

# Planning Report Kingston Town

## 1 Lot subdivision, warehouses and showrooms



**9 September 2024**

<b>Version Control</b>			
<b>Version</b>	<b>Author</b>	<b>Date</b>	<b>Changes</b>
1	Frazer Read	24/6/2024	
2	Frazer Read	9/9/2024	Remove references to general retail use and updated assessment 21.4.3 and 21.4.4

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# 1. Introduction

All Urban Planning Pty Ltd has been engaged by Revelstoke Building Solutions to prepare the following Planning Report for a mixed showroom/warehouse development at Kingston Town Shopping Centre under the provisions of the *Kingborough Interim Planning Scheme 2015* (planning scheme). The proposal includes a 1 lot subdivision to subdivide the proposed warehouse and showroom site from the balance of the Kingston Town title.

## 1.1 Site & Surrounds

The proposal relates to part of the Kingston Town Shopping Centre as shown in Figure 1 below. The site has a total area of 5.358 ha and is strata titled under CT 126707/0. The proposed development and subdivision boundaries are shown in Figures 2 and 3 respectively.



Figure 1– Site Plan (source annotated from theList)

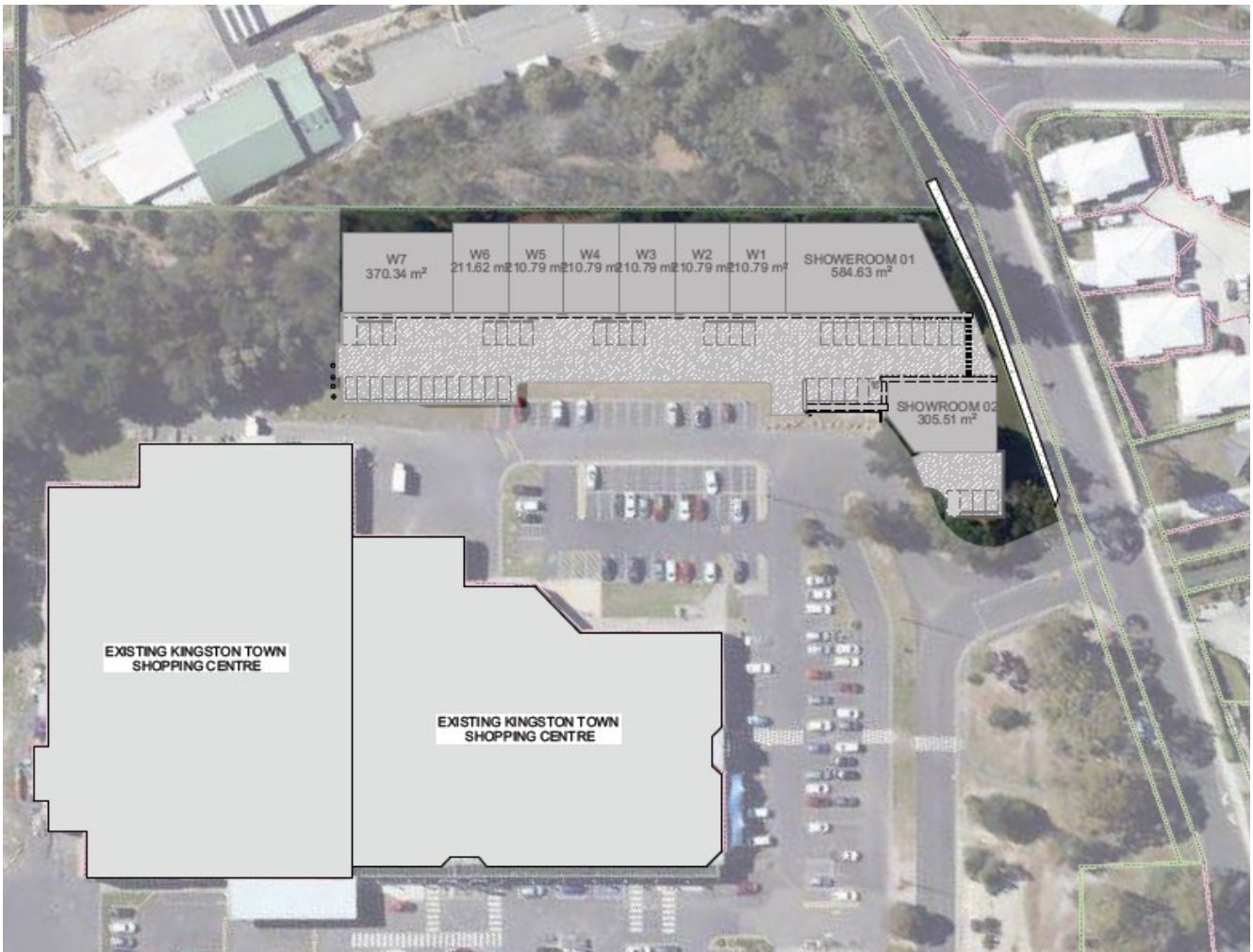


Figure 2 – proposed site plan (Source: MK)

### 1.2 Title Information

The proposal relates to the following land as shown on Figures 1 and 3.

Address	Title	Area	Owner
Kingston Town Shopping Centre	126707/0	1.358ha	Strata corp number 126707 (Zacharia Investments Pty Ltd)

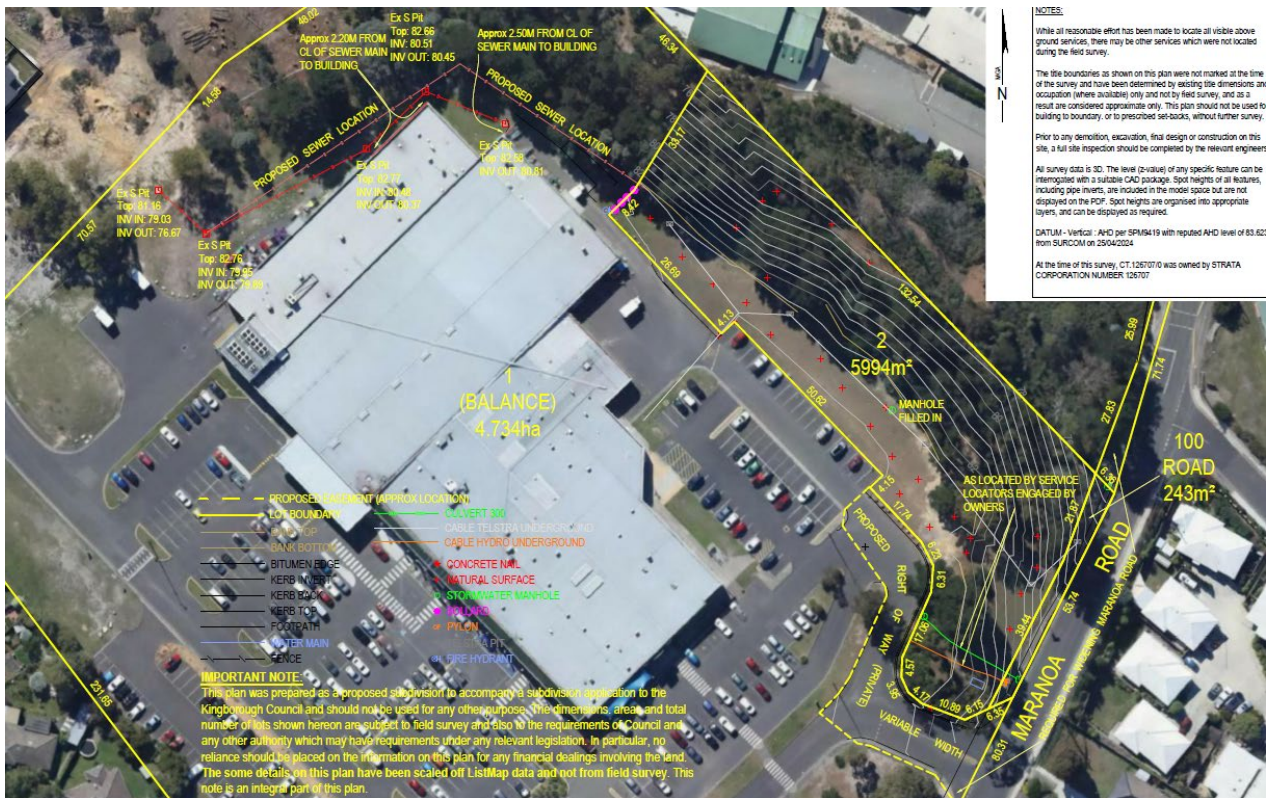


Figure 3— The Site (Source: annotated from theList)

## 2. Proposal

The proposal is for a mixed warehouse (1636m<sup>2</sup>) and showroom (932m<sup>2</sup>) development including:

- Warehouses 1-6 210m<sup>2</sup> each
- Warehouse 7 370m<sup>2</sup>
- Showroom 01 - 584m<sup>2</sup>
- Showroom 02 – 305m<sup>2</sup>
- 47 new car parking spaces including 2 accessible spaces

The proposed showroom storage buildings are to be arranged with extensive glazing facing Maranoa Road and the publicly accessible car park areas.

The warehouse buildings are to be constructed with mezzanine office spaces, glazed shop frontages suitable for an integrated office/retail space, and adjacent roller door to access the storage component of each tenancy (T1-7).

The proposal includes a 1 lot plus balance subdivision. Lot 2 of 5994m<sup>2</sup> is to be created over the footprint of the proposed warehouse, showrooms and associated car parking. The lot will have access via a variable width right of way from Maranoa Road.

The following reports accompany the application:

- traffic impact assessment
- natural values assessment
- civil engineering design
- water and sewerage demand assessment
- stormwater assessment
- acoustic assessment

### ***Hours of operation***

The proposed uses will operate within the hours of 7am and 7pm.

### ***Deliveries***

Deliveries will occur between the hours of 6am and 10pm Monday to Saturday.

### ***Noise***

Appropriate acoustic screening will be provided around the proposed mechanical plant equipment.

### ***Signage***

The proposal includes:

- 7 x 1.2m (H) x 3.5m (w) wall signs affixed on the Southern elevation of the buildings above the roller door entries of the warehouse tenancies.
- 1 x 2.4m (H) x 4.2m (W) above awning sign on the SE Elevation of Showroom 1
- 1 x 2.4m (H) x 4.2m (W) wall sign on the southern elevation of Showroom 1
- 2 x 2.4m (H) x 4.2m (W) above awning signs on the southern and northern elevations of Showroom 2
- 2 x 2.4m(H) x 3m (W) wall signs on the eastern and western elevations of Showroom 2.

## **3. The Planning Scheme**

### **3.1 Zoning and Overlays**

The site is zoned General Business and is covered in part by a Biodiversity Protection Area. There is also an area of Low Landslide hazard in the northern corner of the proposed balance lot.

### **3.2 Use Table**

The proposal involves storage and bulky goods retail uses. *Storage* is a discretionary use in the zone. Use of the showrooms for large format retailing would fall within the definition of Bulky Goods Sales which is also discretionary in the zone.

These use classes are defined below.

*Bulky Goods Sales – means use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscape suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.*

*Storage - use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard*

In accordance with Clause 8.10.2, in determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement for the applicable zone;
- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan,

but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

### **Zone Purpose**

The Purpose of the General Business Zone under Clause 21.1 is:

- 21.1.1.1 *To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.*
- 21.1.1.2 *To ensure the major centres provide for a range of convenience and goods and services as well as some community services and facilities for the municipal area and surrounds.*
- 21.1.1.3 *To provide a focus for employment at the municipal level primarily in retailing, but complemented by a range of office based employment mainly in professional and personal services.*
- 21.1.1.4 *To facilitate residential use above ground floor level.*
- 21.1.1.5 *To ensure development is highly accessible by public transport, walking and cycling.*
- 21.1.1.6 *To ensure the rural service centres provide for the daily and weekly needs of the community.*
- 21.1.1.7 *To provide for a mix of retail and office based employment servicing the local area including a supermarket and a range of specialty shops.*
- 21.1.1.8 *To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.*

The proposed storage, showrooms and associated office/retail shopfronts are considered compatible with the Zone Purpose.



**Local Area Objectives & Desired Future Character Statements**

Local Area Objectives	Implementation Strategy
<b>KINGSTON</b>	
(a) A number of general business areas that are outside of the main central Kingston area will provide a range of retail and other commercial functions.	(a) These areas should be developed so that they provide for enjoyable shopping experiences with a focus on convenience and easy access for private vehicles.

The proposal will provide for general business and commercial functions consistent with these objectives in a location that is conveniently co-located with the Kingston Town Shopping Centre.

Desired Future Character Statements	Implementation Strategy
<b>KINGSTON</b>	
(a) Future development is to be consistent with a convenient shopping experience and should not adversely impact on surrounding or neighbouring uses.	(a) Development should accommodate a high quality of landscaping and design, be set back from external boundaries and be easily accessible.

The proposed tenancies have been designed to avoid and mitigate impacts to residential uses within the neighbouring areas of General Residential and Inner Residential zoning on the opposite side of Maranoa Road and to the south west respectively.

The proposal is assessed to satisfy the relevant codes below and there are no applicable Specific Area Plan provisions.

Having regard to all of the above the proposed uses are considered acceptable.

**3.3 Use Standards**

**Hours of Operation (21.3.1)**

**Objective:**

*To ensure that hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.*

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Hours of operation of a use within 50 m of a residential zone must be within:</i></p> <p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p> <p>(b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.</p>	<p><b>P1</b></p> <p><i>Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</i></p>
<b>Assessment:</b>	

The uses will operate between the hours of 7am and 7pm daily and will therefore conform with the permitted hours of operation under A1.

**Noise (21.3.2)**

*Objective:*

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

Acceptable Solution	Performance Criteria
<p>A1</p> <p>Noise emissions measured at the boundary of a residential zone must not exceed the following:</p> <p>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;</p> <p>(c) 65dB(A) (LAm<sub>ax</sub>) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, second edition, July 2008, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>	<p>P1</p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>

**Assessment:**

The proposal is accompanied by a noise assessment from NVC that confirms that the proposal is predicted to operate significantly below the daytime criteria of 55dBA, will operate between the hours of 7am and 7pm and therefore will be no commercial vehicle access to the site outside of 6am to 10pm. The noise assessment confirms that the proposal complies with A1.

**External Lighting (21.3.3)**

*Objective:*

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

Acceptable Solution	Performance Criteria
A1	P1

<p><i>External lighting within 50 m of a residential zone must comply with all of the following:</i></p> <p>(a) <i>be turned off between 11:00 pm and 6:00 am, except for security lighting;</i></p> <p>(b) <i>security lighting must be baffled to ensure they do not cause emission of light outside the zone.</i></p>	<p><i>External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</i></p> <p>(a) <i>level of illumination and duration of lighting;</i></p> <p>(b) <i>distance to habitable rooms in an adjacent dwellings.</i></p>
<p><b>Assessment:</b></p> <p>Lighting will be turned off between 11pm and 6am except for security lighting that will be baffled to ensure that it does not cause emission of light outside the zone. The proposal complies with A1.</p>	

**Commercial Vehicle Movements (21.3.4)**

*Objective:*

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

<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1</p> <p><i>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</i></p> <p>(a) <i>6.00 am to 10.00 pm Mondays to Saturdays inclusive;</i></p> <p>(b) <i>7.00 am to 9.00 pm Sundays and public holidays.</i></p>	<p>P1</p> <p><i>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</i></p> <p>(a) <i>the time and duration of commercial vehicle movements;</i></p> <p>(b) <i>the number and frequency of commercial vehicle movements;</i></p> <p>(c) <i>the size of commercial vehicles involved;</i></p> <p>(d) <i>the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</i></p> <p>(e) <i>noise reducing structures between vehicle movement areas and dwellings;</i></p> <p>(f) <i>the level of traffic on the road;</i></p> <p>(g) <i>the potential for conflicts with other traffic.</i></p>
<p><b>Assessment:</b></p> <p>Delivery and waste collection activities will only occur between 6am and 10pm Monday to Saturdays and comply with A1.</p>	

3.4 Development Standards for Buildings and Works

**21.4.1 Building Height**

*Objective:*

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

Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p><i>Building height must be no more than: 12 m.</i></p>	<p><b>P1</b></p> <p><i>Building height must satisfy all of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) be consistent with any Desired Future Character Statements provided for the area;</i></li> <li><i>(b) be compatible with the scale of nearby buildings;</i></li> <li><i>(c) not unreasonably overshadow adjacent public space;</i></li> <li><i>(d) allow for a transition in height between adjoining buildings, where appropriate;</i></li> <li><i>(e) be no more than 18 m.</i></li> </ul>
<p><b>Assessment:</b></p> <p>The proposed buildings will rise to a maximum height of 12m above NGL at the western end of the NE elevation. The proposal complies with A1.</p>	
<p><b>A2</b></p> <p><i>Building height within 10 m of a residential zone must be no more than 8.5 m.</i></p>	<p><b>P2</b></p> <p><i>Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.</i></p>
<p><b>Assessment:</b></p> <p>The proposed buildings do not adjoin a residential zone. This Standard does not apply.</p>	

**21.4.2 Setbacks**

*Objective:*

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

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p>	<p><b>P1</b></p>

<p><i>Building setback from frontage must be parallel to the frontage and must be no more than:</i></p> <p style="padding-left: 40px;"><i>5 m, if fronting Channel Highway.</i></p> <p style="padding-left: 40px;"><i>3 m, if fronting any other street.</i></p>	<p><i>Building setback from frontage must satisfy all of the following:</i></p> <p><i>(a) be consistent with any Desired Future Character Statements provided for the area;</i></p> <p><i>(b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;</i></p> <p><i>(c) enhance the characteristics of the site, adjoining lots and the streetscape;</i></p> <p><i>(d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created;</i></p> <p><i>(e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.</i></p>
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**Assessment:**

The proposal is to be setback 3m from the Maranoa Road frontage of the site. Showroom 1 is sited parallel with the frontage and complies with A1. However, Showroom 2 is setback 5m. The proposal is therefore assessed under P1.

In this case the proposed setback is considered acceptable in that:

- a) It is consistent with the Desired Future Character for Kingston. The proposal provides for a front landscaped setback to integrate with the landscaped, predominantly residential streetscape on Maranoa Road
- b) The modest setback is compatible with the setback of adjoining residential properties in the streetscape to the east and south and will transition to the woodland setting and more generous setbacks of the institutional buildings of Calvin Christian School to the north
- c) The proposal for buildings close to the street frontage moves the site to greater conformity with the preference for street aligning buildings under the General Business zoning
- d) The proposed building siting acknowledges the main vehicle access location into the site and involves straight building lines that will avoid creation of entrapment spaces
- e) The proposed modest variation to the permitted building alignment acknowledges the main vehicle access into the site, will provide for a landscaped setback compatible with the established streetscape and will provide good opportunities for passive surveillance from the large glazed areas in the eastern elevation and carparking areas of the development without creating any entrapment spaces.

<p><b>A2</b></p> <p><i>Building setback from a residential zone must be no less than:</i></p> <p>(a) 5 m;</p> <p>(b) half the height of the wall, whichever is the greater.</p>	<p><b>P2</b></p> <p><i>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</i></p> <p>(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;</p> <p>(b) overlooking and loss of privacy;</p> <p>(c) visual impact when viewed from adjoining lots, taking into account aspect and slope.</p>
<p><b>Assessment:</b></p> <p>The proposed warehouses do not adjoin a residential zone and there is no applicable setback requirement to the adjacent Community Purposes Zone/ Calvin Christian Primary School site.</p>	

**21.4.3 Design**

**Objective:**

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

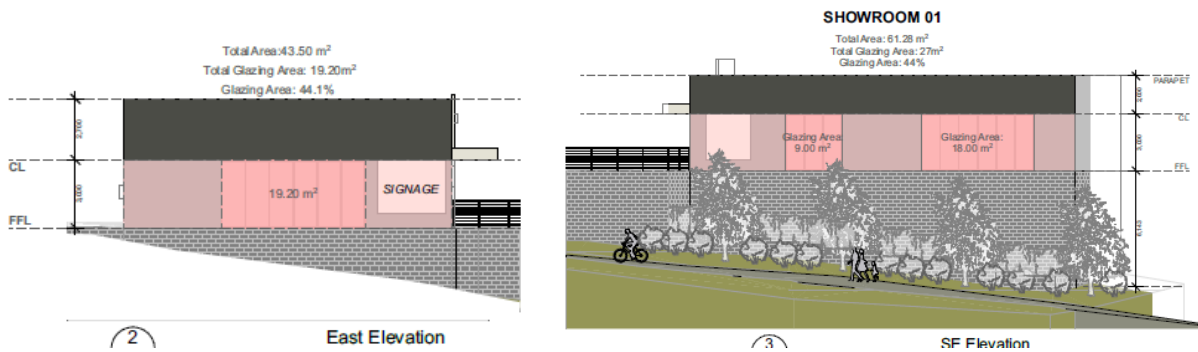
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><i>Building design must comply with all of the following:</i></p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> <p>(b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade;</p> <p>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade;</p>	<p><b>P1</b></p> <p><i>Building design must enhance the streetscape by satisfying all of the following:</i></p> <p>(a) provide the main access to the building in a way that addresses the street or other public space boundary;</p> <p>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</p> <p>(c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</p> <p>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air</p>

<p>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</p> <p>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</p> <p>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</p> <p>(g) not include security shutters over windows or doors with a frontage to a street or public place.</p>	<p>conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</p> <p>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</p> <p>(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</p> <p>(g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</p> <p>(h) be consistent with any Desired Future Character Statements provided for the area.</p>
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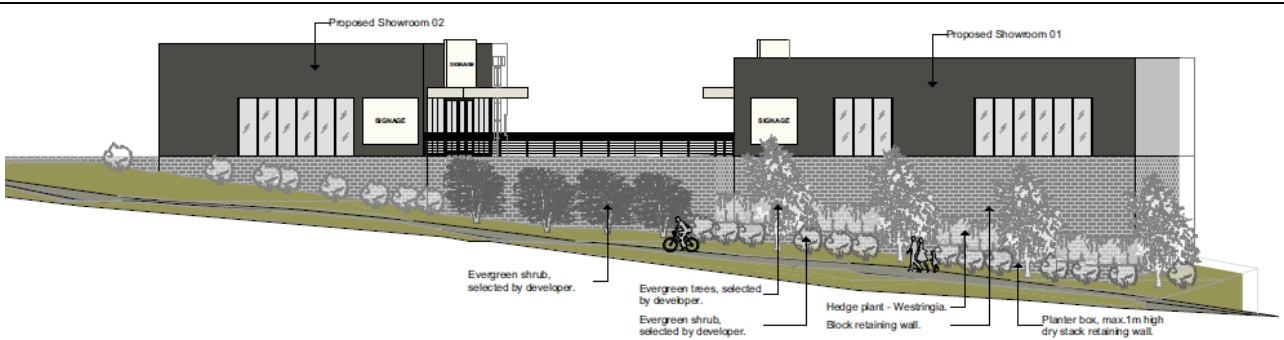
**Assessment:**

The proposal complies with A1 in that:

- a) main doors to face the street or main publicly accessible areas of the site
- b) the eastern elevations facing Maranoa Road include at least 40% window in the ground floor facades as shown in the eastern elevations of Showrooms 1 and 2 (Drawings A11.0 and A16.0)



- c) façade designs for each of the tenancies facing Maranoa Road and the publicly accessible carpark areas will avoid blank walls greater than 30% in length. The Maranoa Road façade is shown below and on Drawings A18 and A19.0.



STREETSCAPE - MARANOA ROAD



3D VISUALISATION

Artist Impression





<p>d) Plant areas will be located and screened from view</p> <p>e) Any roof top infrastructure if required will be sited behind the parapet roof designs</p> <p>f) Pedestrian awnings are not a characteristic feature of the area</p> <p>g) No security shutters are proposed facing the street.</p>	
<p><b>A2</b></p> <p><i>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.</i></p>	<p><b>P2</b></p> <p><i>No Performance Criteria.</i></p>
<p><b>Assessment:</b></p> <p>The proposed buildings are to be finished with natural coloured precast concrete, dark grey painted finish panels and shale grey trimmings and garage doors. These all will have a light reflectance value less than 40%.</p>	

**21.4.4 Passive Surveillance**

**Objective:**

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

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><i>Building design must comply with all of the following:</i></p> <p>(a) <i>provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</i></p> <p>(b) <i>for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade;</i></p> <p>(c) <i>for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade;</i></p>	<p><b>P1</b></p> <p><i>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</i></p> <p>(a) <i>provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</i></p> <p>(b) <i>locate windows to adequately overlook the street and adjoining public spaces;</i></p> <p>(c) <i>incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</i></p> <p>(d) <i>locate external lighting to illuminate any entrapment spaces around the building site;</i></p> <p>(e) <i>provide external lighting to illuminate car parking areas and pathways;</i></p> <p>(f) <i>design and locate public access to provide high visibility for users and provide clear sight lines</i></p>

<p>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) provide well-lit public access at the ground floor level from any external car park.</p>	<p>between the entrance and adjacent properties and public spaces;</p> <p>(g) provide for sight lines to other buildings and public spaces.</p>
<p><b>Assessment:</b></p> <p>Similar to the Design clause above the proposal includes large areas of windows and doors to face Maranoa Road and the publicly accessible carpark areas of the site. No entrapment spaces will be created. Carparking will be lit to Australian Standards.</p>	

**21.4.5 Landscaping**

**Objective:**

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

Acceptable Solutions	Performance Criteria
<p>A1</p> <p><i>Landscaping along the frontage of a site is not required if all of the following apply:</i></p> <p>(a) the building extends across the width of the frontage, (except for vehicular access ways);</p> <p>(b) the building has a setback from the frontage of no more than 1m.</p>	<p>P1</p> <p><i>Landscaping must be provided to satisfy all of the following:</i></p> <p>(a) enhance the appearance of the development;</p> <p>(b) provide a range of plant height and forms to create diversity, interest and amenity;</p> <p>(c) not create concealed entrapment spaces;</p> <p>(d) be consistent with any Desired Future Character Statements provided for the area.</p>
<p><b>Assessment:</b></p> <p>The proposal includes landscaping along the Maranoa Road frontage to satisfy A1. It is expected that that a detailed landscaping plan would be required as a condition of approval.</p>	



<p><b>A2</b></p> <p><i>Along a boundary with a residential zone landscaping must be provided for a depth no less than:</i></p> <p><i>2 m.</i></p>	<p><b>P2</b></p> <p><i>Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.</i></p>
<p><b>Assessment:</b></p> <p>N/A. The proposal does not adjoin a residential zone.</p>	

**21.4.6 Outdoor Storage Areas**

**Objective:**

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

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><i>Outdoor storage areas for non-residential uses must comply with all of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) be located behind the building line;</i></li> <li><i>(b) all goods and materials stored must be screened from public view;</i></li> <li><i>(c) not encroach upon car parking areas, driveways or landscaped areas.</i></li> </ul>	<p><b>P1</b></p> <p><i>Outdoor storage areas for non-residential uses must satisfy all of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;</i></li> <li><i>(b) not encroach upon car parking areas, driveways or landscaped areas.</i></li> </ul>

**Assessment:**  
No outdoor storage areas are included in the proposal. This standard does not apply.

**21.4.7 Fencing**

**Objective:**

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

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

**Assessment:**  
The proposal does not include a new front fence. This standard does not apply.

**21.4.8 Environmental Values**

**Objective:**

*To ensure that the design and location of buildings and works avoids and minimises adverse environmental impacts.*

Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>

<p><i>No trees of high conservation value will be impacted.</i></p>	<p><i>Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.</i></p>
<p><b>Assessment:</b></p> <p>The accompanying Natural Values Assessment concludes at section 5 that the proposed development will require the removal of four eucalypt trees. None of these trees are high value conservation trees as per the Kingborough Councils 'Guidelines for a tree plan'. They are not threatened species, nor do they contain habitat for any threatened species which may occur in the area.</p>	

### 3.5 Development Standards for Subdivision

#### 21.5.1 Subdivision

**Objective:**

*To provide for lots with appropriate area, dimensions, services, roads and access to public open space to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements.*

<p><b>Acceptable Solution</b></p>	<p><b>Performance Criteria</b></p>
<p>A1</p> <p><i>The size of each lot must be no less than: 300 m<sup>2</sup> except if for public open space, a riparian reserve or utilities.</i></p>	<p>P1</p> <p><i>The size of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements</i></p>
<p><b>Assessment:</b></p> <p>The proposed lots are well in excess of 300m<sup>2</sup> and comply with A1.</p>	
<p>A2</p> <p><i>The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following;</i></p> <ul style="list-style-type: none"> <li><i>(a) clear of the frontage, side and rear boundary setbacks;</i></li> <li><i>(b) clear of easements;</i></li> <li><i>(c) clear of title restrictions that would limit or restrict the development of a commercial building;</i></li> <li><i>(d) has an average slope of no more than 1 in 5;</i></li> <li><i>(e) is a minimum of 10 m x 15 m in size.</i></li> </ul>	<p>P2</p> <p><i>The design of each lot must contain a building area able to satisfy all of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) be reasonably capable of accommodating use and development consistent with Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements;</i></li> <li><i>(b) provides for sufficient useable area on the lot for on-site parking and maneuvering, unless adequate arrangements are made for suitable alternative solutions to future likely demand generated by the development potential of the lot;</i></li> </ul>

	<i>(c) minimises the need for earth works, retaining walls, and cut &amp; fill associated with future development.</i>
<p><b>Assessment:</b></p> <p>Both lots are large and can comfortably accommodate a 10m x 15m minimum building area clear of setbacks and easements and on land with a slope less than 1:10. Both lots will also be suitable for future commercial development as shown on the site plan. The proposal complies with A2.</p>	
<p>A3</p> <p><i>The frontage for each lot must be no less than: 15 m.</i></p>	<p>P3</p> <p><i>The frontage of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements.</i></p>
<p><b>Assessment:</b></p> <p>Both lots will have a frontage well in excess of 15m and comply with A3.</p>	
<p>A4</p> <p><i>No Acceptable Solution.</i></p>	<p>P4</p> <p><i>The arrangement of roads within a subdivision must satisfy all of the following:</i></p> <p><i>(a) the subdivision will not compromise appropriate and reasonable future subdivision of the entirety of the parent lot;</i></p> <p><i>(b) accords with any relevant road network plan adopted by the Planning Authority;</i></p> <p><i>(c) facilitates the subdivision of neighbouring land with subdivision potential through the provision of connector roads, where appropriate, to the common boundary;</i></p> <p><i>(d) provides for acceptable levels of access, safety, convenience and legibility through a consistent road function hierarchy.</i></p>
<p><b>Assessment:</b></p> <p>The proposal does not involve the construction of a new road. The proposal does not conflict with this standard.</p>	
<p>A5</p> <p><i>Each lot must be connected to services adequate to support the likely future use and development of the land.</i></p>	<p>P5</p> <p><i>No Performance Criteria.</i></p>

<p><b>Assessment:</b> Both titles will be connected to reticulated services.</p>	
<p>A6 <i>No Acceptable Solution.</i></p>	<p>P6 <i>Public Open Space must be provided as land or cash in lieu, in accordance with the Kingborough Public Open Space Contribution Policy, Policy 6.3, November 2021.</i></p>
<p><b>Assessment:</b> The proposal will require cash in lieu of open space as a condition of approval.</p>	
<p>A7 <i>No trees of high conservation value will be impacted.</i></p>	<p>P7 <i>The design of each lot must minimise, mitigate and offset impacts on trees of high conservation value.</i></p>
<p><b>Assessment:</b> The accompanying Natural Values Assessment confirms three trees of Very High conservation value will be removed as they are within the building footprint. One Very High conservation value tree is proposed to be retained.</p>	

## 4. Planning Scheme Codes

The site is within part of mapped Biodiversity Protection Area and Landslide Hazard Areas.

The proposal is considered in relation to these and other relevant codes below.

### 4.1 Potentially Contaminated Land

Given the existing service station on the site GES has been engaged to provide an Environmental Site Assessment to assess the proposal against *the Subdivision and Excavation* standards of Clause E2.6 of the Planning Scheme.

### 4.2 Landslide Code

The proposal does not involve new buildings within a Landslide Hazard Area or more than 2 lots within a Low Landslide Hazard Area. This code does not apply.

### 4.3 Road and Railway Assets Code

The proposal is accompanied by a Traffic Impact Assessment to address the requirements of this code.

### 4.4 Parking and Access Code

The parking and access requirements of this Code are addressed in the accompanying Traffic Impact Assessment.

#### 4.5 Stormwater Management Code

The proposed stormwater solution for the site including water sensitive urban design measures to meet water quality and offsite floor requirements of the code accompanies the application to address the requirements of this code.

#### 4.6 Biodiversity Code

The proposal involves clearance within a mapped Biodiversity Protection Area and is assessed in Section 5.5 of the accompanying Natural Values Assessment.

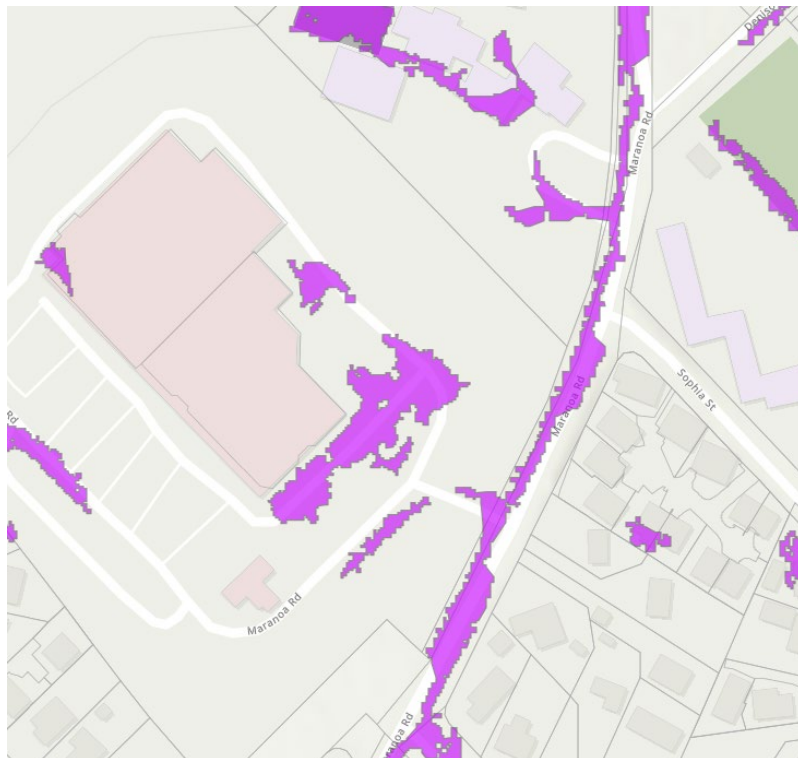
The Natural Values Assessment concludes that:

- No native vegetation communities were present on site.
- No threatened flora or fauna species were recorded at the site.
- Potential habitat for the chaostola skipper (TSPA - e, EPBCA – EN) was present. However a thorough survey was conducted and no evidence of the skipper was found.
- three trees of Very High conservation value will be removed as they are within the building footprint
- one Very High conservation value tree is proposed to be retained.

The NVA includes recommendations for financial offsets, weed management and an arborists assessment in relation to the viability of retaining tree 7. An arborists report has been commissioned.

#### 4.7 Inundation Prone Areas Code

The site is not within a mapped inundation area under the planning scheme. Although parts of the greater title are identified in Council’s flood mapping as subject to a 1% AEP event in 2100, the proposed building would be located outside these flood areas. The proposal therefore does not conflict with this code.





## 4.8 Signs Code

The proposal is accompanied by an integrated signage proposal for the complex including:

- 7 x 1.2m (H) x 3.5m (w) wall signs affixed on the Southern elevation of the buildings above the roller door entries of the warehouse tenancies.
- 1 x 2.4m (H) x 4.2m (W) wall sign fixed above the awning sign on the SE Elevation of Showroom 1
- 1 x 2.4m (H) x 4.2m (W) wall sign on the southern elevation of Showroom 1
- 2 x 2.4m (H) x 4.2m (W) wall signs fixed above awnings on the southern and northern elevations of Showroom 2
- 2 x 2.4m(H) x 3m (W) wall signs on the eastern and western elevations of Showroom 2.

### E17.6 Use Standards

#### E17.6.1 Use of Signs

<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1</p> <p><i>A sign must be a permitted sign in Table E.17.3.</i></p>	<p>P1</p> <p><i>A sign must be a discretionary sign in Table E.17.3.</i></p>
<p>Assessment:</p> <p>Wall Signs are Permitted in the General Business Zone. The proposed signs comply with A1.</p>	
<p>A2</p> <p><i>A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.</i></p>	<p>P2</p> <p><i>No performance criteria.</i></p>
<p>Assessment:</p> <p>The proposed signs will be directly associated with the tenants of each tenancy and comply with A2.</p>	
<p>A3</p> <p><i>A sign must not contain flashing lights, moving parts or moving or changing messages or graphics, except if a Statutory Sign</i></p>	<p>P3</p> <p><i>A sign contain flashing lights, moving parts or moving or changing messages or graphics must not have an unreasonable impact upon the residential amenity of a residential use caused by light shining into windows of habitable rooms, movement or visual intrusion or cause undue distraction to drivers of motor vehicles.</i></p>
<p>Assessment:</p> <p>The proposed static signs comply with A3.</p>	
<p>A4</p>	<p>P4</p> <p><i>An illuminated sign within 30 metres of a residential use must not have an unreasonable impact upon the</i></p>

<i>An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign</i>	<i>residential amenity of that use caused by light shining into windows of habitable rooms.</i>
<p>Assessment:</p> <p>The proposed non illuminated signs comply with A4.</p>	

**E17.7 Development Standards**

**E17.7.1 Standards for Signs**

<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p><i>A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.</i></p>	<p><b>P1</b></p> <p><i>A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:</i></p> <p><i>(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</i></p> <p><i>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i></p> <p><i>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</i></p> <p><i>(d) not result in loss of amenity to neighbouring properties;</i></p> <p><i>(e) not involve the repetition of messages or information on the same street frontage;</i></p> <p><i>(f) not contribute to or exacerbate visual clutter;</i></p> <p><i>(g) not cause a safety hazard.</i></p>
<p>Assessment:</p> <p>The proposed wall signs exceed 2m2 and are to be assessed under P1.</p> <p>The proposed discretionary signs are considered to satisfy P1 in that:</p> <ul style="list-style-type: none"> <li>a) The integrated signage scheme responds to the design of the premises and is considered to satisfy the requirement to be attractive and informative without dominate the building or streetscape</li> <li>b) The proposed signs are considered of appropriate dimensions for this substantial commercial site and integrated commercial premises</li> <li>c) The signs will be constructed with a painted steel face and will be durable and easily maintained</li> <li>d) The majority of the signage faces inward on the commercial site with only a modest amount of signage facing the residential properties on the opposite side of Maranoa Road.</li> <li>e) The signage scheme general allocates a single sign to each tenancy or elevation of a tenancy.</li> </ul>	

<p>f) As discussed, the signage scheme generally applies a single sign to each tenancy or elevation of a tenancy and will not exacerbate visual clutter</p> <p>g) The signs are fixed to the walls of the building and will not obstruct sight lines or cause a safety hazard.</p>	
<p><b>A2</b></p> <p><i>The number of signs per business per street frontage must comply with all of the following:</i></p> <p><i>(a) maximum of 1 of each sign type;</i></p> <p><i>(b) maximum of 1 window sign per window;</i></p> <p><i>(c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;</i></p> <p><i>(d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit;</i></p> <p><i>(i) Building Site,</i></p> <p><i>(ii) Name Plate,</i></p> <p><i>(iii) Newspaper Day Bill,</i></p> <p><i>(iv) Open/Closed,</i></p> <p><i>(v) Real Estate,</i></p> <p><i>(vi) Street Number,</i></p> <p><i>(vii) Temporary Sign.</i></p>	<p><b>P2</b></p> <p><i>The number of signs per business per street frontage must:</i></p> <p><i>(a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;</i></p> <p><i>(b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;</i></p> <p><i>(c) not involve the repetition of messages or information.</i></p>
<p>Assessment:</p> <p>The proposal involves two wall signs for two separate tenancies (Showrooms 1 and 2) on the Maranoa Road frontage and complies with A2.</p>	
<p><b>A3</b></p> <p><i>Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.</i></p>	<p><b>P3</b></p> <p><i>No performance criteria.</i></p>
<p>Assessment:</p> <p>Complies</p>	
<p><b>A4</b></p> <p><i>Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.</i></p>	<p><b>P4</b></p> <p><i>No performance criteria.</i></p>

Assessment:

Complies

## 5. Conclusion

The proposed commercial development of an underutilised part of this site demonstrates a high degree of compliance with the relevant provisions of the General Business Zone and relevant planning scheme codes.

The Noise Impact Assessment confirms that all noise sources have been predicted to be significantly below the daytime criterion of 55 dBA. Therefore, the proposal demonstrates likely compliance with Clauses 21.3.1-A1, 21.3.2-A1 and 21.3.4-A1 of the Kingborough Interim Planning Scheme 2015, provided the hours of operation are limited to daytime use, 7:00AM to 7:00PM and no commercial vehicles access the site outside of 6:00AM to 10:00PM according to the Scheme.

The Traffic Impact Assessment confirms that the existing accesses can accommodate the predicted traffic generation and that the proposal will satisfy the car parking requirements of the planning scheme.

The accompanying Natural Values Assessment confirms that:

- no native vegetation communities were present on site
- no threatened flora or fauna species were recorded at the site.
- the site includes potential habitat for the chaostola skipper (TSPA - e, EPBCA – EN). However, a thorough survey has confirmed no evidence of the skipper.
- three trees of Very High conservation value will be removed as they are within the building footprint
- one Very High conservation value tree is proposed to be retained.

The NVA includes recommendations for financial offsets, weed management and an arborists assessment in relation to the viability of retaining tree 7. An arborists report has been commissioned.

The proposal is recommended for approval as a discretionary application following public advertising pursuant to Section 57 of the Act.

Frazer Read

**Principal**