



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
OLD BEACH AT 5.30 P.M. ON TUESDAY,
17th SEPTEMBER 2019**

PRESENT: Cr Foster (Mayor); Cr Curran (Deputy Mayor); Cr Garlick;
Cr Geard; Cr Gray; Cr Murtagh; Cr Owen and Cr Whelan.

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr G Davoren
(Deputy General Manager); Mr J Dryburgh (Manager
Development Services); Mrs J Banks (Governance
Manager); Mr H Macpherson (Municipal Engineer) and
Mr D Allingham (Senior Planner).

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF 20th AUGUST 2019.

*Cr Curran moved, Cr Garlick seconded that the Minutes of the Ordinary Council Meeting
of 20th August 2019 be confirmed.*

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

1.2 CONFIRMATION OF MINUTES OF THE WASTE MANAGEMENT MEETING OF 10TH SEPTEMBER 2019.

Cr Owen moved, Cr Geard seconded that the Minutes of the Waste Management Committee Meeting of 10th September 2019 be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

1.3 CONFIRMATION OF MINUTES OF THE FINANCE MEETING OF 10TH SEPTEMBER 2019.

Cr Gray moved, Cr Curran seconded that the Minutes of the Finance Committee Meeting of 10th September 2019 be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

1.4 CONFIRMATION OF MINUTES OF THE PLANNING AUTHORITY MEETING OF 10TH SEPTEMBER 2019.

Cr Gray moved, Cr Geard seconded that the Minutes of the Planning Authority Meeting of 10th September 2019 be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Garlick moved, Cr Whelan seconded that Cr Jeffries be granted leave of absence.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

- Justin Abrahams, Bridgewater PCYC provided an update on their programs.
- Paddy McLaughlin and Maree Conrad-Wilson, Assistant Principal, Senior School Jordan River Learning Federation spoke about the Senior School and Trade Training Centre.

4. DECLARATION OF INTEREST:

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have an interest in any item on the agenda; and

Part 2 Regulation 8 (7) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of any interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.

There were no declarations of interest.

5. REPORTS FROM COUNCILLORS:

5.1 MAYOR’S COMMUNICATIONS:

AUTHOR: Mayor
(Cr T Foster)

The Mayor’s communications were as follows:-

- Sep 02 Telephone discussion with John Hepper (Inspiring Place).
- Sep 04 Meeting with GM and Senior staff.
- Sep 09 Meeting with John Klug (State Manager APM employment services).
- Sep 10 Waste Management committee meeting.
Finance Committee meeting.
Planning Authority meeting.
- Sep 12 Greater Hobart homeless meeting.
- Sep 13 Meeting with State Labor Shadow Minister for local Government
Anita Dow.
- Sep 17 Citizenship.
Ordinary Council Meeting.

RECOMMENDATION:

That the Mayor’s communications be received.

DECISION:

Cr Gray moved, Cr Owen seconded that the report be received.

CARRIED

VOTING RECORD

- | In favour | Against |
|------------------|----------------|
| Cr Curran | |
| Cr Foster | |
| Cr Garlick | |
| Cr Geard | |
| Cr Gray | |
| Cr Murtagh | |
| Cr Owen | |
| Cr Whelan | |

5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

Cr Curran and Chief Operations Officer attended a dinner invited by Rebecca White.

Cr Curran and Chief Operations Officer attended the LGAT General Meeting in Launceston on 13th September 2019.

Cr Geard attended a Brighton Kennel Club meeting.

Cr Geard attended a weed management meeting at Broadmarsh.

Cr Geard and Cathy Harper hosted the Southern Regional Recovery meeting at the Brighton Civic Centre on 2nd September 2019.

Cr Whelan & Cr Murtagh attended the second session of the Chats for Change workshop at the Brighton Civic Centre.

Cr Murtagh attended the Bridgewater Neighbourhood House's 'wear purple day'.

DECISION:

Cr Curran moved, Cr Owen seconded that the reports be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

5.3 CORRESPONDENCE FROM SOUTHERN TASMANIAN COUNCILS ASSOCIATION (STCA), LGAT, TASWATER AND JOINT AUTHORITIES:

Correspondence and reports from the STCA, LGAT, TasWater and Joint Authorities.

If any Councillor wishes to view documents received contact should either be made with the Governance Manager or General Manager.

6. NOTIFICATION OF COUNCIL WORKSHOPS:

In accordance with the requirements of Section 8(2)(c) of the Local Government (Meeting Procedures) Regulations 2015, it was reported that there were no workshop held since the last council meeting.

7. NOTICE OF MOTION:

There were no notices of motion.

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA:

In accordance with the requirements of Part 2 Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

RECOMMENDATION:

That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the Local Government (Meeting Procedures) Regulations 2015.

DECISION:

The General Manager advised that there were no supplementary agenda items.

9. REPORTS FROM COMMITTEES:

9.1 WASTE MANAGEMENT COMMITTEE MEETING – 10/9/19

The recommendations of the Waste Management Committee Meeting of 10th September 2019, were submitted to Council for adoption.

DECISION:

Cr Owen moved, Cr Geard seconded that the recommendations of the Waste Management Committee meeting be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	

Cr Geard
Cr Gray
Cr Murtagh
Cr Owen
Cr Whelan

9.2 FINANCE COMMITTEE MEETING – 10/9/19

The recommendations of the Finance Committee Meeting of 10th September 2019, were submitted to Council for adoption.

DECISION:

Cr Gray moved, Cr Garlick seconded that the recommendations of the Finance Committee meeting be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

Cr Curran moved, Cr Garlick seconded that the Council meeting be adjourned for the Planning Authority.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

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The Chairperson, Cr Gray took the Chair.

10. COUNCIL ACTING AS PLANNING AUTHORITY:

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Council to act as a Planning Authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 10 on this agenda, inclusive of any supplementary items.

10.1 APPLICATION UNDER BRIGHTON INTERIM PLANNING SCHEME 2015 -DA 2019/00147 – 37 CROOKED BILLET- EXPANSION OF EXISTING TRANSPORT DEPOT OPERATION - (INCLUDES NEW WAREHOUSE, ROAD ACCESS, PARKING AND MANOEUVRING UPGRADES AND NEW STAFF CAR PARK)

Type of Report	Planning Authority – For Decision
Application No:	DA 2019/00147
Address:	37 Crooked Billet Drive, 41 Crooked Billet Drive and Adjacent Crooked Billet Drive Road Reservation, Bridgewater
Proposal:	Expansion of Existing Transport Depot Operation (Includes New Warehouse, Road Access, Parking and Manoeuvring Upgrades and New Staff Car Park)
Zone:	General Industrial Zone
Representations:	One (1)
Discretions:	<ol style="list-style-type: none">1. Design (Section 25.4.3 A1)2. Existing Road Accesses and Junctions (Section E5.5.1 A3)3. Road Accesses and Junctions (Section E5.6.2 A2)4. Number of Car Parking Spaces (Section E6.6.1 A1)5. Number of Motorcycle Parking Spaces (Section E6.6.3 A1)6. Number of Vehicular Accesses (Section E6.7.1 A1)7. Landscaping of Parking Areas (Section E6.7.8 A1)8. Development within the Bridgewater Quarry Attenuation Area (Section E9.7.3 A1)9. Standards of Signs (Section E17.7.1 A1)10. Standards of Signs (Section E17.7.1 A2)
Author:	Planning Officer (Patrick Carroll)/Senior Planner (David Allingham)

1. Executive Summary

- 1.1. Planning approval is sought for the development of an Expansion of Existing Transport Depot Operation (Includes New Warehouse, Road Access, Parking and Manoeuvring Upgrades and New Staff Car Park) at 37 Crooked Billet Drive, 41 Crooked Billet Drive, and Adjacent Crooked Billet Drive Road Reservation, Bridgewater (the 'site'). The site is within the General Industrial Zone of the Brighton Interim Planning Scheme 2015 (the 'Interim Scheme').
- 1.2. The application is discretionary due to reliance on performance criteria.
- 1.3. One (1) representation was received within the statutory public advertising period.
- 1.4. The application is recommended for approval, subject to conditions.
- 1.5. As the application received a representation, the final decision is delegated to the Planning Authority or by full Council acting as a Planning Authority.

2. Legislative & Policy Content

- 2.1. The purpose of this report is to enable the Planning Authority to determine application DA2019/00147.
- 2.2. This determination must be made no later than 17 September 2019, which has been extended beyond the statutory timeframe at the request of the applicant, and with the delegated consent of the Council.
- 2.3. The relevant legislation is the Land Use Planning and Approvals Act 1993 (the 'Act'). The provisions of the Act require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.
- 2.4. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the Judicial Review Act 2000 and the Local Government (Meeting Procedures) Regulations 2015.
- 2.5. This report has been prepared with appropriate regard to the State Policies that apply under the State Policies and Projects Act 1993.
- 2.6. This report has been prepared with appropriate regard to Council's Strategic Plan and other Council policies, and the application is not found to be inconsistent with these. Nevertheless, it must be recognised that the planning scheme is a regulatory document that provides the overriding consideration for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

3. Risk & Implications

- 3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority, unless the decision is appealed.
- 3.2. Implications for Council include general matters related to rate income, asset maintenance and renewal and responding to future building applications.

4. Relevant Background

- 4.1. 37 Crooked Billet Drive:
 - DA 2018/132 was approved in August 2018 for Alterations and Additions to Warehouse (Offices and Amenities)
 - DA 2011/234 was approved in December 2011 for Addition to Warehouse
 - DA 2011/078 was approved in June 2011 for Transport Depot and Distribution

5. Site Detail

- 5.1. The subject site comprises of two titles, being Certificate of Title Vol. 158467 Fol. 2 and Certificate of Title Vol. 150955 Fol. 2. Together, the subject site has a total area of 4.148 ha.
- 5.2. Both lots have frontage to Crooked Billet Drive.
- 5.3. The site is within the General Industrial Zone. The site is impacted by the Attenuation Code.
- 5.4. The surrounding land is also zoned General Industrial.

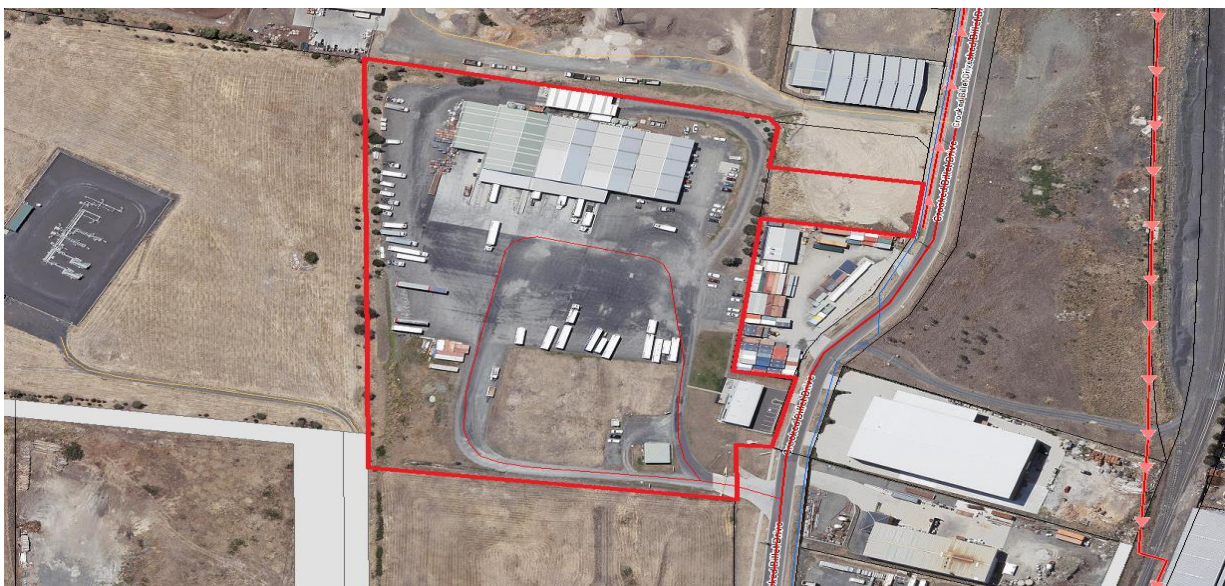


Figure 1. Aerial photography of the subject site.

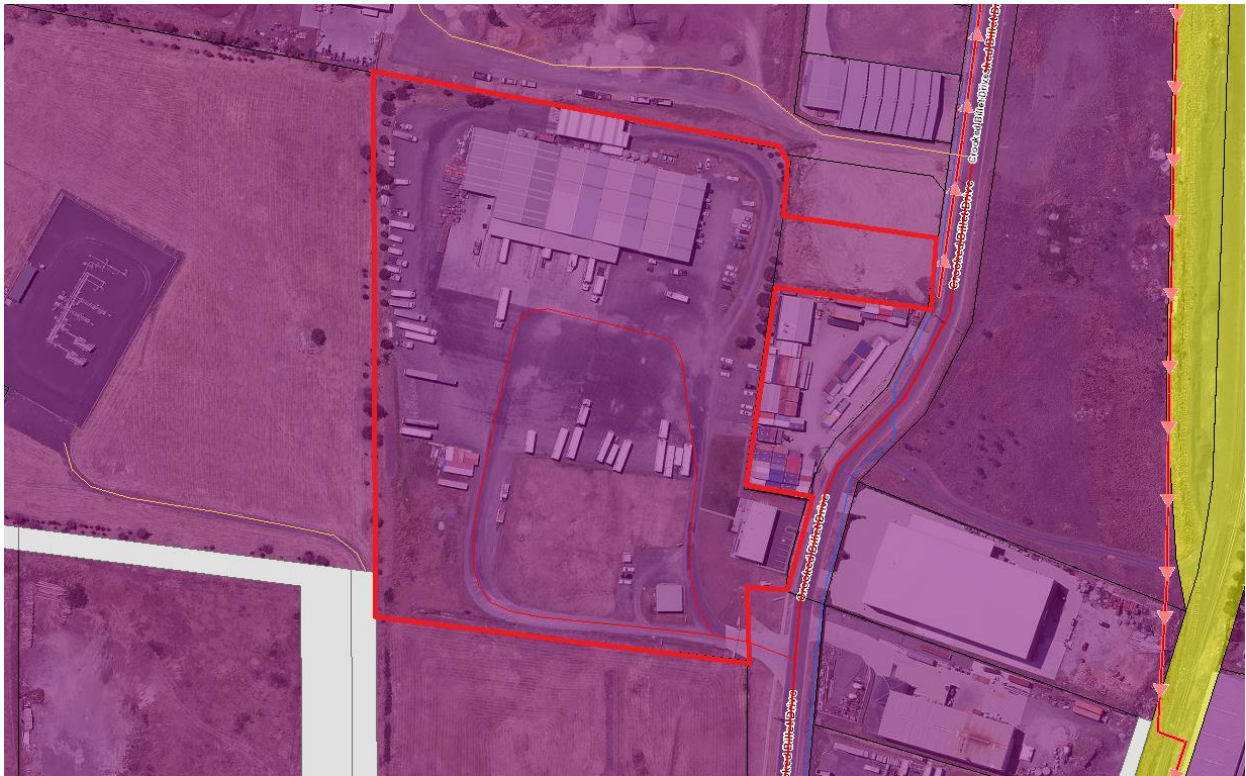


Figure 2. Zoning of the subject site and surrounds. Purple denotes the General Industrial Zone.

6. Proposal

- 6.1. The applicant has proposed the development of an Expansion of Existing Transport Depot Operation (Includes New Warehouse, Road Access, Parking and Manoeuvring Upgrades and New Staff Car Park) at 37 Crooked Billet Drive, 41 Crooked Billet Drive, and Adjacent Crooked Billet Drive Road Reservation, Bridgewater.



Figure 3. Three-dimensional render of the proposed development (Source: Application documents)

- 6.2. 'Transport Depot and Distribution' is defined in Table 8.2 of the Interim Scheme as:

Use of land for distributing goods or passengers, or to park or garage vehicles associated with those activities, other than Port and Shipping. Examples include an airport, bus terminal, council depot, heliport, mail centre, railway station, road or rail freight terminal and taxi depot.

- 6.3. The main building that is proposed measures approximately 41m by 77m and will be constructed to a height of approximately 14.7m above natural ground level. The main building is proposed to be refrigerated, and includes loading and picking areas, truck bays, as well as a crate dock and charge room.
- 6.4. Off the main building, there is a proposed administration/amenity building. This building measures approximately 13m by 13m and will be constructed to a height of approximately 4.7m above natural ground level. The administration/amenities building includes a reception area, office space, meeting rooms, lunch room and bathroom facilities.
- 6.5. The applicant has proposed the development of a new main car park, which has the capacity for 57 cars, as well as a new overflow car park, which has the capacity for an additional 28 cars. These new car parks are in addition to the existing car parking spaces dedicated on site. The proposed main car park will have a new access onto Crooked Billet Drive and will leave the existing crossover to be utilised by trucks only (no cars).
- 6.6. The applicant has proposed to demolish an existing building and develop a stormwater retention pond at the site.
- 6.7. Landscaping, signage and roof-mounted solar panels are also proposed.

7. Assessment

- 7.1. The Brighton Interim Planning Scheme 2015 is a performance-based planning scheme.
- 7.2. To meet an applicable standard, a proposal must demonstrate compliance with either an Acceptable Solution or a Performance Criterion. Where a proposal complies with a standard by relying on one or more Performance Criteria, the Council may approve or refuse the proposal on that basis. The ability to refuse the proposal relates only to the Performance Criteria relied upon.

8. Assessment against planning scheme provisions

- 8.1. The following provisions are relevant to the assessment of the proposed use and development:
- Part D – Section 25.0 – General Industrial Zone

- Part E – Section E5.0 – Road & Railway Assets Code
 - Part E – Section E6.0 – Parking & Access Code
 - Part E – Section E7.0 – Stormwater Management Code
 - Part E – Section E9.0 – Attenuation Code
 - Part E – Section E17.0 – Signs Code
- 8.2. Section 6.1.1 of the Interim Scheme provides for limited exemptions for certain developments from the need to obtain planning approval. It states:
- A permit under this planning scheme is not required for a use or development described in subclauses 6.1.2 and 6.1.3 unless there is a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken.
- 8.3. The 952 roof-mounted solar panels that are proposed are considered exempt from requiring a planning permit, by virtue of the limited exemption contained in Section 6.1.3(c) of the Interim Scheme, which states:
- Minor structures that are incidental to any use or development including:
- a) ...
 - b) ...
 - c) solar collector panels and photovoltaic cells on a roof.
- 8.4. The application satisfies the following relevant Acceptable Solutions of the applicable provisions of the Interim Scheme:
- Section 25.2 – Use Table (Transport Depot and Distribution is a Permitted Use)
 - Section 25.4.1 A1 – Building Height
 - Section 25.4.2 A1 – Setback
 - Section E5.6.1 A1 – Development Adjacent to Roads and Railways
 - Section E5.6.4 A1 – Sight Distance at Accesses, Junctions and Level Crossings
 - Section E6.6.2 A1 – Number of Car Parking Spaces for People with a Disability
 - Section E6.6.4 A1 – Number of Bicycle Parking Spaces

- Section E6.7.2 A1 – Design of Vehicular Accesses
- Section E6.7.3 A1 – Vehicular Passing Areas Along an Access
- Section E6.7.4 A1 – On-Site Turning
- Section E6.7.5 A1 – Layout of Parking Areas
- Section E6.7.6 A1 – Surface Treatment of Parking Areas
- Section E6.7.7 A1 – Lighting of Parking Areas
- Section E6.7.13 A1 – Facilities for Commercial Vehicles
- Section E6.7.14 A1 – Access to a Road
- Section E7.7.1 A1 – Stormwater Drainage and Disposal
- Section E7.7.1 A2 – Stormwater Drainage and Disposal
- Section E7.7.1 A3 – Stormwater Drainage and Disposal
- Section E17.6.1 A1 – Use of Signs
- Section E17.6.1 A2 – Use of Signs
- Section E17.6.1 A3 – Use of Signs
- Section E17.7.1 A3 – Standards of Signs
- Section E17.7.1 A4 – Standards of Signs

8.5. The following discretions are invoked by the proposal:

- Discretion 1 – Section 25.4.3 A1 – Design
- Discretion 2 – Section E5.5.1 A3 – Existing Road Accesses and Junctions
- Discretion 3 – Section E5.6.2 A2 – Road Accesses and Junctions
- Discretion 4 – Section E6.6.1 A1 – Number of Car Parking Spaces
- Discretion 5 – Section E6.6.3 A1 – Number of Motorcycle Parking Spaces
- Discretion 6 – Section E6.7.1 A1 – Number of Vehicular Accesses
- Discretion 7 – Section E6.7.8 A1 – Landscaping of Parking Areas
- Discretion 8 – Section E9.7.3 A1 – Development within the Bridgewater Quarry Attenuation Area

- Discretion 9 – Section E17.7.1 A1 – Standards of Signs
- Discretion 10 – Section E17.7.1 A2 – Standards of Signs

8.4 Discretion 1 – Section 25.4.3 A1 - Design

8.4.1 The Acceptable Solution contained in Section 25.4.3 A1 states:

Building design must address the street by complying with all of the following:

- a) provide the main pedestrian entrance to the building at the frontage;
- b) screen mechanical plant from view from the street and other public spaces;
- c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.

8.4.2 The development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

8.4.3 Section 25.4.3 P1 states:

Building design must satisfying all of the following:

- a) provide the main access to the building in a way that is visible from the street;
- b) ensure the visual impact of mechanical plant is limited when viewed from the street;
- c) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have limited visual impact;
- d) be consistent with any Desired Future Character Statements provided for the area.

8.4.4 SRT has an existing office building facing Crooked Billet, which provides the main pedestrian access to the SRT site. The new building is located within a working yard with restricted access.

8.4.5 The proposed design of the new transport depot and warehouse will be visible from the street. The entry to that building is at the front of the building.

8.4.6 No mechanical plant will be placed between the building and the street, as that area is needed for truck manoeuvring and parking.

- 8.4.7 The roof will be fitted with 952 solar panels, which will be laid flat on the roof surface. As such, the panels are as least visible as possible. To screen the panels would add to the visual impact of the building.
- 8.4.8 There are no Desired Future Character Statements for the General Industrial Zone.
- 8.4.9 As such, it is considered that the proposed development satisfies the Performance Criteria contained in Section 25.4.3 P1 of the Interim Scheme.

8.5 Discretion 2 – Section E5.5.1 A3 – Existing Road Accesses and Junctions

- 8.5.1 The Acceptable Solution contained in Section E5.5.1 A3 states:

The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.

- 8.5.2 The development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

- 8.5.3 Section E5.5.1 P3 states:

Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- a) the increase in traffic caused by the use;
- b) the nature of the traffic generated by the use;
- c) the nature and efficiency of the access or the junction;
- d) the nature and category of the road;
- e) the speed limit and traffic flow of the road;
- f) any alternative access to a road;
- g) the need for the use;
- h) any traffic impact assessment; and
- i) any written advice received from the road authority.

- 8.5.4 The application was referred to Council's Technical Officer, who has considered the application, including the Traffic Impact Assessment provided by the applicant.
- 8.5.5 Council's Technical Officer is satisfied that, based on the nature of the road, the increase in traffic, and the Traffic Impact Assessment, the proposed development is safe and does not unreasonably impact upon the efficiency of the road.
- 8.5.6 The development is considered to satisfy the Performance Criteria contained in Section E5.5.1 P3 of the Interim Scheme.

8.6 Discretion 3 – Section E5.6.2 A2 – Road Accesses and Junctions

- 8.6.1 The Acceptable Solution contained in Section E5.6.2 A2 states:

No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
- 8.6.2 The development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.
- 8.6.3 Section E5.6.2 P2 states:

For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

 - a) the nature and frequency of the traffic generated by the use;
 - b) the nature of the road;
 - c) the speed limit and traffic flow of the road;
 - d) any alternative access to a road;
 - e) the need for the access or junction;
 - f) any traffic impact assessment; and
 - g) any written advice received from the road authority.
- 8.6.4 Council's Technical Officer has noted that the existing access to 37 Crooked Billet Drive is existing and is designed to suit heavy vehicles and light vehicles. The proposed access to 41 Crooked Billet Drive is for light vehicles only and is used to serve the proposed car park.

- 8.6.5 Council's Technical Officer is satisfied that the proposed access is safe and does not unreasonably impact on the efficiency of the road.
- 8.6.6 The development is considered to satisfy the Performance Criteria contained in Section E5.6.2 P2 of the Interim Scheme.

8.7 Discretion 4 - Section E6.6.1 A1 - Number of Car Parking Spaces

- 8.7.1 The Acceptable Solution contained in Section E6.6.1 A1 states:

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;

- 8.7.2 Table E6.1 requires 3.5 car parking spaces for every 100m² of floor area. The development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

- 8.7.3 Section E6.6.1 P1 states:

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 consolidation of shared car parking spaces;

- g) any car parking deficiency or surplus associated with the existing use of the land;
- 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;
- 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;
- j) any verified prior payment of a financial contribution in lieu of parking for the land;
- k) any relevant parking plan for the area adopted by Council;
- l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;

8.7.4 The application was accompanied by a Traffic Impact Assessment (TIA). The TIA submits that, at present, 68 car parks exist on the site

8.7.5 A total of 107 light vehicle car parking spaces (including one accessible car parking space) are proposed to be provided on the site.

8.7.6 The TIA states that it is envisaged that the development will increase parking demand by approximately 20% from the current demand. Approximately 60 car parks will be required for staff use and would allow for 20 visitor car parking spaces.

8.7.7 The TIA, therefore, submits that the 107 car parking spaces proposed to be provided will be sufficient to meet the reasonable needs of the users.

8.7.8 Council's Technical Officer supports this view.

8.7.9 The development is considered to satisfy the Performance Criteria contained in Section E6.6.1 P1 of the Interim Scheme.

8.8 Discretion 5 - Section E6.6.3 A1 - Number of Motorcycle Parking Spaces

8.8.1 The Acceptable Solution contained in Section E6.6.3 A1 states:

The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).

Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.

8.8.2 The proposed development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

8.8.3 Section E6.6.3 P1 states:

The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:

- a) motorcycle parking demand;
- b) the availability of on-street and public motorcycle parking in the locality;
- c) the availability and likely use of other modes of transport;
- d) the availability and suitability of alternative arrangements for motorcycle parking provision.

8.8.4 Council's Technical Officer is satisfied that the proposed car parking arrangements are sufficient to meet the needs of likely motorcycle users.

8.8.5 The development is considered to satisfy the Performance Criteria contained in Section E6.6.3 P1 of the Interim Scheme.

8.9 Discretion 6 – Section E6.7.1 A1 – Number of Vehicular Accesses

8.9.1 The Acceptable Solution contained in Section E6.7.1 A1 states:

The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.

8.9.2 The proposed development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

8.9.3 Section E6.7.1 P1 states:

The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:

- a) access points must 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.

8.9.4 Council's Technical Officer is satisfied that the accesses are positioned in such a way that loss of on-street parking is minimised, and there are whole car parking spaces between the access points. Further, the Council's Technical Officer is satisfied that the access points do not compromise pedestrian safety, amenity and convenience, traffic safety, or streetscape.

8.9.5 The development is considered to satisfy the Performance Criteria contained in Section E6.7.1 P1 of the Interim Scheme.

8.10 Discretion 7 - Section E6.7.8 A1 - Landscaping of Parking Areas

8.10.1 The Acceptable Solution contained in Section E6.7.8 A1 states:

Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.

8.10.2 The proposed development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

8.10.3 Section E6.7.8 P1 states:

Landscaping of parking and circulation areas accommodating more than 5 cars must satisfy all of the following:

- a) relieve the visual impact on the streetscape of large expanses of hard surfaces;
- b) soften the boundary of car parking areas to reduce the amenity impact on neighbouring properties and the streetscape;
- c) reduce opportunities for crime or anti-social behaviour by maintaining passive surveillance opportunities from nearby public spaces and buildings.

8.10.4 Considering the nature of the development, the area required for parking and vehicular circulation is quite extensive. To landscape 5% of this area would likely impact the operation of the development.

8.10.5 However, the applicant has proposed landscaping of the Crooked Billet Road frontage, along the length of the proposed car park (except for the vehicular access).

8.10.6 The proposed car parking areas itself is expansive and covers the entirety of 41 Crooked Billet Drive. The few trees proposed will provide some softening of the car parking but it is considered additional landscaping is required to further relieve the visual impact and soften the boundary. Further, the truck access on 37 Crooked Billet Drive is proposed to be widened will create a large area of hard surface. It is recommended that a permit condition be include on any permit granted requiring a landscape plan be submitted showing further landscaping treatment along the west, north and southern boundary and between the pedestrian pathway and the car park be required for 41 Crooked Billet and the area between the access and existing office building at the entrance to 37 Crooked Billet.

8.10.7 The proposed landscaping does not hinder passive surveillance opportunities.

8.10.8 The remainder of the proposed development (including truck parking and circulation areas) is setback considerably from the street frontage and is not considered to adversely impact the streetscape.

8.10.9 The development is considered to satisfy the Performance Criteria contained in Section E6.7.8 P1 of the Interim Scheme.

8.11 Discretion 8 - Section E9.7.3 A1 - Development within the Bridgewater Quarry Attenuation Area

8.11.1 There is no Acceptable Solution contained in Section E9.7.3 A1. As such, the application must be assessed against the relevant Performance Criteria.

8.11.2 Section E9.7.3 P1 states:

Development, including subdivision, must not result in potential to be impacted by quarry operations having regard to all of the following:

- a) the nature of the quarry; including:
 - i. operational characteristics;
 - ii. scale and intensity;
 - iii. degree of hazard or pollution that may be emitted from the activity;
- b) the degree of encroachment or development or use into the Bridgewater Quarry Attenuation Area;
- c) measures in the design, layout and construction of the development or use to eliminated, mitigate or manage effects of the quarry.

8.11.3 At its closest point, the development is sited approximately 670m from the quarry operations, measured to the edge of the Mining Lease (Mining Lease 1477P/M). From the quarry pit itself, the development is sited approximately 1.27km away.

8.11.4 The development is on the outer edge of the Attenuation Area. The application was referred to the quarry operator.

8.11.5 No specific measures in design, layout or construction are considered necessary to eliminate, mitigate or manage effects of the quarry.

8.11.6 As such, the development is unlikely to be impacted by quarry operations.

8.11.7 The development is considered to satisfy the Performance Criteria contained in Section E9.7.3 P1 of the Interim Scheme.

8.12 Discretion 9 – Section E17.7.1 A1 – Standards of Signs

8.12.1 The Acceptable Solution contained in Section E17.7.1 A1 states:

A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.

8.12.2 The proposed development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

8.12.3 Section E17.7.1 P1 states:

A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:

- a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;
- b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;
- c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;
- d) not result in loss of amenity to neighbouring properties;
- e) not involve the repetition of messages or information on the same street frontage;
- f) not contribute to or exacerbate visual clutter;
- g) not cause a safety hazard.

8.12.4 The proposed signage is integrated with the design of the building and is suitably dimensioned so as not to dominate either the streetscape or the premises on which it is located.

8.12.5 The proposed signage will be constructed of materials which can be maintained and is unlikely to impact the amenity of neighbouring properties.

8.12.6 The proposed signage is not located on the frontage and is not considered to contribute to or exacerbate visual clutter. The proposed signage will not cause a safety hazard.

8.12.7 The development is considered to satisfy the Performance Criteria contained in Section E17.7.1 P1 of the Interim Scheme.

8.13 Discretion 10 – Section E17.7.1 A2 – Standards of Signs

8.13.1 The Acceptable Solution contained in Section E17.7.1 A2 states:

The number of signs per business per street frontage must comply with all of the following:

- a) maximum of 1 of each sign type;
- b) maximum of 1 window sign per window;

- c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;
- d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6.

except for the following sign types, for which there is no limit;

- i. Building Site,
- ii. Name Plate,
- iii. Newspaper Day Bill,
- iv. Open/Closed,
- v. Real Estate,
- vi. Street Number,
- vii. Temporary Sign.

8.13.2 The proposed development does not comply with the Acceptable Solution. As such, the application must be assessed against the relevant Performance Criteria.

8.13.3 Section E17.7.1 P2 states:

The number of signs per business per street frontage must:

- a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;
- b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;
- c) not involve the repetition of messages or information.

8.13.4 The proposed signage does not add to visual clutter of the streetscape, nor does it involve the unnecessary repetition of messages or information.

8.13.5 The development is considered to satisfy the Performance Criteria contained in Section E17.7.1 P2 of the Interim Scheme.

9. Concerns Raised by Representors

- 9.1. The application was advertised in accordance with the statutory requirements of the Land Use Planning and Approvals Act 1993.

- 9.2. One (1) representation was received during the statutory public advertising period. However, this representation was delivered to an address that differed to the designated address specified on the public notice.
- 9.3. Although there is no obligation to do so, Council’s Senior Planner, under delegated authority, has determined to accept the representation as a statutory representation.
- 9.4. The concerns of the representor are summarised below:

Concerns Raised by Representor	Response
<p>Having reviewed the advertised plans and supporting documentation which form the basis of the Application, we have identified several areas of concern. We consider the Application to be inappropriate based on the following grounds:</p> <ul style="list-style-type: none"> 1. Parking and Access Code 2. Number of Car Parking Spaces 3. Landscaping of Parking Areas 4. Stormwater Management Code 	<p>Refer to comments below.</p>
<p>A Traffic Impact Assessment for the development is referred to, but is not included in the package of documentation that was able to be downloaded from the Council’s website and we have therefore not had the opportunity to review this document. We are concerned about the impact of the increased traffic resulting from this development on our driveway and entrance off Crooked Billet Drive. We believe it is quite likely that trucks entering the SRT site may block our driveway on a regular basis.</p>	<p>TIA subsequently made available for review.</p> <p>Refer comments below.</p>
<p>Again, we have not had the opportunity to review the Traffic Impact Assessment prepared for the site, but the proposed car parking numbers appears to be less than the code requirements which raises concern on the impact this will have on</p>	<p>Given the existing use it is presumed the applicant and their traffic consultant have a good understanding of the current and expanded business parking needs. The TIA has demonstrated that the parking codes performance criteria - specifically</p>

<p>our property.</p>	<p>relating to car parking demand (E6.6.1 P1 (a)) is met.</p> <p>The site is large and there is room on site for additional parking if required.</p> <p>The new staff parking is some 170m from the representors site.</p>
<p>The proposed landscaping is very disappointing and we believe insufficient with respect to the code requirements for relieving the visual impact of large expanses of hard surfaces and softening the amenity impact on neighbouring properties.</p>	<p>Refer to Assessment at section 8.10.</p>
<p>We would like to get a better understanding of the environmental and water management studies that have been undertaken. We are particularly concerned about the proposed location of the stormwater detention pond and the proximity of the pond to our boundary. Given that the pond is only designed to have capacity for an ARI of 5-10 years with the roadway and dock area providing additional retention capacity for storms up to 50 years, we consider that there is a serious risk of overflow and runoff onto our property, as well as the potential for leakage of the pond causing problems on our property.</p> <p>We are also concerned about the increased area of impervious hardstand and roadways that is shown draining towards our property (and being collected in a swale drain), as well as the amount of excavation and significant changes to the natural ground levels that would be required by this development.</p> <p>We suggest that landscaping on the Southern boundary incorporating Water Sensitive Urban Design features would be of great benefit.</p>	<p>According to site contours existing overland flow is already directed to the representors site. The swale drain/retention basin will capture this runoff before it reaches the representors site.</p> <p>Development conditions include a requirement that stormwater runoff will be no greater than pre-existing runoff and to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.</p> <p>The proposed vegetated swale along the southern boundary is already a form of WSUD.</p>

<p>In light of the above, it is our view that a further assessment of the proposed development is required to ensure that traffic, parking, landscaping and stormwater have been adequately addressed. As the adjoining property owner, we would have appreciated if the owner of this site had engaged with us so that a more suitable joint proposal could have been developed. Now that we are aware of the design we intend to make contact with the owner to discuss a potentially mutually beneficial alternative design.</p>	<p>The concerns of the representor are noted.</p>
<p>Concerns Raised by Representor in Addendum to Representation</p>	<p>Response</p>
<p>Thank you for the opportunity to review the Traffic Impact Assessment and provide additional comment with respect to the above application. Queuing at the site entry point and potential impacts on Crooked Billet Drive remain a concern for us.</p> <p>Our traffic engineer has advised that, despite the applicant's operational procedure, if there is a large number of entries occurring within a short period of time, there remains a risk that queue storage within the crossover (nominally 24 metres = one large truck) will be exceeded - resulting in trucks queue on the road immediately south of the access point, and blocking our egress.</p> <p>Our traffic engineer has suggested that the security gate may need to be moved further into the site to provide additional queuing space and reduce the likelihood of trucks queuing across our driveway.</p>	<p>Appendix C of the TIA forecasts HV movements at gate 1 to increase marginally from 210 to 246 per day (an increase of 36). It also only forecasts 16 additional semi-trailers per day and no additional B-Doubles.</p> <p>The Traffic Consultants Addendum to the TIA dated 2 August 2019 states that the entry gate is proximity activated by cards in vehicles and trucks do not stop at gate when entering.</p>

<p>We believe that the number of truck movements estimated is conservative based on the capacity of the warehouse, and our preference would be for the applicant to have separate entry and exit points. The applicant's increased truck movements, combined with our proposed truck movements will result in 350-400 truck movements through Crooked Billet Drive and Glenstone Road intersection, which at peak times would be unsustainable.</p>	<p>It is presumed the applicant and their traffic consultant have a good understanding of the current and expanded businesses traffic generation.</p> <p>The application includes removal of the existing light vehicle movements from the southern HV access (gate 1) - adjoining the representators proposed access to a new access servicing a staff car park. Section 4.2.1 of TIA mentions 300 light vehicle movements currently use gate 1.</p> <p>Appendix C of the TIA forecasts HV movements at gate 1 to increase marginally from 210 to 246 per day (an increase of 36).</p> <p>Existing Driveway apron and internal driveway width (approx. 13m) meets the provisions for 2-way HV traffic of AS2890.2 - Off Street Parking - Commercial Vehicles.</p> <p>Gate 1 currently operates as a two-way access.</p> <p>In terms of impacts on the state owned Glenstone Road - the application was referred to the Department of State Growth who did not provide a response.</p>
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10. Referrals

10.1. Internal

- Technical Officer

10.2. External

- TasWater
- Department of State Growth
- TasRail

- TasGas
- Boral Limited

11. Conclusion

Planning approval is sought for the Expansion of Existing Transport Depot Operation (Includes New Warehouse, Road Access, Parking and Manoeuvring Upgrades and New Staff Car Park) at 37 Crooked Billet Drive, 41 Crooked Billet Drive, and Adjacent Crooked Billet Drive Road Reservation, Bridgewater. The site is within the General Industrial Zone of the Brighton Interim Planning Scheme 2015.

The proposal has been assessed against the relevant standards of the Brighton Interim Planning Scheme 2015, and is considered to perform well. As such, the application is recommended for approval, subject to conditions.

RECOMMENDATION:

Pursuant to the Brighton Interim Planning Scheme 2015, Council approve application DA 2019/00147 for the proposed development of Expansion of Existing Transport Depot Operation (Includes New Warehouse, Road Access, Parking and Manoeuvring Upgrades and New Staff Car Park) at 37 Crooked Billet Drive, 41 Crooked Billet Drive, and Adjacent Crooked Billet Drive Road Reservation, Bridgewater, and grant a planning permit subject to the following 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, whichever is later, in accordance with section 53 of the Land Use Planning and Approvals Act 1993.

TasWater

- (3) 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 2019/01082-BTN dated 8th August 2019, as attached to this permit.

Amenity

- (4) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Manager Development Services.

Signage

- (5) The approved signage is not to be flashing or otherwise intermittently illuminated.

Easements

- (6) Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

Landscaping

- (7) Prior to or in conjunction with a Building Application, a comprehensive landscape plan to the satisfaction of Council's Manager Development Services must be submitted and approved. The plans must be drawn to scale with written dimensions. The landscaping plan must show:
- Details of surface finishes of paths and driveways.
 - A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
 - In addition to the landscaping shown on the Site Plan - Proposed (DWG: A103, Rev: 04), landscaping must be provided:
 - along the west, north, eastern and southern boundary of the car park located on 41 Crooked Billet; and
 - the area between the widened access and existing office building at the entrance to 37 Crooked Billet.

If considered satisfactory, the landscape plan will be endorsed and will form part of the permit.

- (8) The landscaping works must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's Manager Development Services prior to the building(s) being occupied. All landscaping must continue to be maintained to the satisfaction of Council.

Amendment of Sealed Plan

- (9) Prior to the issue of building consent under the Building Act 2016, or the commencement of works (whichever occurs first), or a timeframe otherwise approved by Council's General Manager, Sealed Plan SP158467 must be amended in accordance with Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993 to show the proposed amended location of the easement that runs along the western boundary of the site.
- (10) The expense and responsibility of preparing and making an application to amend the Sealed Plan shall be solely that of the developer, and is not the responsibility of Council.
- (11) This planning permit in no way infers that an amendment to the Sealed Plan will necessarily be approved.

Services

- (12) Parking and access must generally be in accordance with:
- C. the approved plans;
 - D. Traffic Impact Assessment, SRT Logistics Pty Ltd – Cool Room Expansion July 2019 prepared by TCS.
 - E. Response to RFI including accompanying plans dated 9th August 2019 prepared by CBM;
 - F. and to the satisfaction of Council’s Municipal Engineer.
- (13) 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.
- (14) The southern (heavy vehicle) access to 37 Crooked Billet Drive is to operate such that vehicles do not stop when entering the access such that they obstruct use of Crooked Billet Drive or any adjacent access.
- (15) Any services located under the proposed driveway to 41 Crooked Billet Drive are to be provided with trafficable covers to the requirements of the relevant authority and Council’s Municipal Engineer.

Parking and Access

- (16) A minimum 5.5m wide vehicle access to 41 Crooked Billet Drive must be constructed in accordance with the standards shown on standard drawing TSD-R09-v1 Urban Roads Driveways prepared by the IPWE Aust. (Tasmania Division) and the satisfaction of Council’s Municipal Engineer.
- (17) At least one hundred and seven (107) parking spaces must be provided on the land (37 & 41 Crooked Billet Drive) at all times for the use of the development, in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- (18) The internal private driveways and areas set-aside for parking and associated access and turning must be provided in accordance with the approved documents and Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking, Australian Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney, and to the satisfaction of Council’s Municipal Engineer, and must include all of the following,
- (a) A minimum width of 5.5m.
 - (b) Surfaced with concrete, asphalt or pavers.

- (c) Drained to an approved stormwater system.
 - (d) On site turning.
- (19) Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting, or as otherwise approved by Council’s General Manager.
- (20) A parking plan prepared and certified by a qualified civil engineer or other person approved by Council’s Municipal Engineer must be submitted to Council prior to or in conjunction with lodgement of Building Application. The parking plan is to include:
 - (a) vehicle access to 41 Crooked Billet Drive,
 - (b) pavement details,
 - (c) design surface levels and gradients,
 - (d) drainage including WSUD measures,
 - (e) turning paths,
 - (f) dimensions,
 - (g) signageand shall form part of the permit when approved.
- (21) The completed parking and associated turning areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.
- (22) All areas set-aside for parking and associated turning, 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 Municipal Engineer.

Stormwater

- (23) Stormwater management must generally be in accordance with the following documents submitted with the application, and to the satisfaction of Council’s Municipal Engineer:
 - C. Site Plan – Proposed A103-04 prepared by CBM
 - D. Stormwater Management Plan A118 prepared by CBM
- (24) Drainage from the proposed development must drain to legal discharge points to the satisfaction of Council’s Municipal Engineer and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.

- (25) The Developer is to incorporate Water Sensitive Urban Design Principles into the development for the treatment and disposal of stormwater. These Principles will be in accordance with the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's Municipal Engineer.
- (26) The developer must provide a minor stormwater drainage system designed to comply with the following:
 - (a) be able to accommodate a storm with an ARI of 50 years when the land serviced by the system is fully developed;
 - (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
- (27) The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
- (28) The driveways must be drained to minimise surface runoff over the footpath or to the adjoining road in accordance with the requirements of the Municipal Engineer and a Plumbing Permit issued by the Permit Authority in accordance with the Building Act 2016.
- (29) Prior to the commencement of works or the issue of a plumbing permit, detailed plans of the stormwater drainage system including WSUD measures must be prepared by a suitably qualified civil engineer and be submitted to Councils Municipal Engineer for approval. The plans shall form part of the permit when approved.
- (30) The completed stormwater drainage system must be certified by a practicing civil engineer to the effect that it has been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.

Soil and Water Management

- (31) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences. The SWMP shall form part of this permit when approved.
- (32) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls 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 General Manager.

Public Drainage Works

- (33) Unless otherwise approved by Councils Municipal Engineer a single public stormwater main is to be provided within the re-aligned easement in 37 Crooked Billet Drive from the existing site connection point to the point where the existing cool store discharges or the end of the re-aligned main – at the discretion of Councils Municipal Engineer.
- (34) The public main is to be sized to suit an ARI 50-year storm when the land serviced by main is fully developed.
- (35) Public drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer.

Engineering

- (36) All works associated with Council assets must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 (attached).
- (37) Engineering design drawings for all Council assets must be submitted to and approved by Council's Municipal Engineer before any works associated with development of the land commence.
- (38) Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with the Tasmanian Subdivision Guidelines October 2013.
- (39) Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
- (40) The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of construction works relating to Council assets.

Maintenance and Defects Liability Period

- (41) All works to be adopted by Council must be placed onto a 12-month maintenance and defects liability period following the completion of the works in accordance with the approved engineering plans, permit conditions and Council Policy.

'As constructed' drawings

- (42) Prior to the works being placed on the maintenance and defects liability period "As Constructed" drawings for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

Construction amenity

- (43) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Development 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.
- (44) 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.
- (45) 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 Development Services.
- (46) 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.
- (47) 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 Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. A separate permit is required for any additional signs unless otherwise exempt under Council's planning scheme.
- C. The following legislation may impose obligations that affect the approved or use development. This legislation is separate to the planning scheme and as such has not been considered by the Planning Authority in granting this permit. You may wish to obtain your own independent advice or discuss with the relevant Government department:
 - a) Aboriginal Heritage Act 1975 (Tasmanian)

- b) Threatened Species Protection Act 1995 (Tasmanian)
- c) Weed Management Act 1999 (Tasmanian)
- d) Disability Discrimination Act 1992 (Commonwealth); see AS 1248 for technical direction
- e) Environment Protection and Biodiversity Conservation Act 2000 (Commonwealth)
- f) Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2014 (Tasmanian)
- g) Forest Practices Act 1995 (Tasmanian)

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.

DECISION:

Cr Geard moved, Cr Curran seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

Cr Gray moved, Cr Curran seconded that the Ordinary Council meeting be resumed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	

Cr Owen
Cr Whelan

11. REPORTS FROM OFFICERS:

11.1 BRIGHTON ARMY CAMP – DRAFT CONSERVATION MANAGEMENT PLAN:

AUTHOR: Senior Planner & Strategic Projects
(Mr D Allingham)

Background:

At the February 2019 Ordinary Council Meeting, Council approved funding for the preparation of a Conservation Management Plan (CMP) for the Brighton Army Camp hospital building and parade grounds (the site).

The site has since been listed as a “Heritage Place” in the Heritage Code in the *Brighton Interim Planning Scheme 2015* and the CMP was required to provide clarity as to the type of use and development that could be appropriate under the new listing and to help guide an Expression of Interest (EoI) process for the use and development of the site by parties other than council.

The CMP provides a detailed history of the site and building and concludes with a series of policies for the future use and development for the site and building.

Among other things, the CMP concludes that the Army Camp building should be compatible with the community use of the remainder of the site and that ultimately the building should remain as unaltered as possible, although some aspects have higher heritage significance than others.

The CMP also provides for potential new buildings on the site and indicates the appropriate size, scale, and location.

The CMP should now be used as a supporting document to seek Expressions of Interest for the building with greater clarity on what can be done at the site.

Consultation:

Consultation has occurred between Council’s Deputy General Manager, Manager Development Services and Senior Planner.

Risk Implications:

The CMP potentially constrains use and development of the site.

However, the CMP provides clarity for use and development site under the Heritage listing and will ensure that inappropriate use and development will be avoided.

Financial/Budget Implications:

The CMP cost was \$9,720, which is within the budget allocated for the project.

The CMP provides for a maintenance program to detect and address building fabric deterioration. If no suitable submissions are received through the EoI process Council may need to consider undertaking its own maintenance works for the building.

Strategic Plan:

The CMP is consistent with Councils Strategic Plan 2015-2025 as follows:

Preferred Future:

- A sustainable natural and built environment;
- Vibrant, healthy and engaged communities;
- Our infrastructure maintained at an appropriate level;
- A better image as a place where people want to live;
- Practical and effective land use strategies.

Key Focus Areas:

- Provide sustainable and responsible financial management of council resources;
- Promoting Brighton as a great place to be;
- Maintain and improve our physical infrastructure;
- Promoting industrial, business and employment growth.

Social Implications:

The CMP provides a concise history of the site and building and will help ensure that the heritage significance of the site will be retained.

Environmental or Climate Change Implications:

Nil

Economic Implications:

The report will assist council in attempting to facilitate and development and employment opportunity, which will help the local economy.

Other Issues:

Nil

Assessment:

The CMP is necessary to provide certainty about how the site can be used and developed whilst respecting the historic and cultural values of the site.

The CMP is critical for providing clarity through the EoI process.

Options:

1. As per the recommendation.

2. Council does not endorse the CMP
-

RECOMMENDATION:

1. That Council endorse the *Brighton Army Camp – Draft Conservation Management Plan*.
2. That Council approve staff to seek Expressions of Interest for the Army Camp building with the CMP as a guiding document.

DECISION:

Cr Curran moved, Cr Whelan seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

11.2 MICROWISE - UPDATE REPORT:

AUTHOR: General Manager
(Mr R Sanderson)

The General Manager provided an update on the progress of Microwise at the Council meeting.

Options:

1. As per the recommendation.
 2. Not receive the report.
-

RECOMMENDATION:

That the report be received.

DECISION:

Cr Curran moved, Cr Garlick seconded that the report be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

All Council Officers in attendance left the meeting.

Cr Gray moved, Cr Curran seconded that Council resolve into Closed Council.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

12. CLOSED MEETING:

Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters were listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

This matter was to be considered in a closed meeting of council by authority of the Local Government (Meeting Procedures) Regulations 2015, Section 15(2)(a)

12.1 EMPLOYMENT CONTRACT – GENERAL MANAGER:

AUTHOR: General Manager
(Mr R Sanderson)

Cr Owen moved, Cr Whelan seconded that Council resolve out of Closed Council and the decision made whilst in Closed Council be ratified.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Murtagh	
Cr Owen	
Cr Whelan	

13. QUESTION ON NOTICE:

There were no questions on notice.

The meeting closed 6.50 pm

Confirmed:

(Mayor)

Date:

15th October 2019