

12. 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.

Deputy Mayor M Jones OAM & Cllr B Campbell declared an interest and left the meeting at 2.26 p.m.

12.1 DEVELOPMENT APPLICATIONS

12.1.1 Development Application for the 'Midlands Community Recreation and Aquatic Centre' at the 'Council Depot Site', 18 Church St Oatlands, defined as an Indoor Recreation Complex in the Commercial and Residential Zones within the Historic Precinct Special Area. Development requires the demolition of existing buildings and seeks a variation to the development standards for height and side boundary setback

File Reference: T7817902 CHURCH

REPORT AUTHOR: PLANNING OFFICER (D CUNDALL)
DATE: 16TH SEPTEMBER 2013

ATTACHMENT: Architectural Drawings
ENCLOSURE: Representations

THE PROPOSAL:

The applicant Bzowy Architecture, on behalf of the Southern Midlands Council, is seeking Planning Approval for an Aquatic and Community Recreation Centre at the land known as the 'Council Depot' at Church St/South Parade Oatlands.

The proposal is for the construction of an Aquatic Centre with ancillary car-parking, access alterations and landscaping and would require the demolition and removal of existing buildings and structures.

The application has been prepared by Bzowy Architecture on behalf of the Oatlands Recreation and Aquatic Centre Steering Committee. This committee consists of community members and representatives, Council Officers and Councillors. The Committee was formed by the Southern Midlands Council to provide the local and regional community with a single central viable facility to enable maximum enjoyment and involvement for the community in as broad a range of activities as possible. The aim is also to remove the existing Oatlands Swimming Pool from its current location within the walls of a Georgian Gaol.

The Committee was to gather and consider community feedback on an Aquatic and community recreation centre that could meet the needs of the region and to then give a recommendation to

Council for a new aquatic centre. The process has included extensive community consultation that would lead to further consideration under the *Land Use Planning and Approvals Act 1993*.

THE SITE

The land is located in Oatlands and is currently accessed from Church St via a laneway. The land can also be accessed from South Parade.

There are multiple sheds, workshops, buildings, car-parking areas and stored materials on the depot site. The land is used by TasWater as a site office, workshop and storage depot and also by the Southern Midlands Council as a 'Council Depot'.

THE APPLICATION

The applicant has provided a detailed application. This includes assessment against the relevant provisions of the planning scheme, drawings and consultant reports. All of these reports are available in their entirety at both the Kempton and Oatlands Council Chambers.

The Applicant has provided:

- I. Site Plan; floor Plan; Elevation Plans; Landscape Plan
- II. Architecture and Planning Report –
 - a. Project Background
 - b. Planning and architecture description and justification
 - c. Assessment against the Southern Midlands Planning Scheme 1998
 - d. Building Code of Australia assessment and discussion
 - e. Material and Construction types and techniques
 - f. Acoustic Impacts
 - g. Environmental Site Assessment
 - h. Heritage Assessment
- III. Consultant Reports:
 - a. *Traffic Impact Assessment for Development Proposal Oatlands Recreation, Community & Aquatic Centre High St Oatlands, 24th May 2013, Peter Freeman*
 - b. *Oatlands Community Recreation and Aquatic Centre – Preliminary Engineering and Concept Designs, 29th May 2013, Bonacci Group*
 - c. *Southern Midlands Council, 18 Church St – SMC Works Depot – Site History Report for Bzowy Architecture, June 2013, SEMF*
- IV. Site Maps and Aerial Views
- V. Title Documents and survey plan
- VI. Oatlands Demographics
- VII. The Burra Charter

All of these documents were made available to the public.

There is enough information to provide an adequate assessment of the development.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

The proposed works are defined as an 'Indoor Recreation Complex' in the Commercial and Residential Zones within the Historic Precinct Special Area. The development requires the

demolition of existing buildings and seeks a variation to the development standards for height and side boundary setbacks for the relevant zone.

Statutory Status

Applications for this type of use/development are discretionary and invoke Clause 11.5 of the Planning Scheme; and accordingly:

- I. May be granted a Planning Permit by Council, with or without conditions, or may be refused a Planning Permit by Council, pursuant to S.57 of the Act.

A discretionary use or development must be advertised under S.57 of the *Land Use Planning and Approvals act 1993* for at least 14 days.

Public Notification and Representation

The application was advertised, and all adjoining owners notified on Saturday 3rd August 2013 for an extended 21 day notification period (ordinarily 14 days). Three (3) representations were received and two (2) letters of support were received. The application generated much interest in the community.

The letters of support and the representations have all been included in their entirety in this report.

Letter of Support 1

We have received a letter regarding the proposed development in Church Street, and I just thought I'd let you know I think this is a wonderful initiative which I am sure will be of benefit to the residents of Oatlands and the surrounding district. I hope the students undertaking placements in Oatlands will be given the opportunity to use the facilities as well, as I see this as having the potential to enhance their rural experience.

I wish you all the best with this exciting project.

Planning Officer Response to Letter of Support 1
The comments shall be noted by the Council

Letter of Support 2

I refer to the Development Application at reference regarding the proposed Midlands Community Recreation and Aquatic Centre and make the following comments.

I strongly support the proposal and the Development Application which I believe achieves three main benefits:

- The old swimming pool will be removed from the gaol site, preventing further damage to the fabric of the gaol, and permitting restoration of that site for heritage, conservation and tourism purposes in the longer term.
- The current location of the Council yard in the heart of the municipal precinct is inappropriate and prevents the site's use for the better benefit of the township. Therefore the relocation of the yard is a major opportunity.

- Collocating the swimming pool with its additional (Midlands) community recreational facilities, in the centre of the township and in proximity to the other municipal buildings will rejuvenate that precinct for the citizens and create new, small business opportunities in the heart of the town. Further synergies would be achieved if the library and on-line centre could be relocated back into the precinct.

I believe the DA shows a sensitive understanding of the heritage streetscape considerations by breaking up the built spaces, varying the roof-lines, good use of natural landscaping, acknowledging the inappropriate earlier construction on either side of the site on the High Street, and most particularly by its skilful use of the low grazing vision line from the High Street onto the site.

I am aware of some local opposition to the proposal, regarding the specific location, the proposed vehicular access, and the carpark. However, I strongly believe the benefits will far outweigh any inconveniences.

Also, there is a view that the pool is either not big enough or the site lacks the potential for later expansion. Our aim here should be to teach our children to swim for their own safety, not to provide some athletic training facility. The size of the proposed pool is adequate for our realistic needs.

Finally, I would like to say that this proposal actually serves the needs of our regional community, unlike much of the recent development which has focused on tourists. I urge the Council to keep in mind that Oatlands is first and foremost a real, living, regional town, and this proposal does more than many to enable the Council to serve the needs of its shareholders, ie the ratepayers.

Planning Officer Response to Letter of Support 2
The comments shall be noted by Council.

The Planning Officer agrees that the applicant has sought to integrate the proposed development into a sensitive area through the use of landscaping, large setbacks from street frontages and the differentiating materials, roof lines and pitches.

Trying to incorporate a large modern Aquatic Centre into a predominately Georgian township is a challenging proposal and must be assessed and considered rigorously in line with the relevant provisions of the Planning Scheme, the Burra Charter and Tasmania's Resource Management and Planning System. All of which echo similar objectives and criteria for assessment. Council shall also take into consideration any representation received in relation to an application in accordance with Part 11.10 of the Scheme.

The Planning Officer also agrees that the location of the development can offer much potential to the residents and businesses in the area and provide a modern public space for community engagement.

REPRESENTATIONS

The following three (3) letters are the letters of representation that raise concern and opposition to the proposed Aquatic Centre. The letters have been transcribed in their entirety in this report with the omission of any personal details. Each part of the representation will include a response from

the Planning Officer. The Officer's comments will appear below the representor's comments in **Dark Red Italics**.

The content of these representations will also be considered in other assessment parts of this report.

Representation 1

Re: Plans for the MCRAC

Firstly, may I state that the removal of the Council Works Depot and the ugly, unnecessary road crossing in High Street would be a godsend to me personally and the town in general. May I also state that I applaud and welcome the construction of a modern swimming pool and recreation complex in Oatlands. However, I protest yet again and even more strenuously that *the proposed site is profoundly inappropriate* for the MCRAC.

It is agreed that the Council Depot site could be more appropriately located outside of the township.

I wish to raise several obvious objections to the siting of the MARC which council has either not considered or has ignored. The plans for the Centre appear to be adequate as far as the swimming pool itself is concerned, but points which need to be addressed are:

- There is no room for expansion at that site, and I believe the concept of a Recreation Centre is first and foremost to be a cohesive collection of *many* sporting and recreation disciplines.

The development proposal is defined as an 'Indoor Recreation Complex' as the most appropriate definition under the Planning Scheme 1998.

The further expansion of the site is not the subject of this Development Application. The applicant has however indicated a 'future tennis court' to demonstrate the future potential of the site. It is arguable that the open space that surrounds the building could be well utilised for other recreational pursuits in consultation with the community.

- We won't have the *promised* dedicated hydro-therapy area, and now it seems we will not have even the mooted compromise of "an area of the pool which can be used as an h-t area 'except it will be cooler and deeper but will have moving water'" to quote the architect. Surely some of the funds and space, for instance that enormous area taken up by what I understand to be no more than a paddling pool, should be allocated to this vital amenity. I have looked at the plans again and noted little if no difference or improvement from the one presented to us last year.

These comments shall be noted by Council. They cannot be assessed by Council sitting as a Planning Authority as hydro-therapy is not included as part of the application.

- There is inadequate indoor and outdoor grassed area and/or seating for parents to sit and chat (socialise*) while they supervise their children. Added to this, the park which is now cluttered with the Community Notice Board and the rather unattractive Rotary map will have even more resemblance to a postage stamp.

These comments shall be noted by Council.

The land is being opened up to the public and includes an expansion of the existing park on High St. The proposal is also inherently a development for the community to bring people together.

Also, I believe that the reasons promoting this site, as outlined in the council's letter dated 27th August 2012, are totally invalid. Those very points made are in fact all reasons *not* to use that site. It is ludicrous to believe that an increase in economic or social activity* and convenience would follow. Are we really to believe that more people would visit Mancey's or the Post Office or the Newsagent? I doubt it - the 'hub of town' is not necessarily the *centre* of town. Sadly, social interaction appears to occur mainly at our one and only supermarket, opposite the school. Why not enquire into purchasing the land situated at the rear of the supermarket and centre the MARC there? It makes just as much, in fact more, sense. That site is certainly close to the school and Health Centre and would not interfere with any historic 19th-century buildings, as there are none, to my knowledge, but I could be mistaken.

Even more suitably, why not situate the complex at ODHS itself? It would then be appropriate to approach the Education Department for funding and alleviate the burden on Southern Midlands ratepayers. I refer to Council's October 2008 publication named "Oatlands Integrated Development Strategy" which, on page 25 under the heading of Recreation Initiatives refers to access to *school* recreational facilities, promising the outcome as increased use of facilities and assistance toward fixed costs and also mentions a precondition named a "Memorandum of Understanding with ODHS." Since this memorandum affects Oatlands ratepayers, ODHS pupils and their parents, I can only assume it is located somewhere on the council's website, but I for one could not locate it.

The Planning Officer cannot comment on other sites in Oatlands as the Council as landowner and developer have applied to build on this particular site.

The Planning Officer disagrees with the insinuation that a community centre would not bolster local activity and business in the area.

Next, and most importantly of all, the statement that it would 'not directly front to High Street' and, in particular, can be 'readily designed to fit with the heritage context' is, frankly, utter rubbish. The building will be – to quote the architect "as high as the pub and probably have a stepped Zincalume roof" – unquote. How is this factory profile to blend with the rest of the area? What of the view from the back, the sides, the Highway? Indeed, looking at the plans it would appear that what will front High Street is the concrete blocks of the Multi-purpose rooms intruding into the park, ("exotic plantings" aside) which, instead of 'expanding and beautifying the landscape' will present as inappropriately modern a profile as the current one of the Works Depot is industrially hideous. Siting the Works Depot there was a sad mistake made decades ago and it is laudable that Council, after many years of procrastination and promises, is at last removing that particular eyesore. On the other hand, its replacement will in the future be seen as history repeating itself.

It is agreed that the proposed aquatic centre is a more aesthetically pleasing sight than a Works Depot in the middle of the township.

The proposed materials, siting and bulk of the building are matters that will be assessed in depth against the standards and intentions of the relevant section of the Planning Scheme. The Planning Officer will consider these comments as part of this assessment.

As to the single tennis/basketball/volleyball/whatever court – I am given to understand that the space will be used for any appropriate ball games and marked out accordingly. I need not mention the problems faced here, as they appear patently obvious to me and involve clashing sports styles. I refer back to the point I made about locating the complex at the school, which already has such amenities.

This is not the subject of the Development Application. Any further development of the site should be subject to further community consultation.

“No need for vehicular transfers” is specifically mentioned. Is the Steering Committee aware that patients from the Hospital and its ancillaries are required to travel by vehicle if they leave the Hospital grounds i.e. it is not permitted to let them walk or be wheel-chaired up the lane beside the new fire station to reach the MARC? A lane, by the way, which is the only vehicular access to several properties in the area, making it a *shared*, so potentially hazardous, access. I don’t believe the designer is aware of that fact. On the deed to my property at No 66 High Street it clearly states that the laneway is to be used *only* by persons on Council business and by the owners of abutting properties (who in fact sacrificed part of their property to facilitate the widening of that lane for the council’s vehicles.) I don’t believe pool traffic fits that description.

There are 3 different ways to access the proposed aquatic centre. The proposal does not appear to discriminate against anybody wanting to access the proposed facilities. Access to the building shall be in accordance with the Building Code of Australia and must abide by the provisions of the Disability and Discrimination Act 1992.

Lastly, the plans for the future building of a toilet block? A *public toilet block* in an area where there are likely to be unsupervised children? What is improper with the public using the toilets inside the MARC – a *public building* which I am given to understand will be available for twelve hours a day? I am the person who will be picking up syringes and bottles – and worse - from my garden. It is I who will be subject to unacceptable behaviour which often goes along with such a building, particularly after dark. And please explain how a *toilet* will ‘strengthen the vitality’ of High Street? Did the current toilet block strengthen the vitality of its position? There is also an existing toilet just meters away in the nearby Community Centre, which would allow use of that convenience if it were truly a Community Centre, and open to the Community, ie., the *public.*, which it is not. Furthermore, there is a toilet block behind the Council Chambers, or is that to be replaced by the one in the area the plan calls a future park?

These views shall be noted by Council. The current proposal also states that ‘Future Park and Public Toilets as separate Application’. This matter is not the subject of this Development Application.

The truth of the matter in a nutshell is outlined in the final point made in the letter: *Council owns the depot site*. Instead of looking at this from a stagnant point of view, as if this fact is engraved in granite and may not be altered, why not consider putting the area up for sale to a developer with the stipulation that the units/houses/retirement homes/whatever to be built there blend with the current historical profile of the area, and use the windfall appropriately. Could Council at least consider this option and genuinely explore the possibility? There would then be far less noise, disturbance, dust, debris etc. for a much shorter building period and no lengthy excavation of what could turn out to be almost solid sandstone, and in all likelihood, *contaminated* sandstone at that. I refer again to Council’s October 2008 publication named “Oatlands Integrated Development Strategy” which, under the heading of “Strategic Objective” page 18 reveals a

strategy to -quote- “Encourage the development of housing units...in locations where access to the MPHC and other services is easily achieved” -unquote- Such a site is surely the one currently occupied by the Depot.

The Site History Report, 2013 prepared by SEMF has identified the land as having the potential for some contamination based on the current and past land use activities on the land. This matter is subject to further detail in this report.

The other issues raised are not the subject of this Development Application.

This brings me to the most crucial question. Why why why has Council let us all down and reneged on the Historic Precinct Proposal, which included the Depot site and surrounding area in the existing *and also the proposed* historic precinct. Answer: so that this massive concrete and steel building could be built there, for how could such a monster fit in with that historic concept? On the table of the existing planning scheme for the Historic Precinct Special Area, which is even more stringent in the proposed provisions, the specific intent is to:

- i. allow or continue development that respects the streetscape qualities...through appropriate building form, design and finishes and which is compatible with the general heritage values of town settings
- ii. give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general streetscape within the heritage areas...
- iii. ensure that the design and visual appearance of new buildings...respects and maintains the historic character and heritage values
- iv. ensure that the new buildings do not dominate neighbouring 19th century buildings and
- v. maintain the visual amenity of the historic buildings when viewed from the Midland Highway or from streets within the settlements.’

This was Council’s own directive. How does the siting of the MARC as proposed concur with this? NOT IN THE LEAST!

The Historic Precinct Special Area does not prohibit new development. The standards and intention of this Special Area are to ensure that new development is sympathetic to the area and is subject to planning assessment.

The representor’s comments that disagree with the size and materials have been noted and will be taken into consideration in the assessment against the relevant intentions and standards.

Council, in moving the goal-posts to enable the building to go ahead in the most inappropriate location in town makes a mockery of all the work which has gone into keeping Oatlands’ integrity as an historic town. In short, the Council (and the Steering Committee) runs the danger of inviting the scorn of not only any clear-thinking Southern Midlander, but of those precious future tourists and settlers to the region which Council hopes to attract.

One of the objectives of the Resource Management and Planning System is to “to encourage public involvement in resource management and planning”. One of the reasons the application

has been advertised for 21 days is to encourage a high level of public comment on the use/development to hopefully get the best outcome.

The subjective nature of constructing modern buildings and works in historic areas is widely acknowledged. It is a given that any new works will attract differing opinions. This can also be based on personal taste and differing schools of thought.

In this case, the applicant has carefully considered and adopted the principles of the Burra Charter whilst seeking to conform with the standards and intentions of the Historic Precinct Special Area.

Representation 2

We have some concerns regarding the proposed development for the Midlands Community Recreation and Aquatic Centre at the Council Depot site 18 Church St, Oatlands. Some Concerns are listed below. We may have others as we have just returned from overseas and have not had time to go over entire proposal.

Regarding security to our property(s) (sic.) in Gay St. As there is going to be a 47 space car park and access to pedestrians from Church St and High St. Will there be any additional height added to existing fences. If so what material will be used. We would not expect to pay any costs.

At this stage there is no intention to extend or increase the height of fences.

Traffic Management and congestion in surrounding streets. Noise from traffic. Safety aspect to children during construction and after. Are lights to be installed? If so how high and where on site What times to be on?

Under the Southern Midlands Planning Scheme 1998, the proposed use/development is defined as a High Traffic Generator. This means the development is likely to generate over 40 vehicle movements (20 vehicles in and 20 vehicles out). To give that some perspective the current Council Depot generates 82 vehicles movements a day. Therefore this is also a high traffic generator.

A development that would generate this much traffic in this area requires the permission of Council but Council does not have discretion to refuse the application on this basis alone. Council does however have the capacity to condition the development to minimise any potential amenity issues.

One way of ensuring there are no foreseeable safety issues is for the applicant to demonstrate the matter through engaging an accredited Traffic Engineer (a consultant) to review and assess the current traffic movements and capacity of the streets to accommodate a change of use of the land.

The consultant, in their final conclusion, states there are 'no obvious safety issues that will be created on the public road system by the development'. There should however be

some additional signage installed to ensure people can easily find their way to the South Parade Parking entrance and car-park.

Lighting of the carpark will be sympathetic to any adjoining residents and should be very minimal 'after-hours'.

Also will there be security lights and alarms and cameras? If so where positioned as this may impact on our property regarding privacy.

This is a good point. The installation of any cameras or security lights must take into consideration the privacy and amenity of the neighbouring landowners.

What impact will there be on overshadowing to our property regarding height of building. If so how far?

The building has been deliberately sited to ensure there is very minimal over-shadowing over the adjoining properties on Gay St. The 'Gay St side' of the Proposed

On opening times how do you propose to close site off after hours. Restrict access to vehicles and pedestrians?

There is no intention at this stage to lock off the carpark or close off the area after hours. The carpark could be useful to people that want to park a vehicle and use the public open space and enjoy the area. Should an issue arise Council could consider installing vehicle restrictive measures. This is not always necessary at the development stage.

On site plan civil works drawing DA 003 Shows outdoor courtyard and on floor plan DA 004 shows enclosed courtyard. Which is correct as noise would be a problem when doors are open. If enclosed is there going to be a pitch roof or flat roof?

This is not a 'roofed courtyard'. The plan shows a courtyard enclosed by walls and trees. The idea is to create an open space for pool users on warmer days. The walls and trees are intended to mitigate noise.

On drawing DA 004 if open how high would the proposed trees grow as maybe overshadowing would be a problem.

The proposed species shown on the plan (adjoining the Gay St properties) are a mixture of small trees (upto 6m) and larger trees upto 15m (in the carpark area). Given the deliberate siting of these trees there is minimal overshadowing or nuisance to adjoining landowners. Quite possibly some minor shadowing very late in the day.

Has there been any consultation with the heritage council or committee?

Yes the comments from the Heritage Tasmania have been included in this report.

Do they have any concerns or impact of surrounding sandstone houses. As it is a historic precinct special area we feel it isn't in keeping. Height of building fabric of building and pitch of roof and colour.

No Heritage Tasmania are of the view that the proposal will have very minimal impact on the surrounding sandstone buildings. This is a significant matter that will be addressed at length in this report.

It should be noted that the applicant has employed varying roof types and roof pitches to both integrate with the township whilst trying to minimise the height and bulk of the building.

This integration is also achieved through landscaping, differing materials, staggering the shape and mass of the building and trying to prevent the impression of a single large building.

How will noise be kept down when and if construction starts? Traffic management eg trucks and workmen, congestion traffic on our streets.

Any development is conditioned by a Council to ensure there is minimal impact on the surrounding amenity during construction. Should any issue arise it is normally resolved quickly through a discussion with anyone concerned. The comments are however noted.

As this site is a residential/commercial zoned within a historic precinct special area how can there be a relaxation on development standards on height and side boundary setback?

The scheme allows Council to consider a variation to the height and boundary setback standards of the scheme. These considerations are based on a set criteria. Any relaxation to a height or boundary standard must be justifiable and the applicant should take all necessary measures to ensure their intended development meets this criteria. Once again this is a matter for discussion in this report.

In the future noise problems do we have the right to put in a complaint to Council?

Yes, this depends upon the nature of the complaint. It might be something best addressed at who-ever manages the Aquatic Centre. Nevertheless any development that has any potential for noise or environmental issues is conditioned to ensure that the owner/operator conducts their business in compliance with the Environmental Management and Pollution Control Act 1994.

Representation 3

I object to the application for a 'Midlands Community Recreation and Aquatic Centre' at the 'Council Depot site', 18 Church Street, Oatlands, advertised on 3 August 2013. This application is otherwise described as DA 2013/49.

The grounds (shown as the various points under 'A' below) for my objection is that this development as described in the documents available for inspection at the Council office in Kempton does not comply with various provisions of the Southern Midlands Council Planning Scheme as presently available on the Council's website. As a result of non-compliance, this development, if carried out, will:

- impact adversely on me as a residential owner adjoining the development advertised
- impact adversely on other neighbouring residents
- impact adversely on visitors to the town
- impact adversely on road users in the vicinity Non-compliance with the Planning Scheme

Non-compliance with Residential Zone Itent

At 3.02.04.01 in its supporting statement Bzowy Architecture states that as the entire boundary of the proposed centre is within the boundaries of the current depot site, the provisions of the Residential Zone do not apply. This is inaccurate. The depot is, under Cl. 1.8 of the Planning Scheme, a 'non-conforming existing use' of an area, roughly half of which is located in the Residential Zone, and the rest in the Commercial Zone. There is nothing in the Planning Scheme which specifies that the area occupied by the depot in the Residential Zone is exempted from this Zone. Cl. 1:10 (a) (i) allows an existing non-conforming use to be brought into greater conformity with the Planning Scheme, but (b) (ii) requires that Council must apply the test of better compatibility with the intent and provisions of the zone before granting such an application.

The existing Depot Site is a 'non-conforming existing use'. Such use of the land is prohibited under the current planning scheme i.e somebody could not apply for the current land use if the land was vacant land or some other use. However given that the use of the land was established well before the current 1998 Planning Scheme it is afforded rights to continue operating under Section 20 of the Land Use Planning and Approvals Act 1993; and further reflected/articulated by Part 1 of the Planning Scheme.

The Clause cited by the representor applies to intensification and development of the existing use of the land and not a change of use of the land to another use.

A proposal to build a 'Recreation Complex (Indoor)' is at Council's discretion in the Residential Zone and not prohibited.

The Bzowy Architecture application statement proceeds on the basis that the existing depot site is situated only in a commercial zone. According to the zoning map

provided at the Kempton office, this is not true. The Commercial Zone lies to the south-east, or High Street side, of the historic right of way (i.e. the right of way dating from the 1870's). The Residential Zone lies on the north-west side of this right of way, and 3 discrete areas fall within it: 777 m² (subdivided from 2 Church Street lots in 1984), 2607 m² acquired from Mr & Mrs Kean in the 1980's, and 302 m² (the right of way granted to the Kean's in 1990). Much of the proposed development in this D.A. - that is, all of the car park, all of Zone 04 and all or most of Zone 03 - lies within the areas 2607 m² and 302 m². Consequently the part of the Centre from the historic right of way to South Parade has to be assessed under the Residential Zone prescriptions, and the balance under the Commercial Zoning prescriptions.

On the plan of the Centre this brings the pool areas and the car park within the Residential Zone.

The application states that the proposal is in the Commercial Zone and the Residential Zone. The existing Depot site is also located across both zones.

The strip of land that runs parallel to Gay St from the rear of the former Antiques Shop on High St to South Parade is in the Commercial Zone (see map 1).

The development has been assessed according to its Zoning.

The Planning Scheme (3.2.1) says that the intent of the Residential Zone is:

(a) to give the highest priority to residential use and the protection and enhancement of residential amenity

(c) to restrict non-residential uses to those which are compatible with residential use and amenity Amenity

Schedule 2 of The Planning defines "amenity" as meaning:

'such qualities, features, or advantages that contribute to the feeling of pleasantness, harmony and enjoyment in a particular area'

There are many ways in which this development either fails to protect and enhance my residential use and amenity, or is incompatible with it. These are set out under the following headings:

Zone 04 Pool building: views of, and noise emanating from, this building

Traffic: noise and safety issues

Car park light spill and vehicle light

Where these effects are likely to be experienced by others, include them in the following

analysis. At present South Parade has 6 residential properties abutting on to it, and 4 of these also abut on to either Gay Street or Church Street - these have their addresses as Gay Street or Church Street. Of the 6 residences 4 have their only vehicular access from South Parade. There are also residents in neighbouring streets, and beyond, who may suffer an adverse impact in amenity from this development.

Zone 04 Pool Building: adverse impact on residential amenity

Views

The line of sight from most of my property on South Parade means that the 9.2 metre tall and 20 metre wide Pool building will dominate the view towards High Street and obliterate views of the Town Hall and much of Roche Hall, and the Rechabite Hall. These views of historic and pleasing sandstone buildings will be replaced by the view of a very large and ugly slate grey expanse of Colorbond roofing, grey concrete block walls, and 'openable garage type doors' belonging to the Zone 04 Pool building. This constitutes a major reduction of my residential amenity as at present the utilitarian appearance of the depot can be countered by the views beyond. There will be nothing historic or attractive about either the pool building or the car park on the South Parade side of it.

To gauge the impact of this Pool Building, its proposed height of 9.2 metres may be compared with that of the depot shed which lies closest to South Parade and presents its gable end to this street. This shed is 6.33 metres high, and it is perceived as a tall structure on its side of the depot. The Pool Building will be almost 3 metres taller, and this height will extend across the depot for 20 metres.

The applicant has supplied a considerate landscape plan that seeks to obscure and soften the expanse of the roof. The landscape plan proposes these plantings in the carpark area to also create a better sense of general amenity and shade for vehicles.

The buildings 45.8m setback from South Parade should also be noted as a means of reducing the perception of building size.

The roof over Zone 4 (25m pool) is the highest part of the building. At the ridge level the roof is 9.2m high. This is 1.2m higher than the Development Standard for the Residential Zone. Only at Council's discretion (considering Part 3.3.3) can council consider allowing a variation to the height standard. Council must consider the following:

- (i) the effect on the residential amenity of neighbouring lots;*
- (ii) the existing setbacks on neighbouring lots;*
- (iii) the shape, size, contours or slope of the subject land, or of adjoining land;*
- (iv) the adjoining land uses and/or zoning;*
- (v) the existing natural features or qualities of the location; and if it is satisfied that such a relaxation would not conflict with the intent of the Residential Activity Zones.*

These matters are addressed in this report. The content of this part of the representation will be considered as part of this assessment of Part 3.3.3.

Noise emanating from Pool Building

The plans show that the Pool Building in Zone 04 has 4 glass/powder-coated frame doors facing South Parade. At 6.01.04.03 in its supporting document, Bzowy Architecture states that these are 'fire station' style openable doors and, weather permitting, these will remain open, allowing for the transfer of acoustic impact from the interior to the surrounding areas. The report predicts that weekend summer afternoons will be the times when patronage is at its highest in the pool area, and 'at those times there will be a noticeable acoustic impact on the surrounding area'. The report claims that this will be preferable to the present light industrial use of the depot.

As a long time resident, I know the amount of noise which emanates from the 'light industrial' use of the depot and when it occurs. It is minimal, and occurs on weekdays during the hours from 7.30 a.m. and 4.30 p.m. It does not occur during the evenings, or at weekends. At the South Parade end of the depot the only noise I register is a small amount arising from the loading or unloading of equipment, or a chainsaw cutting firewood. Up until 1993, there was an additional amount of noise for roughly an hour in the early morning between 4.30 a.m. and 5.30 a.m. as the Council permitted trucks to take on fuel from its underground storage tank. That ceased with the closure of that UST, and so ended in 1993 as far as I remember. In other words, that happened 20 years ago. The depot is not a lovely site but the noise emanating from it is not offensive.

The acoustic impact of the Centre will be highly offensive. It will fill the residential neighborhood at any time that the openable doors are open, and predictably this occur over a number of months during the summer season. The noise will be at its worst during the weekends. It will be present on many evenings, and potentially to a late hour. During daytime carnivals or tournaments or other large gatherings at any time of the year in the pool, these doors are also likely to be opened, and so predictably, I and other nearby residents will be subjected to an intolerable amount of noise. It will have a particularly adverse effect on anyone whose sleeping patterns require an early bedtime. There are many elderly residents in the vicinity of this pool - including those in the Church Street/William Street units - and loud continuous noise is highly intrusive and unpleasant. As I live almost directly opposite the proposed Pool Building it will create an environment which will be unbearable. This constitutes a major erosion of amenity.

There is virtually nothing in the D.A. to ameliorate the noise emanating from the Pool building when the doors are open. As part of the determination of this D.A. an independent acoustic report should be made available to gauge the noise level expected from this Centre, and to establish whether or not such noise will fall within a dBA considered acceptable for a residential area.

It would be highly unusual for the Aquatic Centre to be open to a full scale swimming carnival up-until or past 9pm (proposed weekday hours of operation are 7am to 9pm and 6.30am till 8pm on weekends). It shall be the responsibility of management to ensure compliance with EMPCA and ensure consideration is given to residents during special events. Especially events that may occur later in the day or evening. On such occasions it may be wise to close the doors. The comment that noise from the proposed aquatic centre will be highly offensive is a subjective comment. The comment is considered nevertheless.

(b) Traffic

The impact of this development on traffic has been assessed by an external entity, Peter Freeman Traffic Solutions, and its findings indicate that there will be a major change to traffic along South Parade and in surrounding streets. As a result my amenity will be affected very adversely, and the amenity of other neighboring residents will also be adversely affected.

The Peter Freeman Traffic Solutions Report which forms part of the documents in this application provides estimates of the increased traffic flow on South Parade and surrounding streets. It specifically says at 4.1.1.3 that South Parade is presently 'very lightly trafficked and the additional flows to and from the Centre car park will amount to a sizeable % increase'. It estimates the daily flow after the Centre is opened to be in the order of 240 vehicles to/from Church Street and 48 to/from Gay Street. The Centre will account for 240 extra vehicles per day. At times of peak usage, i.e. for special activities like school carnivals, the Freeman report (3.1.2.2) estimates that traffic would increase by an extra 41 movements per hour in each direction on South Parade; this will bring the usage to 53 per hour, or almost 1 vehicle per minute, in contrast to the estimated 1 vehicle per 5 minutes at present. Bzowy Architecture also admits that 'given the provision of a new car park to service the aquatic centre, there is no doubt that an additional load of traffic is being added to the overall site and hence the approach roads' (6.01.05). This change in traffic will adversely impact on my amenity in at least two ways: noise and the risk of accidents.

Noise: The positioning of a 47-space car park which has South Parade as its only entry and exit points means that the amount of traffic on the street which I use will increase from its present low volume to a much greater volume. At present a maximum of 7 depot workmen park their cars in the area designed in the development to become the Centre car park. They generally enter and exit this area from the Church Street entrance. They arrive by 7.30 a.m. and most are gone by 4.30 p.m. Their work schedule appears to allow one day's absence from the depot on a regular basis, and they do not come to the depot on weekends. The proposed development would change this pattern very greatly. Hours of use of the Centre car park would extend into every evening, (and potentially late on many evenings), and weekends would reasonably be predicted to see maximum regular use. This will mean that I will be subjected to all the noise accompanying large numbers of cars starting up, using horns, braking, and accelerating, from early in the morning until late at night, and on all 7 days of the week.

This will be exacerbated at times of peak activities; the Peter Freeman report (at 4.1.1.5) estimates that there will be delays when 30-40 vehicles try to exit the car park at one time and have to maneuver within the car park to do so.

While the D.A. recognizes that the amount of traffic generated in South Parade will increase greatly, there is virtually nothing in the D.A. on the effective control of traffic noise. Bzowy Architecture (6.0105) suggests that 'moderate traffic calming measures' might be employed such as a speed reduction to 40 m.p.h. and that the additional traffic load should be monitored for the first 2 years of Centre operation and 'any impacts assessed and dealt with'. It is obvious that the noise from traffic in or about the car park will increase substantially, and as it is equally obvious that nothing in the DA makes a serious effort to ameliorate this, the end result is its adverse effect on my amenity, and the amenity of other residents.

Under Part 8 of the Southern Midlands Planning Scheme 1998, the proposed use/development is defined as a High Traffic Generator. As mentioned in the response to the previous representation's comments, a development that would generate this much traffic in this area certainly requires the permission of Council but Council does not have the discretion to refuse the application on this basis. Council does however have the capacity to condition the development to minimise any potential amenity or safety issues. One way of ensuring there are no foreseeable safety issues is for the applicant to demonstrate the matter through engaging an accredited Traffic Engineer (a consultant) to review and assess the current traffic movements and capacity of the streets to accommodate a change of use of the land.

The consultant, in their final conclusion, states there are 'no obvious safety issues that will be created on the public road system by the development'. There should however be some additional signage installed to ensure people can easily find their way to the South Parade Parking entrance and car-park.

Safety: The large volume of cars arising from the use of the Centre car park will promote the likelihood of accidents and/or injury to me and other pedestrians in its vicinity and especially on South Parade. (South Parade is frequently used by pedestrians - townspeople and visitors, including tourists - as a cross street). The Freeman Report notes that there is a slight crest in the street which operates for the drivers of some cars to block the lower sections of vehicles in a line of sight from one side of the crest to the other. While car drivers may not be endangered by this crest, pedestrians – and particularly children and people using mobile chairs – are at risk as their line of sight to an oncoming vehicle may be completely blocked. As the proposed Centre may be accessed by any user via the car park, it is predictable that many of these users will arrive/leave as pedestrians, and so the volume of pedestrian traffic on South Parade will also substantially increase with attendant risks to these people from the increased traffic on this street.

The Freeman report states that there have been no reported vehicle crashes in the past 5 years in the streets neighbouring the depot. This reflects the existing volume of traffic during the day and evening and at weekends. With a large increase in volume of vehicles in these streets on every day of the week, and every evening, it is predictable that the risk of accidents and injury will be much higher. In my time of residence here, animals have been killed on South Parade by vehicles, and cars race along the street especially at night.

While the Freeman report and Bzowy Architecture recognize that the volume of traffic is going to change substantially there is virtually nothing in the D.A. documents to protect my safety or the safety of other residents against the increased risk from traffic. Very tentative suggestions are put forward in the D.A. The Freeman report (3.2.4) suggests signage at the car park directing drivers to go to Church Street, rather than Gay Street. This is based on the belief that drivers will then generally turn towards High Street, rather than William Street. This belief is mistaken, and this extra traffic therefore constitutes a risk to the many residents who live on the section of Church Street leading towards William Street. Between William Street and South Parade, Church Street has a far bigger concentration of residences than Gay Street, and this section of Church Street is also likely to have pedestrian population from the hospital units. The other suggestion in the Freeman Report (3.1.2.2) is that some form of local traffic management be employed during exceptional peak periods. This ignores the increased daily risk from the great increase in traffic flows on South Parade and adjoining streets, especially Church Street. The Freeman report states that Church Street will experience an estimated extra 20 vehicles per hour in normal flows. It also acknowledges that at peak usage times there will be delays at the junctions of Church Street and South Parade and Church Street and High Street with an estimated queue formed of 7-8 cars. Delays encourage impatience, and risk taking behaviour on the part of drivers.

The consultant, in their final conclusion, states there are 'no obvious safety issues that will be created on the public road system by the development'. There should however be some additional signage installed to ensure people can easily find their way to the South Parade Parking entrance and car-park.

The consultant furthers this conclusion with 'the relocation of the works depot will provide an improved road environment for the community'.

Council has also engaged another external person to review the Traffic Impact Assessment and to review the traffic and access situation. The comments from the 'Engineering Officer' are included in this report.

Pedestrians and Road Users should also abide by the road rules.

(c) Car Park: Lighting and vehicle headlights

The design of the car park fronting on to South Parade includes the location of 6 power poles (shown as 'H'), 2 on each side and the remaining 2 in the median strip. These are

stated to be the same type of poles as are presently in High Street. High Street currently has a mix of power poles, I.e. so-called 'heritage' poles and old-style. The D.A. does not make it clear which type is to be present in the car park.

The Bzowy Architecture report at 2.03.01.06 states that the car park will be artificially lit at all times in the late afternoon and evening. It has to be assumed that these carpark poles will be in addition to the existing 3 poles in South Parade. The net effect of all this lighting will be to create a glare - similar to that of a football stadium - which will be highly visible in the neighbouring streets, and intrusive in the homes of residents in the vicinity. There is no information to indicate when, if at all, these glaring lights will be turned off.

South Parade is a pleasant place at present for individuals to stroll along at dusk and in the evening, and residents, visitors and tourists frequently do this. Present lighting arrangements are adequate for safety but unobtrusive. The glare from 6 carpark poles will subtract from the amenity at present enjoyed by both the permanent residents and casual users of South Parade.

The Centre is to operate into the evenings, and potentially until a late hour in the evenings. This will mean that cars will be operating their lights and headlights as they enter and exit the carpark. Sweeping headlights will have an adverse impact on the amenity of residents whose houses are bound to have these lights fall on their windows. As the recommended flow is past my house towards Church Street, and as I have dormer bedroom as well as ground story windows which will be affected, I will lose most in this aspect of amenity, but others in the vicinity with houses close to the road must also be adversely affected. My house is 3.3 metres from the side of South Parade.

It is agreed that South Parade is a very pleasant part of town. All necessary steps should be taken to ensure that carpark lighting is not excessive and does not detract from the general residential amenity.

It is also agreed that cars will be using their headlights after hours as a legal and necessary safety measure.

It should be noted that there is always the possibility that land in this area will be developed and create an increase in traffic as a result. This is the inevitability of a growing township. All strategic plans and objectives of the planning scheme are set to encourage further development in the townships and increased services to residents and visitors alike.

The concerns regarding lighting have been addressed later in this report.

Non-compliance with Residential Zone Development Standards

This D.A. does not meet the Development Standards prescribed in the 1998 – 2003 Planning Scheme for the Residential Zone. Specifically it does not meet the height and setback standards set out in Cl. 3.3.1.

Cl. 3.3.1(a) states that the maximum height of buildings in this zone is to be 8 metres. Bzowy Architecture states that the Zone 04 Pool Building will reach a height of 9.2 metres. This is to be the height of the rooftop ridge, and does not comply with the standard. Moreover, as the roof ridge extends 20 metres across the site, it will create an overwhelming impact when considered in the context of a slate grey Colorbond roof material.

Cl. 3.3.1(b) states that the side setback shall be '1.5 metres, or one half the height of the wall, whichever is the greater'. The north east elevation plan shows that the Centre does not comply with this side setback standard. The width of the setback varies from 1 metre to perhaps 1.3 metres. It nowhere amounts to one half of the height of the wall, the 'whichever is the greater' statement requires. Again, the fact that the Centre runs for such a considerable distance along the north east boundary makes this non-compliance more extreme and unacceptable.

Bzowy Architecture claims at 3.04.02 that the perception of the non-complying height of the Pool Building as viewed from South Parade will be ameliorated by the amount of setback from South Parade and landscaping. However, the ameliorating effect of any setback from South Parade is completely offset by the rising gradient of the land on which the Centre is built. The carpark is to have a base level of one metre below the Pool Building, so that the height of this building is perceptually increased not lessened – effectively it becomes 10.2 metres. Moreover, the list of given vegetation indicates that triggerplant is to be used in the carpark below this building and trigger plant has minimal capacity to hide such an expanse.

The variation to the setback will be assessed under Part 3.3.3 and Part 3.3.2 respectively. It is however noted, at this point, that the wall is a north east facing wall that would cause little to no overshadowing on adjoining properties and that the adjoining properties along Gay St are already developed land lots. It is arguable how the north east wall would reduce the viability of future land use or amenity.

The proposal also demonstrates significant use of differing materials, textures and landscaping to reduce any potential impacts on visual amenity. The applicant has demonstrated solid consideration to these adjoining landowners and has certainly considered the criteria for variation to setback.

C . Non-compliance with Historic Precinct Intent and Standards

The Planning Scheme at 9.1.1 says that the intent of Historic Precinct Area is to conserve and enhance the historic character of Oatlands, Kempton and Campania, and more specifically it is to:

give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general streetscape within the historic areas of Oatlands

.....

ensure the design and external appearance of new buildingsrespects and maintains the historic character and heritage values

ensure that new buildings do not visually dominate neighbouring 19th Century buildings

maintain the visual amenity of the historic buildings when viewed from.....streets within the settlements

The Development Standard at 9.13 (a) (i) states that development in the Historic Precinct Special Area must accord with the heritage values of the local streetscape, taking into account the intent of the Special Area.

Part 8 of the Bzowy Architecture statement in the D.A. puts forward the proponent's beliefs as to how the Centre addresses the intent and development standards of the Historic Precinct as the proposed development lies entirely within the Historic Precinct. Its views are subjective, and one of the requirements of the Planning Scheme is that this proposed building and use must be assessed by the Council's Heritage Advisory Committee. As 2 other fairly detailed reports were included, it is unfortunate that the Heritage Advisory Committee's report is not also available. My enquiry about this on 21 August elicited the information that there is no standing Heritage Advisory Committee, but that the D.A. is to be referred to Heritage Tasmania for assessment and advice. It is necessary for this independent advice to be made public, as have been the SEMP and Freeman Reports, as there are continuing negative perceptions in the community about the Council's choice of this site for this development.

Council currently does not have a Heritage Advisory Committee. Council may appoint such a committee under Part 10.1 (h) of the Scheme; but as Council does not have this committee, assessment of new development of heritage places or in heritage areas relies primarily on the standards of the planning scheme, the Burra Charter and the advice or comment from an external person or organisation.

Council Officers since receiving the Development Application have referred the proposal to Heritage Tasmania for a comment and/or any advice. These comments are included in this report in their entirety.

A copy of these comments was also sent to this particular representor for consideration.

{c) As the Heritage Report is not yet been undertaken, I will point to obvious conclusions about the proposed development's lack of accord of the proposed

development as set out in the D.A with the specific intent and development standard stated above at 7 (a):

'Streetscape' is used inclusively of Oatlands' streets; the term therefore includes South Parade, Gay Street and Church Street. It is quite clear from the D.A. that Bzowy Architecture has concentrated on the Centre's design and materials to fit the High Street streetscape. The streetscape of other streets, and particularly that of South Parade, have been virtually ignored.

Agreed, the term 'streetscape' should be inclusive of all streetscapes. This is also a requirement of the scheme.

It is not agreed that the streetscape of South Parade has been ignored. The proposed building is 45.8m from South Parade which should mitigate direct impacts on this streetscape.

The removal of the industrious cyclone fence that fortifies the Council Depot Yard would be a significant improvement to the streetscape as would the removal of the storage yard and piles of materials on this land.

The proposal to landscape this site and provide a more pleasant and formed access to the land would also be an improvement.

As a new building, the Zone 04 Pool building will rise to an extraordinary height, and present a very large expanse of roof and wall to South Parade. This will be also be immediately visible to people who access the town from William Street via Gay Street, and its appearance will clash totally with the historic character and heritage values of this area of the town. As noted above, the view of the town Hall will be virtually eliminated. If intervening trees are cut down, then this new building will also be visible from much of William Street and beyond, and it is certain to reduce any perception that the town has heritage values.

Views from other streets and the highway will be considered under Part 9.1 of the scheme and also Part 3 and 4. The comments are certainly noted. This is an important matter.

As noted before, this Centre will rise to 9.2 metres at its roof ridge, and this ridge will extend across the site for 20 metres, and the roof will then taper down to what appears to be a height of about 5 metres. The CT site plan indicates that the width of the site, including the 1990 right of way, is just 35.79 metres, so that the dominance of the pool building cannot be balanced by what is alongside it -the very small setback from the north-east boundary. As already mentioned the rising gradient of the site towards High Street will accentuate this domination of the streetscape.

Other considerations

{a) I note from the SEMP Report that investigation and rehabilitation of the depot site will involve a great deal of soil movement and soil re-location. The Report indicates that it may be necessary to remove the entire surface soil to a depth of ½ a metre. Bedrock may also have to be excavated and removed.

I have two concerns about the effect of this.

This will all necessitate a large amount of trucking of material from the site, and also potentially to the site, as soil is tested and remediation undertaken. I and a neighbour experienced recently the effect of a double lorry load of soil carted past my house from the South Parade depot exit. My house lies 3.3 metres from the edge of South Parade, and has traditional foundations which are likely to suffer damage from the frequent passage of very heavily laden trucks. Should this D.A. be approved and site preparation begin, I shall be seeking expert advice on the structural implications for my house, and will act accordingly in the event of continuing use of South Parade by trucks. This may also be a relevant concern for the other 2 old properties with traditional foundations on the South Parade/GayStreet corner.

This matter will be addressed in any recommendation.

My property experiences run-off from the depot site. The Bonacci Report in the D.A. states that there is a 3 metre fall in the height of the site from High Street to South Parade. Water follows this gradient. In wet seasons, the ground on my property opposite the depot site becomes saturated and there is perceptible soil movements evidenced by the shifting of several plants. If soil is to be removed en masse from the depot site, run-off will be much worse. The D.A. appears to envisage this problem in the context of stormwater, but there is no preventative mechanism provided in it.

This is a good comment.

The proposal would improve stormwater disposal methods. Stormwater disposal is regulated by the Plumbing Regulations 2004, Land Use Planning and Approvals Act 1993 (to further ensure compliance and capacity of systems to contain changes to stormwater concentrations) also the Building Act 2000 and Building Regulations 2004. Stormwater disposal requires a separate permit.

The applicant has provided a concept hydrology report to determine stormwater disposal arrangements. The Engineering Officer has also required a stormwater management plan prior to any works commencing.

Erosion control and stormwater run-off during construction are also regulated matters. A large development such as this one should include a 'Soil and Water Management Plan' to be followed and abided by during construction.

I note that the Council appears to have a trust responsibility for the property on which stands the historic Rechabite Hall building. Positioning the Centre so close to this property may raise questions as to the discharge of this responsibility.

Council to note this comment.

I am not going to repeat the points raised last year by the various letters objecting to the use of this site for this development which were sent to Mr Jones, the Deputy Mayor, after Council announced its plan for the site last year. As this D.A. has proceeded, those points have been disregarded, and it has to be assumed that repetition will serve no purpose as this D.A. has been prepared at the Council's request and will be assessed by the Council. However, those letters made a major point which must be stressed in this submission. The site chosen by the Council in this D.A. is not a proper or appropriate site for this sort of development. If Oatlands were an urban place where there was almost no remaining space, then this site might be considered out of sheer necessity. That is simply not true of Oatlands, and everyone knows it.

This representation has included some well-thought comments. The input will not be disregarded.

It should be noted by Council that Council Officers rely on the input of others in making any recommendation. This is captured by the objectives of the Resource Management and Planning System of Tasmania and clearly reflected in Part 11.10 'Consideration of Applications'.

LAND ZONING

The Council Depot Site consists of multiple titles of land within two (2) different zones. The Commercial Zone and Residential Zone.



Map 1 – Zoning and Land Cadastre for the Council Depot Site. The red zoning is the ‘Residential Zone’ the Blue zoning is the ‘Commercial Activity Zone’

The Planning Officer has assessed the development against the intentions of these zones below.

Zone: Commercial Zone

The Scheme gives priority to commercial use and development along High Street in Oatlands through the management of one zone. The Commercial Zone recognises land that is used, or has the potential to be used, for shops and businesses that primarily cater for the needs of the local population, tourists and other visitors.

It would be appropriate for the Planning Officer to begin assessing the development by the specified intentions of the zone:

4.2 The intent of the Commercial Zone is to:

- a) *give priority to having suitable areas for shops and businesses and primarily cater for the needs of the local population and visitors to the area;*

The proposal would enhance visitor numbers to the shops and businesses in the Commercial Zone. It does not conflict with this intent.

- b) *strengthen the settlement of Oatlands as the primary focus for commercial use within the Council area;*

The proposal meets this intent.

- c) *provide sufficient land to accommodate expected growth in local business activities that do not adversely impact surrounding residential areas;*

Much of the High St has been developed. There is a mixture of residential uses and commercial type uses. Many new businesses have simply changed the use of a residence to a business. So although the High St is primarily a commercial area there are still many mixed uses. The Aquatic Centre is a suitable inclusion in this mix that would encourage further commercial development.

- d) *encourage consolidation of commercial uses and minimise potential impacts on surrounding residential areas;*

The proposal would encourage further commercial development as it would actively encourage more people to the area.

- e) *encourage pedestrian access and improve the amenity and facilities of the public spaces to cater for resident and visitor use;*

Pedestrian access to the proposed site and increase to public spaces is a primary component of the proposal. The High St access is a place where people can be safely 'dropped off' or people can walk to this access from anywhere using the footpaths. The proposal also actively encourages the use of public or shared transport to access the premises.

- f) *ensure the efficient utilisation of infrastructure services.*

The development makes good use of existing infrastructure services without significant strain or impost on providers to accommodate a new use.

Stormwater disposal arrangements have been assessed by the applicant and further assessed by an Engineering Officer with recommendations for further plans.

Sewer and Water arrangements have been assessed by TasWater. Oatlands has the capacity to accommodate this proposed use.

The road network also has the capacity to accommodate the proposed use/development with minimal changes.

Commercial Zone: Development Standards

The aim of these provisions is to ensure that new development will contribute to the quality of the streetscape and improve the amenity for users.

To satisfy this aim the design and appearance of new development should:

- a) *enhance and maintain the character of the streetscape in terms of scale, proportions, treatment of parapets and openings and decoration;*

The South East Elevation Drawing on Drawing DA 006 depicts the following significant features:

- I. A mixture of materials and textures
- II. The avoidance of a single large continuous roof expanse

- III. Three medium pitched gabled roofs over the multi-purpose rooms to emulate the cottages along the High St

The Landscape Plan shows a considerate use of:

- IV. landscaping to further soften these hard elements
- V. heritage style lighting to connect the open space into the High St

Overall the development is considered a vast improvement to the site.

The large setback from the High St also helps to avoid conflicts in building styles or domination of heritage buildings. This setback should avoid impacts on the High St Streetscape.

- b) *respect the inherent aesthetic, cultural and heritage values of Oatlands;*

This is better articulated in the standards for the Historic Precinct Special Area.

- c) *respect historic buildings and works neighbouring the site and in the vicinity;*

This is better articulated in the standards for the Historic Precinct Special Area.

- d) *ensure that neighbouring dwellings and their associated private open space are not unreasonably deprived of sunlight or privacy;*

Very little loss of sunlight will occur for the neighbouring dwellings. All these dwellings are located primarily at the front of the property. There may be some overshadowing of the rear carpark of the shops/accommodation at 72-74 High St later in the day.

The proposal should not reduce privacy. There are no windows located along the north east elevation of the building and security measures such as cameras or lights shall be sited so as not to cause a nuisance or intrusion on privacy. This matter was also raised in one of the representations.

- e) *provide pedestrian facilities and safe access within the commercial areas;*

This is enhanced by the proposal.

- f) *provide, where possible, spaces for community interaction which incorporate street furniture, lighting, landscaping and public facilities of cultural or civic value;*

This also forms an integral part of the proposal.

- g) *provide landscaping which creates visual links between development, minimises conflicts of scale, softens hard or bleak areas and provides shelter, shade and screening; and ensure the:*

- i. *screening of all outdoor storage areas, outdoor work areas and rubbish receptacles from public view;*

- ii. *placement and design of roof mounted air conditioning equipment, lift motor housings and similar equipment so as to reduce the visual impact on the streetscape; and*
- iii. *exterior pipework, ducts, vents, sign supports, fire escapes and similar structures are painted and/or designed to match existing exterior surface treatment so that these elements are not prominent in the streetscape.*

This can also be achieved by the proposal.

Zone: Residential Zone

The Residential Zone recognises the existing developed residential areas in Oatlands. It also recognises land available for housing development in those areas which can be provided with urban services and which have been zoned Residential in the past. The development standards aim to protect residential amenity and allow for a range of housing types to suit different needs within the community.

- a) *to give the highest priority to residential use and the protection and enhancement of residential amenity;*
- b) *to allow a range of dwelling types to satisfy different housing requirements within the community;*
- c) *to restrict non-residential uses to those which are compatible with residential use and amenity;*
- d) *to encourage the consolidation of existing serviced and vacant residential areas on an orderly basis;*
- e) *to ensure that subdivision and development is within the capacity of Council and/or the developer to provide adequate services; and*
- f) *to ensure the efficient utilisation of infrastructure services.*

Response to the Intent of the Residential Zone

Given this is not a residential use, the Council should ensure that all possible measures are taken to avoid a land use conflict or a detrimental reduction in the amenity of the area.

One issue is that the development would reduce the amount of potential residential land available in Oatlands. As one of the representations noted the land could be used for multiple units or subdivided for further dwellings. This would be a fair assumption given the intention and objectives of this zoning are primarily for a residential use.

However, the Planning Scheme also allows a developer to apply to Council to consider the granting of a planning permit to use the land for a non-residential use.

If it is not a residential use then it should be compatible with the existing residential land uses and not cause a conflict with the residential zone. This is one of the primary considerations in this report.

In light of this, Council should consider these matters:

- I. There is plenty of land available for residential development in Oatlands
- II. The applicant has sought to minimise impacts on the residential amenity through a range of design measures
- III. The proposal is a more compatible use/development than the existing industrious use – considering this use/development would be ordinarily prohibited
- IV. Traffic Safety would be increased by the development - through the removal of the existing use and the consolidation of access points and the encouragement of pedestrian access to the land via High St
- V. The proposal seeks to develop and enhance the amenity of the area and encourage more people to live in the township; and
- VI. this is essentially a community project that is best located in the middle of a community.

Residential Zone: Development Standards

- a) *residential amenity on neighbouring properties is not detrimentally affected;*

This has been largely avoided through the use of landscaping, differing use of materials, no over-looking or intrusion on adjoining lots.

Even though the proposed use is a non-residential use there does not appear to be detrimental impact on the adjoining properties.

- b) *dwelling and their associated private open space on neighbouring properties are not unreasonably deprived of privacy, sunlight/daylight or views;*

One of the representations has mentioned that views of the High St from South Parade will be obstructed by this development. This would be correct. It shall be noted that the development is also 1.2m higher than the standard 8m height limit. The 1.2m above the 8m is not the only part of the building that would obstruct views from South Parade. In fact the entire building would alter the view from South Parade to the High St buildings.

New buildings on the Council Depot Site are an inevitable part of development in a desirable location in the middle of the town. It is not prohibited to build on this site. If the proposed building was less than 8m the views would still be obstructed. The fact that the proposed aquatic centre is 1.2m over the 8m height standard is largely irrelevant to the obstruction of views.

The current view of the High St from South Parade is diminished by the existing sheds and workshops on the Council Depot Site. These buildings do not enhance the views and are not sympathetic to a heritage setting.

The applicant has made every effort to design a large and inherently bulky building that can meet the principles of the *Burra Charter* whilst appeasing the standards of the Historic Precinct Special Area. It should be noted that the Dutch Gables on either end of Zone 4 have significantly reduced the potential bulk of the roof by some 16m below the 8m height limit. It is the employment of these clever design techniques that give the building merit in trying to compromise the principles of design in heritage areas whilst trying to create a large functional building.

Even though the views across the land would be altered by the proposal, every effort was made to try and reduce the sheer scale of the building in consideration to the neighbouring residents and in consideration to the historic setting.

The scale of the building will then be further softened with practical landscaping.

- c) *sufficient open space is provided for each dwelling to meet the requirements of occupants for outdoor activities;*

This is not entirely applicable. This standard relates more to the provision of open space for new dwellings. The proposal would provide more open space for residents to enjoy.

- d) *private open space is suitable for private recreational use, accessible, capable of receiving reasonable levels of direct sunlight and has reasonable privacy;*

This is not applicable. This relates to new dwellings.

- e) *communal outdoor space is located within reasonable proximity to the dwelling units, is readily accessible by the occupiers and is capable of receiving reasonable levels of sunlight/daylight;*

This is not applicable. This relates to new dwellings

- f) *sufficient landscaping is provided to assist with the provision of privacy and to compliment the streetscape or townscape character; and*

This is achievable.

- g) *existing landscaping is retained where practicable;*

Existing landscaping will be retained where-ever possible.

Part 3.3.3 Variations to Setback and Height (in the Residential Zone)

Council may relax the development standards in Clauses 3.3.1 and 3.3.2 (building height and setback) after considering:

- a) *the effect on the residential amenity of neighbouring lots;*

The has been minimised through the use of landscaping, quality design and careful selection of building materials that deliberately insulate noise and noise echo. This is a necessary element in an aquatic centre that can attract noise from children and people enjoying facilities.

The other noise consideration is from the plant service and maintenance equipment. The applicant has stated that this equipment 'is not expected... to have any deleterious acoustic impact on the amenity and surrounds'. The applicants also states that internal equipment within the building will be housed within concrete filled concrete block and any roof equipment will be treated by a perimeter of 'acoustic baffles'.

The Environmental Health Officer has also provided further assessment of this matter. These comments are included in this report.

It would seem the applicant has gone to great lengths to ensure that noise from the use and operation of the centre will not impact detrimentally on adjoining and neighbouring residents.

b) the existing setbacks on neighbouring lots;

The proposed building is set well back and behind the existing building line of houses along the High St and South Parade. This is a necessary measure considering the historic sensitivities of the township and to provide further attenuation for any noise. It also allows for open spaces around the building.

c) the shape, size, contours or slope of the subject land, or of adjoining land;

The land can accommodate the added height without accentuating the height to any detriment. This is further mitigated by landscaping. Some of the proposed species in the carpark area can grow upto 15m. This would effectively conceal and soften the size and scale of the building.

d) the adjoining land uses and/or zoning;

The adjoining land is the commercial zone and residential zone and community zone. The report and documentation provided by Bzowy Architecture has considered the adjoining land uses. As mentioned earlier in this report it is not envisaged that the proposal would change the ability for others to use or development their land by what is prescribed in the Planning Scheme.

e) the existing natural features or qualities of the location; and

There are few natural features on the depot site. There is however a pleasant park on the High St and the pleasant grassed and open verges of South Parade. The proposal would not impact negatively on these features. In fact it would enhance the natural features and qualities of the High St by further plantings and expansion of the park area.

- f) *if it is satisfied that such a relaxation would not conflict with the intent of the Residential Activity Zones.*

This has been addressed in the section 'Intent of the Residential Zone'. It is clear that although this is not a residential use. It aims at enhancing the residential amenity of the area and encouraging others to live in the area close to a useful and enjoyable community facility.

Special Area: Historic Precinct Special Area

The general intent of the Historic Precinct Special Area is to conserve and enhance the historic character of particular areas of Oatlands, Kempton and Campania. More specifically, the intent of the Historic Precinct Special Area is to:

- a) *allow for continued development that respects the streetscape qualities of the settlements through appropriate building form, design and finishes and which is compatible with the general heritage values of town settings;*

The proposal would not inhibit the further development of the streetscape. The form, design and finishes of the proposal are complimentary and considerate of the heritage setting and the mixed forms of architectural styles and features on the adjoining properties.

The trio of medium pitched hipped roofs on the High St side, combined with the use of traditional materials found through-out the township are particularly noteworthy.

- b) *give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general streetscape within the heritage areas of Oatlands, Kempton and Campania;*

The large setbacks allow preservation of the clusters of historic buildings in Oatlands.

- c) *ensure that the design and external appearance of new buildings or additions / adaptations to existing buildings respects and maintains the historic character and heritage values;*

This is discussed in the 'standards'.

- d) *ensure that new buildings do not visually dominate neighbouring 19th Century buildings;*

There are indeed 19th Century buildings in the vicinity. This is another crucial reason why the proposed building has been designed and situated in a particular part of the site. A cheap option would be to create a single low-pitched continuous roof space that may be functional but not aesthetically pleasing and would not be in anyway considerate to the surrounding area.

It is certainly evident that the design of this building has considered the neighbouring 19th Century buildings.

- e) *maintain the visual amenity of the historic buildings when viewed from the Midlands Highway or from streets within the settlements.*

The proposed building could be viewed from the Midland Highway and from streets within the settlement. This is a large building.

The fact that this building could be seen from many vantage points is the reason why so much consideration has been given to the overall design of the building. This is the reason why:

- I. the building has a steeper pitched roof;
- II. it has three little pitched roofs over the multi-purpose rooms and not one continuous roof span;
- III. the architect has made every effort to 'break-up' the building into multiple zones to give the overall impression of multiple buildings.
- IV. The building uses different materials, textures and parapets and roof forms to create an overall sense of a clustered look that could fit into a clustered streetscape of buildings when viewed from the midland highway and other vantage points. Oatlands is unique in that when viewing the streetscape from any vantage point, one is presented with a multitude of building types (see Image 1 and Image 2 below). Note from the Images the significant role trees play in forming the village landscape.



Image 1_Views from the Midland Highway looking toward the iconic Callington Mill.



Image 2_More Views from the Midland Highway looking at the proposed aquatic centre site

Historic Precinct Special Area: Development Standards

Development within the Historic Precinct Special Area must be in accordance with the following principles:

- a. *scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings should be appropriate to the site, adjacent buildings, and the heritage values of the local streetscape, taking into account the intent of the Special Area;*

A challenge to a conscientious architect is trying to integrate an inherently large building into a town that seems fairly devoid of large buildings.

However looking at an aerial photograph of the town (see *Image 3* below) there is already two of the largest building in the town on the adjoining blocks. These buildings are the Midlands Multi-purpose Health Centre and the Oatlands District School.

This is not a reason in itself to allow for another large building. The Council must ensure that, even though this is a large building, every effort has been made to reduce the sense of scale and bulk and that the scale is not going to conflict with the immediate surroundings or set a precedent for large bulky buildings that may not be as conscientious to the scheme standards and surrounding amenity.

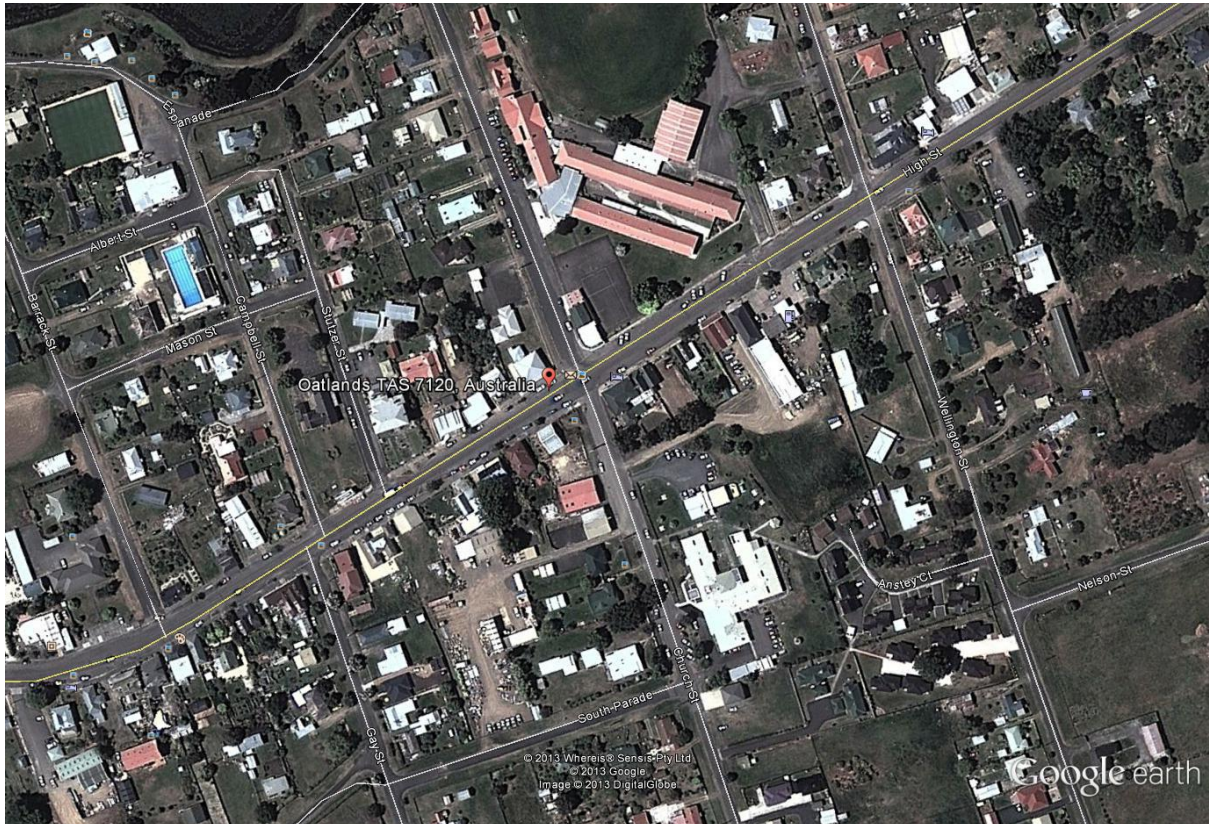


Image 3_ Demonstrates the different scale of buildings in the vicinity of the proposal.

- b. *buildings should provide a strong edge to the street consistent with the prevailing building line;*

The building, due to its size, has been deliberately sited further back from the prevailing building line in order not to disrupt this sensitive building line.

- c. the visual relationship between the existing and new buildings should be considered, with new buildings avoiding visually dominating neighbouring historic buildings;*

This has been discussed in the intent of the Precinct Area. The proposal meets this standard.

- d. where feasible, additions and new buildings should be confined to the rear of existing buildings;*

The building has been sited behind existing buildings. But given its size it will still be visible from many vantage points. The design considerations of the building overcome these concerns.

- e. architectural details and openings for windows and doors to visually prominent facades shall respect the historic character in terms of style, size, proportion and position;*

This has been achieved.

- f. 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 match that of the primary building on the land;*

Not applicable. This is not an outbuilding.

- g. fences along street boundaries of properties, including both main and side streets should be:*
- between 900mm and 1000mm high, with a maximum of 1200mm for posts;
 - vertically articulated, (such as with dowel-and-rail, picket or palisade fences), and should not be horizontally articulated, (such as with post and rail fences); and
 - “transparent” or “open” in appearance, that is, the distance between dowels or pickets, etc, should be such that the fence does not appear solid;
 - hedges along street boundaries, including both main and side streets, are acceptable provided they are kept to the height indicated for fences in (vii), above.

A fence is not proposed as part of the development.

OTHER CONSIDERATIONS

Council’s Environmental Health Officer has provided the following advice:

Potential Site Contamination

A comprehensive report has been prepared by *SEMF* in relation to the potential site contamination issues at the aquatic centre site, and this sets out a series of recommendations as to how to proceed if re-development of the site occurs. The approach adopted is considered satisfactory for a development of this nature, such that there has been an initial site survey to identify the likely areas of contamination and then to prepare a site sampling plan to enable the

rehabilitation process (and costs) to be estimated for the “change of use” of the site to a “more sensitive use”.

The recommendations in the report include obtaining the approval of the *EPA (Environment Protection Authority)* for the comprehensive sampling plan, and then the implementation of that plan, which would need to occur to determine how any contaminated soil could be dealt with. The report also recommends the removal of two underground “fuel” storage tanks, an asbestos audit of the buildings on the site, and the installation and monitoring of three groundwater bores. The actual site remediation works required at the site would be determined from these investigations.

One representor expressed concern about the removal of soil from the site and the possible effects on their property in regards to storm-water drainage. However, the level of any soil removal or the degree of on-site soil remediation cannot be determined at this stage, and also extensive landscaping would need to be undertaken on the site such that any potential water run-off issues would be addressed during the building approval and construction phase.

- In terms of the potential site contamination issues a Planning Permit condition should be formulated to mandate the recommendations of the *SEMF* Report.

Noise Emissions

The proposed aquatic centre does have the potential for increased noise emissions from both site users and machinery/equipment. In terms of machinery/equipment then this will (to a significant degree) be located inside the aquatic centre building/s such that any noise emissions will be minimised by the exterior fabric of the building/s. Also, the proposed landscaping of the site (eg: trees and shrubs) will assist in limiting the off-site effects of any noise emissions from equipment at the site.

In terms of noise emissions from users of the site, this is discussed in the *Bzowy Architecture* Report and has also been raised by some of the representors. In this regard the facility would legally have to be operated such that it was in compliance with the relevant requirements of the *Environmental Management and Pollution Control Act 1994 (EMPCA)*. It would also require licensing as a Place of Assembly and be subject to annual licensing and regular inspections by Council’s Environmental Health Officer; such that any noise emission issues (if they occurred) could be monitored and addressed (as appropriate). The provision of trees as part of the landscaping of the property would also assist in dissipating any noise emissions from users of the aquatic centre, as would the exterior fabric of the building for any noise emissions from “within the aquatic centre”. The *Bzowy Architecture* Report (at Clause 6.01.04.02) details that “... involves a multi-layering of insulation products which not only eliminate acoustic leakage; these systems also help eliminate the acoustic echo or reflective nuisance of high pitched sound often associated with boisterous play areas”.

It is noted that the *Bzowy Architecture Report* discusses the “opening up of the building” at times which would potentially allow increased noise emissions from the site. However the amount of noise and how it would affect neighbouring properties would depend on many factors, including the number of people in the centre, the time of day, the prevailing weather conditions, the landscaping of the site, the position and orientation of neighbouring dwellings, etc. However, if it became apparent that there were noise issues because of the “opening up of the centre” then this

could be addressed through the Place of Assembly licensing, such that a restriction in regards to “opening the doors” could be included (if necessary) on the licence.

Also the report notes that some larger “festival type” functions may (potentially) be held in the outdoor area/s of the aquatic centre, resulting in increased noise emissions. Such larger “festival type events” would require licensing as special events under the *Place of Assembly Guidelines* and the holding of such events would be subject to satisfying the relevant legislative requirements. Also, a Place of Assembly (“Special Event”) licence would need to be issued by Council’s Environmental Health Officer (who makes such decisions against the relevant legislative requirements and not as directed by Council). It is not considered that noise emissions from potential future “festival type events” should prevent the issue of a planning permit for the proposed aquatic centre, due to this ongoing licensing/monitoring of such events.

As previously noted the premises will have to operate such that there is compliance with the *Environmental Management and Pollution Control Act 1994*, and for other commercial developments a condition has been included on their Planning Permit that clarifies this. One representor suggested that “an independent acoustic report should be made available...”, however it is not considered that such a report is necessary in relation to the proposal for the aquatic centre at Oatlands.

It is recommended that the following condition be included if a Planning permit is issued for the proposed Oatlands Aquatic Centre:

- The premises are to be operated such that noise emissions are limited to the degree necessary so as to ensure compliance with section 53 of the *Environmental Management and Pollution Control Act 1994*.

In terms of other potential emissions it noted that pool treatment chemicals will be stored on-site. However, the storage and use of such chemicals is strictly regulated and controlled, and can be adequately managed through these mechanisms, and as such no further controls (or Planning Permit condition/s) are considered necessary.

Engineering Officer Comments

The application was referred to Council’s Engineering Officer for comment and advice. Council engages an external accredited person at the Brighton Council. The Engineer was asked to review the application and consider matters such as the Access and Parking arrangements; further assess the Traffic Impact Assessment; and comment and condition on any foreseeable impacts on local services and infrastructure.

Access & Parking

Generally I concur with the TIA. There are a few points that need further consideration. Should development of the courts/open space area occur at a future date then there may be insufficient parking in the centre complex, but based on the proposal then parking should be sufficient for normal usage of the centre.

2.2.3.2 of the TIA identifies that some moving forward of the holding line is necessary at the Church Street/High Street intersection for vehicles existing Church Street. This was evident on my site visit and could be easily resolved by providing kerb outstands and pushing the holding line closer to the through lane.

The TIA identifies that there are some restrictions in Gay Street, particularly at the High Street end, where there is a continuous demand for on street parking. I believe that this is largely resolved with the suggested signage directing people to access via Church Street and possibly providing the kerb outstands at the Church Street Intersection as suggested above.

Locals will take the easiest and safest route which with the traffic management would be the Church Street intersection and those unfamiliar with the area will generally follow the signage.

A separate entry and exit from South Parade, rather than the 2 combined accesses, may help reduce traffic conflict. A parking plan to be approved by Council should be submitted prior to, or in conjunction with, the building application. The parking plan should address the accesses as well as the on site manoeuvring, drainage and construction of the car park. However the layout will be predominantly in accordance with the plans submitted with the application. The parking plan should also consider lighting of the car park and the impact of vehicle headlights on adjoining properties.

The proposal includes the removal of the pedestrian facility to make way for bus parking in High Street. The centre will undoubtedly increase pedestrian traffic in the area and careful consideration should be given to providing an alternative pedestrian crossing facility.

Stormwater

A stormwater management plan and detail design calculations will need to be submitted with the building plans. The plan will need to identify whether any upgrading of the downstream infrastructure or on site detention is required.

Heritage Tasmania Comments

The Development Application was referred to Heritage Tasmania for a comment and any advice.

Thank you for the opportunity to comment on the proposed Midlands Aquatic Centre Church St/South Parade Oatlands.

I understand that you have sought the views of Heritage Tasmania in accordance with Part 11.10.12 (a) of the Southern Midlands Planning Scheme 1998.

As no places entered on the Tasmanian Heritage Register are directly affected by this proposal, Heritage Tasmania has no statutory interest in this application. Our comments below do not constitute a representation under S.57 of the Land Use Planning and Approvals Act 1993, nor are they part of any formal assessment under the Historic Cultural Heritage Act 1995.

The proposal seems to be reasonably well considered and responds to the existing townscape. I would note that the proposed buildings have been broken up into four zones in an attempt to minimize visual bulk and impact, particularly on the High Street streetscape. The siting of the tallest building (the swimming pool structure) has also taken into account impact on High Street, by locating it towards the rear of the site.

Historic forms and proportions have been explored and some sympathetic materials are proposed however Southern Midlands Council may wish to further examine the proposed materials and ensure that they do not detract from surrounding values.

Roof massing and articulated form (including pitches) seems to have been carefully considered, as has the landscape plan, with planting including exotic species to the front of the site and natives towards the centre and rear.

Unfortunately the Heritage Impact Assessment (HIA) is not particularly informative however it is agreed that the relocation of the existing pool out of the gaol is a positive step for the management of that site. The HIA does not include any discussion on archaeology. If the intention is to approve the application it may be prudent to consider conditions regarding archaeology.

Please let me know if you require anything further. You may also wish to seek further advice from independent heritage professionals.

TasWater

The application was referred to TasWater in accordance with the *Water and Sewerage Industry (General) Regulations 2009*.

TasWater have provided a list of conditions that will be attached to any Planning Permit issued. The conditions relate to the increased demand on services and require detailed engineering drawings to be submitted and approved by TasWater prior to any works commencing on site (that will affect such services). TasWater have also imposed head-works charges on the development for the increased demand on services.

Conclusion

This has been a lengthy assessment of a complex new development.

The development invokes Clause 11.5 of the Southern Midlands Planning Scheme for the following reasons:

1. Development in the Historic Precinct Special Area
2. A Use/Development that is depicted as 'Discretionary' in the table of use/development for the Commercial and Residential Zone.
3. The development seeks a variation to the height and setback standard in the Residential Zone.

All of these matters can be assessed at Council's discretion. All are subject to scrutiny and detailed assessment against the provisions of the Planning Scheme.

The applicant has provided a detailed assessment of the proposal and included professional reports regarding Traffic, Services and Environmental and Social Impacts.

Council is to consider the representations received. Council received some well-thought comments for and against this proposal. All comments have been addressed as part of this report. Conditions are reflective of the comments and concerns raised. Certain conditions should resolve many of these concerns.

Council is to consider the external advice and officer comments and recommendations in this report.

The proposal should be approved by Council in accordance with the recommendations below.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for the Midlands Community Recreation and Aquatic Centre with the following conditions:

General

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *land Use Planning And Approvals Act 1993*.
- 3) All land titles that are the subject of this application shall be modified and/or adhered to wholly contain the development. Such development shall be subject to separate Council Approval.

Amenity

- 4) Before any work commences a schedule specifying the finish and colours of all external surfaces must be submitted to and approved by Council's Manager of Development and Environmental Services. The schedule must provide for finished colours that will minimise visual intrusion on the township when viewed from streets within the settlement and when viewed from the Midland Highway. The schedule shall form part of this permit when approved.
- 5) The developer/operator shall seek written approval from Council prior to the installation of any external CCTV or other security cameras and security lighting on the land. All external security devices shall be sympathetic to the amenity of neighbouring residents.

Environment

- 6) The premises are to be operated such that noise emissions are limited to the degree necessary so as to ensure compliance with section 53 of the *Environmental Management and Pollution Control Act 1994*.
- 7) The developer shall implement the recommendations of the *SMC Oatlands Works Depot Site History Report, 2013* to the satisfaction of the Environmental Health Officer regarding site contamination and the safe remediation of the site as prepared by *SEMF*.

Landscaping

- 8) The landscaping works must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's Development Assessment Committee within six (6) months of the first use of the development. All landscaping must continue to be maintained to the satisfaction of Council.

- 9) Any further modifications to the submitted landscape plan shall require the prior approval from Council's Development Assessment Committee.

Parking & Access

- 10) At least forty five (45) parking spaces must be provided on the land at all times in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney.
- 11) At least two (2) of the required parking space(s) must be provided for the use of people with disabilities as close as practicable to (a) suitable entrance(s) to the building. The parking space(s) must be signed and marked out to indicate that the space(s) is only for use by persons with disabilities and must be designed in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney.
- 12) The areas set-aside for parking and associated access and turning must have: -
- (a) A driveway access with a minimum 3 metres internal width and an average maximum longitudinal grade of 1 in 5 (20%) or, if the topography makes this impractical, an absolute maximum longitudinal grade of 1 in 4 (25%).
 - (b) Space on site to allow that vehicles enter and leave the parking space in a single manoeuvre and enter and leave the site in a forward direction.
 - (c) An all weather pavement constructed and surfaced to the satisfaction of the Council's Manager of Development and Environmental Services.
 - (d) Line-marking or some other means to show the parking spaces to the satisfaction of Council.
 - (e) Drainage discharging to the stormwater system in accordance with the requirements of a plumbing permit issued by the plumbing Permit Authority.
- 13) The driveway must, unless separate entry and exits with a minimum width of 3.6 metres are provided, be a minimum of 5.5 metres wide for a distance of 7.50 metres from the carriageway of the road to allow vehicles to pass each other, or otherwise as required by 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.
- 14) The vehicle access from the carriageway of the road onto the subject land must be located and constructed using an uncoloured reinforced concrete pavement in accordance with the construction and sight distance standards shown on standard drawings SD 1003 and SD 1012 prepared by the IPWE Aust. (Tasmania Division) (**attached**) and to the satisfaction of Council's Manager of Development and Environmental Services.
- 15) A parking plan prepared and certified by a qualified civil engineer or other person approved by Council's Manager of Development and Environmental Services must be submitted to Council prior to or in conjunction with lodgement of a Building Application. The parking plan is to include:
- pavement details,
 - design surface levels and drainage,
 - turning paths,
 - dimensions
- and shall form part of the permit when approved.

- 16) All parking and associated turning, loading and unloading areas and access must be constructed in accordance with the approved parking plan.
- 17) The completed parking and associated turning, loading and unloading 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.
- 18) All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Manager of Development and Environmental Services.
- 19) Car park lighting must be designed to ensure light pollution is minimised to the satisfaction of Council's Manager of Development and Environmental Services.
- 20) The developer is to install signage, to the satisfaction of Council's Manager of Development and Environmental Services, directing traffic to access the car park via Church Street.

Traffic Impact Assessment

- 21) All works required by the Traffic Impact Assessment (TIA) as prepared by Peter Freeman Traffic Solutions, 2013 in respect of access to the land must be completed to the satisfaction of Council's Municipal Engineer before the use commences.

Services

- 22) 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.
- 23) The approved structure(s) must be sited clear of any easement and located at least 1.00 metre measured horizontally from any Council service mains.

Stormwater

- 24) The developer is to provide a stormwater management report, including detailed stormwater calculations, prior to, or in conjunction with, with the building plans for approval by Council's Manager of Development and Environmental Services. Any

upgrading of downstream infrastructure identified in the report is to be undertaken at the developers cost.

- 25) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Council's Development and Environmental Services and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2000*.
- 26) The developer is to provide treatment to all stormwater from the site, including the reduction of gross pollutants and hydrocarbons using best practice environmental management, to the satisfaction of Council's General Manager.

TasWater

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

Protection of Water Quality

- 28) 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.
- 29) 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.

Construction Amenity

- 30) 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.
- 31) All works associated with the development, including the demolition works, shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b. The transportation of materials, goods and commodities to and from the land.
 - c. Obstruction of any public footway or highway.
 - d. Appearance of any building, works or materials.

- e. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 32) The developer shall submit a cartage route for the transportation of heavy materials to the satisfaction of the Manager of Works and Technical Services. The cartage route shall ensure minimal impact on the neighbouring amenity.
- 33) It is the responsibility of the developer to contact the Manager of Works and Technical Services at least 48 hours prior to the commencement of any works on site.
- 34) 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.
- 35) 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.

Hours of Operation

- 36) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 9:00 p.m.
Saturday	6:30 a.m. to 8:00 p.m.
Sunday and State-wide public holidays	6:30 a.m. to 8:00 p.m.

The following advice applies to this permit:

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This permit is in addition to a building permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the Building Act 2000.
- C. The developer shall contact the Manager of Heritage Projects should any archaeological remains be found on site during construction.
- D. The Council shall consider a new pedestrian crossing in the High St upon the removal of the existing crossing.
- E. Directional signage for bus parking shall be considered to avoid congestion of the High St.

- F. Further development of the site (i.e. public open space or other recreational facilities) shall be subject to further approval by Council and in consultation with the Community.
- G. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Municipal Engineer and show the following -
- Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - Estimated dates of the start and completion of the works;
 - Timing of the site rehabilitation or landscape program;
 - Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
 - Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
 - Temporary erosion and sedimentation controls to be used on the site; and
 - Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: *AS/NZS 1547: On-site wastewater management*, Standards Australia, Sydney, 2000.
- H. Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and
 - Rehabilitation of all disturbed areas as soon as possible.
- I. Any containers located on site for construction purposes are to be removed at the completion of the project unless the necessary planning and building permit have been obtained by the developer/owner. Materials or goods stored in the open on the site shall be screened from view from people on adjoining properties, roads and reserves.
- J. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.

- K. If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

C/13/09/079/19462 DECISION

Moved by Clr A O Green, seconded by Clr D F Fish

THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for the Midlands Community Recreation and Aquatic Centre with the following conditions:

General

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *land Use Planning And Approvals Act 1993*.
- 3) All land titles that are the subject of this application shall be modified and/or adhered to wholly contain the development. Such development shall be subject to separate Council Approval.

Amenity

- 4) Before any work commences a schedule specifying the finish and colours of all external surfaces must be submitted to and approved by Council's Manager of Development and Environmental Services. The schedule must provide for finished colours that will minimise visual intrusion on the township when viewed from streets within the settlement and when viewed from the Midland Highway. The schedule shall form part of this permit when approved.
- 5) The developer/operator shall seek written approval from Council prior to the installation of any external CCTV or other security cameras and security lighting on the land. All external security devices shall be sympathetic to the amenity of neighbouring residents.

Environment

- 6) The premises are to be operated such that noise emissions are limited to the degree necessary so as to ensure compliance with section 53 of the *Environmental Management and Pollution Control Act 1994*.
- 7) The developer shall implement the recommendations of the *SMC Oatlands Works Depot Site History Report, 2013* to the satisfaction of the Environmental Health Officer regarding site contamination and the safe remediation of the site as prepared by *SEMF*.

Landscaping

- 8) The landscaping works must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's Development Assessment Committee within six (6) months of the first use of the development. All landscaping must continue to be maintained to the satisfaction of Council.
- 9) Any further modifications to the submitted landscape plan shall require the prior approval from Council's Development Assessment Committee.

Parking & Access

- 10) At least forty five (45) parking spaces must be provided on the land at all times in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney.
- 11) At least two (2) of the required parking space(s) must be provided for the use of people with disabilities as close as practicable to (a) suitable entrance(s) to the building. The parking space(s) must be signed and marked out to indicate that the space(s) is only for use by persons with disabilities and must be designed in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney.
- 12) The areas set-aside for parking and associated access and turning must have: -
 - (a) A driveway access with a minimum 3 metres internal width and an average maximum longitudinal grade of 1 in 5 (20%) or, if the topography makes this impractical, an absolute maximum longitudinal grade of 1 in 4 (25%).
 - (b) Space on site to allow that vehicles enter and leave the parking space in a single manoeuvre and enter and leave the site in a forward direction.
 - (c) An all weather pavement constructed and surfaced to the satisfaction of the Council's Manager of Development and Environmental Services.
 - (d) Line-marking or some other means to show the parking spaces to the satisfaction of Council.
 - (e) Drainage discharging to the stormwater system in accordance with the requirements of a plumbing permit issued by the plumbing Permit Authority.
- 13) The driveway must, unless separate entry and exits with a minimum width of 3.6 metres are provided, be a minimum of 5.5 metres wide for a distance of 7.50 metres from the carriageway of the road to allow vehicles to pass each other, or otherwise as required by 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.
- 14) The vehicle access from the carriageway of the road onto the subject land must be located and constructed using an uncoloured reinforced concrete pavement in accordance with the construction and sight distance standards shown on standard drawings SD 1003 and SD 1012 prepared by the IPWE Aust. (Tasmania Division) (**attached**) and to the satisfaction of Council's Manager of Development and Environmental Services.
- 15) A parking plan prepared and certified by a qualified civil engineer or other person approved by Council's Manager of Development and Environmental Services must be submitted to Council prior to or in conjunction with lodgement of a Building Application. The parking plan is to include:
 - pavement details,
 - design surface levels and drainage,

- turning paths,
- dimensions

and shall form part of the permit when approved.

- 16) All parking and associated turning, loading and unloading areas and access must be constructed in accordance with the approved parking plan.
- 17) The completed parking and associated turning, loading and unloading 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.
- 18) All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Manager of Development and Environmental Services.
- 19) Car park lighting must be designed to ensure light pollution is minimised to the satisfaction of Council's Manager of Development and Environmental Services.
- 20) The developer is to install signage, to the satisfaction of Council's Manager of Development and Environmental Services, directing traffic to access the car park via Church Street.

Traffic Impact Assessment

- 21) All works required by the Traffic Impact Assessment (TIA) as prepared by Peter Freeman Traffic Solutions, 2013 in respect of access to the land must be completed to the satisfaction of Council's Municipal Engineer before the use commences.

Services

- 22) 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.
- 23) The approved structure(s) must be sited clear of any easement and located at least 1.00 metre measured horizontally from any Council service mains.

Stormwater

- 24) The developer is to provide a stormwater management report, including detailed stormwater calculations, prior to, or in conjunction with, with the building plans for approval by Council's Manager of Development and Environmental Services. Any

upgrading of downstream infrastructure identified in the report is to be undertaken at the developers cost.

- 25) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Council's Development and Environmental Services and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2000*.
- 26) The developer is to provide treatment to all stormwater from the site, including the reduction of gross pollutants and hydrocarbons using best practice environmental management, to the satisfaction of Council's General Manager.

TasWater

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

Protection of Water Quality

- 28) 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.
- 29) 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.

Construction Amenity

- 30) 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.
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Saturday	8:00 a.m. to 6:00 p.m.
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Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.
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- 31) All works associated with the development, including the demolition works, shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

- a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- b. The transportation of materials, goods and commodities to and from the land.
- c. Obstruction of any public footway or highway.
- d. Appearance of any building, works or materials.

e. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.

- 32) The developer shall submit a cartage route for the transportation of heavy materials to the satisfaction of the Manager of Works and Technical Services. The cartage route shall ensure minimal impact on the neighbouring amenity.
- 33) It is the responsibility of the developer to contact the Manager of Works and Technical Services at least 48 hours prior to the commencement of any works on site.
- 34) 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.
- 35) 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.

Hours of Operation

36) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 9:00 p.m.
Saturday	6:30 a.m. to 8:00 p.m.
Sunday and State-wide public holidays	6:30 a.m. to 8:00 p.m.

The following advice applies to this permit:

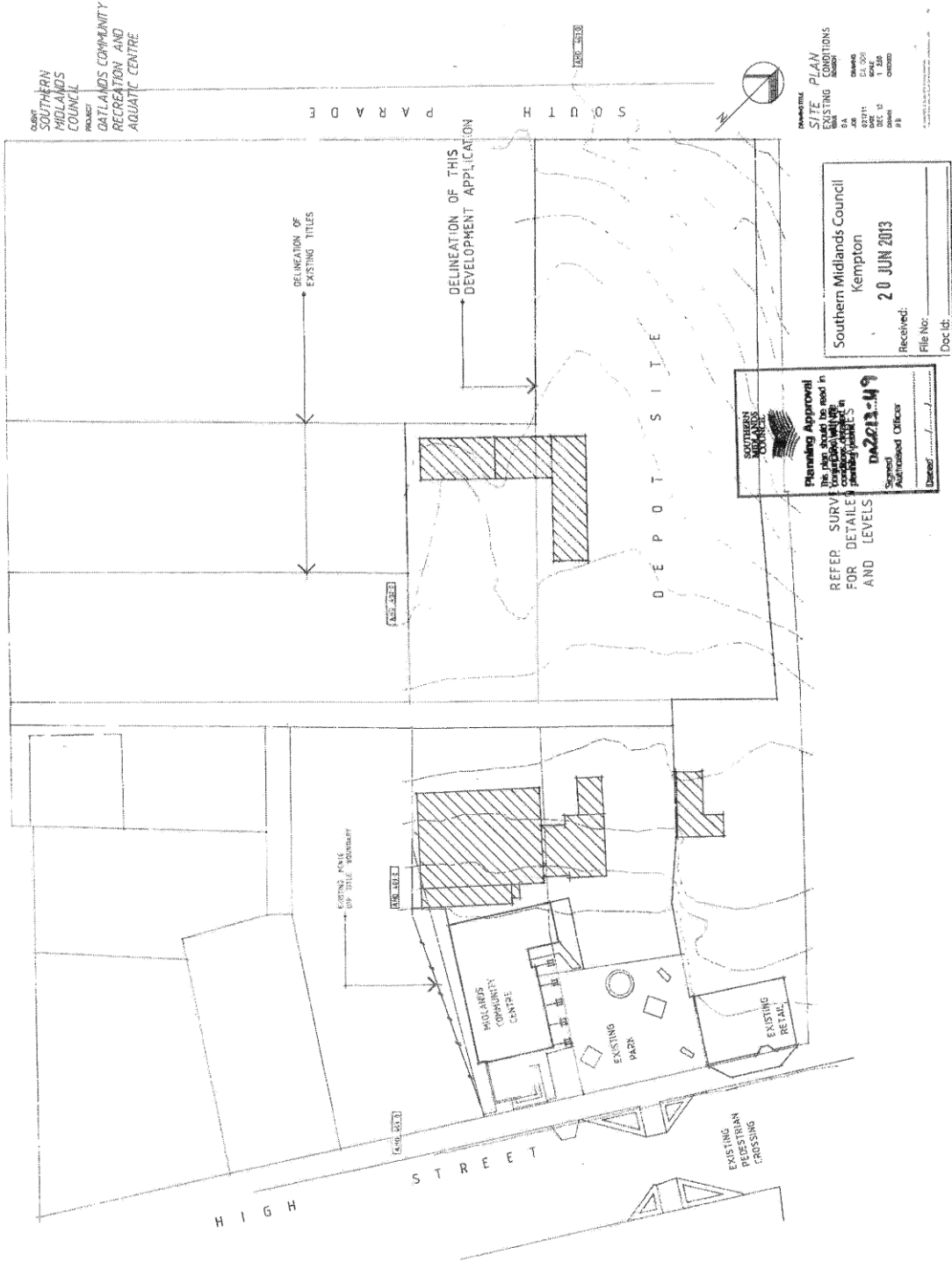
- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This permit is in addition to a building permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the Building Act 2000.
- C. The developer shall contact the Manager of Heritage Projects should any archaeological remains be found on site during construction.
- D. The Council shall consider a new pedestrian crossing in the High St upon the removal of the existing crossing.
- E. Directional signage for bus parking shall be considered to avoid congestion of the High St.

- F. Further development of the site (i.e. public open space or other recreational facilities) shall be subject to further approval by Council and in consultation with the Community.
- G. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Municipal Engineer and show the following -
- Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - Estimated dates of the start and completion of the works;
 - Timing of the site rehabilitation or landscape program;
 - Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
 - Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
 - Temporary erosion and sedimentation controls to be used on the site; and
 - Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: *AS/NZS 1547: On-site wastewater management*, Standards Australia, Sydney, 2000.
- H. Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and
 - Rehabilitation of all disturbed areas as soon as possible.
- I. Any containers located on site for construction purposes are to be removed at the completion of the project unless the necessary planning and building permit have been obtained by the developer/owner. Materials or goods stored in the open on the site shall be screened from view from people on adjoining properties, roads and reserves.
- J. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.

K. If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	



SOUTHERN
MIDLANDS
COUNCIL
PLANNING
MIDLANDS COMMUNITY
RECREATION AND
AQUATIC CENTRE

SITE PLAN
EXISTING
CONDITIONS

Southern Midlands Council
Kempton
20 JUN 2013
Received:
File No:
Doc Id:

Planning Approval
The plans should be read in
conjunction with the
conditions of approval in
the planning permission.
20/2013-49
Signed:
Authorised Officer

REFER SURVY
FOR DETAILS
AND LEVELS

11870 TAPPALE HOLLOWAY (PO BOX 882) BUNBERRY, ILLINOIS, ILLINOIS 61810
BZOWY ARCHITECTURE
P: 618 237 8899 M: 618 529 0266 F: 618 237 8899 E: dz@bzowyarch.com.au

SOUTHERN MIDLANDS COUNCIL
PROJECT: GATLANDS COMMUNITY RECREATION AND AQUATIC CENTRE

P A R A D E S O U T H



DATE: 06/06/13
JOB NO: 13001
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CHECKED BY: [Name]

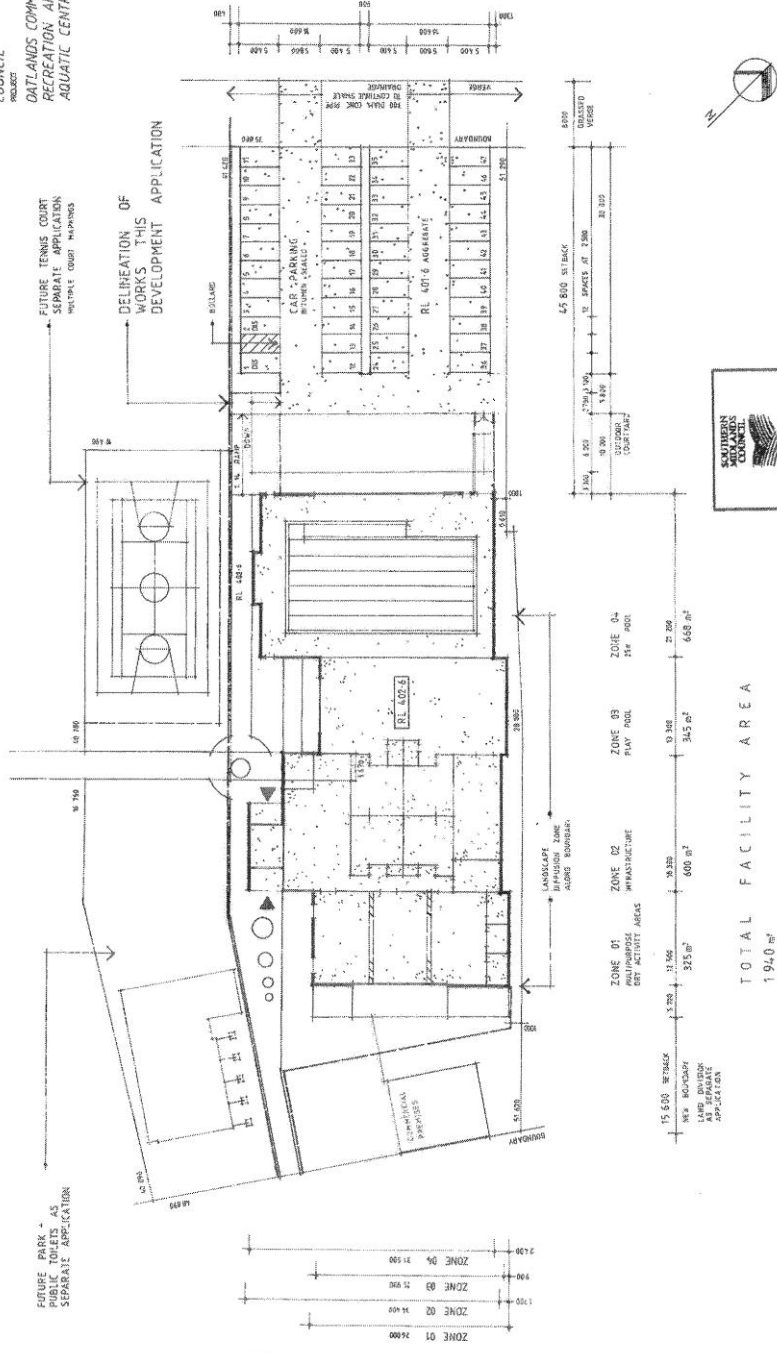


Southern Midlands Council
Kempton
20 JUN 2013
Received: [Name]
File No: [Number]
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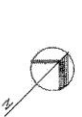
Southern Midlands Council
Planning Approval
This plan should be read in accordance with the conditions outlined in the planning permit.
Signed: DA [Name]
Authorised Officer
Dated: [Date]

BOWY ARCHITECTURE
1880 TSMAR HIGHWAY (PO BOX 252) SWANSEA, TASMANIA 7190
T: +61 8 9371 8889 F: +61 8 9371 8899 E: design@bowyarc.com.au

SOUTHERN MIDLANDS COUNCIL
 OATLANDS COMMUNITY RECREATION AND AQUATIC CENTRE



BZOWY ARCHITECTURE
 11500 TANKHAY HIGHWAY (PO BOX 802) SWANSEA, TOWNSHIP 7700 T 4261 8262 B890 F 463 087 8994 E design@bzowyarc.com.au

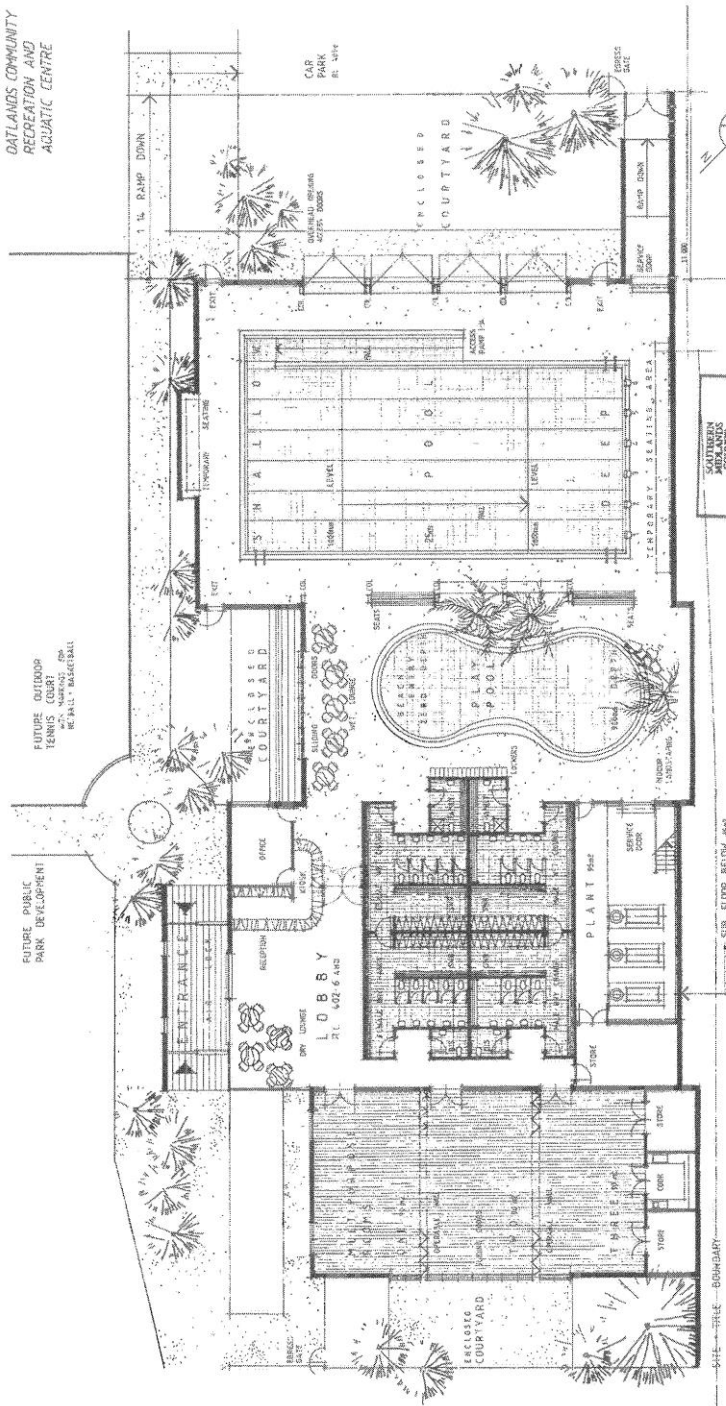


CONTRACT NO.
SITE PLAN
CIVIL WORKS
DATE:
SCALE:
DATE:
DATE:
DATE:
DATE:
DATE:

Southern Midlands Council
 Kempton
 Received:
 20 JUN 2013
 File No:
 DocId:

SOUTHERN MIDLANDS COUNCIL
Planning Approval
 This plan should be read in conjunction with the conditions detailed in planning permit.
DAVID B. ...
 Signed Authorised Officer
 Dated: ...

CLIENT
SOUTHERN
MIDLANDS
COUNCIL
PROJECT
DATLANDS COMMUNITY
RECREATION AND
AQUATIC CENTRE



BZOWY ARCHITECTURE
1009 TRAFALGAR SQUARE (PO BOX 102) BANBURY, OXFORDSHIRE, OX1 2JH
01235 532000 F 01235 532001 E info@bzowyarch.com

SOUTHERN MIDLANDS COUNCIL
 Planning Approval
 This plan should be used in conjunction with the approved planning permission.
 Date: 20 JUN 2013
 Signed: [Signature]
 Authorised Officer
 Dated: [Date]

SOUTHERN MIDLANDS COUNCIL
 Received:
 File No:
 Doc Id:

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65 301 05611

CLIENT
SOUTHERN
MIDLANDS
COUNCIL

PROJECT
DARTLANDS COMMUNITY
RECREATION AND
AQUATIC CENTRE

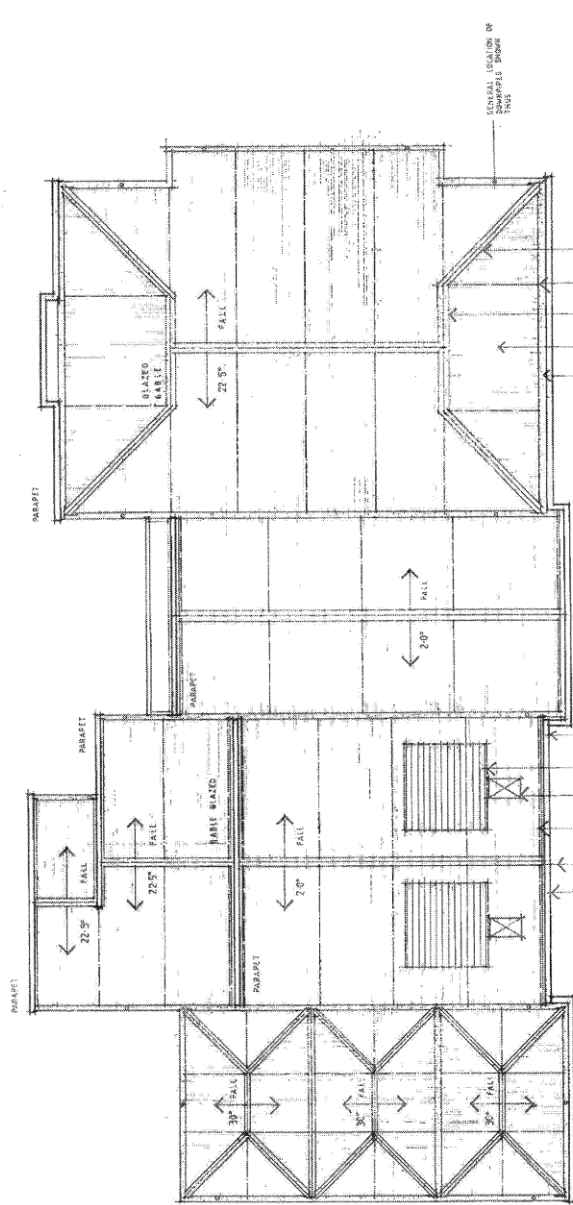
Z O N E 04
25m POOL

Z O N E 03
PLAY POOL

Z O N E 02
INFRASTRUCTURE

Z O N E 01
MULTI-PURPOSE
DRY ACTIVITY AREAS

BZOWY ARCHITECTURE
11807 TRAMWAY HIGHWAY (PO BOX 802) SHEFFIA, THURMA 790 / +44 (0)1274 8099 / +44 (0)1274 8099 / design@bzowy.com.au



PLANNING APPROVAL
This plan should be read in conjunction with the conditions of approval and the planning panel.

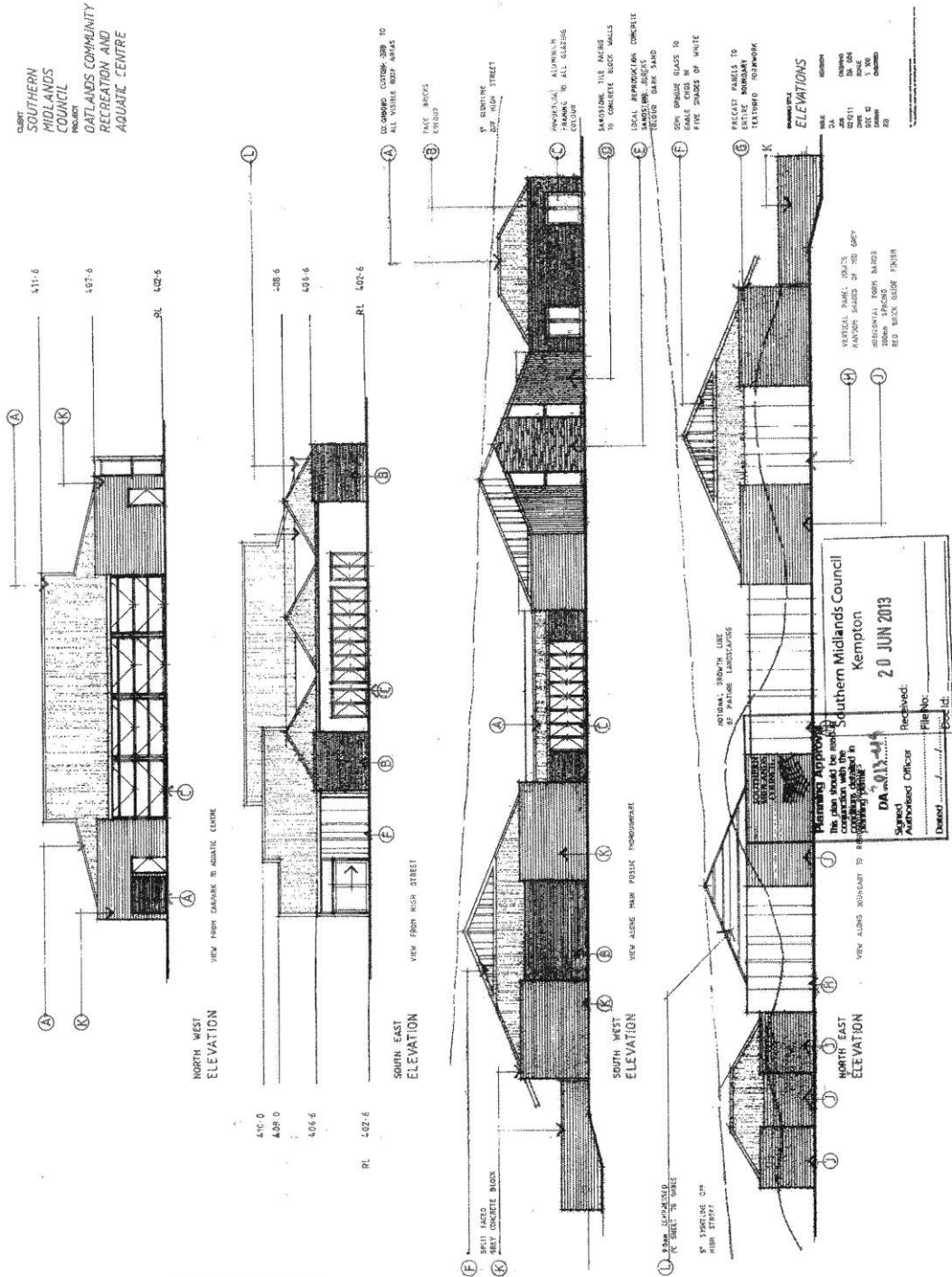
SOUTHERN MIDLANDS COUNCIL
DA 2013-019
Surrey
Authorised Officer

Southern Midlands Council
Kempston
20 JUN 2013

Received: _____
File No: _____
Doc Id: _____

DATE: 20 JUN 2013
TIME: 11:00
BY: [Signature]
FOR: [Signature]

SOUTHERN
MIDLANDS
COUNCIL
KEMPTON
GATLANDS COMMUNITY
RECREATION AND
AQUATIC CENTRE



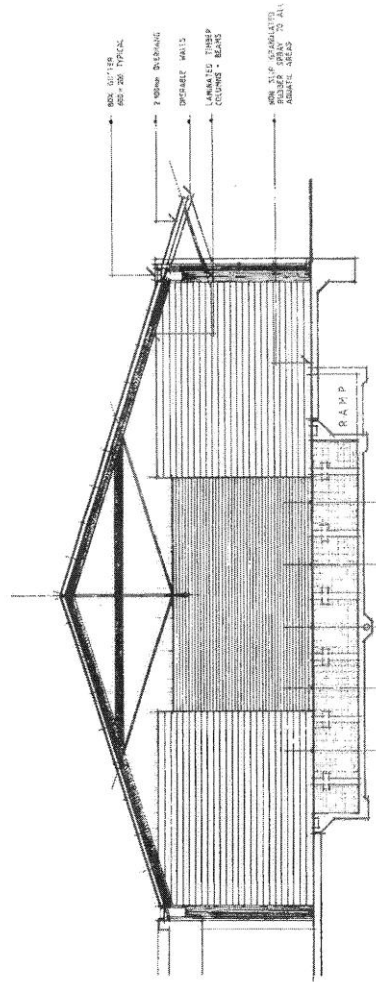
BZOWY ARCHITECTURE
1880 TAYLOR HIGHWAY (PO BOX 880) BRUNNEN, TASMANIA 7160
1 - 8132 6277 (2009) N 8420 8466 F 7422 6277 E design@bzowy.com.au

Planning Approval
The plans should be made available in accordance with the provisions of the Planning Act 1997.
DA 2013-011-011
Signed: [Signature]
Authorised Officer

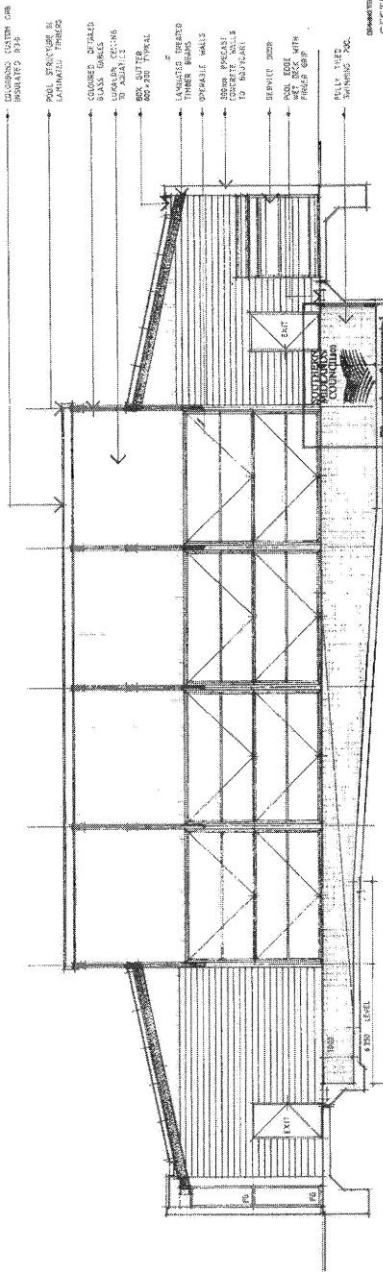
Southern Midlands Council
Kempton
20 JUN 2013

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Booklet: [Blank]

SOUTHERN
MIDLANDS
COUNCIL
PLACES
DAILANDS COMMUNITY
RECREATION AND
AQUATIC CENTRE



25m POOL TRANSVERSE SECTION



25m POOL LONGITUDINAL SECTION

SECTIONS

NO.	DATE	BY	CHKD BY
1	10.11.11	DA	DA
2	18.12.11	DA	DA
3	18.12.11	DA	DA

Planning approval
has been granted subject to the conditions detailed in the planning permit
DA/2013/0017
Signed
Authorised Officer
Dated 20 JUN 2013

Southern Midlands Council
Kempton
20 JUN 2013
Received:
File No:
Doc ID:

BOWY ARCHITECTURE
1895 TAMAN INDIKAT (P) SDN BHD 10, GAMBANG, TAMAN TRUSMI 7901 SUNGAI TEBUAT, TAMAN TRUSMI 7901 SUNGAI TEBUAT, TAMAN TRUSMI 7901 SUNGAI TEBUAT, TAMAN TRUSMI 7901 SUNGAI TEBUAT



