

Special Council Meeting Agenda

5th March 2026

Bothwell Council Chambers

Notice of Special Meeting of Council – Thursday 5th March 2026

To Councillors,

In accordance with the Local Government (Meeting Procedures) Regulations 2025, Notice is hereby given, that a Special Meeting of Central Highlands Council is scheduled to be held in the Council Chamber, **Bothwell** on **Thursday 5th March 2026**, commencing at **9.00am** with the business of the meeting to be in accordance with the following agenda paper.

In accordance with the Local Government (Meeting Procedures) Regulations 2025 Part 2, Division 1, a notice of the meeting was published on the Council website on 2 March 2026.

General Manager's Certification

PURSUANT to Section 65 (1) of the Local Government Act 1993, I hereby certify, with respect to the advice, information and/or recommendation provided for the guidance of Council in this Agenda, that:

- A. such advice, information and/or recommendation has been given by a person who has the qualifications or experience necessary to give such advice; and
- B. where any advice is given by a person who does not have the required qualifications or experience, that person has obtained and taken into account the advice from an appropriately qualified or experienced person.

Section 65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice.

Dated at Bothwell this **2nd** day of **March 2026**.



Stephen Mackey
General Manager

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The meeting commenced at ____ a.m.

AUDIO RECORDING DISCLAIMER

As per *Regulation 43 of the Local Government (Meeting Procedures) Regulations 2025*, audio recordings of meetings will be made available to Councillors, staff and members of the wider community including Government Agencies at no charge and will be made available on Council's website as soon as practicable after each Council Meeting. Unlike Parliament, Council meetings are not subject to parliamentary privilege, and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.

The Mayor advises the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website in accordance with Council's Policy 2017-50.

The Mayor also advises, that members of the public are not permitted to make audio recordings of Council Meetings without prior approval being granted.

ACKNOWLEDGEMENT OF COUNTRY

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

CONDUCT OF COUNCIL MEETING

Central Highlands Council takes safety seriously. We have a duty to ensure that we provide a safe workplace for our Employees, Councillors, Contractors and members of the public while present at Council's workplaces.

These premises form part of the Council's workplace, and it is expected that everyone who attends Council meetings will behave in a polite and respectful manner. People should refrain from using offensive or derogatory language or comments and not be aggressive, threatening or speak in a hostile manner.

1. PRESENT

1.1 IN ATTENDANCE

1.2 APOLOGIES

3. DECLARATION OF PECUNIARY INTEREST AND CONFLICT OF INTEREST BY COUNCILLORS AND STAFF

PURPOSE

In accordance with the requirements of Part 2 Regulation 10 of the Local Government (Meeting Procedures) Regulations 2025, the chairperson of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest or conflict of interest in any item on the Agenda.

4. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME

In accordance with Regulation 29(1) of the *Local Government (Meeting Procedures) Regulations 2025*, the Mayor advises that the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, to is to be noted.

In accordance with Regulation 29, the Council will act as a Planning Authority in respect to those matters appearing under Item 4 on this agenda.

RECOMMENDATION: 01/03.2026/SC

Moved: Cr

Seconded: Cr

THAT Council now act as a Planning Authority.

4.1 DEVELOPMENT APPLICATION (DA2025/71) FOR ALTERATIONS & ADDITIONS TO SUPERMARKET, INCLUDING BOTTLE SHOP AND SIGNAGE AT 18 PATRICK STREET, BOTHWELL APPLICATION MADE BY CHARLIE ELLIS ARCHITECTURE ON BEHALF OF THE OWNERS M GORDON & S NOONAN

REPORT BY Louisa Brown, Senior Planning Officer

Attachments: Development Application documents, Taswater SPAN, Representations and Heritage Assessment prepared by Southern Midlands Council.

RECOMMENDATION: 02/03.2026/C

Moved: Cr

Seconded: Cr

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Central Highlands* and section 57 of the *Land Use Planning & Approvals Act 1993 (Tas)*, Council APPROVE the Development Application DA2025/71 for alterations & additions to supermarket, including Bottle Shop and signage at 18 Patrick Street, Bothwell application made by Charlie Ellis Architecture on behalf of the owners M Gordon & S Noonan subject to conditions detailed below.

CONDITIONS

General

- (1) The use and development approved by this permit must be carried out substantially in accordance with:
 - a) the application for planning approval, inclusive of all information supplied in response to requests made pursuant to section 54 of the *Land Use Planning and Approvals Act 1993 (Tas)*;
 - b) the endorsed drawings/documents; and
 - c) the conditions of this permit, and must not be varied without the further written approval of Council (i.e. which may given pursuant to section 56 of the *Land Use Planning and Approvals Act 1993 (Tas)*).Landscaping Plan

Amenity

- (2) All lighting associated with the use must be baffled so that it does not cause emission of light onto adjoining residential properties.
- (3) The generator must be baffled or insulated so as to not cause an unreasonable loss of amenity to adjoining sensitive uses.

Heritage Amenity

- (4) That the existing window aperture for the post office boxes on the northern elevation of the sandstone building is not to be enlarged and that the blocking of the adjacent door is to be undertaken with sandstone to match the surrounding wall.
- (5) That the cladding of the northern and eastern walls of the proposed store/loading area be timber (as per the proposed feature panel on the northern elevation).
- (6) That the wall material on the western and southern walls of the proposed bottle shop extension be either imitation sandstone block or rendered concrete block.
- (7) Documentation demonstrating the intent of these conditions must be submitted to the satisfaction of Council's Planning Officer as part of the building permit documentation package.

TasWater

- (8) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No TWDA 2025/01478-CHL dated 05/12/2025, a copy of which is attached to, and forms part of, this permit.

Services

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

Parking and Access

- (10) A car parking plan prepared and certified by a qualified civil engineer or other person approved by Council's Manager of Infrastructure & Works must be submitted to Council prior to or in conjunction with the lodgment of a Building Approval or Building Permit Application. The parking plan is to include:
 - Vehicle swept paths for deliveries to the loading bay;
 - Surface and pavement details,
 - Spaces for bicycle parking (at least 3),
 - turning paths for cars,
 - dimensions and markings for car parking spaces,
 - details of any landscaping proposed,
 - clearly defined pedestrian footpaths,and shall form part of the permit when approved.
- (11) At least one (1) of the required parking space(s) must be provided for the use

of people with disabilities as close as practicable to (a) suitable entrance(s) to the building. The parking space(s) must be signed and marked out to indicate that the space(s) is only for use by persons with disabilities and must be designed in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.

- (12) At least four (4) 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.
- (13) All parking and associated turning, loading and unloading areas and access must be constructed in accordance with the approved parking plan.
- (14) 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 Manager of Infrastructure & Works.
- (15) Car park lighting must be designed to ensure light pollution is minimised to the satisfaction of Council's Manager of Infrastructure & Works.

Stormwater

- (16) Stormwater produced by the approved use and development must be drained to Council's Stormwater system and in accordance with a Certificate of Likely Compliance or Plumbing Permit issued by the Permit Authority in accordance with the Building Act 2016 (Tas).Wastewater

Construction amenity

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

Monday to Friday	7:00 a.m. to 6:00 p.m. (inclusive)
Saturday	8:00 a.m. to 6:00 p.m. (inclusive)
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m. (inclusive)

- (18) All works associated with the development of the Site must be carried out in a manner that does not unreasonably cause injury to, or unreasonably 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 the:

- a) emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, wastewater, waste products, grit or similar;
 - b) transportation of materials, goods and commodities to and from the Site;
 - c) obstruction of any public footway or highway; or
 - d) appearance of any building, works or materials.
- (19) 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 any materials on site will be permitted unless first approved in writing by Council's Manager Development and Environmental Services.
- (20) Public roadways and/or footpaths must not be used for the:
- a) storage of any construction materials or wastes;
 - b) loading/unloading of any vehicle or equipment; or
 - c) carrying out of any work, process or tasks associated with the project during the construction period, or otherwise.
- (21) The developer must make good and/or clean any footpath, road surface, drain, culvert or other like matter damaged, soiled or obstructed by the development, to the satisfaction of Council's Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- A. Subject to subsections 53(3), 53(4) and 53(6) of the *Land Use Planning and Approvals Act 1993* (Tas), this permit takes effect at the expiration of 14 days from the day on which the notice of the granting of this permit was served on all persons who have a right of appeal (*Land Use Planning and Approvals Act 1993* (Tas), subsection 53(1)).
- B. The extent of internal demolition to the mid-Victorian stone building is considered excessive and not good heritage practice. It is advised that this should be minimised as much as practicable – although noting that the planning scheme cannot mandate this.
- C. The operator must contact Council's Environmental Health Officer to gain a Food License before the use commences.
- D. Pursuant to subsection 57(7) of the *Land Use Planning and Approvals Act 1993* (Tas), this permit remains in effect until it:

- a) lapses under subsection 53(5) of the Land Use Planning and Approvals Act 1993 (Tas); or
 - b) expires as a result of a condition or restriction contained in this permit; or
 - c) is cancelled under section 65G of the Land Use Planning and Approvals Act 1993 (Tas).
- E. This planning permit is in addition to the requirements of the Building Act 2016 (Tas). Approval in accordance with the Building Act 2016 (Tas) may be required prior to works commencing. 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) or for Low Risk Building Work information go to: Consumer Guide to Low Risk Building and Plumbing Work.
- F. Where Crown Consent to the lodgement of a Planning Application has been sought, the consent from Crown does not constitute, nor imply any consent or approval to undertake works, or that any other approvals required under Crown Lands Act 1976 (Tas) or otherwise have been granted. The applicant is required to obtain separate and distinct consent from the Crown before commencing any works upon Crown land.
- G. This permit does not imply that any other approval required under any other legislation, by-law or other regulatory regime has been granted.
- H. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted (Land Use Planning and Approvals Act 1993 (Tas), subsection 53(4)).
- I. The issue of this permit does not ensure compliance with the provisions of the Commonwealth Disability Discrimination Act 1992 in relation to access to or use of premises that the public can enter or use. Building access issues may also arise under other Disability Discrimination Act 1992 provisions relating to employment, access to services and accommodation provisions. The operator may be liable to complaints in relation to any non-compliance with the Disability Discrimination Act 1992.

Discretions:

12.3.1 P1, P4
12.4.3 P2, P3
12.4.4 P1
C1.6.1 P1.2
C2.5.1 P1
C2.5.2 P1
C2.6.2 P1
C2.6.5 P1
C6.7.1 P1
C6.7.3 P1.1, P1.2
C6.4 P1

THE PROPOSAL

Charlie Ellis Architecture acting for and on behalf of the future land owner, has applied to the Central Highlands Council (the “**Council**”) for a Permit under the *Land Use Planning and Approvals Act 1993* (the “**Act**”) to develop alterations & additions to the existing supermarket, including a Bottle Shop and signage at 18 Patrick Street, Bothwell on land currently owned by M Gordon & S Noonan and particularised in CT 185050/2 (the **Site**), with a total area of 1112m².

The application includes;

Existing	Supermarket, kitchen/store and bowzers (general retail & hire) 2.7m fuel price sign (to be repaired) Existing dwelling
Demolition/removal	Shop front glazing and cladding (Patrick Street) Timber garage to Patrick Street frontage Lean-to store and concrete platform to south west Internal changes to the older structure within the supermarket (does not require Planning Approval and may require Building Approvals and a Building Permit).
New floor area of 165m ²	Loading dock/store (7.2m x 8.2m) with 3.2m entrance Bottle shop (12.4m x 8.5m) Bottle shop dry store (3.0m x 3.3m) Windows/doors to supermarket elevation on Patrick Street 1.8m high colourbond fence, with 3m opening to the northern property boundary and adjacent to 20 Patrick
Signage to Patrick Street	Fascia sign Billboard Signs x 2 (back lit when supermarket open) Cabinet Sign
Signage to William Street	Fascia Sign Billboard sign Cabinet Sign

Proposed Materials	Existing brick work to be painted off white Rough sawn stringy bark shiplap cladding Colourbond “basalt” cladding Concrete block wall to southern elevation Colourbond “basalt” roof
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Proposed operating hours are as follows;

Supermarket	6.30am – 7.00pm Monday to Friday 8.00am – 6.30pm Saturday, Sunday and public holidays
Bottle shop	10.00am – 9.00pm Monday to Friday 10.00am – 6pm Saturday 10.00am – 5pm Sunday and public holidays

The property, until recently has been a Supermarket, use class “General Retail & Hire” in the Tasmanian Planning Scheme – Central Highlands. The proposed addition to the building for a Bottle Shop also falls within the definition of General Retail & Hire. The application has been lodged under the *Tasmanian Planning Scheme – Central Highlands* (the “**Planning Scheme**”).

The Site is zoned Village and located within the Local Historic Precinct – Bothwell Heritage Precinct.

No changes to the adjacent roads being Patrick Street and William Street are proposed as a part of the development application. Patrick street is owned by the Department of State Growth (DSG).

The Proposal is to be assessed against the applicable standards of the Village Zone and the applicable Codes. These matters are described and assessed in this report.

This is a discretionary application under the Planning Scheme. Council gave notice of the Proposal for public comment as required by the Act. During the notification period one (1) representation was received.

This report assesses the Proposal against the relevant provisions of the Act and the Planning Scheme. The assessment concludes with a recommendation that Council grant a permit for the Proposal, subject to conditions.

THE SITE

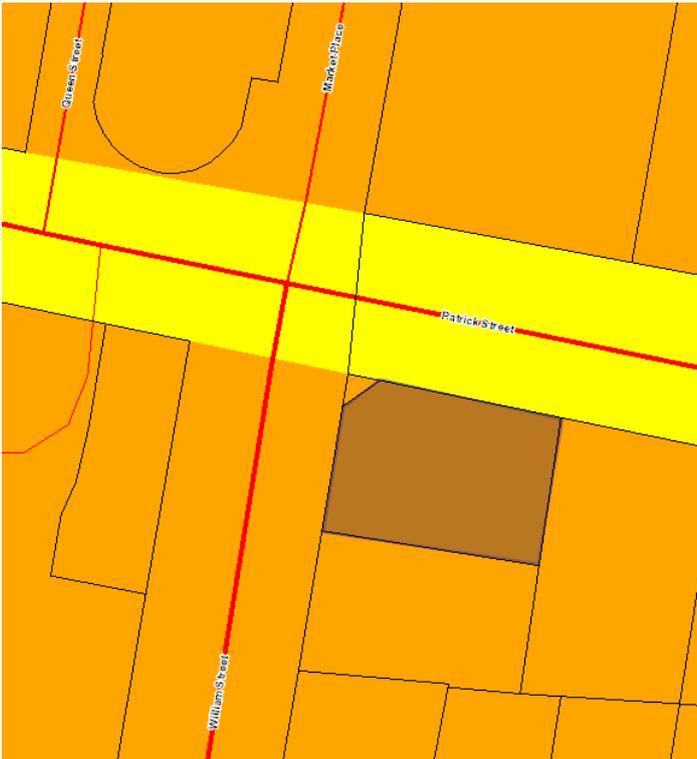
The Site is located to the center of Bothwell, at the junction of William Street and Patrick Street and is currently the “Bothwell super store”. The property is in the process of being purchased by a new owner, who intends to develop the supermarket into an IGA and will include Post Office and Bottle Shop. Fuel sales will also remain.

The garage is also located at the road junction, adjacent to the supermarket. William Street offers 6 on street car parking spaces and a further 4 car parking spaces could be accommodated on the site. The surrounding area offers opportunity for additional on street car parking.

On the opposite side of the street are ST Michael & all Angels Church, the visitor centre and Queens Park.



Map 1_ The subject title area is indicated above by a blue line around the Site. (Source: LISTmap, 23/02/2026)



Map 2_ The subject land outlined with a blue line is within the Village Zone (orange), as is all surrounding property in the vicinity. Patrick Street, a Department of State Growth asset is in the Utilities Zone (bright yellow). (Source: LISTmap, 23/02/2026)



Map 3 _ The property is subject to the following overlays: Bothwell Heritage Precinct (Source: LISTmap, 23/02/2026).

Heritage

The property is not listed on the Tasmanian Heritage Register, but is located in the Bothwell Heritage Precinct. An assessment of the proposal against the Heritage Code of the Planning Scheme has been prepared by B Williams, Manger Heritage Projects at Southern Midlands Council. The report is attached to the Agenda documents. A summary of this assessment is below in the relevant section of the Code Assessment.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as General Retail & Hire, which is a Permitted use of the Site under the Planning Scheme. However, the Development Application is a Discretionary Application as the property is within the Bothwell Heritage Precinct. In addition, several Performance Criteria standards require assessment.

Use/Development Status under the Planning Scheme

As a discretionary development, the Proposal was notified in accordance with section 57(3) of the Act, the relevant requirements being prescribed by regulation 8 of the *Land Use Planning and Approvals Regulations 2024*.

Council has the discretion to grant a permit for the Proposal with or without conditions, or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised from 5 February to 20 February 2026. During this time, one (1) representation was received.

A summary of the matters raised in the representation is considered in the table below (as required by section 51(2)(c) of the Act).

Summary of concerns and issues	Council Officer Comment
Car Parking proposed to Patrick Street, including disabled car parking across front of dwelling.	The car parking diagram provided in the Development Application documents is an example of a potential car parking layout.
Car parking too close to the intersection with William Street, which is a very busy intersection with trucks and caravans turning.	The comment that it is not ideal to have car parking, especially disabled car parking spaces located so that the car must back out onto the road is noted and supported.
Suggests that an additional disabled car parking bay is included in William street.	
Concerned that car parking on Patrick street will require cars to back into the road.	A car parking plan which takes into consideration the truck turning for deliveries, vehicle movements for fuel sales, car parking to the front of the

<p>The church side of the Patrick Street is where trucks and caravans park, which works well.</p> <p>Also concerned that because driveways on Patrick Street are not sealed, and therefore not clearly marked, cars visiting the shop may park over driveways to houses.</p>	<p>supermarket and the safety of pedestrians is required. This is recommended in the Conditions of a Planning Permit below, if a Permit is granted.</p> <p>Patrick Street is a DSG road, so is outside of Council's ownership. However, Council has been in touch with DSG regarding the proposed development. The comment regarding truck and caravan parking next to the church is noted.</p> <p>William street is owned by Council. It is suggested that Council considers making improvements to the existing parking provision, pedestrian environment and junction (where possible) in this area.</p> <p>The comment regarding driveways to dwellings on Patrick Street is noted.</p>
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ZONE ASSESSMENT – TASMANIAN PLANNING SCHEME – CENTRAL HIGHLANDS

Village Zone

The Site is in the Village Zone of the Planning Scheme. The purpose the Village Zone is:

- To provide for small rural centers with a mix of residential, community services and commercial activities; and
- To provide amenity for residents appropriate to the mixed use characteristics of the zone.

The proposed use, being General Retail & Hire is a Permitted Use in the in the Village Zone. However, the Performance Criteria is required to be met for some of standards of the Village zone. The proposal must satisfy the requirements of the following relevant development standards of this zone:

<p>12.3 Use Standards</p> <p>12.3.1 All non-residential uses</p> <p>Objective</p> <p>That non-residential use:</p> <p>(a) is compatible with the mixed use characteristics of a village; and</p> <p>(b) does not cause unreasonable loss of amenity to adjacent sensitive uses.</p>

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Friday;</p> <p>(b) 8.00am to 6.00pm Saturday; and</p> <p>(c) 9.00am to 5.00pm Sunday and public holidays.</p>	<p>P1</p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>	<p><i>The operating hours for the Supermarket fall outside of the Acceptable solution, as the supermarket will open at 6.30am Monday to Friday, close at 6.30pm Saturday, Sunday and Public Holidays. The application is therefore assessed against the Performance Criteria P1.</i></p> <p><i>The current supermarket hours of operation are</i></p> <p><i>6am – 6pm Monday to Thursday, 6am – 7pm Fridays, 7am – 7pm Saturday, 7am – 6pm Sunday and Public Holidays.</i></p> <p><i>There is a minor change in operating hours from the proposed to the existing, with the proposed operating hours commencing later (6.30am) and closing later (7pm) to that of the existing. It is considered that this minor change to operating hours will not cause an unreasonable loss of amenity to adjacent dwellings, being 16 & 20 Patrick</i></p>

		<p><i>Street and 6 William Street.</i></p> <p><i>Bottle shop operating hours meet the Acceptable Solution A1.</i></p>
<p>A2</p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must:</p> <p>(a) be baffled so that it does not cause emission of light onto adjoining residential properties; and</p> <p>(b) not include permanent fixed floodlighting if the site adjoins a General Residential Zone, Low Density Residential Zone or Rural Living Zone.</p>	<p>P2</p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, used on the site must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the number of proposed light sources and their intensity;</p> <p>(b) the location of the proposed light sources;</p> <p>(c) the topography of the site;</p> <p>(d) the degree of screening between the light source and the sensitive use; and</p> <p>(e) existing light sources.</p>	<p><i>All lighting will be baffled and only operational during opening hours.</i></p> <p><i>No flood lighting is proposed.</i></p> <p><i>The acceptable solution A2 is met.</i></p>
<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Natural and Cultural</p>	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Natural and Cultural</p>	<p><i>The application documents states that delivery hours will be between the hours listed in the Acceptable Solution A3.</i></p>

<p>Values Management, Passive Recreation, Utilities or Visitor Accommodation, must be within the hours of:</p> <p>(a) 7.00am to 7.00pm Monday to Friday; and</p> <p>(b) 8.00am to 6.00pm Saturday, Sunday and public holidays.</p>	<p>Values Management, Passive Recreation, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) noise reducing structures between vehicle movement areas and dwellings; and</p> <p>(e) existing levels of amenity.</p>	
<p>A4</p> <p>The gross floor area of a non-residential use, excluding Visitor Accommodation, must be not more than 250m².</p>	<p>P4</p> <p>A non-residential use, excluding Visitor Accommodation, must be at a scale and intensity consistent with the character of the area, having regard to:</p> <p>(a) the nature and scale of the use;</p> <p>(b) the number of employees;</p> <p>(c) the hours of operation;</p> <p>(d) the emissions generated by the use;</p>	<p><i>The gross floor area of the general retail & hire use is greater than 250m² in total. However the proposed use (Bottle shop) generates an additional 165m² in floor area.</i></p> <p><i>It is considered that the additional floor space for the Bottle Shop is small in scale compared to the overall floor space (265m²) of the existing use.</i></p>

	<p>(e) the type and intensity of traffic generated by the use;</p> <p>(f) the impact on the character of the surrounding area; and</p> <p>(g) the impact on the amenity of any adjoining residential properties.</p>	<p><i>The hours of operation vary slightly from the existing operating times, with the proposed hours of operation for the proposed bottle shop meeting the Acceptable Solution.</i></p> <p><i>As the increase in floor area is small in scale to accommodate the Bottle shop use, it is expected the development will not have a negative impact on adjoining residential properties.</i></p> <p><i>The character of the surrounding area includes other uses within the definition of General Retail & Hire, such as fuel station, hardware shop and gun shop. The small scale increase in gross floor area required for the Bottle shop will not negatively impact the character of the surrounding mixed use area of Bothwell.</i></p>
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<p>12.4 Development Standards for Buildings and Works</p> <p>12.4.2 Building height</p> <p>Objective:</p> <p>That building height is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.</p>		
Acceptable Solution	Performance Criteria	Officer Comment
<p>A1</p> <p>Building height must be not more than 8.5m.</p>	<p>P1</p> <p>Building height must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) sunlight to habitable rooms and private open space in adjoining properties; and</p> <p>(e) any overshadowing of adjoining properties or public places.</p>	<p><i>A1 is met, as the height of new structures is below 8.5m.</i></p>
<p>12.4.3 Setback</p> <p>Objective: That building setback is compatible with the streetscape and does not result in an unreasonable impact on amenity of adjoining properties.</p>		
Acceptable Solution	Performance Criteria	Officer Comment
<p>A1</p> <p>Buildings must have a setback from a frontage of:</p>	<p>P1</p> <p>Buildings must be sited to be compatible with the streetscape and character</p>	<p><i>The acceptable solution A1 is met, the proposed Bottle Shop addition to</i></p>

<p>(a) not less than 4.5m;</p> <p>(b) not less than existing buildings on the site; or</p> <p>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>	<p>of development existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setbacks of buildings on adjoining properties;</p> <p>(c) the height, bulk and form of existing and proposed buildings;</p> <p>(d) the appearance of proposed buildings when viewed from roads and public places adjoining the site; and</p> <p>(e) the safety of road users.</p>	<p><i>the supermarket is in line with the existing building line.</i></p> <p><i>The proposed loading dock structure also meets the Acceptable Solution as it is set back 5.17m from the frontage.</i></p>
<p>A2</p> <p>Buildings must have a setback from side and rear boundaries of not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height of the building, whichever is the greater.</p>	<p>P2</p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) the existing buildings and private open space areas on the site;</p>	<p><i>The proposed loading dock/store meets the Acceptable solution A2 as the set back is greater than 3m.</i></p> <p><i>The proposed bottle shop has a setback of 0.33m to the side boundary and must be assessed against the Performance Criteria P2.</i></p> <p><i>The property 18 Patrick Street is constrained for space to expand. Numerous structures, a dwelling stores and the existing supermarket are within the site An area identified for the addition, being a bottle shop is located to the southern</i></p>

	<p>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</p> <p>(g) the character of development existing on established properties in the area.</p>	<p><i>property boundary and will require the demolition of an existing lean-to store and concrete platform.</i></p> <p><i>The proposal maintains an area of private outdoor space to the southern and western property boundary adjacent to the existing dwelling on the site.</i></p> <p><i>The property to the south of the proposed Bottle Shop is currently vacant, apart from an existing stone building. Therefore there is no loss of sunlight to windows of habitable rooms on adjoining properties.</i></p> <p><i>The character of mixed use development in this location in Bothwell, maximizes the available space within the lot. For example, the Bothwell Garage opposite also contains structures up to the site boundary and hard onto the building line.</i></p> <p><i>The Performance Criteria is met.</i></p>
<p>A3</p> <p>Air extraction, pumping, refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural</p>	<p>P3</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators, excluding Residential, Visitor</p>	<p><i>A Generator is located 4.2m from the property boundary of 20 Patrick Street, which contains a dwelling (sensitive use). Therefore the application</i></p>

<p>and Cultural Values Management, Passive Recreation and Utilities, must have a setback from a property containing a sensitive use of not less than 10m.¹⁴</p>	<p>Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, within 10m of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics and frequency of any emissions generated; (b) the nature of the proposed use; (c) the topography of the site and location of the sensitive use; and (d) any mitigation measures proposed. 	<p><i>must be assessed against the Performance Criteria.</i></p> <p><i>The location of the generator is 20m north of the dwelling located at 20 Patrick Street. It is unclear from the Development Application the operating times of the generator.</i></p> <p><i>A condition of the Planning Permit has been added that the generator must be baffled or insulated to not cause an unreasonable loss of amenity to adjoining sensitive uses.</i></p>
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14 An exemption for air conditioners and heat pumps applies in this zone - see Table 4.6.

12.4.4 Site coverage

That site coverage:

- (a) is compatible with the character of the development existing in the area; and
- (b) provides sufficient area for private open space and landscaping.

Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>Site coverage must be not more than 50%.</p>	<p>P1</p> <p>Site coverage must be consistent with that existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site; (c) the existing buildings and any constraints imposed by existing development; (d) the provision for landscaping and private open space; and (e) the character of development existing on established properties in the area. 	<p><i>Site coverage is greater than 50%, therefore the application is assessed against the Performance Criteria below.</i></p> <p><i>The proposed loading bay and bottle shop addition require existing structures to be demolished and replaced with larger structures. The site is constrained by size and being bound by roads on two sides.</i></p> <p><i>Although constrained, a reasonable of open space remains on the property adjacent to the existing dwelling.</i></p> <p><i>As stated above, character of mixed use development in this location of the town, is similarly restrained by small lots, where buildings sit hard onto the property boundary.</i></p> <p><i>The performance criteria is met.</i></p>

CODE ASSESSMENT – TASMANIAN PLANNING SCHEME – CENTRAL HIGHLANDS

C1.0 Signs Code

The purpose of the Signs Code is:

- *To provide for appropriate advertising and display of information for business and community activity.*
- *To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.*
- *To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.*

This code applies to all development for signs, unless exemptions apply.

The applicable standards of the Code are addressed in the following table:

<p>C1.6 Development Standards for Buildings and Works</p> <p>C1.6.1 Design and siting of signs</p> <p>Objective That:</p> <p>(a) signage is well designed and sited; and</p> <p>(b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity</p> <p style="padding-left: 40px;">to the surrounding area.</p>		
<p>Acceptable Solution</p>	<p>Performance Criteria</p>	<p>Officer Comment</p>
<p>A1</p> <p>A sign must:</p> <p>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</p> <p>(b) meet the sign standards for the relevant sign type set out in Table C1.6,</p> <p>excluding for the following sign types, for which there is no Acceptable Solution:</p> <p>(i) roof sign;</p>	<p>P1.1</p> <p>A sign must:</p> <p>(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</p> <p>(b) be compatible with the streetscape or landscape, having regard to:</p> <p>(i) the size and dimensions of the sign;</p>	<p><i>The proposal includes, fascia and cabinet signs. These signs meet the Acceptable solution A1 as the sign types are applicable to the zone.</i></p> <p><i>Billboard signs are assessed below.</i></p> <p><i>A billboard sign is proposed for the Patrick street and William street building elevations. Billboard signs are</i></p>

<p>(ii) sky sign; and (iii) billboard.</p>	<p>(ii) the size and scale of the building upon which the sign is proposed; (iii) the amenity of surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs on the site and on adjacent properties; and (vi) the impact on the safe and efficient movement of vehicles and pedestrians.</p> <p>P1.2 If a roof sign, sky sign or billboard, the sign must:</p> <p>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; (b) meet the sign standards for the relevant sign type in Table C1.6; and (c) not contribute to visual clutter or cause unreasonable loss of amenity to the surrounding area, having regard to:</p> <p>(i) the size and dimensions of the sign; (ii) the size and scale of the building upon which the sign is proposed;</p>	<p><i>applicable in the Village Zone. Both signs meet the sign standards for the village zone.</i></p> <p><i>A billboard sign is located on the existing supermarket to the Patrick Street elevation and a painted wall sign is located to the William street elevation.</i></p> <p><i>The proposed billboard sign to Patrick street will be in the same colour pallet as the fascia signs, will be similar in size to that what is existing and are compatible with the streetscape. The Billboard sign to Patrick street will be lit whilst the supermarket is open, but will not include moving messages.</i></p> <p><i>The billboard sign to William street, is similar in size and location to the existing painted wall sign, with the colour pallet complementary to the streetscape.</i></p> <p><i>The acceptable solution is met.</i></p>
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	<ul style="list-style-type: none"> (iii) the amenity of surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs on the site and on adjacent properties; and (vi) the impact on the safe and efficient movement of vehicles and pedestrians. 	
<p>A2</p> <p>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	<p>P2</p> <p>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site and the surrounding area; (b) the relative location of buildings, habitable rooms of dwellings and private open space; (c) any overshadowing; and (d) the nature and type of the sign. 	<p><i>Not Applicable, the relevant zone is the Village zone.</i></p>
<p>A3</p> <p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <ul style="list-style-type: none"> (a) 1 of each sign type, unless otherwise stated in Table C1.6; 	<p>P3</p> <p>The number of signs for each business or tenancy on a street frontage must:</p> <ul style="list-style-type: none"> (a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by 	<p><i>The frontage for Patrick and William streets exceed 20m, therefore a maximum of 6 sign types are acceptable.</i></p> <p><i>To Patrick Street 4 fascia signs, 2 billboard signs</i></p>

<p>(b) 1 window sign for each window;</p> <p>(c) 3 if the street frontage is less than 20m in length; and</p> <p>(d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit:</p> <p>(i) name plate; and</p> <p>(ii) temporary sign.</p>	<p>replacing existing signs with fewer, more effective signs; and</p> <p>(b) not involve the repetition of messages or information.</p>	<p><i>and 3 cabinet signs are proposed.</i></p> <p><i>To William street 1 fascia sign, 1 billboard and 3 cabinet signs are proposed.</i></p> <p><i>The acceptable solution A3 is met.</i></p>
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C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

- *To ensure that an appropriate level of parking facilities is provided to service use and development.*
- *To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.*
- *To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.*
- *To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.*
- *To ensure that parking spaces and accesses meet appropriate standards.*
- *To provide for parking precincts and pedestrian priority streets.*

Unless stated otherwise in a particular purpose zone, this code applies to all use and development.

The applicable standards of the Code are addressed in the following table:

<p>C2.5 Use Standards</p> <p>C2.5.1 Car parking numbers</p> <p>Objective:</p> <p>That an appropriate level of car parking spaces are provided to meet the needs of the use.</p>

Acceptable Solution	Performance Criteria	Officer Comment
<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which</p>	<p>P1.1</p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p>(i) variations in car parking demand over time; or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the</p>	<p><i>Table C2.1 prescribes the following number of car parking spaces for general retail and hire,</i></p> <p><i>1 space per 30m² of floor area where floor area means the gross floor area, excluding the area for loading bays, access ways or space occupied by machinery required for air conditioning.</i></p> <p><i>Car parking on the site is very limited and currently does not meet the number required for the existing use. The proposed bottle shop requires an additional 2 spaces.</i></p> <p><i>The proposal must therefore be assessed against the performance criteria.</i></p> <p><i>Although on site car parking spaces are limited, these could be improved if dedicated spaces were designed and clearly marked out within the property boundary. In addition, the current junction between Patrick Street and William Street is not clearly defined and enables</i></p>

<p>case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>	<p><i>vehicles to drive from the supermarket directly onto William street.</i></p> <p><i>6 dedicated car parking spaces are available on William Street adjacent to the proposed Bottle shop.</i></p> <p><i>It is recommended and has been included in the conditions of the planning permit, that the applicant prepare a Car Parking Plan for the property, which includes a triangle shape section of land in Council's ownership. The car parking plan will be referred to the Department of State Growth for approval and any conditions relating to the road.</i></p> <p><i>In addition to the condition above, it is recommended that council undertake works to William street to define car parking areas and improve the public realm.</i></p>
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<p>C2.5.2 Bicycle parking numbers</p> <p>Objective: That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>		
Acceptable solution	Performance Criteria	Officer comment
<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</p> <p>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>	<p><i>Bicycle spaces required by the proposed bottle shop is 1 new space, additionally there should be some provided for the existing supermarket.</i></p> <p><i>It is a condition of the planning permit for the car parking plan to include 3 bicycle spaces.</i></p>

<p>C2.5.4 Loading Bays</p> <p>Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.</p>		
Acceptable Solution	Performance Criteria	Officer Comment
<p>A1</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>P1</p> <p>Adequate space for loading and unloading of vehicles must be provided, having regard to:</p> <p>(a) the type of vehicles associated with the use;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p>	<p><i>The total floor area is less than 1000m² therefore a loading bay is not required under the Planning Scheme.</i></p> <p><i>However, the proposal does include a loading bay to Patrick street. The Department of state growth where referred the proposed loading bay design, including vehicle</i></p>

	<p>(d) the location of the site;</p> <p>(e) the nature of traffic in the surrounding area;</p> <p>(f) the area and dimensions of the site; and</p> <p>(g) the topography of the site;</p> <p>(h) the location of existing buildings on the site; and</p> <p>(i) any constraints imposed by existing development.</p>	<p><i>swept path and made no comment.</i></p>
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<p>C2.6 Development Standards for Buildings and Works</p>		
<p>C2.6.1 Construction of parking areas</p>		
<p>Objective: That parking areas are constructed to an appropriate standard.</p>		
<p>Acceptable Solution</p>	<p>Performance Criteria</p>	<p>Officer Comment</p>
<p>A1</p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone,</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p>	<p><i>The proposed car parking areas are constructed from durable all weather pavement and are drained to a public stormwater system,</i></p> <p><i>The acceptable solution is met.</i></p>

Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	(d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.	
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<p>C2.6.2 Design and layout of parking areas</p> <p>Objective:</p> <p>That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>		
Acceptable Solution	Performance Criteria	Officer Comment
<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p>	<p><i>A parking diagram is included with the application documents. These plans are at a concept design stage only. The plans state that all car parking spaces will be designed to meet the required standard.</i></p> <p><i>It is recommended that a parking plan be developed and be approved by Council's Manager of Infrastructure & Works as a condition of the Planning Permit.</i></p>

<p>satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.³⁵</p>	<p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>	
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35 Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

C2.6.5 Pedestrian access		
Objective: That pedestrian access within parking areas is provided in a safe and convenient manner.		
Acceptable Solution	Performance Criteria	Officer Comment
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a</p>	<p>P1</p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the nature of the use;</p> <p>(c) the number of parking spaces;</p> <p>(d) the frequency of vehicle movements;</p> <p>(e) the needs of persons with a disability;</p> <p>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>	<p><i>A parking diagram is included with the application documents. These plans are at a concept design stage only. The plans state that all car parking spaces will be designed to meet the required standard.</i></p> <p><i>It is recommended that a parking plan be developed and be approved by Council's Manager of Infrastructure & Works as a condition of the Planning Permit.</i></p>

<p>footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
<p>C2.6.6 Loading bays Objective: That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.</p>		
<p>Acceptable Solution</p>	<p>Performance Criteria</p>	<p>Officer Comment</p>
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off--street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.</p>	<p><i>The Acceptable Solution A1 is met.</i> <i>However, it is recommended that a parking plan be developed and be approved by Council’s Manager of Infrastructure & Works as a condition of the Planning Permit.</i></p>
<p>A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2:</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading;</p>	<p>The Department of State Growth as road authority have been referred the proposed development and have no objection to the loading bay arrangement.</p>

<p>Parking facilities - Off-street commercial vehicle facilities.</p>	<p>(d) the area and dimensions of the site;</p> <p>(e) the location of the site and nature of traffic in the area of the site;</p> <p>(f) the effectiveness or efficiency of the surrounding road network; and</p> <p>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>	
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C6.0 Local Historic Heritage Code

The purpose of the Local Historic Heritage Code is:

To recognise and protect:

- (a) the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and
- (b) significant trees.

This code does not apply to Aboriginal heritage values.

This code applies to:

- (a) development on land within any of the following, as defined in this code:
 - (i) a local heritage place;
 - (ii) a local heritage precinct;
 - (iii) a local historic landscape precinct; and
 - (iv) for excavation only, a place or precinct of archaeological potential; and
- (b) the lopping, pruning, removal or destruction of a significant tree as defined in this code.

The property is within the Bothwell Heritage Precinct and must be assessed against the relevant standards of the code.

C6.7.1 Demolition within a local heritage precinct		
Objective:		
That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.		
Acceptable Solutions	Performance Criteria	Commentary on proposal
<p>A1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must:</p> <ul style="list-style-type: none"> a) not be on a local heritage place; b) not be visible from any road or public open space; and c) space; and d) not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule. 	<p>P1 Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to:</p> <ul style="list-style-type: none"> a) the physical condition of the building, works, structure or trees; b) the extent and rate of deterioration of the building, works, structure or trees; c) the safety of the building, works, structure or trees; d) the streetscape in which the building, works, structure or trees is located; e) the special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule; 	<p><i>The proposal does not meet the Acceptable Solution, therefore consideration against the Performance Criteria is required.</i></p> <p><i>The proposal does not result in the loss of any significant fabric or landscape elements (subject to Condition HER1 below). Consideration against points (a-h) is not required.</i></p> <p><i>The proposal satisfies this Performance Criterion.</i></p>

	<ul style="list-style-type: none"> f) any options to reduce or mitigate deterioration; g) whether demolition is a reasonable option to secure the long-term future of a building. Works or structure; and h) any economic considerations. 	
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<p>C6.7.3 Building and Works Excluding Demolition Objective: That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.</p>		
Acceptable Solutions	Performance Criteria	Commentary on proposal
<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <ul style="list-style-type: none"> a) not be on a local heritage place; b) not be visible from any road or public open space; and c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule. 	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; b) the character and appearance of the surrounding area; c) the height and bulk of other buildings in the surrounding area; d) the setbacks of other buildings in the 	<p><i>The proposal does not meet the Acceptable Solution, therefore consideration against the Performance Criteria is required.</i></p> <p><i>As per the discussion above, the proposed new building forms are considered to be appropriate to the townscape context of the Local Heritage Precinct – despite the scheme being deficient with the absence of conservation policy/design guidelines.</i></p> <p><i>Clarification of detail on the treatment of the northern elevation of the existing sandstone portion of the building is required to adequately address a-b – as per Condition HER1.</i></p>

	<p>surrounding area; and e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule.</p>	<p><i>The more prominent extension (on the Patrick Street frontage) utilises a traditional form and with conditions will utilise traditional materials which will provide the required functionality and subservience to the adjacent heritage building (which is a more robust stone building). Although the form of the rear extension is not traditional, the proposed form will result in a more subservient outcome, attached to a non-heritage portion of the complex which is responds to.</i></p> <p><i>The proposal satisfies this Performance Criterion.</i></p>
	<p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to: a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; b) the character and appearance of the surrounding area;</p>	<p><i>As per P1.1. The proposal satisfies this Performance Criterion.</i></p>

	<ul style="list-style-type: none"> c) the height and bulk of other buildings in the surrounding area; d) the setbacks of other buildings in the surrounding area; and e) any relevant design criteria or conservation policies for the local heritage precinct, as identified in the relevant Local Provisions Schedule. 	
<p>A2 Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.</p>	<p>P2 Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; b) height, form, style and materials of the proposed fence; and c) the style, characteristics and setbacks of fences and gates in the surrounding area. 	<p><i>No fencing is proposed.</i></p>

C1.6.4 Signs on Local Heritage Places and in Local Heritage Precincts and Local Historic Landscape Precincts
Objective:
 That the size, design and siting of signs is compatible with and does not have an unacceptable impact on the local historic heritage significance of a local heritage place, a

local heritage precinct or a local historic landscape precinct as listed in the Local Historic Heritage Code.		
Acceptable Solutions	Performance Criteria	Commentary on proposal
<p>A1 A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code, must:</p> <ul style="list-style-type: none"> a) be not more than 0.2m²; b) not be an illuminated sign; and c) here must be not more than 1 sign per site. 	<p>P1 A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code must be located in a manner that does not have an unacceptable impact on the local historic heritage significance of the place or precinct, having regard to:</p> <ul style="list-style-type: none"> a. placement to allow the architectural details of the building to remain prominent; b. the size and design not substantially diminishing the local historic heritage significance of the place or precinct; c. where relevant, placement in a location on the building that would traditionally have been used as an advertising area; d. any domination or obscuring of any historic signs forming an integral part of a building’s architectural detailing or local historic heritage significance; e. using fixtures that do not and are not likely to damage building fabric; f. not projecting above a parapet or roof line if such a 	<p><i>The proposal does not meet the Acceptable Solution, therefore consideration against the Performance Criteria is required.</i></p> <ul style="list-style-type: none"> a. <i>The proposed signage will not be installed on the mid-Victorian sandstone building – being limited to the existing modern awning and modern/ proposed portion of the building.</i> b. <i>The size and design of the proposed signage is considered to be restrained and minimal and is not considered to have any adverse impact upon the local heritage precinct.</i> c. <i>The location of the proposed signage is considered appropriate for the context of the modern buildings within the complex.</i> d. <i>The proposed signage will not be installed on the mid-Victorian sandstone building.</i> e. <i>The proposed signage will not be installed on the mid-Victorian sandstone building</i> f. <i>Internal illumination is not proposed.</i>

	<p>projection impacts on the local historic heritage significance of the building; and</p> <p>g. not using internal illumination in a sign on a local heritage place unless it is demonstrated that such illumination will not detract from the local historic heritage significance of the place or precinct.</p>	<p><i>The proposal satisfies this Performance Criterion.</i></p>
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The report has assessed a Development Application for alterations & additions to supermarket, including Bottle Shop and signage at 18 Patrick Street, Bothwell.

One representation (1) was received and has been considered in this report.

The proposal has been found to comply with all the relevant standards of the Village Zone and the applicable Codes.

It is recommended that the Application be approved and a Permit issued with conditions and advice.

5. ORDINARY COUNCIL MEETING RESUMED

RECOMMENDATION: 02/03.2026/C

Moved: Cr

Seconded: Cr

THAT Council no longer act as a Planning Authority and resume the Ordinary Council Meeting.

6. CLOSURE

Mayor Triffitt thanked everyone for their contribution and declared the meeting closed at _____ a.m.