

SOUTHERN
MIDLANDS
COUNCIL



AGENDA

SPECIAL COUNCIL MEETING

Wednesday, 19th December 2018

Municipal Offices, 71 High Street, Oatlands
commencing at 9.30 a.m.

INDEX

1.	ATTENDANCE	4
2.	APOLOGIES	4
3.	DECLARATION OF PECUNIARY INTEREST	4
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	5
4.1	<i>Development Application (DA 2018/90) for Whisky distillery with associated visitor services (retail, tours, tastings) and Food services (cafe) at 99 High Street, Oatlands & 6 Mill Lane, Oatlands, owned by Lake Frederick Inn Pty Ltd & Crown (Parks & Wildlife Service)</i>	5
5.	CLOSURE	65



Dear Sir

NOTICE OF SPECIAL COUNCIL MEETING

Notice is hereby given that a Special Meeting of Council will be held on:-

Date: Wednesday, 19th December 2018
Time: 9.30 a.m.
Venue: Municipal Offices, 71 High Street, Oatlands

I certify under s.65(2) of the *Local Government Act 1993* that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tim Kirkwood', written in a cursive style.

Tim Kirkwood
GENERAL MANAGER

OPEN COUNCIL AGENDA

1. ATTENDANCE

2. APOLOGIES

3. DECLARATION OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 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 a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

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

Session of Council sitting as a Planning Authority pursuant to the Land Use Planning and Approvals Act 1993 and Council's statutory land use planning schemes.

4.1 DEVELOPMENT APPLICATION (DA 2018/90) FOR WHISKY DISTILLERY WITH ASSOCIATED VISITOR SERVICES (RETAIL, TOURS, TASTINGS) AND FOOD SERVICES (CAFE) AT 99 HIGH STREET, OATLANDS & 6 MILL LANE, OATLANDS, OWNED BY LAKE FREDERICK INN PTY LTD & CROWN (PARKS & WILDLIFE SERVICE)

File Ref: T 5482397 & T5482426

Author: SENIOR PLANNING OFFICER (JACQUI TYSON)

Date: 14 DECEMBER 2018

Enclosure:

Representations (redacted)

Attachments:

Development Application documents

PROPOSAL

ERA Planning Pty Ltd, on behalf of Lake Frederick Inn Pty Ltd, have applied for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to construct a whisky distillery with associated visitor services and cafe on land at 99 High Street, Oatlands, to the rear of the former Lake Frederick Inn. The proposal includes opening the rock wall for pedestrian access between 99 High Street and the neighbouring property at 6 Mill Lane, home of the Callington Mill and associated complex, to form an integrated visitor attraction.

In April 2018 Council agreed to initiate a planning scheme amendment to change the zoning of part of 99 High Street from General Residential Zone to General Business Zone to allow for this application to be made. The rezoning was approved by the Tasmanian Planning Commission and came into effect on the 7th September 2018.

The application has been lodged under the *Southern Midlands Interim Planning Scheme 2015* ("the Planning Scheme").

The land at 99 High Street is zoned General Business and 6 Mill Lane is zoned Community Purpose. The overall site falls within the Callington Heritage Precinct and both properties are listed on the Tasmanian Heritage Register. At the time of writing the

Tasmanian Heritage Council had not yet issued their decision in regard to this matter. The decision and any conditions that need to form part of a permit issued by Council will be circulated at the Council meeting.

Under the Planning Scheme the proposal is defined as use and development under the Resource processing and Food services use classes. The proposal is to be assessed against the provisions of the use and development standards of the General Business Zone and applicable Codes. These matters are described and assessed in this report.

A permit for this type of development is considered at the discretion of Council.

The Council gave notice of the application for public comment for 14 days. During the notification period three (3) representations were received and an additional one (1) representation was received late. All representations are considered below.

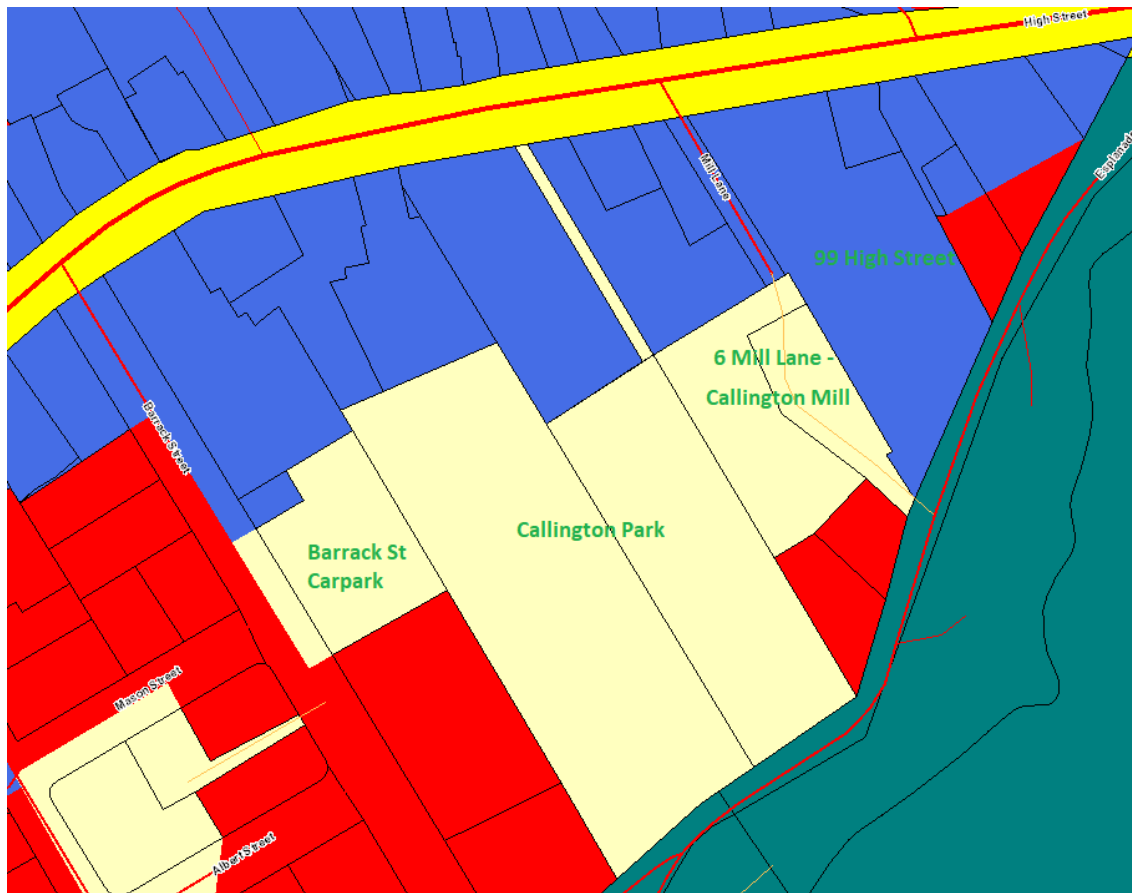
This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council approve the proposal.

THE SITE

The proposed use and development mainly relates to the property at 99 High Street, Oatlands, which extends from High Street through to the Esplanade. The property is currently developed with the heritage listed former Lake Frederick Inn which is a two storey Georgian brick and sandstone building currently used as a dwelling. There are also two outbuildings including a heritage listed carriage house and associated gardens, all located towards the High Street end of the property. No changes to the current use or development is proposed for the Lake Frederick Inn and associated outbuildings. The proposed distillery development is located at the southern end of the site, which is currently an open grassed area. The site has a vehicular access from the Esplanade and a crossover from High Street provides access directly to a garage.

The property is fenced with a dry stone wall along the Esplanade and the western side boundary to Callington Mill. Under the proposal, part of the wall will be removed to allow for pedestrian access between the sites and from High Street via Mill Lane. This element of the proposal is the reason for the inclusion of 6 Mill Lane in the development application. No other works will be undertaken on the Callington Mill site.

Map 1 below shows the zoning of the property and surrounding land.



Map 1_ The subject land is located in the General Business Zone (blue) and Community Purpose Zone (cream). There are properties zoned General Residential (red) adjoining the site and Lake Dulverton is zoned Environmental Management (green). The site and surrounding features are labelled in green (Source: LISTmap).



Map 2 _ Aerial image of the subject land and surrounding area. The development site is marked with a red star (Source: LISTmap).

THE APPLICATION

The application has been submitted with plans and a set of supporting reports describing the proposal and addressing planning requirements, to accompany the Development Application form. The application includes the following documents:

- Planning assessment – ERA Planning;
- Architectural report and plans – Cumulus Studio;
- Traffic Impact Assessment – Milan Prodanovic;
- Heritage Impact Assessment – Purcell;
- Hydraulics Report – Pitt & Sherry;
- Stormwater Management Plan - Pitt & Sherry; and
- Information provided in various supplementary documents.

General description

The proposal seeks approval for use and development of a whisky distillery with associated visitor attractions including tours, tastings and a café.

The proposed building contains two split levels, designed to follow the natural slope of the site. The building has been architecturally designed to complement the heritage values of the area, including maintained views to Callington Mill. The proposed form and materials provide a contemporary and functional space, while referencing an agricultural barn type structure suitable for a heritage town.

The lower level will house the commercial whisky distilling operation including the stills, fermentation area, storage, plant and equipment and access. There is also a small bar area and barrel storage space on the ground floor to be used for special tours and tastings. Barrel storage will principally occur offsite. A separate planning permit was approved in August for development of bond stores on a site off Tunnack Road at the southern edge of the town. The ground level will open to a service yard containing necessary plant and equipment (described further below), a grain silo and commercial access and manoeuvring area. The existing entrance from the Esplanade will be widened and used for all commercial/delivery traffic relating to the development. Landscaping and timber batten screening will be provided to soften the appearance of the service area, plant and equipment from the Esplanade and neighbouring properties.

The first floor will contain the visitor attraction part of the site, with a café and bar, tasting area, office space and bathrooms. The first floor will have a smaller floor area than the ground floor, with viewing platforms and void spaces providing views to the whisky distilling operation below. Visitors will access the first floor from an entry courtyard, via the neighbouring Callington Mill site. A 6m wide section of the rock wall boundary fence will be realigned to create the entrance point.

Together, the distillery and Callington Mill complex will form an integrated visitor experience that is connected to other notable features of Oatlands, including Callington Park, Esplanade/Lake Dulverton and High Street via Mill Lane.

Heritage

The properties included in the Development Application (99 High Street and 6 Mill Lane) are both Heritage Places listed on the Tasmanian Heritage Register and in the Southern Midlands Planning Scheme 2015. The sites are also protected as part of the Callington Heritage Precinct.

The application documents include a detailed heritage assessment. There is also detailed information in the architects report regarding the development of the design, with protection of heritage features and character a significant element of the design process.

Advice from a heritage professional has been sought to assist with the assessment of the proposal against the requirements of the heritage code, presented below.

Traffic and Parking

A Traffic Impact Assessment (TIA) has been provided with the application to consider the requirements for access and parking relating to the development.

The proposed distillery is expected to generate the following traffic to the 99 High Street site, accessing from the Esplanade:

- Semitrailer deliveries of grain – 1 per month; and
- Smaller commercial vehicles for deliveries, barrel movements etc – 4-6 per week.

There will also be employee vehicle movements to the adjacent Callington Mill site:

- 12 light vehicle movements per day.

The TIA also provides estimates of the traffic generated by visitors, using historic visitor numbers to Callington Mill site to extrapolate maximum expected numbers, accounting for seasonal variation and up to 40% growth with the opening of the distillery. The average visitation is estimated at 43 cars per day, giving an average of 16 vehicles per hour. In peak season at the busiest time of day and assuming 40% visitation growth, the maximum estimated future traffic numbers would be 45 vehicles per hour.

The TIA finds that the surrounding streets and intersections can easily accommodate the level of traffic to be generated by the proposal without impacting function or safety. The available sight distances from all driveways associated with the use and development is also found to exceed requirements.

The proposal does not include any car parking on the site at 99 High Street. Staff parking and accessible parking spaces will be provided on the adjacent Callington Mill site, using the existing parking area near the visitors centre. The TIA indicates that it is reasonable for this parking area to remain as gravel surface with the current bay marking signs.

Parking for visitors will rely on the Council owned car park off Barrack Street, with pedestrian linkage to the site via Callington Park or on street parking in High Street, with pedestrian linkage via Mill Lane. Parking may also occur in existing public car parks off the Esplanade with access via Callington Park and Callington Mill site. The TIA finds that there will be sufficient space available across the parking options to serve the proposed distillery and Callington Mill visitor site. It is recommended that accessible parking spaces are marked out and that at least one bicycle parking space is provided. Conditions to this effect are included in the recommendation.

As the proposal will significantly increase the demand for parking in the Barrack Street car park, it is considered necessary for Council to formalise the parking bays. It is also likely

that more maintenance of the car park will be required and expansion of it may be necessary at some point. As such, it is considered appropriate to require a cash payment to be made in lieu of onsite parking to assist with the upgrade and maintenance costs to Council. A condition to this effect is included in the recommendation.

Servicing

The proposal will require connections to reticulated water and sewer infrastructure. Taswater have provided a Submission to Planning Authority Notice approving the water and sewerage design, including trade waste disposal, subject to conditions. The sewer connection will require a small onsite pumping station.

Stormwater drainage from the roof and paved areas will be collected in tanks for reuse on the property. The use of tanks will limit the stormwater output from the site to rates similar to current estimated levels. Overflow and drainage collected from the gravel service area will be treated in an underground system. The Stormwater Management Plan indicates that the remaining stormwater could be directed to Council's existing stormwater system (roadside drain on the Esplanade) or continued across the Esplanade directly to Lake Dulverton. It has been determined that discharge direct to Lake Dulverton is the preferred method as included in the recommended conditions.

Emissions

Noise generation on the site will include the following sources:

- General minor noise from visitors and activities on the site. Visitation will be between the hours of 8am to 6pm daily.
- Commercial vehicles will enter the property from the Esplanade, including deliveries and barrel movements in smaller commercial vehicles several times a week and grain delivery via truck once per month. Commercial vehicles will be restricted to 8am to 6pm Monday to Saturday.
- Staff vehicle movements to and from the Callington Mill site. Staff hours will be between 6am to 10pm. Visitor parking is offsite in existing car parks or on street.
- Forklifts will be electrical and use largely limited to within the building. Use would be irregular (not constant) and only occur between 8am to 6pm.
- Distilling equipment including milling, boiler and pumps –with noise ratings up to 85Db at 1m distance. These operations will occur inside the building and only for short periods at a time. It is expected that the equipment will not be heard outside the building and certainly not at the nearest residential boundary, approximately 15m from the building.
- Wastewater pump – new underground pump station located east of the main building and over 10m from the nearest residential boundary. It is not expected to be audible at the site boundary.
- Air conditioning condensers – located in the service yard and similar in size/design to domestic heat pumps. They will not be audible at the site boundary over 10m away.

Odours generated by the distilling process are transient and localised. It is not expected that they will be noticed outside the distilling building.

Solid waste from the site will be disposed of as follows:

- General, food waste and recycling – contained in wheelie bins or the like stored on the Callington Mill site and regularly collected by contractors;
- Grease trap – routinely cleaned by a licensed contractor;
- Solid waste from the liquid waste stream – gravity separated and pumped out regularly by licensed contractor; and
- Spent grain from the distilling process – transferred to plastic barrels and removed same day for animal feed. It is expected that the barrels would be collected in utility vehicles, approximately once per week.

Liquid waste from the distilling process will be treated in three sealed above ground tanks located in the service yard. The tanks will be located within a bunded base and screened by timber batten screens and landscaping. No odour is expected to be detectable from these tanks.

The applicant indicates that whisky fungus, which can be a problem for distilleries in some parts of the world, is not recorded in Tasmania. In any case, the distillery will be well ventilated and cleaned regularly. As this fungus feeds on ethanol produced during the maturation process any risk of it developing is confined to buildings storing large amounts of spirit – in this case there will be no permanent storage of whisky onsite, with barrels to be matured in offsite bond stores. It is also noted that studies show that the fungus (*Baudoinia compniacensis*) does not present a risk to human or animal health and is quite different to toxic black moulds that are a health hazard, such as *Stachybotrys* and *Aspergillus* moulds.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as use and development for 'Resource processing' for the whisky distillery and 'Food services' for the café component. 'Food services' has a Permitted use status while 'Resource processing' for food or beverage production has a Discretionary status in the General Business Zone.

Use/Development Status under the Planning Scheme

Due to the status of 'Resource processing' in the zone, the application must be considered at the discretion of the Council. Further discretions are generated by the application of the Historic Heritage Code and Parking and Access Code.

As a discretionary development, the application was advertised in accordance with Section 57 of the Act. Accordingly Council has the discretion to grant a permit or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised from the 24th November 2017 until 7th December 2018, for fourteen (14) days. During this period Council received three (3) representations and a further one (1) representation was received late after the advertising period had ended. All four (4) of the representations are detailed in the table below.

Representation 1	Council Officer Comment
<p>It is heartening to see a quality architectural project proposed for a country town, unafraid to be modern yet sympathetic in form, mass/scale, height and materials. It is unashamedly industrial and should sit comfortably with the adjacent historic industrial complex, Callington Mill. Compatible industrial use mixed with commercial and residential uses is entirely appropriate in country towns as it mirrors their history and is far more sensible economically and culturally than the process of limiting developments to designated zones.</p>	<p><i>Comment noted.</i></p>
<p>The architect provides 3 options for the layout and massing of the buildings, option one being his preference. Option one is the best alternative as it is the most consistent of the three with respect to Callington Mill and historic rural and country town commercial and industrial buildings - Oatlands has two extant coaching stable buildings of similar size. Scheme two is too fragmented and scheme three, poorly sited.</p>	<p><i>Comment noted.</i></p>
<p>Access to the site by articulated truck is very tight. This is shown on the plans using to-scale swept-path diagrams which, being theoretical do not represent actual movement requirement. A reasonable margin should therefore be allowed beyond the area traced by these diagrams for variations in start and continuation of truck movements. Both the architect and traffic consultant (Aldanmark Pty Ltd) show consistent building setbacks but different swept path diagram requirements for truck entry.</p> <p>Aldanmark: to building - 0.6m, to side boundary - 2.0m.</p> <p>Architect: to building - 1.5m, to side boundary - 4.5m, reduced somewhat by a landscaped strip.</p> <p>This discrepancy may be due to the architect having articulated trucks enter the site from the</p>	<p><i>The representor is correct that the swept path diagrams provided in the application for entry of the semi-trailer truck that will deliver grain to the site on a monthly basis are tight and essentially represent a best case theoretical path – actual use is likely to be less precise.</i></p> <p><i>Further, the swept path diagram provided with the TIA (Aldanmark) indicates road widening on the Esplanade opposite the entry point. This will be difficult to achieve given that there is a large tree and entry to a lake shore carpark opposite.</i></p> <p><i>Engineering advice has been sought for assessment of this application. The recommended conditions require the</i></p>

<p>south, less likely than from the north as shown by Aldanmark. This requires clarification.</p>	<p><i>applicant to provide further details to show how practical entrance of the truck will be achieved without impacting the tree.</i></p>
<p>The architect proposes screening on the site, a planted barrier to the SW and a wooden screen enclosing the 3 effluent treatment tanks to the NE.</p> <p>In country towns, more so than in cities, the flow of space through the town, around buildings and over private property is of the essence of their character, essentially identifying their country townness. This ought not be denied by screen plantings. A single tree may suggest screening while allowing space to flow. Likewise screening around the effluent treatment tanks blocks the flow of space.</p> <p>Surely the industrialness of the equipment is acceptable as part of the industrial use of the site. The adjacent mill site has an openness entirely consistent with the spaciousness of the town.</p>	<p><i>This comment is noted, however in this case it is considered that the physical screening and landscaping buffer are required to assist in protecting the amenity of the adjoining residential property and the appearance of the site from the Esplanade in general.</i></p> <p><i>Open lawn areas will be retained at the northern section of the Esplanade frontage and between the new building and the existing historic buildings on the site, which will help keep a more open feel to the property.</i></p>
<p>It is proposed to remove part of the dry stone wall between the two sites for access. This is entirely reasonable in the circumstances but it would be a boon if the unstable and poorly reconstructed wall to the south of the mill residence and the wall along the Esplanade, now more like a rough pile of stones than the built wall it would have been long ago were both rebuilt as part of this project, all done by a professional waller in a style as close as possible to that of the wall to the north of the mill residence.</p>	<p><i>Comment noted.</i></p> <p><i>Reconstruction of the wall would require further approval if it is to be undertaken.</i></p>
<p>The location of the development for which approval is sought is given as 99 High Street and 6 Mill Lane, the latter being the Callington Mill site. However, apart from public entry through the mill site the whole of the identified uses will be accommodated within the buildings to be erected on 99 High Street.</p> <p>Supporting information provided by the consultant ERA Planning no use is identified for the Callington Mill site except the remark that the high level of integration and activities across the two sites will provide credibility to the distillery. It is only in passing in the architect's statement relating to the design of the distillery any mention is made as to the use of that site,</p>	<p><i>6 Mill Lane is included in the Development Application only because of the opening of the boundary rock wall.</i></p> <p><i>Use of the Callington Mill site for visitor experiences including tours and operation of the visitor centre is already approved under previous permits and can recommence at any time, as the permits run with the land rather than any particular owner or operator.</i></p> <p><i>The intent is for the distillery and Callington Mill to operate together as an integrated visitor experience.</i></p>

<p>IE that it will continue. Such vague references can hardly be considered sufficient for approval.</p> <p>Notwithstanding the current zoning and use of Callington Mill, for such a nationally significant site a more positive statement should be made in this application as to the intentions of both the developer and the Southern Midlands Council, the current lessee.</p>	
<p>I wish to inform that all of the above comments are intended to help the project succeed, but critically to succeed for the benefit of all stakeholders including the people of the Southern Midlands and especially of Oatlands.</p>	<p><i>Comment noted.</i></p>

Representation 2	Council Officer Comment
<p>I wish to make representation outlining my concerns, and seek clarification about the noise from commercial vehicles and machinery on site, and parking impacts from visitors and staff.</p>	<p><i>Comment noted.</i></p>
<p>With regard to paragraph 3.3 (Use Standards) of the Submission in support of the planning application which has been assessed against Clause 21.3 of the Planning Scheme Requirement. The hours of operation note that employees will be working from 6am-10pm seven days per week. Grateful, therefore, for consideration being given to eliminate access to the gravel rear entrance and staff carpark and make staff use the Barrack St carpark to reduce the noise levels to adjacent residential properties before 6am, and after 10 pm when staff are arriving and departing for work.</p> <p>I make this request because I consider that Paragraph 5 of the Traffic Impact Assessment has under estimated the number of employee vehicles that will be using the carpark. I base this assessment of history of previous mill workers who were local residents, and who still chose to drive to and from work because of regular adverse weather conditions.</p>	<p><i>The TIA estimates the number of vehicles movements by staff per day at 12 (ie 6 staff members arriving and leaving by car) as some local staff may be expected to walk or cycle to work. The maximum number of staff stipulated to be onsite at one time is 10. If all staff travel by car the maximum number of vehicle movements would be 20 per day, which is still a relatively low number. While there is likely to be a peak towards the start and end of the day, shifts would not all be the same so the movements would be staggered.</i></p> <p><i>Given that the access driveway to the staff car park is about 30m from the representors residence and the car park itself is over 40m away, the expected level of disturbance is considered to be minor.</i></p> <p><i>In regard to the use of Barrack Street car park for staff, this would impractical and it is also noted that there are more residences in closer proximity to that car park than the proposed staff car park near the visitors centre at 6 Mill Lane.</i></p>
<p>The application when assessed against Clause 21.3.2 (Noise) states the external noise</p>	<p><i>Assessment against the noise use standard is provided in this report below and the</i></p>

<p>sources from commercial vehicle movements will exceed that outlined in the acceptable solution. The application notes these occurrences will be occasional and short lived, with only one semi trailer delivery per month and four truck deliveries per week. Grateful advice on whose responsibility it will be for ongoing oversight to ensure the commercial vehicle movements do not exceed the number of times for which the proposal seeks to apply. Do residents have any course for redress should future commercial vehicle movement numbers become more frequent and for longer durations?</p>	<p><i>proposal is found to comply with the standard.</i></p> <p><i>In regard to the oversight of the use, Council is responsible for ensuring that use and development occurs in accordance with planning permits it has issued. If the permit conditions are breached, enforcement action can be undertaken.</i></p> <p><i>It is also noted that the issuing of a planning permit does not remove obligations under the Environmental Management and Pollution Control Act 1994, under which the generation of noise (or any other emission) must not cause an environmental nuisance or environmental harm.</i></p>
<p>Clause 21.3.4 of the Planning scheme Requirement notes that commercial vehicle movements are permitted between 6am-10pm Monday to Friday, and 7am-9pm on Sundays, and the proposal seeks to apply for the permitted hours of operation with regard to commercial vehicle movements.</p> <p>Annex B, however, states that commercial vehicle movements will be restricted to between the hours 8am-6pm, Monday to Saturday.</p> <p>Why, therefore, is it necessary to apply for the longer period in the planning assessment? Grateful clarification of this point. I would request the permitted hours of operation in the planning application and assessment (page 21 of 36) be changed to reflect the restricted hours as stated in Annex B.</p>	<p><i>The application documents do say that most commercial vehicle movements will occur between the hours of 8am – 6pm, although the planning report states that the proposal seeks approval for the hours stated in the Acceptable Solution of Clause 21.3.4, that is 6am – 10pm Mondays – Saturdays and 7am – 9pm Sundays and public holidays for a site within 50m of a residential zone.</i></p> <p><i>It is expected that most commercial vehicle movements will occur within the 8am- 6pm timeframe and only occasionally occur during the extended hours, which is considered to be reasonable.</i></p>
<p>With regard to Annex D on Parking. Grateful advice on the possibility of the Council erecting no parking signs outside the residential properties on the Esplanade adjacent to the mill/proposed distillery. These would be similar to those erected near the entrance to the Oatlands pool. I consider this necessary given the fact that very few visitors to the area use the Council provided Barrack St carpark, choosing instead to park at the rear of the mill on the Esplanade. No Parking Signage would encourage visitors to use the Barrack St carpark. Grateful also advice that designated No Parking areas will</p>	<p><i>The suggestion of no parking signs on the town side of the Esplanade is considered to be a reasonable accommodation.</i></p> <p><i>In any case, a signage scheme and general publicity (eg distillery website) will need to be devised to address the requirement for offsite parking and direct visitors to appropriate parking areas.</i></p>

<p>be monitored and rules enforced on an ongoing basis.</p>	
<p>Annex B Waste Management</p> <p>The removal off site of the tun mash waste by local farmers needs to be conducted in accordance with the distillery management plan to ensure all farmers entering the site in their private motor vehicles are conversant with OH&S, ie site inducted. My concern is that if waste product is not transported in bundled vehicles and covered, leakage/spillage could promote the development of whisky fungus.</p>	<p><i>The application documents indicate that spent grain mash will be collected in plastic barrels and then removed from the site for animal feed, approximately once per week.</i></p> <p><i>The waste will be contained in the barrels so leakage from vehicles is unlikely to occur.</i></p> <p><i>Please see comments below in relation to whisky fungus.</i></p> <p><i>All work sites must comply with Work Health and Safety laws and regulations, however this is not a planning matter.</i></p>
<p>Para 4:4 Functional Requirement</p> <p>The proposal to use Millers Lane for staff parking as well as visitor pedestrian access is of safety concern. This also underpins the suggestion to eliminate staff parking from that location and make staff use the Barrack St carpark.</p>	<p><i>The proposal does not include parking in Mill Lane.</i></p> <p><i>Staff parking will be located on the Esplanade side of the visitors centre.</i></p>
<p>DA 2018/90, planning document. Sub para 21.4.6 Outdoor storage area.</p> <p>Aesthetics of two large grain silos, even though rurally pleasing, is inconsistent within the heritage precinct. More vertical board and green screening would be appropriate. With regard to the height, other options off the site development should be considered.</p>	<p><i>The proposal includes one grain silo, to be sited on the Esplanade side of the distillery building. The silo will be 7 metres high while the building behind will be over 10m.</i></p> <p><i>While the silo will be quite visible from the Esplanade, as shown in the montages, this is not considered to be inappropriate given the use of the site and scale of the proposed buildings.</i></p> <p><i>It is considered that screening the silo would detract from the appearance of the site rather than improve it and could interrupt the view lines to Callington Mill in the background.</i></p> <p><i>The storage of grain offsite would be impractical and would also necessitate many more vehicle movements to the site.</i></p>
<p>I have no objection, in principle, to the development application proceeding. However, I would ask that my concerns be noted and acted upon.</p>	<p><i>Comment noted</i></p>

Representation 3	Council Officer Comment
<p>When the land between us and the Mill was zoned “Residential” we were further assured that our quiet residential life would be preserved with the welcome addition of a residential neighbour one day.</p> <p>That land is now zoned “Commercial” to accommodate a distillery and associated buildings.</p> <p>If this development is granted approval, we will have instead an industrial complex for a neighbour rather than a family home.</p>	<p><i>The former General Residential zone allows for a variety of uses other than a single dwelling, including more intensive residential uses such as multiple dwellings, communal residence/group home or residential aged care home, business uses such as general retail, food services, a medical centre and community uses such as a school, church or hall, sports ground or emergency services.</i></p> <p><i>The history and location of this site adjacent to the iconic Callington Mill present a unique opportunity for development that will build</i></p>
<p>We object to this development in this location. It is quite deliberately misleading to label the development as “Commercial” when any rational observer would call it nothing less than “Industrial.” It belongs in an industrial estate not next to residences and the iconic mill for which Oatlands is famed.</p>	<p><i>The proposed uses of the site are Resource processing (whisky distillery) and Food services (café).</i></p> <p><i>Resource processing is defined as:</i></p> <p><i>“use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.’</i></p> <p><i>Clearly this is quite a broad range of uses that are of an industrial nature and not all of which would be appropriate in a town.</i></p> <p><i>The recent amendment to the General Business zone, completed at the same time as the rezoning of the site, therefore only allows for this use when it is for food and beverage production. Further, the General Business provides specific use and development standards where there is residential use on neighbouring land, such as in this case, to protect residential amenity.</i></p> <p><i>Historically, production of beverages has occurred in urban settings, for example the largest breweries in Tasmania are situated in the urban areas of Launceston and Hobart.</i></p>
<p>The applicants propose to place, very close to our property boundary and our living and bedrooms, three (3) five metre high storage</p>	<p><i>The service area of the proposed development is located on the eastern side of the distillery building. This will include three above ground waste storage tanks, a</i></p>

<p>tanks, pumping station, air conditioning and cooling units.</p> <p>No doubt they will not be heard from the Town Hall, but we certainly will hear them– day and night forever.</p> <p>We are entitled to the quite enjoyment of our home and property.</p> <p>That right will be denied unless these tanks pumping stations and air conditioners are located away from residences and placed somewhere on the mill boundary.</p> <p>We do not think that the mill will object too much as it will virtually be owned by the applicant through Council’s lease agreement with him. Additionally, these tanks will ensure our view of the mill is diminished even further than it would be by the bulk of the proposed buildings for the distillery alone. They are not visually pleasant either.</p>	<p><i>pumping station and air conditioning units. The nearest waste tank will be approximately 6m from the side boundary with the residential neighbour.</i></p> <p><i>It is proposed to place timber batten screening and landscaping to the east and north sides of the service area to improve the appearance and to limit impacts residential amenity.</i></p> <p><i>The information provided in the application documents indicates that noise, odours and other emissions from the service area plant and equipment are not expected to be perceptible at the property boundary.</i></p> <p><i>Heritage considerations and topography of the site contribute to the decision to place the service area on this side of the yard.</i></p>
<p>The truck entrance to the site will be located closer to us than to the entrance to the mill from the Esplanade.</p> <p>The expected engine noise and reversing beeps from transport is better suited to an industrial estate rather than a residential street which the Esplanade is.</p> <p>This is no boutique distillery. It is an export factory so we would expect a lot more heavy duty transport activity than a delivery van once a week.</p> <p>We note that there is an entry gate to the property just north of the mill entrance.</p> <p>The proposed entrance has only been in existence as a cosmetic folly for a few years put in by the Walkers, the previous owners.</p>	<p><i>The service entrance will use the existing formed access from the Esplanade, with some alterations to the configuration of the rock walls to allow for larger vehicles,</i></p> <p><i>Deliveries by large trucks will be limited to one delivery of grain per month, to occur during the day between 8am and 6pm.</i></p> <p><i>Smaller delivery and service vehicles will visit the site, with the TIA estimating 10 commercial vehicle movements per week.</i></p> <p><i>Overall, it is considered that the amount of traffic generated by the use will not cause an unreasonable detriment.</i></p>
<p>Once again, we are entitled to the quiet enjoyment of our property – a property which</p>	<p><i>Property values are not a consideration made relevant by the planning scheme.</i></p>

<p>undoubtedly will be devalued by being next to an industrial factory with noisy air /cooling conditioners , pumping stations and constant heavy duty transport coming and going.</p> <p>Any reasonable future potential buyer of our property will see only a house next to a factory with noise and traffic issues entirely unsuitable for children and comfort.</p> <p>Our main objections are:</p> <ol style="list-style-type: none"> 1. The location of the storage tanks ,pumping station and air conditioning units. 2. The location of the truck entrance. 3. Devaluation of our property. 	<p><i>As detailed above, the proposal is considered to be suitable and measures have been taken to limit impacts to residential amenity.</i></p>
<p>Other objections include:</p> <p>The very high probability that internet and television reception will be compromised or deleted entirely.</p> <p>Fermentation odours wafting in our direction.</p> <p>Black fungal spores being deposited over a wide area including our house and yard, not to mention us, our children and neighbours.</p> <p>Potentially high risks from explosions, chemical fumes and diesel fumes from trucks.</p> <p>Risks to privacy – distillery visitors roaming the grounds and curious about what is next door.</p> <p>Risks to security – living next to a factory with whisky and other alcohols, valuables etc with no security fence which any other multi million dollar factory would have on an industrial estate.</p> <p>We are sure the applicants would have glib dismissive answers to all of these matters but it is up to you, the Council, to ensure the best interests of residents are protected. We trust you have done your research to ensure that</p>	<p><i>The proposed building is relatively large, with a maximum height of 10.2m above natural ground level. However it is setback more than 15m from the adjoining dwelling. There is no indication that the building will interrupt telecommunications reception.</i></p> <p><i>Fermentation odours are expected to be mostly contained within the buildings.</i></p> <p><i>As discussed above, whisky fungus is not expected to be an issue on this site as whisky will not be stored at the distillery permanently or in large quantities.</i></p> <p><i>The quantity of whisky to be held on the site will be below that which presents a fire/explosion risk.</i></p> <p><i>Visitors to the distillery will enter via Callington Mill site. There will be no pedestrian access to the service yard/eastern side of the property.</i></p> <p><i>The building is expected to be fitted with standard security alarm systems and is not expected to impact the general safety of the town or neighbouring properties.</i></p>

<p>the safety and health of residents are not compromised by the placement of this factory with all of its noxious potentials next to a residential area.</p> <p>We trust that you have done your independent research on these matters and are not simply prepared to accept the evidence and word of an applicant with a vested interest.</p>	
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Representation 4	Council Officer Comment
<p>I am in receipt of your proforma mailed letter advising me of the above development application dated 23 November 2018. I was away on holiday and only returned on the evening of 7 December, by which time the period for acceptance of written representations had expired.</p> <p>A copy of the application did not accompany the letter, and none appears on your website, so I still have no idea of the details of the application beyond what I have since found in an article published in the Mercury newspaper on 29 November.</p> <p>I am one of a small handful of property owners adjacent to the development site and, as my submission with respect to the earlier application for a change in zoning shows, I am clearly interested in the proposals to council relating to this site.</p> <p>You will no doubt tell me that you have complied with the strict letter of the Act and that therefore you have fulfilled your obligations to me as an owner of the adjacent property. My response is that while that you might have complied in a minimalist legal sense, in my view you have failed to take into account your broader civil obligations to ensure that persons and properties directly affected by the application have adequate access to the necessary documents so that they may make an informed view of the application. Unless council engages directly with affected parties, this is the only opportunity these parties have to give voice to their views. I note that Council also did not take advantage of the discretionary provision of up to an additional 14</p>	<p><i>In regard to the advertising methods, the advertising occurred in accordance with the requirements of the Land Use Planning and Approvals Act 1993 Regulations, which stipulate 3 methods of advertising, being letters to adjoining owners, site notices at public boundaries, an advertisement in the newspaper and documents made available for inspection.</i></p> <p><i>There is no requirement to supply copies of an application directly to adjoining owners, and in this and many cases it would be a logistically difficult exercise given the amount of documentation.</i></p> <p><i>In addition to the statutory requirements, advertisements are placed on the Council website and publicised through Facebook.</i></p> <p><i>In this case, the plans and documents were and are still available online with the Public Notice. Hard copies were also made available at both Kempton and Oatlands offices.</i></p> <p><i>Overall, the application was advertised in accordance with the requirements of the Act.</i></p>

days in which to receive representations provided for in Section 57 (5).
Several questions spring to mind:

- Why were the documents only available for public viewing in Kempton, and not (also) in Oatlands, given that the development application relates to a site in Oatlands?
- Why were the directly affected property owners not given copies of the application?
- Why were the advisory letters not mailed electronically as well as by normal mail?

Over the past approximately 10 years that I have been the owner of Mill Lane - one of the main entrances to the town's key tourist attraction - I have always sought to have an open and common-sense approach to matters relating to the heritage site and in my dealings with the council, as my correspondence to council management shows. I am therefore surprised and vdisappointed in the complete lack of consultation and consideration in respect to this development application: In my view it is not acceptable to rely on the minimum consultation requirements set out in the Act for properties impacted or likely to be impacted by important developments such is the one under discussion. If it does not have one already, it will be in the council's best interests to establish a policy that ensures proper consultation with affected parties.

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME

General Business Zone

The site is located in the General Business Zone. The proposal is considered against the Zone purpose statements as follows:-

Zone Purpose Statement	OFFICER COMMENT
<p>21.1.1.1 To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.</p>	<p>The proposed distillery and associated café will provide a facility that will attract visitors while also providing services that can be enjoyed by locals.</p> <p>Overall, the proposal will further the General Business Zone purpose.</p>
<p>21.1.1.2 To ensure the rural service centres provide for the daily and weekly needs of the community.</p>	<p>Provision of a modern distillery and associated services will support the regional service centre through visitor attraction, direct employment and services that can be enjoyed by locals.</p>
<p>21.1.1.3 To provide for a mix of retail and office based employment servicing the local area, the broader rural region and the tourism market, including at least one supermarket and a range of specialty shops.</p>	<p>The proposal will provide an opportunity for employment in Oatlands and will also support the operation of the Callington Mill site, returning this employment to the town.</p>
<p>21.1.1.4 To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.</p>	<p>The proposal is for a high quality, architectural designed building sited to form an integrated visitor attraction with the adjoining Callington Mill precinct.</p> <p>The design has been informed by the heritage values of the area and contributes to improving urban design and connectivity of important spaces in Oatlands.</p>

The proposal must satisfy the requirements of the following relevant use and development standards of the General Business Zone:

Use Standards		
<p>21.3.1 Hours of Operation To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Hours of operation of a use within 50 m of a residential zone must be within:</p>	<p>P1 Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon</p>	<p><i>The proposed hours of operation of the café and visitor services are 8am to 6pm, 7 days, with occasional evening tasting</i></p>

<p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p> <p>(b) 7.00 am to 9.00 pm Sundays and Public Holidays.</p> <p>except for office and administrative tasks.</p>	<p>the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p>	<p><i>events to 9pm. This complies with the Acceptable Solution.</i></p> <p><i>The hours of operation for employees will be from 6am to 10pm, 7 days and the distilling process will be continuous (24 hours, 7 days).</i></p> <p><i>Commercial vehicle movements will be limited to 8am to 6pm Monday to Saturday and other plant and equipment will have minimal noise output. Therefore, the performance criteria is satisfied.</i></p>
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21.3.2 Noise

To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Noise emissions measured at the boundary of a residential zone must not exceed the following:</p> <p>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;</p> <p>(c) 65dB(A) (LAm_{ax}) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental</p>	<p>P1</p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>	<p><i>The noise generating activities and equipment that form part of the proposal are described in the Application section above.</i></p> <p><i>Generally, the operation of the distillery itself and associated plan and equipment is expected to be well below the noise level stated in the Acceptable Solution.</i></p> <p><i>However, noise above that required to meet the Acceptable Solution will be generated by the reversing of delivery trucks and/or forklifts several times a week associated with grain deliveries and movement of barrels.</i></p> <p><i>These activities will be limited in time and duration and as such will not cause environmental harm to adjoining residential properties in accordance with the Performance Criteria.</i></p>

<p>Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>		
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21.3.3 External Lighting

To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>External lighting within 50 m of a residential zone must comply with all of the following:</p> <p>(a) be turned off between 11:00 pm and 6:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.</p>	<p>P1</p> <p>External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</p> <p>(a) level of illumination and duration of lighting;</p> <p>(b) distance to habitable rooms in an adjacent dwellings.</p>	<p><i>External lighting will not operate between 11pm and 6am, in compliance with A1.</i></p> <p><i>Security lighting is not proposed.</i></p>

21.3.4 Commercial Vehicle Movements

To ensure that commercial vehicle movements not have unreasonable impact on residential amenity on land within a residential zone.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p>	<p>P1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p>	<p><i>All commercial vehicle movements will occur within the specified hours, in compliance with A1.</i></p>

<p>(b) 7.00 am to 9.00 pm Sundays and public holidays.</p>	<p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p>	
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Development Standards		
21.4.1 Building Height		
To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building height must be no more than:</p> <p>9 m.</p>	<p>P1</p> <p>Building height must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be compatible with the scale of nearby buildings;</p> <p>(c) not unreasonably overshadow adjacent public space;</p> <p>(d) allow for a transition in height between adjoining buildings, where appropriate;</p>	<p><i>The maximum height of the proposed building is 10.2m above natural ground level, so assessment is against the Performance Criteria.</i></p> <p><i>(a) There are no Desired Future Character Statements for the zone.</i></p> <p><i>(b) The building is generally larger and higher than those nearby. However, the maximum height is generated by the sloping nature of the site and the high pitch of the gable roof, designed to complement the heritage character of the area. The articulated design, materials and double gable roof gives the building the appearance of a cluster of buildings similar to those existing around Callington Mill. The overall appearance of the building is in harmony with the surrounds and generally will not dominate the appearance of the area.</i></p>
<p>A2</p> <p>Building height within 10 m of a residential zone must be no more than 8.5 m.</p>	<p>P2</p> <p>Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.</p>	<p><i>No part of the building is within 10m of a residential zone, complying with the Acceptable Solution.</i></p>

21.4.2 Setback

To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building setback from frontage must be parallel to the frontage and must be no more than:</p> <p>nil m, if fronting High Street,</p> <p>3 m, if fronting any other street.</p>	<p>P1</p> <p>Building setback from frontage must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;</p> <p>(c) enhance the characteristics of the site, adjoining lots and the streetscape;</p> <p>(d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created;</p> <p>(e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.</p>	<p><i>The building will be setback approximately 11.5m from the Esplanade frontage.</i></p> <p><i>Consideration against the Performance Criteria is therefore required.</i></p> <p>(a) <i>There are no Desired Future Character Statements for the zone.</i></p> <p>(b) <i>The setback of existing buildings along the Esplanade is highly variable, from minimal setback to more than 30m and does not form a hard building line. The proposed setback is within the existing range.</i></p> <p>(c) <i>The proposed setback provides for the operational needs of the site and also gives some separation for visual amenity, given the scale of the building.</i></p> <p>(d) <i>The building alignment is generally consistent and do not create possibilities for concealment or entrapment.</i></p> <p>(e) <i>Large variations in the building alignment are not proposed.</i></p>

<p>A2</p> <p>Building setback from a residential zone must be no less than:</p> <p>(a) 5 m;</p> <p>(b) half the height of the wall,</p> <p>whichever is the greater.</p>	<p>P2</p> <p>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</p> <p>(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;</p> <p>(b) overlooking and loss of privacy;</p> <p>(c) visual impact when viewed from adjoining lots,</p> <p>taking into account aspect and slope.</p>	<p><i>The minimum proposed side setback of the building is just under 15m. The setback of the nearest equipment element (treatment tanks) is 6m.</i></p> <p><i>This complies with the Acceptable Solution.</i></p>
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21.4.3 Design

To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building design must comply with all of the following:</p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> <p>(b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade</p>	<p>P1</p> <p>Building design must enhance the streetscape by satisfying all of the following:</p> <p>(a) provide the main access to the building in a way that addresses the street or other public space boundary;</p> <p>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive</p>	<p><i>Assessment against the performance criteria is required.</i></p> <p><i>(a) The building is designed with the main public access addressing the courtyard and adjoining Callington Mill site. This is public land with access from High Street via Mill Lane or adjoining Callington Park.</i></p> <p><i>(b) From the courtyard elevation there is glazing designed to allow views into and through the building and from inside to the courtyard. This</i></p>

<p>no less than 40% of the surface area of the ground floor level façade;</p> <p>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade;</p> <p>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</p> <p>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</p> <p>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</p> <p>(g) not include security shutters over windows or doors with a frontage to a street or public place.</p>	<p>surveillance of public spaces;</p> <p>(c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</p> <p>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</p> <p>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</p> <p>(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</p> <p>(g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</p> <p>(h) be consistent with any Desired Future Character Statements provided for the area.</p>	<p><i>provides for passive surveillance and visual connection between the spaces.</i></p> <p><i>The front elevation to the Esplanade has some glazing in the upper level. This will provide light and views over Lake Dulverton from inside the upper floor.</i></p> <p>(c) <i>The building will primarily be accessed from Callington Mill site, so the orientation of openings and the like are to that site rather than the Esplanade. The building is designed with sufficient variation to the external finishes and architectural details contributing to the streetscape.</i></p> <p>(d) <i>(e)Mechanical plant and equipment will not be mounted on the roof or building. All such equipment will be located in the service yard and screened by timber batten screens and landscaping.</i></p> <p>(f) <i>(g) The design does not include any awnings or shutters.</i></p> <p>(h) <i>The zone does not include any Desired Future Character Statements.</i></p>
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<p>A2</p> <p>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>No Performance Criteria.</p>	<p><i>The external materials will have a light reflectance value of less than 40 percent in compliance with A2.</i></p>
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21.4.4 Passive Surveillance

To ensure that building design provides for the safety of the public.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building design must comply with all of the following:</p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> <p>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade;</p> <p>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less</p>	<p>P1</p> <p>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <p>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</p> <p>(b) locate windows to adequately overlook the street and adjoining public spaces;</p> <p>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</p> <p>(d) locate external lighting to illuminate any entrapment</p>	<p><i>The front façade will have less than 40% glazing, so assessment against the performance criteria is required.</i></p> <p><i>In order to prioritise the connection to the Callington Mill site and the town beyond, the proposed building is designed to address the forecourt rather than the Esplanade. The frontage to the Esplanade is treated as the rear entrance for service needs. This is consistent with the historical role of this land as a rear paddock to the inn and associated stables.</i></p> <p><i>The ground floor of the distillery will have doorways opening to the Esplanade frontage and glazing in the upper storey.</i></p> <p><i>Overall, the design facilitates sight lines to and through the site from public spaces and achieves a reasonable level of passive surveillance.</i></p>

<p>than 30 % of the surface area of the ground floor level facade;</p> <p>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) provide well-lit public access at the ground floor level from any external car park.</p>	<p>spaces around the building site;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</p> <p>(g) provide for sight lines to other buildings and public spaces.</p>	
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21.4.5 Landscaping

To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Landscaping must be provided for sites for non-residential use along the frontage for at least 50% of the frontage width, except if front setback is less than 1 m in which case no landscaping is necessary.</p>	<p>P1</p> <p>Landscaping must be provided to satisfy all of the following:</p> <p>(a) enhance the appearance of the development;</p> <p>(b) provide a range of plant height and forms to create diversity, interest and amenity;</p> <p>(c) not create concealed entrapment spaces;</p> <p>(d) be consistent with any Desired Future Character Statements provided for the area.</p>	<p><i>Landscaping will be provided around the building for general aesthetics and to screen service spaces and equipment to meet P1.</i></p> <p><i>While landscaping is shown on the submitted plans, it does not provide full details of the type of plants and their expected height/appearance at maturity. A condition is included in the recommendation to require a full detailed landscaping plan prior to construction.</i></p>

<p>A2</p> <p>Along a boundary with a residential zone landscaping must be provided for a depth no less than:</p> <p>2 m.</p>	<p>P2</p> <p>Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.</p>	<p><i>The landscaping plan includes plantings along residential boundaries, particularly to screen the service yard and equipment.</i></p>
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21.4.6 Outdoor Storage Area

To ensure that outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Outdoor storage areas for non-residential uses must comply with all of the following:</p> <p>(a) be located behind the building line;</p> <p>(b) all goods and materials stored must be screened from public view;</p> <p>(c) not encroach upon car parking areas, driveways or landscaped areas..</p>	<p>P1</p> <p>Outdoor storage areas for non-residential uses must satisfy all of the following:</p> <p>(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;</p> <p>(b) not encroach upon car parking areas, driveways or landscaped areas.</p>	<p><i>The grain silo forms an outdoor storage area and it will be visible from the Esplanade frontage.</i></p> <p><i>The silo is not screened as it forms part of the overall design referencing the rural character of Oatlands and surrounds. This is considered appropriate given the size and nature of the silo in this context.</i></p> <p><i>No other outdoor storage is proposed.</i></p>

21.4.7 Fencing

To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Fencing must comply with all of the following:</p> <p>(a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;</p> <p>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;</p> <p>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.</p>	<p>P1</p> <p>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</p> <p>(a) the height of the fence;</p> <p>(b) the degree of transparency of the fence;</p> <p>(c) the location and extent of the fence;</p> <p>(d) the design of the fence;</p> <p>(e) the fence materials and construction;</p> <p>(f) the nature of the use;</p> <p>(g) the characteristics of the site, the streetscape and the locality, including fences;</p> <p>(h) any Desired Future Character Statements provided for the area.</p>	<p><i>The only fencing included in the proposal are the alterations to the rock boundary walls at the entrance from Esplanade and to the Callington Mill site.</i></p> <p><i>The walls are no higher than 1.2m so comply with the acceptable solution.</i></p> <p><i>There will be no change to existing fencing at the boundary with the residential zone.</i></p>

Road and Railway Assets Code

The proposal must satisfy the requirements of the following relevant use and development standards of this code:

Use Standard		
<p>E5.5.1 Existing road accesses and junctions To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A3</p> <p>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.</p>	<p>P3</p> <p>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:</p> <ul style="list-style-type: none"> (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. 	<p><i>Assessment against the performance criteria is necessary.</i></p> <p><i>The proposal will utilise three access points – the Esplanade entrance for commercial vehicles, the Callington Mill entrance from the Esplanade for staff parking and the Barrack Street car park for visitors.</i></p> <p><i>The service entrance to the Esplanade will require some modifications to allow for the grain delivery trucks to enter the site.</i></p> <p><i>Overall, the TIA completed for the proposal finds that the proposed type and level of traffic generated by the proposal is well within the capacity of the surrounding roads given the low speed and volumes of traffic and that the accesses are safe and efficient.</i></p>

Parking and Access Code

The Parking and Access Code applies to all use and development. The proposal must satisfy the requirements of the following relevant use and development standards of this code:

Use Standard		
E6.6.1 Number of Car Parking Spaces		
To ensure that:		
(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.		
(b) a use or development does not detract from the amenity of users or the locality by:		
(i) preventing regular parking overspill;		
(ii) minimising the impact of car parking on heritage and local character.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1.</p> <p>except if:</p> <p>(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;</p>	<p>P1 The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</p> <p>(a) car parking demand;</p> <p>(b) the availability of on-street and public car parking in the locality;</p> <p>(c) the availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) the availability and likely use of other modes of transport;</p> <p>(e) the availability and suitability of alternative arrangements for car parking provision;</p> <p>(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</p>	<p><i>As discussed above, the proposal will rely entirely on offsite parking – the neighbouring Callington Mill site for staff and Council’s Barrack Street car park and on street parking for visitors.</i></p> <p><i>Assessment against the performance criteria is therefore required.</i></p> <p><i>The TIA addresses the requirement for parking to serve the proposal.</i></p> <p><i>The TIA finds that the staff car park on the Callington Mill will be sufficient and that it is suitable to remain gravel with signs to designate bays. The existing signs should be changed to identify this area as employee parking only.</i></p> <p><i>In regard to visitor parking, the TIA estimates a future peak season parking demand for the both the distillery and Callington Mill site will be 55 parking spaces, which can be accommodated by the Barrack Street car park.</i></p>

	<p>consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</p> <p>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) any relevant parking plan for the area adopted by Council;</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p>	<p><i>It is recommended that Council require a cash in lieu payment to be made due to the reliance on the Council car park for visitors. The contribution can be used for necessary upgrades such as bay marking and future maintenance costs.</i></p>
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Stormwater Management Code

The Stormwater Code applies to all development. A hydraulics report and stormwater management plan have been submitted with the application.

The proposal must satisfy the requirements of the following relevant use and development standards of this code:

Development Standards		
E7.7.1 Stormwater Drainage and Disposal		
To ensure that stormwater quality and quantity is managed appropriately.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>	<p>P1 Stormwater from new impervious surfaces must be managed by any of the following:</p> <p>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</p> <p>(b) collected for re-use on the site;</p> <p>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.</p>	<p><i>Stormwater from the development will be captured onsite in tanks for treatment and reuse.</i></p> <p><i>Overflow will then be directed via a new pipeline to Lake Dulverton.</i></p> <p><i>This complies with the Acceptable Solution.</i></p>
<p>A2 A stormwater system for a new development must incorporate water sensitive urban design principles for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m²;</p>	<p>P2 A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.</p>	<p><i>The proposal incorporates water sensitive urban design principles as stormwater will be collected for treatment and reuse on site, which should keep the amount of stormwater leaving the site similar to current levels.</i></p>

<p>(b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.</p>		
<p>A3</p> <p>A minor stormwater drainage system must be designed to comply with all of the following:</p> <p>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, 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.</p>	<p>P3</p> <p>No Performance Criteria.</p>	<p><i>The stormwater system has been designed to comply with the Acceptable Solution.</i></p>

Historic Heritage Code

The purpose of the Historic Heritage Code is to recognise and protect the historic cultural heritage significance of places, precincts, landscapes and areas of archaeological potential by regulating development that may impact on their values, features and characteristics.

In this case the subject properties are listed on the Tasmanian Heritage Register and are located within the Callington Heritage Precinct.

The applicant has submitted a comprehensive heritage assessment with the proposal documents.

The Comments in the assessment below have been sourced from the heritage assessment completed for Council by heritage experts Gray Planning.

Development Standards for Heritage Places

E13.7.1 Demolition		
To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.		
Acceptable Solutions	Performance Criteria	COMMENTS
A1 No Acceptable Solution	<p>P1</p> <p>Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;</p> <p>(a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;</p> <p>(b) there are no prudent and feasible alternatives;</p> <p>(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;</p> <p>(d) significant fabric is documented before demolition.</p> <p>(a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;</p> <p>(b) there are no prudent or feasible alternatives.</p>	<p><i>The proposal only involves the demolition of existing drystone boundary walls. While these are important and contribute to the heritage significance of the Heritage Place, the relatively minimal extent of demolition proposed will not result in the loss of any significant heritage fabric, form, items or buildings.</i></p> <p><i>The buildings at 99 High Street that comprise the Heritage Place listing under the Planning Scheme will remain wholly unaffected by the proposed development.</i></p> <p><i>It is concluded that the proposal meets the objectives of E13.7.1 of the scheme.</i></p>

E13.7.2 Buildings and Works other than Demolition		
To ensure that development at a heritage place is:		
<p>(a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and</p> <p>(b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution	<p>P1</p> <p>Development must not result in any of the following:</p> <p>(a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;</p> <p>(b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.</p>	<p><i>a) The proposed development will not result in the loss of any cultural significance of this local heritage place through incompatible design. The design of the proposed distillery building is subservient to the sandstone heritage building on site which is achieved in part due to a clear distinction between new and old in terms of building form, external materials and siting. The proposed external materials and colour palette is designed to be subdued and complimentary to the earlier buildings on site whilst providing a degree of subservience as these materials of construction are typically associated with ancillary outbuildings and farm sheds. Whilst the form of the proposal is contemporary, this form has been designed with the principles of subservience whilst referencing traditional outbuilding and farm sheds that can be found throughout the district.</i></p> <p><i>b) The proposal does not result in damage or loss of any significant landscape elements. Excavation to the site is considered relatively minimal in terms of the overall development footprint proposed and no vegetation will be removed that contributes to the heritage values of the place. The proposal plans indicate both hard and soft landscaping that form part of the development which</i></p>

		<p><i>includes screening of portions of the development.</i></p> <p><i>Given the absence of formal finalised detail of this landscaping, a landscaping plan prepared by a suitably qualified person that addresses heritage values of the site should form a condition of approval.</i></p>
<p>A2</p> <p>No Acceptable Solution</p>	<p>P2</p> <p>Development must be designed to be subservient and complementary to the place through characteristics including:</p> <p>(a) scale and bulk, materials, built form and fenestration;</p> <p>(b) setback from frontage;</p> <p>(c) siting with respect to buildings, structures and listed elements;</p> <p>(d) using less dominant materials and colours.</p>	<p><i>The proposed development is considered to be subservient to the existing heritage buildings on site. This is achieved by an overall design that has its mass reduced up into smaller connected building forms to visually minimise its two-storey bulk.</i></p> <p><i>The proposed building has been set back a considerable distance from the primary heritage buildings on site that front directly onto High Street. Screen landscaping has been indicated on submitted site plans to provide screening of the proposal from along the Esplanade as well as to screen the development (including proposed treatment tanks) from the adjoining residential property at 8 Esplanade.</i></p> <p><i>As previously discussed, the development proposes a mix of external cladding materials that are influenced by those used for traditional farm buildings and outbuildings in the surrounding town and district.</i></p>
<p>A3</p> <p>No Acceptable Solution</p>	<p>P3</p> <p>Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.</p>	<p><i>The proposed new building will be readily identifiable as new. It is not considered necessary to directly emulate or produce a mimicry of the Georgian architectural styling of existing buildings on the subject site so that contemporary development can be clearly distinguished from</i></p>

		<p><i>heritage buildings without resorting to inappropriate historical mimicry.</i></p> <p><i>The proposed building sits wholly behind the existing heritage buildings on site and form a backdrop from their primary views from High Street and the Midlands Highway. This provides an acceptable degree of subservience in terms of siting.</i></p> <p><i>It is considered that the form of the proposed building is considered in keeping with the traditional form of Colonial Georgian architecture in terms of utilising rectilinear building forms interconnected as well as the use of simple hip roof forms.</i></p> <p><i>The use of a mix of traditional external cladding materials for external cladding is responsive to the heritage character of the place and provides a visual softening of the appearance of the proposed building particularly from the Esplanade frontage where it will be most readily visible.</i></p> <p><i>Landscaping indicated on the site plan also achieves a degree of softening of the proposed development when viewed from along the Esplanade and also a residential property at 8 Esplanade that directly adjoins the development site.</i></p>
<p>A4</p> <p>No Acceptable Solution</p>	<p>P4</p> <p>Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.</p>	<p><i>This clause is not relevant as the proposed development does not involve the extension to any existing buildings.</i></p>
<p>A5</p> <p>New front fences and gates must accord with original design, based on photographic,</p>	<p>P5</p> <p>New front fences and gates must be sympathetic in design, (including height, form, scale and materials), to the style, period and</p>	<p><i>No new front fencing is proposed.</i></p> <p><i>The proposed demolition works to the boundary drystone walls that run along the Esplanade frontage are acceptable with respect to demolition under clause E13.7.1.</i></p>

archaeological or other historical evidence.	characteristics of the building to which they belong.	
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Development Standards for Heritage Precincts

<p>E13.8.1 Demolition To ensure that demolition in whole or in part of buildings or works within a heritage precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution</p>	<p>P1 Demolition must not result in the loss of any of the following:</p> <p>(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;</p> <p>(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct; unless all of the following apply;</p> <p>(i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;</p> <p>(ii) there are no prudent or feasible alternatives;</p> <p>(iii) opportunity is created for a replacement building that will be more complementary to the</p>	<p><i>The proposal only involves the demolition of existing drystone boundary walls.</i></p> <p><i>While these are important and contribute to the heritage significance of the values of the surrounding Heritage Precinct, the extent of demolition proposed will not result in the loss of any significant heritage fabric, form, items or buildings. Demolition and reconstruction works to the affected drystone walls should be undertaken by suitably experienced persons with expertise in historic drystone wall management.</i></p> <p><i>The existing buildings at 99 High Street that significantly contribute to the heritage values of the surrounding Heritage Precinct will remain wholly unaffected by the proposed development and will not be impacted by any proposed demolition which is restricted to boundary drystone walls only.</i></p> <p><i>It is concluded that the proposal meets the objectives of E13.8.1 of the scheme.</i></p>

	heritage values of the precinct.	
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E13.8.2 Buildings and Works other than Demolition		
To ensure that development undertaken within a heritage precinct is sympathetic to the character of the precinct.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution	P1 Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.	<i>Refer to the following Table E13.2 for assessment under relevant design criteria.</i>
A2 No Acceptable Solution	P2 Design and siting of buildings and works must comply with any relevant design criteria / conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.	<i>Refer to the following Table E13.2 for assessment under relevant design criteria.</i>
A3 No Acceptable Solution	P3 Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct.	<i>The proposed development does not involve the extension or alteration to any existing buildings at the subject site and therefore this clause is not relevant in the assessment of the proposal.</i>
A4 New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.	P4 New front fences and gates must be sympathetic in design, (including height, form, scale and materials), and setback to the style, period and characteristics of the precinct.	<i>This clause and associated performance criteria is not relevant to the development as the proposal does not involve any new front fences or gates.</i>

TABLE 13.2 – Callington Mill Precinct	
<p>The Callington Mill Precinct is of historic cultural heritage significance because:</p> <ul style="list-style-type: none"> (a) it is a rare and unique example of a flour mill complex dating from the early to mid nineteenth century, demonstrating agricultural enterprises of the colony, and the success of the wheat industry in the Southern Midlands area; (b) its creative and technical achievement as an Old Colonial Georgian flourmill of circular domed tower of sandstone;] <p>it is a distinctive landmark both within the township of Oatlands and from the Midland Highway.</p>	
Design Criteria/Conservation Policy	
<p>1. The design and siting of buildings and works must satisfy the following criteria:</p> <ul style="list-style-type: none"> (a) scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings and additions to existing buildings should respect the Old Colonial Georgian architectural style; 	<p>(a) <i>It is considered that the building form, height and bulk is satisfactory and does not negatively contrast with the form and bulk of the one and two storey Georgian buildings on the subject site. The roof pitches have been proposed at approximately 40 degrees – this is acceptable and is considered to be at the upper limit of roof pitch appropriate to the lower pitch Georgian roof forms nearby. Proposed external building materials are described in the ‘materials and finishes schedule’ which form part of the architectural plans (revision c). The proposal plans provide a harmonious a mix of external cladding materials to be used in appropriate combinations to further break up the bulk of the proposed building and to aid in softening the building from views toward the site, particularly the Esplanade and High Street.</i></p>
<ul style="list-style-type: none"> (b) building setback from frontage must provide a strong edge to High Street and be parallel to the street; 	<p>(b) <i>The proposed development locates all buildings and works well to the rear of existing High Street fronting buildings and therefore this clause is not relevant in the assessment of the proposal.</i></p>
<ul style="list-style-type: none"> (c) buildings close to the street frontage must address the street; 	<p>(c) <i>The proposed Esplanade facing elevation (South Elevation) presents a façade that has been reduced in form by the design which provides a co-joined effect when viewed from the Esplanade</i></p>

	<p><i>close to the proposed entrance to the site.</i></p> <p><i>While there are no physical accesses (entrance doors or shopfronts, etc) in this elevation that faces the Esplanade, it is considered that the overall building and broken up roof forms appropriately address the street frontage in terms of a reduction in form, reduced building bulk and mass and the proposed mix palette of external wall materials to be used, as opposed to a large blank expanse of wall utilising a single external wall cladding. In this regard, it is argued that the design of the building facing the Esplanade does address the street appropriately.</i></p>
<p>(d) buildings must not visually dominate the streetscape or existing buildings;</p>	<p>(d)</p> <p><i>The siting of the proposed buildings to the southern rear of the site ensures that the development does not visually dominate existing heritage buildings on the site.</i></p> <p><i>The scale of the development when viewed from Esplanade will be satisfactorily subservient to the Callington Mill site buildings.</i></p> <p><i>Landscaping indicated on the proposal plans will further soften the views of the proposed building from along the Esplanade.</i></p> <p><i>When viewed from High Street, the proposed development will sit well behind the existing Inn and carriage house buildings with appropriately hipped roof forms being the most noticeable built form being visible from along High Street.</i></p>
<p>(e) architectural details and openings for windows and doors to visually prominent facades must respect the Old Colonial Georgian architectural style in terms of style, size, proportion and position;</p>	<p>(e)</p> <p><i>Window and door openings have been minimalised in form and size and respect Old Colonial Georgian windows in terms of size, spacing, proportion and provide some degree of symmetry.</i></p>
<p>(f) external wall building material must be any of the following:</p> <ul style="list-style-type: none"> (i) sandstone of a colour matching that commonly found in Oatlands' buildings; (ii) weatherboard (traditional profiles); (iii) rendered, painted or lime wash brickwork; 	<p>(f)</p> <p><i>The proposed external wall materials are a mix of those outline under design criteria (f).</i></p> <p><i>The proposed mix of external cladding types and finishes is therefore considered acceptable.</i></p>

<p>(iv) unpainted brick of a traditional form and colour laid with a traditional bond; (v) traditional Tasmanian vertical board (non-residential buildings only);</p>	
<p>(g) roof form and material must be consistent with the following: (i) pitch between 30 and 40 degrees and hipped or gable if a major part of the building; (ii) pitch less than 30 degrees and skillion a minor part of the building at the rear; (iii) avoidance of large unbroken expanses of roof and very long roof lines; (iv) roof materials either custom orb (corrugated profile) sheeting, timber shingles, and slate. Sheeting must be either traditional galvanised iron or painted; (v) guttering is rounded profile, with downpipes of circular in cross-section;</p>	<p>(g) <i>The proposed roof form of the building has been noted in the submitted Heritage Impact Assessment as being 'approximately 40 degrees' and is proposed to be clad in corrugated sheet metal roofing.</i> <i>The overall roof form is broken up which avoids large bulky expanses of roof, in accordance with design criteria.</i> <i>So long as the roof pitch does not exceed 40 degrees, it is considered that the roof treatment, pitch and cladding is appropriate.</i></p>
<p>(h) wall height is to be sufficient to provide for lintel definition above doors and windows and wall space above;</p>	<p>(h) <i>It is considered that raising wall height to provide for lintel definition is unnecessary for the proposed new building and is more appropriately applied in a development where an extension to an existing building is proposed that currently has such treatment.</i> <i>The walls as proposed are considered to be relatively low in form and height to ensure the visual presence of the development is reduced overall in the landscape. Raising wall height to provide for unnecessary lintel definition as part of the wall design treatment is not considered beneficial to the overall outcome and would provide no obvious heritage benefit.</i></p>
<p>(i) outbuildings are generally to have a gabled, corrugated roof with an angle of pitch matching that of the primary building on the land, and with differentiated colouring of the exterior walls and roof so as to also approximate that of the primary building on the land;</p>	<p>(i) <i>The proposed development does not include any ancillary outbuildings proposed to be constructed alongside the distillery building. This clause is therefore not considered to be relevant in the assessment of the proposal.</i></p>

<p>(j) fences along frontages must be:</p> <ul style="list-style-type: none"> (i) between 900mm and 1000mm high, with a maximum of 1200mm for posts; (ii) vertically articulated, (such as with dowel-and-rail, picket or palisade fences); (iii) “semi-transparent” in appearance, that is, the distance between dowels or pickets, etc., must be such that the fence does not appear ‘solid’; 	<p>(j) <i>The proposed development does not seek approval for any new fences along frontages and therefore this clause is not relevant in the assessment of the proposal.</i></p>
<p>(k) new buildings and additions to exiting buildings must not significantly obstruct or diminish views of Callington Mill from High Street, the Esplanade or the Midland Highway.</p>	<p>(k) <i>The submitted architectural plans and architectural report sufficiently demonstrate that primary views of the adjoining Callington Mill are not unreasonably obstructed or diminished from any of the primary viewpoints from High Street, the Esplanade or more distant views from along the Midland Highway.</i></p>

CONCLUSION

The report has assessed a Development Application for use and development of a whisky distillery with associated visitor services and cafe on land at 99 High Street, Oatlands, to the rear of the former Lake Frederick Inn.

The proposal includes opening the rock wall for pedestrian access between 99 High Street and the neighbouring property at 6 Mill Lane, home of the Callington Mill and associated complex, to form an integrated visitor attraction.

A total of four (4) representations were made to Council in regard to the proposal. Two (2) of the representations sought to make comment or seek clarification rather than object to the development overall. The matters raised in the representations have been considered and are addressed above.

Expert advice has been sought from Council’s contract Engineering officer and a Heritage consultant to assist with assessment of this proposal.

The proposal has been found to comply with all the relevant standards for the General Business Zone and the applicable Codes.

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

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA 2018/90) for Whisky distillery with associated visitor services (retail, tours, tastings) and Food services (cafe) at 99 High Street, Oatlands & 6 Mill Lane, Oatlands, owned by Lake Frederick Inn Pty Ltd & Crown (Parks & Wildlife Service) and that a permit be issued with the following conditions:

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) Colours, materials and finishes for the external cladding of all buildings must be in accordance with the approved 'materials and finishes schedule' that form part of the approved plans for the development. Any deviation from this may require further Council approval.
- 3) 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*.

Hours of Operation

- 4) The café and visitor services must only operate between the following hours:

Monday to Saturday	6:00 a.m.	to	10:00
			p.m.
Sunday and State-wide public holidays	7:00 a.m.	to	9:00
			p.m.

Heritage

- 5) Demolition and any rebuilding works to existing drystone walls should be undertaken or supervised by a suitably qualified person(s) with specialist expertise in drystone walls. Competent and experienced drystone wall builders are encouraged to be engaged for such a task to ensure that the integrity of the drystone walls remain. Rebuilding shall be mean restoration or reconstruction as defined by the Burra Charter. The rebuilding of walls should follow the same construction and rock placement methodology of existing unaltered drystone walls on the site. Any excess stones should be appropriately stored on site to be used for any future repair or restoration work.

- 6) In the event of the uncovering potentially significant archaeology, during the works, the developer must cease the activity immediately contact Council's Manager of Heritage Projects (Mr Brad Williams, 6254 5000) for further advice and procedure before works, related to the particular site, can continue. Any subsequent documentation and management of archaeology must be to the satisfaction of the Manager of Heritage Projects.

Heritage Tasmania

- 7) Compliance with any conditions or requirements of the Tasmanian Heritage Council in the attached 'Notice of Heritage Decision' No. **TBC**.

Environment

- 8) Noise emissions from the use or development must be managed to the degree necessary to ensure that an environmental nuisance is not caused.

Landscaping

- 9) Prior to building approval being issued by Council, a landscape plan is to be submitted by a suitably qualified and experienced person, to the satisfaction of the Manager of Development and Environmental Services. The focus of this landscaping plan is to provide suitable landscape screening and visual softening of the development that is driven by the heritage values of the site and surrounding area. This landscape plan should detail appropriate visual screening of the development from the neighbouring property at 8 Esplanade and the proposed treatment tanks and should also indicate planting to provide a visual softening of the development from the Esplanade by using a mix of species (deciduous and evergreen) appropriate for the heritage values of the site and also available planting conditions. This landscape plan should also provide details of:
- i. Plant numbers and species (common and botanical names) to be used;
 - ii. Details of all proposed hard or paved surfacing, clearly demonstrating that the selected materials, colours and finishes are appropriate for the heritage values of the site and surrounding heritage precinct;
 - iii. Details of colours, materials and finishes for any retaining walls or screens on site, clearly demonstrating that those selected are appropriate for the heritage values of the site and surrounding heritage precinct;
 - iv. Details of proposed mulching, staking and watering systems;
 - v. Details of proposed maintenance of landscaping to ensure its longevity and also appropriate replanting and replacement in the event of plants failing;
 - vi. Timeframes for undertaking landscaping works in conjunction with the proposed development. All proposed landscaping should be completed within 12 months of the occupation of the proposed development.
- 10) The landscaping works must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's Development Assessment Committee within three (3) months of the first use of the development. All landscaping must continue to be maintained to the satisfaction of Council.

Parking and Access

- 11) The siting of vehicular accesses and car parking spaces must generally accord with the endorsed plans.
- 12) At least six (6) car parking spaces must be provided for the use of staff at 6 Mill Lane, Oatlands and must be available for car parking at all times.
- 13) At least one (1) bicycle parking spaces must be provided prior to the use commencing. The spaces must be provided within 30 metres of the entrance and to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.
- 14) Prior to the commencement of use the developer must pay a contribution to the Southern Midlands Council for \$60,000 for upgrading of the existing Barrack Street car park. The contribution is based on 50 car spaces at \$1200 per space.
- 15) The proposed service access to the development from the Esplanade must include the following:
 - sealed with an asphalt surface for a minimum distance of 6m from the edge of the road, or to the property boundary, whichever is greater.
 - Provide an asphalt overlay over the section of the road pavement subject to turning movements of trucks entering and existing the site.
 - Be of sufficient width that trucks do not leave the sealed pavement when entering or existing the site and /or provide widening to the Esplanade to achieve the same.
 - The access must be designed in accordance with the requirements of Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney and to the satisfaction of Council’s General Manager.
- 16) The existing staff access to the development from the Esplanade must be upgraded to include the following:
 - sealed for a minimum distance of 6m from the edge of the road, or to the property boundary, whichever is greater.
 - The access must be designed in accordance with the requirements of Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney and to the satisfaction of Council’s General Manager.
- 17) 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.

- 18) Unless approved otherwise by Council's Municipal Engineer the internal driveways and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney, Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney and include all of the following;
- Constructed with a durable all weather pavement.
 - Drained to an approved stormwater system.
 - On site turning
 - Provision for two way traffic.
- 19) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.
- 20) Detailed plans of all parking and access works required by this permit must be submitted to Council prior to or in conjunction with lodgement of Building Application. The plans must be prepared and certified by a qualified civil engineer or other person approved by Council's Municipal Engineer and include:
- pavement details,
 - design surface levels and gradients,
 - drainage,
 - turning paths,
 - dimensions,
 - line marking,
 - signage,
 - pedestrian access,
- and 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.

Services

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

Stormwater

- 24) Stormwater disposal from the development must be substantially in accordance with the *Stormwater Management Plan Callington Mill Distillery (sic), Oatlands Rev No. 01 6/11/2018* prepared by Pitt & Sherry and as required by this permit.
- 25) Stormwater drainage from the proposed development must discharge to Lake Dulverton via a new dedicated outfall 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.
- 26) Prior to the commencement of works or the issue of a plumbing permit, detailed plans and calculations of the stormwater drainage system, including treatment, retention and outfalls must be prepared by a suitably qualified civil engineer and be submitted to Council's Municipal Engineer for approval. Once approved the plans shall form part of the permit.
- 27) The completed stormwater retention and treatment elements 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.

TasWater

- 28) Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2) (b) TasWater impose conditions on the permit as per Form PL05P (attached).

Protection of Water Quality

- 29) 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 Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 30) 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 Development and Environmental Services.

Maintenance and Defects Liability Period

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

'As constructed' drawings

- 32) Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data 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 and data sheets 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

- 33) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 6:00 p.m. |
| Saturday | 8:00 a.m. to 6:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 6:00 p.m. |
- 34) 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:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public footway or highway.
 - Appearance of any building, works or materials.
 - Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 35) 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.
- 36) 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 Manger of Works and Technical Services.

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.**
- B. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 is required to be obtained prior to construction.**
- C. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE

Agenda Item 4.1

RECEIVED

29 NOV 2018

By SMC

[REDACTED]
Oatlands
28th November 2018

General Manager
Southern Midlands Council
71 High Street

Dear Sir,

This is a submission relating to the public notification of development application DA2018/90 – whisky distillery and associated visitor and food services at 99 High Street and 6 Mill Lane, Oatlands.

It is heartening to see a quality architectural project proposed for a country town, unafraid to be modern yet sympathetic in form, mass/scale, height and materials. It is unashamedly industrial and should sit comfortably with the adjacent historic industrial complex, Callington Mill. Compatible industrial use mixed with commercial and residential uses is entirely appropriate in country towns as it mirrors their history and is far more sensible economically and culturally than the process of limiting developments to designated zones.

The architect provides 3 options for the layout and massing of the buildings, option one being his preference. Option one is the best alternative as it is the most consistent of the three with respect to Callington Mill and historic rural and country town commercial and industrial buildings – Oatlands has two extant coaching stable buildings of similar size. Scheme two is too fragmented and scheme three, poorly sited.

Access to the site by articulated truck is very tight. This is shown on the plans using to-scale swept-path diagrams which, being theoretical do not represent actual movement requirement. A reasonable margin should therefore be allowed beyond the area traced by these diagrams for variations in start and continuation of truck movements. Both the architect and traffic consultant (Aldanmark Pty Ltd) show consistent building setbacks but different swept path diagram requirements for truck entry.

Aldanmark : to building – 0.6m, to side boundary – 2.0m.

Architect : to building – 1.5m, to side boundary – 4.5m, reduced somewhat by a landscaped strip. This discrepancy may be due to the architect having articulated trucks enter the site from the south, less likely than from the north as shown by Aldanmark. This requires clarification.

The architect proposes screening on the site, a planted barrier to the SW and a wooden screen enclosing the 3 effluent treatment tanks to the NE. In country towns, more so than in cities, the flow of space through the town, around buildings and over private property is of the essence of their character, essentially identifying their country townness. This ought not be denied by screen plantings. A single tree may suggest screening while allowing space to

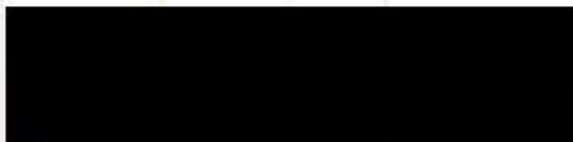
flow. Likewise screening around the effluent treatment tanks blocks the flow of space.

Surely the industrialness of the equipment is acceptable as part of the industrial use of the site. The adjacent mill site has an openness entirely consistent with the spaciousness of the town.

It is proposed to remove part of the dry stone wall between the two sites for access. This is entirely reasonable in the circumstances but it would be a boon if the unstable and poorly reconstructed wall to the south of the mill residence and the wall along the Esplanade, now more like a rough pile of stones than the built wall it would have been long ago were both rebuilt as part of this project, all done by a professional waller in a style as close as possible to that of the wall to the north of the mill residence.

The location of the development for which approval is sought is given as 99 High Street and 6 Mill Lane, the latter being the Callington Mill site. However, apart from public entry through the mill site the whole of the identified uses will be accommodated within the buildings to be erected on 99 High Street. Supporting information provided by the consultant ERA Planning no use is identified for the Callington Mill site except the remark that the high level of integration and activities across the two sites will provide credibility to the distillery. It is only in passing in the architect's statement relating to the design of the distillery any mention is made as to the use of that site, IE that it will continue. Such vague references can hardly be considered sufficient for approval. Notwithstanding the current zoning and use of Callington Mill, for such a nationally significant site a more positive statement should be made in this application as to the intentions of both the developer and the Southern Midlands Council, the current lessee.

I wish to inform that all of the above comments are intended to help the project succeed, but critically to succeed for the benefit of all stakeholders including the people of the Southern Midlands and especially of Oatlands.



The General Manager

Southern Midlands Council

High Street

OATLANDS TAS 7120

4 December 2018

Dear Sir

Re: Development Applications 2018/00090, 5842397 and 5842426

Distillery and Associated Developments

We built our home some 25 years ago in a quiet residential area with great views of Lake Dulverton and the Callington Mill.

When the land between us and the Mill was zoned "Residential" we were further assured that our quiet residential life would be preserved with the welcome addition of a residential neighbour one day.

That land is now zoned "Commercial" to accommodate a distillery and associated buildings.

If this development is granted approval, we will have instead an industrial complex for a neighbour rather than a family home.

We object to this development in this location. It is quite deliberately misleading to label the development as "Commercial" when any rational observer would call it nothing less than "Industrial." It belongs in an industrial estate not next to residences and the iconic mill for which Oatlands is famed.

The applicants propose to place, very close to our property boundary and our living and bedrooms, three (3) five metre high storage tanks, pumping station, air conditioning and cooling units.

No doubt they will not be heard from the Town Hall, but we certainly will hear them— day and night forever.

We are entitled to the quiet enjoyment of our home and property.

That right will be denied unless these tanks, pumping stations and air conditioners are located away from residences and placed somewhere on the mill boundary.

We do not think that the mill will object too much as it will virtually be owned by the applicant through Council's lease agreement with him. Additionally, these tanks will ensure our view of the mill is diminished even further than it would be by the bulk of the proposed buildings for the distillery alone. They are not visually pleasant either.

The truck entrance to the site will be located closer to us than to the entrance to the mill from the Esplanade.

The expected engine noise and reversing beeps from transport is better suited to an industrial estate rather than a residential street which the Esplanade is.

This is no boutique distillery. It is an export factory so we would expect a lot more heavy duty transport activity than a delivery van once a week.

We note that there is an entry gate to the property just north of the mill entrance.

The proposed entrance has only been in existence as a cosmetic folly for a few years put in by the Walkers, the previous owners.

Once again, we are entitled to the quiet enjoyment of our property – a property which undoubtedly will be devalued by being next to an industrial factory with noisy air /cooling conditioners, pumping stations and constant heavy duty transport coming and going.

Any reasonable future potential buyer of our property will see only a house next to a factory with noise and traffic issues entirely unsuitable for children and comfort.

Our main objections are:

1. The location of the storage tanks, pumping station and air conditioning units.
2. The location of the truck entrance.
3. Devaluation of our property.

Other objections include:

The very high probability that internet and television reception will be compromised or deleted entirely.

Fermentation odours wafting in our direction.

Black fungal spores being deposited over a wide area including our house and yard, not to mention us, our children and neighbours.

Potentially high risks from explosions, chemical fumes and diesel fumes from trucks.

Risks to privacy – distillery visitors roaming the grounds and curious about what is next door.

Risks to security – living next to a factory with whisky and other alcohols, valuables etc with no security fence which any other multi million dollar factory would have on an industrial estate.

We are sure the applicants would have glib dismissive answers to all of these matters but it is up to

you, the Council, to ensure the best interests of residents are protected. We trust you have done your research to ensure that the safety and health of residents are not compromised by the placement of this factory with all of its noxious potentials next to a residential area.

We trust that you have done your independent research on these matters and are not simply prepared to accept the evidence and word of an applicant with a vested interest.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

Oatlands

Tasmania 7120

A black rectangular redaction box covering contact information, likely a phone number or email address.

[REDACTED]

Sent: Tuesday, 4 December 2018 2:54 PM
To: SMC Mail
Subject: DA 2018/90

[REDACTED]
Oatlands. TAS. 7120

4 December 2018

Mr T Kirkwood
General Manager
Southern Midlands Council
PO Box 21
Oatlands. TAS. 7120

Dear Mr Kirkwood,

Re: Representation concerning Proposal DA 2018/90, Whisky distillery with associated visitor services(retail, tours, tastings, and food services).

I am owner of residential property at [REDACTED] Oatlands, which borders the Callington mill and proposed distillery site outlined in DA 2018/90. I wish to make representation outlining my concerns, and seek clarification about the noise from commercial vehicles and machinery on site, and parking impacts from visitors and staff.

With regard to paragraph 3.3 (Use Standards) of the Submission in support of the planning application which has been assessed against Clause 21.3 of the Planning Scheme Requirement. The hours of operation note that employees will be working from 6am-10pm seven days per week. Grateful, therefore, for consideration being given to eliminate access to the gravel rear entrance and staff carpark and make staff use the Barrack St carpark to reduce the noise levels to adjacent residential properties before 6am, and after 10 pm when staff are arriving and departing for work.

I make this request because I consider that Paragraph 5 of the Traffic Impact Assessment has underestimated the number of employee vehicles that will be using the carpark. I base this assessment of history of previous mill workers who were local residents, and who still chose to drive to and from work because of regular adverse weather conditions.

The application when assessed against Clause 21.3.2 (Noise) states the external noise sources from commercial vehicle movements will exceed that outlined in the acceptable solution. The application notes these occurrences will be occasional and short lived, with only one semi trailer delivery per month and four truck deliveries per week. Grateful advice on whose responsibility it will be for ongoing oversight to ensure the commercial vehicle movements do not exceed the number of times for which the proposal seeks to

apply. Do residents have any course for redress should future commercial vehicle movement numbers become more frequent and for longer durations?

Clause 21.3.4 of the Planning scheme Requirement notes that commercial vehicle movements are permitted between 6am-10pm Monday to Friday, and 7am-9pm on Sundays, and the proposal seeks to apply for the permitted hours of operation with regard to commercial vehicle movements.

Annex B, however, states that commercial vehicle movements will be restricted to between the hours 8am-6pm, Monday to Saturday. Why, therefore, is it necessary to apply for the longer period in the planning assessment? Grateful clarification of this point. I would request the permitted hours of operation in the planning application and assessment (page 21 of 36) be changed to reflect the restricted hours as stated in Annex B.

With regard to Annex D on Parking. Grateful advice on the possibility of the Council erecting no parking signs outside the residential properties on the Esplanade adjacent to the mill/proposed distillery. These would be similar to those erected near the entrance to the Oatlands pool. I consider this necessary given the fact that very few visitors to the area use the Council provided Barrack St carpark, choosing instead to park at the rear of the mill on the Esplanade. No Parking Signage would encourage visitors to use the Barrack St carpark. Grateful also advice that designated No Parking areas will be monitored and rules enforced on an ongoing basis.

I have no objection, in principle, to the development application proceeding. However, I would ask that my concerns be noted and acted upon.

I look forward to hearing from you in due course.

Yours sincerely,

A solid black rectangular box redacting the signature of the sender.

Sent from my iPad

[REDACTED]

Sent: Friday, 7 December 2018 3:09 PM
To: SMC Mail
Subject: Objection to DA 2018/90

[REDACTED]
Oatlands. TAS. 7120

7 December 2018

Mr T Kirkwood
General Manager
Southern Midlands Council
Oatlands. TAS. 7120

Dear Mr Kirkwood,

Further to my earlier representation concerning DA2018/90 and subsequent conversation with SMC Town Planner, I wish to note my objection to the following in relation to the development application.

1: Annex B Waste Management

The removal off site of the tun mash waste by local farmers needs to be conducted in accordance with the distillery management plan to ensure all farmers entering the site in their Private motor vehicles are conversant with OH&S, ie site inducted. My concern is that if waste product is not transported in bundled vehicles and covered, leakage/spillage could promote the development of whisky fungus.

2: Annex A. Para 4:4 Functional Requirement

The proposal to use Millers Lane for staff parking as well as visitor pedestrian access is of safety concern. This also underpins the suggestion to eliminate staff parking from that location and make staff use the Barrack St carpark.

3: DA 2018/90, planning document. Sub para 21,4,6 Outdoor storage area.

Aesthetics of two large grain silos, even though rurally pleasing, is inconsistent within the heritage precinct. More vertical board and green screening would be appropriate. With regard to the height, other options of the site development should be considered.

I look forward to hearing from you in due course,

Kind regards,

[REDACTED]

Sent from my iPad

5. CLOSURE