with <i>the Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or (i) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.



<p>A3</p> <p>Unless for agricultural other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with <i>the Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if–</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for –</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	<p>P3</p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply.</p>
<p>A4</p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development –</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic wastewater in accordance with AS/NZS 1574:2012 On-site domestic-wastewater management clear of any defined building area or access strip.</p>	<p>P4</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or</p>



	<p>ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of sewage or liquid trade waste.</p>
<p>A5</p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m²;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface.</p>	<p>P5</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater –</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of stormwater.</p>

Lot 2 or the balance lot will have an area of 13.271ha and will be used for agriculture.

The proposal complies with Acceptable Solution A1 for this Standard.

Lot 2 will have direct frontage to Morrison Avenue of ±116m over within which an access can be provided to Morrison Avenue. Department of State Growth approval will be required for the construction of the access.

The proposal complies with Acceptable Solution A2 for this Standard.

Lot 2 does not require a water supply as the existing and proposed use is agriculture.

The proposal complies with Acceptable Solution A3 for this Standard.

Lot 2 does not require the disposal of wastewater as the existing and proposed use is agriculture.

The proposal complies with Acceptable Solution A4 for this Standard.



Lot 2 does not require the disposal of stormwater as the existing and proposed use is agriculture.

The proposal complies with Acceptable Solution A5 for this Standard.

The proposal complies with this Standard.

26.4.4 Subdivision

Objective:	
The division and consolidation of estates and interests in rural resource land is to create lots that are consistent with the purpose of the Rural Resource zone.	
Acceptable Solution	Performance Criteria
<p>A1 Each new lot on a plan of subdivision must be-</p> <p>(a) a lot required for public use by the State Government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, Council or by a statutory authority.</p>	<p>P1</p> <p>(a) A plan of subdivision to reconfigure land must –</p> <p>(i) be required to restructure, re-size, or reconfigure land for primary industry use; and</p> <p>(ii) not create an additional lot;</p> <p>(b) A plan of subdivision to create a new lot must –</p> <p>(i) be required for a purpose permissible in the zone;</p> <p>(ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such a use;</p> <p>(iii) retain the balance area for primary industry use;</p> <p>(iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use;</p> <p>(v) minimise constrain or interference to existing and potential primary industry use on site and of adjacent land in the zone; and</p> <p>(vi) minimise unnecessary and permanent loss of land within a proclaimed irrigation district under part 9 <i>Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development; or</p> <p>(c) A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must –</p>



	<ul style="list-style-type: none"> (i) not be land containing a residential use approved by a permit granted under the <i>Land Use Planning and Approvals Act 1993</i> as a required part of a permitted use; (ii) incorporate the excised area into an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles (iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential primary industry use; and (iv) retain a lot with a size and shape that – <ul style="list-style-type: none"> a. can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or b. does not further increase any non-compliance for use or development on the existing lot
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The proposal must demonstrate compliance with the Performance Criteria as the subdivision is land in private ownership for a private business.

The proposed subdivision relies on P1(b) for approval. The plan of subdivision to create a new lot will-

- (i) be the result of subdividing the portion of the parent lot that is zoned Utilities. The lot is currently used for, and will continue to be used for grazing which is classified as Resource Development which has no permit required status in the zone;
- (ii) reduced the area of the parent lot by 2ha. Lot 2 will still have sufficient area to continue to be used for grazing either stand alone, which would limit the stocking capacity or in conjunction with adjoining agricultural land;
- (iii) Lot 2 is the balance lot and will be retained for agriculture;
- (iv) not result in permanent loss of rural resource land as the area of 2ha being subdivided, thus resulting in the creation of Lot 2, is zoned Utilities;
- (v) not result in constraint or interference to existing or potential primary use on the proposed lot or adjacent land as primary industry use will continue; and
- (vi) N/A – the site is not within a proclaimed irrigation district.

The proposal has demonstrated compliance with Performance Criteria P1 for this Standard.

The proposal complies with this Standard.



Codes

E1 Bushfire – Prone Areas Code

E.1.6.1 Subdivision

E1.6.1. Subdivision: Provision of hazard management areas

Objective: Subdivision provides for hazard management areas that: <ul style="list-style-type: none">(a) facilitate an integrated approach between subdivision and subsequent building on a lot;(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area;(c) provide protection for lots at any stage of a staged subdivision.	
Acceptable Solution	Performance Criteria
A1 <ul style="list-style-type: none">(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or(b) The proposed plan of subdivision-<ul style="list-style-type: none">(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;(ii) shows the building area for each lot;(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959-2009 <i>Construction of Buildings in Bushfire Prone Areas</i>; and(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots, and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959-2009 <i>Construction of Buildings in Bushfire Prone Areas</i>; and(c) If hazard management areas to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under Section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in	P1 <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <ul style="list-style-type: none">(a) the dimensions of hazard management areas;(b) a bushfire risk assessment of each lot at any stage of staged subdivision;(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;(d) the topography, including site slope;(e) any other potential forms of fuel and ignition sources;(f) separation distance from the bushfire-prone vegetation not unreasonably restricting subsequent development;(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and(h) any advice from the TFS.



accordance with the bushfire hazard management plan.	
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An assessment has been undertaken of the subject lot with a Bushfire Hazard Report & Bushfire Hazard Management Plan, Job KI 212 Version 2.0 dated March 24, 2023, prepared by Tracks Building Design provided. The report identifies:

- (b) the proposed plan of subdivision:
 - (i) shows all of the proposed lots are within a bushfire prone area;
 - (ii) identifies a potential building area for each lot;
 - (iii) identifies a hazard management area within each of the proposed lots;
 - (iv) is accompanied by a bushfire hazard management plan; and
- (c) none of the hazard management areas are located outside of the proposed lot boundaries.

The proposal complies with Acceptable Solution A1 for this Standard.

The proposal complies with this Standard.

E1.6.2 Subdivision – Public and firefighting access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, fire fighters, and emergency services personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solution	Performance Criteria
A1 (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of firefighting; or (b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that: <ul style="list-style-type: none"> (i) Demonstrates proposed roads will comply with Table E1, proposed fire rails will comply with Table E3; and (ii) Is certified by the TFS or an accredited person. 	P1 A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires having regard to: <ul style="list-style-type: none"> (a) appropriate design measures, including; <ul style="list-style-type: none"> (i) two way traffic; (ii) all weather surfaces; (iii) height and width of any vegetation clearances; (iv) load capacity; (v) provision of passing bays; (vi) traffic control devices; (vii) geometry, alignment and slope of roads, tracks and trails;



	<ul style="list-style-type: none"> (viii) use of through roads to provide connectivity; (ix) limits on the length of cul-de-sacs and dead end roads; (x) provision of turning areas; (xi) provision for parking areas; (xii) perimeter access; and (xiii) fire trails; <ul style="list-style-type: none"> (b) the provision of access to <ul style="list-style-type: none"> (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and (ii) firefighting water supplies; and (c) any advice from TFS
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The submitted plan identifies that the access to the building sites nominated within the proposed lots is less than 30m from Morrison Avenue. There are no specified design requirements for the construction of the accesses.

The proposal complies with Acceptable Solution A1 for this Standard.

The proposal complies with this Standard.

E1.6.3 Subdivision: Provision of water supply for firefighting purposes

Objective: Adequate, accessible and reliable water supply for the purposes of firefighting purposes can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable Solution	Performance Criteria
A1 In areas serviced with reticulated water by the water corporation: <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for firefighting purposes; (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for firefighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or 	P1 No performance criteria



<p>A2</p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for firefighting purposes; or</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to firefighting, will be provided and located compliant with Table E5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for firefighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p>P2</p> <p>No performance criteria</p>
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A2 applies as no reticulated water is available. The development proposed on Lot 1 will require a static firefighting water supply. This supply can be provided by capturing roof water from the storage sheds and storing it in a compliant tank.

The proposal complies with Acceptable Solution A2 for this Standard.

The proposal complies with this Standard.

E2 Airport Impact Management Code

E2.5 Use Standards

E2.5.1 Exposure to Aircraft Noise

<p>Objective:</p> <p>(a) The likelihood for aircraft noise to cause harm to human health or to unreasonably interfere with the amenity of non-airport use is to be minimised; and</p> <p>(b) Non-airport use is to minimise likely interference or constraint on the operation of an airport</p>	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>(a) The use must be</p> <p>(i) an 'Acceptable' use class for the applicable ANEF noise exposure level as shown on the Table to this clause; or</p> <p>(ii) an 'Acceptable use class subject to conditions' for the ANEF noise exposure level as shown on the Table to this clause;</p> <p>(b) building construction must satisfy AS 2021 (2000) with respect to interior noise levels for the use class; and</p> <p>(c) the owner of the site has given written consent for an agreement in accordance with Part 5 of the</p>	<p>P1</p> <p>(a) The use must have an overriding social, economic or environmental benefit to the community</p> <p>(b) There must be no suitable alternative site;</p> <p>(c) There must be minimal likelihood for harm to human health and for interference to amenity of sensitive use resulting from –</p> <p>(i) any increase in the number of people exposed to aircraft noise;</p> <p>(ii) level of aircraft noise likely to be experienced at the site; and</p>



Land Use Planning and Approvals Act 1993 to be registered on the title indicating likely exposure of use or development to noise nuisance from operations at the airport	<p>(iii) frequency and duration of aircraft operations;</p> <p>(d) the owner of the site must give written consent for an agreement in accordance with Part 5 of the Land Use Planning and Approvals Act 1993 to be registered on the title indicating likely exposure of use or development to noise nuisance from operations at the airport; and</p> <p>(e) The relevant airport operator must indicate there is no likelihood for subsequent need to limit aircraft operations</p>
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This Standard is not applicable as an ANEF noise exposure level has not been applied to the King Island Airport.

E2.6 Development Standards

E2.6.2 Protection of operational airspace

<p>Objective:</p> <p>Development is to maintain -</p> <p>(a) efficient operation and safety of aircraft in operation airspace; and</p> <p>(b) function of aviation facilities</p>	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Use or development must not –</p> <p>(a) penetrate the Obstacle Limitation Surface (OLS); or</p> <p>(b) interfere with operation of aviation facilities</p>	<p>P1</p> <p>The relevant airport operator or aviation agency must advise –</p> <p>(a) it is satisfied the use or development does not have adverse effect on efficient operation and safety of operational airspace or the function of an aviation facility; and</p> <p>(b) any condition or requirement for the location, design, and control of the use or development if it –</p> <p>(i) penetrates the Obstacle Limitation Surfaces (OLS); or</p> <p>(ii) is likely to interfere with operation of an aviation facility.</p>

The finished building height of the shed will protrude into the Area of Interest by 400mm. The plan has been referred to Airservices Australia for assessment as required by NASF Guideline G, Attachment3.

The response is outstanding and will continue to be followed up. A representation can be made by Council during the public notification period to address the response when received.



E2.6.3 Public Safety Areas

Objective: The likelihood for risk from the effect of aircraft accidents near the end of a runway in association with take-off or landing s to be minimised.	
Acceptable Solution	Performance Criteria
A1 There is no Acceptable Solution	P1 The airport operator or agency must advise it is satisfied the use or development does not unduly increase – (a) direct risk to people in an aircraft and on the ground; (b) secondary incidents arising from damage to ground facilities in the event of an aircraft incident; and (c) any requirements for the location, design and control of the use or development

As discussed in the response to E2.6.2 a response from Airservices Australia is outstanding.

E3 Clearing and Conversion of Vegetation Code

This code is not applicable as no vegetation clearance is required.

E4 Change in Ground Level Code

This code is not applicable as no alteration to ground level is required.

E5 Local Heritage Code

This code is not applicable.

E6 Hazard Management Code

This code is not applicable as no mapped natural hazards have been identified on the subject site

E7 Sign Code

This code is not applicable.

E8 Telecommunications Code

This code is not applicable.

E9 Traffic Generating Use and Parking Code

E9.5.1 Provision for parking

Objective: Provision is to be made for convenient, accessible, and usable vehicle parking to satisfy requirements for use and development without impact for use or development of other land or for the safety and operation of any road.	
Acceptable Solution	Performance Criteria



<p>A1</p> <p>Provision for parking must be-</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in Table to this clause.</p>	<p>P1</p> <p>It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(a) Adequate and appropriate provision must be made for vehicle parking to meet –</p> <p>i) anticipated requirements for the type, scale, and intensity of the use;</p> <p>ii) likely needs and requirements of site users; and</p> <p>iii) likely type, number, frequency, and duration of vehicle parking demand.</p>
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The uses on proposed Lot 1 are Storage and Vehicle Parking. A storage use requires 1 space per 300m² of gross floor area and 1 x space per 40m² gross floor area of office space. The office space requirements do not apply.

The combined floor area of the two sheds will be 555m² which equates to 2 car parking spaces. The sheds themselves will contain car parking spaces. There is sufficient area to allow parking for vehicles loading or unloading items to the storage units.

There are no car parking or vehicle loading requirements for the Resource Development use on Lot 2.

The proposal complies with Acceptable Solution A1 for this Standard.

The proposal complies with this Standard.

E9.5.2 Provision for loading and unloading of vehicles.

<p>Objective:</p> <p>Provision is made for conveniently located and accessible areas for the loading and unloading of goods and materials and for the pick-up and set-down of passengers from vehicles.</p>	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>There must be provision within a site for -</p> <p>(a) on-site loading area in accordance with the requirement in the Table to this code; and</p> <p>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at a rate of 1 space for every 50 parking spaces.</p>	<p>P1</p> <p>(a) It must be unnecessary or unreasonable to require arrangements for loading and unloading of vehicles; or</p> <p>(b) Adequate and appropriate provision must be made for the loading and unloading of vehicles to meet-</p> <p>i) Likely volume, type and frequency of vehicles associated with the delivery and collection of goods and passengers; and</p> <p>ii) Likely frequency and duration of requirements for delivery and collection of goods or people.</p>



A Storage use requires and loading area for a large rigid truck for self-store units. There is sufficient area adjacent to all sides of the storage sheds for a vehicle to park for loading/unloading and sufficient circulation area within the site.

The proposal complies with Acceptable Solution A1 for this Standard.

The proposal complies with this Standard.

E9.6 Development Standards

E9.6.1 Design of vehicle parking and loading areas

Objective: Vehicle circulation, loading, and parking areas – <ul style="list-style-type: none"> (a) protect the efficient operation and safety of the road from which access is provided; (b) promote efficiency, convenience, safety, and security for vehicles and users; and (c) provide an appropriate layout and adequate dimensions to accommodate passenger or freight associated with the use of the site 	
Acceptable Solution	Performance Criteria
A1.1 All development must provide for the collection, drainage and disposal of stormwater; and A1.2 Other than development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring areas must - <ul style="list-style-type: none"> (a) Be in accordance with AS/NZS 2890.1(2004) – Parking Facilities – Off Street Car Parking; (b) Be in accordance with AS/NZS 2890.2(2002) – Parking Facilities – Off Street Commercial Vehicles; (c) Be in accordance with AS/NZS 2890.3(1993) – Parking Facilities – Bicycle Parking Facilities; (d) Be in accordance with AS/NZS 2890.6 Parking Facilities – Off Street Car Parking for People with Disabilities; (e) Each parking space must be separately accessed from the internal circulation aisle within the site; (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and (g) Be formed and constructed with compacted sub-base and surfaced with an all-weather surface. 	P1 The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for – <ul style="list-style-type: none"> (a) the nature and intensity of the use; (b) effect of size, slope and other physical characteristics and conditions of the site; (c) likely volume, type, and frequency of vehicles accessing the site; (d) likely demand and turnover for parking; (e) delivery and collection vehicles; (f) familiarity of users with the vehicle loading and vehicle parking area; (g) convenience and safety of access to the site from a road; (h) safety and convenience of internal vehicle and pedestrian movement; (i) safety and security of site users; and (j) the collection, drainage, and disposal of stormwater
A2	P2



Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for good Practice ARRB	Design of internal access roads and vehicle circulation, movement and standing areas for permitted use on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be adequate and appropriate for the likely type, volume, and frequency of traffic
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There will be sufficient area within Lot 1 to capture stormwater from the hardstand areas, with the water to then be directed to the existing watercourse in a manner that will not impact the watercourse or water quality. A condition is to be included requiring detailed design drawings to be submitted to Council's engineer for approval prior to the commencement of any site works. Any requirements for a drainage easement are to be identified in the engineering drawings.

The proposal complies with Acceptable Solution A1.1 for this Standard.

There will be sufficient area within Lot 1 to provide for compliant circulation areas. A condition is to be included requiring detailed design drawings to be submitted to Council's engineer for approval prior to the commencement of any site works.

The proposal complies with Acceptable Solution A1.2 for this Standard.

A2 does not apply to the Utilities zone.

The proposal complies with this Standard.

E10 Water and Waterways Code

This code is not applicable as no development will be within 30m of a watercourse or water body.

RECOMMENDATION

The application is consistent with all the relevant provisions of the planning scheme.

It is recommended that in accordance with the former section 43C(1) of the *Land Use Planning Approvals Act 1993* and the King Island Interim Planning Scheme 2013, a permit be granted for a subdivision of one lot and two sheds containing a total of 28 individual storage units and 55 vehicle parking spaces at 45 Morrison Avenue, Loorana (CT 246774/1) subject to the following conditions and notes:

1. Use and Development must be substantially in accordance with Planning Permit Application No. DA 2023/06 and the following endorsed documents, except as otherwise required by this permit:
 - (a) Plan of subdivision Job KI 212 sheet 11 of 20 Rev B prepared by Tracks Building Design;
 - (b) Drawings Job KI 212 sheets 7, 8, 9, 11a and 11b of 20 Rev B prepared by Tracks Building Design; and
 - (c) Bushfire Hazard Report & Bushfire Hazard Management Plan, Job KI 212 Version 2.0 dated March 24, 2023, prepared by Tracks Building Design.
2. In accordance with the provisions of the *Roads and Jetties Act 1935* (the Act), the location of the access from Morrison Avenue is to be approved by Department of State Growth and no works affecting the Morrison Avenue reservation are to be commenced until a works permit has been obtained from the Department of Department of State Growth. Details of the permit process and application forms for both access related works and



service provision work can be found at:
[www.transport.tas.gov.au/roads and traffic management/permits and bookings/new or altered access onto a road driveways](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways) and
[www.transport.tas.gov.au/roads and traffic management/permits and bookings/service works gas, water, electricity](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/service_works_gas_water_electricity). Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

Prior to the commencement of site works detailed construction plans of all proposed works prepared by suitably qualified persons and complying with current Council standards are to be submitted and approved by Council's Works Manager.

4. Areas set aside for parking vehicles and access lanes must be:
 - i) set out to comply with the requirements of Australian Standard 2890.1-2004 (Parking Facilities, Part 1: Off-street car parking);
 - ii) surfaced to the satisfaction of Council so as to prevent any impact on the operations of the adjacent airport and the amenity of users of the airport by emissions of dust or the discharge of uncontrolled drainage;
 - iii) drained and connected to the stormwater system;
 - iv) marked and signed to indicate each car space and access lanes;
5. During construction dust must be suppressed by water to prevent impact on airport operations.
6. A single stormwater discharge point into the adjacent watercourse is to be constructed in a manner to minimise the carrying of sediment from the site and bank erosion.
7. Where stormwater is required to be directed into Lot 2 of the subdivision a drainage easement is to be identified in the Final Plan of Subdivision
8. Lighting must be located and designed with suitable baffled so that no direct light is emitted outside the boundaries of the site and must comply with National Airports Safeguarding Framework (NASF) Guideline E - Managing the Risk of Distraction to Pilots From Lighting in the Vicinity of Airports.
9. Any proposed landscaping is to be kept to a maximum height of 3m. A landscape plan is to be submitted to Council's Works Manager for approval prior to the commencement of any landscaping works.

Notes: -

The following is provided for information only and does not constitute condition(s) of permit.

- This project must be substantially commenced within two years of the issue of this permit.
- This permit is based on the information contained application for Planning Permit DA 2023/06. Any variation from these details may require a further planning permit, please contact Council prior to making changes to find out what standards and permits may apply.
- Any work involved in this permit must be undertaken in manner which prevents damage or disturbance to Council owned infrastructure or property. Any damage that may occur



must be rectified at the developer's expense and to the satisfaction of the Council's Works Manager. Separate approvals are required from Council to undertake works within the road reserve, including for the construction of vehicular access to the road.

- The applicant is to ensure all building and plumbing works will be undertaken in compliance with the *Building Act 2016* by acquiring any required certificates or permits prior to commencing work.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact Hydro Tasmania on 1300 360 441 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- A further fee is required for the signing and sealing of the Final Plan. Please refer to Council's website for current Planning fees.
- Under Section 61 (4) of the *Land Use Planning and Approvals Act 1993*, the applicant or any representors has the right to lodge an appeal against Council's decision. Notice of appeal should be lodged on the prescribed form together with the required fee within fourteen days after the date on which notice of the decision was served on that person, to the Tasmanian Civil & Administrative Tribunal, GPO Box 1311, Hobart, 7001 or resourceplanning@tascat.gov.au. Updated Notices of Appeal are available on the Tribunal's website at www.tascat.tas.gov.au.

•	Name
Prepared	Robyn Barwick Development Services Coordinator
Endorsed to go to Council Planning Authority Meeting	Heidi Goess Consultant Planner Plan Place Pty Ltd



Item 10.2 Planning Scheme Amendment 01/2023

Reporting: Development Services Officer – Robyn Barwick

SUMMARY:

The purpose of this report is to enable the Planning Authority to determine whether to initiate an application for a planning scheme amendment and development proposal made under s.43A of the *Land Use Planning and Approvals Act 1993* to:

- a. Rezone 2ha of CT 246774/1, 45 Morrison Ave, Loorana from Rural Resource to Utilities; and
- b. Retain the balance in the Rural Resource Zone .

The purpose of the rezoning is to allow the property owner to:

- a. subdivide the rezoned 2ha of land; and
- b. develop a storage facility and vehicle parking area, with a view to providing for the expansions of facilities and services at the King Island Airport.

DISCUSSION:

This proposal has been lodged under s. 43 A of the *Land Use Planning Approvals Act 1993*. The purpose of this section is to allow a permit to be considered for a use that could not be otherwise allowed without an amendment to the planning scheme, in this case the rezoning of the site.

The permit process differs to the normal process as the planning authority because the planning authority assesses the application and decides whether to grant or refuse the permit before it is publicly exhibited.

The planning authority must assess the permit application as if the draft amendment has been approved.

A full description of the proposed rezoning and compliance with relevant legislation, policies and strategies is provided in the Supporting Reports:

- Attachment 1 –45 Morrison Ave, Loorana – Rezoning of land from Rural Resource to Utilities; and _
- Attachment 2 - Subdivision of 2ha and vehicle parking and storage at 45 Morrison Ave, Loorana._

RELEVANT REFERENCE DOCUMENTS / POLICIES:

The relevant legislation is the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA establish the test of whether a planning scheme amendment is reasonable or not.

This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either:

1. adopt the recommendation, or
2. vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any



alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2005*.

This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993* and the King Island Interim Planning Scheme 2013.

FINANCIAL IMPLICATIONS:

Approval or refusal of this application will have no direct financial implications for the Planning Authority.

CONCLUSION:

The planning scheme amendment is consistent with the regional and local land use strategies and requirements of the *Land Use Planning Approvals Act 1993*.

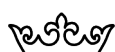
The proposed subdivision and development of vehicle parking and storage is consistent with the King Island Interim Planning Scheme 2013.

On this basis it is recommended that the Planning Authority initiate and certify draft amendment PSA 01/2022 and approve planning application DA 2023/10 in accordance with s. 43C(1).

Recommendation:

That, as provided for by the provisions of section 3 of schedule 6, of the former Land Use Planning and Approvals Act 1993 (LUPPA), Council:

- 1. Pursuant to former section 34(1)(a) initiate planning scheme amendment PSA 01/2023 to:**
 - a. Rezone part of CT 246774/1, 45 Morrison Ave, Loorana from Rural Resource to Utilities;**
- 2. Pursuant to former section 35(1)(a), certify the amendment;**
- 3. Pursuant to former section 43C(1) approve planning application DA 2023/06 for the subdivision of 2ha and development of vehicle parking and storage facilities at 45 Morrison Ave, Loorana (CT 246774/1) in accordance with Attachment 1 Development Assessment Report.**
- 4. Pursuant to former section 35(2) delegate the General Manager to certify draft amendment PSA 01/2023 to the King Island Interim Planning Scheme 2013 as meeting the requirements in section 32 of the Act to affix the common seal of the King Island Council to the draft amendment;**
- 5. Pursuant to section 43F(1)(b), PSA 01/2023 and DA 2023/06 be placed on public exhibition for no less than 28 days; and**



6. Pursuant to section 39 if no representations are received during public exhibition, Council directs the General Manager to advise the Tasmanian Planning Commission in writing that no representations have been received.

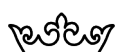
Moved Cr D McFie
Cr V Philbey

That, as provided for by the provisions of section 3 of schedule 6, of the former Land Use Planning and Approvals Act 1993 (LUPPA), Council:

1. Pursuant to former section 34(1)(a) initiate planning scheme amendment PSA 01/2023 to:
 - a. Rezone part of CT 246774/1, 45 Morrison Ave, Loorana from Rural Resource to Utilities;
2. Pursuant to former section 35(1)(a), certify the amendment;
3. Pursuant to former section 43C(1) approve planning application DA 2023/06 for the subdivision of 2ha and development of vehicle parking and storage facilities at 45 Morrison Ave, Loorana (CT 246774/1) in accordance with Attachment 1 Development Assessment Report.
4. Pursuant to former section 35(2) delegate the General Manager to certify draft amendment PSA 01/2023 to the King Island Interim Planning Scheme 2013 as meeting the requirements in section 32 of the Act to affix the common seal of the King Island Council to the draft amendment;
5. Pursuant to section 43F(1)(b), PSA 01/2023 and DA 2023/06 be placed on public exhibition for no less than 28 days; and
6. Pursuant to section 39 if no representations are received during public exhibition, Council directs the General Manager to advise the Tasmanian Planning Commission in writing that no representations have been received.

CARRIED unanimously

156/23



Item 10.3 Closing the Planning Authority Session

Recommendation:

That the Planning Authority session is closed and Council recommence its Ordinary Meeting under the provisions of the Local Government Act 1993.

Moved Cr V Philbey
 Cr D McFie

That the Planning Authority session is closed and Council recommence its Ordinary Meeting under the provisions of the Local Government Act 1993.

CARRIED unanimously

157/23

