



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**SPECIAL COUNCIL MEETING**

**MONDAY, 6 SEPTEMBER 2021**



MINUTES OF THE SPECIAL MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD ON 6 SEPTEMBER 2021 AT 05:01 PM IN PERSON AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD AND VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020, SECTION 18 (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

## 1 ATTENDANCE

### PRESENT

Deputy Mayor Richard Goss, Cr Dick Adams OAM, Cr Andrew Calvert, Cr Jan Davis, Cr Ian Goninon, Cr Janet Lambert, Cr Michael Polley AM

### In Attendance

Mr Des Jennings - General Manager, Miss Maree Bricknell - Corporate Services Manager, Mr Leigh McCullagh - Works Manager, Mr Trent Atkinson - Project Manager, Mr Paul Godier - Senior Planner, Mrs Gail Eacher - Executive Assistant

### APOLOGIES

Mayor Mary Knowles OAM, Cr Matthew Brooks

## 2 TABLE OF CONTENTS

Item	Page No.
1 ATTENDANCE.....	2
2 TABLE OF CONTENTS.....	2
3 ACKNOWLEDGEMENT OF COUNTRY.....	3
4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE.....	3
5 COUNCIL ACTING AS A PLANNING AUTHORITY.....	4
5.1 Public Statements.....	4
6 PLANNING REPORTS.....	6
6.1 Planning Application: PLN 21-0183 - Illawarra Road, Tannery Road & Bishopsbourne Road, Longford.....	6
6.2 Planning Application: PLN 21-0192 - 1 Arthur Street, Evandale - ITEM WITHDRAWN.....	38
7 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION.....	39
8 CLOSURE.....	39



### 3 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge Elders – past, present and emerging.

### 4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor—*
  - (a) *has an interest; or*
  - (b) *is aware or ought to be aware that a close associate has an interest.*
- (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*

No declarations of interest were received.



## 5 COUNCIL ACTING AS A PLANNING AUTHORITY

Section 25 (1) of the Local Government (meeting procedures) Regulations require that if a Council intends to act at a meeting as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, the Chairperson is to advise the meeting accordingly.

### MINUTE NO. 21/340

#### DECISION

Cr Davis/Cr Adams

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item 6.1.

Carried Unanimously

## 5.1 PUBLIC STATEMENTS

### PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

The conduct of Council Meetings is currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*. This has necessarily meant that public attendance at meetings has been restricted. Under these arrangements Council meetings have been undertaken remotely via online platforms.

While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to social distancing and limitations on the number of persons who may gather. This obligation is balanced with the need to minimise disruption to the business of Council.

Council determined that limited public access to Council meetings would be permitted from the Council Meeting scheduled for 14 December 2020.

Attendance of the public will be restricted to those who wish to make a representation or present a statement in person at the meeting on planning applications which are subject to statutory timeframes (limit of 4 persons per item).

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) or phoning Council on 6397 7303.

On arrival attendees will:

- be required to complete the health declaration section of their registration form to support COVID-19 tracing (in the event that it is necessary); and
- receive direction from council officers (or Council's delegate) in relation to their access to the meeting room.

Access to the Municipal Building will only be permitted prior to 5.00pm.

Members of the public who would prefer not to attend the meeting, but would like to make a representation to the Council that would normally be heard during Public Question Time, may forward their representation to [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting.

Any representations received will be circulated to Councillors prior to the meeting, tabled at the meeting and recorded in the minutes of the meeting.

These arrangements are subject to review based on any change in circumstance relating to the COVID-19 Disease Emergency.

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website.

### PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

### REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

- A person seeking to make a statement must firstly identify himself or herself by stating their name and the town they reside in.
- Each speaker is limited to a maximum of 3 minutes.



**6.1 Planning Application: PLN 21-0183 Illawarra Road, Tannery Road & Bishopsbourne Road, Longford**

**Mr Linus Grant, Longford**

Mr Grant raised the following matters in relation to the Planning Application:

**Landscaping**

- his residence is a historical place which should be treated with sensitivity and vegetation should be replaced
- he questioned whether the vegetation should be replaced with the same species, i.e. pine trees, consideration should be given to an alternate
- he sought Council's support in having a landscaping plan drawn up to achieve a good aesthetic result.

**Traffic noise**

- he noted that noise has increased markedly in last 15 years,
- it is likely that the road upgrade will increase traffic and noise
- he requested the assurance that some noise mitigation measures be put in place.

Finally, Mr Grant requested that traffic noise mitigation measures and a landscape plan be included in any approved conditions.



## 6 PLANNING REPORTS

### 6.1 PLANNING APPLICATION: PLN 21-0183 - ILLAWARRA ROAD, TANNERY ROAD & BISHOPSBOURNE ROAD, LONGFORD

*File:* PLN 21-0183  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### 1 INTRODUCTION

This report assesses an application to construct roadworks on Illawarra Road, Tannery Road, Bishopsbourne Road, 7 & 22 Tannery Road, 2126 & 2176 Bishopsbourne Road, 704 & 709 Illawarra Road, and CTs 22090/1, 127517/1 & 245427/1, Longford

#### 2 BACKGROUND

**Applicant:**  
ERA Planning and Environment

**Owner:**  
Department of State Growth, JBS Australia Pty Ltd, S Wing and A Cowley, S Holyman, P Holyman, P and A Routley, W and D Grant, G Williams

**Zone:**  
Utilities Zone  
Rural Resource Zone

**Codes:**  
Road and Railway Assets Code, Flood Prone Areas Code, Car Parking and Sustainable Transport Code, Biodiversity Code, Water Quality Code.

**Classification under the Scheme:**  
Discretionary

**Existing Use:**  
Utilities

**Deemed Approval Date:**  
An extension of time was given until 24 September 2021

**Recommendation:**  
Approve

#### Discretionary Aspects of the Application:

- New use for utilities in the Rural Resource Zone.
- Clause 26.3.3 in the Rural Resource Zone (Non-agricultural use in Irrigation District).
- Clause E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways.
- Clause E4.7.2, Management of Road Accesses and Junctions.
- Clause E5.6.1 Flooding Prone Areas Code.
- Clause E6.7.2, Design and Layout of Car Parking.

#### Planning Instrument:

*Northern Midlands Interim Planning Scheme 2013, Version 35, Effective from 26 April 2021.*

#### Preliminary Discussion:

Prior to submission of the application the Department of State Growth discussed the proposal with Council officers.

#### 3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application).

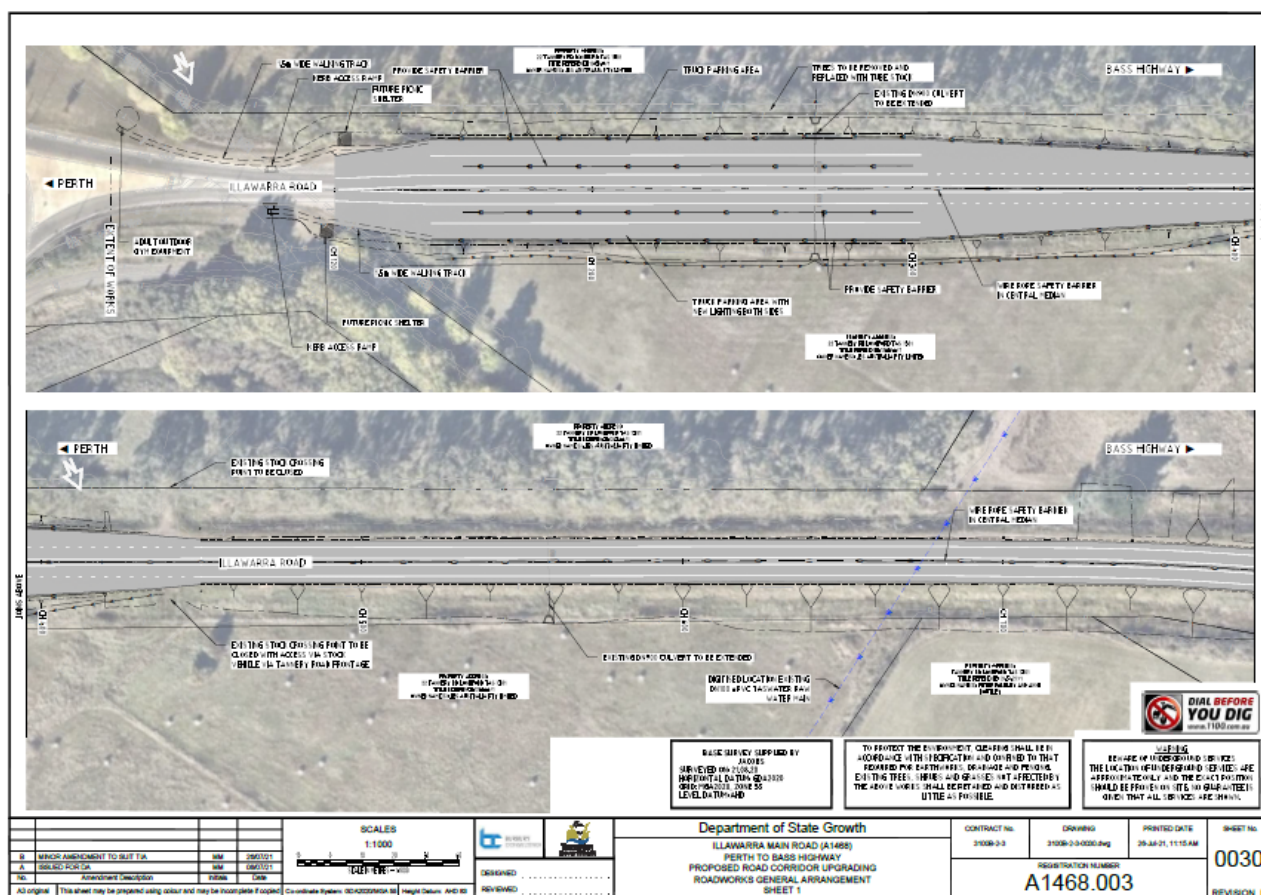
Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

## 4 ASSESSMENT

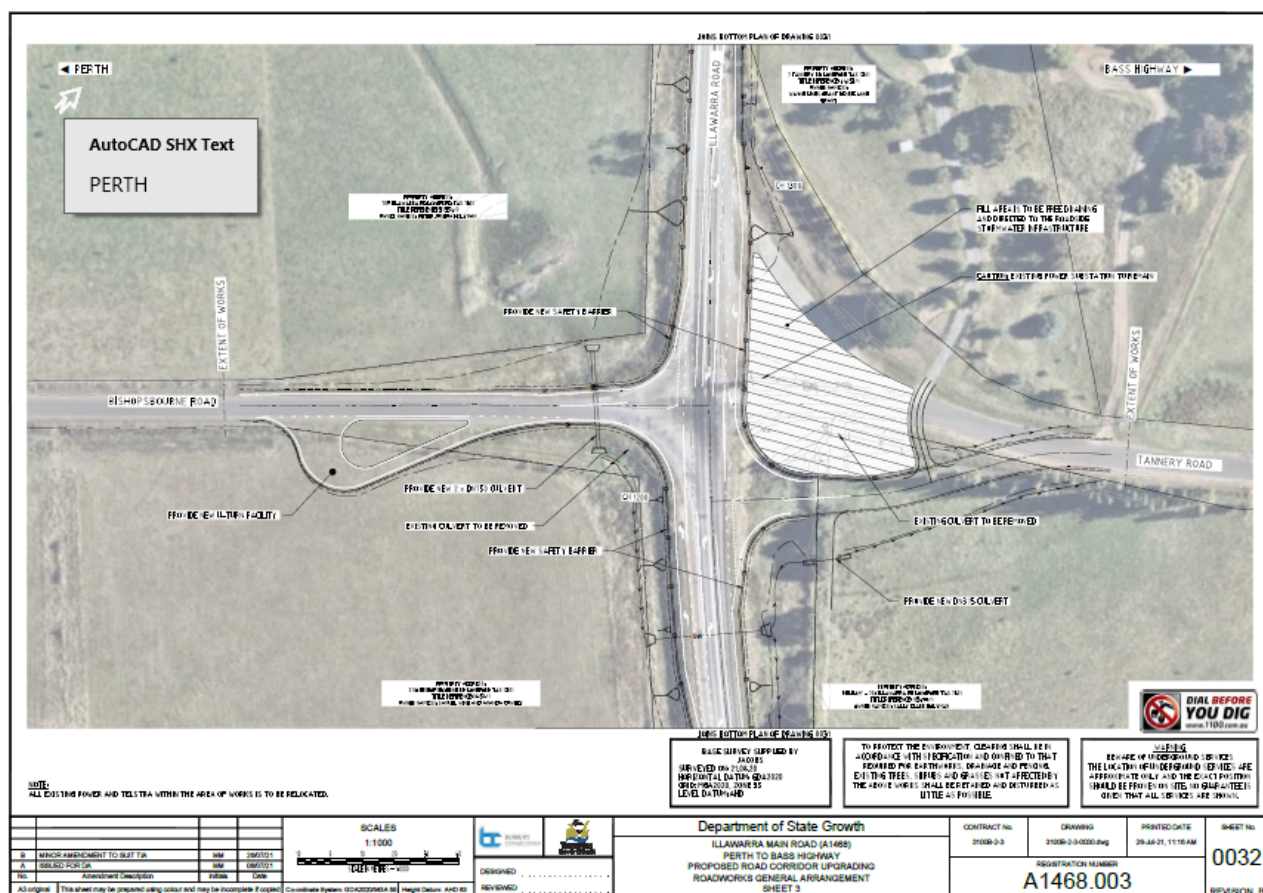
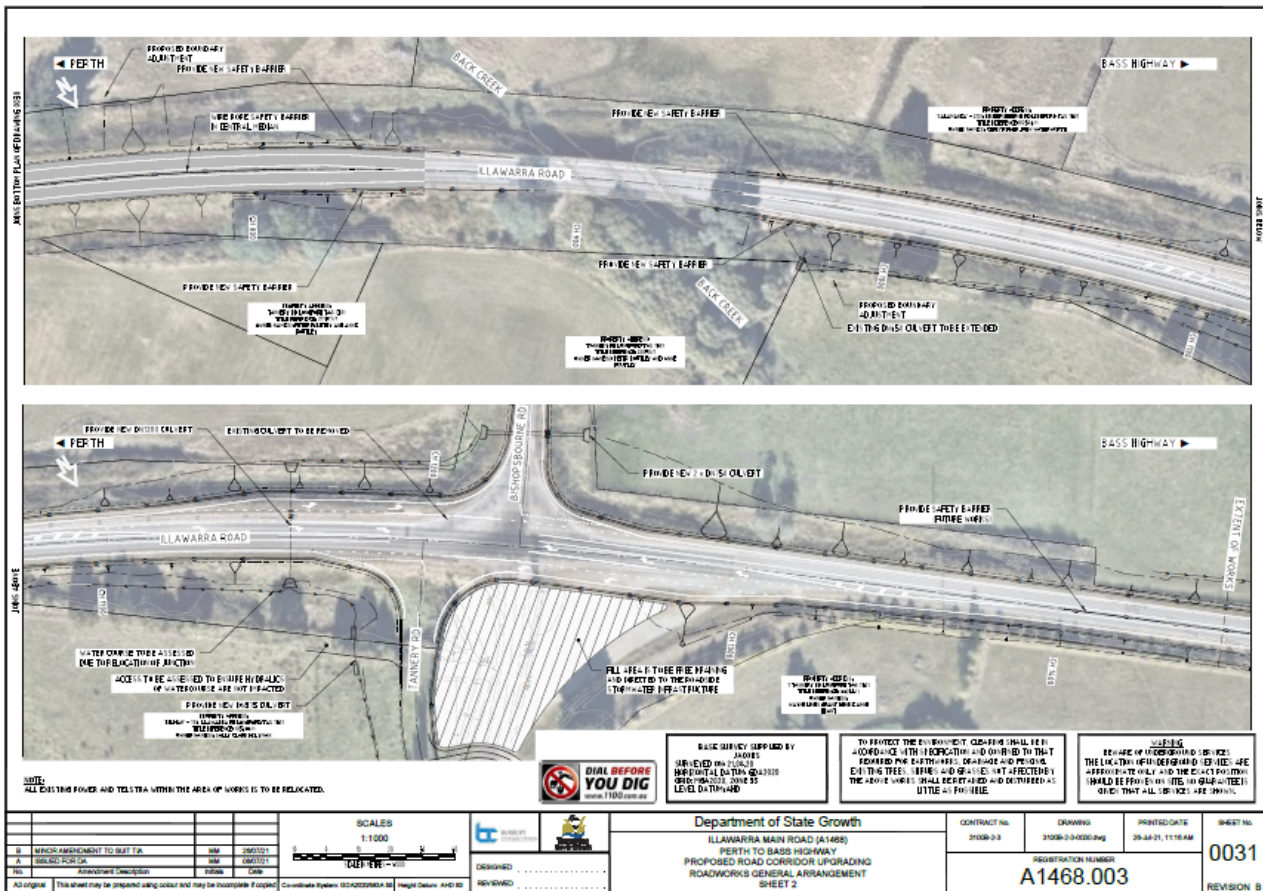
### 4.1 Proposal

It is proposed to:

- Formalise an existing truck stop area on the northwest side of the Longford roundabout.
- Construct a picnic shelter and table and chairs at the proposed truck stop.
- Widen the road corridor to enable the installation of a line marked, 2.10m wide, centre median plus flexible safety barrier.
- Install a left hand turn lane and a right hand turn lane into Bishopsbourne Road.
- Realign Tannery Road further to the southeast and install a left hand turn lane and a right hand turn lane into the realigned Tannery Road.
- Provide a new access point off Tannery Road into 22 Tannery Road.





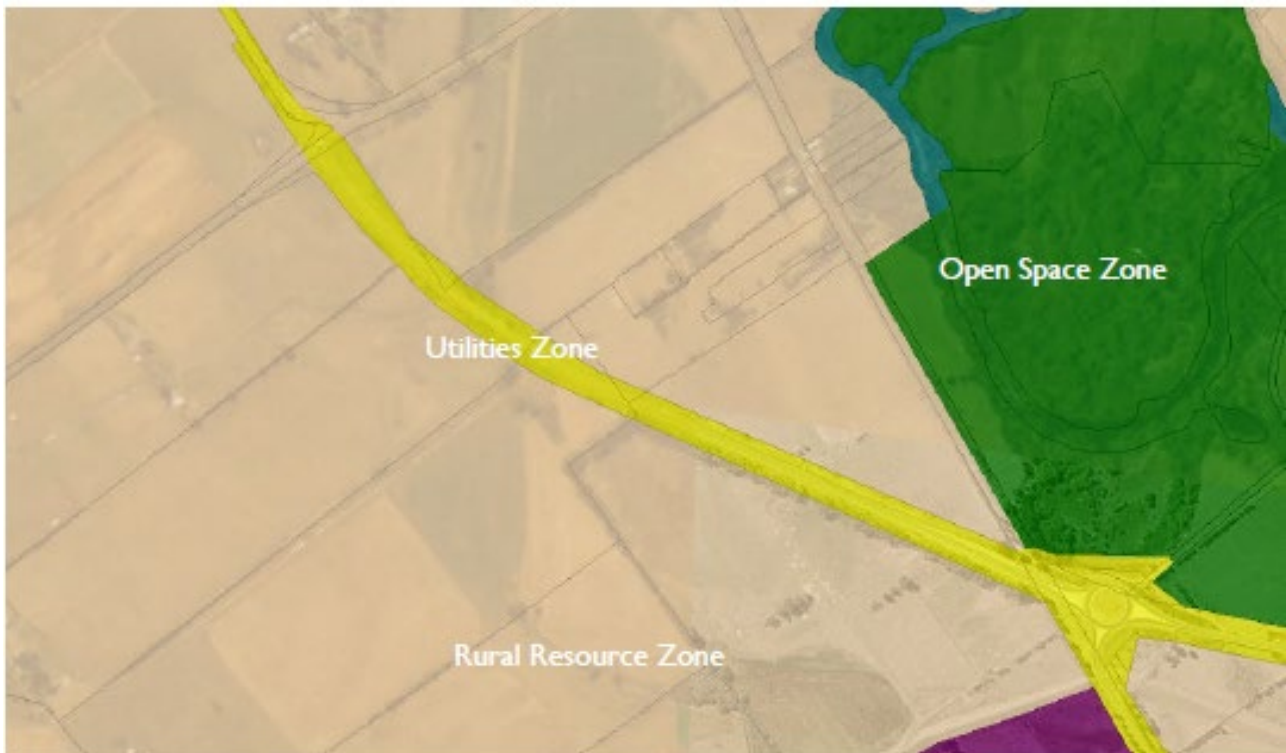






## 4.2 Zone and Land Use

Zone Map – Rural Resource Zone, Utilities Zone (Source: Development Application)



The land is zoned Utilities and Rural Resource and is subject to the Road and Railway Assets Code, Flood Prone Areas Code, Car Parking and Sustainable Transport Code and Scenic Management Code.

The relevant Planning Scheme definition is:

<i>Utilities</i>	<p><i>use of land for utilities and infrastructure including:</i></p> <ul style="list-style-type: none"> <li><i>(a) telecommunications;</i></li> <li><i>(b) electricity generation;</i></li> <li><i>(c) transmitting or distributing gas, oil, or power;</i></li> <li><i>(d) transport networks;</i></li> <li><i>(e) collecting, treating, transmitting, storing or distributing water; or</i></li> <li><i>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</i></li> </ul> <p><i>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</i></p>
------------------	--

Utilities is Permitted (with permit) in the Utilities zone and Rural Resource zone.

## 4.3 Subject Site and Locality

The author of this report carried out a site visit on 30 August 2021. The site is located along Illawarra Road between the Longford roundabout and Bishopsbourne Road and Tannery Road and includes adjoining private property to be acquired for the road widening.



*Aerial photograph of area (Source: Development Application)*



#### 4.4 Permit/Site History

There is no permit or site history relevant to this application.

#### 4.5 Referrals

##### **Council's Works Department**

Council's Works & Infrastructure Department advised that no Works and Infrastructure conditions are required but there are two concerns with the plans:

Council's request was for a shared pathway to Bishopsbourne Rd, this is not shown on the plans.

Representations have raised concerns about cyclists on the bridge over Back Creek which is not being widened. It would make sense to widening this, it is the same width as a the bridges coming into Longford from Perth which are often listed as a safety concern. I understand that DSG have plans to make provisions for cyclists on these bridges so it would make sense to be consistent. If all the bridges are widened except for this one it potentially this one a more serious hazard.

##### **TasWater**

TasWater advised that they have assessed the application and determined that the proposed development does not require a submission from TasWater, as the proposed development will not:

- Increase the demand for water supplied by TasWater; or
- Increase the amount of sewage or toxins that is to be removed by, or discharged into, TasWater sewerage infrastructure; or
- Damage or interfere with TasWater works (it would appear that the road works will raise the road cover over the DN100mm Ø raw water line asset A3017512, due diligence from the designers and the contractors in this area is essential with regards to limiting any damage); or
- Adversely affect TasWater operations.



#### 4.6 Planning Scheme Assessment

##### ASSESSMENT AGAINST UTILITIES ZONE

28.1 Zone Purpose

28.1.1 Zone Purpose Statements

28.1.1.1 To provide land for major utilities installations and corridors.

**Comment:** The proposal complies with the zone purpose statement.

28.1.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

**Comment:** This zone purpose statement is not application to this proposal.

28.1.2 Local Area Objectives

There are no desired local area objectives

28.1.3 Desired Future Character Statements

There are no desired future character statements

#### 28.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Recycling and waste disposal	
Transport depot and distribution	If a bus terminal or taxi depot/stand or railway station within the road/rail corridor If for an airport
Utilities	If not for minor utilities
Vehicle parking	If a 'park and ride' facility
Discretionary	
Use Class	Qualification
Extractive industries	
Passive recreation	
Sports and recreation	
Prohibited	
All other uses	

28.3 Use Standards

28.3.1 Capacity of existing utilities

Objective To ensure that uses do not compromise the capacity of utility services.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The proposal must not unreasonably compromise or reduce the operational efficiency of the utility having regard to: a) existing land use practices; and b) the location of the use in relation to the utility; and c) any required buffers or setbacks; and d) the management of access.
<b>Comment:</b> Complies – the proposal is a permitted use.	N/a

28..4 Development Standards

28.4.1 Building Design and Siting

Objective To ensure that the siting and design of development: a) considers the impacts to adjoining lots; and b) furthers the local area objectives and desired future character statements for the area, if any.	
Acceptable Solutions	Performance Criteria
A1 Height must not exceed: a) 10m; or b) 15 m for ancillary antenna and masts for communication devices.	P1.1 Height must: a) minimise the visual impact having regard to: i) prevailing character of the landscape or urban pattern of the surrounding area; and ii) form and materials; and



	<ul style="list-style-type: none"> <li>iii) the contours or slope of the land;</li> <li>iv) existing screening or the ability to implement/establish screening through works or landscaping; and</li> <li>v) The functional requirements of the proposed development or use; and</li> </ul> <p>b) protect the amenity of residential uses in the area from unreasonable impacts having regard to:</p> <ul style="list-style-type: none"> <li>i) the surrounding pattern of development; and</li> <li>ii) the existing degree of overlooking and overshadowing; and</li> <li>iii) methods to reduce visual impact; or</li> </ul> <p>P1.2 Where development is unavoidably prominent in the landscape, it must provide a significant community benefit.</p>
<b>Comment:</b> Complies. The proposed structure has a maximum height of 3.4m.	N/a
A2 Buildings must be set back from all boundaries a minimum distance of 3m.	<p>P2 Building setbacks must:</p> <ul style="list-style-type: none"> <li>a) complement existing building setbacks in the immediate area; and</li> <li>b) minimise adverse impacts on adjoining land uses having regard to: <ul style="list-style-type: none"> <li>i) the form of the building; and</li> <li>ii) the contours or slope of the land; and</li> <li>iii) methods to reduce visual impact; and</li> </ul> </li> <li>c) protect the amenity of adjoining residential uses from unreasonable impacts of overshadowing and overlooking having regard to: <ul style="list-style-type: none"> <li>i) the surrounding pattern of development; and</li> <li>ii) the existing degree of overlooking and overshadowing; and</li> <li>iii) methods to reduce overlooking and overshadowing.</li> </ul> </li> </ul>
<b>Comment:</b> Complies. The proposed shelter will be more than 3m from any title boundary.	N/a

#### 28.4.2 Subdivision

Not applicable as land acquisition occurs under the Land Acquisition Act 1993.

#### ASSESSMENT AGAINST RURAL RESOURCE ZONE

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1 Zone Purpose Statements

26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

**Comment:** The proposal does not conflict with this zone purpose statement.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

**Comment:** The proposal complies with this zone purpose statement.

26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.

**Comment:** The proposal does not conflict with this zone purpose statement.

26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

**Comment:** The proposal does not conflict with this zone purpose statement.

26.1.2 Local Area Objectives

a) Primary Industries:

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.





*Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.*

**Comment:** The proposal does not conflict with this Local Area Objective.

b) *Tourism*

*Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.*

*The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.*

**Comment:** The proposal does not conflict with this Local Area Objective.

c) *Rural Communities*

*Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.*

**Comment:** The proposal does not conflict with this Local Area Objective.

26.1.3 *Desired Future Character Statements*

*The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.*

**Comment:** The proposal complies with the desired future character statement.

26.2 *Use Table*

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Natural and cultural values management	
Passive recreation	
Resource development	If not for: a) plantation forestry on prime agricultural land; or b) controlled environment agriculture on prime agricultural land; or c) intensive animal husbandry on prime agricultural land; or d) a dwelling; or e) forestry or plantation forestry on non-prime agricultural land.
Utilities	If for existing uses and the curtilage does not increase by more than 30% as at the effective date and not located on prime agricultural land
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services	If for a veterinary centre or similar specialist animal breeding or care services
Domestic animal breeding, boarding or training	If not on prime agricultural land
Community meeting & entertainment	If for existing premises used for public purposes
Crematoria and cemeteries	If for crematoria and not on prime agricultural land
Extractive industries	If not: a) located on prime agricultural land or; b) for a Level 2 Activity
Food services	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Hotel industry	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Residential	If for existing uses or home-based business in an existing dwelling
Resource development	If not for: a) plantation forestry on prime agricultural land; or



	b) controlled environment agriculture on prime agricultural land, unless dependent upon the soil as a growth medium; or c) intensive animal husbandry on prime agricultural land.
Resource processing	If directly associated with produce from the subject site
Sports and recreation	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Visitor accommodation	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	If for rural supplies, landscape supplies and timber yard
Business and professional services	If not for a veterinary centre or similar specialist animal breeding or care services
Educational and occasional care	If providing education services for the resource development use class
Emergency Services	
Equipment and machinery sales and hire	
Extractive industries	If located on prime agricultural land, or If for a Level 2 Activity
Food services	If: a) not for existing uses or b) the curtilage increases by more than 30% as at the effective date
General retail and hire	
Hotel industry	If for: a) existing uses and the curtilage increases by more than 30% as at the effective date; or b) cellar door sales, micro-breweries or micro-distilleries
Motor racing facility	If not a new facility on prime agricultural land
Recycling and waste disposal	
Residential	If for single dwelling
Research and development	If directly associated with resource development
Resource development	If: a) for controlled environment agriculture or intensive animal husbandry on prime agricultural land; or b) not for plantation forestry on prime agricultural land.
Resource processing	If not directly associated with produce from the subject site
Service industry	
Sports and recreation	If: a) not for existing uses or b) the curtilage increases by more than 30% as at the effective date
Tourist operation	
Transport depot	
Utilities	If: a) for existing uses on prime agricultural land; or b) not for existing uses; or c) the curtilage increases by more than 30% as at the effective date.
Vehicle fuels sales and service	
Vehicle parking	If on CT 135864/3 and directly associated with the Evandale market
Visitor accommodation	If: a) not for existing uses or b) the curtilage increases by more than 30% as at the effective date
<b>Prohibited</b>	
All other uses	

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling



<b>Objective</b>	
<p>a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</p> <p>b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</p> <p>c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</p> <p>d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</p> <p>e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</p> <p>f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p>
<b>Comment:</b> Does not comply. Must be considered against the performance criteria.	<p><b>Comment:</b></p> <p>P1.1. The use is consistent with the local area objectives for non-primary industry uses in the zone.</p> <p>P1.2 Not applicable.</p>
A2 If for permitted or no permit required uses.	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none"> <li>i) amount of land alienated/converted is minimised; and</li> <li>ii) location is reasonably required for operational efficiency; and</li> </ul> <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>
<b>Comment:</b> Must be considered against the performance criteria.	<p><b>Comment:</b></p> <p>P2.1 Not applicable – not located on prime agricultural land.</p> <p>P2.1 Not applicable – utilities use.</p>
A3 If for permitted or no permit required uses.	<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <ul style="list-style-type: none"> <li>a) the amount of land converted is minimised having regard to: <ul style="list-style-type: none"> <li>i) existing use and development on the land; and</li> <li>ii) surrounding use and development; and</li> <li>iii) topographical constraints; or</li> </ul> </li> <li>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as: <ul style="list-style-type: none"> <li>i) limitations created by any existing use and/or development surrounding the site; and</li> <li>ii) topographical features; and</li> <li>iii) poor capability of the land for primary industry; or</li> </ul> </li> <li>c) the location of the use on the site is reasonably required for operational efficiency.</li> </ul>
<b>Comment:</b> Does not comply. Must be considered against the performance criteria.	<b>Comment:</b> The proposal complies with P3 a).
A4 If for permitted or no permit required uses.	<p>P4 It must be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) emissions are not likely to cause an environmental nuisance; and</li> <li>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</li> <li>c) the capacity of the local road network can accommodate the traffic generated by the use.</li> </ul>



<b>Comment:</b> Does not comply. Must be considered against the performance criteria.	<b>Comment:</b> The road widening into land adjoining Illawarra Road is not likely to cause an environmental nuisance, unreasonably confine or restrain primary industry uses from conducting normal operations. The traffic impact assessment finds that the road network can accommodate the traffic generated. The proposal complies with the Performance Criteria.
A5 The use must: a) be permitted or no permit required; or b) be located in an existing building.	P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to: a) the impacts on skylines and ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
<b>Comment:</b> Does not comply. Must be considered against the performance criteria.	<b>Comment:</b> The proposal will require a landscape plan for replanting of removed vegetation with similar species.

26.3.2 Dwellings

Not applicable.

26.3.3 Irrigation Districts

<b>Objective</b> <i>To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to: a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.
<b>Comment:</b> Does not comply. Some of the works will be in the Cressy Longford Irrigation District.	<b>Comment:</b> The works proposed are adjacent to the road corridor and the amount of land acquisition is relatively minor. There is no irrigation utilised on the land directly adjacent to the road corridor in this area, therefore there will be no impact upon the operational practicalities of irrigation systems. The ongoing use of the land is expected to be consistent with its current use. The proposal complies with the performance criteria.

26.4 Development Standards

26.4.1 Building Location and Appearance

<b>Objective</b> <i>To ensure that the:</i> a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.	P1 Building height must: a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.
<b>Comment:</b> N/a - no building proposed in the Rural Resource zone.	N/a
A2 Buildings must be set back a minimum of: a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: i) the design of the development and landscaping; and



	ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation.
<b>Comment:</b> N/a- no building proposed in the Rural Resource zone.	N/a

26.4.2 Subdivision

Not applicable – the application does not propose subdivision.

26.4.3 Strata Division

26.4.3.1 In this scheme, division of land by stratum title is prohibited in the Rural Resource Zone.

Not applicable – the application does not propose subdivision.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below.
E5.0	FLOOD PRONE AREAS CODE	Complies – see code assessment below.
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – see code assessment below.
E7.0	SCENIC MANAGEMENT CODE	N/a*
E8.0	BIODIVERSITY CODE	Complies – see code assessment below.
E9.0	WATER QUALITY CODE	Complies – see code assessment below.
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

\*E7.4.1 The following use or development is exempt from the Scenic Management Code:

- a) Use without development, not including plantation forestry; and
- b) Subdivision for a boundary adjustment; and
- c) road widening.

**ASSESSMENT AGAINST E4.0  
ROAD AND RAILWAY ASSETS CODE**

E4 Road and Railway Assets Code

E4.1 Purpose of Code

E4.1.1 The purpose of this provision is to:

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

E4.2 Application of Code

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

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

E4.3. Definition of Terms

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

- |                                     |  |
|-------------------------------------|--|
| Category 1 – Trunk Road             | means as defined in Tasmania State Road Hierarchy (DIER, 2007) |
| Category 2 – Regional Freight Route | means as defined in Tasmania State Road Hierarchy (DIER, 2007) |
| Category 3 – Regional Access Road   | means as defined in Tasmania State Road Hierarchy (DIER, 2007) |
| Category 4 – Feeder Road            | means as defined in Tasmania State Road Hierarchy (DIER, 2007) |
| Category 5 – Other Road             | means as defined in Tasmania State Road Hierarchy (DIER, 2007) |

Future road or railway means a future road or railway shown on the plans of this planning scheme.





**Junction** means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.

**Limited access road** means a road proclaimed as limited access under Section 52A of the Roads and Jetties Act 1935.

**E4.4 Use or development exempt from this Code**

**E4.4.1** There are no exemptions from this Code.

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

**E4.5.1** A TIA is required to demonstrate compliance with performance criteria.

**E4.5.2** A TIA for roads must be undertaken in accordance with Traffic Impact Assessment Guidelines, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.

**E4.5.3** A TIA must be accompanied by written advice as to the adequacy of the TIA from the:

- a) road authority in respect of a road; and
- b) rail authority in respect of a railway.

**E4.5.4** The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

#### **E4.6 Use Standards**

##### **E4.6.1 Use and road or rail infrastructure**

<b>Objective</b> To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	<b>P1</b> Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
<b>A2</b> For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	<b>P2</b> For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
N/a	N/a
<b>A3</b> For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	<b>P3</b> For limited access roads and roads with a speed limit of more than 60km/h: <ul style="list-style-type: none"> <li>a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</li> <li>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</li> <li>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</li> </ul>
<b>Comment:</b> Complies. The Traffic Impact Assessment states that this project is not expected to generate additional vehicle movements.	N/a

#### **E4.7 Development Standards**

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

<b>Objective</b> To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to: <ul style="list-style-type: none"> <li>a) ensure the safe and efficient operation of roads and railways; and</li> </ul>
--



<p>b) allow for future road and rail widening, realignment and upgrading; and</p> <p>c) avoid undesirable interaction between roads and railways and other use or development.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
<p><b>Comment:</b> Does not comply. The works include road works which will be occurring on a category 1 road with a speed limit of more than 60km/h. Must be considered against the performance criteria.</p>	<p><b>Comment:</b> Complies. The Traffic Impact Assessment finds:</p> <p>a) The scope of work is targeting improved safety outcomes, and all road users are expected to benefit from the works. Although the project will not generate additional traffic movements, it has been demonstrated that the level of traffic efficiency will be maintained and there is sufficient capacity to reasonably meet the future traffic and transport demands.</p> <p>b) This project will not generate additional vehicle movements using the road corridor and no change in the environmental impact is expected.</p> <p>c) There is no building work (additions or extensions) within the scope of this project. There will be no change in the road corridor and this project is not expected to limit future road widening if required.</p> <p>d) Any temporary buildings set-up as a contractor work site, will require a permit issued from the Department of State Growth. The permit is expected to operate until the project works are completed, with the site reinstated to an equivalent standard, prior to the works commencing.</p>

#### E4.7.2 Management of Road Accesses and Junctions

<p><b>Objective</b></p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
N/a	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
<p><b>Comment:</b> Does not comply. The works involve a new junction by way of the relocation of the Tannery Road intersection further to the</p>	<p><b>Comment:</b> The proposed works include the closure of the existing Tannery Road junction arrangement, with a new junction constructed slightly to the southeast, as well as upgrading the Bishopsbourne Road intersection. These works provide for a</p>



southeast. Must be considered against the performance criteria.	<p>social and economic benefit, being an intersection that is well used by both residential and agricultural traffic and has identified safety deficiencies.</p> <p>The Traffic Impact Assessment advises that:</p> <p>“The intersection modification is required to improve safety for users, by converting the cross intersection to a staggered T-Junction, to reduce the number of conflict points for turning vehicles. The painted median along the roadway will separate opposing traffic flows, and all turning vehicles from the roadway will be provided with dedicated turning facilities, so that the vehicle can slow, out of the way of through traffic. Drivers using the new layout are expected to be provided with appropriate sight distance so that turning manoeuvres can be undertaken in a safe manner, without adversely impacting other users. Additional traffic movements may be generated when further works occur west of this project, with the anticipated implementation of a median barrier, traffic modelling indicates that these additional vehicle movements are not expected to deteriorate the level of intersection performance”.</p>
---	---

#### **E4.7.3 Management of Rail Level Crossings**

##### **Objective**

*To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.*

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

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

##### **Objective**

*To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
<p><b>Comment:</b> The Traffic Impact Assessment advises that:</p> <p>“The road is currently operating under a 100 km/h speed limit, and an on-site inspection found sight distance for vehicles leaving both Bishopsbourne and Tannery Roads will exceed the Safe Intersection Sight Distance of 250 metres, as prescribed in the table E4.7.4 and therefore meets the acceptable solution under the planning scheme”.</p>	N/a

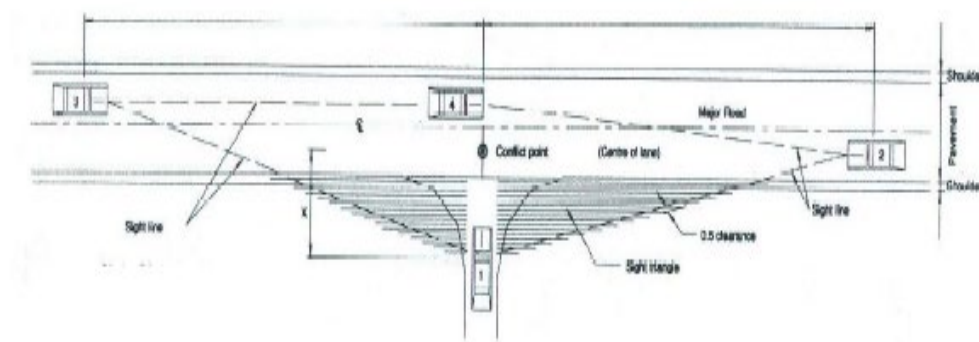


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

For category 1, 2 and 3 roads  $X = 7\text{m}$  minimum and for other roads  $X = 5\text{m}$  minimum.

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
  - (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
  - (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
  - (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
  - (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
  - (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

**ASSESSMENT AGAINST E5.0  
FLOOD PRONE AREAS CODE**

**E5 Flood Prone Areas Code**

**E5.1 Purpose of the Code**

**E5.1.1 The purpose of this provision is to:**

- a) ensure that use or development subject to risk from flooding is appropriately located and that adequate measures are taken to protect human life and property and to prevent adverse effects on the environment.
- b) determine the potential impacts of flooding through the assessment of risk in accordance with the Australian Standard.

**E5.2 Application of this Code**

**E5.2.1 This code applies to use or development of land:**

- a) mapped as flood risk on the planning scheme maps; or
- b) even if not mapped under subparagraph (a) if it is:
  - i) potentially subject to flooding at a 1% annual exceedance probability; or
  - ii) less than the height indicated on the coastal inundation risk height map; or
  - iii) identified in a report prepared by a suitably qualified person in accordance with the development application which is lodged or required in response to a request under Section 54 of the Act as actually or potentially subject to flooding at a 1% annual exceedance probability.

**E5.3 Definition of Terms**

**Flooding**

means the situation that results when land that is usually dry is covered with water as a result of watercourses overflowing, significant overland flows or water



*flowing into land associated with a rising tide and/or storms, and may include a combination of these factors.*

1% Annual Exceedance Probability(AEP)

*means the level which has a 1% probability of being exceeded in any year.*

Flood Level

E5.4 Use or Development Exempt from this Code

E5.4.1 The following use or development is exempt from this code:

- a) use and development for agriculture (not including development for dairies and controlled environment agriculture) and agricultural infrastructure such as farm tracks, culverts and the like.
- b) use and development for Forestry.
- c) extensions to existing development where floor area does not increase by more than 10% over the floor area which existed as at the effective date.

E5.5 Use Standards

**E5.5.1 Use and flooding**

<b>Objective</b> <i>To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
<b>Comment:</b> Complies.	N/a
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.
<b>Comment:</b> Complies. The use is located in an area subject to a low risk in accordance with the risk assessment in E5.1. Likelihood 1:100 (1%) with a minor or insignificant consequence = Low risk assessment.	N/a

**E5.6 Development Standards**

**E5.6.1 Flooding and Coastal Inundation**

<b>Objective</b> <i>To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	<p>P1.1 It must be demonstrated that development:</p> <ul style="list-style-type: none"> <li>a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or</li> <li>b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.</li> </ul> <p>P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.</p> <p>P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:</p> <ul style="list-style-type: none"> <li>a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and</li> <li>b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</li> <li>c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and</li> <li>d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.</li> </ul>





-	<b>Comment:</b> As previously identified, the development is found to be low risk. There is no need for direct access to water in this area therefore those standards are not applicable. There are no expected mitigation measures required to address potential flood impacts. There are not anticipated to be any changes in relation to flooding due to the works nor will there be any impact upon natural water movements. The application does not necessitate the implementation of mitigation works. The application complies with the performance criteria.
---	---

**E5.7 Risk Assessment**

**(a)** Where an assessment of risk under the Risk Consequence and Likelihood Matrix Table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).

**Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table**

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
<b>Moderate</b>	High	High	High	Medium	Low
<b>Unlikely</b>	High	Medium	Medium	Low	Low
<b>Rare</b>	High	Medium	Medium	Low	Low

**b) Consequence Criteria**

<b>Catastrophic</b>	Loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.
<b>Major</b>	Extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.
<b>Moderate</b>	Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.
<b>Minor</b>	Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.
<b>Insignificant</b>	No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation. Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.

**c) Likelihood – Annual Exceedance Probability**

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

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

**E6.6 Use Standards**

**E6.6.1 Car Parking Numbers**

**Objective:** To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions		Performance Criteria	
<b>A1</b>	The number of car parking spaces must not be less than the requirements of:	<b>P1</b>	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking distance of the site; and
		e)	site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
		f)	the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
		g)	an empirical assessment of the car parking demand; and
		h)	the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and



	i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
<b>Comment:</b> There is no requirement set for car parking for utilities in Table E6.1, and no car parking is proposed. Parking for 5 trucks with trailers is proposed each side of the road.	N/a

**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
Utilities	No requirement set.	No requirement set.

## **E6.7 Development Standards**

### **E6.7.1 Construction of Car Parking Spaces and Access Strips**

**Objective:** To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Acceptable Solutions		Performance Criteria
A1	All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
<b>Comment:</b> The development does not propose car parking and it is not required by the planning scheme. A truck stop is proposed which will be level and drained to stormwater infrastructure as shown on plan A1468.03 sheet 0030. It will be sealed and provided with line marking ensuring compliance with b) and c).		N/a

### **E6.7.2 Design and Layout of Car Parking**

**Objective:** To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

Acceptable Solutions		Performance Criteria
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
<b>Comment:</b> A1.1 The development does not propose car parking and it is not required by the planning scheme. A truck stop for 5 trucks with trailers is proposed on each side of the road. These are forward of the building line of the proposed picnic shelters. A1.2 – N/a – not a General Residential zone.		<b>Comment:</b> The truck stop area is adjacent to the road. The shelter will be accessible from all sides. Standard d) is not applicable as there are no cars in the vicinity. Due to physical site constraints, as well as the need to maintain adequate sight lines, no landscaping is proposed around this rest area. However, the adjoining properties will be re-landscaped consistent with the current landscaping on site.
A2.1	Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	P2 Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and



c) A2.2	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
<b>Comment:</b> The site is level and there will be an entrance and exit point on site enabling vehicles to enter and exit in a forward direction. The vehicle access at 8m will be wider than that required in table E6.2. Complies.		N/a

**Table E6.2: Access Widths for Vehicles**

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

#### **E6.7.3 Car Parking Access, Safety and Security**

**Objective:** To ensure adequate access, safety and security for car parking and for deliveries.

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

#### **E6.7.4 Parking for Persons with a Disability**

**Objective:** To ensure adequate parking for persons with a disability.

Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to: <ul style="list-style-type: none"> <li>a) the topography of the site;</li> <li>b) the location and type of relevant facilities on the site or in the vicinity;</li> <li>c) the suitability of access pathways from parking spaces, and</li> <li>d) applicable Australian Standards.</li> </ul>
<b>Comment:</b> Parking spaces designated for use by persons with a disability are not proposed and are not required by the planning scheme.		N/a	
A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: <ul style="list-style-type: none"> <li>a) characteristics of the populations to be served;</li> <li>b) their means of transport to and from the site; and</li> <li>c) applicable Australian Standards.</li> </ul>
<b>Comment:</b> Parking spaces designated for use by persons with a disability are not proposed, and are not required by the planning scheme.		N/a	

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

**Objective:** To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

Acceptable Solutions	Performance Criteria
----------------------	----------------------



A1	For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.	P1	For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
N/a – utilities use.		N/a	

## E6.8 Provisions for Sustainable Transport

### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

### E6.8.2 Bicycle Parking Access, Safety and Security

Objective:

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

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

### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1	Pedestrian access must be provided for in accordance with Table E6.5.
P1	Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
<b>Comment:</b> Less than 10 spaces in each parking area – pedestrian access not required.	

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

#### Notes

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



- iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

**ASSESSMENT AGAINST E8.0  
BIODIVERSITY CODE**

**E8 Biodiversity Code**

**E8.1 Purpose of the Code**

**E8.1.1 The purpose of this provision is to:**

- a) protect, conserve and enhance the region's biodiversity in consideration of the extent, condition and connectivity of critical habitats and priority vegetation communities, and the number and status of vulnerable and threatened species; and
- b) ensure that development is carried out in a manner that assists the protection of biodiversity by:
  - i) minimising vegetation and habitat loss or degradation; and
  - ii) appropriately locating buildings and works; and
  - iii) offsetting the loss of vegetation through protection of other areas where appropriate.

**E8.2 Application of this Code**

**E8.2.1 This code applies to use or development of land:**

- a) within the area identified as priority habitat on the planning scheme maps; or
- b) for the removal of native vegetation.

**E8.3 Definitions of Terms**

*Priority habitat means the areas identified on the planning scheme maps as priority habitat.*

*Flora and fauna report*

*means a report prepared by a suitably qualified person that must include:*

- a) a survey of the site identifying the extent, condition and connectivity of the habitat; and
- b) an assessment of the value of the habitat to contribute to the conservation and protection of species of significance in the bioregion; and
- c) an assessment of the full range of the impact that the proposed use or development will have on those values; and any mitigation or additional measures that should be incorporated to protect or enhance the values of the habitat.

**E8.4 Use or Development Exempt from this Code**

**E8.4.1 The following use or development is exempt from this code:**

- a) Level 2 activities assessed by the Environment Protection Authority

**E8.5 Use Standards**

*Not used in this Scheme.*

**E8.6 Development Standards**

**E8.6.1 Habitat and Vegetation Management**

**Objective**

*To ensure that:*

- a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and
- b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.

**Acceptable Solutions**

**Performance Criteria**

- A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;
- A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.

- P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:
- a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and
  - b) means of removal; and
  - c) value of riparian vegetation in protecting habitat values; and
  - d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and
  - e) need for and adequacy of proposed vegetation or habitat management; and
  - f) conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.

**Comment:** The land is not identified as priority habitat.

N/a





<p>A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.</p>	<p>P2 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:</p> <ul style="list-style-type: none"> <li>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</li> <li>b) means of removal; and</li> <li>c) value of riparian vegetation in protecting habitat values; and</li> <li>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</li> <li>e) need for and adequacy of proposed vegetation or habitat management; and</li> <li>f) conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.</li> </ul>
<p><b>Comment:</b> Does not comply.</p>	<p><b>Comment:</b> It is recommended that vegetation removed be replaced with similar species.</p>

**ASSESSMENT AGAINST E9.0  
WATER QUALITY CODE**

**E9 Water Quality Code**

**E9.1 Purpose of the Code**

**E9.1.1 The purpose of this provision is to:**

- a) consider the impacts of development to limit adverse effects on the following:
  - i) wetland and watercourse ecosystems; and
  - ii) flow regimes, water levels, biological activity and physical characteristics; and
  - iii) the variety of flora and fauna; and
  - iv) the role of wetlands and watercourses for water supply, flood mitigation, environmental protection, water regulation and nutrient filtering, as resources for recreational activities and as attractive features in the landscape; and
- b) improve the sustainable management of surface water through development.

**E9.2 Application of this Code**

**E9.2.1 This code applies to use or development of land:**

- a) within 50 metres of a wetland or watercourse; or
- b) within a Ben Lomond Water catchment area – inner or outer buffer.

**E9.3 Definitions of Terms**

**Ben Lomond Water**

means Tasmanian Water and Sewerage Corporation (Northern Region) Pty Ltd

**Ben Lomond Water catchment area - inner buffer**

means the area defined at Figure E9.6.1.

**Ben Lomond Water catchment area - outer buffer**

means the area defined at Figure E9.6.2.

**Soil and water management plan**

means a site-specific plan or drawing that details sediment and erosion control measures on a site.

**E9.4 Use or Development Exempt from this Code**

**E9.4.1 The following use or development is exempt from this code:**

- a) forestry subject to a certified forest practices plan;
- b) use for agriculture;
- c) private tracks on agricultural properties that are used for agricultural purposes;
- d) use and development for natural and cultural values management within parks, reserves and State Forest under State Government or Council ownership.
- e) use and development that is connected to reticulated sewer and stormwater.
- f) Level 2 activities assessed by the Environment Protection Authority.

**E9.5 Use Standards**

Not used in this Scheme.

**E9.6 Development Standards**

**E9.6.1 Development and Construction Practices and Riparian Vegetation**



<b>Objective</b> <i>To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) a Ben Lomond Water catchment area - inner buffer.	<b>P1</b> Native vegetation removal must submit a soil and water management plan to demonstrate: a) revegetation and weed control of areas of bare soil; and b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
<b>Comment:</b> a) Condition required for removal of native vegetation within 40m of a watercourse. b) complies – there are no Ben Lomond Water catchment areas identified.	<b>Comment:</b> Condition required.
<b>A2</b> A wetland must not be filled, drained, piped or channelled.	<b>P2</b> Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures on or near the wetland or waterway; (iii) opportunities to establish or retain native riparian vegetation; (iv) sources and types of potential contamination of the wetland or waterway.
<b>Comment:</b> Complies.	N/a
<b>A3</b> A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	<b>P3</b> A watercourse may be filled, piped, or channelled: a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
<b>Comment:</b> Complies.	N/a

#### **E9.6.2 Water Quality Management**

<b>Objective</b> <i>To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> All stormwater must be: a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.	<b>P1</b> Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures, on or near the wetland or waterway; (iii) sources and types of potential contamination of the wetland or waterway; (iv) devices or works to intercept and treat waterborne contaminants; (v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.
<b>Comment:</b> The development will be connected to the reticulated stormwater system.	N/a
<b>A2.1</b> No new point source discharge directly into a wetland or watercourse. <b>A2.2</b> For existing point source discharges into a wetland or watercourse there is to be no	<b>P2.1</b> New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge: a) do not give rise to pollution as defined under the Environmental Management and Pollution Control Act 1994; and



more than 10% increase over the discharge which existed at the effective date.	<p>b) are reduced to the maximum extent that is reasonable and practical having regard to:</p> <p>i) best practice environmental management; and</p> <p>ii) accepted modern technology; and</p> <p>c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the State Policy for Water Quality Management 1997.</p> <p>P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.</p>
<b>Comment:</b> A2.1 – complies. A2.2 N/a	N/a
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.
-	N/a

#### E9.6.3 Construction of Roads

<p><b>Objective</b> To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.</p>	
Acceptable Solutions	Performance Criteria
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the Wetlands and Waterways Works Manual, particularly the guidelines for siting and designing stream crossings.
<b>Comment:</b> Complies – does not propose a road or track crossing, entering or draining to a watercourse or wetland.	N/a

#### E9.6.4 Access

<p><b>Objective</b> To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.</p>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 New access points to wetlands and watercourses are provided in a way that minimises:</p> <p>a) their occurrence; and</p> <p>b) the disturbance to vegetation and hydrological features from use or development.</p>
-	<b>Comment:</b> Complies – does not propose new access points to wetlands and watercourses.
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
-	<b>Comment:</b> Complies – does not propose accesses and pathways.

#### E9.6.5 Sediment and Erosion Control

<p><b>Objective</b> To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.</p>	
Acceptable Solutions	Performance Criteria
A1 The subdivision does not involve any works.	<p>P1 For subdivision involving works, a soil and water management plan must demonstrate the:</p> <p>a) minimisation of dust generation from susceptible areas on site; and</p> <p>b) management of areas of exposed earth to reduce erosion and sediment loss from the site.</p>



N/a – not a subdivision	N/a – not a subdivision
-------------------------	-------------------------

**E9.6.6 Ben Lomond Water Catchment Areas**

*Objective*

*To address the effects of use and development within defined buffer areas for water catchments.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and water management plan approved by Ben Lomond Water.	P1 No performance criteria.
<b>Comment:</b> Complies – not within a Ben Lomond Water (TasWater) catchment area.	-
A2 Development located within a Ben Lomond Water catchment area - inner buffer must not involve disturbance of the ground surface.	P2 Development located within a Ben Lomond Water catchment area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.
<b>Comment:</b> Complies – not within a Ben Lomond Water (TasWater) catchment area.	N/a

**SPECIFIC AREA PLANS**

F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a

**SPECIAL PROVISIONS**

9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

**STATE POLICIES**

The proposal is consistent with all State Policies.

**OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993**

proposal is consistent with the objectives of the *Land Use Planning & Approvals Act 1993*.

**STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES**

**Strategic Plan 2017-2027**

*Statutory Planning*

**4.7 Representations**

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's records management system after completion of the public exhibition period revealed that representations (attached) were received from:

- S Clark, 1/5 Marlborough Street, Longford
- M Fyfe, Tamar Rise, Riverside, Launceston
- M Barker, 8 Cygnet Court, Longford
- E Aalbrecht, 7 Country Field Court, Longford
- R & W Smith, 1024 Blackwood Creek Road, Blackwood Creek



- M Morris, 97 Brickendon Street, Longford
- R Camilleri, 15C Cracroft Street, Longford
- D Armstrong, 39 Wilhelmina Avenue, Launceston
- B Hartnett, Summerhill
- A Anstie, Launceston
- G Vaughan, Riverside
- N Downie, Launceston
- S & F Stewart, 873 Illawarra Road, Longford
- H Mackinnon, address not provided in representation
- M Reid, Tamar Bicycle Users Group
- L Grant, 7 Tannery Road, Longford
- G Williams, 2126 Bishopsbourne Road, Longford

The matters raised in the representations are summarised below followed by the response from the Department of State Growth.

- Lack of provision of a cycle path between Longford roundabout and Bishopsbourne Road;
- Specifically concerns about using Back Creek Bridge as a cyclist due to the narrowing of the road. A separate road or bridge should be provided here;
- Inclusion of a different road surface for cyclists should be considered;
- Cycling infrastructure should be incorporated as a benefit to the broader community.
- The inclusion of a wire rope barrier will make it more difficult for vehicles to pass cyclists because they won't be able to cross out of their land to overtake a cyclist;
- There should be a separate cycle path from the truck stop;

Concerns about the lack of cycling infrastructure represent 10 representations.

- Concerns about the ability for farmers to move large agricultural equipment along Illawarra Road once centre median safety barriers are installed;
- A toilet should be installed at the heavy vehicle rest area to provide facilities for people using that site, and to ensure that additional trucks don't go into Longford where they may damage the heritage buildings;
- Desire to see the speed limit on the road reduce to 80 km/hr and that this be trialled before any works commence.;
- Concerns about heritage properties; and in particular the impact that the change to the road alignment may have on landscaping in the area. Request that landscaping plans be provided, fencing be provided, and a street light installed at the intersection;
- Mitigation measures for traffic noise should be included;

Concerns about increase in traffic volume, hazards, and congestions;

- Concerns about the visual impact of the heavy vehicle rest area. Will impact upon tourism into the township;
- Concerns about removing of trees on neighbouring properties; and
- Preference for the corner of Tannery Road to be used as a heavy vehicle rest area.

### 1. Shared User Paths

**DSG:** It is acknowledged that there is an interest in the community for the provision of cycle paths. The Department is working with Northern Midlands Council, local land owners and other stakeholders towards the provision of cycle paths between Perth Links and Longford. This area between Longford and Bishopsbourne Road was not scoped as part of the road upgrade project.

In considering the requirement under the Planning Scheme for the provision of shared user paths; the application must be assessed against the Rural Resource Zone, the Utilities Zone, and relevant Codes including the Road and Railway Assets Code.

The application is for a road upgrade, however there are no zone standards that require the provision of shared user paths. Furthermore, the relevant Codes that address road construction, in particular the Road and Railway Assets Code, and the Car Parking and Sustainable Transport Code, do not require the provision of shared user paths either.





Notwithstanding this, the road verge will be widened as part of these works, increasing safety for cyclists. Back Creek Bridge does represent a pinch point however this bridge is unable to be widened.

The concerns raised by representors that if the shared user path is not provided at this time, then the opportunity is lost, is incorrect. Any specific shared user path is likely to need to be separated from the road entirely and to that end, would have to be constructed separately from the road works in any event.

## **2. Movement of Agricultural Equipment**

**DSG:** The road corridor has a width of 7m which meets the National standards for accessibility and safety. It is expected that the corridor will be wide enough for the movement of agricultural equipment.

## **3. Installation of a toilet**

**DSG:** The heavy vehicle rest area is to formalise an existing rest area in this location. There are currently no facilities in this location. The rest area will provide for basic seating area and a covered area as well as some exercise equipment. Toilets are not provided as this area is not serviced with reticulated sewerage. Furthermore, the Planning Scheme does not require the provision of services for heavy vehicle rest areas. We also note that facilities and shops in Longford can be easily accessed from the truck stop which is on the outskirts of the town.

The project is presently before the Parliamentary Standing Committee for Public Works, we are awaiting a report from the committee before any decision is made on a toilet block.

## **4. Reduction in Speed Limit**

**DSG:** It is acknowledged that some members of the community want to see a reduction in the speed limit however this is relevant issue under the Planning Scheme.

## **5. Impact upon Heritage Properties**

**DSG:** Concerns were raised in relation to the impact upon one particular heritage property. This property not listed within the Local Historic Heritage Code of the Planning Scheme. The proposed works are located at considerable distance to the property, with the works representing acquisition of a strip of land on the south western property boundary.

Discussions have occurred with this property owner and agreements are being finalised in relation to the provision of replacement landscaping and fencing, which will be new for old replacement of fencing, and semi-mature trees to replace those that require removal. These issues are being addressed separately through the Notice of Acquisition Works process.

A street light is already proposed at the intersection with Tannery Road and Illawarra Road.

## **6. Traffic Noise**

**DSG:** The Department is not anticipating an increase in traffic movements along the road corridor. The works will include an upgraded access at Tannery Road however the upgraded access will be further from the nearby residential use than what currently exists. In addition, the topographical difference with the nearest house set quite a bit higher than the road, and approximately 45m away from the road corridor (so even further from the road itself), mitigates noise impacts.

## **7. Increase in Traffic Volume**

**DSG:** The Department is not anticipating an increase in traffic volumes on the road. The volumes are already consistent with the Roads categorisation as a National Highway, this is not likely to increase further following the works.

## **8. Concerns about the visual impact of the truck stop**



**DSG:** The heavy vehicle rest area currently exists in that location but is not formalised, representing a large gravel area. The proposed works will involve the sealing of this gravel area and formalisation of truck parking spaces, as well as supporting infrastructure. It is considered that this will improve the visual appearance of the rest area and in turn, the entrance into Longford.

**9. Concerns about loss of trees on a private property.**

**DSG:** A line of trees on land adjacent to the rest area will require removal. These trees are generally planted eucalypts. These trees are various ages. The application will require their removal but includes replacing the trees with semi-mature native species in that area. The trees of themselves, are not protected under the Planning Scheme.

**10. Tannery Road truck stop**

**DSG:** One representor raised the preference to see Tannery Road used as a heavy vehicle rest area. This is noted but is not proposed at this time.

**5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

**6 OPTIONS**

Approve subject to conditions or refuse and state reasons for refusal.

**7 DISCUSSION**

Discretion to refuse the application is limited to:

- New use for utilities in the Rural Resource Zone.
- Clause 26.3.3 in the Rural Resource Zone (Non-agricultural use in Irrigation District).
- Clause E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways.
- Clause E4.7.2, Management of Road Accesses and Junctions.
- Clause E5.6.1 Flooding Prone Areas Code.
- Clause E6.7.2, Design and Layout of Car Parking.

Conditions that relate to any aspect of the application can be placed on a permit.

The proposal is found to comply with the provisions of the planning scheme relating to the Utilities and Rural Resource zones and the relevant codes. It is recommended for approval with the conditions below.

**8 ATTACHMENTS**

1. Application Form [6.1.1 - 1 page]
2. Plans 3100 B-2-3 DA 210726 [6.1.2 - 6 pages]
3. Development Application Report Illawarra Road stage 1 28 July for lodgement [6.1.3 - 29 pages]
4. Traffic Impact Statement for Illwarra Main Road Stage One - Draft [6.1.4 - 13 pages]
5. Works Infrastructure response PLN 21 0183 Illawarra Road Longford [6.1.5 - 1 page]
6. Tas Water response [6.1.6 - 1 page]
7. Representations [6.1.7 - 23 pages]
8. Applicant's response to representations 27 August 2021 [6.1.8 - 3 pages]

**RECOMMENDATION**

That land at, Illawarra Road, Tannery Road, Bishopsbourne Road, 7 & 22 Tannery Road, 2126 & 2176 Bishopsbourne Road, 704 & 709 Illawarra Road, CTs 10350/1, 10245/1, 150843/1, 128346/1, 28158/1, 105495/1, 157554/2, 22090/1, 127517/1, 245427/1, 44233/1, 102827/1, Longford (Road & Railway Assets, Flood Prone Areas, and Carparking & Sustainable



Transport codes) Illawarra Road, Longford be approved to be developed and used for a road works in accordance with application PLN-21-0183, and subject to the following conditions:

**1 Layout not altered**

The use and development shall be substantially in accordance with the endorsed plans:

- **P1** Registration No. A1468.003, Sheet No. 1000, Rev B
- **P2** Registration No. A1468.003, Sheet No. 0030, Rev B
- **P3** Registration No. A1468.003, Sheet No. 0031, Rev B
- **P4** Registration No. A1468.003, Sheet No. 0032, Rev B
- **P5** Registration No. A1468.003, Sheet No. 0033, Rev B
- **P6** Registration No. A1468.003, Sheet No. 0040, Rev B

**2 Environmental Management Plan**

Before the development commence, Council shall be provided with a copy of the approved Environmental Management Plan.

**3 Removal of Native Vegetation within 40m of Back Creek**

Before the development commences, a soil and water management plan must be submitted for the removal of any native vegetation within 40m of Back Creek demonstrating:

- a) revegetation and weed control of areas of bare soil; and
- b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and
- c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.

**4 Landscaping Plan**

- Before the development commences, a landscape plan for the truck stop area and the realigned Tannery Road/Illawarra Road corner must be submitted showing vegetation to be removed to be replaced with similar species. When approved the plan will be endorsed and will form part of this permit.
- Within 6 months of the development commencing, landscaping as shown on the endorsed landscaping plan must be planted.
- Landscaping as shown on the endorsed landscaping plan must be maintained for the duration of the use.

**MINUTE NO. 21/341**

DECISION

Cr Davis/Cr Polley

That land at, Illawarra Road, Tannery Road, Bishopsbourne Road, 7 & 22 Tannery Road, 2126 & 2176 Bishopsbourne Road, 704 & 709 Illawarra Road, CTs 10350/1, 10245/1, 150843/1, 128346/1, 28158/1, 105495/1, 157554/2, 22090/1, 127517/1, 245427/1, 44233/1, 102827/1, Longford (Road & Railway Assets, Flood Prone Areas, and Carparking & Sustainable Transport codes) Illawarra Road, Longford be approved to be developed and used for a road works in accordance with application PLN-21-0183, and subject to the following conditions:

That land at, Illawarra Road, Tannery Road, Bishopsbourne Road, 7 & 22 Tannery Road, 2126 & 2176 Bishopsbourne Road, 704 & 709 Illawarra Road, CTs 10350/1, 10245/1, 150843/1, 128346/1, 28158/1, 105495/1, 157554/2, 22090/1, 127517/1, 245427/1, 44233/1, 102827/1, Longford (Road & Railway Assets, Flood Prone Areas, and Carparking & Sustainable Transport codes) Illawarra Road, Longford be approved to be developed and used for a road works in accordance with application PLN-21-0183, and subject to the following conditions:

**1 Layout not altered**

Except as required by condition 2, the use and development shall be substantially in accordance with the endorsed plans:

- P1 Registration No. A1468.003, Sheet No. 1000, Rev B
- P2 Registration No. A1468.003, Sheet No. 0030, Rev B
- P3 Registration No. A1468.003, Sheet No. 0031, Rev B
- P4 Registration No. A1468.003, Sheet No. 0032, Rev B
- P5 Registration No. A1468.003, Sheet No. 0033, Rev B



- P6 Registration No. A1468.003, Sheet No. 0040, Rev B

## **2 Revised Plans required**

Before the development commences, revised plans must be submitted. When approved the plans will be endorsed and will form part of this permit. The plans must be substantially in accordance with the endorsed plans but revised to show:

- Deletion of the truck parking areas.
- Installation of appropriate lighting at intersections on Illawarra Road.
- Inclusion of a shared pathway for the length of the roadworks, with particular attention to the Back Creek Bridge crossing.

## **3 Landscaping Plan**

- Before the development commences, a detailed landscape plan by a qualified landscape architect must be submitted that clearly identifies new planting areas and species and minimises impact on existing vegetation. When approved the plan will be endorsed and will form part of this permit.
- Within 6 months of the development commencing, landscaping as shown on the endorsed landscaping plan must be planted.
- Landscaping as shown on the endorsed landscaping plan must be maintained for the duration of the use.

## **4 Environmental Management Plan**

Before the development commence, Council shall be provided with a copy of the approved Environmental Management Plan.

## **5 Removal of Native Vegetation within 40m of Back Creek**

Before the development commences, a soil and water management plan must be submitted for the removal of any native vegetation within 40m of Back Creek demonstrating:

- a. revegetation and weed control of areas of bare soil; and
- b. the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and
- c. that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.

## **6 Noise Mitigation**

Before the development commences, a noise assessment must be undertaken by a suitably qualified person which must recommend the implementation of noise mitigation measures including road surface, vegetation buffers and double glazing for affected residences. When approved the noise assessment will be endorsed and form part of this permit.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 6.2 PLANNING APPLICATION: PLN 21-0192 - 1 ARTHUR STREET, EVANDALE - ITEM WITHDRAWN

*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

This item has been withdrawn at the applicant's request, as the applicants wish to consider options for the site.

### RECOMMENDATION

That the Planning Authority note the withdrawal of PLN 21-0192 – 1 Arthur Street, Evandale.

### MINUTE NO. 21/342

#### DECISION

Cr Lambert/Cr Davis

That the Planning Authority note the withdrawal of PLN 21-0192 – 1 Arthur Street, Evandale.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil





## 7 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

### RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

### MINUTE NO. 21/343

### DECISION

Cr Lambert/Cr Adams

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

Carried Unanimously

## 8 CLOSURE

Deputy Mayor Goss closed the meeting at 05:33 pm.

DEPUTY MAYOR \_\_\_\_\_ DATE \_\_\_\_\_