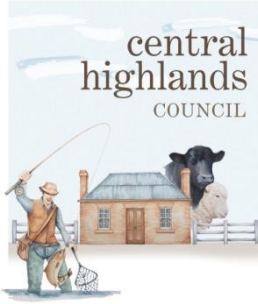




PLANNING COMMITTEE MEETING

AGENDA

Tuesday 11th October 2022



NOTICE OF MEETING

Council Representatives:

Clr Allwright (Chairperson); Mayor Triffitt, Clr Cassidy &
Clr Bailey (Clr Archer – Proxy)

Dear Councillors,

Notice is hereby given that the next Planning Committee Meeting will be held at the Council Chambers, 19 Alexander Street, Bothwell at 9.00 a.m. on Tuesday, 11th October 2022, to discuss business as printed below.

I certify that the contents of the reports have been provided in accordance with section 65 of the Local Government Act 1993.

Lyn Eyles
GENERAL MANAGER

PLANNING COMMITTEE AGENDA

1.0 PRESENT

2.0 APOLOGIES

3.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman requests Councillors to indicate whether they or a close associate have, or are likely to have, a pecuniary interest (any pecuniary or pecuniary detriment) in any item of the Agenda.

4.0 CONFIRMATION OF MINUTES

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 13th September 2022 to be confirmed.

Carried

5.0 QUESTION TIME & DEPUTATIONS

Nil

6.0 DA2022/71: GREENHOUSE & MAKERS SHED, at GREAT LAKE COMMUNITY CENTRE, 55-57 CIDER GUM ROAD, MIENA

Report by

Louisa Brown (Planning Officer)

Applicant

Great Lake Community Centre

Owner

Central Highlands Council

Discretions

20.4.1, P1 Building Height

20.4.2, P1 Setbacks

20.4.3, P1 & P2 Building Design

20.4.4 P1, Passive Surveillance

Proposal

An application for a Greenhouse and Makers Shed for use by the community has been made to Council at the property 55-57 Cider Gum Road, Miena. Members of the Great Lake Community Centre were successful in receiving grant funding for the proposal.

The Greenhouse will be used by the community to grow and produce vegetables. The Makers Shed is proposed to be used as a community meeting place, for members of the community to make and restore things, for artisans to apply their skills and a place for members of the community to share skills and mentor others. Activities may include, woodwork, metal work, pottery and other crafts.

The two new buildings (Greenhouse and Makers Shed) will be located on an area of the property adjacent to the existing Community Centre, behind the building line of the existing building. This will require the relocation of the existing water tanks. The Greenhouse and the Makers Shed will be accessed by vehicles from the existing point of access into the Community Centre Car Park from Cider Gum Road. Additional car parking will be provided in the existing Car Park.

The Greenhouse will have a building area of 131.8m² and the Makers Shed a building area of 162.6m².

Greenhouse - Building height of 8.72m, dimensions of 13m x 10m
Makers Shed - Building height of 4.3m, dimensions of 12m x 13.9m

The property is zoned Local Business in the Central Highlands Interim Planning Scheme 2015, Community Meeting & Entertainment is a Permitted use within this zone.

The Development Application was advertised for the statutory 14 days, during which time one (1) representation was received.

An assessment of the Development Application against the relevant standards of the Planning Scheme has been made and is detailed in this report.

It is recommended that the Development Application for a Greenhouse and Makers Shed be approved, subject to Conditions contained within this report.

Subject site and Locality

The Great Lake Community Centre is located off Cider Gum Road, Miena. The property contains three (3) titles and currently includes the Community Centre, a vacant lot, Fire & Ambulance Station and car parking. The proposed Greenhouse and Makers Shed will be located adjacent to the existing Community Centre, enhancing the existing facilities and activities available to the Great Lake Community.

The property is surrounded by adjoining land zoned Low Density Residential to the north, eastern and southern boundary. Property within the Low Density Residential Zone adjacent to the proposed Greenhouse and Makers Shed are currently vacant. The closest dwelling on land zoned residential is 60m from the Community Centre property boundary.

To the northern and western property boundary are properties located within the Local Business Zone, including the Central Highlands Lodge, Miena Hotel.

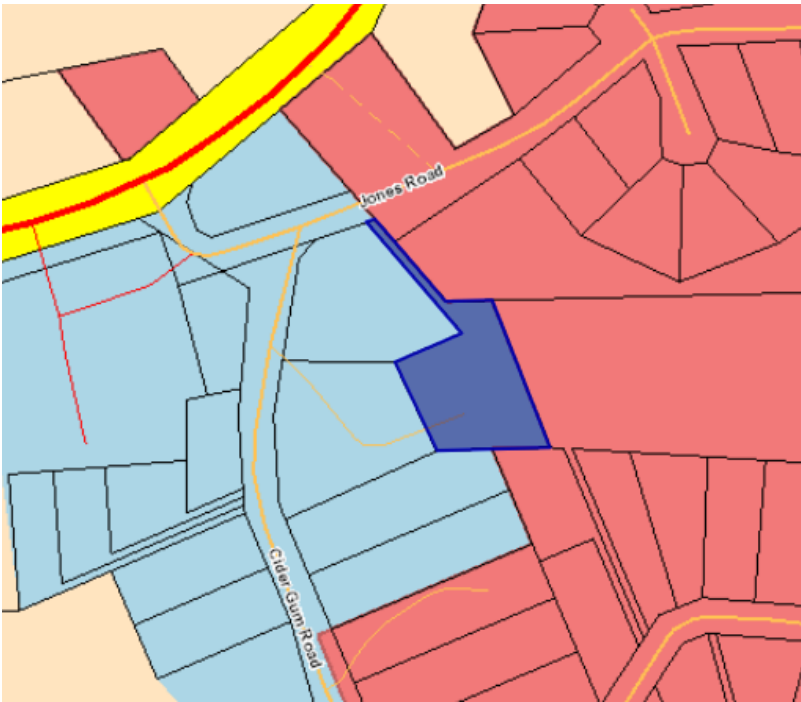


Fig 1. Location and zoning of the proposed Greenhouse and Makers Shed indicating the Local Business Zone in light blue and Low Density Residential Zone in red. The property for the proposed development is shown in dark blue. (Source: LISTmap, accessed 04/10/2022).



Fig 2 Aerial photo of the subject land (in blue) and surrounding area. (Source: LISTmap, accessed 04/10/2022).

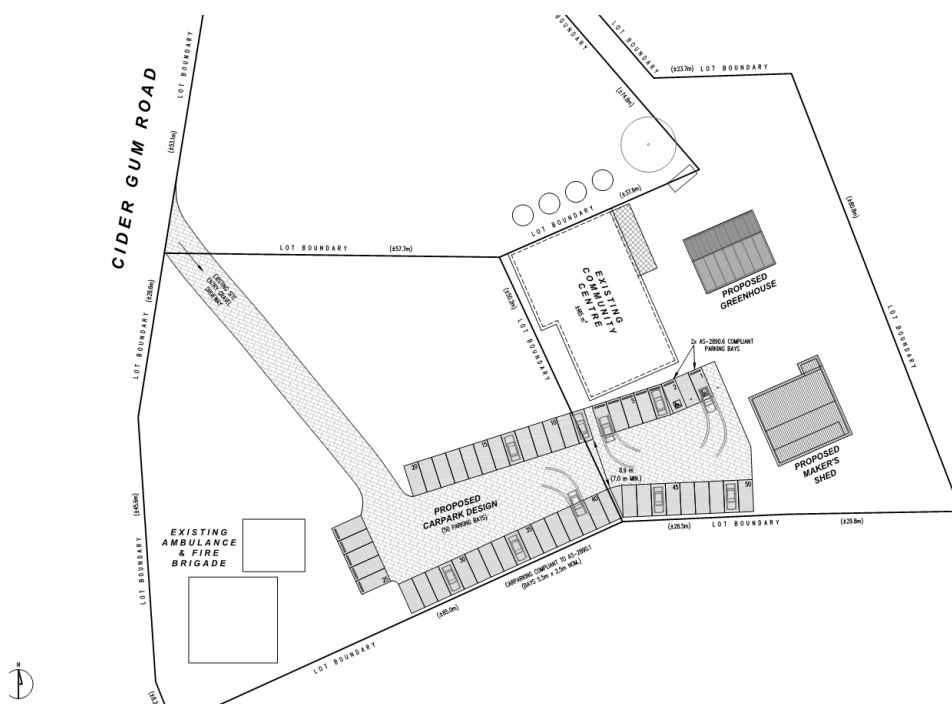


Fig 3 The proposed Greenhouse and Makers Shed, extended car parking area and existing structures across the Community Centre 3 titles (Source: DA Documents).

Nil

Nil

The subject land is located in the Local Business Zone of the Central Highlands Interim Planning Scheme 2015. The proposal must satisfy the requirements of the following use and development standards, relevant to the Planning Scheme:

except for office and administrative tasks.		
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20.3.2 Noise Objective: To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	P1 Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.	It is stated by the applicant that the Greenhouse will not generate noise. The Makers Shed may occasionally generate some levels of noise, depending upon the activity being undertaken. Any noise made by activities, is not anticipated to be constant during the permitted hours of operation. The building is for community purpose, it is not a Business which may generate noise constantly during the permitted hours of operation. As noise levels are required to be averaged over 15 minute intervals, it is anticipated that the Acceptable Solution A1 is met.

20.3.3 External Lighting Objective: To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 External lighting within	P1 External lighting within 50 m	No security lighting is proposed for

<p>50 m of a residential zone must comply with all of the following:</p> <p>(a) be turned off between 10:00 pm and 6:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.</p>	<p>of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</p> <p>(a) level of illumination and duration of lighting;</p> <p>(b) distance to habitable rooms in an adjacent dwellings.</p>	<p>either building, any outdoor lighting will be turned off when the building is not in use.</p> <p>The proposal meets the Acceptable Solution A1.</p>
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20.3.4 Commercial Vehicle Movements Objectives: To ensure that commercial vehicle movements not have unreasonable impact on residential amenity on land within a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 5.00 pm Saturdays;</p> <p>(c) 10.00 am to 12 noon Sundays and public holidays.</p>	<p>P1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and</p>	<p>No additional commercial vehicular movements are proposed in the application, other than the existing garbage removal that is in place for the Community Centre.</p> <p>The proposal meets the Acceptable Solution A1.</p>

	dwellings; (f) the level of traffic on the road; (g) the potential for conflicts with other traffic.	
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20.4 Development Standards for Buildings and Works 20.4.1 Building Height Objective: To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be no more than: 9 m.	P1 Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the scale of nearby buildings; (c) not unreasonably overshadow adjacent public space; (d) allow for a transition in height between adjoining buildings, where appropriate; (e) be no more than 12 m.	The proposed building height for the greenhouse is 8.72m. The proposed building height for the Makers Shed is 4.3m. The Acceptable Solution A1 is met.
A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	P2 Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.	The proposed building height for the greenhouse is 8.72m. The proposed building height for the Makers Shed is 4.3m. The Makers Shed meets the Acceptable Solution A2. The proposed building height for the Greenhouse is 0.2m above the Acceptable Solution at its highest peak. The roof pitch is 30 degrees and 60 degrees. This creates an unusual shaped roofline, which is 8.72m at its peak. The height of the existing Community Centre for comparison, is

		<p>8.145m</p> <p>There are no existing buildings in the residential zone adjoining the Greenhouse.</p> <p>The proposed Greenhouse meets the Performance Criteria P2.</p>
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20.4.2 Setback Objective: To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building setback from frontage must be parallel to the frontage and must be no more than: 3 m.	P1 Building setback from frontage must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape; (c) enhance the characteristics of the site, adjoining lots and the streetscape; (d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created; (e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential	<p>The frontage is Jones Road, the proposed setback of the Greenhouse is more than 3m, therefore the Performance Criteria is relied upon.</p> <p>(a) There is no character statement for the area.</p> <p>(b) Continuous building lines are not evident in the area. The Greenhouse is adjacent to the Community Centre.</p> <p>(c) The location of the Greenhouse is situated adjacent to the existing Community Centre and the proposed Makers Shed, together the three buildings will enhance facilities for the community.</p> <p>(d) The character of development of the Great lake does not include long building lines and the open site will not create entrapment places.</p> <p>(e) Large variation in building lines are not a characteristic of development in the Great Lake.</p> <p>The proposal complies with the Performance Criteria P1.</p>

	concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.	
A2 Building setback from a residential zone must be no less than: (a) 3 m; (b) half the height of the wall, whichever is the greater.	P2 Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by: (a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours; (b) overlooking and loss of privacy; (c) visual impact when viewed from adjoining lots, taking into account aspect and slope.	The proposed Greenhouse is setback to the Residential Zone 14.3m – 14.8m, the Acceptable Solution A2 is met. The proposed Makers Shed is setback from the residential Zone 8.3m-13.6m and 12.6m-13.3m, the Acceptable Solution A2 is met.

20.4.3 Design Objective: To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door	P1 Building design must enhance the streetscape by satisfying all of the following: (a) provide the main access to the building in a way that addresses the street or other public space boundary; (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;	Greenhouse (a) The proposed Greenhouse will be accessed via doors to the western and southern elevations. These will be visible from within the public accessible areas on the property. The Acceptable Solution A1 is met. (b) The front façade of the Greenhouse is 90% translucent polycarbonate panels/windows. The Acceptable Solution A1 is met. (c) The northern and western elevations will face public space, in terms of the street frontage to Jones Road and the Community Centre. Both

<p>openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade ;</p> <p>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade;</p> <p>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</p> <p>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</p> <p>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</p> <p>(g) not include security shutters over windows or doors with a frontage to a street or public place.</p>	<p>(c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</p> <p>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</p> <p>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</p> <p>(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</p> <p>(g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</p> <p>(h) be consistent with any Desired Future Character Statements provided for the area.</p>	<p>elevations contain windows and glass doors. The Acceptable Solution A1 is met.</p> <p>(d) All equipment and mechanical plant equipment are screened from public spaces. The Acceptable Solution A1 is met.</p> <p>(e) No lift structures or service plants are proposed.</p> <p>(f) There are no public footpaths.</p> <p>(g) No security shutters are proposed.</p> <p>Greenhouse meets the Acceptable Solution A1.</p> <p>Windows to the public realm/street scape are limited from the Makers Shed, due to the location of the building to the rear of the property. Therefore, the proposal is assessed against the Performance Criteria.</p> <p>(a) The Makers Shed will be accessed via doors to the western and northern elevations. These will be visible from within the public accessible areas on the property. The Performance Criteria P1 is met.</p> <p>(b) Windows and doors are located on the Makers Shed to the western elevation. This will enable passive surveillance of public spaces adjacent to the Community Centre and the surrounding Greenhouse. The Performance Criteria P1 is met.</p> <p>(c) There are no large areas of blank walls which face the public realm on the Makers Shed.</p> <p>(d) Equipment, switch boards and heat pumps will not be visible from the street scene.</p> <p>(e) No lift structures or service plants are proposed.</p> <p>(f) There are no public footpaths.</p>
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		<p>(g) No security shutters are proposed.</p> <p>(h) There are no Desired Future Character Statements for the area.</p> <p>The Makers Shed meets the Performance Criteria P1.</p>
<p>A2</p> <p>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>No Performance Criteria.</p>	<p>The Greenhouse and the Makers Shed have at least two elevations which face residential zones. The proposed materials for both buildings are Cream for the walls and Pale Eucalypt for the roof. The proposed materials are in keeping with the colour of materials used for the existing Community Centre.</p> <p>The proposed materials have a LRV of 69% for cream and 25% for Pale Eucalypt.</p> <p>As a condition of the Planning Permit, the materials colour must meet the Acceptable Solution A2.</p>

20.4.4 Passive Surveillance		
Objective: To ensure that building design provides for the safety of the public.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building design must comply with all of the following:</p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> <p>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than</p>	<p>P1</p> <p>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <p>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</p> <p>(b) locate windows to adequately overlook the street and adjoining public spaces;</p> <p>(c) incorporate shop front windows and doors for</p>	<p>Windows to the public realm/street scape are limited, the proposal is assessed against the Performance Criteria.</p> <p>(a) The Greenhouse and Makers Shed will be accessed from within the public accessible areas on the property. The Performance Criteria P1 is met.</p> <p>(b) Windows are located towards the eastern elevation, creating opportunity for passive surveillance of public spaces adjacent to the Community Centre and the car park. The Performance Criteria P1 is met.</p> <p>(c) No shop fronts are proposed.</p> <p>(d) No external lighting is proposed.</p>

<p>40 % of the surface area of the ground floor level facade ;</p> <p>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade;</p> <p>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) provide well-lit public access at the ground floor level from any external car park.</p>	<p>ground floor shops and offices, so that pedestrians can see into the building and vice versa;</p> <p>(d) locate external lighting to illuminate any entrapment spaces around the building site;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</p> <p>(g) provide for sight lines to other buildings and public spaces.</p>	<p>(e) No lighting for car parking areas is required.</p> <p>(f) Public access to the Greenhouse and Makers Shed will be via the car park area and the Community Centre. These will be visible from the public space.</p> <p>(e) Sightlines to other buildings within the Community Centre area will be created on the property.</p> <p>The proposal meets the Performance Criteria P1.</p>
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20.4.5 Landscaping Objective: To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Landscaping is not required along the frontage in this zone.	P1 Landscaping must be provided to satisfy all of the following: (a) enhance the appearance of the development; (b) provide a range of plant height and forms to create diversity, interest and amenity; (c) not create concealed entrapment spaces;	No Landscaping is proposed to the frontage.

	(d) be consistent with any Desired Future Character Statements provided for the area.	
A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2 m.	P2 Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zoned land.	No landscaping is proposed, therefore the proposed Greenhouse and Makers Shed is assessed against the Performance Criteria P2. The Greenhouse and Makers Shed are adjacent to existing community buildings. The proposed buildings are in keeping with these which exist on the property, such as the Community Centre. Vacant residential zoned properties are situated adjacent to the proposed buildings to the eastern and southern elevations. The characteristics of the surrounding landscape of the locality, is rocky and dry. Few residential properties include landscaped gardens, due to the prevailing environmental conditions, existing vegetation is sparse and includes few mature trees. The visual impact of the Greenhouse and Makers Shed will not cause unreasonable adverse impact on the adjoining vacant residential land. However, it is recommended that suitable landscaping be provided to the western and southern boundaries. This will be conditioned in the Permit. The proposal meets the Performance Criteria P2.

20.4.6 Outdoor Storage Areas Objective: To ensure that outdoor storage areas for non- residential use do not detract from the appearance of the site or the locality.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Outdoor storage areas for non-residential uses must comply with all of the following:	P1 Outdoor storage areas for non-residential uses must satisfy all of the following: (a) be located, treated	No outdoor storage areas are proposed.

(a) be located behind the building line;	or screened to avoid unreasonable adverse impact on the visual amenity of the locality;	
(b) all goods and materials stored must be screened from public view;	(b) not encroach upon car parking areas, driveways or landscaped areas.	
(c) not encroach upon car parking areas, driveways or landscaped areas.		

20.4.7 Fencing Objective: To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Fencing must comply with all of the following: <p>(a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;</p> <p>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;</p> <p>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.</p>	P1 Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following: <p>(a) the height of the fence;</p> <p>(b) the degree of transparency of the fence;</p> <p>(c) the location and extent of the fence;</p> <p>(d) the design of the fence;</p> <p>(e) the fence materials and construction;</p> <p>(f) the nature of the use;</p> <p>(g) the characteristics of the site, the streetscape and the locality, including fences;</p> <p>(h) any Desired Future Character Statements</p>	The existing fence is to be removed and replaced. The proposal meets the Acceptable Solution A1.

	provided for the area.	
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Codes

The Development Application has been assessed against the relevant Codes of the Central Highlands Interim Planning Scheme 2015.

E6.0 Parking & Access Code

The purpose of this code is to ensure enough parking is provided for a use or development to meet the reasonable requirements of users.

E6.6 Use Standards

E6.6.1 Number of Car Parking Spaces

To ensure that:

- (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.
- (b) a use or development does not detract from the amenity of users or the locality by:
 - (i) preventing regular parking overspill;
 - (ii) minimising the impact of car parking on heritage and local character.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;	P1 The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following: (a) car parking demand; (b) the availability of on-street and public car parking in the locality; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the	The proposed Community Greenhouse and Makers Shed meets the requirement of Table E6.1, Community Meeting & Entertainment. In addition the existing number of car parking spaces for the Community Centre have not been reduced. The Acceptable Solution A1 is met.

	<p>consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</p> <p>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) any relevant parking plan for the area adopted by Council;</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p>	
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E6.7.1 Number of Vehicular Accesses

To ensure that:

- (a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:
 - (i) the number of vehicle access points; and
 - (ii) loss of on-street car parking spaces;
- (b) vehicle access points do not unreasonably detract from the amenity of adjoining land uses;
- (c) vehicle access points do not have a dominating impact on local streetscape and character.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number	P1 The number of vehicle access points for each road frontage must be minimised, having regard to all of the following: (a) access points must	The proposed Community Greenhouse and the Makers Shed will be accessed via the existing car park for the Community Centre. The proposal meets the Acceptable

of vehicle access points, whichever is the greater.	be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points; (b) whether the additional access points can be provided without compromising any of the following: (i) pedestrian safety, amenity and convenience; (ii) traffic safety; (iii) residential amenity on adjoining land; (iv) streetscape; (v) cultural heritage values if the site is subject to the Local Historic Heritage Code; (vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity.	Solution A1.
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E6.7.6 Surface Treatment of Parking Areas		
To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	P1 Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following: (a) the suitability of the surface treatment; (b) the characteristics of the use or development; (c) measures to mitigate mud or dust generation or sediment transport.	The access road to the property is from an existing unsealed road. The proposal meets the Acceptable Solution A1.

Representations

The proposal was advertised for the statutory 14 days period from 26 August to 9 September 2022 during which, one (1) representation was received. This is discussed below, Planning Officer response is shown in *Italics*.

Representation Received	Officer Comment
<p>The proposed development and expansion of facilities at the Great Lake Community Centre is situated in the Local Business zone, abutting property zoned Low Density Residential.</p> <p>While we appreciate that the setback as proposed is within the acceptable solution of the scheme (Clause 20.4.2 A2), we ask that Council consider in your assessment the potential impacts of noise arising from activities carried out in the proposed maker's shed. It is noted in the response from the proponent to Council officers (dated 29 July 2022) that there is no mention of the level of noise anticipated from the maker's shed, and only refers to the minimal noise expected from the greenhouse. It would be prudent to further understand the anticipated noise levels generated from activities carried out in the maker's shed, given it is proposed to include "woodwork, metalwork, ceramics, other", which would equate to the use of machinery.</p> <p>Further, the maker's shed is closer to residential uses compared to the greenhouse. It is our understanding under section 20.3.2 of the scheme that noise emissions from the maker's shed at the adjoining boundary of our block must not exceed the acceptable solution for a residential zone, or must not cause environmental harm within a residential zone. We ask that Council consider conditioning the use of soundproof material in the construction of the maker's shed, and stipulate reasonable hours of 'operation' so as not to impact the tranquillity of the surrounding.</p> <p>In addition to the noise concerns, as necessary under the scheme (Clause 20.4.5 A2), we also request Council consider conditioning that landscaping must be provided to a depth of no less than 2m. We note that this has not been clearly specified in the documents made public. The provision of sufficient landscaping would also assist in attenuating noise generated from</p>	<p><i>The setback to property boundaries for the proposed Greenhouse and Makers Shed exceed the distance required of the Planning Scheme for the Local Business Zone.</i></p> <p><i>As discussed in the assessment of the proposal against the scheme standards above, the Makers Shed may occasionally generate some levels of noise, depending upon the activity being undertaken. Any noise made by activities, is not anticipated to be constant during the hours of operation. The building is for community purpose, it is not a Business which may generate noise constantly during the permitted hours of operation.</i></p> <p><i>As noise levels are required to be averaged over 15 minute intervals, it is anticipated that the use of the community buildings will meet the noise requirements of the Planning Scheme.</i></p> <p><i>The design of the Makers Shed includes a shipping container and an outbuilding, which are connected by a roof structure and enclosed at either end with metal mesh panels. Therefore the design includes open areas. Sound proofing within the building would not reduce any noise and is not a requirement of the Planning Scheme.</i></p> <p><i>The characteristics of the surrounding landscape of the locality, is rocky and dry. Few residential properties include landscaped gardens, due to the prevailing environmental conditions and the poor soil quality, existing vegetation is sparse and includes few mature trees.</i></p> <p><i>It is recommended that suitable landscaping be provided to the western and southern boundaries. This will be conditioned in the Permit.</i></p>

the maker's shed.	
We are supportive of the proposed development for the benefit of the Miena community, provided it does not impact upon the tranquillity of the surroundings.	

Conclusion

The proposal for a Greenhouse and Makers Shed at 55-57 Cider Gum Road, Miena submitted by the applicant The Great Lake Community Centre has been assessed to comply with the applicable standards of the Local Business Zone and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment, one representation was received. The concerns raised in the representation have been addressed in this report.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2022/71 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 21 October 2022, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

Recommended Conditions

General

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Approved Use

- 3) The Greenhouse and Makers Shed are approved as Community Meeting & Entertainment Use only and must not be used for any other purpose without the prior written consent of Council or unless in accordance with a permit issued by Council or as otherwise permitted by Council's Planning Scheme.

Hours of Operation

- 4) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:
Monday to Saturday 7:00 a.m. to 9:00 p.m.
Sunday and State-wide public holidays 9:00 a.m. to 5:00 p.m.

Amenity

- 5) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting, and coloured using colours with a Light Reflectance Value not greater than 40% or painted to the satisfaction of the Council's Manager of Development and Environmental Services.
- 6) All external building materials associated with the development are to be of types and colours that are sympathetic to the existing buildings on the property.

- 7) Any security lighting required adjacent to residential areas must be baffled.

Landscaping

- 8) Before any work commences submit a Landscape Plan for approval by Council's Manager of Development and Environmental Services. The landscape plan must include:
 - a) Existing vegetation to be retained and/or removed.
 - b) The areas to be landscaped.
 - c) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, sizes at maturity and quantities of each plant.
- 9) Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the Landscape Plan will be endorsed and will form part of this permit.
- 10) Prior to commencement of use, all trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Manager of Development and Environmental Services.

Parking & Access

- 11) At least fifty (50) parking spaces must be provided on the land at all times for the use of the occupiers in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney.
- 12) Car parking spaces, other than those designed and marked out for use by the disabled, must be a minimum of 2.60 metres wide and 5.50 metres long, unless otherwise approved by the Council's Manager of Works.
- 13) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
 - a) Constructed with a durable all weather pavement;
 - b) The driveway access must be located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.
 - c) Drained to an approved stormwater system; and
 - d) Minimum carriageway width of 4 metres.or as otherwise required by an approved Bushfire Plan.
- 14) Adequate manoeuvring space must be provided in accordance with Standards Australia (2002): *Australian Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities*, Standards Australia, Sydney and the requirements of the Council's Manager of Works and Technical Services. All vehicles including heavy trucks or articulated vehicles may leave the site in a forward direction.
- 15) All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Development Assessment Committee.
- 16) Any damage to the cross-over accessing the property, from the property boundary to the formation of Cider Gum Road, resulting from activities associated with the development is to be repaired to the satisfaction of the Manager, Works & Technical Services following completion of the works. Associated costs are the responsibility of the developer.

Services

- 17) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Stormwater

- 18) Drainage from the proposed development must be retained on site or must drain to a legal discharge point to the satisfaction of Councils Manager Development & Environmental Services and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2016*.

Wastewater

- 19) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2016*.

Soil and Water Management

- 20) Before any work commences install temporary run-off, erosion and sediment controls and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Manager of Development and Environmental Services.

Noise

- 21) Noise emissions from the use or development must not exceed a time average acoustic environmental quality objective weighted sound pressure level (LAeq,T) of 5 dB(A) above the background level, adjusted in accordance with Standards Australia: AS 1055, Acoustics – Description and measurement of environmental noise, Standards Association of Australia, Sydney, 1997 when measured at the boundary with another property. All methods of measurement must be in accordance with relevant Australian Standards and DPIWE (2003): Draft Noise Measurement Procedures Manual, Department of Primary Industries, Parks, Water and Environment.

Construction Amenity

- 22) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.
- 23) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b) The transportation of materials, goods and commodities to and from the land.
 - c) Obstruction of any public footway or highway.
 - d) Appearance of any building, works or materials.
 - e) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.

- 24) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 25) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

The following advice applies to this permit:

- a) This permit does not ensure compliance with the *Aboriginal Heritage Act 1975*. It is recommended that you conduct a property search with Aboriginal Heritage Tasmania prior to commencing works – see this website for further details: <https://www.aboriginalheritage.tas.gov.au/assessment-process>
- b) This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- c) This Planning Permit is in addition to the requirements of the Building Act 2016. It is necessary to seek approval prior to any new building work, work being carried out in accordance with the Building Act 2016. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#)

If an owner undertakes any Low Risk Building Work as allowed by the Directors determination, they are responsible for ensuring that any proposed work complies with this Determination, in particular to ensure that they:

- Review and comply with any relevant Standard Limitations,
- That permitted size limits are not exceeded;
- That Boundary setbacks are complied with.

Types of Low Risk structure of sizes greater than permitted for this Category are to be considered against the next relevant Category being either Low Risk Work (Category 2), Notifiable Work (Category 3) or Permit Work (Category 4).

- d) This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- e) The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building approval.
- f) A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.
- g) Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
 - a. Minimise site disturbance and vegetation removal;

- b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
 - e. Rehabilitation of all disturbed areas as soon as possible.
- h) Fencing must comply with the standards of the zone, as follows:
- a. fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;
 - b. fences along a frontage must be at least 50% transparent above a height of 1.2 m;
 - c. height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.

6.1 INVITATION TO COMMENT ON THE DRAFT TASMANIAN PLANNING POLICIES (TPP'S)

The Tasmania Government has prepared the suite of draft TPPs and are seeking feedback on the matters addressed, the policy content and their effectiveness in delivering desired land use planning outcomes.

The draft TPPs and Supporting Report can be viewed under the 'Have Your Say' tab on the Planning in Tasmania website: <https://planningreform.tas.gov.au/>

The closing date for the consultation is Tuesday 1st November. LGAT have raised this with the state Planning Office, as the timing is not good as far as getting an Elected Representative perspective and formal council endorsement. The State Planning Office have agreed that for those councils that wish to get Elective Representative input and / or formal council endorsement they can submit their submission directly following the November meeting.

Council's Planning Consultant (SMC), Damian Mackey, will be reviewing the documentation in consultation with Council's Planning Officer, Louisa Brown, and will prepare a submission for consideration at the November Planning Committee and Council Meetings.

In addition, the State Planning Office will be conducting an online presentation on the draft TPPs on Wednesday 19th October, 2022, at 2.00pm.

To register, please email the State Planning Office at stateplanning@dpac.tas.gov.au who will, closer to the date, forward you a web link and teams invitation where you can access the presentation.

FOR INFORMATION

7.0 OTHER BUSINESS

8.0 CLOSURE