

PLANNING REPORT

FOR FURNEAUX FREIGHT PTY LTD

**Furneaux Freight  
Transport Depot**

March, 2016



**Engineers & Planners**  
*Your Vision is Our Mission*



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# 1. Introduction

JMG Engineers & Planners has been engaged by Furneaux Freight Pty Ltd to prepare a planning assessment of their proposed new transport depot development at Lady Baron, Flinders Island.

The proposed use and development is currently being assessed by Flinders Council (DA 003-16). The application is currently subject to a s.54 request for further information.

This report provides additional detail on the proposal and considers compliance of the proposed use and development against the relevant provisions of the *Flinders Planning Scheme 1994*.

# 2. Site, Location & Context

The subject site comprises two titles located at 12-14 Main Street, Lady Baron (CT 134743/5 and CT 216180/6), as shown in Figure 1.

The site has a total area of approximately 6,970sqm with frontage to both West and Main Streets. The site has one existing crossover to Main Street. The property is serviced with existing reticulated water and sewerage infrastructure.

The site is relatively flat and is vegetated with grasses, shrubs and pine trees at present, as shown in Figures 2 and 3. The northern title accommodates a number of outbuildings at present.

The site is located at the western end of Lady Baron and is surrounded by a range of land uses, including residential, civic uses and undeveloped commercial land. The site is also located approximately 400m from existing port facilities at the southern end of Main Street.

Figure 1 - Subject site



Figure 2 - Main Street frontage, facing north



Figure 3 - West Street frontage, facing north



Title information is enclosed as Appendix A.

### 3. Proposed Use & Development

The proposed use and development consists of:

- The construction of a shed building (30m x 10m) with an attached canopy (also 30m x 10m). External wall and roof cladding will be comprised of colorbond sheet (ocean blue colour) and polycarbonate sheet. The structure will have a maximum height of 7.5m at its apex;
- Construction of a new vehicular crossover to Main Street;
- Construction of 3,050sqm hardstand;

- Installation of perimeter site fencing and gates:
  - The northern, eastern and western perimeter fencing will be 1.8m height, vertical steel members, with a gate across the Main Street crossover;
  - The southern boundary fencing will be a 1.8m colorbound fence (to provide enhanced privacy to adjoining properties to the south);
- Signage - two signs will be attached to the building at its eastern and western ends (6m x 0.9m);
- Vehicle storage and parking;
- Vegetation removal (including chainsaw sculptures from pine tree stumps);
- Landscaping around the site's perimeter (1,242sqm approximately).

The proposed land use will involve the storage and distribution of general freight arriving from the Lady Barron port. The freight will include a broad range of goods as required by customers living on Flinders Island such as fresh produce, dry goods, construction materials and small quantities of hazardous goods (e.g. paint, batteries).

Freight will generally be stored within the proposed shed, with some bulkier items stored outside as required (e.g. certain types of construction materials, shipping containers).

Furneaux Freight provide one dedicated sailing to Lady Barron from Bridport every Monday, generally arriving at Lady Barron on Tuesday morning after 8:00am. Any additional sailing will be subject to demand, with the yearly average being two boats per week arriving at Lady Barron. Approximately two of these sailings per month arrive during night hours between the hours of 9:00pm-8:00am (timing of departure is subject to tides).

The current practice is for goods to be unloaded and stored at the port and then collected by contractors/customers between 8am-4pm Monday to Friday. The proposed use maintains this pattern of usage but will transporting the goods upon their arrival from the port to the new depot, a distance of approximately 400m.

Vehicles used for transporting goods will include various prime-movers, refrigerated trucks and fuel tankers. The number of trucks required to transit freight to the depot will be directly related to the amount of freight on one shipment. Furneaux Freight estimate an average of six truck movements per sailing, however some sailings may only require one.

The vehicles will be unloaded under the canopy or immediately outside the storage shed.

Night time usage of trucks for moving freight from vessel to transit depot will be limited to only side loader and prime movers to move containers and trailers. During nighttime hours unloading will be kept to a minimum and trucks will remain loaded until the morning when possible.

Some illumination will be required and will be provided by mercury vapor lighting attached to the shed building.

Customers and contractors will collect goods from the site during daytime hours (Monday-Friday, 8am-4pm). No weekend or public holiday hours are proposed. Two employees will be located onsite during the opening hours.

#### Stormwater

As the site is not currently serviced with stormwater infrastructure it will be necessary to construct a public stormwater main in the road verge in West Street with discharge to the foreshore (Crown land).

It is anticipated that Council will construct the stormwater main, with financial contribution from the developer. It has been calculated that a DN300 will cater for ultimate development on both subject lots, however Council may choose to upsize this to accommodate flow from other sites.

An oil and grease arrestor will be installed onsite to control water quality entering the public system.

### Water and sewer

Water will be supplied from water tanks fed by rainwater captured from the proposed building.

A composting toilet will be provided for staff in lieu of connection to the reticulated sewerage network.

The following appendices detail the proposed use and development:

- Appendix B - Proposal Plans;
- Appendix C - Vehicle Turn Paths;
- Appendix D - Landscaping Schedule.

## 4. Flinders Planning Scheme 1994

The relevant planning instrument for the assessment of the proposed development is the *Flinders Planning Scheme 1994* (the 'Planning Scheme').

It is noted that the Planning Scheme is not designed with Acceptable Solutions and Performance Criteria however clause 3.5.1(b) provides Council with the ability to “*waive, relax or modify a requirement of the Scheme or otherwise in its discretion consents to the use or development proceeding*”.

Clause 3.10 identifies matters for consideration in planning permit assessment. The matters identified in clause 3.10 are addressed in the body of this report as relevant.

The site is currently zoned 'Commercial' and is subject to the 'Shoreline Special Area' overlay.

The application generates the following discretions under the Planning Scheme:

- Clause 5.5.5 - Use of land for 'Transport Depot' within Commercial Zone;
- Clause 7.5.2 - Development within the Shoreline, Water Body and Watercourse Special Area;
- Clause S5.4 - Signage;
- Clause S9.5(1) - Infrastructure [variation required under clause 3.5.1(b)].
- Clause S9.6 - Landscape values [variation required under clause 3.5.1(b)].

### 4.1 Use Class

Schedule 1 provides the following definition of 'Transport Depot':

#### ***Transport Depot***

*means the use or development of land for the garaging, parking, maintenance or minor repairs of any motor vehicle or vehicles used for carrying persons and/or goods for hire, reward or other considerations, or as a depot for the transfer of persons and/or goods from such motor vehicle(s).*

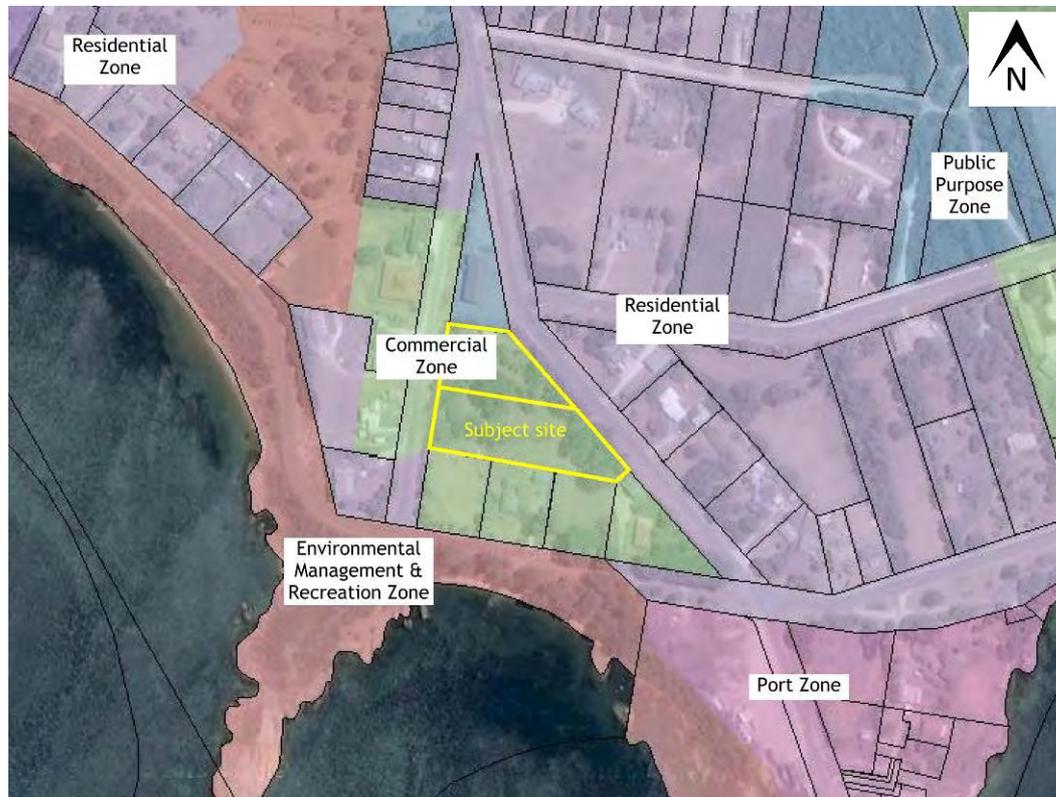
The proposed land use is primarily involved with the transfer of freight from the Lady Barron Port and its distribution to customers. Vehicles parked onsite will be associated with this function and will include trucks and customer/staff vehicles. The proposed use and development is accordingly considered to fit within the definition of Transport Depot.

## 4.2 Zoning

The site is zoned 'Commercial', as shown in Figure 4.

Section 5.5 of the Planning Scheme contains requirements for use and development within the Commercial Zone.

Figure 4 - Zoning map



Clauses 5.5.1 and 5.5.2 provide guidance for the assessment of discretionary applications in the Zone, stating the following (as relevant):

### 5.5.1 Zone Intent

*The zone is intended as the principal location for commercial, administrative and civil functions. Appropriate use or development include retailing (eg. shops, supermarkets, hotels), commercial service activities (eg. banks, consulting rooms, business and professional offices) and social support and development (eg. meeting rooms, libraries, galleries, government agencies) and other services that will support the services/economy of the Islands.*

The Zone Intent outlines a range of uses that are intended for the Commercial Zone, ranging from commercial, civic and retail activities as well as other services that support the local economy. The Use Table for the Zone indicates that certain types of industrial activities are also potentially consistent with the intent of the Zone (i.e. Rural Industry, Store but not manufacturing type activities).

The proposed Transport Depot will provide improved facilities for freight imports/exports and will be conveniently positioned in relation to the Lady Barron Port and for customers to collect goods during weekday opening hours. The proposal is will support the local economy and is therefore considered to be consistent with the Zone Intent as stated in clause 5.5.1.

**5.5.2 Desired Zone Character and Zone Guidelines**

...

*(b) In Lady Barron, future commercial, administrative and civil use or development will be concentrated in the designated areas of Main Street/Franklin Parade/West Street. Within this area development will be required to build a strong “town centre” image for the town. Buildings should be modest and commercial in character and scale and sited close to the street.*

*A development plan for the area bounded by Main Street, Franklin Parade (Esplanade) and West Street must be formally incorporated into the Planning Scheme as a Schedule prior to consideration of any application for consolidation, subdivision, use or development of lots in that area.*

*(c) Carparking areas should be sited so that they do not dominate the streetscape. Parking on street and/or on site behind or between buildings is appropriate. Parking required for operational purposes (eg. service station) should be located to satisfy the operational purpose.*

*(d) Advertising signs in the zone may be colourful but should be restrained in their impact. Imposing sky signs, large billboards and tall free-standing signs which project above normal roof height will not be acceptable.*

A development plan has been incorporated into the Planning Scheme to facilitate the future development of the commercial zone (Schedule 9). As discussed in section 4.7 of this report, the application is acceptable under the Lady Barron Commercial Development Plan.

The proposed building is compliant with all applicable setback and height standards and is therefore considered to be reasonably modest in scale. The Planning Scheme encourages building siting close to street frontages with car parking not dominating the streetscape. The subject site has two frontages hence it is not practicable to locate the building close to both frontages. The proposed building has been sited to enable adequate vehicle manoeuvring and onsite parking as required for operational purposes. Importantly, the proposal incorporates landscaping to soften the visual appearance of paved areas and outdoor storage on the Main Street and West Street streetscapes. The proposal is accordingly considered to be consistent with (b) and (c).

The proposed advertising signage has been kept to a minimum, with a single business identification sign on the eastern and western facades respectively. The proposed signage is accordingly considered to be of minimum impact and is consistent with paragraph (d).

The proposal is accordingly considered to be acceptable under clause 5.5.2.

**5.5.4 Development Standards**

*(a) The maximum height of buildings is 8.0 metres.*

*(b) Buildings may be erected up to any boundary.*

*(c) Habitable buildings should be sited and designed to achieve the best solar gain or orientation that the site can provide. Where such design or orientation is not feasible other energy efficient practices, such as insulation, heat pumps or double glazing, should be considered.*

The proposed building will have a maximum height of 7.5m and is therefore compliant with (a).

The setback standards of (b) are overridden by Schedule 9, which the proposal is compliant with (as discussed further in this report).

‘Habitable building’ is not defined in the Planning Scheme however a conservative interpretation would include any building between within Classes 1-9 as defined in the *Building Code of Australia*. The building design includes clear polycarbonate sheeting on its northern façade to maximise solar access and is therefore consistent with (c).

The proposal complies with clause 5.5.4.

Clause 5.5.5 specified the status of use and development in the Zone, including:

<b>5.5.5 Table of Use or Development</b>		
...	...	...
<i>Discretionary</i>	<i>Commercial</i>	<i>Transport Depot</i>

As discussed previously, the proposal is consistent with the relevant Zone Intent and Desired Future Character statements. As is discussed further in this report, the proposal is also considered to be consistent with the Planning Scheme’s use and development principles. The proposed use is accordingly considered to be an acceptable discretionary use.

### 4.3 Shorelines, Water Bodies & Watercourses Special Area

The subject site is partially within the Shorelines, Water Bodies and Watercourses Special Area, being within 100m of the shoreline as shown in Figure 5.

Part 7.5 of the Planning Scheme contains requirements for use and development within the Special Area.

Figure 5 - Shorelines, Water Bodies & Watercourses Special Area



*7.5.1 The shorelines, water bodies and watercourses identified in Schedule 3 shall be sustainably managed for the protection of water quality, the conservation of aquatic and shoreline habitat and the enhancement of recreational opportunities.*

The proposed development will be contained to an existing urban lot within the Lady Barron Township. No disturbance of coastal reserve land is proposed. Storm water disposal from the sealed yard will be discharged to Council infrastructure after passing through an oil and grease arrestor. The application is considered to be compliant with clause 7.5.1.

*7.5.2 Development (other than that prohibited within the zone) which pertains to a Shoreline, Water Body or watercourse listed in Schedule 3 shall be considered as a discretionary Use or development in accordance with Clause 3.5.*

The proposed development is discretionary as it is partially within the Special Area.

As discussed in this section of the report, the proposal is considered to be acceptable with respect to all relevant requirements of the Special Area, hence discretion should be exercised in favor of the proposal.

*7.5.4 In considering an application for Use or Development in Shorelines, Water Bodies and Watercourses and whether to impose conditions Council shall consider the following matters:*

- (a) The siting, orientation, setback, bulk, form, height, scale, materials and external finishes of buildings and structures;*
- (b) The impact upon water quality, foreshore or streamside vegetation and wildlife habitat of building, clearing, excavation, effluent disposal, access construction, fences, firebreaks or the deposition of fill;*
- (c) Whether land should be acquired by Council as a condition of subdivision or otherwise, to protect the items listed in Schedule 3;*
- (d) Whether additional fencing or any other special works or practices are required to protect the items listed in Schedule 3;*
- (e) The design, content and location of signage and interpretative displays.*

The proposed building will comply with all development standards, will be coloured in muted tones and will be approximately 60m inland from the edge of the coastal reserve, within an existing subdivided urban area. As such, the proposed building structure will have minimal impact on the visual qualities of the coastal reserve and is acceptable under (a).

Stormwater will be discharged to a new Council main in West Street. All stormwater entering the Council system will pass through a gross pollutant trap and oil separator to ensure any residual pollutants are removed so that an acceptable standard of water quality is achieved. Sewerage will be managed onsite using a composting toilet. The proposal is therefore acceptable under (b).

There is no practical basis for Council to acquire land or require any other special works to protect any coastal environmental qualities under (c) or (d).

The proposed business identification signage will be of minimal impact with respect to the visual qualities of the coast by virtue of its location relative to the coast and is acceptable under (e).

The proposal is accordingly considered acceptable under clause 7.5.4.

## 4.4 Use & Development Principles

Part 6 of the Planning Scheme provides use and development principles that provide further guidance for the assessment of discretionary use.

### 6.1 Use

*(a) Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land.*

...

*(c) Residential Zones shall be protected from encroachment by incompatible use or development.*

The proposed use and development has discretionary status within the Commercial Zone. The key land use conflict consideration relates to the existing dwellings in the adjacent Residential Zone. As discussed further in this report, the potential impact from noise will be minimal due to the minimal number of night sailings and minimisation of unloading to day light hours where possible. Landscaping using native species will be provided along the site's Main Street frontage to protect visual amenity.

The proposal is therefore considered to be acceptable under clause 6.1.

### 6.2 Character

*(a) Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.*

...

*(c) Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours and fencing.*

*(d) Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.*

*(e) Where trees are an important element in the character of an area they should be retained.*

*(f) Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.*

The site and adjoining properties are zoned Commercial and are designated for commercial, retail, civic and other uses that generate economic activity. The proposed use is consistent with this purpose and is therefore acceptable under (a).

The proposed building will be set back from Main Street and will be within the permitted height limits and screened by landscaping along both street frontages. A number of ageing pine trees along the Main Street frontage will be partially retained in the form of sculptures. The trees will be replaced with native plantings (refer to Appendix D) designed to complement the streetscape and provide for visual screening. The proposal is accordingly considered to be acceptable under (c), (d) and (e).

The proposed signage is minimal, with a single business identification sign on the western and eastern facades respectively. The signage is considered acceptable under (f).

The proposal is therefore considered to be acceptable under clause 6.2.

### **6.3 Amenity**

...

*(b) Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.*

The proposed building will be single story, within the permitted height limits for the Commercial Zone and will exceed the minimum side setback requirements, hence is considered to be of minimal impact in terms of potential for loss of privacy, loss of views or overshadowing of adjoining properties.

Noise is a key consideration. As described previously, the majority of vehicle movements to the site will occur during daytime hours. A small number of nighttime vehicle trips will occur (approximately two per month). All unloading of vehicles will be deferred to daytime hours wherever possible and no activity will occur on weekends or public holidays. Noise is considered further in section 5 of this report.

The proposed use and development is considered to be acceptable with respect to clause 6.3(b).

### **6.6 Access and Parking**

...

*(b) All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.*

*(c) Buildings and spaces intended for public access shall provide for satisfactory use and access by the disabled; the requirements of the Building Regulations in relation to AS1428.1-1988 shall be met.*

...

*(g) Intersections of roads, footpaths and foot crossings and driveways shall provide adequate safety for all users and shall satisfy the relevant requirements of Schedule 4.*

*(h) New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development*

*(i) New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.*

*(j) On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.*

The subject site will be easily accessible by customer vehicles as they collect goods during the day. Pedestrian will be able to share the sealed yard to access the shed if and when required, although it is noted that pedestrian movements will be minimal. The proposal is therefore consistent with (b).

Disabled parking can be incorporated as part of the detailed design should Council consider this necessary under (c).

As discussed further in this report, the application complies with Schedule 4 and is therefore consistent with (g).

The proposed crossover will be sealed/concrete and designed to accommodate prime movers, consistent with (h).

The proposal site includes domestic vehicle parking spaces and has been designed for heavy vehicles to park onsite as they are loaded and unloaded, consistent with (i).

The site design provides for heavy vehicles (prime movers) to enter the site, turn and egress back onto Main Street, consistent with (j).

The proposal is therefore acceptable under clause 6.6.

#### **6.7 Services**

...

*(e) Use or Development shall be appropriately sited, designed and constructed to avoid conflict with service mains (including telephone, power, sewer, water and irrigation channels/pipelines). Buildings shall not be erected over any service main or within any easement providing for same whether utilised or not.*

*(f) Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.*

...

Utility and service infrastructure is located within the adjoining road reserves - the subject site is not burdened with any service easements that would potentially be impacted by development. The development is accordingly consistent with (e).

Staff amenities will include a composting toilet, to be serviced periodically by the site operator. Rainwater will be collected from the building roof, stored and used for domestic water supply. The development is accordingly consistent with (f).

The proposal is therefore acceptable under clause 6.7.

#### **6.8 Social Interest**

*1. Use or Development should demonstrate how it suits the community interest.*

*2. Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities)*

The proposed use and development will facilitate freight transfer to Flinders Island to support the needs of local business and the community. The proposed location benefits from proximity to the port and is conveniently located for customers to collect goods.

The proposal is therefore acceptable under clause 6.8.

## **4.5 Schedule 4 - Roads**

Schedule 4 provides requirements for vehicular access.

**S4.1.2** *Any Use or Development within a road reserve shall be prohibited, except for:*

...

*(c) a vehicular access point to a carriageway, which shall conform to all relevant requirements of this Scheme; or*

...

The proposed use and development within a road reserve is limited to the construction of vehicular access points, hence is compliant with clause S4.1.3.

#### **S4.2.2 Access Requirements**

*The number of individual access points shall be minimised wherever possible by directing access to existing or new side roads or sharing access points between adjacent lots.*

The proposed development will utilise one access/egress point only and is therefore compliant with clause S4.2.2.

**S4.3 Sight Distance** *Access to all new Use or Development shall comply with the sight distance and design details of Attachment 1 to this Schedule.*

Attachment 1 does not appear to form part of the current version of the Planning Scheme as it appears on Council's website, hence clause S4.3 cannot technically be applied.

Sight distances are still relevant however under the general scheme considerations of clause 3.10. As discussed in section 5 of this report, sight distances are compliant with current IPWEA standards and are therefore considered acceptable.

## **4.6 Schedule 5 - Signs**

The proposed business identification signage is discretionary under clause S5.4 and must meet the specified conditions:

#### **S5.4 Discretionary Signs**

*In accordance with Clause 3.5, the following signs are deemed to be Discretionary Use or Developments:*

##### **SIGN**

*All signs other than those specified in Clauses S5.2, S5.3, S5.5*

...

##### **CONDITION**

*A sign shall not:*

*a. create a loss of sunlight and/or daylight within any dwelling unit;*

*b. intrude in term of its:*

*size;*

*colour;*

*movement;*

*illumination;*

*position;*

*shape; or*

*standard of design or construction into the appearance of any area so as to cause a reduction of visual amenity within that area.*

*c. diminish in any way the visibility or effectiveness of any information, direction, safety warning, traffic control or other like sign erected by Council or a statutory authority; or*

*d. if illuminated with artificial lighting, cause a nuisance to any resident in the vicinity.*

The proposed signage will be affixed flat to the external facades of the proposed building and as such will not result in any loss of sunlight to any existing dwelling units.

The proposed signage will be relatively simple in design and within the extents of the respective elevations. The signage does not involve any moving parts or illumination and will setback from both Main Street and West Street behind vegetation.

The proposed signage is accordingly not considered to be of any significant impact with respect to the visual amenity of the area, the effectiveness of any government authority signage or nuisance to residents and is acceptable under clause S5.4.

## **4.7 Schedule 9 - Lady Barron Commercial Development Plan**

The Lady Barron Commercial Development Plan applies to the subject site and overrides other development standards of the Planning Scheme to the extent of any inconsistency (clause S39.1).

### **S9.2 General Intent of the Development Plan**

*The intent of the Development Plan is to:*

- Provide for the integrated development with surrounding residential land use of applications in the Lady Barron Commercial Zone.*
- Provide for use or development that satisfies sustainable objectives relative to their location and contribution to the Lady Barron township.*
- Minimise environmental impacts of development on the sites relative to surrounding houses, streets and business activities.*

The proposed use and development is discretionary within the Commercial Zone and will support local businesses and residents. The potential for environmental impact associated with noise, light spillage and visual appearance will be mitigated through operational procedures, lighting design and landscaping (refer to section 5 for further discussion). As such, the application is consistent with clause S9.2.

### **S9.3 Land Use**

*Objectives*

*To ensure that the land use integrates with the surrounding uses and environment.*

*Development Standards*

*1. Uses are to be consistent with the requirement of Clauses 5.5.1 - 5.5.5 of the Scheme*

*...*

As discussed previously in this report, the proposed use has discretionary status under clause 5.5.5 of the Planning Scheme. The application complies with clause S9.3.

**S9.4 Built Form***Objectives*

*To maintain the scale and form of development on the local area by using site design and finishes which complement those values.*

*Development Standards*

- 1. Buildings are to be generally of compact and regular form of maximum two (2) storeys (maximum height of 8 metres).*
- 2. External colour schemes shall complement the natural colours of the area. Dark muted tones should be used where possible.*
- 3. Each site is to respect and integrate with uses surrounding them to ensure sustainable outcomes are achieved.*
- 4. Where possible view lines to the coastal areas could be preserved and maintained with development envelopes.*
- 5. A minimum setback of 3 metres from all boundaries shall apply to all buildings within the Development Plan unless such setback is permitted by way of the Building Code of Australia. Any reduction in setback shall be considered as discretion under Clause 3.5 of the Planning Scheme.*
- 6. All signage shall be required to satisfy the standards and requirements of schedule 5 of the Planning Scheme.*

The proposed building is compliant with the permitted height and setback standards and will be coloured in a muted tone, consistent with (1) and (5).

The proposed building will be coloured in muted tones and landscaping will be provided along each road frontage and to the south to integrate with the existing streetscape. The proposal is considered to be consistent with (2) and (3).

Compliance with the height and setback standards combined with the size and location of the proposed building within the property boundaries indicates that its impact on vistas to the coast from West and Main Streets will be minimal and consistent with (4).

The proposed signage is compliant with Schedule 5 of the Planning Scheme, hence is consistent with (6).

The proposal is therefore compliant with S9.4.

**S9.5 Infrastructure***Objectives*

*To maintain the character of the area using existing reticulated infrastructure.*

*To dispose of effluent and stormwater in a manner that will be contained within lot boundaries and not impact on ground water or water quality.*

*Development Standards*

- 1. All buildings are to be connected to an approved effluent disposal system for the disposal of all sullage and stormwater drainage.*
- 2. All storage of goods shall be maintained in a manner approved by Council so as to not cause a nuisance.*
- 3. Access to lots having frontage to Main Street will preferably be by way of left hand ingress movement. Site access will be restricted to West Street.*

4. Access to frontages will be constructed to Council standards for the uses/development applied for. Where possible access points shall be rationalised to avoid duplication and overlap of site distance requirements.

5. Where possible provision should be made to incorporate pedestrian linkages between the port area as well as the surrounding commercial activities.

In relation to paragraph (1), the clause objective indicates that an approved effluent system would need to involve containing effluent and stormwater within the lot boundaries, most likely because there has been no stormwater infrastructure available previously. Sewerage will be sewerage contained onsite through the use of a composting toilet hence will not impact water quality. Rainwater from the building will be contained onsite and used for domestic use however it is impracticable to contain stormwater from the yard onsite without converting a large portion of the site into a detention basin, hence it is proposed to drain to a new Council main in West Street.

As such, the proposal relies on Council discretion under clause 3.5.1(b) to vary the requirement of S9.5(1). The proposal is considered acceptable as stormwater disposal will not have any significant effect on the character of the area and water quality will be managed prior to discharge.

Goods stored onsite will be packaged and will not result in any significant odour emissions or wind-blown debris onto surrounding properties. The proposal is accordingly consistent with (2).

Site access can be provided via left hand ingress movement from Main Street. Clause S9.5(3) requires that site egress be *restricted* to West Street, rather than *limited only* to West Street. Whilst somewhat ambiguous, it is considered that the intent of the clause is to guide commercial traffic to Main Street. The proposal includes one access/egress point to Main Street only and is therefore consistent with (3).

Site access/egress will be rationalised to one crossover that will be constructed to Council standards, consistent with (4).

The proposal will primarily be accessed via trucks or cars as opposed to pedestrians. As such, the development does not warrant provision of pedestrian linkages between the port and the site as part of this application under (5).

The proposal is therefore considered to be compliant with clause S9.5.

### **S9.6 Landscape Values**

#### **Objectives**

*To ensure that activities in the Development Plan do not adversely affect the landscape setting of the area.*

#### **Development Standards**

1. *Where possible mature trees on the sites should be retained within the development proposal.*
2. *Landscape of sites with frontage to Main Street will be encouraged to provide a visual screen to the streetscape.*
3. *All development shall be required as part of the approval process to demonstrate the integrated landscaping of the site. A minimum of 30% of the site shall be required to be landscaped.*
4. *A landscape plan shall accompany each application for approval by Council; and shall demonstrate the degree of landscaping to sensitive boundary frontages and the site and is to include species, location, height of all vegetation.*

...

The existing ageing pine trees exist along the site's Main Street frontage will be removed and replaced with new native plantings (it is noted that four stumps will be retained and carved into sculptures). The new plantings include tree species that will grow up to 8.0m height and - combined with understory shrub species - will provide for visual screening as well as providing a consistent treatment of the site's Main Street frontage. As such, the proposal is considered to be acceptable under (1).

The proposal includes landscaping along both street frontages as well as the northern and southern side boundaries (refer to Appendix B and D). This will include native species ranging in height from 1.5m up to 8.0m that will provide for adequate screening, consistent with (2).

The total area designated for landscaping is approximately 17% of the site and includes 5.0m wide landscaping beds to both street frontages. Compliance with the 30% standard (i.e. through doubling the width of the proposed landscaping) would severely impact the use of the site for the intended purpose, particularly in relation to vehicular turn paths. Council has discretion to vary the requirements of clause S9.6(3) under clause 3.5.1(b). To guide the exercise of discretion consideration must be given to the objective of the clause, which seeks to avoid adversely affecting the landscape setting of the area. The proposal makes provision for landscaping along the entirety of the site's frontage to present a consistent and integrated interface with Main Street interface, including a mix of species to provide an effective visual screen as is envisaged by the Planning Scheme. As such, a variation is accordingly considered to be acceptable.

The proposal plans detail areas to be landscaped (Appendix B) and a landscaping schedule has been provided (Appendix D), consistent with (4).

## 5. Impact Assessment

### 5.1 Visual Impact

The site is presently an undeveloped parcel of land within the Lady Barron Commercial Zone. The site is vegetated with shrubs and some mature trees along Main Street.

The key visual changes associated with the proposed development include:

- Construction of a new building and sealed outdoor yard;
- Outdoor parking of vehicles and storage of goods;
- Removal of existing vegetation; and
- Planting of new landscaping and installation of new fencing.

An example of the proposed fencing treatment to street frontages is provided in Figure 6.

The key viewpoints will be from the two adjoining public streets - West Street and West Street.

**Figure 6 - Example of proposed fencing treatment to street frontages**



#### **Main Street - existing**

The current Main Street streetscape includes an ad-hoc mix of fencing types, including solid paling, post and rail and no fencing at all on some properties, as shown in Figures 7 and 8.

The nature strip is vegetated with mown grass and some shrubs in front of the subject site and has no formal footpaths and kerb and channel.

A row of existing mature pine trees are present within the subject site, with landscaped gardens on the eastern side of the street.

#### **Main Street - proposed**

New landscaping and boundary fencing will extend along the site's frontage with Main Street when viewed from the north and south. The mature pine trees will be replaced with new landscaping comprising native species that have been selected to complement the existing streetscape character (Appendix D). The landscaping will form a consistent and

integrated site treatment that will adjoin the existing nature strip. Landscaping will be visible through the boundary steel picket fencing.

Four tree stumps will be retained and converted to sculptures.

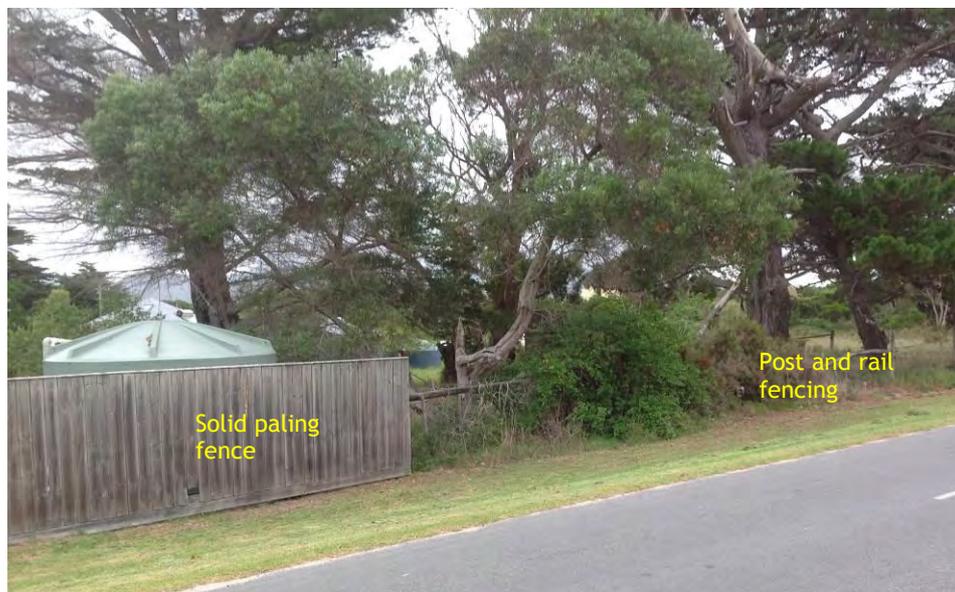
When viewing the site from the east on Main Street, the outdoor parking/storage area will be partially visible through the landscaping. The ocean blue coloured eastern façade of the proposed building (10m solid width, 10m open) will be visible from a distance of 40m+ and will be partially obstructed by landscaping.

Landscaping, fencing and West Street will be partially visible beyond the building.

**Figure 7 - Main Street streetscape**



**Figure 8 - Main Street fencing**



### **West Street - existing**

The current West Street streetscape features grassed nature strips on either side and no kerb and channel or formal footpaths. The western side of the street has been developed with a number of buildings associated with the Aboriginal Cultural Centre. Remnant scrub vegetation on the subject site is visible. Properties are generally unfenced.

### West Street - proposed

The existing remnant shrubs will be removed and replaced with new native landscaping and boundary steel picket fencing when viewed from the south and north. Landscaping species have been selected to complement the existing streetscape character (Appendix D).

The use of non-solid fencing again will enable the proposed landscaping to form part of the streetscape's visual qualities.

When viewing the site from the west on West Street, the ocean blue coloured western façade (10m solid width, 10m open) will be visible from a distance of 20m+ and will be partially obstructed by landscaping.

Landscaping, fencing, outdoor parking/storage and Main Street will be partially visible beyond the building.

**Figure 9 - West Street streetscape**



## 5.2 Traffic Impacts

### Traffic generation

Furneaux Freight's existing operations generate vehicles movements on Main Street at present. Vehicles used for transporting goods will include various prime-movers, refrigerated trucks and fuel tankers.

The number of trucks required to transit freight to the depot will be directly related to the amount of freight on one shipment. Furneaux Freight estimate an average of two sailings per week and six truck movements per sailing, however some sailings may only require one truck.

During the week (Monday-Friday, 8am-4pm) customers will collect goods from the site in vehicles ranging from domestic cars to heavy vehicles.

### Vehicle turning

The enclosed turning paths (Appendix C) demonstrate that heavy vehicles can access and egress the site from Main Street and adequately maneuver onsite.

The potential use of West Street for vehicle egress was considered but discounted due to the height difference between the site and the road surface and the tight corners West Street/Franklin Parade and Franklin Parade/Main Street that were considered problematic by the Furneaux Freight with respect to heavy vehicle movements.

**Sight lines**

It is noted that the proposed access point from Main Street will have the following approximate sightlines:

- 150m to the north; and
- 140m to the south.

Sightlines for the proposed egress onto West Street will be:

- 200m+ to the north; and
- 80m to the south.

As the speed limit is 50kmph on each road, the proposed sight distances are compliant with the IPWEA sight distance requirements.

**5.3 Water Quality**

Stormwater from the proposed yard may contain relatively small volumes of suspended solids, grease, lubricants and oils from vehicles, consistent with what could be expected at a car park or similar facility.

Stormwater from the sealed yard will be directed to a new Council main in West Street that will eventually discharge to the foreshore. Water quality will be maximised by providing an oil and grease arrestor onsite.

Water runoff from the proposed building will be captured in storm water tanks, with overflow directed to Council infrastructure.

**5.4 Air & Microclimate**

The site will largely be sealed, which will reduce the potential for dust generation during vehicle access and loading/unloading.

**5.5 Noise**

The nearest sensitive receivers are existing dwellings on the Western side of Main Street and one adjoining dwelling to the south at 1383 Franklin Parade.

The proposed land use will generate some noise associated with vehicle movements to the site, unloading and loading of vehicles.

The nearest sensitive receivers are the four dwellings located on the eastern side of Main Street (zoned Residential) and two directly south of the site at 1383 and 1381 Franklin Parade (zoned Commercial).

The existing noise environment is characterised by traffic on the public road network and the existing port operations immediately south of the site. Heavy vehicles and domestic vehicles currently use Main Street to access the port facilities to receive goods.

Customers collecting goods between Monday-Friday will continue to use Main Street however will now stop at the new site during opening hours.

Approximately twice per month freight arrives at the port during night hours at present and this will continue to occur. On these occasions it will be necessary to transfer goods the short distance to the site from the port and park the vehicles. Trucking movements at night will be limited to side loaders and prime movers. Unloading will be kept to a minimum and deferred to the morning wherever practicable.

The relatively short and flat section of Main Street indicates that vehicles will not need to use engine braking in their approach to the site.

## **5.6 Light Spillage**

The nearest sensitive receivers are existing dwellings on the Western side of Main Street and one adjoining dwelling to the south at 1383 Franklin Parade.

Some onsite illumination will be required for safety purposes during the occasional night arrivals. To minimise the potential for light spillage, mercury vapour lighting will be used and designed to comply with AS 4282-1997 (Control of the obtrusive effects of outdoor lighting). Proposed landscaping will further limit the potential for light spillage.

Vehicle headlights during the occasional night deliveries are another source of light. As vehicles will be turning left into the site where they will be parked, headlights will not be directly aimed towards windows of existing dwellings. The proposed perimeter landscaping and use of a solid colourbond fence along the southern boundary will significantly reduce the potential for headlights from vehicles maneuvering onsite to disturb nearby residents.

## **5.7 Natural Hazards**

The site is not considered to be subject to any particular type of natural hazards that would warrant specific consideration.

## **5.8 Heritage**

The property is not listed for heritage values under the Planning Scheme or under the Tasmanian Heritage Register.

## **5.9 Flora and Fauna**

The site is located within an existing urban area and has been previously disturbed, indicating minimal flora and fauna value.

A review of the TASVEG 3.0 mapping indicates no threatened vegetation communities within the site or in the surrounding area.

## **5.10 Solar Access**

The proposed building design includes clear polycarbonate wall cladding on its northern façade to utilise natural lighting within the building.

The building is within the permitted height and setback standards and as such is not considered to be conducive to any unreasonable level of overshadowing of adjacent properties.

## **5.11 Safety, Security and Crime Prevention**

The site will be fenced with lockable gates installed at the site's crossover to restrict unwanted access and protect the site facilities and goods being stored.

The proposed fencing will allow for some passive surveillance of the street and of the site, which is beneficial with respect to crime prevention.

## **5.12 Social and Economic Impacts**

The proposed use and development will support the provision of goods to and from the Flinders Island community, thereby having a positive social and economic impact.

## 6. Conclusion & Recommendations

The proposed use and development is classified as a 'Transport Depot' as defined in the Planning Scheme and generates the following discretions under the Planning Scheme:

- Clause 5.5.5 - Use of land for 'Transport Depot' within Commercial Zone;
- Clause 7.5.2 - Development within the Shoreline, Water Body and Watercourse Special Area;
- Clause S5.4 - Signage;
- Clause S9.5(1) - Infrastructure [variation required under clause 3.5.1(b)].
- Clause S9.6 - Landscape values [variation required under clause 3.5.1(b)].

Upon review of the relevant Zone Intent, Desired Future Character statements, Use and Development Principles and the Intent of the Lady Barron Commercial Development Plan, the proposed use is considered to be acceptable.

The second discretion, is triggered by virtue of the site being partially within 100m of the shoreline. The development will have no significant impact on the coastal reserve or water quality and is acceptable with respect to the Shoreline, Water Body and Watercourse Special Area.

The proposed signage comprises relatively simple business identification signage and is acceptable under the specified performance criteria.

Discretion is required in order to facilitate stormwater disposal to a new Council main and is considered reasonable when considering the practicalities of detaining all stormwater onsite as well as water quality impacts.

The final discretion is triggered as less than 30% of the site will be landscaped. The proposal will provide for 5.0m wide landscaping strips along each street frontage, to be composed of species that complement the streetscape and screen views of the paved outdoor area. The proposal is accordingly considered to be acceptable with respect to landscaping.

The proposed development complies with all other development standards of the Planning Scheme.

---

**APPENDIX A**  
**Title Information**

# CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

## TORRENS TITLE

VOLUME		FOLIO
216180		6
EDITION	DATE OF ISSUE	
7	23-Feb-2016	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

*Alice Kawa*

Recorder of Titles.



### DESCRIPTION OF LAND

Town of LADY BARRON  
 Lot 6 on Plan 216180  
 Derivation : Lot 6 Sec A Gtd to C E Witt  
 Prior CT 2586/51

### SCHEDULE 1

M553849 TRANSFER to FURNEAUX FREIGHT PTY LTD Registered  
 23-Feb-2016 at 12.01 PM

### SCHEDULE 2

Reservations and conditions in the Crown Grant if any

2586 51

R.P. 412

ANNEXURE TO CERTIFICATE OF TITLE VOL. FOL.

*W. W. Worsfold*

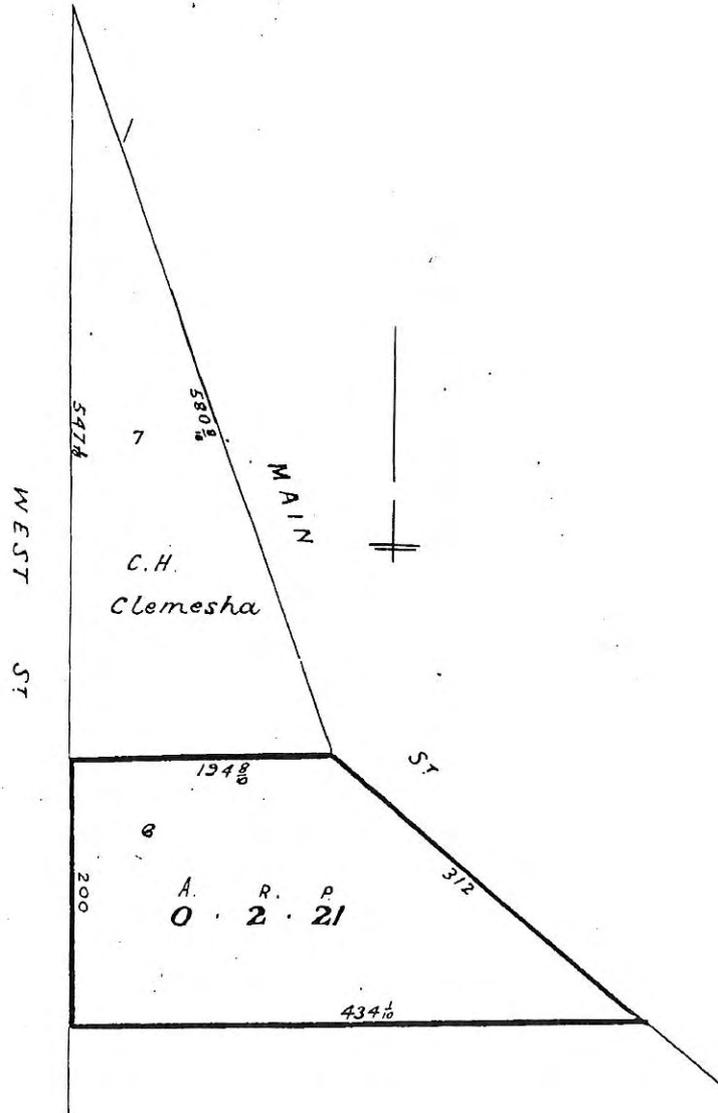
Recorder of Titles



REGISTERED NUMBER

216180

Lot of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.



**CERTIFICATE OF TITLE**

LAND TITLES ACT 1980



TASMANIA

**TORRENS TITLE**

VOLUME		FOLIO
134743		5
EDITION	DATE OF ISSUE	
5	23-Feb-2016	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

*Alice Kawa*

Recorder of Titles.

DESCRIPTION OF LAND

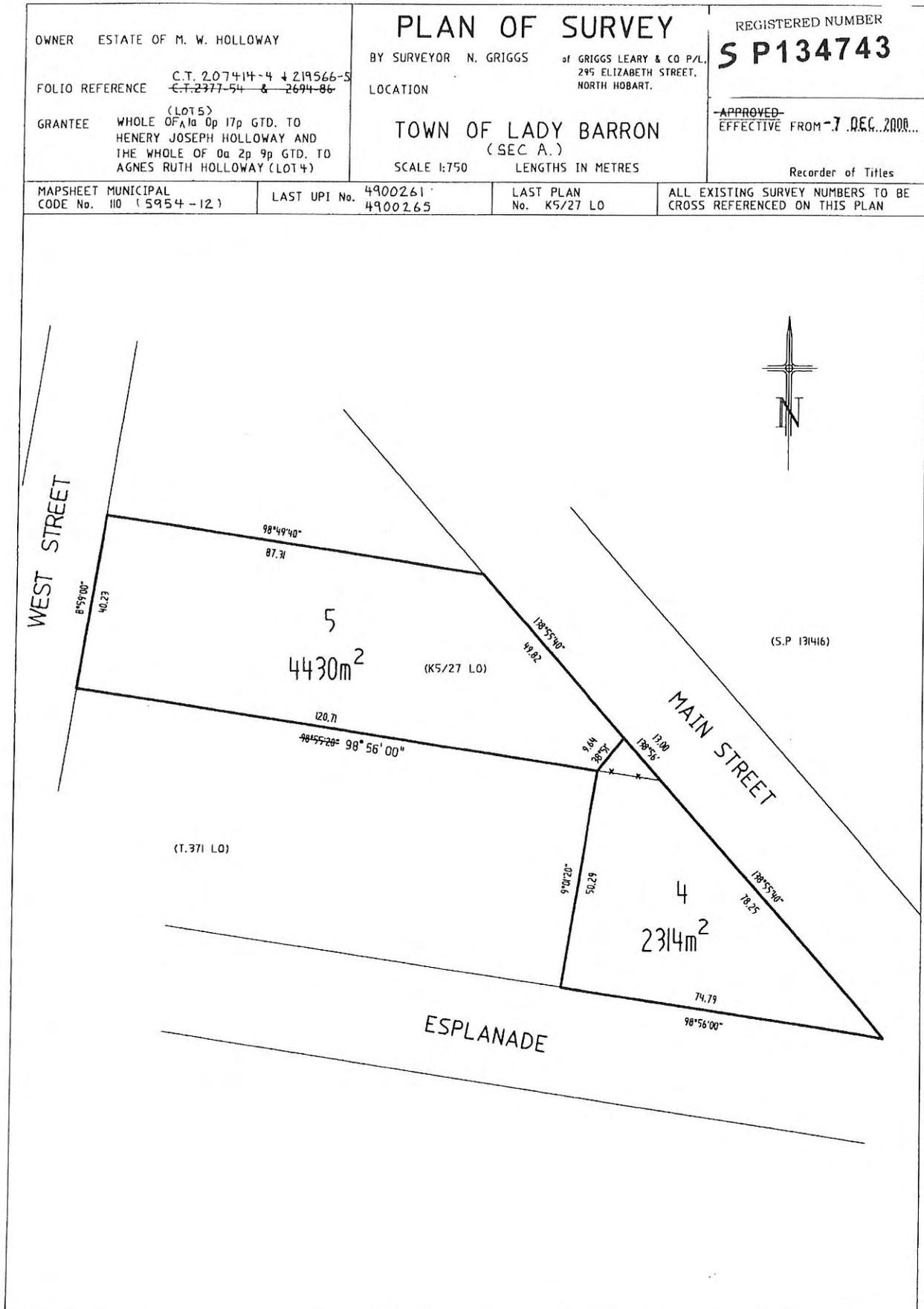
Town of LADY BARRON  
 Lot 5 on Sealed Plan 134743  
 Derivation : Lot 4 Sec A Gtd to A R Holloway, Whole of Lot 5  
 (Sec A) Gtd to H J Holloway  
 Prior CTs 207414/4 and 219566/5

SCHEDULE 1

M553849 TRANSFER to FURNEAUX FREIGHT PTY LTD Registered  
 23-Feb-2016 at 12.01 PM

SCHEDULE 2

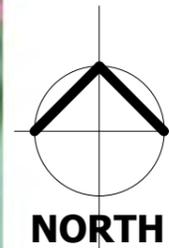
Reservations and conditions in the Crown Grant if any  
 SP134743 FENCING PROVISION in Schedule of Easements



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**APPENDIX B**  
**Proposal Plans**

NOTE:  
Provide driveway culverts and headwalls as required to suit road drainage and existing crossfalls.



DA 16-03-16 DEVELOPMENT ISSUE

REV	DATE	REMARK

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In accordance with the Workplace Health & Safety Acts and Regulations JMG have considered the potential hazards and risks that are specific to this design.

The following risks which are unique to this design have been identified:  
This report does not relieve contractors from their responsibilities under the Act to identify, report, mitigate and manage all aspects of risk and safety.



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102 Dawson Street South, Ballarat, Vic (03) 5331 6689  
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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
**12-14 MAIN STREET,**  
**LADY BARON**

TITLE  
**NEW TRANSPORT DEPOT**  
**SITE PLAN**

Accepted (Discipline Head)	Date	06/03/15
Accepted DPL (Team Leader)	Date	06/03/15
Approved RB (Group Manager)	Date	06/03/15

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**SITE PLAN AND LIST MAP**

**DEVELOPMENT APPLICATION**



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**Engineers & Planners**

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**PROJECT**  
**FURNEAUX FREIGHT PTY LTD**  
**12 - 14 MAIN STREET,**  
**LADY BARON**

**TITLE**  
**CIVIL SERVICES**  
**LOCATION & STORMWATER**  
**PLAN**

Accepted (Discipline Head)	Date
Accepted D. LUCK (Team Leader)	Date
Approved R. BESSELL (Group Manager)	Date

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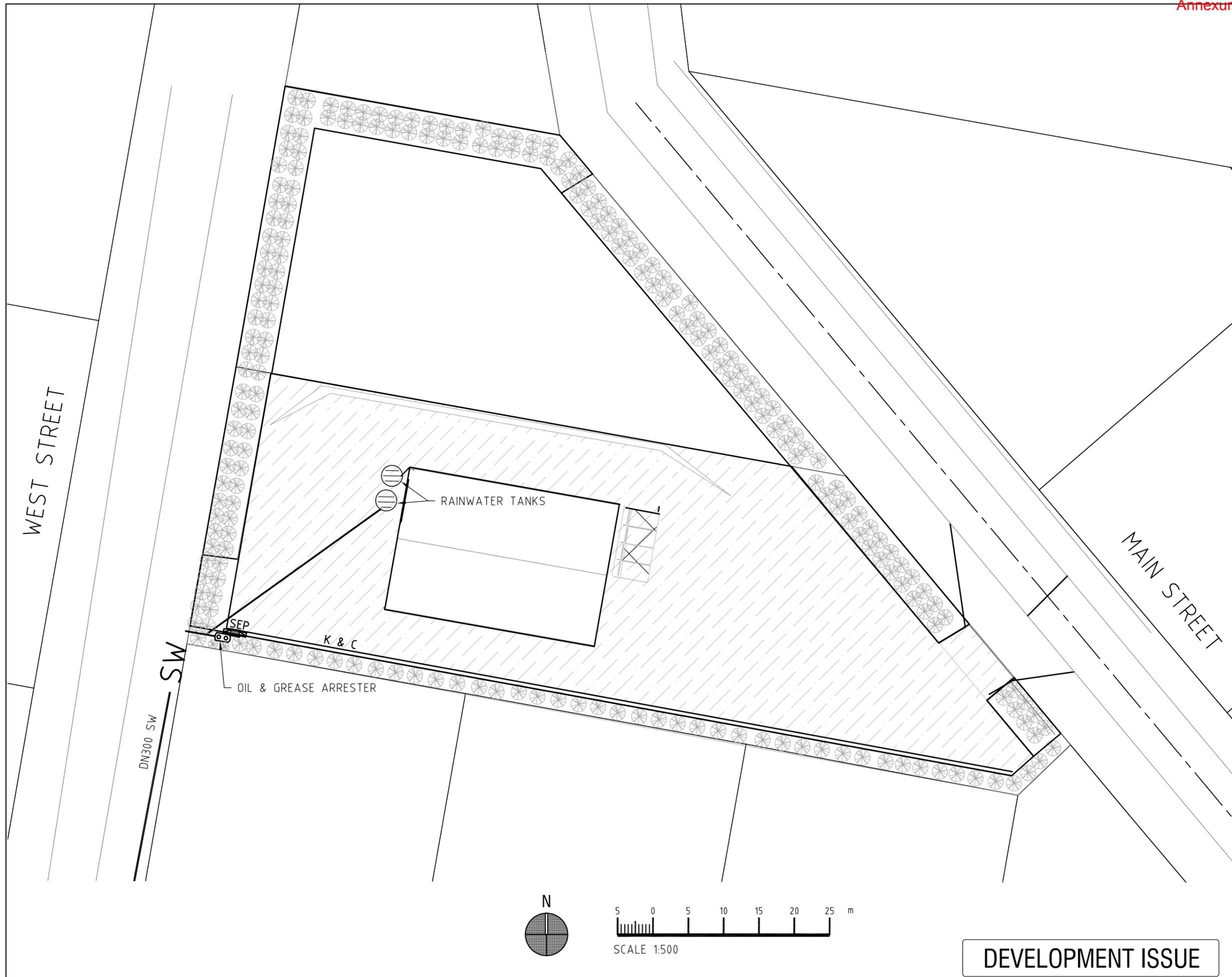
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NIL
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**Engineers & Planners**

**Johnstone McGee & Gandy Pty. Ltd.**  
 incorporating **Dale P Luck & Associates**

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**PROJECT**  
 FURNEAUX FREIGHT PTY LTD  
 12 - 14 MAIN STREET,  
 LADY BARON

**TITLE**  
 CIVIL SERVICES  
 SITE & STORMWATER PLAN

Accepted (Discipline Head)	Date
Accepted D. LUCK (Team Leader)	Date
Approved R. BESSELL (Group Manager)	Date

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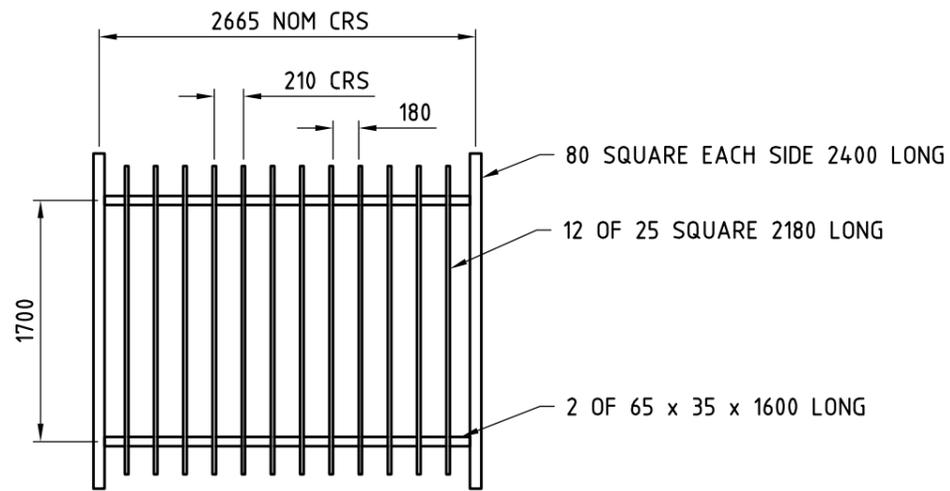
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**PROJECT NO.** J162059CL

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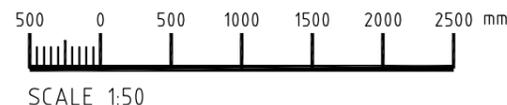
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SCALE 1:50



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REV	DATE	REMARK

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**PROJECT**  
FURNEAUX FREIGHT PTY LTD  
12 - 14 MAIN STREET,  
LADY BARON

**TITLE**  
CIVIL SERVICES  
DETAIL

Accepted (Discipline Head)	Date
Accepted D. LUCK (Team Leader)	Date
Approved R. BESSELL (Group Manager)	Date

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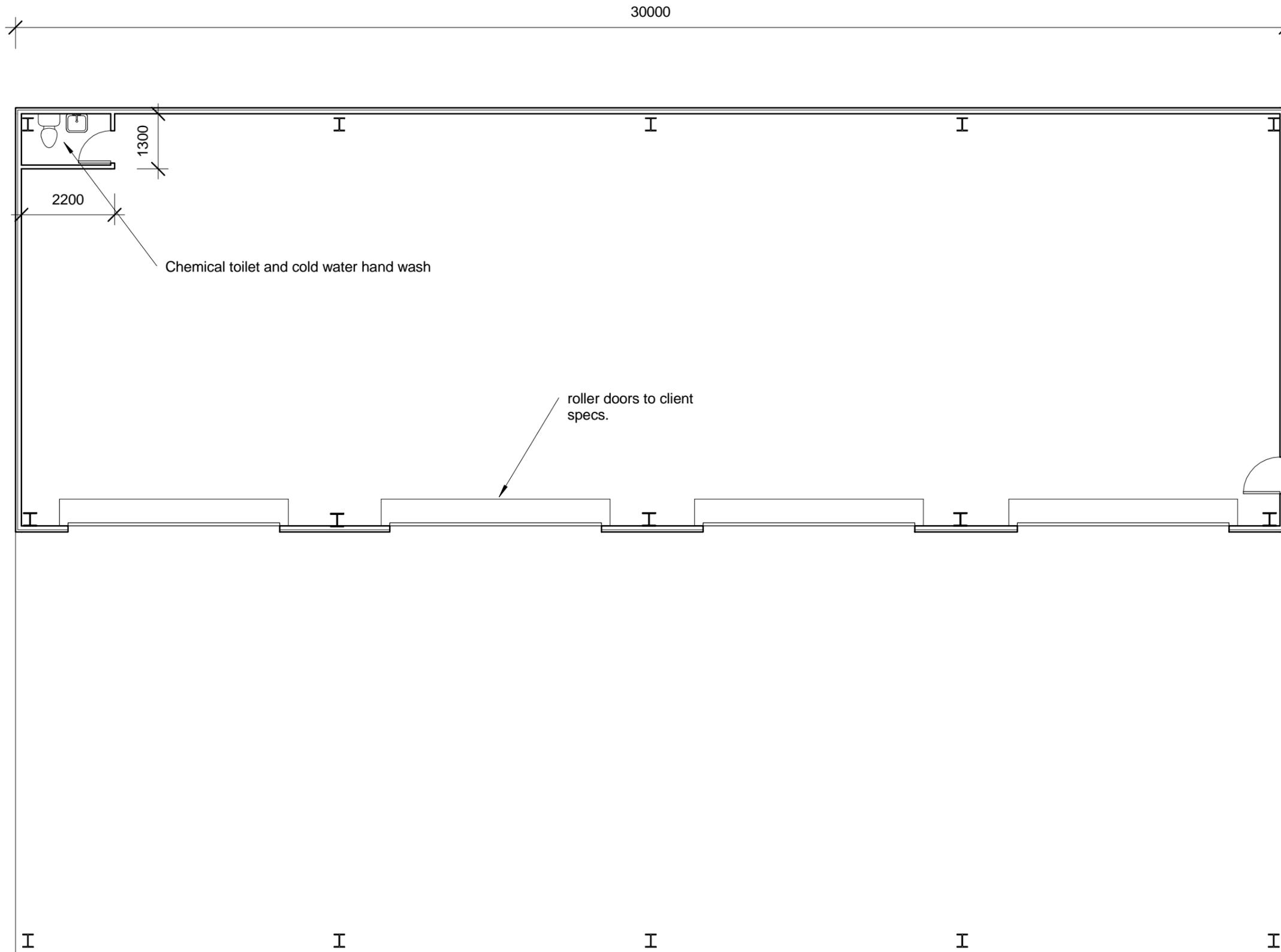
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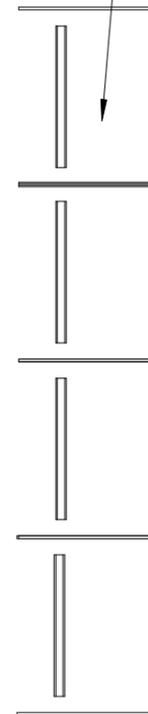
DWG NO.	REVISION
<b>D04</b>	<b>DA</b>

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**DEVELOPMENT ISSUE**



carpark spaces



DA 18-02-16 DEVELOPMENT ISSUE

REV	DATE	REMARK

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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
 12-14 MAIN STREET,  
 LADY BARON

TITLE  
**NEW TRANSPORT DEPOT**  
**SHED FLOOR PLAN**

Accepted (Discipline Head)	Date 18/02/16
Accepted DPL (Team Leader)	Date 18/02/16
Approved RB (Group Manager)	Date 18/02/16

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	PLOT DATE	18/02/16

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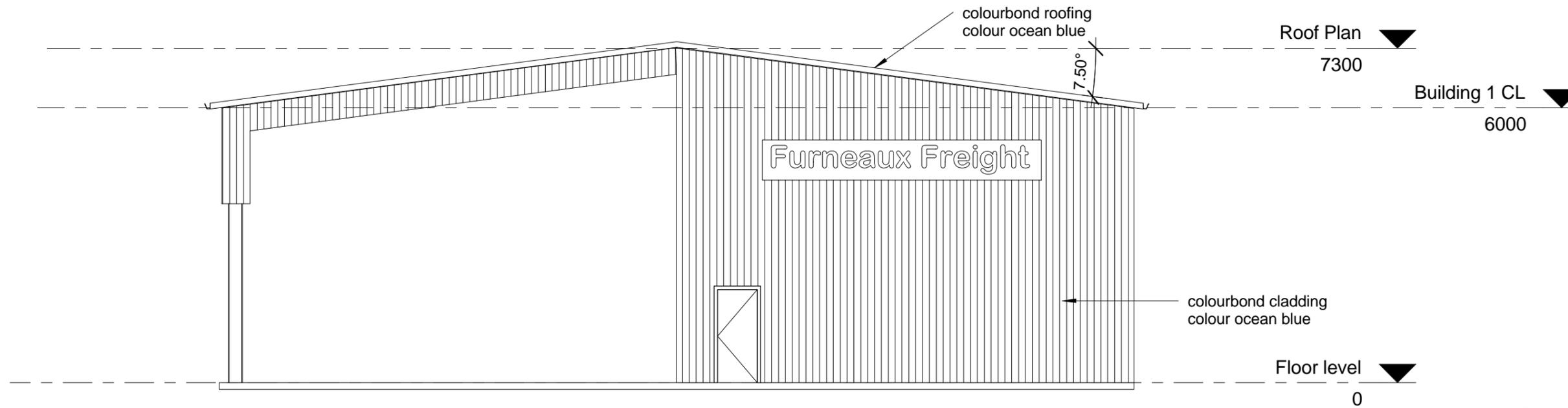
PROJECT NO. **J162059CL**

DWG NO. <b>D02</b>	REVISION <b>DA</b>
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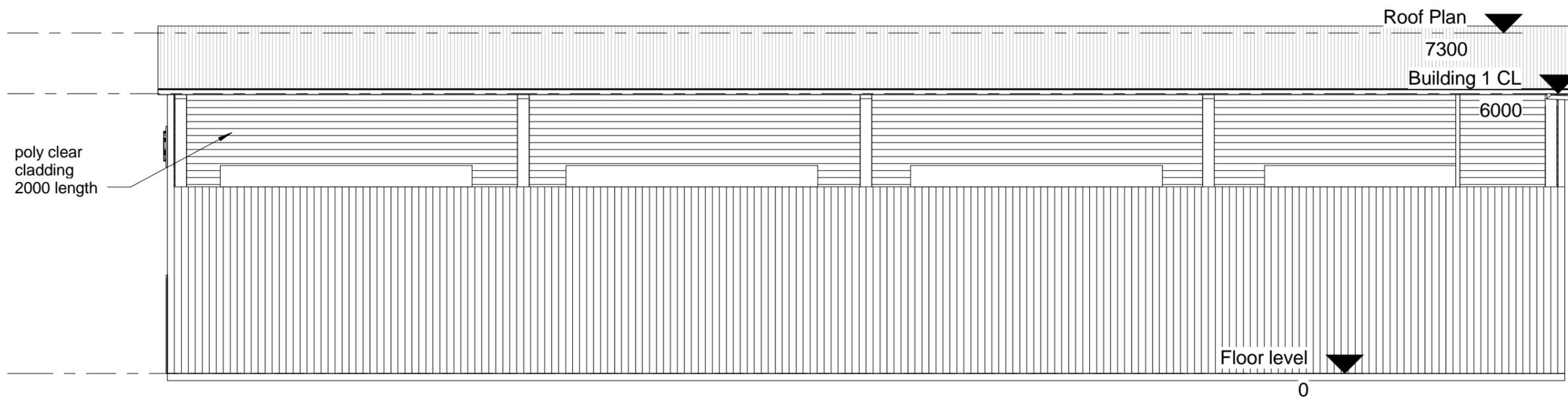
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# SHED FLOOR PLAN

# DEVELOPMENT APPLICATION



1 Eastern Elevation  
1 : 100



2 Northern Elevation  
1 : 100

DA 18-02-16 DEVELOPMENT ISSUE

REV	DATE	REMARK

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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
12-14 MAIN STREET,  
LADY BARON

TITLE  
**NEW TRANSPORT DEPOT**  
**ELEVATIONS SHEET 1**

Accepted (Discipline Head)	Date	03/06/15
Accepted DPL (Team Leader)	Date	03/06/15
Approved (Group Manager) RB	Date	03/06/15

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	PLOT DATE	03/06/15

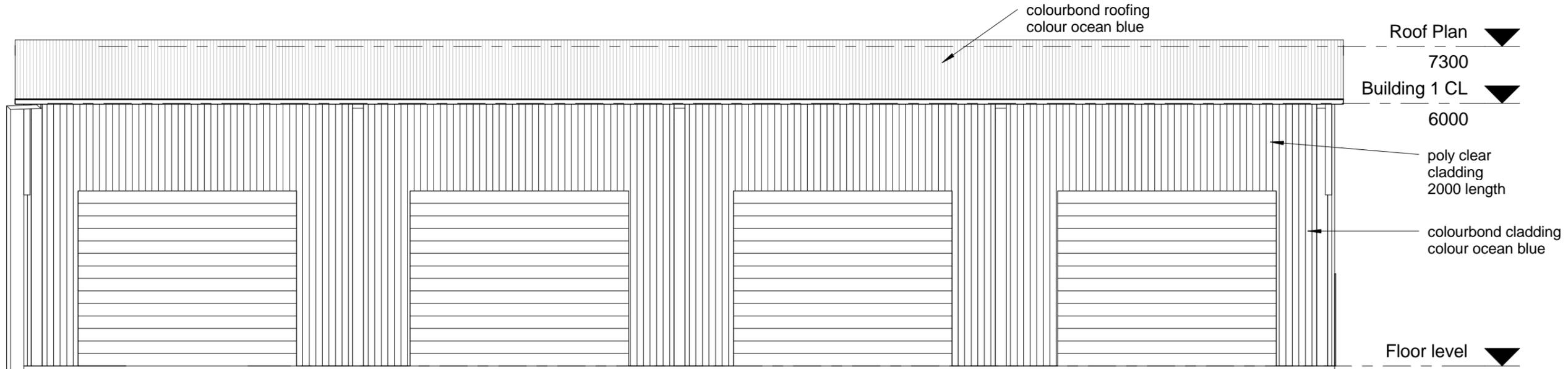
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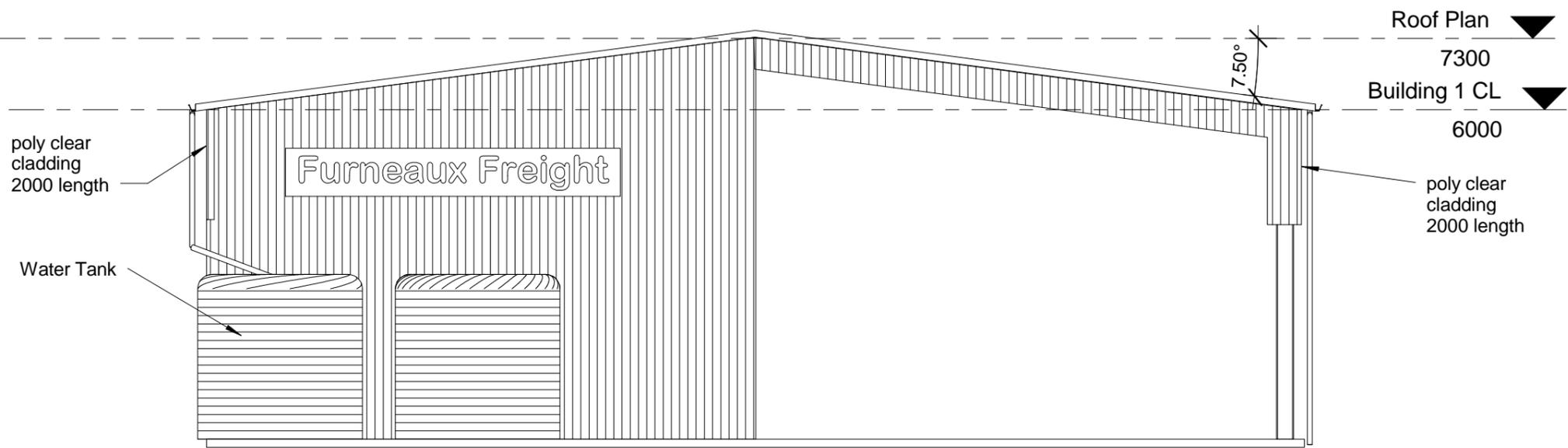
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DEVELOPMENT APPLICATION



1 Southern Elevation  
1 : 100



2 Western Elevation  
1 : 100

0	DA 18-02-16	DEVELOPMENT ISSUE
REV	DATE	REMARK

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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
 12-14 MAIN STREET,  
 LADY BARON  
 TITLE  
**NEW TRANSPORT DEPOT**  
**ELEVATIONS SHEET 2**

Accepted (Discipline Head)	Date 03/06/16
Accepted DPL (Team Leader)	Date 03/06/16
Approved RB (Group Manager)	Date 03/06/16

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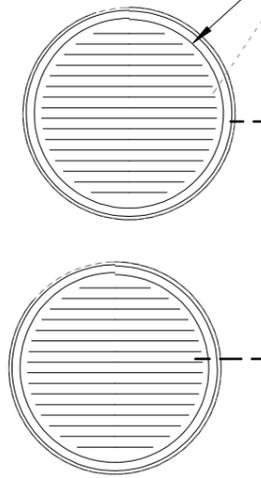
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DWG NO.	<b>D04</b>
REVISION	<b>DA</b>

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**DEVELOPMENT APPLICATION**

Note:  
Connect roof water run off to tanks

dp



dp

# ROOF PLAN

DA 18-02-16 DEVELOPMENT ISSUE

REV	DATE	REMARK
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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
 12-14 MAIN STREET,  
**LADY BARON**

TITLE  
**NEW TRANSPORT DEPOT**  
**ROOF PLAN**

Accepted (Discipline Head)	Date 03/06/15
Accepted DPL (Team Leader)	Date 03/06/15
Approved RB (Group Manager)	Date 03/06/15

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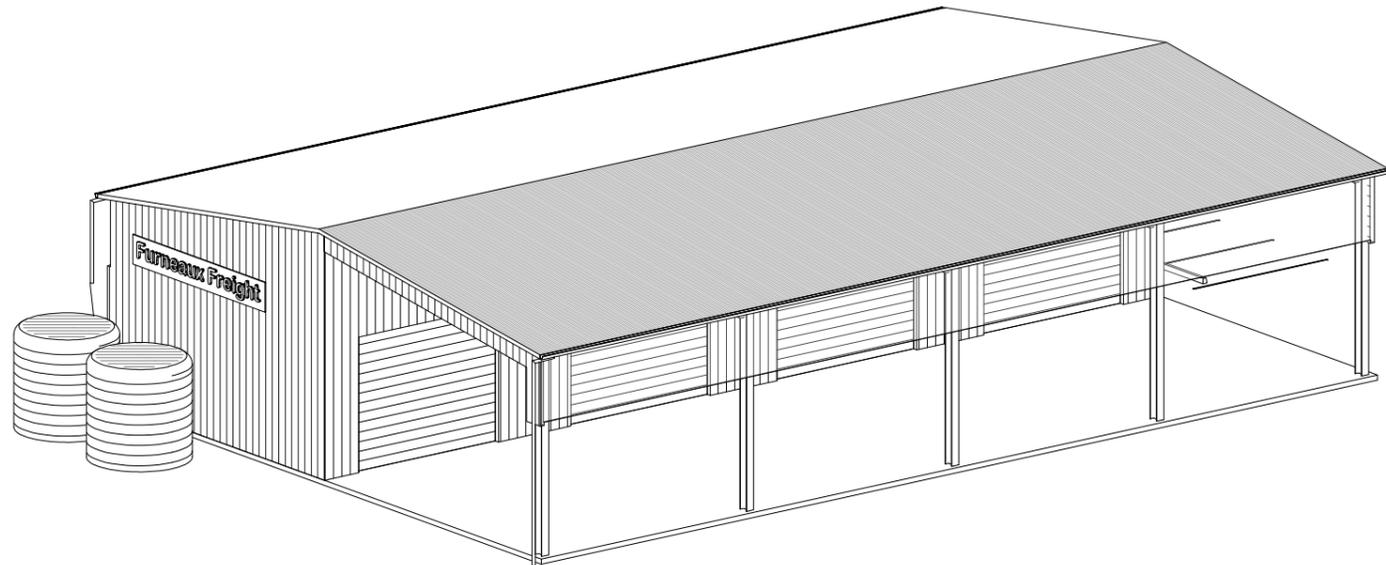
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<b>D05</b>	<b>DA</b>

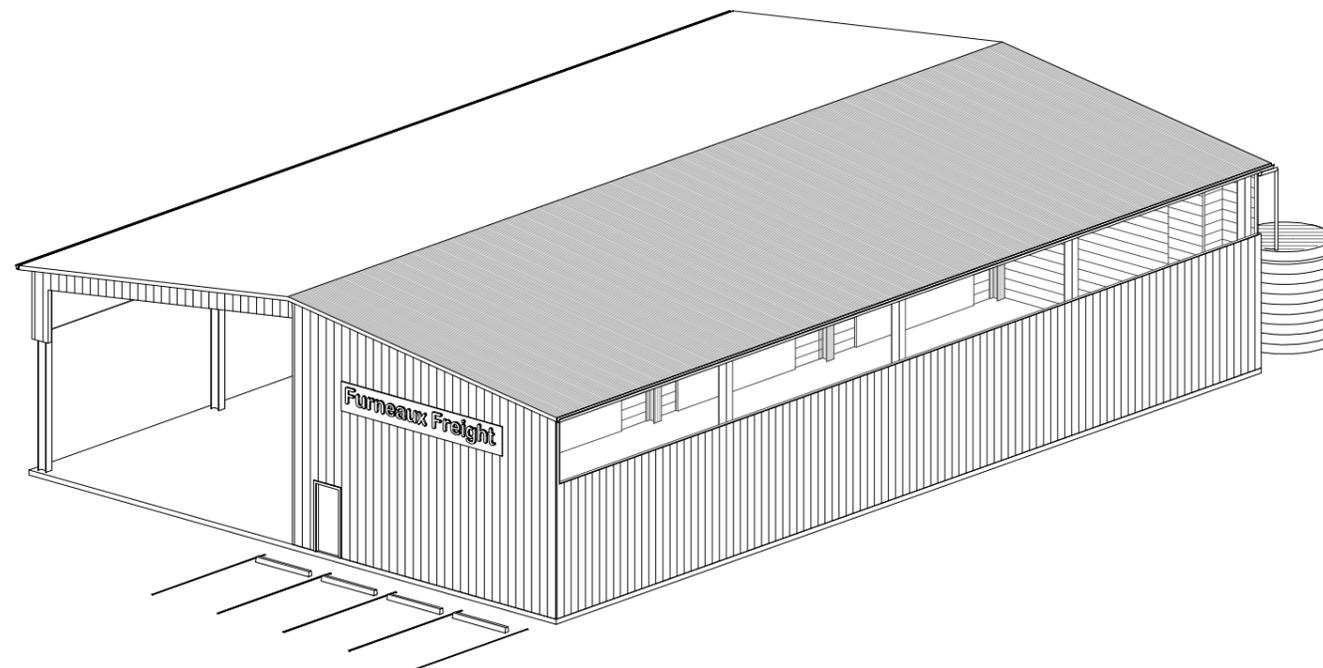
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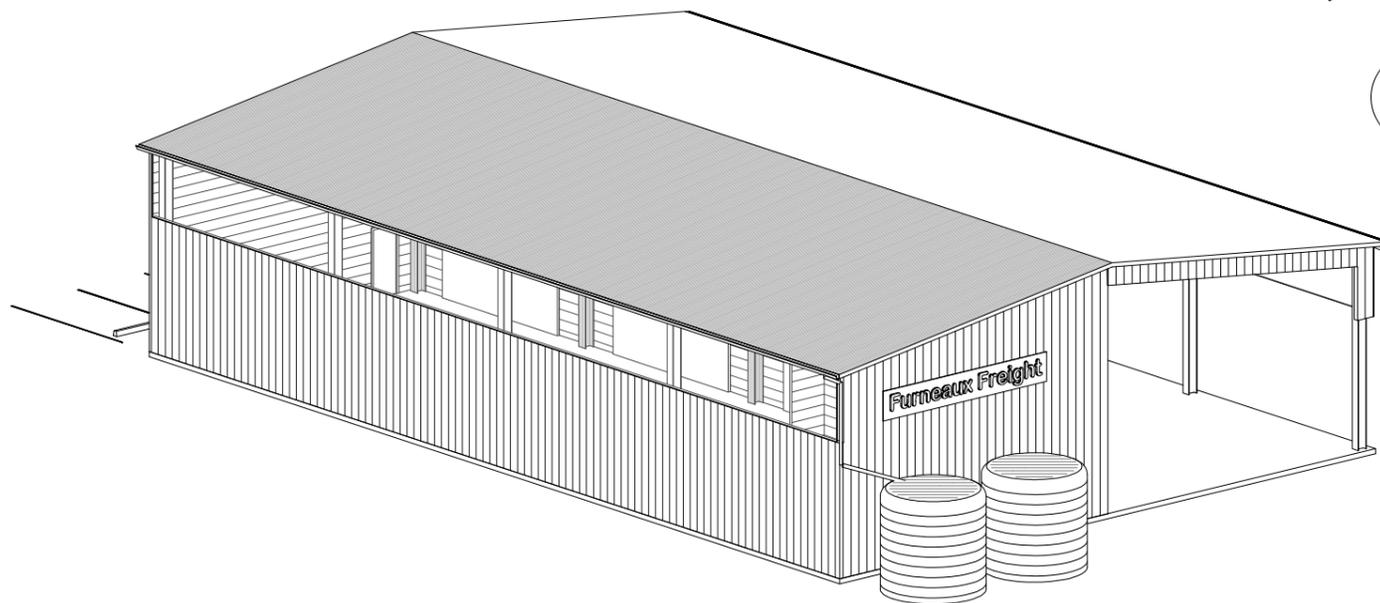
DEVELOPMENT APPLICATION



1 Southwest Perspective



2 Northeast Perspective



3 Northwest Perspective

DA 18-02-16 DEVELOPMENT ISSUE

REV	DATE	REMARK

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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
**12-14 MAIN STREET,**  
**LADY BARON**

TITLE  
**NEW TRANSPORT DEPOT**  
**3d PERSPECTIVES**

Accepted (Discipline Head)	Date	02/18/16
Accepted Checker (Team Leader)	Date	02/18/16
Approved (Group Manager)	Approver	Date
		02/18/16

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Designer	Author
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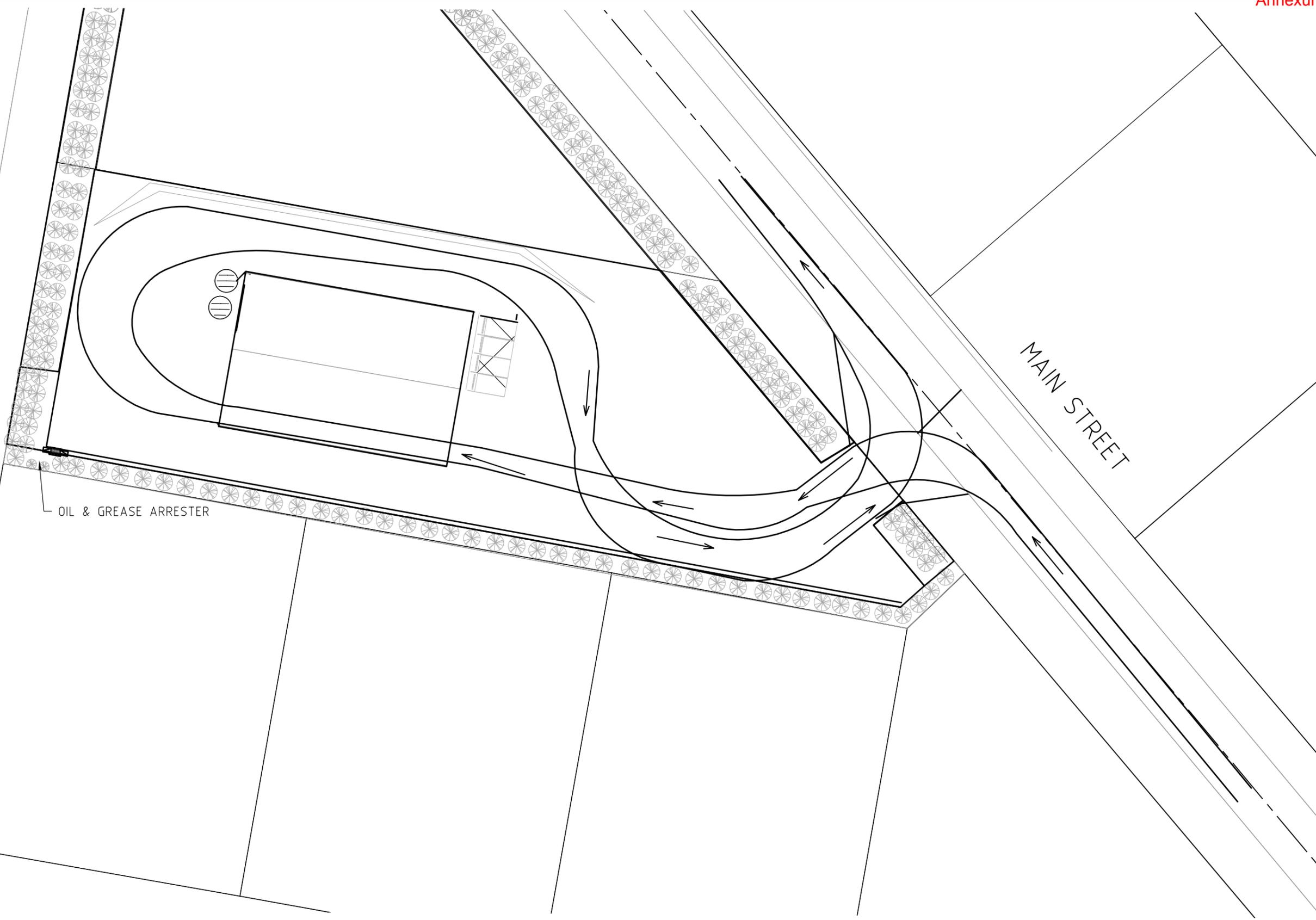
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DEVELOPMENT APPLICATION

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## APPENDIX C

# Vehicle Turning Paths



OIL & GREASE ARRESTER

MAIN STREET

REV	DATE	REMARK
DA	16.03.16	DEVELOPMENT ISSUE

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 Engineers & Planners

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PROJECT  
**FURNEAUX FREIGHT PTY LTD**  
 12 - 14 MAIN STREET,  
 LADY BARON

TITLE  
**CIVIL SERVICES**  
**WHEEL PATHS 19m SEMI**

Accepted (Discipline Head)	Date
Accepted D. LUCK (Team Leader)	Date
Approved R. BESSELL (Group Manager)	Date

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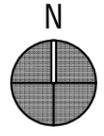
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**DEVELOPMENT ISSUE**

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**APPENDIX D**  
**Landscaping Schedule**

FURNEAUX FREIGHT LADY BARRON

12 - 14 MAIN STREET

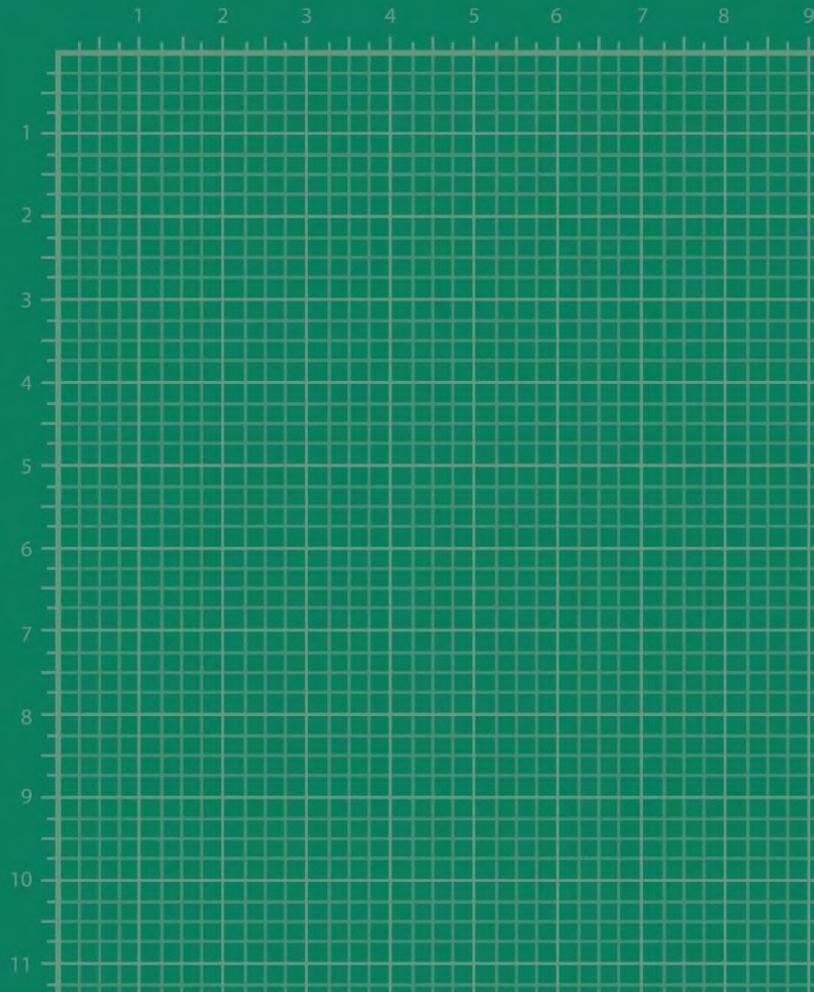
Mar-15

LANDSCAPE SCHEDULE

Landscaping strips shown on DA plan are to have the following mixture of small trees and Shrubs

- 1 Correa Alba 1.5 x 1.5 m mature height and width. Plant at 3 m centres. Hardy Coastal shrub endemic to Eastern Australia. Tolerates long drought periods
- 2 Leptospermum Starry Night 2 -m high x 1.5m wide dense shrub. Thick screen plant, tolerates sandy soil, fast growing. Plant at 4m centres
- 3 Wynyabbie Gem (Westringia) 1.5 x 1.5 m mature height and width. Medium dense shrub, suitable in full or part sun sites. Frost and drought tolerant. Plant at 3m centres
- 4 Leucophyta Brownii (Cushion Bush) 1 m high round shrub native to coastal areas including Flinders Island. Salt, drought, frost tolerant. Prefers sandy soil. Plant at 4 m centres
- 5 Acacia Sophorae (Coast Wattle) 2 - 8 m high Tasmanian native. Salt, sandy soil, drought and frost tolerant. Plant 2 or 3 specimens along each frontage.

Note; All species may be substituted with equivalent ones subject to availability and with Council approval. Plant in site soil, with bulb of humus rich soil, and place 100mm of mulch over all planting beds



**Johnstone McGee and Gandy Pty Ltd**

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