



Meander Valley Council
Working Together

AGENDA

ORDINARY COUNCIL MEETING

Tuesday, 10 September 2024

Time 3.00pm

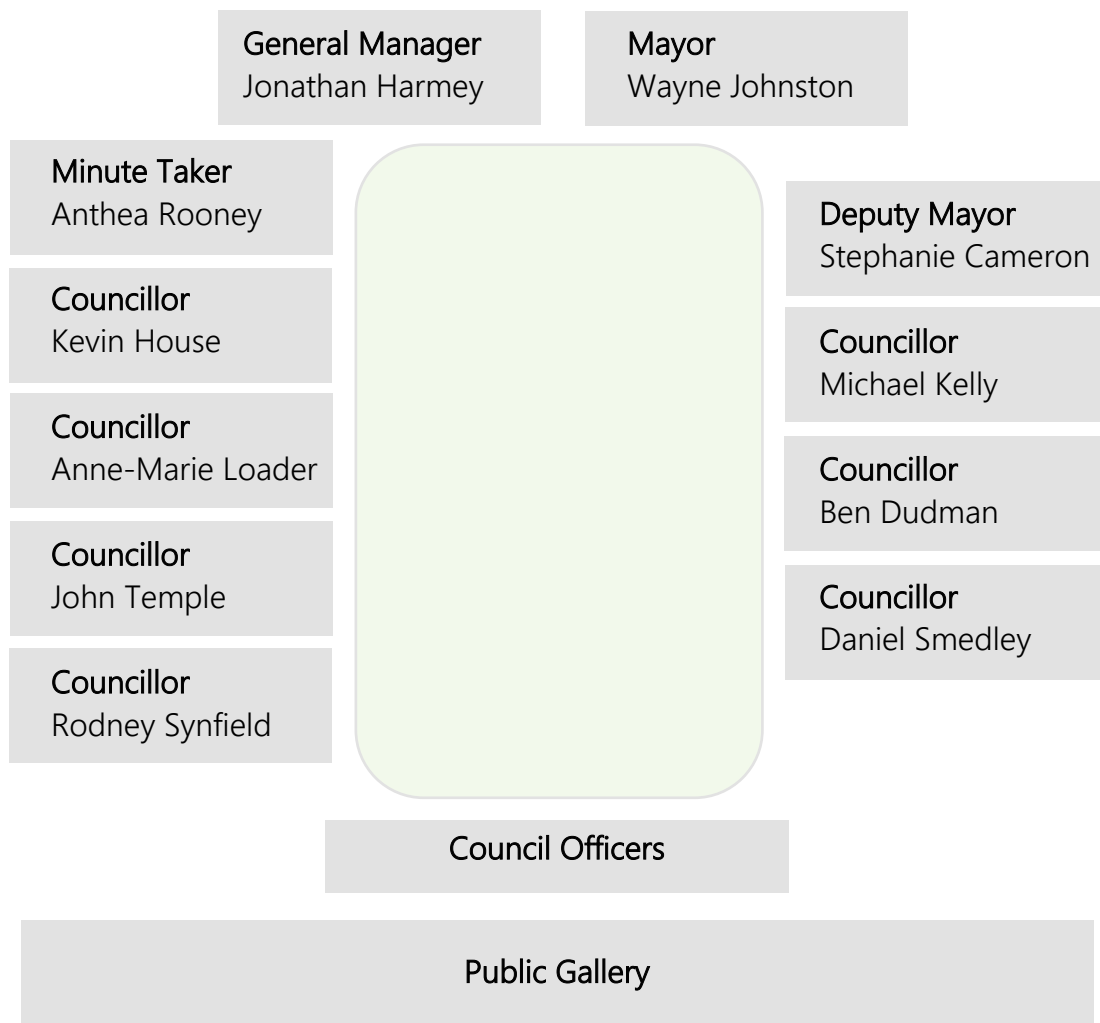
Location Council Chambers
26 Lyall Street
Westbury, Tasmania

Telephone (03) 6393 5300

The Way We Work Together Our Agreed Behaviours

1. We work as a team, value each other's contribution and are accountable for our work.
2. We support each other's roles to deliver the best outcomes for our customers and community.
3. We are supported, trusted and empowered to do our work.
4. We value open and transparent communication to keep each other well informed.
5. We operate in an environment where people feel connected.

Council Chambers Seating Plan



Going to a Council Meeting

Members of the community are encouraged to engage with Council's monthly meetings. You can submit questions online or attend in person.

The Council's website offers handy fact sheets with information about what to expect at a Council Meeting, including how to participate in Public Question Time.

In accordance with Policy No. 98: Council Meeting Administration, this Meeting will be recorded and live streamed to the general public. By attending the Meeting in person, you are consenting to personal information being recorded and published.

Hard copies of Agendas and Minutes are also available to view at the Council's office.

Learn More

Click here to find fact sheets about attending a Council Meeting, or to submit a question online for a future Meeting.

A copy of the latest Agenda and Minutes are available to view at the Council's office in Westbury. **Click here** to view Agendas and Minutes online or listen to audio of Meetings.

After the Meeting, you will find Minutes, Audio and Live Stream Recordings online. The recordings will remain available to the public for six months.

You can also contact the Office of the General Manager by telephone on (03) 6393 5317, or email ogm@mvc.tas.gov.au to ask any questions, to submit a question or learn more about opportunities to speak at a Council Meeting.

Public Access to Chambers

Where there is a need to manage demand, seating will be prioritised as follows:

For Planning Decisions: Applicants and representors have first priority. A representor is a community member who writes to the Council to object to or support a planning application (statutory timeframes apply for becoming a representor during the planning process).

For All Decisions: Members of the media are welcome to take up any seats not in use by the public or email ogm@mvc.tas.gov.au to request specific information about a Council decision.

Attendees are requested to consider the health and wellbeing of others in attendance.

If you are symptomatic or in an infectious state, then you are requested to stay away from the Meeting or follow good practices to minimise risk to others. This includes measures such as social distancing, wearing of face-masks and the use of hand sanitisers.

Conduct at Council Meetings

Visitors are reminded that Council Meetings are a place of work for staff and Councillors.

The Council is committed to meeting its responsibilities as an employer and as host of this important public forum, by ensuring that all present meet expectations of mutually respectful and orderly conduct.

It is a condition of entry to the Council Chambers that you cooperate with any directions or requests from the Chairperson or the Council's Officers.

The Chairperson is responsible for maintaining order at Council Meetings. The General Manager is responsible for health, wellbeing and safety of all present. The Chairperson or General Manager may require a person to leave the Council's premises following any behaviour that falls short of these expectations. It is an offence to hinder or disrupt a Council Meeting.

Access and Inclusion

The Council supports and accommodates inclusion for all who seek participation in Council Meetings, as far as is practicable.

Any person with a disability or other specific needs is encouraged to contact the Council prior to the Meeting on (03) 6393 5317 or via email to ogm@mvc.tas.gov.au to discuss how the Council can best assist you with access.

Council Meeting Processes

During Council Meetings, the following, processes occur:

All motions are passed by simple majority unless otherwise stated in the Agenda Item.

Councillors abstaining from voting at a Council Meeting are recorded as a negative vote (*Local Government (Meeting Procedures) Regulations 2015*).

Councillors are able to move amended, alternate or procedural motions during debate.

Councillors' Questions Without Notice will not be recorded in the Minutes unless they are Taken on Notice.

Members of the Public are able to ask two questions during Questions Without Notice.

Certificate of Qualified Advice

The General Manager must ensure any advice, information or recommendation is given to Council by a person with the necessary qualifications or experience: section 65, *Local Government Act 1993*.

Council must not decide on any matter without receiving qualified advice or a certification from the General Manager.

Accordingly, I certify that, where required:

- (i) the advice of a qualified person was obtained in preparation of this Agenda; and
- (ii) this advice was taken into account in providing general advice to the Meander Valley Council; and
- (iii) A copy of any such advice (or a written transcript or summary of oral advice) is included with the Agenda item.

A handwritten signature in black ink, appearing to read 'Jonathan Harmey', with a long horizontal flourish extending to the right.

Jonathan Harmey
General Manager

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1. Opening of Meeting and Apologies

2. Acknowledgment of Country

I begin today by acknowledging the Pallitore and Panninher past peoples, the Traditional Owners and Custodians of the land on which we gather today and I pay my respects to Elders past and present. I extend that respect to all Aboriginal and Torres Strait Islander peoples here today.

3. Confirmation of Minutes

Local Government (Meeting Procedures) Regulations 2015 – Regulation 35(1)(b)

Recommendation

That Council receives and confirms the Minutes of the last Ordinary Council Meeting held on 13 August 2024.

4. Declarations of Interest

Local Government Act 1993 – section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences).

5. Council Workshop Report

Local Government (Meeting Procedure) Regulations 2015 – Regulation 8(2)

Topics Discussed – 27 August 2024

Planning Applications for September Council Meeting

Councillors received a review of Planning Applications to be presented to the September Council Meeting.

Draft Community Strategic Plan 2024-2034

Councillors received and discussed a draft copy of the proposed Community Strategic Plan 2024-2034.

Local Government Association of Tasmania General Meeting – 4 September 2024 – Voting Position

Councillors provided voting direction for the Local Government Association of Tasmania General Meeting to be held on 4 September 2024.

Westbury Streetscape Concept Design

Councillors were presented with the concept design of the Westbury Streetscape and a mock up of the Westbury Town Entrance signage.

Deloraine Recreation Precinct – Play Space Concept Design

Councillors were presented with the draft concept design for the Nature Play Space at the Deloraine Recreation Precinct.

Sale of Public Land

Councillors were provided with information regarding the Council's properties.

Equal Opportunity Tasmania

Councillors received Work Health and Safety training from Equal Opportunity Tasmania.

Further Council Meeting Acknowledgements

Councillors discussed the acknowledgement in Council Agendas.



Items for Noting

Review and Proposed Amendments to Policy No. 2: Stock Underpasses on Council Roads

Councillors provided feedback on proposed amendments for the Council's Policy.

Review and Proposed Amendments to Policy No. 4: Subsidised Waste Disposal for Community Groups

Councillors provided feedback on proposed amendments for the Council's Policy.

Review and Proposed Amendments – Policy No. 62: Adhesion Orders

Councillors provided feedback on proposed amendments for the Council's Policy.

Review and Proposed Amendments – Policy No. 72: Approval to Occupy Road Reserve Including Dining and Vending

Councillors provided feedback on proposed amendments for the Council's Policy.

6. Mayor and Councillors' Reports

Councillors' Official Activities and Engagements Since Last Meeting

Mayor Wayne Johnston

Attended the following events:

- 2 September 2024 – delivered the opening address for the Cattle and Sustainability field day
- 3 September 2024 – attended the Citizenship Ceremony
- 4 – 5 September 2024 – attended the Local Government Association of Tasmania General Meeting

Deputy Mayor Stephanie Cameron

Attended the following events:

- 28 August 2024 – attended the Carrick Structure Plan Drop-In Session
- 3 September 2024 – attended the Citizenship Ceremony

Councillor Ben Dudman

Attended the following events:

- 28 August 2024 – attended the Carrick Structure Plan Drop-In Session
- 3 September 2024 – attended the Citizenship Ceremony

Councillor Anne-Marie Loader

Attended the following events:

- 13 August 2024 – attended the Carrick Hall Committee Meeting
- 24 August 2024 – presented at the Young Farmer of the Year Dinner
- 28 August 2024 – attended the Great Western Tiers Tourism Association Meeting
- 28 August 2024 – attended the Carrick Structure Plan Drop-In Session
- 3 September 2024 – attended the Citizenship Ceremony

Councillor Rodney Synfield

Attended the following events:

- 28 August 2024 – attended the Carrick Structure Plan Drop-In Session
- 3 September 2024 – attended the Citizenship Ceremony

Councillor John Temple

Attended the following events:

- 28 August 2024 – attended the Carrick Structure Plan Drop-In Session
- 3 September 2024 – attended the Citizenship Ceremony

Councillors' Announcements and Acknowledgements

7. Community Representations

Community representations are an opportunity for community members or groups to request up to three minutes to address Council on a topic of particular interest.

Requests received at least 14 days prior to a Council Meeting will be considered by the Chairperson. For further information, contact the Office of the General Manager on (03) 6393 5317 or email ogm@mvc.tas.gov.au.

No Community Representations have been received as part of this Agenda

8. Public Question Time

Members of the public may ask questions in person or using the form available on the Council's website.

During the Meeting, a minimum of 15 minutes is available and is set aside for members of the public to ask Questions With or Without Notice. Council will accept up to two Questions With Notice and two Questions Without Notice per person, per Meeting.

Click [here](#) to submit an online question for a future Meeting.

Refer to pages 3 and 4 of this Agenda for more information about attending a Council Meeting.

8.1. Public Questions With Notice

Local Government (Meeting Procedures) Regulations 2015 – Regulation 31(1)

(Questions With Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting).

Question

Leigh Wasserfall – Ambient Sound in Reedy Marsh – asked at the Council Meeting on 13 August 2024

1. With regard to Meander Valley's natural values in Reedy Marsh, does the Council have the authority to make amends about the high noise level being experienced at Reedy Marsh as a result of two operating quarries?
2. How much authority does the Council have to impose noise restrictions on the quarries in our area and is it possible to restrict the very early operating house and weekend work of the noisy machinery operating at the quarries?

Krista Palfreyman (Director Development and Regulatory Services) advised that the two existing quarries at 190 and 611 Porters Bridge Road, Reedy Marsh, are Level 2 Activities regulated by the Environment Protection Authority Tasmania. The regulation of noise emissions and impacts to sensitive receptors from the two sites is regulated by the Environment Protection Authority Tasmania via their Permit Conditions or Environment Protection Notice. The Council has no authority to impose or vary noise restrictions on the activities.

Question

Rebecca Hanby, Westbury – Drainage Issues in William Street and Green Overlay - asked at the Council Meeting on 13 August 2024

1. What green overlay does the Meander Valley Council have in 2024 and going forward, including what are the permeable ground percentages in new developments, canopy percentages taking into consideration climate change, is there a tree registry for trees of significance, what is being done about wildlife corridors and what is the current hedge protection strategy?

Thomas Wagenknecht (Senior Strategic Planner) advised that the Meander Valley Local Provisions Schedule (LPS) contains the Priority Vegetation Area Overlay. This overlay is underpinned by the Regional Ecosystem Model of Tasmanian Biodiversity and applied in accordance with Guideline No. 1: Local Provision Schedule (LPS): zone and code application issued by the Tasmanian Planning Commission.

The proportion of pervious surfaces in new developments varies greatly depending on the size, scale and location of the development. The State Planning Provisions currently do not require minimum areas of pervious surface but instead regulates allowable site coverage (calculated as the gross roofed area divided by site area) for new development. For example, within both the General Residential Zone and the Village Zone, a site coverage of 50% is permissible. The State Government is currently reviewing Tasmania's residential standards, with a draft recommendation to introduce minimum deep soil area requirements to minimise the extent of impervious surfaces.

The Council does not monitor canopy cover for new developments.

The LPS provides for the option of a Significant Tree register. No trees are currently listed. Notwithstanding, trees on sites listed on the State heritage register, such as the Village Green, are afforded a level of protection regardless.

The Council does not currently have any active projects relating to wildlife corridors but does have a role to play when assessing planning applications that involve vegetation removal. On the ground projects are best facilitated through entities such as NRM North.

The Meander Valley Council does not have an endorsed hedge protection strategy. Notwithstanding, some scenic road corridors within the LPS – such as the Bass Highway, Meander Valley Road and Mole Creek Road – enable consideration of hedgerows where they contribute to visual aesthetic values.

8.2. Public Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 – Regulation 31(2)(b)

(Members of the public who ask Questions Without Notice at a Meeting will have both the question and any answer provided recorded in the Minutes. If the Council's Officers are unable to answer the question asked at the Meeting, the question and a response will be provided in the next Council Meeting Agenda).

9. Councillor Question Time

Local Government (Meeting Procedures) Regulations 2015 – Regulation 30

9.1. Councillors' Questions With Notice

(Questions With Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting).

No Councillors' Questions With Notice were received for this Meeting.

9.2. Councillors' Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 – Regulation 29

(Councillors who ask Questions Without Notice at a Meeting will have the question answered at the Meeting. Questions and responses will not be recorded in the Minutes of the Meeting. If the Council's Officers are unable to answer the question asked at the Meeting, the question and a response will be provided in the next Council Meeting Agenda).

10. Council as a Planning Authority

In planning matters, Council acts as a Planning Authority under the *Land Use Planning and Approvals Act 1993*. The following applies to all Planning Authority reports:

Strategy The Council has an Annual Plan target to process Planning Applications in accordance with delegated authority and statutory timeframes.

Policy Not Applicable.

Legislation The Council must process and determine applications under the *Land Use Planning and Approvals Act 1993* (LUPA) and its Planning Scheme. Each application is made in accordance with LUPA, section 57.

Consultation The *Agency Consultation* section of each Planning Authority report outlines the external authorities consulted during the application process.

Community consultation in planning matters is a legislated process. *The Public Response – Summary of Representations* section of each Planning Authority report outlines all complying submissions received from the community in response to the application.

Budget and Finance Where a Planning Authority decision is subject to later appeal to the Tasmanian Civil and Administrative Tribunal (Resource and Planning Stream), the Council may be liable for costs associated with defending its decision.

Risk Management Risk is managed by all decision-makers carefully considering qualified advice and inclusion of appropriate conditions on planning permits as required.

Alternative Motions Council may approve an application with amended conditions or Council may refuse an application.

Regardless of whether Council seeks to approve or refuse an application, a motion must be carried stating its decision and outlining reasons. A lost motion is not adequate for determination of a planning matters.

11. Planning Authority Reports

11.1. PA\23\0217 - 345-347 Westbury Road, Prospect Vale

Proposal	Food Services (convenience restaurant), consolidation of titles, demolition of structures and signage
Report Author	Natasha Whiteley Team Leader Town Planning
Authorised By	Krista Palfreyman Director Development and Regulatory Services
Decision Due	11 September 2024
Decision Sought	It is recommended that Council approves this application. <i>See section titled Planner's Recommendation for further details.</i>

Applicant's Proposal

Applicant	McDonald's Australia Limited C/O Ratio Consultants
Property	345-347 Westbury Road, Prospect Vale (CTs: 217358/9 and 217681/8)
Description	<p>The applicant seeks planning permission to:</p> <ol style="list-style-type: none">1. Demolish all existing structures on the site (buildings and signs);2. Consolidate the two existing titles to make one title;3. Construct a convenience restaurant (McDonald's) including associated car parking, drive through, acoustic fencing and screens and signage; and4. Operate the business 24 hours 7 days a week. <p><i>Documents submitted by the Applicant are attached, titled Application Documents.</i></p> <p>Following the advertising period and review of the representations received, the applicant has submitted amended plans for the proposed use and development. The amendments include:</p> <ol style="list-style-type: none">1. Removing the car parking spaces located to the east of the loading bay;

- The proposed amendments are not considered to be substantial changes to the application nor invoke new discretions. Therefore, the amended plans and supplementary reports can be considered as part of the assessment. The amended plans and supplementary reports are located within the attachment titled *Amended Plans and Supplementary Reports*.

An aerial photograph of a residential neighborhood. A yellow rectangular area is outlined in the center, labeled 'Subject Site' and '345'. The area contains a large, light-colored building and a dirt lot. Surrounding the subject site are various other residential lots, many of which are labeled with addresses or lot numbers. To the left of the subject site is Stuart Avenue, and to the right is Chris Street. Westbury Road runs vertically through the center of the image. The neighborhood is densely packed with houses and some commercial buildings.

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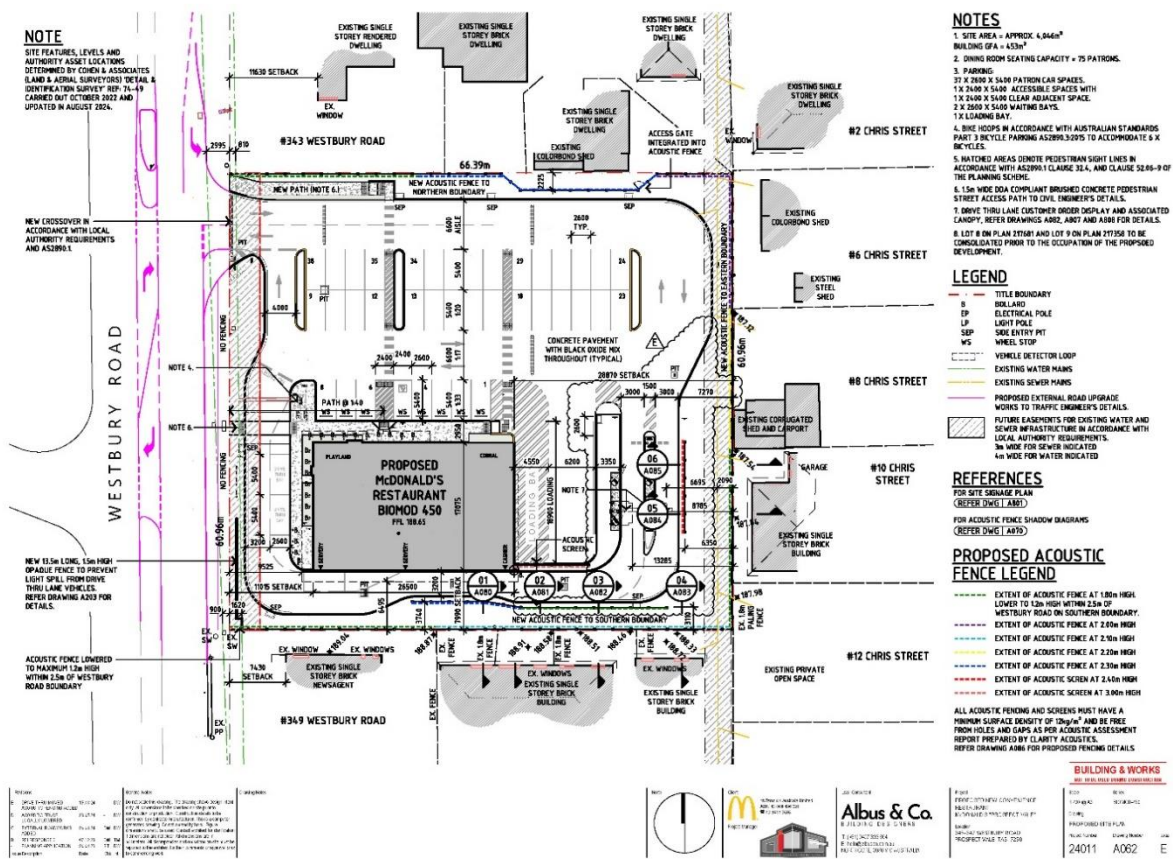
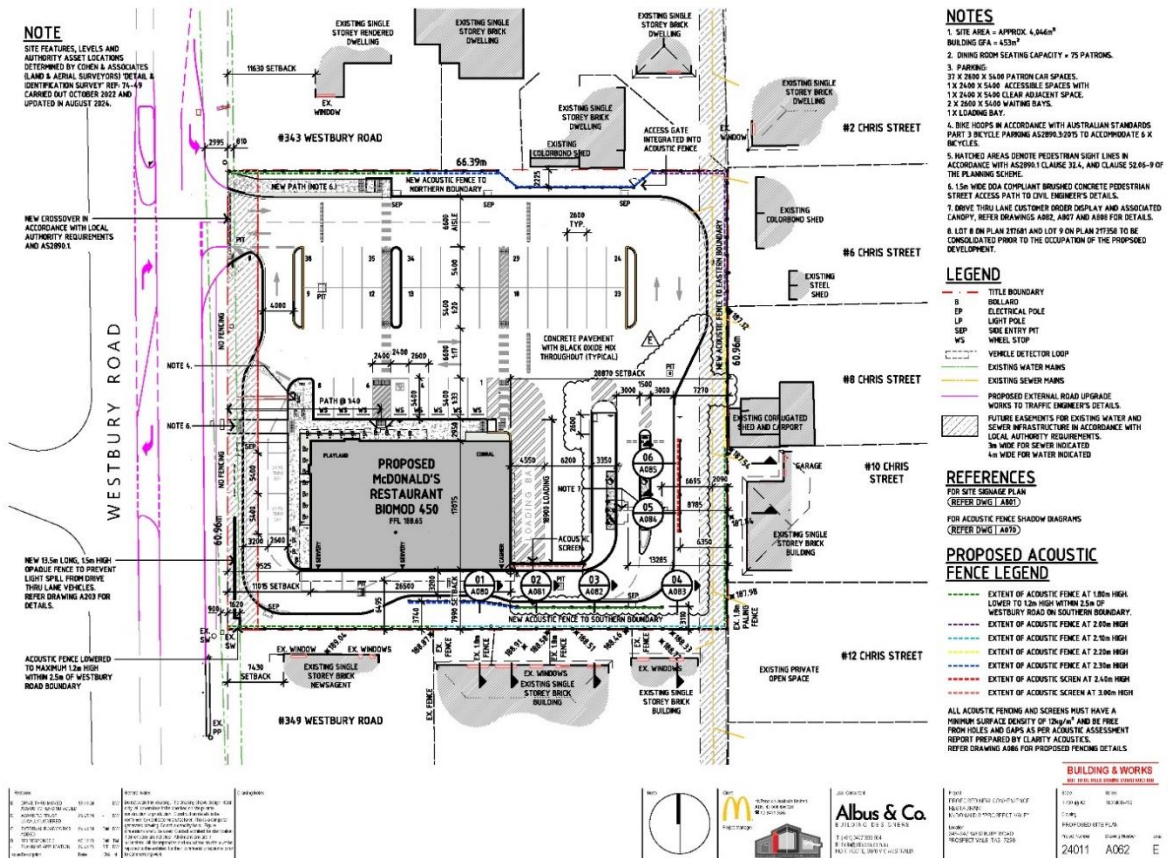




Figure 4: Extract of the 3D Views of the proposed development (source: application documents)



Figure 5: Photograph of the site looking north from Westbury Road (photo taken by Council – dated 24 July 2024)



Figure 6: Photograph of the site looking south from Westbury Road (photo taken by Council – dated 24 July 2024)



Figure 7: Photograph of the site looking south from the north-eastern corner (photo taken by Council – dated 24 July 2024)

Planner's Report

Discretions

For this application, 15 discretions are triggered. This means Council has discretion to approve or refuse the application based on its assessment of:

Clause	Performance Criteria	Standard
15.3.1	P1, P2	All uses
15.4.2	P2	Setbacks
15.4.4	P1, P2	Fencing
C1.6.1	P1.1, P2, P3	Design and siting of signs
C1.6.2	P1	Illuminated signs
C2.5.3	P1	Motorcycle parking numbers
C2.6.5	P1	Pedestrian access
C2.6.6	P2	Loading bays
C2.6.8	P1	Siting of parking and turning areas
C3.5.1	P1	Traffic generation at a vehicle crossing, level crossing or new junction
C14.6.1	P1	Excavation works, excluding land subject to the <i>Macquarie Point Development Corporation Act 2012</i>

Before exercising a discretion, Council must consider the relevant Performance Criteria, as set out in the Planning Scheme.

See Attachment titled Planner's Advice - Performance Criteria for further discussion.

Performance Criteria and Applicable Standards

Subject to the recommended conditions, this proposal is assessed as satisfying the relevant Performance Criteria and compliant with all Applicable Standards of the Scheme.

See Attachments titled Planner's Advice – Performance Criteria and Planner's Advice – Applicable Standards for further discussion.

Public Response

Eleven responses (representations) were received from the public. Of these, all are objections.

See Attachment titled Public Response – Summary of Representations for further information, including the Planner's Advice given in response.

The applicant has provided a response to the representations which can be found in the attachment titled *Applicant's Response to Representations Received*.

Agency Consultation

TasWater

The application was referred to TasWater. TasWater provided an Amended Submission to Planning Authority Notice, Reference: TWDA 2023/00517-MVC, on date 5 June 2024.

See Attachment titled Agency Consultation – TasWater – Submission to Planning Authority Notice.

TasNetworks

The application was referred to TasNetworks. TasNetworks provided the following comments on 27 April 2023:

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

It is recommended that the customer (or their consultant) submit an application via our website portal at their earliest convenience to upgrade the electricity supply connection to support this development.

The application portal can be found here: Connections Hub - TasNetworks.

An early engagement meeting is recommended to discuss requirements, costings and timing which can be requested via email early.engagement@tasnetworks.com.au

See Attachment titled Agency Consultation – TasNetworks.

Tas Gas Networks

The application was referred to Tas Gas Networks. Tas Gas Networks provided comment on 2 July 2024 and requires the inclusion of two conditions, if approved, as per below:

- *TGN owns and operates gas pipelines in the road reserve of Westbury Road, any works near to these pipelines shall comply with TGN policies and procedures and must have a Before You Dig enquiry with reasonable notice.*
- *TGN has an existing gas service connection to the property, 347 Westbury Road, Prospect Vale. Tas Gas Networks shall be contacted to arrange the isolation, removal and or safe method of work(s) near this asset before any works are performed on or adjacent to this service as part of this development.*

See Attachment titled Agency Consultation – Tas Gas Networks.

Internal Referrals

Infrastructure Services

The Council's Infrastructure Services Department has reviewed the application and provided the following comments:

At the time the planning application was received Council engaged Richard Burk, who is the Director of Traffic and Civil Services (TCS) to provide expert advice specifically relating to the proposal and its impact on Westbury Road traffic conditions. Richard has over 37 years experience in traffic engineering, is located in Launceston and is familiar with the conditions of Westbury Road and its surrounds due to a number of studies already undertaken on behalf of the Council.

The key traffic considerations associated with the development are that the application is in compliance with the Planning Scheme and that the development will not negatively impact safety or have an unreasonable effect on the efficiency of the road network. The documentation provided during the application process has been reviewed by the Council's Officers and TCS resulting in a number of iterations being worked through to get to the final versions. The traffic generation figures and modelling provided in the Traffic Impact Assessment (TIA) have been reviewed by TCS and additional traffic counts were undertaken as part of the review process.

The TIA summarises current (predevelopment) traffic conditions, post development traffic implications and future (10 year) predictions based on the known potential future growth from Prospect, South Prospect, Blackstone Heights, Hadspen and other infill sites. The data suggests that vehicle queuing associated with the development will have a negligible impact on the efficiency of Westbury Road. The comments received from TCS indicate general agreement with the contents and conclusion of the TIA in that appropriate traffic safety and efficiency outcomes can be achieved for the proposal provided appropriate conditions are included in the Planning Permit (if approved). Conditions for the development are proposed to include: a time restricted ban on right turns (out of the subject site) during peak afternoon periods; formalisation of central median treatments; provision of a southbound turn slot; creation of a single access point; installation of appropriate signage; kerb, channel and footpaths for the frontage of the site; all of which should be completed to the satisfaction of the Council's Director Infrastructure Services prior to the commencement of the use. A recommendation is for the Council to continue monitoring Westbury Road post development and make adjustments to the no right turn time restriction subject to traffic activity level or crash propensity.

In summary, the proposal is not anticipated to significantly impact the operation of Westbury Road. The capacity of Westbury Road has not yet been reached, some traffic congestion during peak periods is not unique to Prospect Vale and it is reasonable to expect increases in congestion with growing populations and development.

Through traffic safety on Westbury Road is not anticipated to be impeded by the proposal. The right turn out of the site onto Westbury Road is considered an additional hazard caused by the development. This has been mitigated by conditioning a time restricted ban during PM peak times, which will be monitored for effectiveness by the Council. The Council recognises that the Westbury Road/Country Club Avenue roundabout provides a viable and convenient alternative to the right turn onto Westbury Road from the development site at peak times and that the AM peak is not as severe as the PM peak and does not require restrictions onto Westbury Road at this stage.

It is considered that safety of pedestrians will be improved by the development with facilities being created that were not present previously, ie. footpath, improved delineation with the installation of kerb and channel and a single access point for the site (reducing the length of conflict between vehicles and pedestrians).

The TIA completed by Ratio Consultants concluded that the road network is sufficient to accommodate the increase in traffic generated by the proposed development without impeding safety or efficiency of the road network. The Council's consultant (TCS), generally agrees with the contents of the TIA and conclusions reached.

Future population growth (or reduction) also influences traffic activity levels. As such, the demands on Westbury Road area likely to grow in line with future development of the surrounding areas regardless of this development. The Meander Valley Council (as the road authority) will need to remain committed to undertaking the necessary studies and works on its road network to ensure appropriate levels of safety and efficiency are provided. This will include consideration of the strategic intersections being signalised, alternative or duplicated routes and speed limit reductions.

Stormwater detention for the development will be required to mitigate the risk of flooding in the downstream stormwater network.

The Conditions and Notes recommended by the Infrastructure Services Department have been included in the Planner's recommendation.

Environmental Health

The Council's Environmental Health Officer has reviewed the application and provided the following comments:

The proposed hours of operation for the restaurant and drive through are 24 hours, 7 days a week. The proposed hours do not meet the acceptable solution (A1), therefore, are reliant on meeting the Performance Criteria (P1) for 15.3.1, with the objective: that uses do not cause an unreasonable loss of amenity to residential zones. The Performance Criteria P1 states, the hours of operations of a use*must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.*

Residential dwellings are located adjacent to the proposed dwelling to the north, east and south. Acoustic, odour and lighting reports were required for assessment to consider the likely impacts on the amenity of the adjacent residential zone.

Noise

An Acoustic Assessment Report by Clarity Acoustics (Report R01 Rev5 22203, dated 24 May 2024) has been included in the application documentation.

The Acoustic Assessment Report concludes the adopted assessment criteria for the site can be met with the implementation of perimeter acoustic fencing to the northern, eastern and southern boundaries, restricting the timing of commercial vehicle movements to and from the site, switching off the refrigeration condensers of delivery vehicles, selecting mechanical plant with sound power levels as included in the modelling for the report, operating the air conditioning units in low-speed during the night period, specifying materials and design of speed humps and metal grates in trafficable areas and providing localised acoustic screenings for the roof mounted refrigeration unit and loading bay.

The adopted assessment criteria for the site are based upon background monitoring for the site plus 5dB, a sleep disturbance criterion of 65dB L_{Amax} and a low frequency noise threshold of C-weighted noise level minus A-weighted ≤ 15 dB.

The acoustic assessment is consistent with the Traffic Impact Assessment Report (TIA) by Ratio (Version F06, dated 24 May 2024) in relation to the expected vehicle movements onsite, namely 170 vehicles per peak hour (85 vehicle movements arriving to the site and 85 vehicle movements exiting the site). However, consideration has not been given in the acoustic assessment to the projected increase in traffic volume in the vicinity arising from anticipated development in the surrounding area as discussed in the TIA.

The TIA cites two traffic growth scenarios for a 10-year period: 1% annual compounding growth and 1.9% annual compounding growth. Discussions with the Council's Infrastructure Services Department suggest that the latter is the more likely/realistic scenario. This projected increase in vehicle movements has the potential to increase patronage and subsequent noise emissions from the site. This growth has not been addressed in the assessment and, therefore, whether there is potential for further impact on residential amenity is unknown.

The Council engaged James Heddle, an acoustic consultant with over 30 years of experience in acoustic assessment and design, to undertake a peer review of the acoustic assessment submitted with the application. The key findings from the peer review are as follows:

- the night-time ambient noise level measured in the assessment was very quiet, $L_{A90, 15 \text{ minute}}$ 28dB.
- the L_{Aeq} noise criteria adopted in the assessment for the day and evening periods are satisfactory.
- the sleep disturbance criterion is satisfactory but should apply at any time of day.

- the night-time dBA noise criterion used in the assessment is not adequate.
- the night-time period noise criterion adopted in the assessment are inadequate to meet the Planning Scheme Performance Criteria, to safeguard residential acoustic amenity, particularly given the very quiet ambient noise environment. Inaudibility and octave band noise criteria for the 10:00pm to 7:00am period are recommended as a more appropriate means of safeguarding acoustic amenity for residents in the night-time period.

Further commentary to support these findings has been summarised, thus:

There are multiple factors to consider when assessing the impact of noise emissions on amenity, such as the existing conditions and current noise levels, the anticipated new noise level and whether it has tonal or impulsive components, and the duration and time of the day the noise will occur. Noise criteria are set to safeguard noise-sensitive receivers against unreasonable loss of amenity. The basis of noise criteria, in general, is to constrain the introduced noise sufficiently that it does not emerge above the prevailing ambient noise to become clearly noticeable and potentially annoying. The intention is that the existing ambient noise provides satisfactory sound masking of the introduced sound.

Particularly at night-time and where the introduced noise source is dissimilar in spectrum to the ambient noise, dBA criteria have been found unsatisfactory, as they do not sufficiently control the level of the introduced source relative to the ambient noise spectrum and the masking effect of the ambient noise is degraded.

At a noise-sensitive receiver, such as in a residential zone, if the average maximum level of an introduced noise source is submerged into the existing ambient noise then the masking provided by the ambient noise will generally safeguard against disturbance or loss of acoustic amenity. If the introduced source noise is also constrained to be close to the average minimum of ambient noise in spectrum (the source relative to background level difference is constrained at all frequencies), then this results in an improved masking of the source and improved noise control, particularly where a source noise may have a dissimilar spectrum to the ambient noise.

Examples of best practice for night-time noise control require octave band constraints on the introduced noise source relative to the night-time average minimum ambient noise (eg. City of Sydney Council; Victoria's 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues; NSW Department of Industry Liquor and Gaming Criteria 2017 guidelines for assessing noise emissions due to activity noise including people talking, functions and music).

For example, the latter requires:

- that the L_{10} noise level emitted from the premises shall not exceed 5dB above the background L_{90} sound level in any Octave Band Centre Frequency (31.5Hz to 8kHz inclusive) between the hours of 7.00am to 12.00midnight when assessed at the boundary of the nearest affected residential premises.
- L_{10} noise level emitted from the premises shall not exceed the background L_{90} sound level in any Octave Band Centre Frequency (31.5Hz to 8kHz inclusive) after midnight when assessed at the boundary of the nearest affected residential premises.
- after midnight, noise emissions are to be inaudible within any habitable rooms in nearby residential properties.

While it is acknowledged that the criteria utilising octave band measurements were initially introduced for the operation of nightclubs and music venues, the criterion are relevant to assessment of any proposed noise source which may impact on residential amenity at night-time. Therefore, it is considered that the L_{Aeq} dBA criterion adopted in the assessment report for the night-time period is not adequate to safeguard residential acoustic amenity in this period, particularly given the very quiet ambient noise in the current environment.

Inaudibility and octave band noise criteria for the 10:00pm to 7:00am period are recommended as a more appropriate means of safeguarding acoustic amenity for residents in the night-time period, ie:

- noise emissions from the site after midnight to 7:00am to be inaudible within any habitable room of an adjacent residence.
- $L_{eq,15min,oct}$ noise level emitted from the premises, after midnight to 7:00am, adjusted for the influence of the ambient noise, shall not exceed the night-time background L_{90} sound level in any Octave Band Centre Frequency (63Hz to 8kHz inclusive) when assessed at the worst affected location of any residential premises. No corrections for tonality or impulsiveness.
- $L_{eq,15min,oct}$ noise level emitted from the premises, after 10:00pm to midnight, adjusted for the influence of the ambient noise, shall not exceed the night-time background L_{90} sound level by more than 5dB in any Octave Band Centre Frequency (63Hz to 8kHz inclusive) when assessed at the worst affected location of any residential premises. No corrections for tonality or impulsiveness.

In the absence of conclusive modelling containing spectral data to demonstrate compliance with the above, it cannot be determined that the operation of a 24 hour, 7 day per week restaurant and drive through will not cause an unreasonable loss of amenity to the residential zone. In consideration of the impact of noise emissions on amenity, the proposal for 24 hour, 7 day per week operation of the drive through is not supported. It is, therefore, recommended that if approved, the drive through hours be restricted overnight.

In response to the concerns raised in the representations, the applicant provided amended plans including the relocation of the drive through further east on the site (away from adjoining residences) and alterations to the acoustic screening and fencing, together with a *Report Addenda* to the acoustic assessment by Clarity Acoustics (dated 21 August 2024). This information was also subject to peer review. The revised layout and inclusion of additional barrier shielding are viewed favourably and the modelled data presented in the *Report Addenda* indicates a small reduction in noise levels at 8 Chris Street, 10 Chris Street and 349 Westbury Road.

The subsequent peer review maintains that whilst the daytime and evening noise generated from the site will be within an appropriate level, concerns remain that it has not been adequately demonstrated that amenity will be appropriately maintained overnight for residents that adjoin the drive through, particularly as the franchise operators have no control over patron vehicle types or the noise levels they produce. Therefore, restricting vehicle access to the drive through in the night period when disturbance is more likely will result in less impact on the acoustic amenity for nearby residents.

Should the development proceed, it is recommended that the operation of the drive through be restricted to the day and evening periods only and compliance be demonstrated with the modelled daytime and evening criteria. Conditions relating to this time restriction and for a verification acoustic assessment once the use has commenced are recommended for inclusion on any planning permit approving the proposal and should include that any recommendations of the verification assessment be implemented to the satisfaction of the Council's Town Planner and Environmental Health Officer if the modelled daytime and evening criteria cannot be met.

Commercial Vehicles

The acoustic assessment refers to deliveries via Heavy Rigid Vehicles (HRVs) and waste collection being restricted to 7:00am to 6:00pm Monday to Saturday and 8:00am to 6:00pm on Sundays. Other commercial vehicles, ie. deliveries via van, Light Rigid Vehicles (LRVs) and Medium Rigid Vehicles (MRVs) are listed to be limited to 7:00am to 9:00pm Monday to Saturday, and 8:00am to 9:00pm on Sunday. No deliveries or waste collection will occur on public holidays. The delivery times comply with the Acceptable Solution (A3) for commercial vehicle movements under clause 15.3.1.

External Lighting

The Performance Criteria (P2) states external lighting *...must not cause an unreasonable loss of amenity to the residential zones, having regard to: (a) the level of illumination and duration of lighting; and (b) the distance to habitable rooms of an adjacent dwelling.*

The application documentation included an Obtrusive Lighting Analysis (OLA) by Rubidium Light (Version: V7, dated 10/06/24). The proposed external lighting includes pole-mounted area lights for the carpark and driveways, wall-mounted area lights and illuminated signage. The OLA includes modelling and an evaluation of these light sources for compliance with *Australian Standard AS/NZS4282:2023 Control of the obtrusive effects of outdoor lighting*, as well as the potential for headlight beams of vehicles on the site to impact on surrounding residences. It is acknowledged that the acoustic fences to the northern, eastern and southern boundaries, and the 1,500mm high fence to part of the western boundary (Westbury Road) were included in the modelling.

The criteria for lighting in AS/NZS4282:2023 are distinguished by location. The area where the proposed development site is located is classed as *A4 High district brightness* – town and city centres and other commercial areas/residential areas abutting commercial areas.

There are two main considerations when assessing effects on surrounding residents when assessing outdoor lighting: the illumination from spill light being obtrusive (eg. how much light enters a habitable room), measured via illuminance (lux); and the direct view of bright lights on a given area causing annoyance, measured via luminous intensity (candela, cd).

For *A4 High district brightness*, new lighting installations during non-curfew hours (6:00am-11:00pm) must not exceed a maximum luminous intensity of 25,000cd, and 2,500cd during curfew hours (11:00pm-6:00am). The modelled values at the relevant boundary between the adjoining residential zone and the development site range from 336-1734cd. Modelled luminous intensity calculations were also provided for horizontal planes at each of the adjoining dwellings and the cd requirements were met for both curfew and non-curfew hours. It is noted that the modelling included the pylon sign at the northwest corner of the site being extinguished after 10:00pm daily. This will be controlled by timeclock.

For *A4 High district brightness*, the criteria limits during non-curfew hours (6.00am-11.00pm) are 25lux and 5lux during curfew hours (11:00pm-6:00am). The modelled values range from 0-11lux during non-curfew hours and 0-5lux during curfew hours at the relative boundary and, therefore, meet the criteria limit.

For *A4 High district brightness*, the maximum average luminance of surfaces for illuminated signage is 350cd/m². The OLA states that the sign manufacturer will ensure that all signs are set to comply with this limit.

Lighting emissions from headlight beams traversing the site are said to be contained within the site using opaque fencing along the northern, eastern and southern boundaries, and with a 1,500mm high opaque barrier along part of the Westbury Road frontage.

Sufficient information is provided within the OLA to conclude that the requirements of AS/NZS 4282:2023 can be met and that no unreasonable loss of amenity to the residential zone would arise from external lighting. A condition requiring a certification report in accordance with AS/NZS 4282:2023 is recommended if approval is given, particularly given the alterations to the location of lighting installations arising from the amended drive through location.

Odour

The application documentation included an Odour Risk Assessment (ORA) by ES&D Consulting (Version: FINAL V4, dated 24/05/24). The ORA identifies the sources of odour from the proposed development to be vehicle exhausts, garbage/dumpsters, and odour from rooftop exhausts/mechanical ventilation beyond the building. The assessment is based on information and observations from the operations of two existing McDonald's Restaurants in the City of Launceston (CoL) municipality, namely South Launceston and Invermay and considers the meteorological conditions present at the proposed development site.

The report states that no complaints regarding odour have been recorded by CoL in relation to two existing McDonald's Restaurants. Meander Valley Council has received written confirmation from City of Launceston Planning and Environmental Health staff confirming this statement. The ORA acknowledges that the level of community tolerance to odour is expected to be relatively high given the length of time the sites have been operational. The proposed development has more residential dwellings in close proximity than the South Launceston or Invermay sites, with dwellings immediately adjacent on three sides.

ES&D undertook site specific odour assessments at these two existing restaurants on three occasions: two Monday afternoons (1:50pm-3:30pm on 28 August 2023 at Invermay, and 2:45pm-4:30pm on 3 October 2023 at South Launceston) and one Saturday evening (9:50pm-11:00pm on 3 February 2024 at South Launceston). During these field observations, the main noticeable odour source was cooking odour from the rooftop exhaust, however, it was noted to be intermittent and not detected more than 15-20 metres from the exhaust outlets. The odour from garbage/dumpsters and vehicles on the site, even when idling, was not noticeable during the field observations. The ORA indicates that the carparks were ~25-50% full and drive through and restaurant moderately busy during the Monday afternoon observations and ~50% full, the restaurant moderately busy and drive through very busy during the Saturday evening observation.

The timing of the odour assessments, particularly Monday afternoon, fall outside what would be generally considered *peak* or *busy* times for a fast-food premises servicing the lunch and dinner periods. There is, therefore, uncertainty regarding the fluctuations in levels of odour present during these peak times. It must also be noted that odour is subjective. Although the assessors consider the odour detected at Invermay and South Launceston to be pleasant, this may not be the case for everyone.

The ORA considers the meteorological conditions present at the proposed development site, particularly wind speed and direction, and notes that the worst case for dispersion of odour to be when warm, still conditions persist, and when there is a gentle breeze from the north/northwest (the prevailing wind direction). There are two adjoining residences to the south and southeast which are approximately 15m and 30m from the proposed exhaust fan source respectively.

The ORA concludes that the risk of loss of amenity caused by nuisance odour is low for residences to the north and east of the site and low to moderate for the residences to the south and southeast of the site.

It is acknowledged that the development site is closely situated to the Prospect Vale Marketplace which contains food premises which intermittently emit odours. The dominant odour from this facility is chickens being cooked at Charcoal Chicken. There is also an Asian food business immediately adjacent to the development site to the south. To mitigate the potential impact from the roof top exhaust on the residences to the south and southeast, the ORA recommends that the rooftop ventilation installed has an exhaust air speed of 2m per second or more, *sufficient to force the odour well clear of the roof and ensure that any low flow 'void' areas on the rooftop are cleared to aid in dispersion of odour.*

In response to the concerns raised in the representations, the applicant sought additional information regarding odour from vehicle emissions. A supplementary memorandum by ES&D dated 20 August 2024 was submitted to Council on 22 August 2024. This document indicates that vehicle emissions are expected to be unnoticed on the other side of the acoustic fence, which was tested during field investigations and states *that the fencing/screens do not retain vehicle exhaust* and that there is *very little chance of vehicle gas buildup* due to the site specific environmental conditions at Prospect Vale, the operational efficiencies and design of McDonald's drive throughs and improvements in emission control in vehicles.

Conditions stipulating that the exhaust speed for the rooftop exhaust units be greater than 2m per second, and that a verification odour assessment upon commissioning are recommended for inclusion on any planning permit approving the proposal.

General Comments

The proposal must not cause an unreasonable loss of amenity to adjacent residential zone, having regard to: the timing, duration or extent of vehicle movements and noise, lighting or other emissions. Under the Planning Scheme, *amenity means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.*

In the absence of specific legislated criteria for noise emissions from commercial premises in Tasmania, section 53 of the *Environmental Management and Pollution Control Act 1994* (EMPCA) is the most appropriate instrument and is frequently used by Environmental Health Officers when investigating complaints relating to such emissions. Under EMPCA, an environmental nuisance means *the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment.* Section 53 of EMPCA includes that a noise emission is to be taken as unreasonably interfering with a person's enjoyment of the environment if it is unreasonable having regard to – (a) its volume, intensity or duration; and (b) the time, place and other circumstances in which it is emitted; and (c) in the case of noise emitted from another residential premises, whether it is, or is likely to be, audible in a habitable room in any other residential premises.

There are similarities between the Performance Criteria and section 53 of EMPCA, as both include consideration of time and duration, while also having regard to a person's enjoyment of their environment or locality, place or building.

The former use of the site included a petrol station, motor repairs and takeaway shop. The Council's records indicate that the service station and takeaway shop ceased operating in December 2022 and that planning approval was granted for the removal of the underground petroleum storage tanks in January 2023.

It is understood that prior to ceasing operation, each component of the business operated varying hours, however, at least one component was open between the hours of 6:00am-8:00pm Monday to Sunday. Therefore, prior to closing in December 2022, the previous business operated for ~98 hours per week, and surrounding residents had ~70 hours per week without the business being open. Since then, activities on the site have primarily been associated with the underground tank removal and site remediation and have largely taken place during business hours, Monday to Friday. In comparison, the current proposal is for 24 hour, 7 day a week operation.

Due to the differing nature of the business operation and reduced opening hours, the previous use would not have had comparable impacts resulting from noise and odour to the proposed development, with vehicle movements predominately occurring on the western side of the site (access to bowzers for refuelling) and northern side of the site (access to the motor repair workshop) at some distance from the adjoining residences.

The cumulative impact of emissions and the timing, duration or extent of vehicle movements must be considered when assessing amenity. That is, whilst when taken individually, each source may not cause an unreasonable loss of amenity, however when combined this may occur.

Residential dwellings are located immediately adjacent to the proposed restaurant development to the north, east and south of the site. Without significant mitigation measures, the intensity of a business operating 24 hour, 7 days a week is anticipated to cause a notable loss of amenity, and it has not been sufficiently demonstrated that emissions from the site can be appropriately managed not to unreasonably impact on amenity to the adjacent residential zone.

It is, therefore, considered that the cumulative impact of emissions generated from the site would be likely to negatively impact the amenity of the adjacent sensitive uses. The emissions are foreseen to impact the harmonious, pleasantness and enjoyment experienced by those living in the residential zone.

Limiting the hours of operation for the drive through from 6:00am-11:00pm is considered an appropriate measure to mitigate this impact and provide adjoining residents with an overnight reprieve from the prospect of constant vehicle emissions. This limitation is supported by the acoustic consultant engaged by the Council to undertake the peer review.

In addition to restricting the hours of operation for the drive through, if approved, it is recommended that conditions be included on the permit to verify the measures proposed to mitigate loss of amenity, including an environmental monitoring plan detailing monitoring requirements for noise and odour, complaints register and complaint response procedure and certification that lighting has been installed in accordance with *Australian Standard AS/NZS4282:2023 Control of the obtrusive effects of outdoor lighting*.

Planner's Recommendation to Council

Council must note the qualified advice received before making any decision, then ensure that reasons for its decision are based on the Planning Scheme. Reasons for the decision are also published in the Minutes.

For further information, see Local Government Act 1993, section 65, Local Government (Meeting Procedures) Regulations 2015, section 25(2) and Land Use and Approvals Act 1993, section 57.

Recommendation

This application by McDonald's Australia Limited C/O Ratio Consultants, for a Food Services (convenience restaurant), consolidation of titles, demolition of structures and signage, on land located at 345-347 Westbury Road, Prospect Vale (CTs: 217358/9 and 217681/8), is recommended for approval generally in accordance with the Endorsed Plans, and recommended Permit Conditions and Permit Notes.

Endorsed Plan

- (a) Albus & Co. Building Designers; Dated: 2024; Project Number 24011; Drawing Number: A000, A041, A042, A062, A063, A080, A081, A082, A083, A084, A085, A086, P001, A801 (*required to be amended*);
- (b) Albus & Co. Building Designers; Dated: 2024; Project Number 0317; Drawing Number: A001, A073, A074, A082, A083, A101, A102, A201, A202, A203, A204, A205, P085, P086, A802, A803, A804, A806, A807, A808 (*required to be amended*);
- (c) Taylors; Dated: 2024; Detailed Landscape Plan; Jon No.: 24223/LA; Sheet: L01 & L02 (*required to be amended*);
- (d) Ratio Consultants Pty Ltd; Dated: 24 May 2024; Traffic Impact Assessment Report; Pages 1-66 (*required to be amended*).
- (e) Rubidium Light; 2024; Obtrusive Light Analysis; Pages 1-34 (*required to be amended*);
- (f) Clarity Acoustics; Dated: 21 August 2024; Report Addenda; Pages: 1-7 (*required to be amended*);
- (g) Clarity Acoustics; Dated: 24 May 2024; Planning Application – Acoustic Assessment Report; Report R01 Rev 5 22203; Pages 1-33 (*required to be amended*);
- (h) ES&D Consulting; Dated: 20 August 2024; Memorandum – Response to Meander Valley Council RFI; Pages: 1-6 (*required to be amended*);
- (i) ES&D Consulting; Dated: 24 May 2024; Odour Risk Assessment; File 8924C; Version: Final v4; Pages 1-26 (*required to be amended*);
- (j) Abacus Environmental; Dated: 29 May 2024; Review and Advice Phase 2 Environmental Site Assessment; Ref: ABE0072.01; including as Attachments 1 & 2 – ES&D Consulting Phase 2 EAS Report Versions 3 & 4 respectively.

Permit Conditions

Covenants

1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:
 - a) Such covenants or controls are expressly authorised by the terms of this permit or by the consent in writing of Council; and

- b) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

Demolition

- 2. The developer must:
 - a) carry out all demolition work in accordance with Safe Work Australia *Demolition Work* Code of Practice or any subsequent versions of the document;
 - b) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
 - c) not undertake any burning of waste materials on site;
 - d) remove all rubbish from the site for disposal at a licensed refuse disposal site; and
 - e) dispose of any asbestos found during demolition in accordance with the Safe Work Australia *How to Safely Remove Asbestos* Code of Practice or any subsequent versions of the document.

Amended Plans

- 3. Amended documentation must be submitted to Council for approval to the satisfaction of Council's Town Planner. When approved, these documents will be endorsed and will then form part of the permit. The documents must include:
 - a) Amended architectural set of plans, pylon sign plans and signage plans to show the:
 - i. Removal of the car parking spaces located to the east of the loading bay;
 - ii. Relocation of the eastern portion of the drive through further west to increase the distance from the adjoining properties to the east;
 - iii. Reduction of the heights of acoustic boundary fences to the east and south of the site and changes to the acoustic screens;
 - iv. Relocated signage for the drive through; and
 - v. Treatment to prevent the drive through being accessed by vehicles outside the permitted hours of operation in accordance with Condition 4.
 - b) Amended landscaping plan to reflect the changes in a) above, including additional landscaping along the eastern boundary and south-eastern corner of the site.
 - c) Amended Traffic Impact Assessment to incorporate the amendments in a) above.

- d) Amended Obtrusive Light Analysis, including amended lighting plan to incorporate the amendments in a) above and the lighting plan for the drive through when closed for operation in accordance with Condition 8.
- e) Amended Acoustic Assessment Report (Report Addenda) to reflect the amendments in a) above.
- f) Amended Odour Risk Assessment (Memorandum) to reflect the amendments in a) above.
- g) Written confirmation from a certified site contamination practitioner that the depth of excavation for the footing for the pylon signs are suitable, in accordance with Condition 10.

Hours of Operation for Food Service

- 4. The use and development approved by this permit is permitted to operate during the following hours:
 - a) The use of the restaurant (excluding the drive through) is permitted to operate 24 hours a day, 7 days a week as reflected in the following table:

Day	Operating Hours for Restaurant (excluding drive through)
Monday to Sunday	24 hours per day

- b) The use of the drive through is permitted to operate daily only between the hours of 6:00am to 11:00pm as reflected in the following table and must be closed to vehicular access outside this time:

Day	Operating Hours for Drive Through
Monday to Sunday	6.00am to 11.00pm

Commercial Vehicle Movements Including Deliveries and Waste Collection

- 5. Commercial vehicle movements associated with unloading and loading of vehicles, including delivery vehicles and waste collection vehicles, must:
 - a) For commercial vehicles that require the vehicle to use the full width of the vehicle access and internal access way to manoeuvre (vehicles which are required to use the two lanes) must:
 - i) Not occur between the following hours: 7.30am to 9.00am Monday to Friday; and
 - ii) Not occur between the following hours: 3.00pm to 6.00pm Monday to Friday; and

- iii) Not occur between the following hours: 10.00am to 1.00pm Saturday and Sunday; and
- b) Deliveries via Heavy Rigid Vehicles, if not restricted by a) must be within the following hours:
 - i) 7.00am to 6.00pm Monday to Saturday; and
 - ii) 8.00am to 6.00pm Sunday; and
- c) For all other commercial vehicles, including delivery vehicles, if not restricted by a) or b) above, be within the following hours:
 - i) 7.00am to 9.00pm Monday to Saturday; and
 - ii) 8.00am to 9.00pm Sunday; and
- d) Waste collection vehicles, if not restricted by a) must be within the following hours:
 - i) 7.00am to 6.00pm Monday to Saturday; and
 - ii) 8.00am to 6.00pm Sunday; and
- e) No deliveries or waste collection is to occur on public holidays.

Right turn from site to Westbury Road

- 6. Right turn vehicle movements from the site on to Westbury Road, are prohibited between the following hours:
 - a) 3.00pm to 6.00pm Monday to Friday.

Drive Through

- 7. The drive through must be designed to restrict vehicle access when closed, to the satisfaction of Council's Town Planner.
- 8. Lighting within the drive through must be switched off when closed to the public, other than for external security lighting which must be baffled so that direct light does not extend into the adjoining properties within the General Residential Zone, to the satisfaction of Council's Town Planner and Environmental Health Officer.

Excavation

- 9. Excavation must be in accordance with the endorsed Environmental Site Assessment and is limited to be no deeper than:
 - a) Building Foundations: 3m below ground level;
 - b) Acoustic Fence: 2m below ground level;
 - c) Drainage system: 1.5m below ground level.

If excavation is required to exceed these depths, an assessment from a certified site contamination practitioner must be submitted and approved by the Council's Town Planner to ensure that the depth of the footing is suitable for the potentially contaminated soil and does not present a risk to human health or the environment which would alter the findings of the endorsed Environmental Site Assessment. Refer to Note 1.

10. The depth of the footing for the pylon signs must be confirmed and signed off by a certified site contamination practitioner to ensure that the depth of the footing is suitable for the potentially contaminated soil and does not present a risk to human health or the environment which would alter the findings of the endorsed Environmental Site Assessment. Refer to Note 1.

Infrastructure Services

11. The eastern side of Westbury Road is to be upgraded with new or modifications to existing stormwater services, road, footpaths, kerb and channel, median treatments, line marking, signage, access ramps and vehicle crossings for the full frontage of the subject lot including any ancillary works necessary to complete the works to the satisfaction of the Council's Director Infrastructure Services. Refer to Note 3 and 4.
12. Signage, line marking, and/or treatments within the Road Reserve to restrict right turn movements out of the site on to Westbury Road in accordance with Condition 6, must be installed to the satisfaction of the Council's Director Infrastructure Services. Refer to Note 6.
13. Stormwater detention and stormwater quality controls must be installed and maintained to the satisfaction of the Council's Director Infrastructure Services in accordance with Conditions 29. c. iii).
14. Stormwater runoff from the driveway area, road verge, and new building areas must be managed so that concentrated or nuisance flows do not cross property boundaries to adjoining land.

Signage

15. The northern pylon sign is to be illuminated from dusk until 10.00pm daily in accordance with the endorsed Obtrusive Lighting Assessment. At 10.00pm, the illumination of the sign must be switched off until dusk the following day.
16. All signage (other than the northern pylon sign) is permitted to be illuminated between dusk to dawn daily in accordance with the endorsed Obtrusive Light Analysis.

17. All signage located on the site must be contained wholly within the title boundaries.

Acoustic Fencing and Screens

18. All acoustic fencing must be installed in accordance with the endorsed plans and Acoustic Assessment Report, to the satisfaction of the Council's Town Planner. The overall maximum height of the acoustic fences (including retaining walls) must be measured from the existing ground level on the subject site.
19. The common boundary fence at the south-western corner of the site within 4.5m of the frontage with Westbury Road, must not be tapered where it increases in height from 1.2m to 1.8m in height. It must be installed in accordance with the endorsed plans and Acoustic Assessment Report, to the satisfaction of the Council's Town Planner. The overall maximum height of the acoustic fence must be measured from the existing ground level on the subject site.
20. All acoustic screens must be installed in accordance with the endorsed plans and Acoustic Assessment Report, to the satisfaction of the Council's Town Planner.

Operational Requirements

21. All refrigerated delivery vehicles must have the refrigeration condenser unit switched off at all times whilst on site, in accordance with the endorsed Acoustic Assessment Report.
22. The rooftop air conditioner units must operate in low-speed mode at night, between 10.00pm-7.00am in accordance with the endorsed Acoustic Assessment Report.
23. The air speed for the rooftop exhaust units must be at least 2m per second in accordance with endorsed Odour Risk Assessment.

Environmental Monitoring Plan

24. An Environmental Monitoring Plan, prepared by a suitably qualified person, must be submitted to the satisfaction of the Council's Town Planner and Environmental Health Officer. The plan must include, but is not limited to the following details:

- a) Noise Monitoring:
 - i. A plan, by a suitably qualified person, detailing the proposed methodology for noise monitoring, in accordance with the Tasmanian Noise Measurement Procedures Manual;
 - ii. Monitoring must be undertaken in accordance with the noise monitoring plan and a verification report submitted to Council within 3 months of the commencement of the use;
 - iii. Further monitoring must be undertaken and a subsequent verification report submitted to Council after 12 months of operation.
 - iv. The verification acoustic assessments by a suitably qualified person, are to confirm that the noise levels are in accordance with the modelling contained within the endorsed Acoustic Assessment Report.
 - v. Should levels exceed those identified in the endorsed Acoustic Assessment Report, suitable mitigation measures must be proposed by a suitably qualified person and submitted to the Council for approval, prior to mitigation measures being installed.
- b) Odour Monitoring:
 - i. A plan, by a suitably qualified person, detailing the proposed methodology for odour monitoring;
 - ii. Monitoring must be undertaken in accordance with the Odour Monitoring Plan and a verification report submitted to the Council within 3 months of the commencement of the use;
 - iii. Further monitoring must be undertaken and a subsequent verification report submitted to the Council after 12 months of operation;
 - iv. The verification odour assessments by a suitably qualified person, are to confirm that odour emitted from the site is not causing an unreasonable loss of amenity to adjoining residential properties in accordance with the endorsed Odour Risk Assessment Report.
 - v. Should odour emissions be considered unreasonable, suitable mitigation measures must be proposed by a suitably qualified person and submitted to the Council for approval, prior to mitigation measures being installed.
- c) A public complaints register must be maintained for a minimum of 12 months from the commencement of the use and made available for inspection by a Council Officer upon request. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that a nuisance has been caused by the use:

- i. the date and time at which the complaint was received;
- ii. contact details for the complainant (where provided);
- iii. the subject-matter of the complaint;
- iv. any investigations undertaken with regard to the complaint; and
- v. the manner in which the complaint was resolved, including any mitigation measures implemented.

Once approved, the Environmental Management Plan will be endorsed and will form part of this permit.

Operational Management Plan

25. An Operational Management Plan must be submitted to the satisfaction of the Council's Town Planner and must include:
- a) Onsite management requirements to comply with the components of the endorsed:
 - i) Acoustic Assessment Report;
 - ii) Traffic Impact Assessment Report;
 - iii) Odour Risk Assessment Report; and
 - iv) Conditions of this Permit.
 - b) Traffic Management Plan regarding on-site management for the delivery vehicles to enter and exit the site where the full width of the access is required to be used.

Once approved, the Operational Management Plan will be endorsed and will form part of this permit.

Construction Management Plan

26. A Construction Management Plan, prepared by a suitably qualified person, must be submitted to the satisfaction of the Council's Town Planner, Environmental Health Officer and Director Infrastructure Services. The plan must include, but is not limited to the following details:
- a) Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on the site);
 - b) Proposed hours of construction;
 - c) Traffic Management Plan, including traffic guidance scheme and pedestrian management;
 - d) Sediment and erosion control including procedures for washing down vehicles, to prevent soil and debris being carried on to Westbury Road;
 - e) Dust control;
 - f) Management of environmentally hazardous materials;

- g) Site facilities, including parking management for contractors, trades and deliveries; and
- h) Demolition plan incorporating the requirements of Condition 2.

Once approved, the plan will be endorsed and will form part of the permit.

27. The development must be constructed in accordance with the endorsed Construction Management Plan.

Landscaping

28. The landscaping must be:
- a) Installed in accordance with the endorsed landscape plan; and
 - b) Maintained in a healthy state; and
 - c) Must not be removed or destroyed without the written consent of the Council's Town Planner.

Prior to the Commencement of any Works

29. Prior to the commencement of any works, the following must be completed to the satisfaction of the Council:
- a) The final plan of survey for the consolidation of lots, submitted to the satisfaction of the Council's Town Planner and sealed by the Council, for forwarding to the Recorder of Titles Office;
 - b) Amended documentation must be submitted to the satisfaction of the Council's Town Planner in accordance with Condition 3;
 - c) Detailed engineering design documentation (including plans) must be submitted and approved to the satisfaction of the Council's Director Infrastructure Services. Detailed engineering design documentation must be prepared by a suitably qualified civil engineer (or other person approved by the Council's Director Infrastructure Services). The design documentation must be in accordance with the applicable Australian Standards, Austroads guidelines, and the Tasmanian Standards Drawings or modified to the satisfaction of the Council's Director Infrastructure Services. The detailed engineering design documentation (including plans) must provide for:
 - i) The upgrading of the eastern side of Westbury Road in accordance the endorsed Traffic Impact Assessment Report and Condition 11.
 - ii) Signage, line marking and/or treatments to restrict right turn movements in accordance with Condition 6.
 - iii) Stormwater detention and stormwater quality controls and include:

- d) the on-site detention system accommodating the 1% AEP storm event. Both the 5-minute and 10-minute time of concentration scenarios for the detention system are to be designed for (refer to Note 8);
- e) The stormwater property connection detail including the diameter of the existing property connection;
- f) the modelling data file; and
- g) the stormwater treatment system designed and sized to meet the requirements of the State Stormwater Policy.
- h) Construction Management Plan submitted to the satisfaction of the Council's Town Planner, Environmental Health Officer and Director Infrastructure Services in accordance with Condition 26.

Prior to the Commencement of Use

30. Prior to the commencement of the use the following must be completed to the satisfaction of the Council:
- a) A certification report completed by a suitably qualified person, to confirm that the external lighting has been installed and operates in accordance with the endorsed Obtrusive Lighting Assessment and is compliant with Australian Standard AS/NZS 4282:2023 to the satisfaction of the Council's Town Planner and Environmental Health Officer.
 - b) A certification report completed by a suitably qualified person, to confirm that the acoustic design measures (ie. acoustic fences and screens, speed humps, metal grates) have been installed in accordance with the endorsed Acoustic Assessment Report, to the satisfaction of the Council's Town Planner and Environmental Health Officer.
 - c) The infrastructure works must be completed as shown in the endorsed plans or as modified by the Council in the approved engineering design documentation, to the satisfaction of the Council's Director Infrastructure Services and in accordance with Conditions 11, 12 & 13.
 - d) Submission of appropriate supporting documents from the supervising engineer to demonstrate compliance with the approved engineering design documentation, Tasmanian Standard Drawings and applicable standards for all works located within the road reserve that will be handed over to the Council, to the satisfaction of the Council's Director Infrastructure Services.
 - e) Provision of as-constructed documentation for infrastructure located within the road reserve that will be taken over by the Council (eg. footpath, kerb and channel, road widening and median treatments) to the satisfaction of the Council's Director Infrastructure Services.
 - f) A statement from the stormwater design engineer confirming that the stormwater on-site detention system is installed in accordance with Condition 13.

- g) Submission of a bond to cover the defects period equal to a minimum of 5% of the value of assets to be handed over to the Council plus any outstanding works or defects to the satisfaction of the Council's Director Infrastructure Services. Refer note 7.
- h) Appropriate signage and line marking must be installed to the satisfaction of the Council's Town Planner to prevent the access way and circulation area to the eastern side of the car parking, being used for dual lane queuing from the drive through entrance, which would prevent vehicles exiting the car park, unless otherwise approved by the Council's Town Planner. Refer to Note 2.
- i) An Environmental Monitoring Plan submitted to the satisfaction of the Council's Town Planner and Environmental Health Officer in accordance with condition 24;
- j) An Operational Management Plan, submitted to the satisfaction of the Council's Town Planner and Environmental Health Officer in accordance with Condition 25.
- k) The development is constructed substantially in accordance with the endorsed plans including but not limited to:
 - i) Acoustic Fencing and Screening in accordance with Condition 18, 19 and 20;
 - ii) Car parking spaces, access ways and circulations areas sealed and delineated and drained to the reticulated stormwater system, in accordance with the endorsed plans and Traffic Impact Assessment Report;
 - iii) Landscaping; and
 - iv) Signage.

Tas Gas Networks

- 31. Tas Gas Networks (TGN) owns and operate gas pipelines in the road reserve of Westbury Road, any works near to these pipelines shall comply with TGN policies and procedures and must have a *Before You Dig* enquiry with reasonable notice.
- 32. Tas Gas Networks has an existing gas service connection to the property, 347 Westbury Road, Prospect Vale. Tas Gas Networks shall be contacted to arrange the isolation, removal and or safe method of work(s) near this asset before any works are performed on or adjacent to this service as part of this development.

TasWater

- 33. The development must be in accordance with the Amended Submission to Planning Authority Notice issued by TasWater (TWDA No 2023/00517-MVC) attached.

Permit Notes

1. The endorsed Environmental Site Assessment concluded that the proposed excavation satisfied P1 (b) of clause C14.6.1 of the Tasmanian Planning Scheme – Meander Valley which states:
Excavation ... must not have an adverse impact on human health or the environment, having regard to: ... (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or ...
2. The eastern side of the car park provides for two-way traffic. This must remain free to enable vehicles to exit the car park. If queuing on-site causes the backing up of traffic on Westbury Road, the car park arrangement may need to be reconsidered.
3. All works in the road reserve associated with the development must be completed by a suitably qualified contractor using appropriate work health and safety and traffic management processes. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed, all enquiries should be directed to the Council's Infrastructure Department on 03 6393 5312.
4. It is recommended that the developers designer engages early with the Council's Infrastructure Services Department to discuss optimal treatment options and requirements.
5. It is noted that the stormwater quality control device is shown near the entrance to the site. Maintenance of the device should not impede traffic flow along Westbury Road.
6. The Council reserves the right to adjust the timing of the *No Right Turn* restriction onto Westbury Road subject to traffic activity level or crash propensity.
7. Once commencement of use has been achieved, a Certificate of Practical Completion will be issued to the developer placing the works to be handed over to the Council on a defects period of 12 months.
8. The Council notes that there may be an opportunity to re-direct overland flow from the site towards Westbury Road. If this is achievable, a reduced ARI may be considered by the Council. To discuss the requirements of detention, please contact the Council's Infrastructure Department on 03 6393 5312.

9. If a Council Officer is satisfied that serious or material environmental harm or environmental nuisance is or has occurred, as defined under the *Environmental Pollution Control Act 1994*, the Council may amend this Permit to mitigate the respective harm or nuisance. This may include reducing the hours of operation as per Condition 4.b) Operating Hours for Drive Through. The respective reports as per condition 24 Environmental Management Plan may be used to establish an environmental harm or nuisance.
10. Registration of a Food Business under the *Food Act 2003* will be required. Please contact the Council's Environmental Health Officer on 03 6393 5300.
11. It is recommended that the customer (or their consultant) submit an application via the TasNetworks website portal at their earliest convenience to upgrade the electricity supply connection to support this development.

The application portal can be found here: [Connections Hub - TasNetworks](#)

An early engagement meeting is recommended to discuss requirements, costings and timing which can be requested via email early.engagement@tasnetworks.com.au
12. Any other proposed development or use (including amendments to this proposal) may require separate planning approval. For further information, contact the Council.
13. This permit takes effect after:
 - a. The 14-day appeal period expires; or
 - b. Any appeal to the Tasmanian Civil and Administrative Tribunal (TASCAT) is determined or abandoned; or
 - c. Any other required approvals under this or any other Act are granted.
14. Planning appeals can be lodged with TASCAT Registrar within 14 days of the Council serving notice of its decision on the applicant. For further information, visit the TASCAT website.
15. This permit is valid for two years only from the date of approval. It will lapse if the development is not substantially commenced. The Council has discretion to grant an extension by request.
16. All permits issued by the permit authority are public documents. Members of the public may view this permit (including the endorsed documents) at the Council Offices on request.

17. If any Aboriginal relics are uncovered during works:
 - a. all works to cease within delineated area, sufficient to protect unearthed or possible relics from destruction;
 - b. presence of a relic must be reported to Aboriginal Heritage Tasmania; and
 - c. relevant approval processes for State and Federal Government agencies will apply.

Attachments

1. Public Response Summary of Representations [11.1.1 - 27 pages]
2. Representation 1 - T Styles [11.1.2 - 1 page]
3. Representation 2 - Y de Wit -obo- WG and CAM de Wit [11.1.3 - 6 pages]
4. Representation 3 - T Quinn and K Murdock [11.1.4 - 1 page]
5. Representation 4 - S and M Woodroffe [11.1.5 - 1 page]
6. Representation 5 - M [11.1.6 - 1 page]
7. Representation 6 - L and L Degetto [11.1.7 - 27 pages]
8. Representation 6 a - L and L Degetto (QLD EPA Policy) [11.1.8 - 10 pages]
9. Representation 7 - N Da Ros [11.1.9 - 1 page]
10. Representation 8 - G Ropata [11.1.10 - 6 pages]
11. Representation 9 - P Degetto [11.1.11 - 1 page]
12. Representation 10 - K Nichols [11.1.12 - 2 pages]
13. Representation 11 - M Berne [11.1.13 - 1 page]
14. Applicant's response to representations received [11.1.14 - 6 pages]
15. Planners Advice Applicable Standards [11.1.15 - 46 pages]
16. Planners Advice Performance Criteria [11.1.16 - 71 pages]
17. Agency Consultation - TasWater [11.1.17 - 4 pages]
18. Agency Consultation - TasNetworks [11.1.18 - 2 pages]
19. Agency Consultation - Tas Gas Networks [11.1.19 - 3 pages]
20. Application Documents [11.1.20 - 704 pages]
21. Acoustic Assessment - Peer Review [11.1.21 - 5 pages]
22. Amended Application Plans and Supporting Documents [11.1.22 - 41 pages]
23. Acoustic Assessment - Peer Review - Addendum [11.1.23 - 2 pages]

11.1.1 Public Response Summary Of Representations

Public Response

Summary of Representations

A summary of concerns raised by the public about this planning application is provided below. Eleven responses (“representations”) were received during the advertised period.

This summary is an overview only, and should be read in conjunction with the full responses (see attached). In some instances, personal information may be redacted from individual responses.

Council offers any person who has submitted a formal representation the opportunity to speak about it before a decision is made at the Council Meeting.

The applicant provided a response to the representations. This response is included in the attachment titled *“Applicants response to representations received”*.

Representations: 1, 2, 6, 8 & 11

Concern: Odour		Planner’s Response
a)	<p>Concerned about odour generated from:</p> <ul style="list-style-type: none">i) cooking fumes; andii) car fumes. <p>On certain days can smell odour from existing food business within the area (businesses within Prospect Vale Marketplace, namely the cooking of chickens and Chinese Restaurant on Westbury Road).</p> <p>Concerned smell emanating from a fast-food restaurant that operates 24/7 will be intrusive and unpleasant. Will not be nice to enjoy garden/yard.</p> <p>Proximity of the drive through to adjoining properties, will mean</p>	<p>An Odour Risk Assessment (ORA) was submitted with the application. This assessment included observations being recorded from field investigations at the existing McDonalds at South Launceston and Invermay. The <i>Guide to conducting field odour surveys</i> published by NSW EPA in 2021 was used to complete the field odour surveys. The City of Launceston was also consulted with and advised that there have not been any odour complaints received regarding the three McDonalds that operate in their municipality.</p> <p>Whilst there were some odours associated with the operation of McDonalds observed during field surveys, the conclusion of the report was that cooking odour from the exhaust fans on the roof was the main noticeable odour source, although noticeable intermittently. The</p>

11.1.1 Public Response Summary Of Representations

	<p>that adjoining residents will be subject to odour continuously, which will diminish the enjoyment of home and outdoor spaces.</p>	<p>report concluded that 'the risk of loss of amenity within neighbouring residences around the proposed McDonalds is low. This is due to most residences being 40 metres or more from the exhaust fans and not in the direction of the prevailing winds which are northerly/north westerly' (ES&D 2024:22 ORA). The ORA identified that there are two residences that could experience cooking odour from the proposed McDonalds intermittently. As such it is recommended that 'the ventilation installed has an exhaust air speed of 2 metres per second or more. This will be sufficient to force the odour well clear of the roof and ensure that any low flow 'void' areas on the roof top are cleared to aid in dispersion of odour' (ES&D 2024:23 ORA).</p> <p>A supplementary memorandum was submitted to Council at the conclusion of the advertising period that considered vehicle emissions. This document indicates that vehicle emissions will be unnoticed on the other side of the acoustic fence, which was tested during field investigations (ES&D 2024:1 Memorandum). Furthermore, it states 'that the fencing/screens do not retain vehicle exhaust' and that there is 'very little chance of vehicle gas buildup' due to environmental factors (elevation, temperature at Prospect Vale), operational efficiencies of McDonald's drive through and improvement in emission control in vehicles (ES&D 2024:5 memorandum).</p> <p>Whilst odour is subjective and what may be pleasant to one person may be odorous to another person, it is difficult to measure.</p>
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11.1.1 Public Response Summary Of Representations

		<p>Through this application process, the author of this report has been anecdotally observing odours from Invermay and South Launceston McDonalds. This included being external to the building and also via use of the drive through. Odour that was observed in the drive through was primarily exhaust fumes from vehicles, which was not considered to be excessive. There were also some 'hot chip' greasy smells observed within the drive through and on some occasions from the car park. It is also observed that odour can be present in Prospect Vale from the businesses within the Prospect Vale Marketplace, including odour associated with cooking bread and chickens.</p> <p>In consideration of the observations and recommendation made in the ORA, and anecdotal observations, odour generated by the proposed Food Services use, is not considered to cause an unreasonable loss of amenity to the adjoining Residential zone.</p> <p>Please refer to the attachment titled 'Planners Advice - Performance Criteria' for further discussion regarding odour.</p>
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Representations: 1, 3, 5, 6, 7, 8, 9 & 10

Concern: Traffic		Planner's Response
a)	Concern regarding the existing traffic issues and congestion on Westbury Road. Roads are barely able to withstand current traffic from expanding suburbs without extra traffic generated from the proposed 24/7 McDonalds. The proposed	<p>Traffic congestion during peak periods is not unique to Prospect Vale and it is reasonable to expect increases in congestion with growing populations and development.</p> <p>Traffic volumes along Westbury Road and other roads in the vicinity are going to increase because of projected future</p>

11.1.1 Public Response Summary Of Representations

	<p>development will create further congestion, especially during peak periods.</p> <p>Traffic congestion occurs along Westbury Road especially early mornings and after work.</p> <p>Currently it is difficult to cross Westbury Road at peak times or to enter and exit properties along Westbury Road or side streets. Lengthy delays are experienced. When turning right on to Westbury Road, you may not be able to cross the road and therefore you need to turn left, and travel to the roundabout to go in the desired direction of travel.</p> <p>The Traffic Impact Assessment has not considered traffic congestion associated entering and exiting the existing Ampol Service Station, 39 metres away.</p>	<p>developments which will have greater impact than this proposal. Meander Valley Council is committed to undertaking the necessary works on its road network to ensure appropriate levels of safety and efficiency are provided. Options currently being considered include improved linkages through provision of alternate routes, signalisation of intersections and speed reductions.</p> <p>It is acknowledged that at certain times there is difficulty turning right from accesses and junctions on to Westbury Road, whilst at other times traffic flow along Westbury Road is appropriate for this movement. It is recommended that if approved, a right turn movement from the subject site, will be prohibited during peak periods as identified as 3.00pm to 6.00pm weekdays.</p> <p>It is the view of Council's Road Authority that a left turn out of a property or street is quite reasonable given the close proximity of the roundabouts on Westbury Road, this manoeuvre would be the safest option especially during peak traffic periods.</p> <p>The modelling provided with the TIA suggests vehicle queuing will be minimal. Any queuing of traffic on to Westbury Road that is occurring at the Service Station is unlikely to impact the traffic movements to and from the proposed development.</p>
b)	<p>Concern that the increase in traffic will impact safety.</p> <p>Proposal predicts an additional influx of up to 170 cars per peak hour. This is unprecedented</p>	<p>Refer to a) above.</p> <p>The TIA estimates a total of 170 vehicle movements (85 in and 85 out) associated with the development during peak hour. It also estimates that 35% of the vehicles</p>

11.1.1 Public Response Summary Of Representations

	<p>compared to the relatively low volumes from the previous business.</p> <p>This will create traffic congestion and increased risk of accidents in the surrounding residential streets.</p> <p>Concern for safety of pedestrians and cyclists (including children and elderly persons) as a result of increased traffic.</p>	<p>are already using Westbury Road resulting in an additional 110 vehicle movements (not 170), or just over 8.5% increase on existing traffic per hour. The actual increase would be less because the figures do not consider movements that would have been associated with the now closed service station and roadhouse.</p> <p>The right turn out of the site is the only additional hazard caused by the development, this has been mitigated by conditioning a time restricted ban during weekday PM peak times. Council will monitor the effectiveness of this restriction and may make changes if necessary. Through traffic safety is not anticipated to be impeded by the proposal.</p> <p>The development creates formalisation of a singular access point for the site (reducing the length of conflict between vehicles and pedestrians), improved delineation with the installation of kerb and channel, footpath and access ramps. This is considered to benefit the safety of pedestrians because these facilities are not currently provided along the site frontage.</p> <p>Council is continuing to monitor Westbury Road and the surrounding road network, considering the developments within the surrounding area and reviewing improvement options for the road networks, such as signalised intersections and speed limit reductions that will assist pedestrians to cross Westbury Road.</p>
c)	<p>Concerned about how garbage and recycling will be collected if</p>	<p>The yellow lines can be omitted and "No parking" signage installed which would</p>

11.1.1 Public Response Summary Of Representations

	yellow no parking lines are placed in front of 343 and partially in front of 341 Westbury Road.	not prohibit collection of refuse from the mentioned houses. If approved, a condition is recommended for no parking signs to be installed rather than yellow line so collection vehicles can stop.
d)	A thorough traffic impact assessment should be conducted to assess and mitigate the potential risks associated with increased vehicular activity.	The TIA has undergone a number of iterations to answer various questions put forward by council officers and Council's traffic engineering consultant during the application process. Council's traffic engineering consultant has undertaken a number of studies in the area and generally agrees with the findings of the final version of the TIA, provided the suggested conditions and physical works are completed prior to use. The demands on Westbury Road will continue to grow in line with future development of the surrounding areas. Meander Valley Council (as the road authority) remains committed to undertaking the necessary studies and works on its road network to ensure appropriate levels of safety and efficiency are provided.

Representations: 2, 4, 5, 6, 7, 8, 9 & 11

Concern: Amenity		Planner's Response
a)	Concern regarding increased traffic noise and emissions will contribute to an overall decline in the neighbourhood's environmental quality.	Refer to response to odour above. The application included supporting information that considered traffic noise and emissions.

11.1.1 Public Response Summary Of Representations

<p>b)</p>	<p>Concerned that the influx in vehicles will contribute to air pollution, diminishing the quality of life for residents and potentially causing health issues over time.</p>	<p>The acoustic assessment undertaken included the consideration of the existing background noise and also modelled the anticipated noise generated from the use, including traffic. Mitigation measures are proposed, including acoustic fences at the boundary of the site and additional acoustic screens to reduce and absorb noise to be at an acceptable level at the adjoining residential properties. It is noted that the amended plans have changed the layout of the drive through along the eastern side, moving it further from the boundary. This has enabled a reduction in the boundary fence height along the eastern and southern boundaries. Council has engaged a peer review of the acoustic assessments which concluded that the daytime and evening periods were appropriate, however, concern was noted about level of noise and potential disturbance generated by traffic using the drive through on the units to the east and south. As such, if approved, a condition is recommended for the drive through to not be used between 11:00pm and 6:00am daily.</p> <p>An odour risk assessment (ORA) and a supplementary memorandum was submitted to Council. The ORA recommends a minimum speed for the roof top exhaust fans to operate to enable the dispersal of cooking odour into the atmosphere. This recommendation will be included as a condition, if approved. The ORA identified cooking as the main odour source but believes it will be intermittent. Vehicle exhaust was also considered but was not observed at adjoining properties during the field investigations undertaken. It is concluded the vehicle emissions will not build up within the building and</p>
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11.1.1 Public Response Summary Of Representations

		<p>acoustic fences and screens nor will it be observed at adjoining properties.</p> <p>In regards to air pollution from vehicles, it is noted that vehicles already have a notable presence in the surrounding area. Whilst there will be a concentration of vehicles on the site queued within the drive through, the supplementary memorandum submitted indicates that emissions from vehicles will not be observed at adjoining properties due to site-specific conditions, the drive through design and fencing/screening layout. It is noted that additional landscaping will be included between the drive through and eastern boundary and landscaping has been identified as a way to absorb some vehicle emissions.</p>
c)	<p>Concerned that the proposed development will decrease the quality of living for adjoining residents. It will impact the quiet evening and nighttime currently experienced, and reduce access to sunshine which is essential for health and wellbeing.</p> <p>The proposed acoustic fences will cause a loss of sunshine to the adjoining units at 349 Westbury Road. This will shadow the backyards making drying their washing on lines on the back fence impossible and will block sun from entering the units themselves as the main windows face the backyard.</p> <p>This could increase the risk of mould growth which is a risk to health and property.</p>	<p>Amended plans (including shadow diagrams) have been submitted to Council in response to the concerns raised in the representations. The amendment includes the relocation of the drive through further east on the site and a review of the height of the acoustic fences required at the boundary. The proposed amendment has resulted in an increased separation between the drive through and the unit located at 3/10 Westbury Road. The edge of the drive through is proposed to be 7.2m from the eastern boundary, with the 2.4m high acoustic screen being 6.35m from the eastern boundary. This property already has a high boundary fence. As such, it is now proposed to maintain this boundary fence (not increase its height as initially proposed) and treat with acoustic material. Additional landscaping will be included between the drive through and eastern boundary. Therefore, there will be</p>

11.1.1 Public Response Summary Of Representations

	<p>no changes to over shadowing for the property at 3/10 Chris Street.</p> <p>The boundary fences along the southern boundary that adjoins 4 units (349 Westbury Road) has also been reviewed. A 2.1m high acoustic fence is now proposed, which is the height of a fence along a shared boundary which does not require planning approval. The reduction in fence height along this section will increase the amount of sunlight received to the private open space areas and habitable rooms compared to what was initially proposed. It is noted that one unit has a colorbond topper of the same height, so there will be no change to the amount of overshadowing received. However, the other three units have a lower boundary fence. Whilst the height of the boundary fence will increase, a reasonable amount of sunlight will still be received at the adjoining units as demonstrated in the shadow diagrams. These units would have previously been in shadow from the outbuildings located to the south of the subject site. As such, there is an improvement to the amount of sunlight received to the units, prior to the outbuildings being demolished.</p> <p>The acoustic barrier located to the southern side of the drive through will also be extended and will have a height of 1.8m from the eastern side and will increase to 2.3m at the cashier and servery.</p> <p>The combination of acoustic screening and acoustic fences is considered suitable to reduce noise levels at the adjoining properties to an appropriate level, noting that if approved, it is recommended for</p>
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11.1.1 Public Response Summary Of Representations

		the drive through to be closed between 11:00pm and 6:00am daily.
d)	<p>Operating 24 hours 7 days a week is excessive in an area bounded mostly by residential properties including single and multiple dwellings.</p> <p>Concerned that the proposed hours of operation being 24 hours 7 days a week could disrupt the tranquillity of the neighbourhood, causing disturbances during nighttime hours that are currently peaceful. Uninterrupted sleep is relied upon for well-being. The constant activity generated by a 24 hour 7 day a week restaurant could compromise this.</p>	<p>The concerns regarding the hours of operation of the use are noted. Whilst the submitted acoustic assessment demonstrates that noise generated from the site operating 24 hours a day 7 days a week are considered to be within the standards determined appropriate by the acoustic consultant, Council has had this assessment peer reviewed. The review has suggested that whilst the daytime and evening noise generated from the site will be within an appropriate level, there is concern that it has not been adequately demonstrated that amenity will be appropriately maintained overnight for residents that adjoin the drive through. This opinion has been maintained following subsequent peer review of the amended plans showing the relocation of the eastern portion of the drive through and changes to acoustic screening and boundary fencing.</p> <p>As such, if approved, a condition is recommended to prohibit the drive through from being operated between 11:00pm and 6:00am daily. These hours are considered appropriate to manage potential sleep disturbance associated with the use of the drive through.</p> <p>The setback of dwellings at 343 Westbury Road, 2, 6, 8 and 12 Chris Street, are considered to be reasonable, and with the proposed acoustic fences, it is deemed that the dwellings will not be unreasonably impacted from the use of the car park for patrons of the restaurant overnight. The car park will be a slow traffic speed environment, with speed</p>

11.1.1 Public Response Summary Of Representations

		humps designed to minimise noise. The findings in the acoustic assessment regarding the level of noise generated from the car park are considered appropriate.
e)	Concerned that the proposed development with a 24 hour 7 days a week drive through along the eastern and southern boundary will cause a significant and unreasonable loss of amenity to adjoining residents, impacting the harmonious, pleasant and enjoyable life. Residents of an adjoining property have lived at the property for 57 years and counting.	<p>Refer to d) above.</p> <p>The subject site is in a General Business zone and is surrounded to the north, east and south with properties zoned General Residential which are constructed with single and multiple dwellings. Whilst a Food Services business is considered a Permitted Use Class in the General Business zone, it proposes to operate 24 hours a day 7 days a week, which extends beyond the hours of operation permitted in the Planning Scheme. Please refer to the attachment titled 'Planners Response – Performance Criteria' for the consideration of loss of amenity generated by the development. It is concluded that with conditions, a reasonable amount of amenity can be maintained to the adjoining residential properties. It is acknowledged that there will be changes to the existing amenity enjoyed by adjoining properties, however, these changes are not considered unreasonable.</p>
f)	Concerned by the proximity of the drive through less than 3m from eastern boundary and its continual operation. This is expected to cause a loss of amenity (peace, enjoyment, use) through noise, lighting and other emissions such as odour and carbon dioxide from cars.	<p>Refer to comments in a)-e) above.</p> <p>The amended plans have increased the drive through further from the eastern boundary. Please refer to attachment titled 'Amended Plans and Supplementary Documentation' to view the proposed amendment.</p> <p>This proposed amendment will result in an increase in distance from the drive</p>

11.1.1 Public Response Summary Of Representations

	<p>There will be so many cars so close to backyards.</p> <p>An adjoining property has an established vegetable garden located towards the shared boundary. There are also some of the grape vines that have been established for 40 years within one foot of the boundary fence.</p> <p>This outdoor space is used daily by its residents and is used to host family barbeques and get together.</p>	<p>through for 8 and 3/10 Chris Street and will increase to a distance of 7.2m. Whilst vehicles will still pass the rear of 8 Chris Street, some additional separation is being afforded. It is noted that the acoustic fence at the boundary is proposed to remain at 2.2m in height, noting the requirement for a retaining wall along a section of the eastern boundary.</p> <p>It is also noted that if approved, a condition is recommended to prohibit the use of the drive through between 11:00pm and 6:00am daily.</p> <p>The proposed development will be externally lit. The submitted Obtrusive Lighting Analysis report has demonstrated that the lights will be designed to be compliant with the Australian Standard. If approved, a condition is recommended to require that installed external lights achieve compliance with the <i>Australian Standard AS/NZS4282:2023 Control of the effects of outdoor lighting</i>.</p>
g)	<p>The proposal will potentially have negative impacts on the community and particularly those residential properties directly impacted by the proposed development.</p>	<p>The potential of impacts associated with traffic, noise, lighting and odour have been considered in the attachment titled 'Planners Response – Performance Criteria'. It is concluded that with conditions, the development will not cause an unreasonable loss of amenity to adjoining residential properties.</p>
h)	<p>Concerned by the potential impact of constant noise and impacting the ability to sleep and live comfortably. Adjoining residents are vulnerable to sleep disturbances and are concerned for their health and wellbeing and quality of life as a result of</p>	<p>The acoustic assessment submitted to Council has been peer reviewed. The findings are comparable for daylight and evening noise, however, there are concerns regarding nighttime noise being excessive as calculated and modelled in the assessment. Therefore, if approved, a condition is recommended to prohibit the</p>

11.1.1 Public Response Summary Of Representations

	the development changing the existing environment. If approved, the development will have an unreasonable loss of amenity to the current harmonious, pleasant and enjoyable life.	drive through from being operated between 11:00pm and 6:00am daily.
i)	Proposed development is too close to houses with not enough barriers away from fences. It will impact privacy.	Noted. The development includes the construction of an acoustic fence at various heights along the northern, eastern and southern boundary. The fence is proposed to absorb noise generated from the site and will also minimise opportunities for direct overlooking into adjoining residential properties due to the height of the fence. It is noted that the plans are proposed to be amended which will reduce the height of the acoustic boundary fences along the eastern and southern boundary, and will also include the extension of the acoustic barriers setback from the boundary fence.
j)	Consider the number of residential properties that are surrounding this proposal then count the number of residential properties that border other McDonalds here in the Launceston area, and elsewhere, there is no comparison. All other outlets are mainly built in larger commercial areas that affect minimal residential housing.	Noted.
k)	The proposed 24 hour 7 day a week operation is not considered to meet the Performance Criteria P1 of the General Business zone of the	Following the conclusion of the advertising period, the applicant has reviewed the concerns raised in representations and has submitted amended plans to Council. The proposed amendment increases the separation

11.1.1 Public Response Summary Of Representations

<p>Tasmanian Planning Scheme with respect to:</p> <ol style="list-style-type: none"> 1. Noise levels and other emissions caused by the timing, duration and extent of vehicle movements between 9pm and 7am Monday to Saturday and 8am to 9pm Sundays and Public Holidays. 2. The proposed layout of the drive-thru so close to residential properties. The drive-thru is proposed within an estimated 5m from the rear unit at 10 Chris Street. 3. Impact of lighting – including the drive-thru menus and gantry signage. 4. Proposed parking behind the restaurant which is not visible from Westbury Road (near the proposed loading bay) which could become a haven for people congregating late at night in vehicles. <p>In considering the significant concerns, representor strongly urges Meander Valley Council to reject the approval of this development in its current form. The adverse effects on noise levels, environmental quality, safety, and the property values far outweigh any potential benefits the proposed</p>	<p>between the drive through and the eastern properties, and also reduces the height of the proposed common boundary fences.</p> <p>The application has been assessed against the use standards within the General Business Zone of the Planning Scheme. Please refer to the attachment titled 'Planners Response – Performance Criteria' for a response to this provision. It is concluded that with conditions, the development will not cause an unreasonable loss of amenity to the adjoining residential zone.</p> <p>Whilst illuminated signage is proposed throughout the development, it is not considered to cause an unreasonable loss of amenity on adjacent properties. It is noted that the northern pylon sign is required to be switched off from 10.00pm daily to ensure compliance with AS/NZ4282:2023 illuminance limits at the residential property fronting Westbury Road to the immediate north of the subject site. The impact from illuminated signage from the drive through is considered minimal, as the proposed acoustic barrier being 2.4m high (amended plans) and acoustic boundary fencing will predominately screen the signage. Furthermore, the proposed external lighting has been demonstrated to comply with the Australian Standard.</p> <p>The proposed amended plans have removed the car parking behind the restaurant to enable the drive through to have an increased setback from the eastern boundary. It is noted that the car parking requirements of the Planning</p>
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11.1.1 Public Response Summary Of Representations

	McDonald's might bring to the area.	<p>Scheme for a Food Services use is maintained.</p> <p>It is considered that the amended plans and supplementary documentation, has demonstrated that the development will not cause an unreasonable loss of amenity on the adjoining properties, and is recommended for approval with conditions.</p>
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Representations: 2, 3, 4, 6, 7, 8, 10 & 11.

Concern: Noise		Planner's Response
a)	Traffic noise from Westbury Road has increased since Covid. Cars have been modified and at time Westbury Road is like a race track.	Noted.
b)	<p>Concerned with the noise that will be generated by the development, considering it will be operating 24 hours 7 days a week.</p> <p>There will be constant noise from cars moving through at all times of the day as well as noise generated by people/customers (loud talking, swearing, yelling, laughing), and delivery trucks.</p> <p>Operating 24 hours 7 days a week will have a continuous flow of vehicles and patrons, especially during late hours. This will generate noise pollution.</p>	<p>Noise from the proposed development has been considered in the acoustic assessment submitted with the application. Mitigation measures including acoustic boundary fences and acoustic screens are proposed to reduce the impact of noise to an acceptable level.</p> <p>Please refer to the response provided in the amenity concern above at point d). As mentioned, Council has obtained a peer review of the acoustic assessment and it is determined that the noise criteria adopted for day and evening periods are satisfactory. However, there are concerns regarding the criteria used in the assessment for night time noise.</p>

11.1.1 Public Response Summary Of Representations

	The proposed McDonalds is expected to handle up to 170 cars per hour.	If approved, it is recommended that the permit be conditioned to include a number of conditions regarding, the hours of use of the drive through, the hours for when deliveries are to be received, monitoring undertaken to record the noise generated from the site to ensure it is operating within the levels identified within the acoustic assessment. Refer to Planner's Recommendation to Council for the list of recommended conditions.
c)	<p>Concerned about the car noise from the drive through as well as voice and order box noise, and traffic behaviour being close to adjoining properties (units to the south and east and dwelling to the east) will generate uncomfortable noise levels for those enjoying their backyards and dwellings.</p> <p>Concerned the noise generated in the drive through will be disruptive to nearby residents, some which have enjoyed the peace and quiet for over 50 years.</p> <p>Residents have the right to a peaceful evening and nighttime for relaxing and sleeping each day.</p> <p>The proposed development adjoins residential properties.</p>	<p>It is noted that whilst the traffic impact assessment report quotes 170 cars per peak hour, this is the number of vehicles both entering and exiting the site per hour. Therefore, it is equivalent to a total of 85 vehicles per peak hour.</p>
d)	The previous business at this site (petrol station, fast food take-away and a garage) were situated over 30m from eastern boundary and operated until 10pm. The impact was minimal.	Noted.
e)	Considers a more suitable comparison for noise in the absence of Tasmanian guidelines to be South Australian and Queensland	The criteria for assessing maximum noise levels in the Queensland and South Australian noise policies are not directly comparable with that adopted in the

11.1.1 Public Response Summary Of Representations

	<p>guidelines given these are closer in population than Victoria and New South Wales. It appears that the maximum noise levels are both lower [in the SA and QLD guidelines] than what is acceptable in NSW and Victoria.</p> <p>The acceptable noise levels are required to be reduced during nighttime hours below the predicted "Worst Case car" noise scenarios in the Clarity Acoustic report of 60dB. It appears, both "Worst Case car" and "Patron voices" predicted noise levels are above the maximum noise levels permitted in South Australia and Queensland.</p> <p>Provided copies of South Australian and Queensland guidelines attached to the representation.</p>	<p>Clarity Acoustics Assessment dated 24 May 2024.</p> <p>The Clarity Assessment uses 60dB L_{Amax} which is equivalent to the acoustic environmental indicator level for sleep disturbance outside bedrooms in the Tasmanian Environmental Protection Policy (Noise) 2009. A L_{Amax} level is the maximum A-weighted sound pressure level during a particular measurement period.</p> <p>A L_{A1} level is the A-weighted sound pressure level which is exceeded for 1% of the measurement period. The Queensland policy uses 65dB $L_{A1,adj,1hr}$, which is the A-weighted sound pressure level, adjusted for tonal character or impulsiveness, that is exceeded for 1% of a 1 hour period when measured using a fast standardised response time.</p> <p>The South Australian policy includes a different method for arriving at noise criteria, based on the planning zone of the noise source and the planning zone of the noise affected premises. Given the application of planning zones in South Australian differs to the Tasmanian planning system, it is not considered appropriate to draw comparisons.</p> <p>Council has had the acoustic assessment report peer reviewed. The findings of the report for daytime and evening noise are considered satisfactory. However, the noise modelling associated with traffic through the drive through does not appropriately demonstrate that there is not an unreasonable loss of amenity overnight. As such, if approved, a condition is recommended to prohibit the</p>
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11.1.1 Public Response Summary Of Representations

		<p>drive through from being operated between 11:00pm and 6:00am daily. These hours are considered appropriate to manage potential sleep disturbance associated with the use of the drive through.</p> <p>Please refer to Council's Environmental Health Officer comments found in the Internal Referral section that prior to the Planners Recommendation to Council.</p>
f)	<p>With a projected 75 cars per hour based on 24 hour service, that number through peak times will certainly exceed that 75 cars per hour.</p> <p>Not only will noise levels raise at peak time there will also be an increase in pollution occurring.</p>	<p>The submitted Traffic Impact Assessment (TIA) expects approximately 170 peak hour vehicles movements for the use based on surveys undertaken of several existing McDonald's convenience restaurants. This is equivalent to 85 vehicles entering and exiting the site. This value has been adopted for the weekday PM and Saturday peak hours in the TIA. The acoustic assessment also had regard to the 170 peak hour vehicle movements.</p>
g)	<p>Noise from traffic from Bass Highway is already noticeable 24/7 and McDonalds will exacerbate this situation due to the proposed hours.</p>	<p>It is acknowledged that noise from traffic on the Bass Highway is already noticeable in the surrounding area. Noise from traffic, including from the Bass Highway, forms part of the background noise for the environment and this has been considered in the modelling undertaken for the acoustic assessment.</p> <p>Concern is noted regarding the proposed hours of operation and the potential noise generated.</p>

11.1.1 Public Response Summary Of Representations

Representations: 6, 7 & 8

Concern: Lighting		Planner's Response
a)	<p>Lighting report primarily seems to focus on the solution of having the northern pylon sign switched off during curfew hours with a timer.</p> <p>Concerns are raised regarding the impact of potentially intrusive lighting from the building itself as well as the drive-thru gantries and menu lighting.</p>	<p>An Obtrusive Lighting Analysis that was submitted with the application has demonstrated that all external lighting proposed is compliant with <i>AS/NZS 4282:2023 Control of the obtrusive effects of outdoor lighting</i>, noting that the northern pylon sign is to be switched off from 10:00pm daily. If approved, a condition is recommended to enforce this.</p> <p>It is also noted that the proposed acoustic boundary fence will be of a height to screen headlights from vehicles. A 1500mm high opaque barrier is proposed along Westbury Road to screen headlights from vehicles from properties on the western side of Westbury Road from vehicles travelling west and north within the drive through.</p>
b)	<p>Concern regarding lights beaming into properties 24 hours 7 days a week.</p>	
c)	<p>One window was shown on the rear of 1/343, yet failed to show a large window measuring 3.7m by 1.2m facing Westbury Road. Drawing number A203 clearly shows a streetscape elevation to the west with evidence of that window.</p> <p>The current sign in situ displaying Jims Service Station was not a hindrance as it was not displayed/ lit up no later than 20:00 hours.</p>	<p>The concern is noted. The recommendation of the lighting assessment that was submitted with the proposal is for the northern pylon sign to be switched off at 10:00pm daily and is to remain switched off until dusk the following day.</p> <p>The proposed location of the northern pylon sign, its height and size is not out of character to what is existing on the site. Although the sign is proposed to be illuminated until 10pm, the illuminance of the light is considered to be dull. Westbury Road is well lit with street lights and illuminated signage. It is noted that the Ampol service station to the north-west of the site, also has a range of</p>

11.1.1 Public Response Summary Of Representations

	<p>This sign is offensive to representor and others.</p> <p>Representor does not have any desire to sit and look out the window to look at a McDonalds sign.</p>	<p>illumination. This too is switched off at 10pm. Although the adjoining property to the north will have a direct view of the sign, only the message of the sign will change to what is existing. It is noted that the size of the sign will increase marginally. The sign is located approximately 14m from the adjoining dwelling. The proposed northern pylon sign is not considered to cause an unreasonable loss of amenity to the adjoining property to the north.</p>
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Representation: 8

Concern: Contamination		Planner's Response
a)	<p>The underground fuel tanks have been removed from the site and continuous sampling has been undertaken. Sampling has been undertaken at 1/343 Westbury Road, Prospect Vale. Representor noticed strong smell of fuel when sampling is undertaken.</p> <p>The ESA (Environmental Site Assessment) report states "<i>that excavation on the site can proceed</i>". Why hasn't there been any correspondence in this application that relates to possible contamination in the soil at 1/343 Westbury Road, as a result of fuel leakage from 345-347 Westbury Road?</p> <p>Where is the Environmental Protection Authority sitting in all this?</p>	<p>The process for removing the underground fuel tanks from the subject site is a separate process to the assessment of this planning application.</p> <p>The removal of the underground fuel tanks is a process that is regulated by the Environment Protection Authority.</p> <p>They have been consulted regarding this proposal, however, do not have an interest in this application, as they can manage the site through their legislation. This includes potential contamination on other properties.</p> <p>The potentially contaminated lands code of the Tasmanian Planning Scheme has been considered in this application because the proposal will require the excavation of more than 250m³ of soil on the site. The depth of excavation required for the site is less than the potential contaminated soil. Therefore, a certified site contamination practitioner has concluded in the Environmental Site</p>

11.1.1 Public Response Summary Of Representations

		Assessment the level of contamination does not pose risk to human health or the environment, satisfying the requirement of the Planning Scheme.
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Representations: 1, 3, 4, 5, 7, 8, 9 & 10

Concern: Use of the site		Planner's Response
a)	Concern have been raised about the health impacts/risks of McDonalds.	<p>This application proposes a Food Services business, which is a Permitted Use in the General Business Zone of the Planning Scheme.</p> <p>The type of Food Services business proposed, the potential for competition to existing businesses and the proximity to existing McDonald's restaurants, are not matters considered in the Planning Scheme and, therefore, these matters cannot be considered in determining the proposal.</p> <p>Council can only consider the relevant standards of the Planning Scheme when determining planning applications.</p>
b)	Site could be better used for a different business or potentially rezoned to residential.	
c)	Already a variety of food establishments in the area. These establishments do not need the competition of a 24 hour 7 day a week major franchise which could be detrimental to small local businesses.	
d)	This proposed McDonalds is located close to existing McDonalds in South Launceston and Kings Meadows.	
e)	Concerned by the impression McDonalds will present to visitors as the first thing a visitor will see.	

11.1.1 Public Response Summary Of Representations

f)	No other McDonalds in Launceston are surrounded by residential development on 3 sides.	Noted.
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Representations: 2, 6, 8 & 10

Concern: Valuation		Planner's Response
a)	Concerned about the rentability of units that adjoin the proposed development.	The potential for impact on the rentability or valuation of adjoining properties is not a consideration of the Planning Scheme and, therefore, this matter cannot be considered in determining the proposal. Council can only consider the relevant standards of the Planning Scheme when determining planning applications.
b)	Concerned the development will devalue property adjoining the site. The presence of increased traffic, noise and odorous fast-food outlet could make adjoining property less attractive to potential buyers and affect the investment of current owners.	

Representations: 2, 4, 6 & 9

Concern: Alternative options		Planner's Response
a)	Recommends alteration to the development plan to redirect the drive through from the southern fence line away from the units to the south. It is considered that this will reduce the need for such high noise barriers as traffic will be further from units and will increase the sunlight reaching the units.	The applicant has submitted amended plans in response to the concerns raised in the representations. The amended plans can be viewed in the attachment titled 'Amended Plans and Supplementary Documentation'. These amendments have resulted in the boundary fence along the south adjoining the units at 349 Westbury Road reducing to 2.1m in height. There will also be extensions to the acoustic sound

11.1.1 Public Response Summary Of Representations

		barriers, however, any shadow cast from the barriers will fall to the boundary fence.
b)	<p>A compromise could be reached if the hours of operation were 0600-2300.</p> <p>There are already two 24 hour McDonalds In Launceston that could adequately serve those who were seeking McDonalds overnight.</p>	<p>Noted.</p> <p>Whilst the proposed restaurant 'walk-in' service is considered suitable to operate 24 hours a day, 7 days a week, if approved, the drive through is recommended to be prohibited from use between 11.00pm and 6.00am daily.</p>
c)	<p>Recommends:</p> <ol style="list-style-type: none"> 1. Hours of operation should be in line with the General Business Zone [Acceptable Solution]; 2. The drive through setback further than 3 metres to a more reasonable distance of 10 metres to lessen the impact on adjoining properties and the expected unreasonable loss of amenity from the proposal in its current form. 3. Consultation with Meander Valley Council, McDonalds and adjoining property owners to mitigate concerns around unreasonable loss of amenity and security. <p>Representor is supportive of a consultative process to find a</p>	<p>Refer to the response to a) and b) above.</p> <p>The amended plans referred to in a) above, increase the setback of the drive through to 7.27m from the eastern boundary. Whilst the access way of the car parking / access to drive through is proposed to remain in the same location, it will begin to increase further away from the eastern boundary at the northern portion of the boundary shared with 8 Chris Street, to where it will be 7.27m from the boundary adjacent with the outbuildings on 8 Chris Street. The drive through will maintain this setback from the eastern boundary as it traverses south on the site. Therefore, the drive through will be a distance of 7.27m from 3/10 Chris Street, with an acoustic barrier of 2.4m in height 6.35m from the boundary. The boundary fence shared with 3/10 Chris Street is proposed to remain and will be treated with acoustic material. This fence in the original application was proposed to be higher than what is existing.</p> <p>If approved it is recommended that noise monitoring is undertaken to demonstrate that the noise levels modelled in the</p>

11.1.1 Public Response Summary Of Representations

	mutually agreeable way to move forward.	acoustic assessment are achieved. Furthermore, a management plan will be required to be submitted to Council which will include a complaints register for complaints to be recorded and considered by the proponent.
d)	Suggests considering more moderate operating hours that would be less disruptive to residents and less detrimental to local businesses.	Refer to comments in b) above and the response to the concern 'Use of the Site' above.

Representations: 3, 6, 7 & 10

Concern: Crime and Litter		Planner's Response
a)	Concerns litter within the area will increase. Representors are already experiencing litter from existing businesses. An increase in litter can attract pests and detract from the cleanliness and beauty of our community.	<p>The potential for the generation in increased litter and crime from the proposed development is not a consideration of the Planning Scheme. Therefore, this matter cannot be considered in determining the proposal.</p> <p>Council can only consider the relevant standards of the Planning Scheme when determining planning applications.</p>
b)	Concerned that extending hours from the General Business Zone Acceptable Solution risks providing an opportunity for criminals and vandalism to operate during the late night hours.	

11.1.1 Public Response Summary Of Representations

Representations: 6, 8, 9 & 10

Concern: Other		Planner's Response
a)	Concerned that the applicant did not consult with homeowners directly impacted by the development. Representor is not against development moving forward but are in favour of fairness, reasonableness and consultation.	Noted. There is no legislative requirement for an applicant to consult neighbours on a proposal. Council encourages anyone proposing to undertake development to discuss the proposal with neighbours.
b)	Photos were included in a representation showing the backyard for which the drive through will be at the back of the fence.	Noted.
c)	Concerned by the 14 day period to submit written representation to the development when the application material was 705 pages. Seeks an extension to be able to comprehend the literature and given a fair and reasonable opportunity to reply.	The 14 day period is required through section 57 of <i>Land Use Planning and Approvals Act 1993</i> . Whilst there is the ability to extend the representation period in accordance with section 57(5), Council has treated this application the same as all other applications assessed in accordance with section 57. The representation that was submitted has identified concerns with the proposal which have been considered in the assessment. It is noted that there are strong themes that have been presented in the representations submitted to Council.
d)	A caveat is in place on this property. Why is this planning application allowed to be advertised?	The planning application has been submitted and assessed in accordance with the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> .

11.1.1 Public Response Summary Of Representations

	<p>Is a planning application a legal dealing concerning this property? If so, why has this application been allowed to be lodged when a caveat is registered on this property.</p> <p><i>"A caveat is a document that any person with a legal interest in a property can lodge. Once lodged a caveat note appears on the property title giving anyone with an interest notice that a third-party claims rights over the property. This caveat must be resolved before any legal dealings to do with the property can take place".</i></p>	<p>LUPAA does not prevent a planning application being lodged, advertised or determined if there is a caveat on the title. However, any application submitted to Council where the applicant is not the owner, requires the applicant to declare that the owner of the land has been informed of the application. This declaration has been submitted with the application.</p> <p>Land title dealings include priority notices, caveats, strata dealings, transfers, easements, covenants and vesting orders.</p> <p>A planning application is not a land title dealing and, therefore, although a caveat is recorded on the title, it does not prevent the consideration of the planning application.</p>
e)	The representor identified inaccurate measurements in the Ratio assessment.	Noted.
f)	The representor requests that decisions are made on commonsense and questions if McDonalds should be located in the middle of houses and units.	The application must be considered against the Tasmanian Planning Scheme – Meander Valley. An assessment has been undertaken against the Planning Scheme to determine if the application satisfies the standards of the Planning Scheme. Refer to attachments titled 'Planners response – Acceptable Solutions' and 'Planners response – Performance Criteria' for more details.
g)	The proposal will have detrimental effects on our community in terms of its hours of operation and the impact of	Noted. Refer to discussion above, specifically Representation concerns: Amenity and Noise and in attachments titled 'Planners Response – Performance Criteria'.

11.1.1 Public Response Summary Of Representations

	<p>local small businesses and traffic.</p> <p>An alternative location should be found that does not compromise the well-being of our neighbourhood.</p>	<p>The Planning Scheme does not consider or require an assessment of impact on local small businesses and, therefore, this is not a matter that can be considered as part of the assessment.</p> <p>The application is required to be assessed at the site proposed. Consideration of an alternative location is not a factor that can be considered in the assessment of the application.</p>
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Note: The planning application was advertised in the Examiner Newspaper and on Council's website for a statutory period of 14 days from 15 June 2024 to 1 July 2024. A planning notice was also placed on the property.

Natasha Whiteley

Representation 1

From: TINA STYLES [REDACTED]
Sent: Sunday, 16 June 2024 6:33 PM
To: Meander Valley Council Email
Subject: Planned Prospect Mcdonalds

Not sure where we put in feedback re planning approvals but I'd like to voice my opinion.

As a resident who lives two blocks away in line with the newly proposed maccas, I am concerned about the cooking fat fumes. On certain days my yard smells strongly of fat fumes from the chicken shop in the Prospect marketplace. Not nice to sit in my own yard or garden.

Also, we already have traffic issues and congestion all the way from the casino roundabout and right down Westbury road.

Apparently Australia has a higher obesity rate than America. And we wonder why. There are already quite a few takeaway shops in Prospect and surely a clothing and furnishing shop would be more appealing and benefit the majority of the meander valley area, than yet another health issue.

Regards
Tina

[Yahoo Mail: Search, organise, conquer](#)

Natasha Whiteley

Representation 2

From: Planning @ Meander Valley Council
Sent: Thursday, 27 June 2024 10:53 AM
To: Yvonne de Wit
Subject: RE: PA/23/0217

Good Morning Yvonne,

Our apologies, your previous email below was recorded as a formal objection to development PA\23\0217.

Should you wish to submit further comments to add to your Objection you are welcome to do so. Alternatively, if you would like to withdraw the below email as an objection and submit again you can do so by notifying us to withdraw the below and sending through your revised Objection to the same email address.

Should you have any questions or concerns please feel free to give us a call and I can arrange for Natasha to talk you through the process.

Kind Regards
Abbie

From: Yvonne de Wit [REDACTED]
Sent: Thursday, June 27, 2024 8:42 AM
To: Planning @ Meander Valley Council <planning@mvc.tas.gov.au>
Subject: Re: PA/23/0217

Good morning, I still haven't heard how to submit a formal objection to the McDonald's proposal. Could you please advise how to proceed?
I'm sure you are aware time is running out.
Kind regards Yvonne de Wit

On Tue, 25 June 2024, 6:22 pm Yvonne de Wit, [REDACTED] wrote:

Good afternoon,

Thank you for your email and for clearly answering our questions.

We are going to have to submit a formal objection to the proposed development application for a McDonalds restaurant/ drive through being built on Westbury Road – PA/23/0217.

Unfortunately the currently proposed plans, will greatly decrease the quality of living for the residents of the units at 349 Westbury Road. Should the current tenants decide to leave due to the new living conditions imposed by the development, the rentability of the units will also be decreased. The development will also greatly devalue the units .

The major complaint is the 24hr operation of the business, as tenants of the units have the right to a peaceful evening and night time for relaxing/sleeping each day. This is followed closely by the loss of sunshine in the units. Both of these are essential for the health and wellbeing of the tenants.

With the driveway running along their back yard fences, the 24hr car noise, cooking smells, voice & order box noise, car fumes, and general traffic behaviour will create uncomfortable noise

11.1.3 Representation 2 - Y De Wit -Obo- WG And CAM De Wit

levels for tenants enjoying their backyards. The proposed sound barriers will block out any sun from the back yards - making drying their washing on lines on the back fence impossible and also blocking any sun from entering the units themselves - as their main windows face the backyard - thus increasing the risk of mold growth, another health risk and property damage risk.

We would recommend an alteration to the development plan to redirect the driveway away from the fenceline of the units boundary, thus reducing the need for such high noise barriers due to traffic being further from the units and increasing the sunlight reaching the units. Surely this is only logical.

Can you please advise what steps we need to take to work with you to resolve our concerns?

Can you please also advise what we need to do to alter the current proposal?

Kind regards
Yvonne de Wit
on behalf of WG & CAM de Wit (parents)

On Tue, 25 Jun 2024 at 10:43, Planning @ Meander Valley Council <planning@mvc.tas.gov.au> wrote:

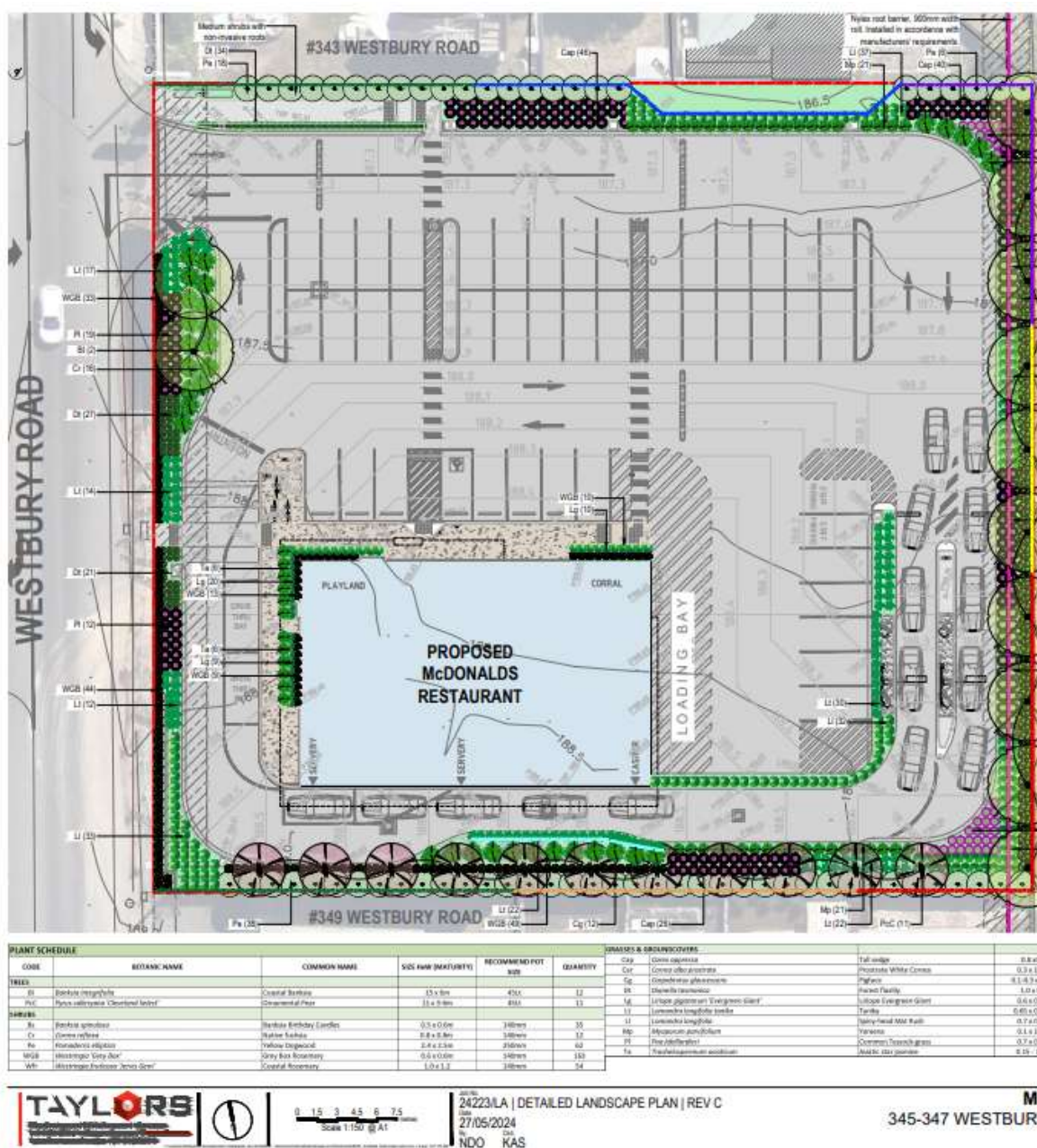
Good Morning Yvonne

Thank you for your email and questions regarding the proposed development. I have provided a response to your main questions raised in your email below.

Acoustic Fencing

The units at 349 Westbury Road are to the southern side of the proposed development. There are three different heights for the proposed acoustic fencing along this boundary. A 2.4m high acoustic boundary fence is proposed in front of the unit closest to the eastern boundary. A 2.6m high acoustic boundary fence is proposed in front of the 3 co-joined units. The acoustic boundary fence reduces to 1.8m from the western boundary of the units at 349 Westbury Road, back towards Westbury Road. A 1.75m high acoustic fence/screen is also proposed between the boundary fence and the drive-thru. This fence/screen extends between the cashier section and servery section of the drive-thru.

The plan below shows the development including the proposed acoustic fences/screens. The different coloured lines represent the different height of the fences and the legend on the bottom right hand side shows the colours and heights.



As the application is currently on advertising, the plans may be better viewed online and can be found here: [PA.23.0217-Reduced-Size.pdf \(meander.tas.gov.au\)](#)

Odour

The odour assessment that was submitted with the proposal included the following conclusion and recommendation. It is recommended however that the full odour risk assessment is read and is available at the above mentioned link from page 276.

11.1.3 Representation 2 - Y De Wit -Obo- WG And CAM De Wit

'There are two residences 15 metres to the south and 30 metres to the southeast that could experience cooking odour from the McDonalds intermittently. ES&D recommends that the ventilation installed has an exhaust air speed of 2 metres per second or more. This will be sufficient to force the odour well clear of the roof and ensure that any low flow 'void' areas on the roof top are cleared to aid in dispersion of odour. This is a conservative approach. Given prevailing winds are northerly, the location of the fans towards the south of the building will aid with good dispersion, decreasing the chance of odour being evident at the properties immediately to the south.

If the above recommendation is actioned, the risk of loss of amenity caused by nuisance odours will be low, and the development could proceed without creating loss of amenity at nearby residences' (ES&D 2024 pages 22 & 23).

It I noted that the architectural plans that have also been submitted notes 'EXHAUST AIR SPEEDS TO ACHIEVE 2M PER SECOND MIINIMUM'.

If you have any further questions please ask. Furthermore, as you are aware, the opportunity to provide comment regarding this proposal closes on 1 July 2024. If you do wish to provide further comments, they should be lodge with Council by 1 July 2024.

Kind Regards

Natahsa



Planning @ Meander Valley Council,
P: 03 6393 5300 | E: planning@mvc.tas.gov.au
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www.meander.tas.gov.au

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11.1.3 Representation 2 - Y De Wit -Obo- WG And CAM De Wit

From: Yvonne de Wit [REDACTED]
Sent: Monday, June 24, 2024 7:08 PM
To: Planning @ Meander Valley Council <planning@mvc.tas.gov.au>
Subject: PA/23/0217

Good morning,

I am writing to you regarding some concerns we have with the application for a McDonalds restaurant/ drive through being built on Westbury Road – PA/23/0217

My mother and father (WG & CAM de Wit – of 4 Eversham Close Prospect Vale) own the units at 348 Westbury Road, of which 4 of the 6 units will back onto the adjoining side fence of the proposed development. The backyards of the units along with the back sliding door of the living area and bedroom window of these units will be exposed to the proposed development.

Our concerns relate to the 24 hour exposure to light, noise, high volumes of traffic, food smells and invasion of privacy of these 4 units. I would like to be assured that a minimum of 6 foot high privacy screens/ sound barriers and hedging is proposed for along this fence line to protect these units from exposure to the noise and lights from traffic and the restaurant itself especially since the restaurant plans to be open 24hrs a day. I would also assume that all new technological measures have been put in place to minimise as much as possible, any smells from the 24hr continuous cooking that will occur on the premises.

Can you please advise as soon as possible, as we are aware that we only have till 1st July to put forward any written concerns.

Kind regards

Yvonne de Wit

On behalf of WG & CAM de Wit (Parents)

Natasha Whiteley

Representation 3

From: Kelli [REDACTED]
Sent: Tuesday, 25 June 2024 9:56 PM
To: Planning @ Meander Valley Council
Subject: Mc Donalds
Categories: Registered

To whom it may concern,

We are emailing our concerns about the planning of having a 24/7 Mc Donalds on Westbury Road, Prospect Vale.

First of all how come ourselves and others, as rate payers have not had a say in this application?

I'm hearing it through social media and a flyer in the mail.

We have many concerns and one being, the hours as with 24/7 comes traffic and noise and we did not buy our house to

be in the area of a Mc Donalds store. Seriously it is about 7 kms to the nearest Mc Donalds from Prospect.

The litter is a big issue as well, we have enough litter around without Mc Donalds wrappers too.

How is this helping small business food outlets in Prospect Vale, well it's not!!

Putting a big food giant like Mc Donalds in a small suburb, WILL be detrimental to small business.

We object any further planning for the Mc Donalds Store in Prospect Vale and therefore say NO.

STOP MC DONALDS PROSPECT !!!!!

Meander Valley Rate Payers for 23 years

Tony Quinn & Kelli Murdock

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Natasha Whiteley

Representation 4

From: Maggie Scott Woodroffe [REDACTED]
Sent: Wednesday, 26 June 2024 11:18 AM
To: Planning @ Meander Valley Council
Subject: Objection to planning application

Dear Sir/Madam

I wish to object to the planning application PA\23\0217 which is the application for a McDonalds restaurant in Prospect

I appreciate that there are very few grounds for appeal: however I feel that the operating hours of 24/7 are excessive in an area bounded by mostly residential properties.

At no other McDonalds locations in Launceston are the boundaries surrounded on 3 sides by residential properties.

The expected impact from 24hour traffic and noise from 'speakers' in the drive-thru will be very disruptive to all the nearby properties. Again I emphasise this application adjoins residential properties.

A compromise could be reached if the hours of operation were 0600 - 2300.

There are already 2 24hour McDonalds in Launceston which would adequately serve those who need a 'feed' outside of normal eating hours.

I must declare that I have vested interest in this application as my property adjoins the proposed application

Confirmation of receipt of this email would be appreciated

Regards

Scott and Maggie Woodroffe

[REDACTED]
[REDACTED]
[REDACTED]

--

[REDACTED]
Maggie & Scott Woodroffe

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Natasha Whiteley

Representation 5

From: M W [REDACTED]
Sent: Wednesday, 26 June 2024 12:44 PM
To: Planning @ Meander Valley Council
Subject: Objection to proposed 24/7 McDonalds re application PA\23\0217

I am writing as a resident to object to the proposal for yet another McDonalds, in this case proposed for 345-347 Bass Highway, Prospect.

I note that we already currently have access to two McDonalds within 6 kms from our home in Prospect and most certainly do not need another (Kings Meadows and South Launceston. This does not take into account McDonalds in Invermay).

The noise from traffic from Bass Highway is already noticeable 24/7 and a McDonalds will exacerbate this situation due to proposed open hours. I also believe that the roads around Prospect are barely able to withstand current traffic from expanding suburbs without extra traffic associated with a large scale 24/7 business like McDonalds.

I feel that McDonalds provides food that is counterproductive to the health and ethos of Launceston - a 'UNESCO city of gastronomy ... Known for its thriving food, fermentation and drinks scene with agricultural roots and famous markets'. I understand that not everyone feels this way but surely the junk food chains we currently have are sufficient.

Lastly, I think it is disappointing to think that we run the risk of presenting a McDonalds in this location as the first thing that a visitor will see as they enter our beautiful city. Surely this is not the first impression we want to give.

Regards,

Matt

Natasha Whiteley

Representation 6

From: [REDACTED]
Sent: Wednesday, 26 June 2024 12:52 PM
To: Planning @ Meander Valley Council
Subject: Objection to Planning Notice Application: PA/23/0217
Attachments: 2024 June 26 - McDonalds Opposition Letter to MVC.pdf; SA EPA Policy.pdf; QLD EPA Policy.pdf

To the General Manager

Please find our Objection/Representation to Planning Notice Application: PA/23/0217 attached.

Yours sincerely,
Lorraine and Luciano Degetto

[REDACTED]
[REDACTED]
[REDACTED]

11.1.7 Representation 6 - L And L Degetto



26th June 2024

Mr, Jonathan Harmey
General Manager
Meander Valley Council
26 Lyall Street
Westbury, TAS 7303
E – planning@mvc.tas.gov.au

Dear Mr. Harmey and team,

Objection to Proposed McDonald's Development at 345-347 Bass Highway, Prospect Vale
Application: [PA\23\0217](#)

*"It's not just a house... it's a home".**

These words were stated in the famous 1997 Australian movie, The Castle. The movie is about pursuing what is right and fair. It feels like to us, we have our own version of "The Castle" in Prospect Vale, where we fear that the proposed McDonald's development with a 24/7 drive-thru at our back fence, will cause a significant and unreasonable loss of amenity to our lives, severely impacting the harmonious, pleasant and enjoyable life we have lived at 8 Chris Street, Prospect Vale since 1967, a wonderful 57 years and counting.

We are writing to formally object to the proposed development of a McDonald's restaurant at 345-347 Bass Highway, Prospect Vale, TAS. As long-standing residents of 8 Chris Street, Prospect Vale, our property directly adjoins the proposed site, with the drive-through planned to be less than three metres from our boundary fence. We wish to express our grave concerns regarding this proposal and its potential negative impacts on our community, and particularly those residential properties directly impacted by the proposed development.

Noise Levels & Proposed Hours of Operation

Firstly, the anticipated noise from the drive-through and the general operation of a fast-food restaurant will severely disrupt the peace and quiet that we have enjoyed for over 50 years. The proposed site is alarmingly close to our property and others, and the continuous flow of vehicles and patrons, especially during late hours, will generate significant noise pollution.

The previous businesses on this site (a petrol station, a fast-food takeaway, and a garage) were situated over 30 metres from our boundary and only operated until 10 pm. Their impact was minimal compared to the proposed McDonald's, which is expected to handle up to 170 cars per hour.

The proposed drive-thru would be situated approximately 3 metres from our property boundary. We spend numerous hours in our vegetable garden each day, which is against the boundary

11.1.7 Representation 6 - L And L Degetto

upon which the drive-thru is proposed, with some of our grape vines that have been established for some 40 years and within one foot of the fence.

Under the Tasmanian Planning Scheme, the General Business Zone guidelines specifically state that “...on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:

- (a) 7.00am to 9.00 pm Monday to Saturday; and
- (b) 8.00am to 9.00pm Sunday and public holidays. “

In McDonalds application it has stated under “Emissions” with reference to noise, that “In the absence of noise measure guidelines, the authors have ... adopted criteria ... which is generally consistent with...” both NSW and Victoria’s relevant EPA policies. We find it inappropriate to compare what is acceptable in NSW and Victoria (i.e. predominantly Sydney and Melbourne given their respective sizes), when assessing acceptable noise levels in a residential area in suburban Prospect Vale in Tasmania. See population data below: -

Annual population change at 31 December 2023

Population at 31 December 2023 ('000)	
New South Wales	8,434.8
Victoria	6,906.0
Queensland	5,528.3
South Australia	1,866.3
Western Australia	2,927.9
Tasmania	574.7
Northern Territory	253.6
Australian Capital Territory	470.2
Australia (a)	26,966.8

a. Includes Other Territories comprising Jervis Bay Territory, Christmas Island, the Cocos (Keeling) Islands and Norfolk Island.

Source: Australian Bureau of Statistics, National, state and territory population December 2023

A much more suitable comparison, in the absence of guidelines from EPA Tasmania, would be South Australia (in particular), and/or Queensland, given these are closer in population than Victoria or NSW, where it appears the maximum noise levels are both lower than what is acceptable in NSW and Victoria.

Furthermore, and most importantly, the acceptable noise levels are required to be reduced during nighttime hours below the predicted “Worst Case car” noise scenarios in the Clarity Acoustics report of 60dB. It appears, both “Worst Case car” and “Patron voices” predicted noise levels are above the maximum noise levels permitted in South Australia and Queensland.

Copies of the South Australian and Queensland guidelines have been provided as attachments with this email.

We are concerned as to the impact of the drive thru, and its continual operation to the expected loss of amenity – peace, enjoyment, use – through noise, lighting and other emissions, such as odour and carbon dioxide from so many cars, so close to our back yard and vegetable garden.

We have a large and close-knit family and for decades this space has been so special to us for holding family barbecues and get togethers.

The constant noise will also inevitably affect our ability to sleep and live comfortably. We are aged 81 and 78, are particularly vulnerable to such disturbances. Our health and well-being are

11.1.7 Representation 6 - L And L Degetto

at risk if this development proceeds as planned. The serene environment we have cherished will be irreparably altered, leading to a decrease in our quality of life.

We believe that if approved the proposal would have a grave and unreasonable loss of amenity, including our current harmonious, pleasant and enjoyable life, here in the Meander City Council.

Odour

Secondly, the smell emanating from a fast-food restaurant, especially one operating late into the night, will be intrusive and unpleasant.

The proximity of the drive-through to our property means that we will be subjected to these odours continuously, further diminishing our enjoyment of our home and outdoor spaces.

Traffic concerns

Additionally, the substantial increase in traffic will pose significant safety concerns and contribute to environmental degradation. The proposal itself cited that there is predicated to be an additional influx of up to 170 cars per hour and is unprecedented compared to the relatively low traffic volumes from previous businesses.

This surge will not only create traffic congestion but also elevate the risk of accidents in the surrounding residential streets. The increased traffic noise and emissions will contribute to an overall decline in the neighbourhood's environmental quality.

Lighting

The lighting report primarily seems to focus on the solution of having the northern pylon sign switched off during curfew hours with a timer.

We are specially concerned with the impact of potentially intrusive lighting also from the building itself, as well as the drive-thru gantries and menu lighting.

Crime and litter

Finally, there is also fear that by extending the hours from the General Business Zone guidelines, risks providing an opportunity for criminals and vandalism to operate during the late-night hours. We are urging the Council to refuse the application so residents do not have to endure the potential crime and litter problems that a non-stop fast-food operation may create.

Moreover, the proposed McDonald's will undoubtedly lead to a reduction in the value of our property. The presence of a high-traffic, noisy, and odorous fast-food outlet so close to our home makes our property less attractive to potential buyers, thus negatively impacting our investment and financial security.

11.1.7 Representation 6 - L And L Degetto

Summary and Recommendation

The proposed 24/7 operation is not considered to meet the Performance Criteria laid out in the Tasmanian Planning Scheme – State Planning Provisions for General Business Use under P1, with respect to: -

1. Noise levels and other emissions, caused by the timing, duration, and extent of vehicle movements, between 9.00pm and 7.00am Monday to Saturday and 8.00am to 9.00pm Sundays and Public Holidays,
2. The proposed layout with the drive-thru so close to residential properties. The drive-thru is proposed within an estimated 5 metres from the rear unit at 10 Chris Street (*which is not shown as built in the McDonalds proposal* – noting the time of the proposal, but we believe this should have been made clearer),
3. Impact of lighting – including the drive-thru menus and gantry signage
4. Proposed parking behind the restaurant which is not visible from Bass Highway (near the proposed loading bay) – which could become a haven for people congregating late at night in vehicles.

Considering these significant concerns, we strongly urge the Meander Valley Council to reject the approval of this development in its current form. The adverse effects on noise levels, environmental quality, safety, and property values far outweigh any potential benefits the proposed McDonald's might bring to the area.

We believe that the proposal could be reconsidered if: -

1. Hours of operation were in line with the zoning of General Business Use under *the Tasmanian Planning Scheme – State Planning Provisions, i.e.*
7.00am to 9.00 pm Monday to Saturday; and
8.00am to 9.00pm Sunday and public holidays
2. The drive-thru was set back further than the proposed 3 metres to a more reasonable distance of 10 metres, to lessen the impact on ours and our neighbours expected unreasonable loss of amenity from the proposal in its current form.
3. Consultation by the Council and/or McDonalds with the residential property owners that directly border the proposed development to mitigate any individual concerns around unreasonable loss of amenity, and security concerns.

I hope the council will take these points into thoughtful consideration and prioritize the well-being and quality of life of its residents.

We note the proposal is of 705 pages, with several expert consultants employed from interstate to support the application in its desired form. We find it therefore bewildering *that the applicant has chosen not to consult with the homeowners directly impacted by the development on their boundaries*, such as us. We are not against development and moving forward, but we are in favour of fairness, reasonableness, and consultation.

We would support a consultative process between concerned homeowners, Council, and the applicant to find a mutually agreeable way to move forward.

11.1.7 Representation 6 - L And L Degetto

We have included some photos of our home and its backyard which borders the proposed development and drive-thru at our back fence.

We would like to invite the planning team members and Councillors to come to our property to see first-hand the potential impact of the proposal in its current format and the expected subsequent unreasonable loss of amenity including peace, enjoyment, harmony and community, we have enjoyed at 8 Chris Street, Prospect Vale for well over 50 years.

Thank you for your consideration of our fair and reasonable concerns.

*"It's not just a house... it's a home". **

Yours sincerely,

Lorraine and Luciano Degetto

References

** Famous quote from the movie, "The Castle", 1997, Directed by Rob Sitch, Produced by Working Dog Productions*

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Our Home's Backyard



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11.1.7 Representation 6 - L And L Degetto



Version: 31.10.2023

South Australia

Environment Protection (Commercial and Industrial Noise) Policy 2023

under the *Environment Protection Act 1993*

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Environment Protection (Commercial and Industrial Noise) Policy 2023—31.10.2023
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Schedule 2—Repeal of *Environment Protection (Noise) Policy 2007*

Legislative history

Part 1—Preliminary

1—Short title

This policy may be cited as the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

2—Commencement

This policy comes into operation on a day to be fixed by the Governor by notice in the Gazette.

3—Interpretation

- (1) In this policy—

Act means the *Environment Protection Act 1993*;

ambient noise at a place affected by noise from a noise source means the noise at the place other than the noise from the noise source;

ambient noise level (continuous) means the value, expressed in dB(A), of a continuous steady sound that, for the period over which the measurement is taken using fast time weighting, has the same mean square sound pressure as the ambient noise level which varies with time when measured in accordance with Part 3;

ambient noise level (maximum) means the value, expressed in dB(A), of the highest instantaneous noise level measured using fast time weighting during measurement of the ambient noise level (continuous);

background noise level means the noise level that, according to a measurement taken using fast time weighting in accordance with Part 3, is equalled or exceeded for 90% of the period over which the measurement is taken;

building includes a structure and part of a building or structure;

characteristic, in relation to noise from a noise source, means a tonal, impulsive, low frequency, intermittent or modulating characteristic of the noise that is determined by the Authority or another administering agency, in accordance with the *Guidelines for the use of the Environment Protection (Commercial and Industrial Noise) Policy 2023* published by the Authority as in force from time to time, to be fundamental to the nature and impact of the noise;

dB(A) means decibels measured using the "A" weighting network of a sound level meter;

2 This version is not published under the *Legislation Revision and Publication Act 2002* [24.4.2024]

extraneous noise means—

- (a) noise caused by wind (such as wind on vegetation or the microphone diaphragm), insects, animals, birds, aircraft or unusual traffic conditions or any other infrequently occurring event; or
- (b) noise that the Authority or another administering agency determines to be of a significant level and the result of an organised activity that might be discontinued, reduced or relocated;

fast time weighting means a setting of a sound level meter to a "fast" or "F" response;

habitable room means any room that is not a storage area, bathroom, laundry or toilet;

impulsive characteristic—a noise has an impulsive characteristic if it has a dominant characteristic consisting of a single pressure peak, or a sequence of such peaks, or a single burst with multiple pressure peaks whose amplitude decays with time, or a sequence of such bursts;

indicative noise level for a noise source means the indicative noise level determined for the noise source under clause 5;

intermittent characteristic—a noise has an intermittent characteristic if the noise level increases noticeably and rapidly, and holds the higher level for a noticeable period, on at least 2 occasions during the assessment period that applies under clause 13(1)(b);

land use category means a category of land use determined under clause 4 for the purpose of determining the indicative noise level for a noise source or the relevant allowable noise level for noise-affected premises;

low frequency characteristic—a noise has a low frequency characteristic if it has a characteristic that dominates the overall noise with content between 20 hertz and 250 hertz;

modulating characteristic—a noise has a modulating characteristic if the noise level has a noticeable and cyclic variation in frequency or amplitude;

noise-affected premises—see clause 11;

noise designated area means an area to which the Planning and Design Code applies (whether described in the Code as a zone or subzone or otherwise) that is—

- (a) made subject to a set of land use rules by the provisions of the Code; and
- (b) not itself further divided by the Code into areas that are made subject to separate sets of land use rules;

noise level means sound pressure level in dB(A);

noise source means a commercial or industrial premises at which an activity is undertaken, or a machine or device is operated, resulting in the emission of noise;

Planning and Design Code or **Code** means the Planning and Design Code under the *Planning, Development and Infrastructure Act 2016*;

premises means land, or the whole or part of a building or vessel;

principal land use—see clause 4;

quiet noise designated area—a noise designated area is a quiet noise designated area if the land uses under the Planning and Design Code provisions that make land use rules for the noise designated area are principal land uses that all fall within either or both of the following land use categories:

- (a) Residential;
- (b) Rural living;

relevant Planning and Design Code provisions for premises means the Planning and Design Code provisions that make land use rules for the noise designated area in which the premises are situated;

source noise level (continuous) means the value, expressed in dB(A), of a continuous steady sound that, for the period over which the measurement is taken using fast time weighting, has the same mean square sound pressure as the noise level which varies over time when measured in relation to a noise source and noise-affected premises in accordance with Part 3;

source noise level (maximum), in relation to a noise source, means the value, expressed in dB(A), of the highest instantaneous noise level using fast time weighting during the measurement of the source noise level (continuous) in relation to the noise source and noise-affected premises;

tonal characteristic—a noise has a tonal characteristic if it has a perceptible and definite pitch or tone.

- (2) In this policy, a reference to an Australian Standard or an Australian/New Zealand Standard is a reference to the Standard as varied from time to time.

4—Principal land uses and land use categories

- (1) The Authority will, for the purposes of this policy, determine if a land use referred to in the relevant Planning and Design Code provisions for a noise designated area is a **principal land use** for the purposes of determining the land use category or categories that apply under this policy in respect of the area by reference to—
 - (a) in the first instance—the Desired Outcomes provisions of the Code that apply in respect of the noise designated area; and
 - (b) to the extent that further clarification or specificity is required—
 - (i) in the second instance—the Performance Outcomes provisions of the Code that apply in respect of the noise designated area; and
 - (ii) in the third instance—the Designated Performance Features provisions of the Code that apply in respect of the noise designated area.
- (2) For the purposes of subclause (1), the Authority may also have regard to the *Guide to the Planning and Design Code* prepared by the Department for Trade and Investment, as in force from time to time.
- (3) The use of a particular land use term in a relevant Planning and Design Code provision for a noise designated area will be taken to correspond to a particular land use category for the purposes of this policy in accordance with the *Guidelines for the use of the Environment Protection (Commercial and Industrial Noise) Policy 2023* published by the Authority, as in force from time to time.

- (4) The land use category or categories within which a principal land use under the Planning and Design Code falls is to be determined by the Authority in accordance with the *Guidelines for the use of the Environment Protection (Commercial and Industrial Noise) Policy 2023* published by the Authority, as in force from time to time.
- (5) The allocation of a noise designated area to a particular land use category or categories for the purposes of this policy will be determined by the Authority in accordance with the *Indicative noise factor guidelines for the Environment Protection (Commercial and Industrial Noise) Policy 2023* published by the Authority, as in force from time to time.
- (6) If there is disagreement as to—
 - (a) whether a land use referred to in the relevant Planning and Design Code provisions for a noise designated area is a principal land use; or
 - (b) which land use category a principal land use under the Planning and Design Code falls within,the issue is to be determined, for the purposes of this policy, by the Authority after consultation with the State Planning Commission.

5—Indicative noise levels

- (1) Subject to this clause, the indicative noise level for a noise source is to be determined as follows:
 - (a) where—
 - (i) the principal land uses under the relevant Planning and Design Code provisions for the noise source fall within a land use category specified in Table 1 in subclause (9); and
 - (ii) the principal land uses under the relevant Planning and Design Code provisions for the noise-affected premises fall within the same category as the principal land uses under the relevant Planning and Design Code provisions for the noise source,by reference to indicative noise factors set out in Table 1 in subclause (9);
 - (b) in any other case—by reference to indicative noise factors set out in Table 2 in subclause (9).
- (2) When measurements to determine the source noise level (continuous) are taken—
 - (a) between 7.00 a.m. and 10.00 p.m. on the same day—an indicative noise factor used to determine the indicative noise level for the noise source is found in Table 1 or 2 in the column under the heading "**Day**"; or
 - (b) between 10.00 p.m. on one day and 7.00 a.m. on the following day—an indicative noise factor used to determine the indicative noise level for the noise source is found in Table 1 or 2 in the column under the heading "**Night**".
- (3) An indicative noise factor is also selected from Table 1 or 2 by reference to a land use category (and an indicative noise factor for a land use category is found in the table in the column alongside the land use category).

11.1.7 Representation 6 - L And L Degetto

Environment Protection (Commercial and Industrial Noise) Policy 2023—31.10.2023

Part 1—Preliminary

- (4) If the principal land uses under the relevant Planning and Design Code provisions for the noise source and the principal land uses under the relevant Planning and Design Code provisions for the noise-affected premises all fall within a single land use category, the indicative noise level for the noise source is the indicative noise factor for that land use category.
- (5) Subject to subclause (6), if the principal land uses under the relevant Planning and Design Code provisions for the noise source and the principal land uses under the relevant Planning and Design Code provisions for the noise-affected premises do not all fall within a single land use category, the indicative noise level is the average of the indicative noise factors for the land use categories within which those land uses fall.
- (6) Subclause (5) does not apply if the noise designated area in which the noise source is situated is separated from the noise designated area in which the noise-affected premises are situated by another noise designated area that is (on an imaginary straight line joining the noise source and the noise-affected premises) at least 100 metres wide, but instead subclause (4) applies as if the principal land uses under the relevant Planning and Design Code provisions for the noise source were the same as the principal land uses under the relevant Planning and Design Code provisions for the noise-affected premises.
- (7) A figure resulting from the calculation of an average under subclause (5) must, if it contains a fraction, be rounded to the nearest whole number.
- (8) Despite the other provisions of this clause, if the measurement place is within a habitable room but cannot be located at an open window, the indicative noise level for the noise source is—
- (a) the lowest end of the design sound level range set out in Australian and New Zealand Standard *AS/NZS 2107:2016: Acoustics — Recommended design sound levels and reverberation times for building interiors*, determined by the Authority to be the relevant level; or
 - (b) 20 dB(A) less than the indicative noise level that would, but for this subclause, apply,
- whichever is the greater.
- (9) **Tables**

Table 1 (subclause (1)(a))

Land use category	Indicative noise factor (dB(A))	
	Day	Night
General Industry	65	65
Special Industry	70	70

Table 2 (subclause (1)(b))

Land use category	Indicative noise factor (dB(A))	
	Day	Night
Rural Living	47	40
Residential	52	45
Rural Industry	57	50
Light Industry	57	50
Commercial	62	55
General Industry	65	55
Special Industry	70	60

6—Application of policy

Except insofar as it forms part of ambient noise, this policy does not apply to—

- (a) a noise of a class set out in Schedule 1; or
- (b) a noise if an environmental authorisation, environment protection order, or exemption, relating to the noise, applied to the noise immediately before the commencement of this policy and continues to apply to the noise.

7—Amendment of policy without following normal procedure (section 32 of Act)

- (1) The following provisions of this policy may be amended by the Minister, by notice in the Gazette, under section 32(1)(c) of the Act:
 - (a) clause 3;
 - (b) clause 5;
 - (c) Part 3;
 - (d) Part 6
 - (e) Part 7;
 - (f) Schedule 1.
- (2) The kinds of changes that may be made to a provision by amendment under subclause (1) are as follows:
 - (a) the provision may be substituted wholly or in part;
 - (b) material may be varied or struck out from the provision;
 - (c) material may be inserted into the provision.
- (3) The Authority will not make a recommendation to the Minister for amendment of a provision under subclause (1) unless it has—
 - (a) developed a written proposal for the amendment, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
 - (b) consulted with relevant organisations and industries and the community likely to be affected by the proposed amendment; and

- (c) given consideration to and informed the Minister of the views expressed by those consulted.

Part 2—Objects of policy

8—Objects of policy

This policy has the following objects:

- (a) to set out procedures for measuring commercial and industrial noise to determine compliance with the Act and this policy (see Part 3);
- (b) to fix noise goals for most noise sources compliance with which will satisfy the general environmental duty under section 25 of the Act in relation to noise from those noise sources (see Part 4);

Note—

Clause 6 excludes certain noise from the application of this policy.

Part 4 does not apply to noises of a kind to which Part 6 and Part 7 apply.

- (c) to set out criteria for determining what requirements (if any) the Authority or another administering agency will impose to deal with noise sources not complying with applicable noise goals under this policy (see Part 4);
- (d) to provide the basis for a consistent approach to issues relating to commercial and industrial noise in the determination of applications for development authorisation under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016* (see Part 5);
- (e) to make special provision for certain kinds of noises (see Part 6);
- (f) to apply guidelines or other guidance documents to certain kinds of noises (see Part 7).

Part 3—Measurement procedure

9—Application of Part

Except as otherwise specified, this Part does not apply to noise to which guidelines under Part 7 apply.

10—Instrumentation

- (1) The measurement of noise for the purposes of this policy must be taken by a sound level meter that complies with Australian and New Zealand Standard *AS/NZS IEC 61672.1:2019: Electroacoustics—Sound level meters Part 1: Specifications* and has been tested in the previous 24 months by a National Association of Testing Authorities of Australia registered laboratory and certified by the laboratory to be accurate within relevant tolerances allowed for a Performance Class 1 or 2 sound level meter in *AS/NZS IEC 61672.1:2019*.
- (2) Other equipment may be used in conjunction with a sound level meter when taking a noise measurement provided that the overall accuracy of the measurement, as certified by a National Association of Testing Authorities of Australia registered laboratory in the previous 24 months, is no less than that acceptable for a Class 2 sound level meter.

- (3) For each series of noise measurements taken, a calibrated reference sound source accurate within plus or minus 1 dB(A) must be used to check the performance of the sound level meter and other equipment used in the measurement, before and after that measurement.

11—Noise-affected premises and measurement place

- (1) For the purposes of this policy, measurements to determine the compliance with this policy of noise from a noise source are to be taken in relation to premises at which the noise is audible (*noise-affected premises*) that—
 - (a) are in separate occupation from the noise source and used for residential or business purposes; or
 - (b) constitute a quiet ambient environment set aside as a park or reserve or for public recreation or enjoyment.
- (2) The measurement of a source noise level (continuous) and, subject to clause 14, an ambient noise level (continuous) or background noise level must be taken at a place, determined in accordance with subclauses (3), (4) and (5), at the noise-affected premises that is within or near, and at the same approximate elevation as, an area frequented by persons residing, working or sleeping at the premises, or, in the case of land set aside as a park or reserve or for public recreation or enjoyment, by members of the public.
- (3) Unless the noise affected premises has existing acoustic attenuation installed, or the Authority or another administering agency determines that it is not practicable or relevant to do so, the measurement place must be located outside any buildings.
- (4) If the Authority or another administering agency determines that it is not practicable or relevant to locate the measurement place outside any buildings—
 - (a) the measurement place must be at a window of a habitable room; and
 - (b) the window must be opened as wide as possible.
- (5) If the noise affected premises has existing noise attenuation installed, or if the measurement place cannot be located at an open window of a habitable room, the measurement place must be within such a room.
- (6) Subclauses (3), (4) and (5) do not apply to measurements for the purposes of Part 6.

12—General procedures

The following procedures must be adopted when measuring a source noise level (continuous), ambient noise level (continuous) or background noise level:

- (a) if the measurement is taken outside—
 - (i) the microphone of the sound level meter must be at a height of 1.2 to 1.5 metres above any horizontal acoustically reflecting surface, and, if it is practicable and relevant, at a distance of at least 3.5 metres from any vertical acoustically reflecting surface; and
 - (ii) the axis of maximum sensitivity of the microphone of the sound level meter must be directed towards the noise source; and
 - (iii) a wind shield approved by the sound level meter manufacturer must be used; and

11.1.7 Representation 6 - L And L Degetto

Environment Protection (Commercial and Industrial Noise) Policy 2023—31.10.2023

Part 3—Measurement procedure

- (iv) the wind velocity at the measurement place must not exceed 5 metres per second; and
 - (v) care must be taken to avoid any effect on the measurement of extraneous noise, acoustic vibration or electrical interference; and
 - (vi) steps must be taken, as determined by the Authority or another administering agency, to take account of any significantly varying meteorological patterns in the noise designated area;
- (b) if the measurement is taken at an open window of a room—
 - (i) the microphone of the sound level meter must be in the middle of the plane of the open window; and
 - (ii) the axis of maximum sensitivity of the microphone of the sound level meter must be perpendicular to the plane of the window; and
 - (iii) a wind shield approved by the sound level meter manufacturer must be used; and
 - (iv) the wind velocity at the measurement place must not exceed 5 metres per second; and
 - (v) care must be taken to avoid any effect on the measurement of extraneous noise, acoustic vibration or electrical interference or noise generated within the premises in which the measurement is taken; and
 - (vi) steps must be taken, as determined by the Authority or another administering agency, to take account of any significantly varying meteorological patterns in the noise designated area;
- (c) if the measurement is taken within a room or at any place determined by the Authority or another administering agency—
 - (i) the sound level meter must be held at a position that produces the highest noise level reading in the room or place when at least 1 metre from walls, at least 1.5 metres from windows, and at a height of 1.2 to 1.5 metres above floor level; and
 - (ii) a wind shield approved by the sound level meter manufacturer must be used; and
 - (iii) care must be taken to avoid any effect on the measurement of any extraneous noise, acoustic vibration or electrical interference or noise generated within the premises in which the measurement is taken; and
 - (iv) steps must be taken, as determined by the Authority or other administering agency, to take account of any significantly varying meteorological patterns in the noise designated area.

13—Source noise level procedures

- (1) A measurement of a source noise level (continuous) made for the purposes of this policy—
 - (a) must be made using fast time weighting; and

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Measurement procedure—Part 3

- (b) must be made—
 - (i) over a period of 15 minutes; or
 - (ii) if the Authority or another administering agency has determined, in accordance with the *Guidelines for the use of the Environment Protection (Commercial and Industrial Noise) Policy 2023* published by the Authority as in force from time to time, that a different period is more or equally representative of the impact of the noise from the noise source—over the period so determined by the Authority or other administering agency.
- (2) The source noise level (continuous) must be adjusted in a manner determined by the Authority to remove the influence of the ambient noise level (continuous).
- (3) If the noise from the noise source contains characteristics, the source noise level (continuous) must be further adjusted in the following way (except for the purposes of comparison with the background noise level plus 5 dB(A)):
 - (a) if the noise from the noise source contains 1 characteristic, 5 dB(A) must be added to the source noise level (continuous);
 - (b) if the noise from the noise source contains 2 characteristics, 8 dB(A) must be added to the source noise level (continuous);
 - (c) if the noise from the noise source contains 3 or more characteristics, 10 dB(A) must be added to the source noise level (continuous).
- (4) For the purposes of subclause (3), a noise from a noise source will not be taken to contain an intermittent characteristic unless the intermittent characteristic occurs between 10 p.m on one day and 7 a.m. on the following day.
- (5) Subclause (3) does not apply to measurements for the purposes of Part 6.

14—Ambient and background noise level procedures

- (1) A measurement of ambient noise level (continuous) or background noise level made for the purposes of this policy must be made—
 - (a) using fast time weighting; and
 - (b) over a period when the noise from the noise source is absent from the measurement place, being a period determined by the Authority or another administering agency to be adequately representative of the nature of the ambient noise.
- (2) If it is not reasonably practicable to measure the ambient noise level (continuous) or background noise level at the noise-affected premises because of difficulty in eliminating noise from the noise source or eliminating the effect of extraneous noise on the measurement, the measurement must be taken at a place determined by the Authority or another administering agency where—
 - (a) the noise from the noise source is absent; and
 - (b) extraneous noise does not affect the measurement; and
 - (c) the noise is determined by the Authority or other administering agency to adequately match the ambient noise at the noise-affected premises.

15—Rounding

The final result of a measurement procedure under this Part must, if it contains a fraction, be rounded to the nearest whole number.

Part 4—General noise control provisions

16—Application of Part

Except as otherwise specified, this Part does not apply to noise to which the provisions of Part 6, or guidelines under Part 7, apply.

17—Compliance with noise goals satisfies general environmental duty

- (1) The general environmental duty under section 25 of the Act is satisfied in relation to noise from a noise source, insofar as the noise affects particular noise-affected premises, if the noise complies with the noise goals.
- (2) The noise from a noise source complies with the noise goals if measurements taken in relation to the noise source and the noise-affected premises show that—
 - (a) the source noise level (continuous) does not exceed the background noise level plus 5 dB(A); or
 - (b) the source noise level (continuous) does not exceed the indicative noise level for the noise source.

18—Criteria for determining action to deal with non-complying noise from noise source

If noise from a noise source does not comply with the noise goals, the Authority or another administering agency must, in determining whether it should require any action to be taken to reduce the noise and, if so, what action should be required and what period should be allowed for taking such action, have regard to the following matters:

- (a) the amount in dB(A) by which the source noise level (continuous) exceeds the relevant level and the frequency and duration of the noise level that give rise to that result;
- (b) any component of the ambient noise or extraneous noise that—
 - (i) has a noise level similar to or greater than the source noise level (continuous); and
 - (ii) has a similar noise character or similar regularity and duration to the noise from the noise source;
- (c) the times of occurrence of the noise from the noise source;
- (d) the number of persons adversely affected by the noise from the noise source and whether there is any special need for quiet at the noise-affected premises;
- (e) the land uses existing in the vicinity of the noise source when the kind of activity currently undertaken at the noise source was first undertaken there;
- (f) the kind of activity undertaken at the noise source and the other land uses existing in the vicinity of the noise-affected premises when the current occupancy of the noise-affected premises commenced;

- (g) whether Planning and Design Code provisions applicable to the noise source have been introduced or changed since the kind of activity currently undertaken at the noise source was first undertaken there;
- (h) whether Planning and Design Code provisions applicable to the noise-affected premises have been introduced or changed since the current occupancy of the noise-affected premises commenced;
- (i) any other matter required to be taken into account under section 25 of the Act or determined to be relevant by the Authority or the other administering agency.

Part 5—Development authorisation applications

19—Development authorisation applications

- (1) This clause applies for the purpose of the determination by the Authority under Part 6 Division 7 of the Act of the Authority's response in relation to an application for development authorisation referred to it under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*.
- (2) For the purposes of this clause—
 - (a) the land to which the application for development authorisation relates is to be taken to be a **noise source** of the kind that would exist if the development proposed in the application had been undertaken and an activity of the kind proposed to be undertaken by the applicant were being undertaken there; and
 - (b) assuming that measurements were taken, in accordance with this policy, in relation to the noise source and existing or future premises (**noise-affected premises**) determined by the Authority to be premises that might be adversely affected by the noise from the noise source—
 - (i) a **predicted source noise level (continuous)** for the development is the noise level determined by the Authority to be the source noise level (continuous) for the noise source that would result from those measurements; and
 - (ii) a **predicted source noise level (maximum)** for the development is a noise level determined by the Authority to be the source noise level (maximum) that would be recorded during those measurements; and
 - (c) the **relevant indicative noise level** is the indicative noise level determined for the noise source in relation to the noise-affected premises.
- (3) A predicted source noise level (continuous) for the development should not exceed the relevant indicative noise level less 5 dB(A).
- (4) In addition, if the noise-affected premises are situated in a quiet noise designated area—
 - (a) a predicted source noise level (continuous) for the development, as determined by the Authority for a period between 7.00 a.m. and 10.00 p.m. on the same day, should not exceed 52 dB(A); and

Environment Protection (Commercial and Industrial Noise) Policy 2023—31.10.2023

Part 5—Development authorisation applications

- (b) a predicted noise level (continuous) for the development, as determined by the Authority for a period between 10.00 p.m. on one day and 7.00 a.m. on the following day, should not exceed 45 dB(A); and
 - (c) a predicted source noise level (maximum) for the development, as determined by the Authority for a time between 10.00 p.m. on one day and 7.00 a.m. on the following day, should not exceed 60 dB(A).
- (5) Determinations to be made by the Authority for the purposes of subclauses (2) to (4) (inclusive) are, to the extent required by the Authority, to be made on the basis of documents and information (including calculations and technical details) provided by the applicant for development authorisation.
- (6) If a predicted source noise level (continuous) or predicted source noise level (maximum) for the development exceeds a relevant level prescribed in subclause (3) or (4), the Authority must have regard to the following matters in determining its response:
 - (a) the amount in dB(A) by which the predicted source noise level (continuous) or predicted source noise level (maximum) exceeds the relevant level and the likely frequency and duration of the noise levels that give rise to that result;
 - (b) any component of the ambient noise or extraneous noise that—
 - (i) has a noise level similar to or greater than the predicted source noise level (continuous) or predicted source noise level (maximum); and
 - (ii) has a similar noise character or similar regularity and duration to the noise from the noise source;
 - (c) the times of occurrence of the noise from the noise source;
 - (d) the number of persons likely to be adversely affected by the noise from the noise source and whether there is or is likely to be any special need for quiet at noise-affected premises;
 - (e) the land uses existing in the vicinity of the noise source;
 - (f) any other matter required to be taken into account under section 25 of the Act or determined to be relevant by the Authority.

Part 6—Special noise control provisions—frost fans

20—Interpretation

In this Part—

frost fan means a device designed or adapted to combat frost by fanning warmer air over the frost-affected surfaces;

operator of a frost fan means the person responsible for the operation of the fan.

21—Operation of frost fans

- (1) The following provisions apply to the operation of a frost fan:
 - (a) the fan must not be of dimensions, or have an operating speed, greater than is reasonably required for its effective operation;

- (b) the fan must not be operated except during a period when frost occurs or is reasonably likely to occur, or as necessary for maintenance work;
- (c) maintenance work must not be carried out on the fan except between 7.00 a.m. and 10.00 p.m. on the same day;
- (d) the fan must not be operated if measurements taken in relation to the noise source and noise-affected premises that are residential premises show that the source noise level (continuous) exceeds—
 - (i) the background noise level plus 5 dB(A); and
 - (ii) the relevant allowable noise level for the noise-affected premises set out in the table in subclause (6).
- (2) Measurements for the purposes of subclause (1)(d) must first be taken outside any buildings and, if the source noise level (continuous) exceeds the relevant levels prescribed in subclause (1)(d), that result must be ignored and measurements must then be taken in the noise-affected premises within the habitable room most affected by noise from the noise source and the windows of that room must be kept closed during the measurements.
- (3) If the fan is operated simultaneously with other frost fans at the same premises (whether on every occasion of its operation or some occasions only), measurements taken for the purposes of subclause (1)(d) must be taken in relation to the noise emitted when all the fans are in operation.
- (4) For the purposes of this clause, the **relevant allowable noise level** for noise-affected premises is selected from the table as follows:
 - (a) if the principal land uses under the relevant Planning and Design Code provisions for the noise-affected premises fall within either or both of the land use categories Residential or Rural Living, the relevant allowable noise level is found in the table in the column alongside those land use categories;
 - (b) in any other case, the relevant allowable noise level is found in the column alongside the land use categories Rural Industry or Light Industry.
- (5) The operator of a frost fan or an occupier of premises at which a frost fan is operated must ensure compliance with subclause (1) in relation to its operation.
- (6) **Table**

Land use category	Allowable noise level (dB(A))	
	Measurements outside	Measurements within habitable room
Residential or Rural Living	45	25
Rural Industry or Light Industry	55	35

Part 7—Guidance documents

22—Wind farms

- (1) If an entity operates a wind farm, the *Wind farms environmental noise guidelines 2021*, prepared by the Authority, and as in force from time to time, apply.

(2) In this clause—

wind farm means a group of wind turbine generators.

23—Issue of environment protection orders to give effect to guidelines

The Authority or another administering agency may issue an environment protection order to a person who undertakes an activity referred to in this Part to give effect to the guidelines that apply to the activity under this Part.

Schedule 1—Noise excluded from policy (clause 6)

1—Interpretation

In this Schedule—

construction activity includes—

- (a) demolition work, site preparation work and building maintenance or repair work; and
- (b) the operation of vehicles within, or entering or leaving, a construction site; and
- (c) any activities, at or within the immediate vicinity of a construction site, of persons who perform work at the site, or work connected with work at the site;

public infrastructure means—

- (a) infrastructure, equipment, structures, works and other facilities used in or in connection with the provision of essential services or telecommunications; and
- (b) roads and their supporting works;

public infrastructure works means works for the construction, installation, repair, maintenance or replacement of, or making of other physical changes to, public infrastructure.

2—Noise excluded from policy

This policy does not apply to the following:

- (a) noise from activities carried on in the ordinary course of the operation of a school, kindergarten, child care centre or place of worship;
- (b) aircraft noise;
- (c) railway noise;
- (d) other vehicle noise except from vehicles operating within, or entering or leaving, business premises;
- (e) noise that may be the subject of proceedings under the *Liquor Licensing Act 1997*;
- (f) noise from any of the following:
 - (i) aerodromes;
 - (ii) helicopter landing facilities;

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Noise excluded from policy (clause 6)—Schedule 1

- (iii) motor racing or testing venues;
- (iv) shooting ranges;
- (g) noise from blasting operations carried out as part of a mining operation within the meaning of the *Mines and Works Inspection Act 1920* or *Mining Act 1971*;
- (h) noise from construction activity other than construction activity at or within the immediate vicinity of a site where development authorisation is not required under the *Planning, Development and Infrastructure Act 2016* in respect of any of the activities undertaken at the site;
- (i) noise from public infrastructure works;
- (j) noise caused by emergency vehicle sirens, fire alarms and other emergency alarms and devices, except noise from reversing vehicle warning alarms or devices;
- (k) noise outside of the human audible range.

Schedule 2—Repeal of *Environment Protection (Noise) Policy 2007*

The *Environment Protection (Noise) Policy 2007* is repealed.

Environment Protection (Commercial and Industrial Noise) Policy 2023—31.10.2023
Legislative history

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal policy

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 3.8.2023 p2425	28	<i>Gazette 3.8.2023 p2426</i>	31.10.2023



Queensland

Environmental Protection (Noise) Policy 2019

Subordinate Legislation 2019 No. 154

made under the

Environmental Protection Act 1994

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Environmental Protection (Noise) Policy 2019

[s 1]

1 Short title

This policy may be cited as the *Environmental Protection (Noise) Policy 2019*.

2 Commencement

This policy commences on 1 September 2019.

3 Definitions

The dictionary in schedule 2 defines particular words used in this policy.

4 Application

This policy applies to the acoustic environment.

5 Purpose

- (1) The purpose of this policy is to achieve the object of the Act in relation to the acoustic environment.
- (2) The purpose is achieved by—
 - (a) identifying and declaring the environmental values of the acoustic environment; and
 - (b) stating acoustic quality objectives that are directed at enhancing or protecting the environmental values; and
 - (c) providing a framework for making consistent, equitable and informed decisions that relate to the acoustic environment.

6 Environmental values

The environmental values to be enhanced or protected under this policy are—

- (a) the qualities of the acoustic environment that are conducive to protecting the health and biodiversity of ecosystems; and

- (b) the qualities of the acoustic environment that are conducive to human health and wellbeing, including by ensuring a suitable acoustic environment for individuals to do any of the following—
 - (i) sleep;
 - (ii) study or learn;
 - (iii) be involved in recreation, including relaxation and conversation; and
- (c) the qualities of the acoustic environment that are conducive to protecting the amenity of the community.

7 Acoustic quality objectives for sensitive receptors

- (1) This section and schedule 1 state the acoustic quality objectives to be achieved and maintained under this policy.
- (2) For a sensitive receptor stated in schedule 1, column 1, the value stated in schedule 1, column 3 is the acoustic quality objective for the time of day mentioned in schedule 1, column 2 for the sensitive receptor.
- (3) The environmental value to be enhanced or protected by the acoustic quality objective is stated in schedule 1, column 4 for the sensitive receptor.
- (4) An acoustic quality objective stated in schedule 1 is expressed as a measurement of an acoustic descriptor.
- (5) If it is reasonable in the circumstances, an acoustic quality objective may be progressively achieved and maintained as part of achieving the object of this policy over the long term.
- (6) This section does not apply to a noise—
 - (a) mentioned in schedule 1, part 1, section 1 of the Act; or
 - (b) experienced within a residence or a workplace if the noise is made within the residence or workplace.
- (7) In this section—

acoustic descriptor means any of the following measures—

- $L_{Aeq,adj,1hr}$

Environmental Protection (Noise) Policy 2019

[s 8]

- $L_{A10,adj,1hr}$
- $L_{A1,adj,1hr}$

workplace see the *Work Health and Safety Act 2011*, section 8.

8 Management hierarchy for noise

- (1) This section states the management hierarchy for an activity involving noise that affects, or may affect, an environmental value to be enhanced or protected under this policy.

Note—

See section 35 of the *Environmental Protection Regulation 2019*.

- (2) To the extent it is reasonable to do so, noise must be dealt with in the following order of preference—

- (a) firstly—avoid the noise;

Example for paragraph (a)—

locating an industrial activity in an area that is not near a sensitive receptor

- (b) secondly—minimise the noise, in the following order—

- (i) firstly—orientate an activity to minimise the noise;

Example for subparagraph (i)—

facing a part of an activity that makes noise away from a sensitive receptor

- (ii) secondly—use best available technology to minimise the noise;

- (c) thirdly—manage the noise.

Example for paragraph (c)—

using heavy machinery only during business hours

9 Management intent for noise

- (1) This section states the management intent for an activity involving noise that affects, or may affect, an environmental value to be enhanced or protected under this policy.

11.1.8 Representation 6 A - L And L Degetto (QLD EPA Policy)

Environmental Protection (Noise) Policy 2019

[s 10]

Note—

See section 35 of the *Environmental Protection Regulation 2019*.

- (2) To the extent it is reasonable to do so, noise must be dealt with in a way that ensures—
 - (a) the noise does not have any adverse effect, or potential adverse effect, on an environmental value under this policy; and
 - (b) background creep in an area or place is prevented or minimised.
- (3) Despite subsection (2)(b), if the acoustic quality objectives for an area or place are not being achieved or maintained, the noise experienced in the area or place must, to the extent it is reasonable to do so, be dealt with in a way that progressively improves the acoustic environment of the area or place.
- (4) In this section—

background creep, for noise in an area or place, means a gradual increase in the total amount of background noise in the area or place as measured under the document called the ‘Noise measurement manual’ published on the department’s website.

10 Repeal

The Environmental Protection (Noise) Policy 2008, SL No. 442 is repealed.

Environmental Protection (Noise) Policy 2019

Schedule 1

Schedule 1 Acoustic quality objectives

section 7

Column 1	Column 2	Column 3			Column 4
Sensitive receptor	Time of day	Acoustic quality objectives (measured at the receptor) <i>dB(A)</i>			Environmental value
		<i>L</i> _{Aeq,adj,1hr}	<i>L</i> _{A10,adj,1hr}	<i>L</i> _{A1,adj,1hr}	
residence (for outdoors)	daytime and evening	50	55	65	health and wellbeing
residence (for indoors)	daytime and evening	35	40	45	health and wellbeing
	night-time	30	35	40	health and wellbeing, in relation to the ability to sleep
library and educational institution (including a school, college and university) (for indoors)	when open for business or when classes are being offered	35			health and wellbeing
childcare centre or kindergarten (for indoors)	when open for business, other than when the children usually sleep	35			health and wellbeing
childcare centre or kindergarten (for indoors)	when the children usually sleep	30			health and wellbeing, in relation to the ability to sleep
school or playground (for outdoors)	when the children usually play outside	55			health and wellbeing, and community amenity
hospital, surgery or other medical institution (for indoors)	visiting hours	35			health and wellbeing

11.1.8 Representation 6 A - L And L Degetto (QLD EPA Policy)

Environmental Protection (Noise) Policy 2019

Schedule 1

Column 1	Column 2	Column 3			Column 4
Sensitive receptor	Time of day	Acoustic quality objectives (measured at the receptor) <i>dB(A)</i>			Environmental value
		<i>L</i> _{Aeq,adj,1hr}	<i>L</i> _{A10,adj,1hr}	<i>L</i> _{A1,adj,1hr}	
hospital, surgery or other medical institution (for indoors)	anytime, other than visiting hours	30			health and wellbeing, in relation to the ability to sleep
commercial and retail activity (for indoors)	when the activity is open for business	45			health and wellbeing, in relation to the ability to converse
protected area or critical area	anytime	the level of noise that preserves the amenity of the existing area or place			health and biodiversity of ecosystems
marine park	anytime	the level of noise that preserves the amenity of the existing marine park			health and biodiversity of ecosystems
park or garden that is open to the public (whether or not on payment of an amount) for use other than for sport or organised entertainment	anytime	the level of noise that preserves the amenity of the existing park or garden			community amenity

Environmental Protection (Noise) Policy 2019

Schedule 2

Schedule 2 Dictionary

section 3

acoustic environment means the part of the environment of an area or place characterised by the total amount of noise that may be experienced there.

acoustic quality objective, for a sensitive receptor, means the maximum level of noise that should be experienced in the acoustic environment of the sensitive receptor.

'A' frequency weighting network means the frequency weighting 'A' as described under AS/NZS IEC 61672.1:2019 (Electroacoustics—Sound level meters Part 1: Specifications) for frequency weighting 'A'.

A-weighted sound pressure level means a measure of sound adjusted to the 'A' frequency weighting network.

community amenity means the environmental value mentioned in section 6(c).

critical area means an area identified in a conservation plan under the *Nature Conservation Act 1992*, section 120H as, or as including, a critical habitat or an area of major interest.

daytime means the period after 7a.m. on a day to 6p.m. on the day.

dB(A) means decibels measured on the 'A' frequency weighting network.

evening means the period after 6p.m. on a day to 10p.m. on the day.

health and biodiversity of ecosystems means the environmental value mentioned in section 6(a).

health and wellbeing means the environmental value mentioned in section 6(b).

$L_{A1,adj,1hr}$ means the A-weighted sound pressure level, adjusted for tonal character or impulsiveness, that is exceeded

for 1% of a 1 hour period when measured using a fast standardised response time.

L_{A10,adj,1hr} means the A-weighted sound pressure level, adjusted for tonal character or impulsiveness, that is exceeded for 10% of a 1 hour period when measured using a fast standardised response time.

L_{Aeq,adj,1hr} means an A-weighted sound pressure level of a continuous steady sound, adjusted for tonal character, that within a 1 hour period has the same mean square sound pressure of a sound that varies with time.

marine park see the *Marine Parks Act 2004*, schedule.

night-time means the period after 10p.m. on a day to 7a.m. on the next day.

protected area see the *Nature Conservation Act 1992*, schedule.

residence includes a building, or part of building, capable of being used as a dwelling.

sensitive receptor means an area or place where noise is measured.

visiting hours, for a hospital, surgery or other medical institution, means a period during which members of the public are allowed to visit patients at the hospital, surgery or institution.

11.1.8 Representation 6 A - L And L Degetto (QLD EPA Policy)

Environmental Protection (Noise) Policy 2019

Endnotes

ENDNOTES

- 1 Made by the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts on 15 July 2019.
- 2 Approved by the Governor in Council on 15 August 2019.
- 3 Notified on the Queensland legislation website on 16 August 2019.
- 4 The administering agency is the Department of Environment and Science.

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Natasha Whiteley

Representation 7

From: Nancy Da Ros [REDACTED]
Sent: Friday, 28 June 2024 4:23 PM
To: Planning @ Meander Valley Council
Subject: McDonald's. (applicationPA12310217)

Sent from my iPad

I am writing to make clear my objection to the new McDonalds proposal at 345-347 Bass Highway Prospect Vale.

1 traffic problems with cars lined up, it is already congested and difficult to cross road at peak times or to enter and exit one's property.

2 too close to houses with not enough barriers away from fences. No privacy.

3 lights beaming into properties 24/7

4 the noise of cars moving through at all times of the day and night.

5 loud talking, swearing, yelling out, laughing etc throughout day and night.

6 possible criminal elements moving into the area where a lot of single people live in units alone.

7 packages, cans etc discarded and left for residents to clean up because people are too lazy to use bins (which are often overflowing) and the smell of cooking.

8 there are enough overweight people already and this will encourage more bad eating habits. We already have a variety of food establishments in the areaSubway, Charcoal Chicken, Banjos, and various kiosks in the shopping centre all trying to make profit so they wouldn't want more competition.

9 I am not a close neighbour but I already have to clean up a variety of food containers, plastic bags etc blowing down my driveway, onto my property from the other outlets.

10 McDonalds need to find a much larger area away from the road and away from houses so they don't rob the area of its amenity.

Sincerely N Da Ros.

Natasha Whiteley

Representation 8

From: Graham Ropata [REDACTED]
Sent: Sunday, 30 June 2024 12:32 PM
To: Planning @ Meander Valley Council
Subject: STOP mcdonalds

Graham Ropata

[REDACTED]

[REDACTED]

[REDACTED]

To the General Manager - Meander Valley Council

After receiving your letter regarding the application for planning approval lodged by mcdonalds Australia PA\23\0217 on the 17th June 2024 it only leaves 14 days to have ones submission filed with the Meander Valley Council.

So here's the first issue;

One can go online, they can view a 705 page document pertaining to the application PA\23\0217

I believe 14 days to the close of written representation is not a reasonable amount of time to value this application due to its lengthy containment.

If you are a property owner and rent your property, some owners received their notification letters from the Meander Valley Council up to **4 days later.**

That's only a 10 day turn around time.

Already the odds are stacked in the developers favour.

You can say "well that's the law" and I also am aware that Council can do very little to stand up for local ratepayers and voters, as your planning department has already mentioned to me they are powerless to stop anything as long as it meets the Tasmanian Planning Scheme.

As a council, a representative of the people you work for, you should have in place a total reciprocal time phasing management plan when faced with a proposal such as PA\23\0217 that is fair for ALL those impacted.

Those that I have spoken to know of the 705 page document and their reply is "it's too much to handle" and "it's mcdonalds" so basically they are saying "we are defeated and can do nothing because council does not care, they are all about the money and mcdonalds is too big and they get whatever they want"

Home owners, businesses, are attacked through FEAR of the size of and the money behind mcdonalds, it basically means "WHAT'S THE POINT, WE WILL JUST LOSE"

AS AN ELECTED COUNCIL YOU NEED TO STAND UP FOR WHAT'S RIGHT IN YOUR COMMUNITY, A DUTY OF CARE IS REQUIRED BY YOU THE DECISION MAKERS.....

11.1.10 Representation 8 - G Ropata

Legally should mcdonalds meet the planning code, (and let's be honest, it's a great proposal, well put together and I congratulate all those who worked on it) it's a bit like David versus Goliath, the small person fighting the developer, council, legislations, government, not much hope in a situation like this so what's the point of objecting?

I guess I'm David, standing up for the others.

With such large planning applications, I would like to see an extensions in the submission time extended so the average person whom does not have the knowledge to comprehend this literature given a fair and reasonable opportunity to reply.

If council looks at the number of residential properties that are surrounding this proposal then count the number of residential properties that border other mcdonalds here in the Launceston area, and elsewhere, there is no comparison. ALL other outlets are mainly built in larger commercial areas that affect minimal residential housing.

And yes I know that the ex Jim service station is zoned a commercial site, there are other possibilities and probabilities that far outweighs mcdonalds even rezoning to residential.

As council members who are supposed to make the decisions on behalf of your voters you need to look at the bigger picture as due diligence shows that properties that border a mcdonalds **DROP IN VALUE BY 24% to 25% ON AVERAGE.**

WILL PROPERLY OWNERS THAT DO SUFFER FROM A VALUATION DROP ON THEIR PROPERTY BECAUSE OF mcdonalds WILL THEY GET COMPENSATED FOR THAT LOSS???

SHOULD mcdonalds PLANNING APPLICATION BE SUCCESSFUL AND VALUATIONS DO DROP, WILL COUNCIL DROP THEIR PROPERTY RATES ACCORDINGLY?

NO - I GUESS NOT.

A greedy developer with pockets lined with 💰 whom is only interested in fattening their own bank accounts at the expense of those in the community. mcdonalds is voted the worst fast food outlet in the world, failing to meet the lowest acceptable food levels in America for the past two years,

WE DO NOT NEED ANOTHER mcdonalds IN LAUNCESTON AND DEFINITELY NOT IN PROSPECT.

It's an exciting time for the Meander Valley area with a number of residential sites coming to market.

A lot of housing to come and the possible flow on effects from that are significant, then if a mcdonalds need to be build put it in an area that suits, not 345 - 347 Westbury Road.

One thing is certain that with a mcdonalds comes "OBESITY" Australia has overtaken America for FAT PEOPLE. The main reason "fast food outlets"

11.1.10 Representation 8 - G Ropata

The future for mcdonalds is continued genetically modified foods, robot operated stores, substandard foods and drinks etc.

Genetically modified foods which they say are safe by the Food Standards Australia and New Zealand; sorry guys THEY ARE NOT"

Scientific research clearly shows that genetically modified foods are unsafe.

For example, a single chicken nugget, how healthy are they?

All reports say they are great and full of chicken..... what about the chickens themselves, what they are feed on and what's in their drink, additives are also placed into the nuggets.

SO when considering a planning application such as this, a mcdonalds looks good on Councils books, but at what cost?

You guys are accountable for that "OBESITY"

Parents that have built a new home in Hadsden for example to lazy to prepare a meal for their kids - "we will go to mcdonald" the kids are happy because mcdonalds soaks kids brains WITH advertising and kids now have their brains in their tongues.

The developer wouldn't live next to a mcdonalds and I guarantee that as council members you would not either.

So stop and think how those that you are forcing this onto **HOW WE FEEL.**

As a council you can stand up and be pro active for the people and even if your hands are tied by legislation YOU can voice your opinion and stand for a better, healthy community, protect existing food business at the Prospect Vale Market Place, the Old Tudor Shopping Complex to name the main ones, and for that you need to reject this proposed application.

OR you can be known for a council that promotes OBESITY.

Now down to this proposed application:

Please answer this question:

A caveat is in place on this property, then why is this planning application allowed to be advertised?

Taken from the Tasmanian Government website

"A caveat is a document that any person with a legal interest in a property can lodge. Once lodged a caveat note appears on the property title giving anyone with an interest notice that a third-party claims rights over the property. This caveat must be resolved before any legal dealings to do with the property can take place"

Is not a planning application a legal dealing concerning this property?

If so, WHY has this application been allowed to be lodged when a caveat is registered on this property?

Contamination

With the removal of the fuel tanks from the property known as Jims Service Station and continuous sampling being carried out our boundary is the closest residential block to these fuel tanks.

We have allowed testing to be carried out at 1/343 Westbury Road through one main bore and recently another bore added.

Originally they wanted to place several other bores heading towards the neighbours as they thought that the contamination was running along the fence.

We also allowed a sample to be taken underneath part of the lounge in the existing house on the property at 1/343 Westbury Road

When samples are carried out especially on the rear bore there is always a strong smell of fuel. When asked regarding the sample results very little information was forthcoming.

The ESA report states "that excavation on the site can proceed....."

My due diligence has found that the ESA is basically a bus ticket ride to get things done quickly for the real estate industry.

THEN WHY has there been no correspondence that I can find in this submission that relates to possible contamination in the soil at 1/343 Westbury Road as a result of fuel leakage from 345 - 347 Westbury Road?

So what RATIO consultant is saying that they don't care about any contamination reports for this property.

Where is the Environmental Protection Authority sitting in all this?

2.1 Subject Site

40 metres from the Prospect Vale Market Place **NO**

More realistic measurements as follows

39 metres to the Ampol Service Station entry - not a Caltex

84 metres to the start of the Prospect Vale Market Place car park

163 metres to the entry doors to the Prospect Vale Market Place

2.2 Figure 4 North

Three unit setbacks approximately 14000 **NO**

True measurements are

Unit 1 9300 from the boundary of 345 - 347 Westbury Road

Units 2 & 4 12400 from the boundary of 345 - 347 Westbury Road

Not approximately 14000 as specified by RATIO.

If RATIO can not get a simple measurement right then what else in this submission is not correct.

Traffic Congestion & Delays

Sam Lewis / Chris Greenland, Director: TRANSPORT, RATIO Consultants Pty Ltd

11.1.10 Representation 8 - G Ropata

It looks like these guys have sat at their computer and tried to show an overview of the intending traffic movement proposed for Westbury Road / mcdonalds.

They have no idea of traffic congestion along Westbury Road, especially at early morning time and after work and they have presented photos in their submission that shows basically no traffic. There are numerous times when trying to exit 343 Westbury Road when one is held up through traffic congestion and lengthy time delays.

When wanting to make a right turn onto Westbury Road one can not on many occasions because of traffic congestion, one has to turn left and go approximately 350 metres to the closest roundabout so you can proceed into the direction you desire.

Westbury Road since Covid has turned into a racetrack for honcs, with both cars and motor bikes with noise levels increasing dramatically.

The RATIO's figures shown in this proposal are NOT a true representation of what is actually happening with traffic movement along Westbury Road.

If Sam & Chris who put this traffic management plan together are so called traffic experts then pity help those who live on Westbury Road having to put up with such an in balanced infrastructure created by a pair of dis functional wanna be's.

They also haven't taken into consideration the congestion at times getting into and exiting the Ampol Service Station 39 metres away.

No parking lines

Should yellow no parking lines be placed outside 343 & partially on 341 then where do we present our rubbish and recycling bins for collection as the collection agent will not be allowed to stop?

YOU NEED TO REMEMBER THAT THIS IS A BUILT UP RESIDENTIAL AREA THAT AT TIMES HAS A MEDIUM TO HIGH TRAFFIC VOLUME

Traffic Noise

As previously mentioned there has been a marked increase in traffic noise over the past few years.

Since covid a lot of turbo's have been added to cars to improve performance and as stated Westbury Road at times is like a race track for honcs.

With a projected 75 cars per hour based on 24 hour service, that number through peak times will certainly exceed that 75 cars per hour.

Not only will noise levels raise at peak time there will also be increased pollution occurring.

Smell

Depending on wind Direction, one can often smell the Chinese restaurant next to the butcher shop on Westbury Road and Charcoal Chicken which is located within the Prospect Vale Marketplace. You want to allow a mcdonalds to pollute a residential neighbourhood, open your eyes and look around at the density of the residential population that are surrounding this substandard fast food outlet.

Again RATIO can claim all the facts and figures from various sources saying that we meet this and we meet that, when does commonsense prevail?

Look at the planning scheme map for the Prospect Vale, and surrounding suburbs and notice all the areas in red.

11.1.10 Representation 8 - G Ropata

That's represents houses and units, it's where people live, do you want to plant some mcdonalds smack bang in the middle of all that red.

FORGET THE TASMANIAN PLANNING SCHEME AND MAKE A JUDGEMENT BASED ON A BALANCED TRANSITIONAL PROJECTION.

Lighting

I noticed that RATIO showed one window on the rear of 1/343 yet failed to show a large window measuring 3700m x 1200 facing Westbury Road.

Drawing number A203 clearly shows a streetscape elevation to the west with evidence of that window.

The current sign, in situ displaying Jims Service Station was not a hindrance as it was not displayed / lit up no later than 20:00 hours.

This sign is offensive not only to me but to others as well.

I DO NOT HAVE ANY DESIRE TO SIT AND LOOK OUT THE WINDOW TO LOOK AT A mcdonalds SIGN.

Local Business

There reply was "what can we do, how can we fight mcdonalds?"

It's sad that you do not believe that you have a voice

The systemised organisational capability of a few have forged a void that is getting wider with no future prospect of things slowing down.

CONCLUSION

I am all for development HEY at what cost?

As it sits this is an ugly piece of land which is in serious need of development.

With an integrated, transitional option 345 - 347 Westbury Road, Prospect Vale can and should be shown to have a balanced transitional projection that benefits those that live in this and surrounding areas.

Don't let the Tasmanian Planning Scheme and mcdonalds, push you around, stand up against this proposal and set a new standard for councils here in Tasmania.

Businesses will then come to this area, knowing that they will have a functional reciprocal projection that allows for future development.

By allowing this proposal to go ahead, you will ultimately affect every food business around this surrounding area.

These businesses will lose money which will not be recirculated back into this area while mcdonalds will continue to fill their own pockets.

If you cannot or do not have the ability to do this for yourself, then take a look at your children and your grandchildren and the potential health risks that mcdonalds brings to an area.

They simply do not care about **OBESITY** and the **health risks** they cause to the community.

This document was prepared by Graham Ropata of the above address without the use of any Artificial Intelligence.

Natasha Whiteley

Representation 9

From: [REDACTED]
Sent: Sunday, 30 June 2024 2:15 PM
To: Planning @ Meander Valley Council
Subject: MacDonalds Prospect

Dear Meander Valley Council

I am writing to express my strong objection to the proposed McDonald's 24-7 restaurant at 345 Bass Highway, Prospect Vale. As a concerned resident of Meander Valley, I believe that this establishment will have detrimental effects on our community, particularly in terms of its hours of operation and the impact on local small businesses and traffic.

Firstly, the decision to operate 24 hours a day, 7 days a week raises significant concerns. Such extended hours could disrupt the tranquility of our neighborhood, causing disturbances during nighttime hours that are currently peaceful. Many residents, including families with young children and elderly individuals, rely on uninterrupted sleep for their well-being. The constant activity generated by a 24-hour restaurant could severely compromise this.

Furthermore, the presence of a McDonald's operating round the clock could have adverse effects on our local small businesses in the food industry. These businesses are already struggling to compete with larger chains, and introducing a major global franchise with unlimited operating hours would undoubtedly exacerbate their challenges. It is crucial to support our local entrepreneurs who contribute to the unique character and economy of our community.

In addition to the impact on local businesses, the increased traffic generated by a 24-7 McDonald's cannot be overlooked. Prospect Vale is not equipped to handle the influx of vehicles at all hours of the day and night. This would not only lead to congestion but also pose safety hazards, particularly in residential areas where pedestrians and cyclists frequent.

As a resident deeply invested in the well-being and cohesion of our community, I urge you to reconsider the decision to establish a 24-7 McDonald's at 345 Bass Highway, Prospect Vale. Instead, I propose exploring more moderate operating hours that would be less disruptive to residents and less detrimental to local businesses. Moreover, a thorough traffic impact assessment should be conducted to assess and mitigate the potential risks associated with increased vehicular activity.

Thank you for considering the concerns of the Meander Valley residents. I hope that through constructive dialogue and careful consideration, we can find a solution that benefits both McDonald's and our community as a whole.

Sincerely,

Paul Degetto



Virus-free. www.avq.com

Natasha Whiteley

Representation 10

From: Kate Nichols [REDACTED]
Sent: Monday, 1 July 2024 9:03 AM
To: Planning @ Meander Valley Council
Subject: Opposition to McDonald's 345-347 Westbury Road Prospect Vale

To Whom It May Concern,

I am writing to express my strong opposition to the proposed construction of a McDonald's near my residence at 6 Nanke Court, Prospect Vale. While I understand the potential economic benefits such an establishment might bring, I believe the negative impacts on our community outweigh these advantages. I would like to highlight a few key concerns:

1. **Traffic and Safety:** The addition of a McDonald's would significantly increase traffic in our neighborhood, especially during peak hours. This poses a serious safety risk to residents, particularly children and the elderly who frequently walk or bike in the area. The increased traffic congestion could also lead to more accidents and a generally less safe environment.
2. **Noise and Pollution:** Fast-food restaurants often operate late into the night, generating noise from both customers and delivery trucks. The constant influx of vehicles would also contribute to air pollution, diminishing the quality of life for residents and potentially causing health issues over time.
3. **Impact on Local Businesses:** Our community prides itself on supporting local businesses. The introduction of a large chain like McDonald's could drive away customers from these smaller, family-owned establishments such as Wayside Cafe & Takeaway, threatening their livelihood and undermining the unique character of our neighborhood.
4. **Litter and Environmental Concerns:** Fast-food outlets are notorious for generating a significant amount of litter. Despite the best efforts of staff, the surrounding area often suffers from increased waste, which can attract pests and detract from the cleanliness and beauty of our community. Evidence of this in Launceston is at the Kings Meadows McDonald's, where JustCats worked for years to remove a cat colony from the store.
5. **Property Values:** The presence of a fast-food restaurant could negatively impact property values in the vicinity. Potential homebuyers might be deterred by the increased traffic, noise, and pollution, which could lead to lower property prices and affect the investment of current homeowners.
6. **Health Concerns:** Research by Trapp et al. (2021) concluded that "availability of major fast-food chains near Australian secondary schools appears to be a key driver of Australian students' discretionary food purchasing" (p. 1). With both Prospect High School and St Patrick's College being within 800m to 1km of the proposed McDonald's, the potential health impacts on young people is concerning.

Given these concerns, I strongly urge you to reconsider the proposal to build a McDonald's near our homes. I believe that protecting the character and safety of our community should be our top priority. I am confident that with thoughtful planning, we can find alternative locations for new developments that do not compromise the well-being of our neighborhood.

11.1.12 Representation 10 - K Nichols

Thank you for considering my concerns. I look forward to your response and hope to see a resolution that benefits our entire community.

Kind regards,
Kate Nichols

██████████

Trapp, G. S., Hooper, P., Thornton, L., Kennington, K., Sartori, A., Hurworth, M., & Billingham, W. (2021). Association between food-outlet availability near secondary schools and junk-food purchasing among Australian adolescents. *Nutrition*, *91*, 111488.

Natasha Whiteley

Representation 11

From: Matt Berne [REDACTED]
Sent: Monday, 1 July 2024 11:25 PM
To: Meander Valley Council Email
Subject: McDonald's application

Hi team,

I'm writing regarding the McDonald's application for Westbury road.

I've tried to understand the application although it's very extensive and confusing.

I live at 3/10 Chris st - am I right in understanding that the drive thru speakers will be right over the fence from my living room?

It appears that it will be 24 hours operation and I'm just concerned with the fumes from the cars and the noise 24 hours a day.

Is this correct?

Thanks
Matt

11.1.14 Applicant's Response To Representations Received

Melbourne Office
8 Gwynne St
Cremorne VIC 3121

Geelong Office
Suite 2, 12-14 Union St
Geelong VIC 3220

Sydney Office
Level 11/10 Carrington St
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Planning, Transport, Urban Design & Waste Management.

15 July 2024

Natasha Whiteley - Team Leader, Town Planning
Meander Valley Council
26 Lyall Street
Westbury TAS 7303

Application Reference No. PA/23/0217
Response to Representations
345-347 Westbury Road, Prospect Vale

Dear Natasha,

We refer to the above matter and advise that Ratio Consultants continue to represent the permit applicant.

The public notice period is now complete, and we have been provided with copies of the representations to the application. While each representation is written and submitted by an individual, many of the concerns raised by residents relate to similar matters. As such, we have distilled our response to their concerns into the following key headings:

- Proposed used (specifically, McDonald's).
- Hours of operation.
- Amenity impacts relating to:
 - Noise.
 - Odour.
 - Light.
- Traffic.

We appreciate that as an area such as Prospect Vale evolves to include higher density development, increased population, and a change in the retail offering, this can create concerns for local residents in relation to local amenity, traffic and the general experience of the locale.

While this proposal may be perceived by a portion of the local population as an inappropriate outcome for the site and area, when put simply, this proposal seeks to develop an underutilised parcel of land, 'clean up' the site conditions and provide for a new commercial operation in the General Business Zone.

ratio:

Response to Representations P1

ratio.com.au

11.1.14 Applicant's Response To Representations Received

Understandably this business will be different from previous land uses at the site, however it will provide a new retail offering in the local area as well as employment opportunities, particularly for younger members of the population.

We discuss the particular issues raised by the neighbours below, but overall, we believe that this proposal represents a positive contribution to Prospect Vale both in terms of its use and the built form outcomes resulting from the works and signage.

Proposed Use for Food Services (McDonald's Restaurant)

A number of the residents have voiced concerns with the proposed Use in terms of the operator (McDonald's), nature of the products sold and impact on local business and property values.

It is not a matter for planning to consider the specific nature of the product sold or whether there is a need for these products, noting that uses such as this are subject to a range of regulatory requirements that sit outside of planning. This is not to say these concerns have not been acknowledged, these matters are simply not considered as part of a planning assessment.

However, there are a range of planning matters that must be considered when determining whether a particular use is appropriate for a site.

McDonald's has selected this site based on several considerations, including both its planning and locational context. Importantly, part of this consideration relates to zoning of the land. Food Services is a 'no permit required' use under the General Business Zone. Notwithstanding the need to meet the relevant performance criteria, this type of use is generally encouraged in the General Business Zone, with the primary objective relating to the amenity impacts on residential zones.

Another consideration regarding this site is its size and location on a main road. The location and size of the site allows it to accommodate traffic volumes, sufficient car parking, landscaping and separation distance to manage amenity impacts on adjoining properties. We discuss matters relating to amenity later in this letter.

Regarding McDonald's as an organisation, they are an experienced operator in Australian and Tasmania and this project will bring a range of benefits to the local area. This includes significant employment opportunities (approximately 120 crew), training opportunities (Certificate II/III Retail Program), use of local suppliers (E.g. Betta Milk, Tasmanian Independent Beverage Systems for all water and beverages) and a large portion of the construction team based locally. This represents a significant economic benefit to the area.

Regarding the operation of the site, the use will be subject to the requirements set out in the suite of technical reports provided (discussed later in this letter). McDonald's franchisees are responsible for ensuring the use runs in accordance with any requirements set out by the planning permit or other regulations, as well as procedures and practices require for all McDonald's stores.

For the above reasons, the proposed Use for Food Services is considered to be entirely reasonable having regard to the requirements of the Meander Valley Planning Scheme.

Hours of operation

A number of concerns have been raised in relation to the proposed 24-hour, 7 day a week operation and the associated amenity impacts arising from these trading hours.

While the Acceptable Solutions found in the planning scheme require the hours of operation to be limited, the Performance Criteria provide an assessment pathway for a proposal to demonstrate that the operating hours can fall outside the Acceptable Solution, providing there are no unreasonable amenity impacts.

The application submitted included a range of reports relating to noise, light and odour emissions as well as vehicle movement. These reports have found that the proposal use will not result in any unreasonable amenity impacts.

Regarding broader matters relating to nighttime patronage and unacceptable behaviour, as an experienced operator McDonald's implements a range of operational practices. Where possible and appropriate, these practices seek to ensure anti-social behaviour on site is dealt with to ensure the safety of patrons and staff and to minimise amenity impacts.

Amenity impacts

Amenity impacts arising from the proposal, particularly the 24/7 operation, have been included in the representations of a number of parties. A key consideration for an application such as this is whether or not the proposal will have an unreasonable impact on the nearby residential properties.

As part of this application a range of reports have been prepared by consultants to ensure that the proposal appropriately manages and mitigates any potential amenity impacts. These reports relate to noise, odour, lighting and traffic and we discuss them in turn.

Noise

When considering whether it is appropriate for a commercial use to situate in a location that is nearby residential properties, noise is a critical consideration. In this case, Clarity Acoustics have been appointed to advise on matters relating to noise to ensure that the proposal will not result in unreasonable noise impacts.

In undertaking their assessment, Clarity Acoustics have identified the nearest affected receivers and conducted background noise monitoring to ensure that the proposed noise management and mitigation measures are accurate and account for the 'worst case' scenario for the most sensitive properties. The Acoustic Report also assesses the noise based on the location of the source of noise. This includes mechanical plant, vehicles and the speakers associated with the ordering points for the drive through.

The report prepared Clarity Acoustics determines what an appropriate level of noise is, having regard to the above properties and considering matters such as noise sources, background noise, and locational context. While criteria from NSW and Victoria have been referenced, Clarity Acoustics have liaised with the Environmental Protection Agency (EPA) Tasmania to ensure that the noise criteria being used to assess the omissions from the site were appropriate, noting that these are more stringent criterion. This assessment methodology is consistent with the assessment of other applications in Tasmania and these methods have been accepted as the Tasmanian Civil and Administrative Tribunal (TasCAT).

11.1.14 Applicant's Response To Representations Received

The abovementioned assessment factors in noise levels during both daytime and nighttime periods. The requirements for nighttime are higher than those for the daytime, considering noise disturbance and the background noise levels during these periods. This ensures that the 24/7 operation is factored into the assessment, particularly the operation of the drive through at these times.

Based on the existing and proposed noise levels, Clarity Acoustics have recommended a number of mitigation measures. These include permitter acoustic fencing of varying heights, screening of the loading bay, traffic calming measures such as speed humps and limitations on loading times.

With the implementation of these mitigation measures, the proposal will fully comply with the noise requirements.

Odour

Odour has also been raised in a number of representations. Much like the acoustic assessment, an Odour Risk Assessment has also been prepared for this application to ensure that there will be no unreasonable impacts on adjoining properties. The assessment includes data from other McDonald's to inform their findings and a site inspection was undertaken to measure existing odours levels to provide for accuracy and a tailored response to this site.

In the assessment, ES&D consider factors such as hours of operation, layout, the source of the odour and the site conditions that may affect the direction and strength of any odour.

Based on the investigations and assessment of the proposal it has been found that the odour omitted from the proposal will not result in unreasonable amenity impacts. It is anticipated that odour from the roof top exhausts will be present at the times, largely within the site, however even in the worst case this odour will disperse rapidly.

On this basis, the proposal will not unreasonably impact the amenity of the residents adjoining the site.

Lighting

A lighting assessment has also been undertaken for the property. Again, this assessment considers the nearby sensitive receptors and the 24/7 operation of the proposed restaurant.

The lighting considered in the assessment relates to car park lighting, illumination of signage and light projecting from vehicle headlights.

The Australian Standards require the lighting assessment to have regard to the proposed lighting, the existing levels of lighting in the area, the times the lights are on and the direction of the omissions (particularly relating to headlights). The assessment considering fencing, site levels and background light levels.

The Lighting Assessment finds that based on the above the proposed lighting complies with the requirements and will not result in unreasonable amenity impacts. Regarding headlights, the proposed fencing along the permitter ensures that the affects of that lighting will be contained with the site and will not spill into the residential properties that adjoin the site.

Traffic / Access

The representations submitted have raised a range of traffic concerns relating to congestion and traffic volumes, safety, noise/pollution (drive through location) and access to / from the site.

Ratio's transport engineers have undertaken traffic surveys and liaised with Council's transport engineers to ensure that the proposed outcome is acceptable and accurate having regard to current and projects traffic volumes.

Understandably in an area where a new use is introduced, there may be concerns regarding an increase in traffic. This is often the case in an area experiencing growth and change, where low traffic volumes have been enjoyed for some time. In this case, and indeed any application for a new use, there will inevitably be additional traffic on the local roads. The question is whether the existing road network has sufficient capacity to cater for the new use and this must factor in existing traffic volumes and future volumes resulting from an increase in population and other developments in the area.

One of the reasons this site was selected by McDonald's was based on its location on Westbury Road. Locating a use such as this on a main road ensures that there is capacity for additional volumes.

More specifically, we make the following comments in relation to the concerns raised:

- The traffic modeling included within the traffic report demonstrates that the site access and adjacent intersection are expected to function with acceptable post development operating conditions, with no significant traffic capacity issues including within the future year assessment of 2034, for both traffic turning in and out of the site and through traffic movements on Westbury Road.
- The increase in traffic is not anticipated to result in significant traffic capacity issues given that right turning in vehicles are not going to overspill the right turn lane and queues within the site will not extend back more than one vehicle. To manage any impacts on traffic, the application proposes a right turn ban in the weekday PM peak hour in order to reduce right turning conflict during this peak hour period. The site layout has also been designed to achieve the required vehicle and pedestrian sight distances.
- The increase in traffic along Westbury Road generated by the development is not anticipated to result in a significant increase in difficulty access / egressing properties given the traffic modelling demonstrates that there are no queuing issues within the site, representative of other access points along Westbury Road. Furthermore, allowance of right turns outside the peak hour will also benefit neighbours on Westbury Road as it will allow right turning vehicles from the site to make this turn when suitable, rather than turning left out of the site, u-turning at the roundabout and then heading north, that would increase traffic. This has been mitigated via the allowance of right turn site exit movements that are safe and operationally sound.

Based on the above, it is clear that the proposed traffic conditions and outcomes have been carefully considered. This has been done in consultation with Council and while traffic on the road network will increase, this is not unreasonable considering the relevant factors such as both the existing and future capacity of the road.

11.1.14 Applicant's Response To Representations Received

Conclusion

For the above reasons, it is our view that the proposal represents an entirely appropriate outcome for this site.

The above response is to be read in conjunction with the other documentation submitted as part of the planning permit application.

The proposal demonstrates a highly appropriate use in a General Business Zone, where a range of uses are encouraged. This will make a positive contribution to the local economy and will revitalise a site that is currently underutilised.

Should you have any queries relating to the town planning submission please contact me on (03) 9429 3111 or by email at blanchem@ratio.com.au.

Regards,



Blanche Manuel
Director: Planning
Ratio Consultants

ratio:

Response to Representations P6

ratio.com.au

11.1.15 Planners Advice Applicable Standards

Planner's Advice: Applicable Standards

Background

An application has been received for the use and development of land located at 345-347 Westbury Road, Prospect Vale ('the site' - refer to Figure 1).

The application involves the:

1. Demolition of all existing structures (building and signs);
2. Consolidation of the two existing titles to make one title;
3. Construction of a convenience restaurant (McDonalds) including associated car parking, drive through, fencing and screens, and signage; and
4. Operation of the business 24 hours 7 days a week.



Figure 1: aerial image showing the location and spatial extent of the site (source: Exponare).

The site comprises two titles (CT's: 217358/9 and 217681/8) having a combined area of 4029m². The site is rectangular in shape being approximately 61m wide (north-south) and 66m deep (east-west). The land gently falls in a north north-east direction from the south south-west of the site (fall is generally parallel to Westbury Road). There is

11.1.15 Planners Advice Applicable Standards

approximately 2.5m of fall across the site equating to a fall of 4.1%. There is a sewer main located along the rear boundary of the site.

The site is accessed off Westbury Road. There is no formed access point to the site, with the full extent of the frontage being trafficable. The site is currently not used, but contains multiple building and structures that are proposed to be demolished. These structures consist of (refer to Figure 2):

1. Service station;
2. Roadhouse;
3. Workshop;
4. Sheds;
5. Signage including two pylon signs; and
6. 2 x dwellings.



Figure 2: Aerial photo showing existing structures on the property (source: Exponare).

The site was previously known as Jim's Service Station and Jim's Roadhouse being used as a service station, roadhouse (fast-food), workshop, contained two dwellings and included outbuildings associated with these uses and signage. All uses have ceased operation on the site. The Roadhouse has not obtained a Food Business Registration since the 2022 financial year. The underground fuel tanks (underground petroleum storage systems (UPSS)) have also been removed from the site. A Planning Permit PA\23\0159 was issued for the removal of the fuel tanks on 17 January 2023. This permit was assessed as a permitted application and was required for the demolition work associated with the removal of the fuel tanks. The decommissioning of the UPSS is

11.1.15 Planners Advice Applicable Standards

regulated by the Environment Protection Authority (EPA) through the *Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2020*. The current landowner and soil contamination consultants are working with the EPA to decommission the site. Council does not have any involvement in this process, and the decommissioning of the site is entirely separate from the proposed application. The EPA have been advised of this application currently before Council and have advised that they do not require involvement in the assessment of the application.

The site and adjoining lot to the south are assigned to the General Business zone along with the land to the north-west being the Prospect Vale Marketplace (refer to Figure 3). Adjoining lots to the north, east and south and lots to the west of Westbury Road are assigned to the General Residential zone. Westbury Road is assigned to the Utilities zone.

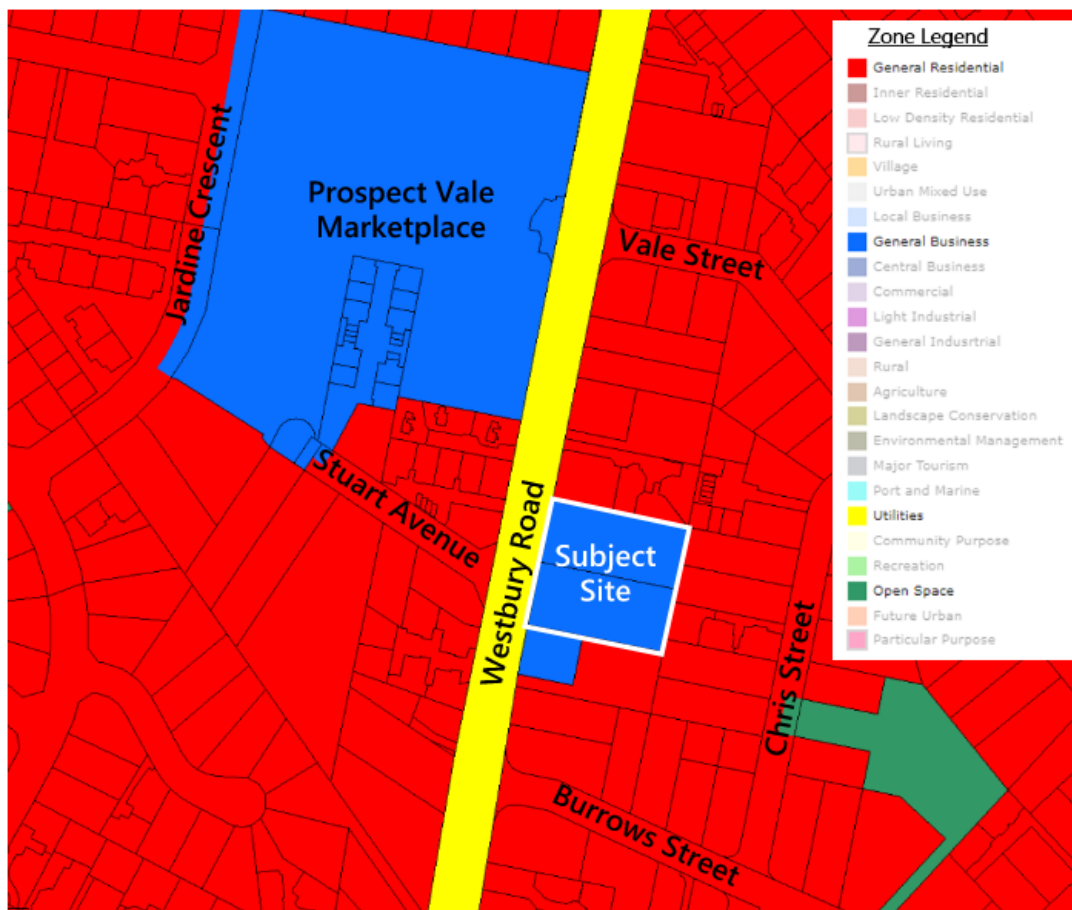


Figure 3: zone map illustrating the zoning of the site, adjoining lots and adjacent lots (source: ListMap).

The development on the adjoining land includes single and multiple dwellings to the north, east, south and west, and businesses to the south-west being an Asian restaurant and butcher shop. The Prospect Vale Marketplace includes a number of businesses including: a service station, bottle shops, fast-food and cafes, bakery, supermarket, newsagency, florist, nail salon, and reject shop.

11.1.15 Planners Advice Applicable Standards

The proposed development includes the formation of the access point from Westbury Road to the site located in the northern corner. The northern portion of the site will be developed as the car park and drive through entrance, with the main building located towards the south-western portion of the site. The drive through will circulate around the perimeter of the site with ordering to occur to the eastern side of the site, and payment and collection along the southern side. The waiting bays will be located to the front of the site, parallel to Westbury Road. The configuration of the development is shown in the site plan in Figure 4.

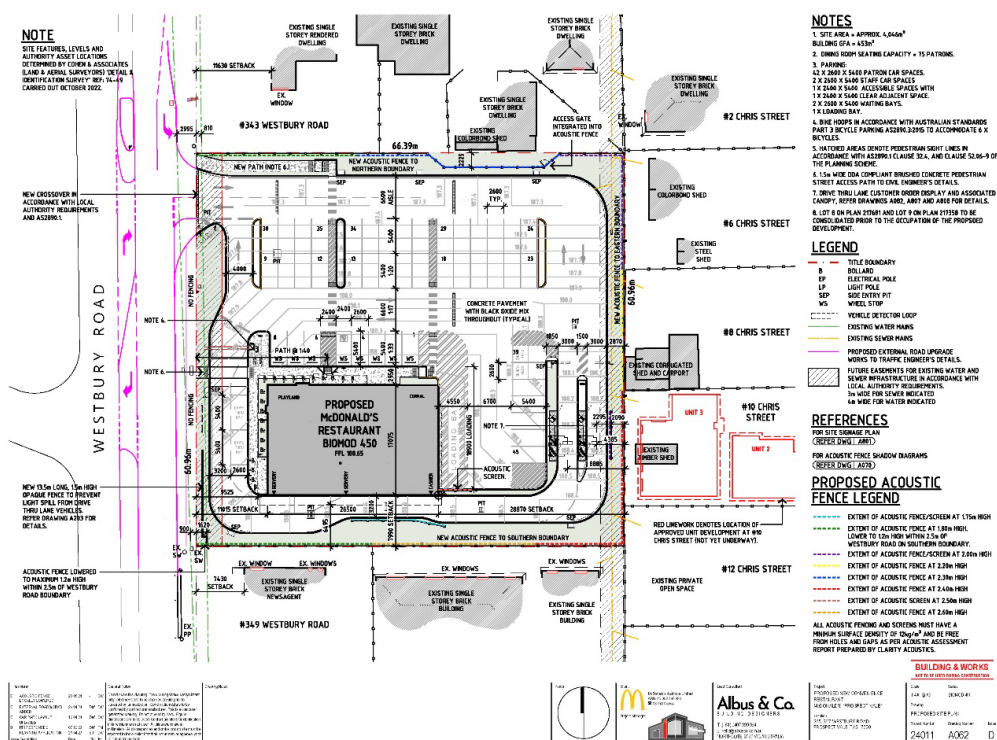


Figure 4: Site Plan (source: Submitted application material)

The restaurant will have a floor area of 453m², having a width of 17.075m and a length of 26.5m with an overall height of 7.2m. Signage is proposed to be affixed to the building. The dining room will have a seating capacity of 75 patrons. The car park will provide 45 car parking spaces, including two staff parking spaces and one accessible space. Six bicycle spaces will be provided to the front of the building. One loading bay will be provided to the rear of the building. Two internal pedestrian footpaths are included from Westbury Road leading to the main entrance of the building, along with a designated pedestrian path for car park users. The car park will be lit to be compliant with the relevant Australian Standard. The car parking area will also include directional signage.

The drive through will include two ordering points providing the ability for cars to queue. There will be an ordering canopy and height clearance gantry for each ordering point,

11.1.15 Planners Advice Applicable Standards

having a 2.7m clearance height for vehicles. The drive through will include signage, including ordering menus, and directional signage.

Two pylon signs are proposed located at the north-west and south-west of the site being 6.5m and 6.8m in height respectively and have a width of 4.4m. These are proposed to replace the existing Jim's Service Station and Jim's Roadhouse signs. These pylons are proposed to be illuminated with the northern pylon to be switched off from 10pm onwards. Two flag poles for the Australian and McDonalds flags and a banner sign are proposed within the frontage of Westbury Road.

Acoustic fencing of various heights is proposed along the northern, eastern and southern boundaries. The maximum height of the fencing, including required retaining walls, is 3.015m for the northern boundary, 2.665m for the eastern boundary and 2.7m for the southern boundary. Note these maximum heights are for a portion of the fence only and not the entire length. A solid front fence is proposed along the southern section Westbury Road having a length of 13.5m and a height of 1.5m to prevent light spill from vehicle headlights circulating the drive through.

The site is proposed to be landscaped and a landscaping plan has been included in the application material.

Figure 5 shows an aerial photograph of the site and surrounding land with the proposed site plan overlaid to provide the context of the development with adjoining land.

11.1.15 Planners Advice Applicable Standards

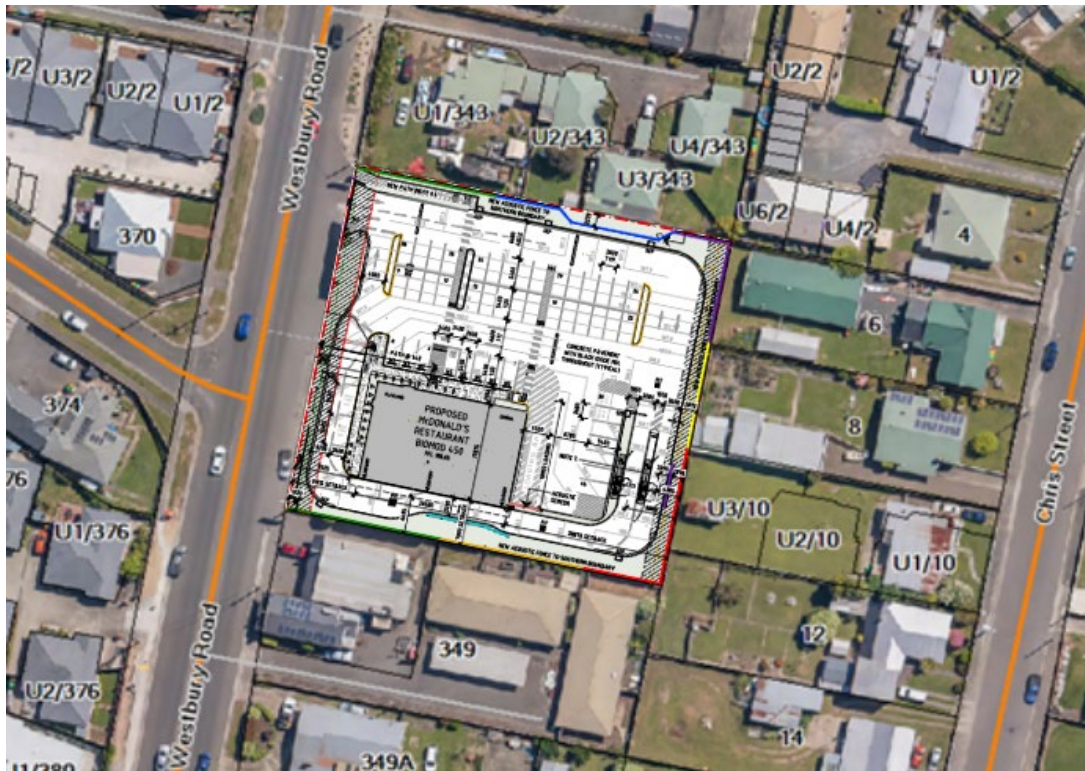


Figure 5: Aerial image showing the location and configuration of the proposed development on the site within the context of adjoining and adjacent use and development.

Amended Plans and Supplementary Documentation

Following the advertising period and review of the representations received, the applicant has submitted amended plans and supplementary documents (acoustic and odour) for the proposed use and development. The amendments include:

1. Removing the car parking spaces located to the east of the loading bay;
2. Relocating the eastern portion of the drive through further west to increase the distance from the adjoining properties to the east; and
3. Reducing the heights of acoustic boundary fences to the east and south of the site and changes to the acoustic screens.

The amendments proposed are described in the table below. Please refer to Figure 6 for an extract of the site plan:

11.1.15 Planners Advice Applicable Standards

Component	Advertised Documentation	Amended Plans
Car parking.	45 car parking spaces including one dedicated accessible parking space and two staff car parking spaces.	38 car parking spaces, including one dedicated accessible parking space.
Drive through setback from eastern boundary.	Setback: 2.87m	Setback: 7.72m
Acoustic boundary fence shared with 3/10 Chris Street.	The acoustic fence was proposed to be 2.4m in height and would in some sections have an overall height from existing ground level of 2.605m due to a proposed retaining wall.	Maintain existing fence height (2.1m) and treat with acoustic material. It is noted that the acoustic assessment has identified that this boundary fence can be 1.8m in height, however, the existing fence is new and is in good condition and is proposed to be retained.
Acoustic screen between drive through ordering points and eastern boundary.	Setback: 2.09m Height: 2.0m Length: 7.6m (approx.)	Setback: 6.35m Height: 2.4m Length: 12m (approx.)
Loading bay acoustic screen.	Height: 2.5m	Height: 3m
Acoustic boundary fence shared with units at 349 Westbury Road.	Height: 2.4m and 2.6m	Height: 2.1m

11.1.15 Planners Advice Applicable Standards

Acoustic screen between drive through cashier and southern boundary.	Setback: 2.5m – 3.5m (approx.) Height: 1.75m Length: 15m (approx.)	Setback: 3.11m - 3.74m Height: 1.8m and 2.3m Length: 33m (approx.)
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The proposed amendments are not considered to be substantial changes to the application nor invoke new discretions. Therefore, the amended plans and supplementary reports can be considered as part of the assessment. The amended plans and supplementary reports are located within the attachment titled 'Amended Plans and Supplementary Documentation'.

For the purpose of the assessment, the compliance table for the Acceptable Solution will consider both the advertised plans and the proposed amendments.

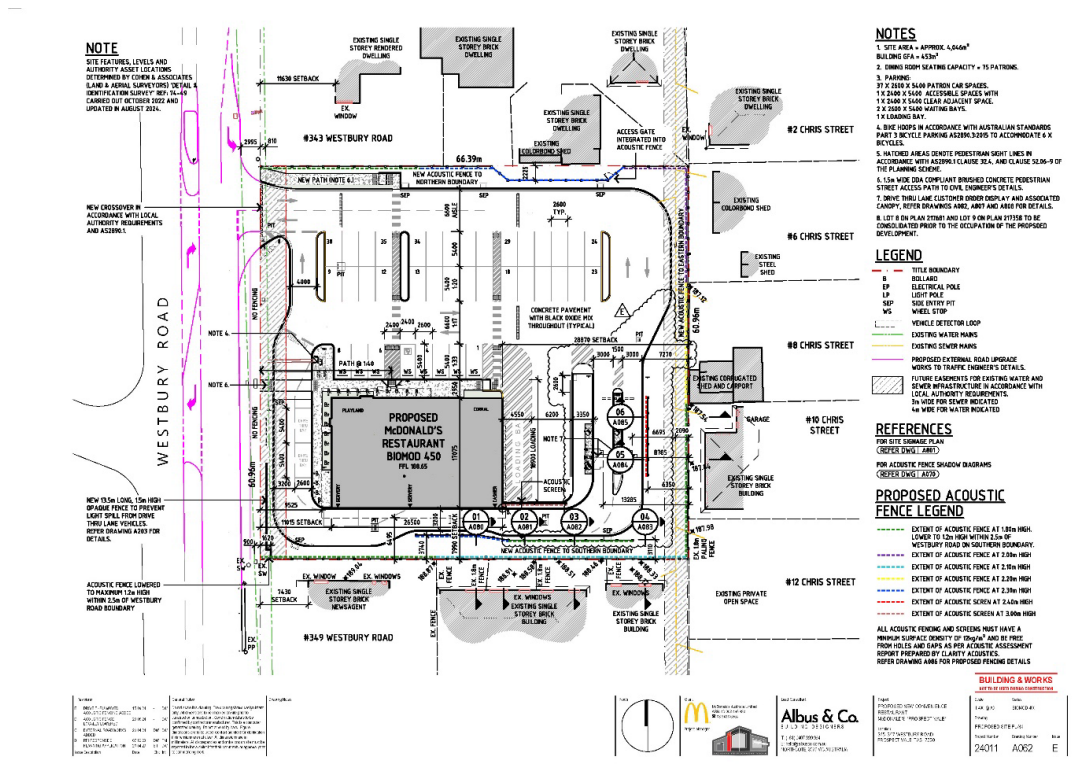


Figure 6: Extract of amended site plan submitted by applicant.

Summary of Planner's Advice

This application was assessed against General Provisions Standards, as well as the Applicable Standards for this Zone and any relevant Codes.

All Standards applied in this assessment are taken from the Planning Scheme.

11.1.15 Planners Advice Applicable Standards

This application is assessed as compliant with the relevant Acceptable Solutions, except where "Relies on Performance Criteria" is indicated (see tables below).

Council has discretion to approve or refuse the application based on its assessment of the Performance Criteria, where they apply. Before exercising discretion, Council must consider the relevant Performance Criteria, as set out in the Planning Scheme.

For the purposes of clause 6.2.1 of the Planning Scheme, the proposed use and development is categorised into the Food Services Use Class. Use of land for Food Services is listed as a 'Permitted' use within Table 15.2 of the Planning Scheme.

For a more detailed discussion of any aspects of this application reliant on Performance Criteria, see the attachment titled "Planner's Advice - Performance Criteria".

7.0 General Provisions

Scheme Standard

Planner's Assessment

7.9 Demolition

- 7.9.1 *Unless approved as part of another development or Prohibited by another provision in this planning scheme, or the Local Historic Heritage Code applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 6.11.2 of this planning scheme.*

The proposal includes the demolition of all buildings and structures from the site. Because the application includes the use and development of the site for Food Services, the demolition is considered as part of that assessment. Conservatively, however, there is no applicable standard in the Planning Scheme which would prohibit the demolition; and the land is not subject to the Local Historic Heritage Code. As such, if this proposed application is approved, the demolition is approved as part of this development for Food Services.

It is noted that since the lodgement of the application some outbuildings located towards the south-eastern corner of the site have been demolished.

15.0 General Business Zone		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
15.3.1	All Uses	
A1	<p>The hours of operation of the proposed use are 24 hours a day 7 days a week for both the restaurant and the drive through.</p> <p>The site is located within 50m of the General Residential zone. As such, these hours extend beyond that of the Acceptable Solution which is:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	Relies on Performance Criteria
A2	<p>The proposed development includes external lighting. External lighting is required for the car parking area and throughout the drive through. The external lighting is located within 50m of the General Residential zone and will operate between 11pm and 6am.</p> <p>Security lighting is not proposed as part of the development given the proposed hours of operation is 24 hours a day, 7 days a week.</p> <p>All signs that are proposed to be illuminated will be assessed against Clause C1.6.2.</p>	Relies on Performance Criteria
A3	<p>The application states that commercial vehicles associated with delivery and waste collection will occur between:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	Complies with Acceptable Solution

15.0 General Business Zone

**Scheme
Standard**

Planner's Assessment

Assessed Outcome

Deliveries via heavy rigid vehicles will be between 7am and 6pm Monday to Saturday and 8am to 6pm on Sundays.

Deliveries via other vehicles including medium rigid vehicles and light rigid vehicles and vans between 7am and 9pm Monday to Saturdays and 8am to 9pm on Sundays.

Waste collection will be between 7am and 6pm Monday to Saturday and 8am to 6pm on Sundays.

No deliveries or waste collection is proposed on public holidays.

The application demonstrates compliance with hours for commercial vehicle movements.

15.3.2 Discretionary uses

A1-A2	Food Services is a Permitted Use in the General Business Zone.	Not Applicable
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15.3.3 Retail impact

A1	The use and development is for Food Services.	Not Applicable
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15.4.1 Building Height

A1	The development will include the following heights:	Complies with Acceptable Solution
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Component	Maximum Height
Main Building	7.2m
Height Clearance Gantry	3.5m
Order Canopy	3.1m

15.0 General Business Zone

**Scheme
Standard****Planner's Assessment****Assessed Outcome**

Light Poles	8m
Pylon sign	6.8m
Flag Poles	8.5m
Front Fence	1.5m
Acoustic Boundary Fence	3.015m (includes retaining wall)
Acoustic Screen	2.5m (loading bay)

Note: The fencing (front fence and acoustic) and Pylon Signs are assessed for height as part of the applicable standard (15.4.4 – fencing & C1.6.1 – Design and siting of signs respectively).

Amended Plans

The amended plans change the heights of the acoustic boundary fences and internal acoustic screens. It is noted that the overall maximum height of the acoustic boundary fence will remain the same where it is shared with 3/343 Westbury Road. Note: the only amendments are to the boundary fences shared with 349 Westbury Road and 10 Chris Street, which have resulted in a lower boundary fence.

Component	Maximum Height
Acoustic Boundary Fence	3.015m (includes retaining wall)
Acoustic Screen	3.0m (loading bay)

The amended plans comply with the Acceptable Solution. Note: The acoustic boundary fences are assessed for height as part of the applicable standard (15.4.4 – fencing).

A2

Although a portion of the development is within 10m of the General Residential zone, the development does not exceed 8.5m in height as per the table above.

Complies with
Acceptable Solution

11.1.15 Planners Advice Applicable Standards

15.0 General Business Zone		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
15.4.2	Setbacks	
A1	<p>The main building is located 11m from the front boundary, located in between the maximum and minimum setbacks of the buildings on adjoining properties.</p> <p>The lot to the south, CT: 23538/1 is constructed to the front boundary, whilst the dwelling located on the lot to the north, 1/343 Westbury Road, is located approximately 11.5m from the frontage.</p> <p>The pylon signs are located 1.158m and 2.28m from the front boundary. The flag poles are located 0.85m from the front boundary. The front fence is located 0.8m from the front boundary. The acoustic fences will extend to the front boundary. All are within the existing maximum and minimum setbacks of adjoining buildings.</p> <p>It is noted that there are more relevant clauses that consider the siting of the fences and signs in the Planning Scheme being Clauses 15.4.4 – Fencing & C1.6.1 – Design and siting of signs.</p>	Complies with Acceptable Solution
A2	<p>The development adjoins the General Residential Zone and buildings must have a setback not less than:</p> <ul style="list-style-type: none"> a) 5m; or b) Half the wall height of the building, <p>Whichever is the greater.</p> <p>The setbacks are shown in the following table:</p>	Relies on Performance Criteria

11.1.15 Planners Advice Applicable Standards

15.0 General Business Zone

Scheme Standard

Planner's Assessment

Assessed Outcome

Component	Height	½ Height Setback	Required Setback	Setbacks to Boundary		
				North	East	South
Main Building	7.2m	3.6	5m	36m	28m	6.5m
Drive Through Canopy	3.1m	1.55m	5m	ok	4.4m	14
Drive Through Gantry	3.5m	1.75m	5m	ok	2.87m	ok
Pylon Sign - North	6.5m	3.25m	5m	0.45m*	ok	ok
Pylon Sign – South	6.8m	3.4m	5m	ok	ok	0.54m*
Flag Poles	8.5m	4.25m	5m	38m	ok	17m
Acoustic Screen - east	2.0m	1m	5m	ok	2.09m	ok
Acoustic Screen - south	1.75m	0.875m	5m	ok	ok	2.7m

The drive through canopy, height clearance gantry and acoustic screens are not setback 5m to comply with the Acceptable Solution.

* Whilst the pylon signs do not comply with the side boundary setback, Clause C1.6.1 A2 of the Signs Code is considered to prevail as it requires a sign be not less than 2m from the boundary of any lot in the General Residential Zone. Clause 5.5.3 states: *Where there is an inconsistency between a provision in a code and a provision in a zone, the code provision prevails.*

The boundary fences have not been considered in the above table as they are specifically considered in 15.4.4 – Fencing. This specific standard relating to fencing is considered the appropriate applicable standard to apply.

Amended Plans

The amended plans result in the following setbacks:

11.1.15 Planners Advice Applicable Standards

15.0 General Business Zone

<i>Scheme Standard</i>	Planner's Assessment			Assessed Outcome		
Component	Height	½ Height Setback	Required Setback	Setbacks to Boundary		
				North	East	South
Drive Through Canopy	3.1m	1.55m	5m	ok	8.785m	14
Drive Through Gantry	3.5m	1.75m	5m	ok	7m	ok
Acoustic Screen - east	2.0m	1m	5m	ok	6.35m	ok
Acoustic Screen - south	2.1m & 2.3m	1.05m	5m	ok	8.2m	3.11m

The proposed amendments will move the structures further from the boundaries. The Acoustic Screen to the east and south remain within the 5m setback.

A3	On the roof are exhaust fans, refrigeration unit, air conditioner units. The main building is located 7.9m from the closest boundary. The report states that no roof plant equipment is to be located within 10m of the boundaries of the site.	Complies with Acceptable Solution
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15.4.3 Design

A1	<p>The proposed building is designed to satisfy all of the following:</p> <ul style="list-style-type: none"> a) All mechanical plant and other service infrastructure are screened from the street; b) Roof-top mechanical plant and service infrastructure are contained within the roof; c) No security shutters or grilles over windows or doors are proposed on the façade facing the frontage; 	Complies with Acceptable Solution
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15.0 General Business Zone		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
	<p>d) External lighting is proposed to illuminate external vehicle parking areas and pathways.</p>	
A2	<p>The proposed building is designed to satisfy all of the following:</p> <p>a) There are two pedestrian accesses proposed from Westbury Road. One leads directly to the main access of the restaurant, whilst the other is on the northern side of the property and has a dedicated pathway to the main entrance through the car park. A further pedestrian access is provided from the carpark to the main entrance. The main entrance is visible from the road and publicly accessible areas of the site.</p> <p>b) The ground floor level façade that fronts Westbury Road has not less than 40% of the total surface area consisting of windows or doorways, satisfying (b) (i) based on the following calculations:</p> <p>The windows from the north to the south on the western elevation have the following area:</p> $9.65\text{m}^2 + 6.92\text{m}^2 + 4.55\text{m}^2 + 2.8\text{m}^2 = 23.92\text{m}^2$ <p>of windows or doorways of the entire façade at ground level. The surface area of the façade is: 53.07m².</p> $23.92\text{m}^2 / 53.07\text{m}^2 \times 100 = 45.07\%$ <p>of surface area consisting of windows or doorways which is greater than 40%.</p>	Complies with Acceptable Solution

15.0 General Business Zone

*Scheme
Standard*

Planner's Assessment

Assessed Outcome



- c) The ground floor level façade facing a frontage satisfies (c) (i). The overall length of the of the façade is 17.5m and does not include a single length of blank wall greater than 30% of the façade facing a frontage. 30% of 17.5m is 5.25m. The maximum length of blank wall is 3.4m which is less than 30%, being approximately 19%.
- d) An awning over the public footpath is not required as it is not existing on the site or on adjoining properties and the building is setback away from the frontage.

15.4.4 Fencing

- A1 A front fence is proposed within 4.5m of the frontage (Westbury Road). This fence is solid and will be 1.5m in height and will extend from the south-western corner of the site north for 13.5m. This opaque fence is required to prevent light spill from the drive through.

**Relies on
Performance Criteria**



15.0 General Business Zone

<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
	<p>Acoustic fences are also proposed to the northern and southern boundary of the site and will also be within 4.5m of the frontage (Westbury Road). These fences will be solid acoustic fences having a maximum height of 1.8m.</p> <p>These fences do not comply with the frontage fence exemption.</p> <p>Refer to Figure 6 and 7 below showing the proposed fencing.</p>	
A2	<p>Acoustic fences are proposed along the common boundary with properties in the General Residential zone and beyond 4.5m from the frontage. These fences range in height from 1.8m to 2.6m, noting that the overall height is higher in some sections due to a retaining wall required establish the finished surface level. The acoustic fences will be constructed on top of the proposed ground level. The overall maximum height for the acoustic fence is 3.015m</p> <p>All proposed common boundary fences that exceed 2.1m do not comply with the Acceptable Solution. Refer to Figures 7 and 8 below.</p>	Relies on Performance Criteria

15.0 General Business Zone

**Scheme
Standard**

Planner's Assessment

Assessed Outcome

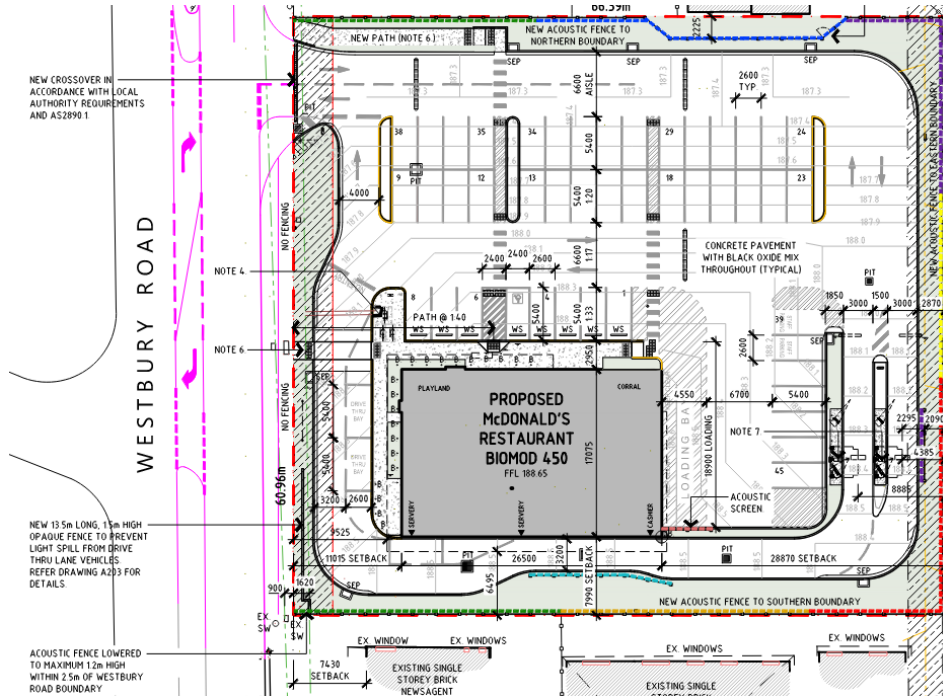


Figure 7: Extract of site plan showing details of fencing.

PROPOSED ACOUSTIC FENCE LEGEND

- EXTENT OF ACOUSTIC FENCE/SCREEN AT 1.75m HIGH
- EXTENT OF ACOUSTIC FENCE AT 1.80m HIGH. LOWER TO 1.2m HIGH WITHIN 2.5m OF WESTBURY ROAD ON SOUTHERN BOUNDARY.
- EXTENT OF ACOUSTIC FENCE/SCREEN AT 2.00m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.20m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.30m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.40m HIGH
- EXTENT OF ACOUSTIC SCREEN AT 2.50m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.60m HIGH

ALL ACOUSTIC FENCING AND SCREENS MUST HAVE A MINIMUM SURFACE DENSITY OF 12kg/m² AND BE FREE FROM HOLES AND GAPS AS PER ACOUSTIC ASSESSMENT REPORT PREPARED BY CLARITY ACOUSTICS.

Figure 8: Extract from site plan showing legend for acoustic fencing.

15.0 General Business Zone

*Scheme
Standard*

Planner's Assessment

Assessed Outcome

Amended Plans

The proposed amendment results in changes to the acoustic boundary fences adjoining 3/10 Chris Street to the east and the four units at 349 Westbury Road, to the south.

The fence shared with 3/10 Chris Street, is a new timber paling fence constructed to 2.1m in height. Whilst the amended plan shows the fence height being 1.8m, the applicant has indicated that they propose to retain the existing fence and its height at 2.1m and treat the fence with acoustic material. As such, there is no change to the height of the existing fence.

The fence shared with the units at 349 Westbury Road is proposed to reduce in height to be 2.1m. A 2.1m high common boundary fence complies with the Acceptable Solution.

Therefore, the performance criteria is still relied upon for all other fences that exceed 2.1m in height.

Figure 9 and 10 show the extract of the amended site plan to demonstrate the proposed fencing.

11.1.15 Planners Advice Applicable Standards

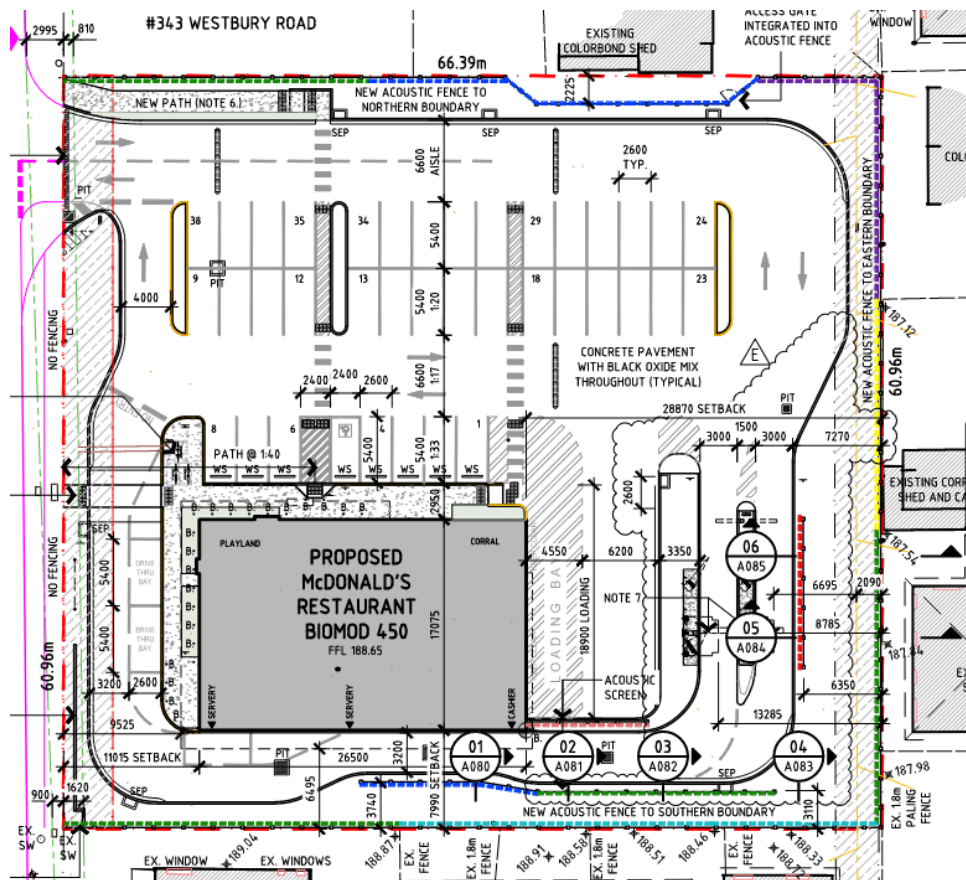


Figure 9: Extract of amended site plan to show amended fencing detail.

PROPOSED ACOUSTIC FENCE LEGEND

- EXTENT OF ACOUSTIC FENCE AT 1.80m HIGH. LOWER TO 1.2m HIGH WITHIN 2.5m OF WESTBURY ROAD ON SOUTHERN BOUNDARY.
- EXTENT OF ACOUSTIC FENCE AT 2.00m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.10m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.20m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.30m HIGH
- EXTENT OF ACOUSTIC SCREEN AT 2.40m HIGH
- EXTENT OF ACOUSTIC SCREEN AT 3.00m HIGH

ALL ACOUSTIC FENCING AND SCREENS MUST HAVE A MINIMUM SURFACE DENSITY OF 12kg/m^2 AND BE FREE FROM HOLES AND GAPS AS PER ACOUSTIC ASSESSMENT REPORT PREPARED BY CLARITY ACOUSTICS. REFER DRAWING A086 FOR PROPOSED FENCING DETAILS

Figure 10: Extract of amended site plan showing legend for acoustic fencing.

11.1.15 Planners Advice Applicable Standards

15.0 General Business Zone		
<i>Scheme Standard</i>	<i>Planner's Assessment</i>	<i>Assessed Outcome</i>
15.4.5	<i>Outdoor storage areas</i>	
A1	The proposal does not include any outdoor storage. However, goods may be temporarily stored outside at the loading bay location which is hidden from Westbury Road.	Complies with Acceptable Solution
15.4.6	<i>Dwellings</i>	
A1-A2	Not for a dwelling	Not Applicable
15.5.1	<i>Lot Design</i>	
A1	The two existing titles will be consolidated to make one title. Each lot is within the same zone. This complies with A1 (d).	Complies with Acceptable Solution
A2	The lot will have frontage to Westbury Road.	Complies with Acceptable Solution
A3	A single vehicular access from the boundary of the lot to Westbury Road will be constructed in accordance with the requirements of the Road Authority.	Complies with Acceptable Solution
15.5.2	<i>Services</i>	
A1	The site will be connected to a full water supply service.	Complies with Acceptable Solution
A2	The site will be connected to a reticulated sewerage system.	Complies with Acceptable Solution

11.1.15 Planners Advice Applicable Standards

15.0 General Business Zone		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
A3	The site will be connected to a public stormwater system.	Complies with Acceptable Solution

C1.0 Signs Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C1.4	<i>Exempt Signs</i>	
	<p>The following signs are proposed and considered exempt:</p> <p>2 x Blade Signs – No. 10 in table following.</p> <p>2 x Wall Signs – No 14 in table following.</p> <p>2 x Flags – No 15 in table following.</p> <p>8 x Regulatory Signs – No 17 in table following.</p> <p>2 x Interpretive Signs – No 18 in table following.</p> <p>3 x Window Signs – No 20 in table following.</p> <p>A summary of all signs proposed is contained at the end of this attachment.</p>	Exempt

C1.6.1 *Design and siting of signs*

A1	<p>A sign must</p> <p>a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</p> <p>b) meet the standards for the relevant sign type set out in Table C1.6.</p>	Relies on Performance Criteria
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C1.0 Signs Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
	<p>The proposed signs are all located in the applicable zone (General Business Zone).</p> <p>Not all the proposed signs meet the standards of the relevant sign type.</p> <p>A summary of all signs proposed is contained at the end of this attachment.</p>	
A2	<p>A sign must be not less than 2m from the boundary of any lot in the General Residential zone.</p> <p>The pylon sign will not be located less than 2m from the General Residential Zone.</p> <p>All other applicable signs are greater than 2m from the General Residential Zone.</p> <p>A summary of all signs proposed is contained at the end of this attachment.</p>	Relies on Performance Criteria
A3	<p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <ul style="list-style-type: none"> a) 1 of each sign type, unless otherwise stated in Table C1.6; b) 1 window sign for each window; c) 3 if the street frontage is less than 20m in length; and d) 6 if the street frontage is 20m or more, <p>excluding the following sign types, for which there is no limit: (i) name plate; and (ii) temporary sign.</p> <p>There are eight signs directly within the road frontage: two pole signs, two flags and banner, a blade sign, a regulatory sign as well as a wall sign along the frontage fence. Three further signs are</p>	Relies on Performance Criteria

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
	<p>attached to the building facing the road. The performance criteria is relied upon due to the overall number of signs within the frontage as well as the repetition of sign types.</p> <p>A summary of all signs proposed is contained at the end of this attachment.</p>	
<hr/>		
C1.6.2	<i>Illuminated signs</i>	
A1	<p>No Acceptable Solution. The application proposes illuminated signs.</p> <p>A summary of all signs proposed is contained at the end of this attachment.</p>	Relies on Performance Criteria
A2	<p>The proposed illuminated signs that are visible from public places in adjacent roads do not create the effect of flashing, animation or movement.</p>	Complies with Acceptable Solution
<hr/>		

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C2.5.1	<i>Car parking numbers</i>	
A1	<p>Table C2.1 requires for a Food Service use that is a restaurant to provide car parking spaces as follows:</p> <p>1 space per 15m² of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable), unless subject to Clause C2.5.5.</p> <p>The floor area for the main buildings is 453m². Therefore 31 spaces are required to be provided. The drive through provides two lanes for ordering</p> <p>The proposed development will provide 45 car parking spaces which will include 1 accessible car parking space and 2 employee parking spaces.</p> <p>The drive through will provide two ordering points enabling 3 cars to queue in each line without interference of the circulation area of the car park. There are further queuing spaces beyond the ordering point to the collection points (either 2 servery windows and 2 waiting bays). The plan demonstrates the ability for 14 cars to queue within the drive through.</p> <p>Amended Plans</p> <p>The amended plans remove the car parking spaces to the east of the loading bay. As such, 38 car parking spaces are proposed to be provided through the amendment, including one disability car parking space. The amount of car parking exceeds the car parking requirements of the Planning Scheme.</p>	Complies with Acceptable Solution

11.1.15 Planners Advice Applicable Standards

C2.0 Parking and Sustainable Transport Code

Scheme Standard

Planner's Assessment

Assessed Outcome

The queuing ability for cars within the drive through will not change as a result of the amendment. Refer to Figure 11 and 12 below.

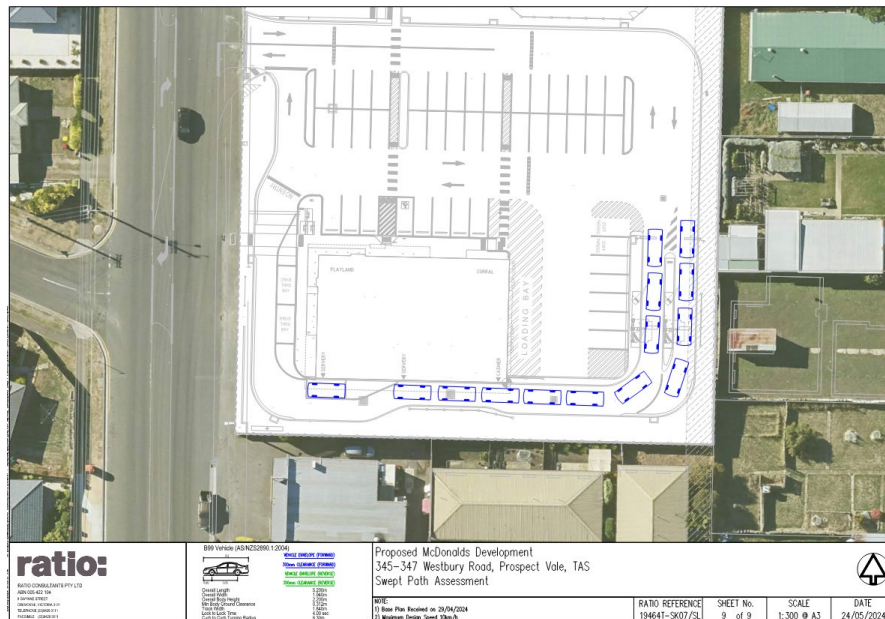


Figure 11: Swept path assessment showing queuing spaces within the drive through. (Source: Traffic Impact Assessment).

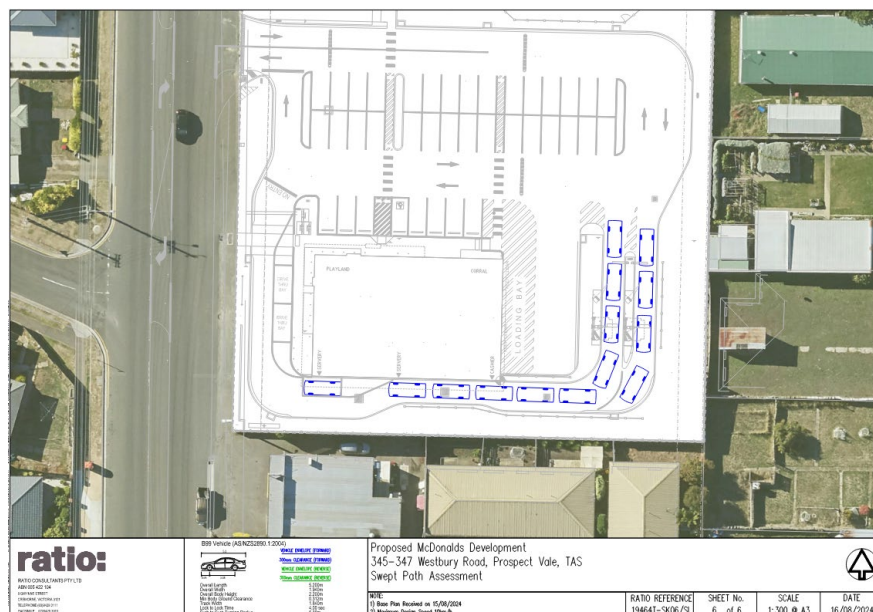


Figure 12: Swept path assessment showing queuing spaces within the drive through. (Source: Traffic Impact Assessment).

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C2.5.2	<i>Bicycle parking numbers</i>	
A1	<p>6 bicycle spaces are provided to the northern side of the building.</p> <p>a) The bicycle parking spaces are within 50m of the site;</p> <p>b) Table C2.1 requires for a Food Service use that is a restaurant to provide for bicycle parking as calculated as: 1 space per 75m² floor area.</p> <p>The floor area is 453m². Therefore 6 bicycle spaces are required to be provided.</p>	Complies with Acceptable Solution
C2.5.3	<i>Motorcycling parking numbers</i>	
A1	<p>Table C2.4 requires 1 motorcycle parking spaces for 21-40 car parking spaces required for a use.</p> <p>There are no dedicated motorcycle parking spaces provided, noting that this can be absorbed into the additional car parking spaces that have been provided.</p>	Relies on Performance Criteria
C2.5.4	<i>Loadings Bays</i>	
A1	The floor area of the building is 453m ² . As it is less than 1000m ² , a loading bay is not required.	Code not applicable

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C2.6.1	<i>Construction of parking areas</i>	
A1	The parking areas and manoeuvring spaces would be constructed with a durable all-weather pavement, be drained to the public stormwater system and be surfaced with concrete.	Complies with Acceptable Solution
C2.6.2	<i>Design and layout of parking areas</i>	
A1.1	<p>The design and layout of the proposed parking, accessways, manoeuvring and circulation spaces satisfies Acceptable Solution A1.1(a).</p> <ul style="list-style-type: none"> i) The gradient of the car park is stated in the TIA to be in accordance with the Australian Standard. ii) All vehicles can enter and exit the site in a forward direction as demonstrated in the TIA. iii) The access width is proposed to be greater than 5.5m in accordance with Table C2.2. iv) Car parking spaces will be 5.4m by 2.6m. v) The combined access and manoeuvring width adjacent to parking spaces is 6.6m vi) Will have a vertical clearance not less than 2.1m. The clearance of the drive through gantry is 2.7m. vii) All car parking spaces will be delineated by line marking and signage will also be used. 	Complies with Acceptable Solution
A1.2	<p>One accessible car parking space is provided.</p> <ul style="list-style-type: none"> a) It is located as close as possible to the main entry point to the building; 	

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
	b) is incorporated into the overall car park design; c) the TIA states that it is designed and constructed in accordance with the <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i>	
<hr/>		
C2.6.3	<i>Number of accesses for vehicles</i>	
A1	One access point will be constructed off Westbury Road.	<i>Complies with Acceptable Solution</i>
A2	The site is zoned General Business.	Not Applicable
<hr/>		
C2.6.4	<i>Lighting of parking areas within the General Business Zone and Central Business Zone</i>	
A1	The land is zoned General Business and proposes a car park serving more than 5 car parking spaces and is used outside daylight hours. A lighting plan has been provided by Rubidium Light and demonstrates that lighting will be in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car Parks" in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i>	<i>Complies with Acceptable Solution</i>
<hr/>		

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C2.6.5	<i>Pedestrian access</i>	
A1	<p>The use requires more than 10 car parking spaces.</p> <p>a) Pedestrian footpaths have been included in the car park layout. The footpaths leading from Westbury Road into the site are 1.5m in width. The internal paths that cross the car park aisle and access ways are 1m in width.</p> <p>The footpaths are not separated by either a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle or through protective devices such as bollards, guard rails or planters between the footpath. It is noted that a kerb will separate the footpaths leading from Westbury Road. The footpaths beside the parking spaces and loading bay are not separated by any protective device.</p> <p>As such the acceptable solution is not complied with.</p> <p>b) The footpaths will be signed and line marked at points where pedestrians cross access ways or parking aisles.</p>	Relies on Performance Criteria
A1.2	<p>One accessible parking space is provided close to the main entrance to the building. This parking space adjoins a footpath having a minimum width of 2.4m. The TIA states that the gradient of the footpath is no steeper than 1:14 as shown on the plans.</p>	

11.1.15 Planners Advice Applicable Standards

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C2.6.6	<i>Loading bays</i>	
A1	<p>A loading bay is proposed at the rear of the building.</p> <p>The Acceptable Solution requires that the area and dimensions of loading bays and access way areas must be designed in accordance with the <i>Australian Standard AS 2890.2-2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p> <p>The loading bay will be 18.9m long by 4.55m in width. This exceeds the requirements of the Australian Standard.</p> <p>The Traffic Impact Assessment submitted with the proposal states that the acceptable solution is complied with.</p>	Complies with Acceptable Solution
A2	<p>In order for the loading bay to be accessed by 14 pallet McDonalds's rigid vehicle that is 11.5m long vehicle, the two car parking spaces designated for staff parking will need to be vacated during deliveries. Therefore, this is not considered to be designed in accordance with the Australian Standard. The TIA includes an assessment of the loading bays. However, does not state if A2 is complied with.</p>	Relies on Performance Criteria
C2.6.7	<i>Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</i>	
A1	<p>The proposal requires 6 bicycle parking spaces. The proposed bicycle parking area is:</p>	Complies with Acceptable Solution

C2.0 Parking and Sustainable Transport Code

Scheme Standard	Planner's Assessment	Assessed Outcome
	<ul style="list-style-type: none"> a) Accessible from a road via the access way or 1.5m wide footpath; b) Located within 50m from the entrance; c) Visible from the main entrance; d) Available and adequately lit during times they will be used in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>. The bicycle parking will be located under a pole mounted light. 	
A2	<p>The TIA states that the bicycle parking spaces are designed in accordance with the Australian Standard.</p> <ul style="list-style-type: none"> a) The proposed bicycle parking spaces have dimensions of 1.8m in length and 0.7m in width at the handle bars and a clearance height of 1.2m in height. b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from the access way; and c) The TIA states that bicycle parking spaces have been designed in accordance with the Australian Standard including hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>. 	Complies with Acceptable Solution

C2.6.8 *Siting of parking and turning areas*

A1	The land is zoned General Business. Two car parking spaces and the two waiting bays for the	Relies on Performance Criteria
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11.1.15 Planners Advice Applicable Standards

C2.0 Parking and Sustainable Transport Code

<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
	drive through are located in front of the building line.	
A2	Not within the Central Business Zone.	Not Applicable

C3.0 Road and Railway Assets Code



<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C3.5.1	<i>Traffic generation at a vehicle crossing, level crossing or new junction</i>	
A1.1	Westbury Road is not a category 1 road.	Relies on Performance Criteria
A1.2	The proposed use and development will create a new vehicle crossing to serve the use and development for which written consent from the road authority has not been provided.	
A1.3	The application does not propose a new private level crossing.	
A1.4	A new vehicle crossing is proposed.	
A1.5	Westbury Road is not a major road.	

C14.0 Potentially Contaminated Land Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C14.6.1	<i>Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012</i>	
A1	<p>The former use of the site was a service station and motor repairs. This is considered a potentially contaminating activity falling into:</p> <ul style="list-style-type: none"> • Commercial engine and machinery repairs; • Petroleum product or oil storage; • Sites of incidents involving release of hazardous materials. <p>Although not a sensitive use, the proposal will include development and the code is considered applicable.</p> <p>The development will require excavation and will involve 250m³ of site disturbance. As such the Acceptable Solution is not complied with.</p>	Relies on Performance Criteria
C14.7.1	<i>Subdivision for sensitive use</i>	
A1	<p>Although the two lots will be consolidated to form one lot, the subdivision is not for a sensitive use or a Use Class listed in Table C14.1. This standard is not applicable.</p>	Not Applicable

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code



The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
1	P1/2	2x Pole / Pylon sign	Yes		4.343m x 4.2m to a max. height of 6.5m	On the north-western and south-western property corner within title boundaries	No exemptions	No Applicable Zone ✓ Applicable Standards ✗ (a) No projection outside title boundary ✓ (b) No more than 2 faces ✓ (c) 6.96m ² per face ✗ (d) 6.5-6.8m above ground level ✗ (e) Clearance from ground level to sign 2.3m ✗
2	S2A/B	2x window sign	Yes		2.4m x 690mm x 100mm	On the window of the playland room located in the north-western corner of the building facing west (Westbury Road) and north (car park)	No located on second floor and illuminated	Yes Applicable Zone ✓ Applicable Standards ✓ Occupies less than 25% of window area ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code



The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
3	S3A-D	4x wall sign	Yes		1.371m x 1.19m x 100mm	Located on the top of each building corner facing all directions.	No exemptions	Yes Applicable Zone ✓ Applicable Standards ✓ Sign does not extend (a) beyond the wall or above the top of the wall ✓ (b) Sign is less than 4.5m ² ✓ (c) Sign occupies less than 25% of the wall ✓
4	S5A	1x wall sign	Yes		Ø 1.2m x 100mm	On the western wall of the building facing Westbury Road	No exemptions	Yes Applicable Zone ✓ Applicable Standards ✓ Sign does not extend (a) beyond the wall or above the top of the wall ✓ (b) Sign is less than 4.5m ² ✓ (c) Sign occupies less than 25% of the wall ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code



The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
5	S5B	1x wall sign	Yes		1.745m x 700mm x 100mm	Located on top of the north-western building corner underneath sign S3B	No exemptions	Yes Applicable Zone ✓ Applicable Standards ✓ Sign does not extend (a) beyond the wall or above the top of the wall ✓ (b) Sign is less than 4.5m ² ✓ (c) Sign occupies less than 25% of the wall ✓
6	S14	1x wall sign	Yes		3.065m x 375mm x 100mm	Located along frontage attached to opaque fence preventing light spill from drive thru	No exemptions	Yes Applicable Zone ✓ Applicable Standards ✓ Sign does not extend (a) beyond the wall or above the top of the wall ✓ (b) Sign is less than 4.5m ² ✓ (c) Sign occupies less than 25% of the wall ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code

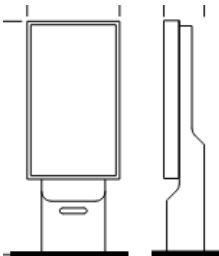
The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
7	S4A	1x awning fascia sign	Yes		1.81m x 221mm x 20mm	Located on the fascia of the awning facing north towards the car park. Red wrap around the awning will be constructed by building.	No Illuminated	Yes – if awning wrap is not considered as part of the sign Applicable Zone ✓ Applicable Standards ✓ Letters have a height of (a) 221mm not projecting ✓ above or below the awning Is more than 450mm from (b) vertical project of kerb ✓ alignment (car park) (c) Is about 3m above ground ✓ level
8	S6A	1x horizontal projecting wall sign	Yes		400mm x 400mm x 100mm	Sign is located on the western site of the building underneath the awning 100mm off the wall	No exemptions	Yes Applicable Zone ✓ Applicable Standards ✓ (a) Horizontal dimension of 400mm ✓ Vertical dimension of (b) 400mm (500mm incl. ✓ bracket) (c) Width of 100mm ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code

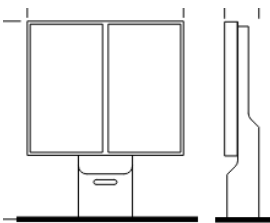
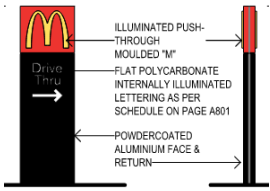
The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
								(d) More than 450mm from kerb alignment of a road ✓ (e) Max. height of 2.9m above ground level ✓ (f) Located below awning, 2.4m above ground ✓
9	S7A/B	2x blade sign	Yes		740mm to 1.87m x 324mm	Single menu board located behind the building facing away from the building towards the drive through lane.	No exemptions (Assessed to be visible from Westbury Rd)	Yes Applicable Zone ✓ Applicable Standards ✓ (a) Vertical dimension of 1.87m ✓ (b) Horizontal dimension of 740mm ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code



The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
10	S7C/D	2x blade sign	Yes		1.471m x 1.87m x 324mm	Double menu board located behind the building facing away from the building towards the drive through lane.	Exempt under clause C1.4.2 – not visible from outside the site	
11	S8A-E	5x blade sign	Yes		700mm x 2.3m x 150mm	Double sided directional sign with different wording and locations throughout the site S8A, C and D along frontage; S8E along rear fence opposite entrance S8B at entrance of	No exemptions (S8D assessed to be potentially visible from Westbury Rd)	Yes Applicable Zone ✓ Applicable Standards ✓ (a) Vertical dimension of 2.3m ✓ (b) Horizontal dimension of 700mm ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code

The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.


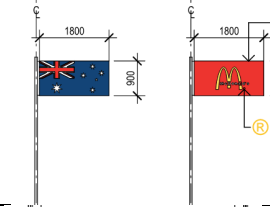
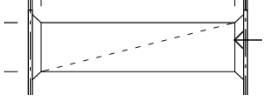
No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
						drive thru behind building		
12	S9A	1x wall sign	Yes		1.3m x 250mm (measured in pdf)	Signage is incorporated into height clearance gantry ¹ of drive thru.	No exemptions	Yes Applicable Zone ✓ Applicable Standards ✓ Sign does not extend (a) beyond the wall or above the top of the wall ✓ (b) Sign is less than 4.5m ² ✓ (c) Sign occupies less than 25% of the wall ✓
13	S9B	1x below awning sign	No		2.65m x 90mm	Below the height clearance gantry of the drive thru	No exemptions	No Applicable Zone ✓ Applicable Standards ✗ (a) Vertical dimension of 90mm ✓ (b) Width below 300mm ✓ (c) No kerb – within site ✓ (d) Exceeds horizontal dimension of 2.5m ✗

¹ Height clearance gantry assessed as a structure and therefore considered a building according to the definition of LUPAA.

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code


The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
								(e) Min. clearance of 2.7m ✓
14	S10A\B	2x wall sign	Yes		1.25m x 250mm	Located on order canopy within drive thru facilities	Exempt under clause C1.4.2 – not visible from outside the site	
15	S12	2x flag	No		1.8m x 900mm	Located within frontage	Exempt under Table C1.4 Limited to two flags per site; more than 2.4m clearance and less than 2m ² per flag	
16	S12	1x banner sign - horizontal	No		3.6m x 900mm	Located between the flags within frontage	No exemptions	No Applicable Zone ✓ Applicable Standards ✗ (a) Vertical dimension is 900mm ✓ (b) Horizontal dimension is 3.6m ✓ (c) Clearance above ground level of 1.95m ✗ (d) Not attached to a building facade ✓

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code


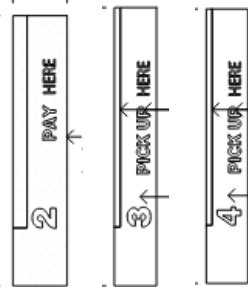
The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
17	S11A-E/G/I	8x regulatory sign	No	Shared Zone sign, speed sign, stop sign, accessible parking sign, no pedestrian access sign, pedestrian warning sign, pedestrian crossing			Regulatory signs are all exempt	Exempt
18	S11F/J	2x interpretive sign	No		450mm x 600mm	Between frontage and building to advise location of waiting bays	Yes Sign has an area of less than 2m ²	Exempt

11.1.15 Planners Advice Applicable Standards

C1.0 Signs Code

The following table is an assessment of the proposed signs to determine if Exempt and compliance with Acceptable Solutions.

No	Ref. No. on plan	Type of sign and No.	Illumi-nation	Description	Dimensions L x H x W	Location	Complies with Table C1.4 Exemption?	Complies with Table C1.6 Sign Standards?
19	S11H	1x pole sign	No		450mm x 600mm	Along the northern building side in front of pedestrian crossing	No exemptions	No Applicable Zone ✓ Applicable Standards ✗ (a) No projection outside title boundary ✓ (b) No more than 2 faces ✓ (c) 0.27m ² per face ✓ (d) Not specified but will be below 5m ✓ (e) 2m above top of kerb ✗
20	S13A-C	3x window sign	No		1.19m x 180mm - 235mm	Attached to the cashier or servery window on the southern building side	Exempt under clause C1.4.2 – 1st servery window and cashier window screened by vegetation and fence 2nd servery window sign exempts under Table C1.4 – sign occupies less than 10% of window, is on ground floor window, not illuminated and not subject to heritage considerations	

11.1.15 Planners Advice Applicable Standards

The below is a summary of the signs that are considered to rely on the Performance Criteria					
No	Ref. No on plan	Table C1.6	Setback residential zone	Illuminated	Discretion
1	P1	No	455mm	Yes	C1.6.1 P1.1, P2 C1.6.2 P1
1	P2	No	>2m	Yes	C1.6.1 P1.1 C1.6.2 P1
2	S2A/B	Yes	>2m	Yes	C1.6.2 P1
3	S3A-D	Yes	>2m	Yes	C1.6.2 P1
4	S5A	Yes	>2m	Yes	C1.6.2 P1
5	S5B	Yes	>2m	Yes	C1.6.2 P1
6	S14	Yes	>2m	Yes	C1.6.1 P2 C1.6.2 P1
7	S4A	Yes	>2m	Yes	C1.6.2 P1
8	S6A	No	>2m	Yes	C1.6.1 P1.1 C1.6.2 P1
9	S7A/B	Yes	>2m	Yes	C1.6.2 P1
11	S8A-E	Yes	>2m	Yes	C1.6.2 P1
12	S9A	Yes	>2m	Yes	C1.6.2 P1
13	S9B	No	>2m	No	C1.6.1 P1.1
16	S12	No	>2m	No	C1.6.1 P1.1
19	S11H	No	>2m	No	C1.6.1 P1.1

15.0 General Business Zone

Planning Scheme Provision	15.3.1 All uses
	Objective
	<i>That uses do not cause an unreasonable loss of amenity to residential zones.</i>
	Performance Criteria P1 <i>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to:</i> <i>(a) the timing, duration or extent of vehicle movements; and</i> <i>(b) noise, lighting or other emissions.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.


Scheme Provision	Planner's Assessment
15.3.1 Performance Criteria P1	<p>The development is proposed to operate 24 hours 7 days a week. This includes both the restaurant and the drive through components. The proposed hours of operation exceed that of the Acceptable Solution and, therefore, the application relies upon the corresponding Performance Criteria to demonstrate compliance with the Standard.</p> <p>To satisfy Performance Criteria P1 of Clause 15.3.1, hours of operation of a use on a site within 50m of a General Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to matters listed in subclauses a) and b).</p> <p>The definition of amenity in the Planning Scheme <i>means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.</i></p> <p>Unreasonable is not defined by the Planning Scheme. However, "Unreasonable loss of amenity" has previously been considered by the Tribunal who held that something is <i>unreasonable</i> if it is 'immoderate' or</p>

11.1.16 Planners Advice Performance Criteria

<p>Scheme Provision</p>	<p>Planner's Assessment</p>
	<p>'exorbitant'¹. The tribunal has found that the approach to consider a loss of amenity, must first consider the overall amenity that exists, then consider the loss of amenity, if any, caused by the proposal and whether that loss is 'immoderate' or 'exorbitant'².</p> <p>The Macquarie Dictionary defines these words as:</p> <p>Immoderate: <i>not moderate; exceeding just or reasonable limits; excessive; extreme.</i></p> <p>Exorbitant: <i>exceeding the bounds of custom, propriety, or reason, especially in amount or extent.</i></p> <p>Whilst not referred to by the Tribunal, the dictionary meaning for excessive is: <i>exceeding the usual or proper limit or degree; characterised by excess.</i></p> <p>The following assessment is considered within this context.</p> <p>The General Residential Zone adjoins the site to the north, east and south, and whilst the Utilities Zone adjoins the site to the west, the General Residential Zone is also within 50m of the site to the west. The aerial image below (Figure 1) demonstrates the existing development surrounding the site within 50m.</p> <div data-bbox="531 1285 1372 1910"> </div> <p>Figure 1: Aerial photo demonstrating the properties within 50m of the subject site.</p>

¹ *A & N McCullagh v Glamorgan Spring Bay Council* [2019] TASRMPAT 30 at [24]

² MCB Developments Pty Ltd v Launceston City Council (No2) [2023] TASCAT 234 at [23]

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	<p>For the context of considering an unreasonable loss of amenity, the existing amenity within the surrounding area and 400m radius of the site will be considered. 400m is considered a suitable distance to understand the existing amenity, because it is generally used in planning as a reasonable walking distance to public transport and activity centres, both of which are available within proximity to the subject site. Figure 2 below demonstrates a 400m radius from the site.</p>  <p>Figure 2: Aerial photo showing a 400m radius measured from the centre of the subject site.</p> <p>Existing Amenity</p> <p>There is a mix of uses within 400m of the site. This area is predominately residential in nature comprising both single and multiple dwellings (this includes freestanding and co-joined units). There are also a range of businesses that are clustered intermittently along Westbury Road. It is noted that Westbury Road extends from Richardsons Harley Davidson at the south to Wellington Steet at Gen Dhu Primary School (within City of Launceston Municipality) to the north and the pattern of businesses interspersed along Westbury Road extends the full length of Westbury Road.</p>

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	Whilst the residential use is the predominate use within 400m of the site, there are also a range of businesses and commercial uses along this section of road as identified in the table below.			
	Site	Zone	Use	Hours of operation (available to the public)
	Australian Italian Club 414 Westbury Road	General Residential	Community Purpose and Entertainment	Existing use. Open 7 days a week. With weekly events held. Available to hire for events and functions and can open late.
	375 & 377 Westbury Road	General Business	Vehicle Sales	Business hours
	369 Westbury Road	General Business	Business and Professional Services	Business hours
	367 Westbury Road	General Business	Manufacturing and Processing	Showroom available to public: Monday to Thursday: 8.00am to 4.30pm. Friday: 8.00am to 2.30pm.
	349 Westbury Road (CT: 23538/1)	General Business	Food Services (Butcher & Restaurant)	Butcher: Monday to Friday: 7am to 6pm. Saturday: 8am to 1pm.

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				Restaurant: Tuesday to Sunday: 11.30am-2.30pm & 4.30pm to 7.30pm.
	Prospect Vale Marketplace	350-364 Westbury Road	General Retail and Hire	<p>Service Station: daily 6am to 10pm (note all external light, other than security lighting is turned off at 10pm).</p> <p>BWS: Monday – Thursday 9.00am to 9.00pm. Friday – Sunday 9.00am to 10.00pm.</p> <p>Shopping Centre:</p> <p>Woolworths: 7am to 10pm daily.</p> <p>Reject Shop: Monday – Thursday & Saturday: 8.30 am - 5.30pm. Friday: 8.30am -7.00pm. Sunday: 9am -5pm.</p> <p>Charcoal Chicken: 9am to 8pm daily.</p> <p>Subway: Monday – Saturday: 8am – 10pm. Sunday: 9am - 10pm.</p> <p>Celebration: Sunday – Thursday: 10am - 7pm. Friday – Saturday: 10am – 8pm.</p>

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				Other business close within the complex earlier than 10pm.
	Denture Care Clinics 335 Westbury Road	General Residential	Business and Professional Services	Monday – Wednesday: 8.30am – 5.30pm.
	Goodstart Prospect Vale 5 Stuart Avenue	General Residential	Educational and Occasional Care (Child Care Centre)	Monday – Friday: 6.30am to 6.30pm.
<p>As the above table demonstrates, there are a range of businesses that are within 400m of the site that operate during various hours. Other than the Australian Italian Club, these businesses are not open to the public before 6.00am and close at 10pm. It is noted that whilst not open to the public outside these hours, employees working at these businesses are likely to be at the business outside these hours (such as bakers and night fill employees of Woolworths for example).</p> <p>The Prospect Vale Marketplace is the main complex that is within the area that is externally illuminated. The car park is lit and there is also illuminated signage on the façade of the building and the illuminated sign at the main entrance to the site. The Ampol Service Station, also located at this site, closes at 10pm and the lights under the canopy and the petrol price sign are switched off at this time. This reduces the level of lighting of the site from 10pm onwards.</p> <p>These businesses that also operate from within the marketplace have also been observed to emit odour. The odour that has been experienced is from cooking, such as cooking chickens and bread. At times, these odours can be</p>				

Scheme Provision	Planner's Assessment																
	<p>experienced beyond the boundary of the property. This as has also been identified in the representations submitted.</p> <p>Westbury Road is an arterial road collecting traffic from Prospect Vale, Blackstone Heights and surrounding suburbs, and providing a connection to north (Launceston and surrounds) or areas to the south (Bass Highway). Due to its function, is serves more than local residents within the area and is used during all hours of the day and night. Westbury Road is also afforded street lighting and is generally suitably lit to provide for an appropriate level of safety for road users and pedestrians allowing for passive surveillance. The level of brightness on Westbury Road constantly changes during nighttime periods due to the headlights from vehicles using the road.</p> <p>The submitted Acoustic Assessment Report included monitoring of the site to determine background noise levels. Noise monitoring was undertaken at the subject site between 11.30am on Wednesday 25 January and 10.00am on Wednesday 8 February 2023 to quantify the background noise levels. This was measured at the rear (eastern) boundary of the site.</p> <p>The measured background and ambient noise levels measured in dB are recorded below.</p> <table><tr><th>Period</th><th>Time Period</th><th>Measured background noise levels, LA90, 15 minute</th><th>Measured typical ambient noise levels, LAeq, 15 minute</th></tr><tr><td>Day</td><td>(0700 - 1800 hours)</td><td>38</td><td>44</td></tr><tr><td>Evening</td><td>(1800 – 2200 hours)</td><td>36</td><td>42</td></tr><tr><td>Night</td><td>(2200 – 0700 hours)</td><td>28</td><td>32</td></tr></table> <p>Figure 3: Measured background and ambient noise levels (dB). Source: Clarity Acoustics 2024:11.</p> <p>As such the background noise during nighttime periods (10pm to 7am) is considered very quiet at 28dB.</p> <p>The main noise source during the nighttime period is considered to be from traffic from the road network. It is noted that a representor stated that they can hear traffic from the Bass Highway (to the east of the subject site) during certain times.</p> <p>The above is a summary of what currently experienced within 400m of the site which aids in forming an understanding of the amenity of the broader</p>	Period	Time Period	Measured background noise levels, LA90, 15 minute	Measured typical ambient noise levels, LAeq, 15 minute	Day	(0700 - 1800 hours)	38	44	Evening	(1800 – 2200 hours)	36	42	Night	(2200 – 0700 hours)	28	32
Period	Time Period	Measured background noise levels, LA90, 15 minute	Measured typical ambient noise levels, LAeq, 15 minute														
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	area in consideration of existing use and development, hours of operation, lighting, odour, traffic and noise.
<p>15.3.1 Performance Criteria P1(a)</p>	<p>The application proposes to operate for 24 hours a day, 7 days a week. Both the restaurant (available for indoor ordering, collection and dining) and the drive through are proposed to operate during these hours.</p> <p>The proposed site will be accessed via a single vehicle crossing located to the north of the site and pedestrian access paths will also be available off Westbury Road to the entrance of the restaurant. The access way will be located on the northern side of the site, with car parking available between the access way and the main building. 38 car parking spaces are proposed. The drive through will be accessible from the access way, towards the east of the site. Two ordering points will be provided to the eastern side of the site, and there will be room for three vehicles to queue in each ordering line within the drive through. From the point of ordering, vehicles within the drive through will then circulate around the perimeter of the site to where the orders will be paid for and collected along the southern side. Waiting bays are proposed along the western side of the building.</p> <p>Given the proposed 24 hour operation of the site, there is an ability for vehicles accessing the site constantly. The submitted Traffic Impact Assessment (TIA) report has adopted 170 peak hour vehicle movements for the weekday PM and Saturday peak hours. This equates to 85 vehicles entering and 85 vehicles exiting the site during peak hours. Council has identified the peak hours of vehicle traffic on Westbury Road as 7.30am to 9am and 3pm to 6pm weekdays, and 10am to 1pm on weekends.</p> <p>The TIA assumes that 35% of traffic movements will be from existing external road traffic travelling past the site. This equates to 110 vehicle movements (of the 170 vehicles movements per peak hour) that are additional vehicles onto Westbury Road, based on current traffic volumes (this does not consider the traffic that was generated by the previous use (roadhouse and service station)).</p> <p>It is considered that vehicles using the drive through will be at the site for less time, compared to those who are going into the restaurant to order. The vehicles will circulate through the drive through, whereas for those</p>

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	<p>patrons going into the restaurant, those vehicles will only access the northern side of the site being the car park.</p> <p>The access way of the car park provides for two-way traffic, including the circulation area to the east of the site. Heavy rigid delivery vehicles and waste collection vehicles will require the full width of the access to enter the site, and also the full width of the circulation area to enable entry and exit from the loading bay.</p>
<p>15.3.1 Performance Criteria P1(b)</p>	<p>The application included an Obtrusive Light Analysis (OLA), Acoustic Assessment Report (AAR) and an Odour Risk Analysis (ORA). It is noted that a Report Addenda dated 21 August 2024 was submitted for the Acoustic Assessment Report to consider the proposed amendments. A memorandum to the Odour Assessment Report dated 20 August 2024 was also submitted to provide further commentary regarding odour emission.</p> <p><u>Lighting</u></p> <p>The proposed external lighting includes pole-mounted area lights for the carpark and driveways, wall-mounted area lights and illuminated signage. The obtrusive light analysis has considered the proposed external lighting, illuminated signage and spill from vehicle headlights. The findings of this analysis are that lighting from the development will be within the limits accepted in the <i>Australian Standard AS/NZS4282:2023 Control of the obtrusive effects of outdoor lighting</i> (as explained further in 15.3.1 P2 below), and that the lighting emissions from headlight beams traversing the drive through are contained within the site through the fencing proposed at the boundaries of the property. It is noted that the OLA requires that the northern pylon sign be extinguished at 10pm daily. If approved, a condition will be required to enforce this.</p> <p>Council's Environmental Health Officer has provided comments regarding lighting in the internal referral section at the beginning of the report. Regard has been had to these comments in the consideration of lighting. It is concluded that sufficient information is provided within the OLA to conclude that the requirements of AS/NZS 4282:2023 can be met and, therefore, no unreasonable loss of amenity to the residential zone would arise from external lighting. A condition requiring a certification report in accordance with AS/NZS 4282:2023 is recommended if approval is given, to demonstrate</p>

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	<p>that the lighting installations have been installed and are compliant with the Australian Standard.</p> <p>The OLA submitted, has not been amended to reflect the amended site plan submitted. If approved, an amended OLA will need to be submitted to reflect the proposed amended layout and to demonstrate that compliance with the Australian Standard will be maintained.</p> <p><u>Noise</u></p> <p>Council's Environmental Health Officer has provided a detailed response regarding the assessment of the noise in the internal referral section at the beginning of this report and regard is had to this for consideration against the Performance Criteria P1.</p> <p>An Acoustic Assessment Report by Clarity Acoustics has been included in the application documentation and a Report Addenda has been submitted in response to the amended layout of the site. The AAR concludes the adopted assessment criteria for the site can be met with the implementation of a perimeter acoustic fencing to the northern, eastern and southern boundaries, restricting the timing of commercial vehicle movements to and from the site, switching off the refrigeration condensers of delivery vehicles, selecting mechanical plant with sound power levels as included in the modelling for the report, operating the air conditioning units in low-speed during the night period, specifying materials and design of speed humps and metal grates in trafficable areas, and providing localised acoustic screenings for the roof mounted refrigeration unit and loading bay.</p> <p>It is noted that the Planning Scheme does not stipulate criteria for noise and Tasmanian does not have a specific legislated criteria for noise emissions from commercial premises in Tasmania. As such, the AAR has adopted criteria considered most suitable for the site and adjoining environment, influenced by criteria from other states.</p> <p>Council engaged James Heddle, an acoustic consultant to review the submitted documentation. It is concluded that the daytime and evening findings of the report are satisfactory in that the noise levels emitted from the site will not cause an unreasonable loss of amenity to adjoining residential properties. However, the findings for nighttime noise (10pm to 7am) in particularly for the drive through were not supported.</p>

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	<p>It is concluded in the opinion of Mr Heddle that the criteria adopted by the acoustic consultant does not adequately demonstrate that amenity will not be unreasonably impacted overnight for residents that adjoin the drive through. Mr Heddle has identified the main acoustic issues of the proposal is 'disturbance to residence due to noise from the operation of patron vehicles, not that from mechanical services or the speaker boxes. This is particularly for the drive through path, as this is in the closest proximity to residential receivers and for the night period when the ambient noise is very low (28dBA)' ('Acoustic Assessment – Peer Review – Addendum').</p> <p>In the absence of octave band measurements, spectral data and criteria suggested by Mr Heddle to demonstrate the nighttime noise for the operation of the drive through is reasonable, it cannot be concluded if with the drive through operating 24 hours a day 7 days a week, there will not be an unreasonable loss of amenity on the adjoining residential properties.</p> <p>As such, if the proposal is approved, it is recommended that the drive through be open between the hours of 6.00am and 11.00pm daily and that from 11.00pm to 6.00am it be closed, and traffic prohibited from entering the drive through. Furthermore, a Noise Management Plan is recommended to require measuring of noise upon commencement of the use, and again within 12 months of commencement to demonstrate compliance with the adopted noise criteria, along with a complaints register and response mechanism.</p> <p>If approved, and the drive through closed between 11.00pm and 6.00am, patrons using vehicles to access the site will be required to park within the car park. It is considered, that during these overnight periods, people are more likely to park as close to the entrance of the restaurant as possible. Given the proposed acoustic fences and separation distance of the car park from the adjoining residential properties, noise within the car park is not considered to cause an unreasonable loss of amenity to the adjoining residential properties.</p> <p>With the adoptions of the measures listed in the AAR and subsequent Addenda, and the closure of the drive through between 11.00pm and 6.00am daily, it is considered that an unreasonable loss of amenity will not be experienced by the adjoining residential properties in regard to noise generated by the proposed use.</p>

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	<p>The comments from James Heddle regarding the acoustic assessment are attached ('Acoustic Assessment – Peer Review' & 'Acoustic Assessment – Peer Review – Addendum').</p> <p><u>Odour</u></p> <p>Council's Environmental Health Officer has provided a detailed response regarding the assessment of the odour in the internal referral section at the beginning of this report and regard is had to this for consideration against the Performance Criteria P1.</p> <p>The ORA identifies the sources of odour from the proposed development to be vehicle exhausts, garbage/dumpsters, and odour from rooftop exhausts/mechanical ventilation beyond the building. The assessment is based on information and observations from the operations of two existing McDonalds Restaurants in the City of Launceston (CoL) municipality, namely South Launceston and Invermay and considers the meteorological conditions present at the proposed development site.</p> <p>City of Launceston have confirmed that no complaints have been received regarding odour from the three McDonalds businesses operating within their municipality.</p> <p>Whilst odour from cooking was observed intermittently from the field investigations undertaken by the consultants who completed the OSA, it is concluded that the risk of loss of amenity caused by nuisance odour is low for residences to the north and east of the site and low to moderate for the residences to the south and southeast of the site. It is acknowledged that the development site is closely situated to the Prospect Vale Marketplace which contains food premises which intermittently emit odours. The dominant odour from this facility is chickens being cooked at Charcoal Chicken. There is also an Asian food business immediately adjacent to the development site to the south. To mitigate the potential impact from the roof top exhaust on the residences to the south and southeast, the ORA recommends that the rooftop ventilation installed has an exhaust air speed of 2 metres per second or more, "sufficient to force the odour well clear of the roof and ensure that any low flow 'void' areas on the rooftop are cleared to aid in dispersion of odour".</p> <p>Vehicle emissions have also been considered in the submitted documentation, including the memorandum, which concludes that vehicle</p>

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	<p>emissions are expected to be unnoticed on the other side of the acoustic fence, which was tested during field investigations, and states 'that the fencing/screens do not retain vehicle exhaust' and that there is 'very little chance of vehicle gas buildup' due to the site specific environmental conditions at Prospect Vale, the operational efficiencies and design of McDonald's drive throughs and improvements in emission control in vehicles.</p> <p>Whilst odour may be experienced from the site intermittently, with the recommended exhaust speed for the rooftop exhaust units be greater than 2 metres per second to disperse the odour, odour generated from the site is not considered to cause an unreasonable loss of amenity to the adjoining residential properties.</p>
<p>15.3.1 Performance Criteria P1 Conclusion</p>	<p>The submitted lighting, noise (other than for nighttime noise) and odour assessments have demonstrated, that with the recommendation of each report, that individually each component of the development will not provide an unreasonable loss of amenity to adjoining properties.</p> <p>The existing adjoining dwellings are located at various distances to the subject site, with six units (unit 3/10, and the four units at 349 & 3/343 Westbury Road, Prospect Vale) being the closest to site. The amenity afforded to adjoining properties is high given the use of the site has ceased since 2022. However, this does not prohibit the subject site from be used and developed. What needs to be considered is if there will be an unreasonable loss of amenity to those residential uses through the hours of operation proposed. As explained above, the area already has established businesses operating within the area until 10pm at night. The proposed use will see the site used 24 hours a day 7 days a week. Lighting impacts can be appropriately managed to be compliant with the requirements of the Australian Standard. Odour emitted from the site may be intermittently observed. Noise from vehicles within the site and the operation of the Food Services Use, can be to an appropriate level for daytime, evening periods. Whilst traffic within the car parking area is considered appropriate during the nighttime period, the use of the drive through during nighttime periods has not been satisfactorily demonstrated to not cause an unreasonable loss amenity. It is, therefore, recommended that the drive through component be closed from 11.00pm to 6.00am.</p> <p>The use of the site will generate a level of lighting, noise and odour to the residential properties within the surrounding area. However, Westbury Road is already well lit with streetlights and lights from the car park at the Prospect</p>

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	<p>Vale Marketplace. Odour during the nighttime periods is currently not experienced due to the businesses within the Prospect Vale Marketplace and adjoining site (butcher and restaurant) being closed from 10pm (see table above for hours of operation).</p> <p>Whilst the site is measured as being very quiet, Westbury Road generates noise throughout the day and night period. However, as a result of the development, noise will be closer to the residential properties than currently experienced. The AAR, through the inclusion of acoustic boundary fences and screens, has demonstrated that the noise within the car parking area (not drive through) will be to a satisfactory level overnight. This is supported given the setback distances from the access way and car park and the slow traffic speed environment of the area.</p> <p>There will be a change of amenity to the adjoining residential zoned properties to what is currently experienced. However, the use of the restaurant component being 24 hours a day 7 days a week operation, and the drive through being open between 6.00am and 11.00pm daily, is not considered to result in a change in amenity as being immoderate or exorbitant that would consider it to be unreasonable. The hours recommended for the opening of the drive through (6.00am to 11.00pm) are considered to be a small extension to the hours of operation of existing businesses within the area and are not likely to cause an unreasonable loss of amenity to adjoining residents, as an adequate down time from traffic and noise generated from the drive through of 7 hours is provided for. The lights within the drive through can also be switched off during this period, and replaced with security lighting which must be baffled so that direct light does not extend into adjoining properties, which is considered to reduce the level of illuminance for those properties that adjoin the drive through to the east and south.</p> <p>Cumulative impacts from noise, lighting and odour may arise through these emissions occurring simultaneously. However, the site will be illuminated when dark only. The identified peak operating periods that may result in increased traffic and potentially odour from the site is during day and early evening periods. Whilst there may be a level of annoyance observed from adjoining residents, the combined impact of noise, lighting and odour at which each component is considered to operate at a level reasonable to adjoining amenity, and is not considered to be significant to be unreasonable. The impacts from the proposed development to adjoining residential</p>

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	<p>properties is more likely to occur from the operation during night time periods, predominately from noise from traffic and patrons. The closure of the drive through between 11.00pm and 6.00am is considered to further mitigate noises generated from the use of the drive through on adjoining properties.</p> <p>The proposed hours of operation will not create a building or place in which the amenity is so unreasonable that it is not harmonious, pleasant or enjoyable. There will be a level of adaption required from the continuous operation creating additional noise and traffic and intermittent odour that is currently not experienced but is not anticipated to be at a level that is considered unreasonable. However, through the supporting reports and recommended conditions, the proposed hours of operation are not considered to be so unreasonable that adjoining properties could not enjoy their property and experience an unreasonable loss of amenity.</p> <p>It is noted that the environmental nuisance provisions under <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA) can be applied, if required, when the business is operational. This provides the ability to issue an Environmental Protection Notice if it is demonstrated that an environmental nuisance is being generated from the proposed use and could result in amendments to conditions on the Planning Permit, if approved.</p> <p>With recommended conditions including limiting the use of the drive through to be between 6.00am and 11.00pm daily, the proposed hours of operation for the use of the site is considered to satisfy Performance Criteria P1. In this regard, the proposed use is not likely to cause an unreasonable loss of amenity to the residential zone.</p>

15.0 General Business Zone

Planning Scheme Provision	15.3.1 All uses
	Objective
	<i>That uses do not cause an unreasonable loss of amenity to residential zones.</i>
	Performance Criteria P2 <i>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i> <ul style="list-style-type: none"> <i>(a) the level of illumination and duration of lighting; and</i> <i>(b) the distance to habitable rooms of an adjacent dwelling.</i>

Summary of Planner's Advice


The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
15.3.1 Performance Criteria P2	<p>The proposed development will require external lighting to light the car park, circulation spaces and drive through. The external lights will operate outside the nominated hours in the Acceptable Solution and therefore the application relies upon the corresponding Performance Criteria (P2) to demonstrate compliance with the Standard.</p> <p>The two pylon signs and some signage are also proposed to be illuminated. Clause C1.6.2 – Illuminated signs of the Signs Code provides a specific provision for illuminated signs. Therefore, the proposed illuminated signs will not be considered in the assessment of this provision (15.3.1 A2 & P2) as the signs code appropriately assesses the illumination and is considered to prevail.</p> <p>The site adjoins the General Residential Zone and it must be demonstrated that the external lighting for the Food Services use must not cause an unreasonable loss of amenity to the residential zone having regard to:</p> <ul style="list-style-type: none"> (a) the level of illumination and duration of lighting; and (b) the distance to habitable rooms of an adjacent dwelling.

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	<p>This is considered in the assessment below.</p> <p>The proposed external lighting includes pole-mounted area lights for the carpark and driveways and wall-mounted area lights. The application included an Obtrusive Lighting Analysis (OLA) by Rubidium Light (Version: V7, dated 10/06/24).</p> <p>The OLA includes modelling and an evaluation of these light sources for compliance with <i>Australian Standard AS/NZS4282:2023 Control of the obtrusive effects of outdoor lighting</i>, as well as the potential for headlight beams of vehicles on the site to impact on surrounding residences. It is acknowledged that the acoustic fences to the northern, eastern and southern boundaries, and the 1500mm high fence to part of the western boundary (Westbury Road) were included in the modelling.</p> <p>The criteria for lighting in AS/NZS4282:2023 are distinguished by location. The area where the proposed development site is located is classed as 'A4 High district brightness' – town and city centres and other commercial areas/residential areas abutting commercial areas.</p> <p>There are two main considerations when assessing effects on surrounding residents when assessing outdoor lighting: the illumination from spill light being obtrusive (e.g. light entering a habitable room), and the direct view of bright lights causing annoyance. These are measured via illuminance (lux) and luminous intensity (candela, cd) respectively.</p>
<p>15.3.1 Performance Criteria P2(a)</p>	<p>The operation will be 24 hours a day, 7 days a week. Illumination will be provided from dusk to dawn. Exterior lights will be controlled by timelock and PE cells (Rubidium Light 2024:4 – Version 7).</p> <p>The development includes a combination of different watt lights on 4m, 6m and 8m poles to achieve compliance with <i>AS/NZS1158.3.1:2005 – Lighting for roads and public spaces for outdoor carparks</i> (Rubidium Light 2024:5 & 7 – Version 7). 4m high poles are located towards the eastern boundary, southern and western boundary and carpark near the staff parking. 6m poles are located toward the northern boundary and near the exit to the site and near the loading bay carpark. 8m poles are located within the main car park area. Refer to Figure 1 and 2 which shows the height of the poles and proposed layout.</p>

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	<p>The lights have been selected to direct light onto the subject site, with minimal spill outside the boundaries and have zero upward light component. The lights located on the site boundary are to be fitted with backlight shields to cut off light emitted in the directions of dwellings (Rubidium Light 2024:7 – Version 7).</p> <div data-bbox="440 586 1445 801"></div> <p><i>Figure 4: Cross-section of the site from Westbury Road demonstrating the height of light poles. Source: Rubidium Light 2024:10)</i></p>

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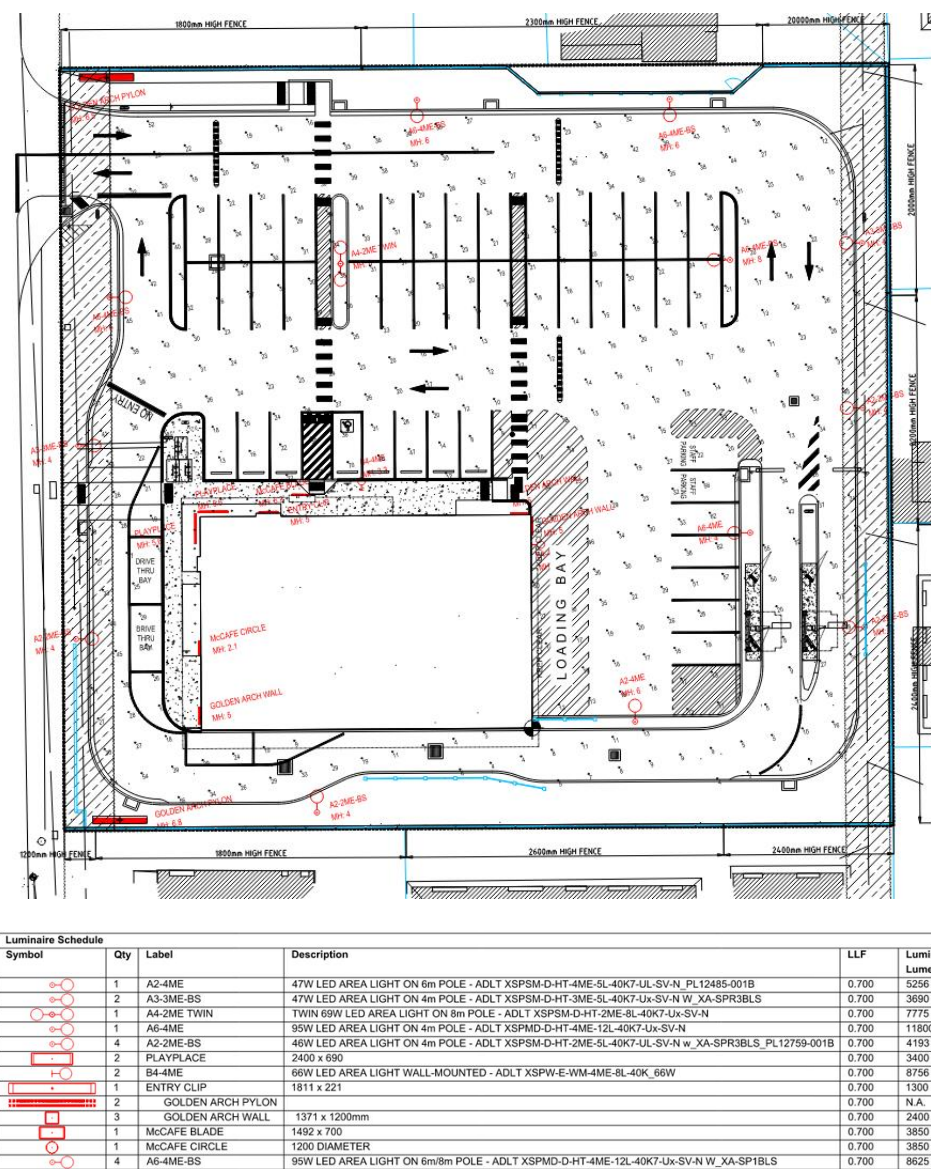



Figure 5: Electrical Services, Lighting, General Arrangement. Source: Rubidium Light 2024:9)

The OLA included Illuminance and Intensity calculations for the relevant boundaries at the dwellings along Westbury Road and to the north, east and south boundaries. The OLA concludes that the pre-curfew and curfew operation of lighting will comply with the requirements of AS/NZ AS/NZS4282:2023 *Control of the obtrusive effects of outdoor lighting*. It is noted that the curfew operation requires the northern pylon sign to be switched off to achieve compliance.

AS/NZS4282:2023 requires for 'A4 High district brightness', new lighting installations during non-curfew hours (6:00am-11:00pm) must not exceed a maximum luminous intensity of 25 000 cd, and 2 500 cd during curfew hours (11:00pm-6:00am). The modelled values at the relevant boundary between

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Scheme Provision	Planner's Assessment
	<p>the adjoining residential zone and the development site range from 336-1734 cd.</p> <p>Modelled luminous intensity calculations were also provided for horizontal planes at each of the adjoining dwellings and the cd requirements were met for both curfew and non-curfew hours.</p> <p>For 'A4 High district brightness', the criteria limits during non-curfew hours (6am-11pm) are 25 lux and 5 lux during curfew hours (11:00pm-6:00am). The modelled values range from 0-11 lux during non-curfew hours and 0-5 during curfew hours at the relative boundary, and therefore meet the criteria limit.</p> <p>Lighting emissions from headlight beams traversing the site are said to be contained within the site using opaque fencing along the northern, eastern and southern boundaries, and with a 1500mm high opaque barrier along part of the Westbury Road frontage.</p>
<p>15.3.1 Performance Criteria P2(b)</p>	<p>The site is surrounded by dwellings (both single and multiple) to the north, east and south. Dwellings are also located to the west of Westbury Road. These dwellings have been identified as sensitive receptors for lighting and assessed in the OLA. The OLA included an analysis of head-light beams of vehicles using the site to determine if there is potential for intrusion into the habitable rooms of the dwellings. The proposed acoustic fences to the north, east and south, and the opaque 1500mm high barrier proposed along Westbury Road are demonstrated to contain light spill from headlights from vehicles using the site.</p> <p>A lighting plan is demonstrated in (a) above. There are varying distances to habitable rooms on adjacent dwellings to the external lighting sources.</p> <p>There are four units to the south that have habitable rooms approximately 3-4m from the shared boundary. There is also a unit to the east of the site that has habitable rooms setback 2.5m from the boundary. The closest unit to the north has a habitable room 3m from the boundary. The dwellings to the west are separated by Westbury Road.</p>

<p>Scheme Provision</p>	<p>Planner's Assessment</p>
	 <p><i>Figure 6: Aerial photo showing the dwellings adjoining the subject site.</i></p>
<p>15.3.1 Performance Criteria P2 Conclusion</p>	<p>The proposed external lighting has been assessed as satisfying Performance Criteria P2 (a) and (b) and is consistent with the objective. The proposed external lighting is demonstrated to meet the requirements of AS/NZS 4282:2023 and on this basis the external lighting will not cause an unreasonable loss of amenity to the residential zone. To ensure that the external lighting is as modelled, if approved, a condition is recommended to require a certification report in accordance with AS/NZS 4282:2023.</p> <p>Recommended Condition:</p> <ul style="list-style-type: none"> a) Prior to commencement of use the following must be submitted to the satisfaction of Council's Town Planner and Environmental Health Officer: <ul style="list-style-type: none"> i) A certification report completed by a suitably qualified person, to demonstrate that the external lighting is installed and operates in accordance with AS/NZS 4282:2023.

15.0 General Business Zone

Planning Scheme Provision	15.4.2 Setbacks
	Objective
	<p><i>That building setback:</i></p> <ul style="list-style-type: none"> <i>(a) is compatible with the streetscape;</i> <i>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones; and</i> <i>(c) minimises opportunities for crime and anti-social behaviour through setback of buildings</i>
	<p>Performance Criteria P2</p> <p><i>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</i> <i>(b) overlooking and reduction of privacy to the adjoining property; or</i> <i>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
15.4.2 Performance Criteria P2	<p>As a result of the submitted amended plans the proposed canopy and gantry will be setback will be greater than 5m from the boundary and complies with the setback requirement of the Acceptable Solution. However, the acoustic screen located toward the south of the site will not achieve the 5m setback requirement of the Acceptable Solution, being 3.1m from the southern boundary at the closest point. Therefore, the application requires assessment against the corresponding Performance Criteria (P2) to demonstrate compliance with the standard.</p> <p>The acoustic screens along this section will have a height of 2.1m and 2.3m.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
<p>15.4.2 Performance Criteria P2(a)</p>	<p>The height and setback of the acoustic screen will not overshadow or cause a reduction in sunlight to habitable rooms and private open space of adjoining dwellings because the shadows cast from the screens will be captured by the proposed acoustic boundary fence.</p>
<p>15.4.2 Performance Criteria P2(b)</p>	<p>The acoustic screens being 2.1 and 2.3m in height located on the southern side of the drive through will provide for privacy and prevent overlooking to adjoining properties from vehicles using the drive through.</p>
<p>15.4.2 Performance Criteria P2(c)</p>	<p>The proposed fence, located to the southern side of the site and to the side of the main building, will have a length of approximately 15m, with a height of 2.1m and 2.3m. The scale and bulk is modest and will be dominated by the main restaurant building which has an overall height of 7.2m. Considering the proposed 2.1m high acoustic fence along the southern boundary, when viewed from the adjoining properties to the south, the screen will not be seen. Landscaping is also proposed between the boundary fence and the screen.</p> <p>The height and length of the screen is not considered to cause any visual impacts when viewed from the adjoining properties to the east.</p>
<p>15.4.2 Performance Criteria P2 Conclusion</p>	<p>The siting of the acoustic screens will not cause an unreasonable loss of amenity to adjoining properties. The overshadowing will be contained within the property and there will be no reduction of privacy through overlooking. The acoustic screens are unlikely to be visible, from the adjoining properties to the south due to the proposed 2.1m acoustic boundary fence. As such, Performance Criteria 15.4.2 P2 is satisfied.</p>

15.0 General Business Zone


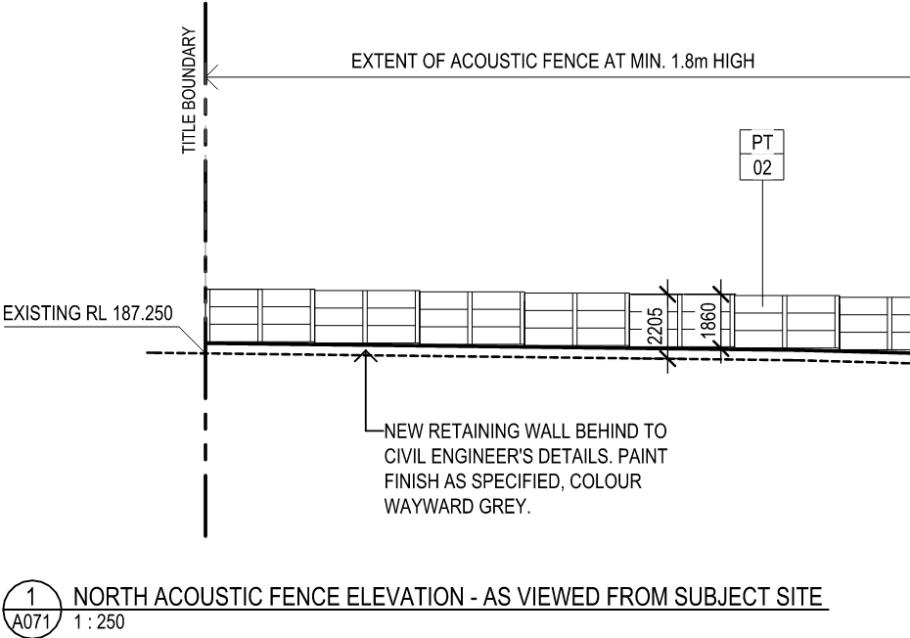
Planning Scheme Provision	15.4.4 Fencing
	Objective
	<p><i>That fencing:</i></p> <ul style="list-style-type: none"> <i>(a) is compatible with the streetscape; and</i> <i>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</i>
Planning Scheme Provision	Performance Criteria P1
	<p><i>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) its height, design, location and extent;</i> <i>(b) its degree of transparency; and</i> <i>(c) the proposed materials and construction.</i>

Summary of Planner's Advice

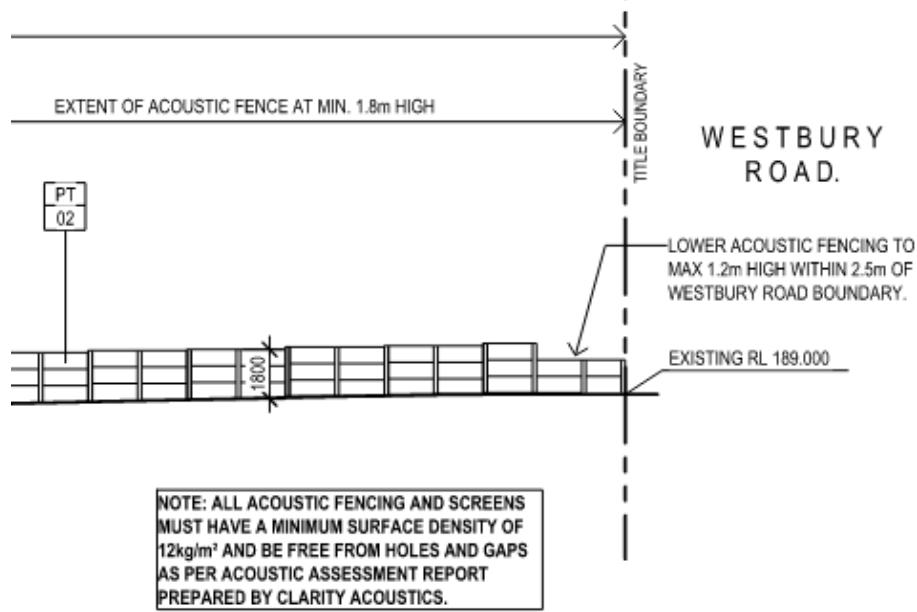



The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
15.4.4 Performance Criteria P1	<p>The proposal includes the construction of 1.5m high opaque fence that is 13.5m long extending north from the south-western corner of the site. This is located within the frontage, being approximately .84m from the front boundary. This fence is proposed to prevent light spill from the drive through lanes to properties on the western side of Westbury Road.</p> <p>Acoustic fencing is also proposed along the common boundaries to the northern and southern side. These fences will extend to the front boundary. The fences within 4.5m of the front boundary are solid and will exceed 1.2m in height and, therefore, will not meet the fencing exemption in the Planning Scheme. As the exemption is not met and there is no Acceptable Solution for this standard, the corresponding Performance Criteria is relied upon.</p>
15.4.4 Performance Criteria P1(a)	<p>The 1.5m high opaque fence, will be a solid wall located .84m from the front boundary. It will extend 13.5m from the south-west corner to the north.</p>

Scheme Provision	Planner's Assessment
	<div data-bbox="427 342 1422 853"><p>NEW 13.5m LONG, 1.5m HIGH OPAQUE FENCE TO PREVENT LIGHT SPILL FROM DRIVE THRU LANE VEHICLES. REFER DRAWING A205 FOR FINISH.</p></div> <div data-bbox="564 889 1361 922"><p>Figure 7: Diagram of the opaque fence. Source: Application documents.</p></div> <p>The acoustic fences will be a solid fence. The northern acoustic fence will have a height of 1.8m on top of a retaining wall having a finished height of 2.205m within 4.5m from the frontage.</p> <div data-bbox="520 1113 1434 1749"><p>EXTENT OF ACOUSTIC FENCE AT MIN. 1.8m HIGH</p><p>EXISTING RL 187.250</p><p>NEW RETAINING WALL BEHIND TO CIVIL ENGINEER'S DETAILS. PAINT FINISH AS SPECIFIED, COLOUR WAYWARD GREY.</p><p>PT 02</p><p>2205</p><p>1860</p><p>1 NORTH ACOUSTIC FENCE ELEVATION - AS VIEWED FROM SUBJECT SITE A071 1 : 250</p></div> <div data-bbox="462 1794 1463 1827"><p>Figure 8: Excerpt of the northern acoustic fence elevation. Source: Application documents.</p></div> <p>The southern acoustic fence will be 1.2m in height for the first 2.5m to maintain sight distance for the adjoining properties to the south. From 2.5m east, it will increase in height to 1.8m within 4.5m from the frontage.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment							
	<div></div> <p>Figure 9: Excerpt of the southern acoustic fence elevation. Source: Application documents.</p>							
15.4.4 Performance Criteria P1(b)	Both the opaque fence and acoustic fences will be solid and not have any degree of transparency.							
15.4.4 Performance Criteria P1(c)	<p>The 1.5m high opaque fence will be a solid structure with a paint finish coloured wayward grey.</p> <table><tr><td>PT</td><td>02</td><td>MAIN BUILDING WALLS AND LOW HEIGHT WALL</td><td>PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION</td><td>DULUX</td><td>WAYWARD GREY PG1G8</td><td></td></tr></table> <p>Figure 10: Colour schedule for the opaque fence. Source: Application documents.</p> <p>The details regarding the material and construction for the acoustic fence are not stated in the application documentation. However, the acoustic fence must have a minimum surface density of 12kg/m² and be free from holes and gaps as per the acoustic assessment prepared by Clarity Acoustics. The applicant has verbally confirmed that the fence will be a solid timber structure.</p>	PT	02	MAIN BUILDING WALLS AND LOW HEIGHT WALL	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG1G8	
PT	02	MAIN BUILDING WALLS AND LOW HEIGHT WALL	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG1G8			

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
<p>15.4.4 Performance Criteria P1 Conclusion</p>	<p>The proposed fences are considered to contribute positively to the streetscape. The streetscape for Westbury Road is not consistent. There are varying levels of treatment of the frontages. Some existing businesses do not have any treatment to enable vehicles to park to front of buildings (eastern side of Westbury Road), whilst other businesses have established levels of vegetation across the frontage. The Prospect Vale Marketplace includes an established hedged to the front. The frontages of residential single and multiple dwellings also vary. Some include low level fences with hedging extending above, to solid fences finished in colorbond, brick or timber. Some frontage fences include a solid fence and toppers to enable passive surveillance whilst others are fully solid. There is also a range of treatments where the side boundary fences meet the frontage. Some are tapered, reducing in height to the frontage, whilst others maintain a consistent height to the frontage. These heights can range between 1.2m to 1.8m. The proposed fencing within the frontage is not at odds with the established character. A landscape plan also demonstrates low lying landscaping to the front of the opaque fence and continues between the fence the vehicle crossover. As such, the Performance Criteria is satisfied.</p>

15.0 General Business Zone

Planning Scheme Provision	15.4.4 Fencing
	Objective
	<p><i>That fencing:</i></p> <p>(a) <i>is compatible with the streetscape; and</i></p> <p>(b) <i>does not cause an unreasonable loss of residential amenity to adjoining residential zones.</i></p>
Planning Scheme Provision	Performance Criteria P2
	<p><i>Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:</i></p> <p>(a) <i>their height, design, location and extent; and</i></p> <p>(b) <i>the proposed materials and construction.</i></p>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
<p>15.4.4 Performance Criteria P2</p>	<p>An acoustic fence of varying heights is proposed along the common boundary to the north, east and south of the site. The heights range from 1.8m to 2.6m. It is noted that a retaining wall will be required along the northern and eastern boundary increasing the height of the acoustic fence in some sections. The Acceptable Solution (15.4.4 A2) permits common boundary fences with a property in a General Residential Zone, if not within 4.5m of a frontage, to have a height above existing ground level of not more than 2.1m.</p> <p>The 1.8m high fence to the south of the site will not require a retaining wall and complies with the Acceptable Solution. The amended plans also show a 2.1m high acoustic boundary fence to the south of the site shared with the four units at 349 Westbury Road. The amended plans also show the fence shared with 3/10 Chris Street to be 1.8m in height. However, given the existing height of the fence is 2.1m and is a new paling fence, the applicant has stated that this fence will remain as is but will be treated with acoustic material on</p>

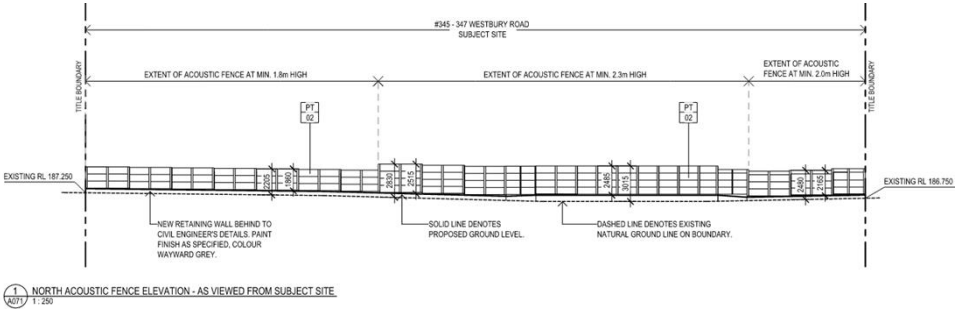
11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>the proposal side. These amended boundary fences to 349 Westbury Road and 3/10 Chris Street also complies with the Acceptable Solution.</p> <p>All other fences will exceed 2.1m in height when considering the overall height from existing ground level to the highest point, which includes the retaining wall. Therefore, the Acceptable Solution is not complied with, and the corresponding Performance Criteria is relied on.</p> <p>To satisfy Performance Criteria P2 of Clause 15.4.4, common fences with a property in a General Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity having regard to matters listed in subclauses a) and b).</p> <p>The definition of amenity in the Planning Scheme <i>means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable</i>. Unreasonable is not defined by the Planning Scheme. However, "<i>Unreasonable loss of amenity</i>" has previously been considered by the Tribunal who held that something is <i>unreasonable</i> if it is 'immoderate' or 'exorbitant'³. The tribunal has found that the approach to consider a loss of amenity, must first consider the overall amenity that exists at the relevant adjoining properties, then consider the loss of amenity, if any, caused by the proposal and whether that loss is 'immoderate' or 'exorbitant'⁴.</p> <p>The Macquarie Dictionary defines these words as:</p> <p>Immoderate: <i>not moderate; exceeding just or reasonable limits; excessive; extreme</i>.</p> <p>Exorbitant: <i>exceeding the bounds of custom, propriety, or reason, especially in amount or extent</i></p> <p>The following assessment against each subclause is within this context.</p>
<p>15.4.4 Performance Criteria P2(a)</p>	<p>An acoustic fence is proposed around the perimeter of the site. This will be discussed focusing on each boundary.</p> <p><u>Northern Boundary</u></p>

³ A & N McCullagh v Glamorgan Spring Bay Council [2019] TASRMPAT 30 at [24]

⁴ MCB Developments Pty Ltd v Launceston City Council (No2) [2023] TASCAT 234 at [23]

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment								
	<p>The acoustic fence proposed for the northern boundary will include three heights. These heights are from west to east: 1.8m; 2.3m and 2m. As the existing ground level is required to be built up, a retaining wall is required. This will increase the overall height of the fence from existing ground level. This is demonstrated in the table below.</p> <table border="1" data-bbox="421 586 1473 1019"> <thead> <tr> <th>Acoustic Fence</th><th>Overall height at maximum point with retaining wall</th></tr> </thead> <tbody> <tr> <td>1.8m</td><td>2.205m</td></tr> <tr> <td>2.3m</td><td>3.015m</td></tr> <tr> <td>2.0m</td><td>2.48m.</td></tr> </tbody> </table>  <p>Figure 11: Excerpt of northern acoustic fence elevation. Source: Application documents.</p> <p>Given this acoustic fence it located to the southern side of the adjoining residential properties, it is unlikely to cause an unreasonable loss of amenity to the residents to the north. Shadows cast from the proposed fence will fall on the subject site and not the properties to the north. Currently, there is a small structure along the boundary with unit 1/343 Westbury Road and the fence will enhance the privacy of this dwelling and prevent direct overlooking. There are also existing structures built to the boundary including a parapet wall, one the subject site between unit 2/343 Westbury Road and an outbuilding and skillion structure- likely to be an alfresco area that extends to unit 3/343 Westbury Road. The proposed acoustic fence along this boundary will not significantly change the existing environment and amenity will be maintained for these adjoining units.</p>	Acoustic Fence	Overall height at maximum point with retaining wall	1.8m	2.205m	2.3m	3.015m	2.0m	2.48m.
Acoustic Fence	Overall height at maximum point with retaining wall								
1.8m	2.205m								
2.3m	3.015m								
2.0m	2.48m.								

11.1.16 Planners Advice Performance Criteria



Figure 12: Photo of subject site looking north to unit 1 343 Westbury Road and the existing common boundary fence.



Figure 13: Photo looking north-west showing the existing structures along the northern boundary.



Figure 14: Photo looking north from the subject site.

Eastern Boundary

The acoustic fence proposed for the eastern boundary will include three heights. These heights are from north to south: 2.0m; 2.2 and 1.8m (as per the amended plans). As the existing ground level is required to be built up, a retaining wall is required. This will increase the overall height of the fence from existing ground level. This is demonstrated in the table below. It is noted that through the middle section of the site the fence will be at ground level as shown on the elevation plan.

Acoustic Fence	Overall height at maximum point with retaining wall
2.0m	2.36m
2.2m	2.665m
1.8m	1.8m (with the drive through setback further as shown in the amended plans, a retaining wall is not required). This fence complies with the Acceptable Solution. It is noted that the existing fence at 3/10 Chris Street which

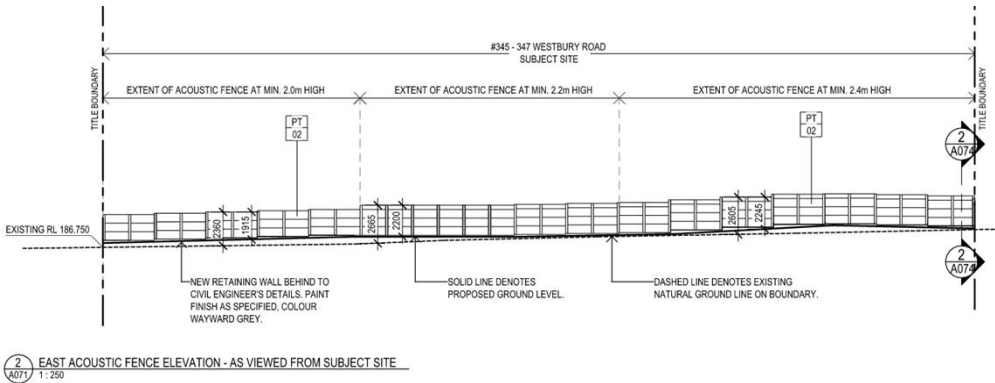
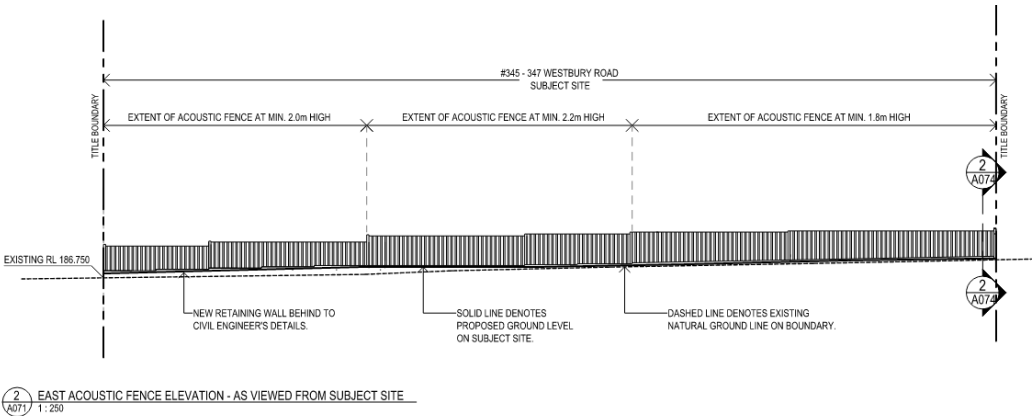
<p>Scheme Provision</p>	<p>Planner's Assessment</p>
	<div data-bbox="422 342 1473 463"><p>is 2.1m in height will remain and be treated with acoustic material.</p></div> <div data-bbox="454 488 1453 869"><p>Figure 15: Excerpt of eastern acoustic fence elevation. Source: Application material.</p></div> <div data-bbox="437 936 1473 1350"><p>Figure 16: Excerpt of amended acoustic fencing along the eastern elevation. Source: Amended Plans</p></div> <p>The site shares the eastern common boundary with 4 adjoining properties: 6, 8, unit 3/10, and 12 Chris Street, Prospect Vale. 6 Chris Street has two outbuildings located towards the rear of the property along both the northern boundary and southern boundary. The dwelling is located toward the front of the property. The private open space area is located between the dwelling and outbuildings. Whilst there will be some overshadowing on the adjoining property throughout the afternoon, the construction of a 2.0m high acoustic fence with a maximum height of 2.36m (including retaining wall) will not impact the residential amenity afforded to 6 Chris Street.</p>


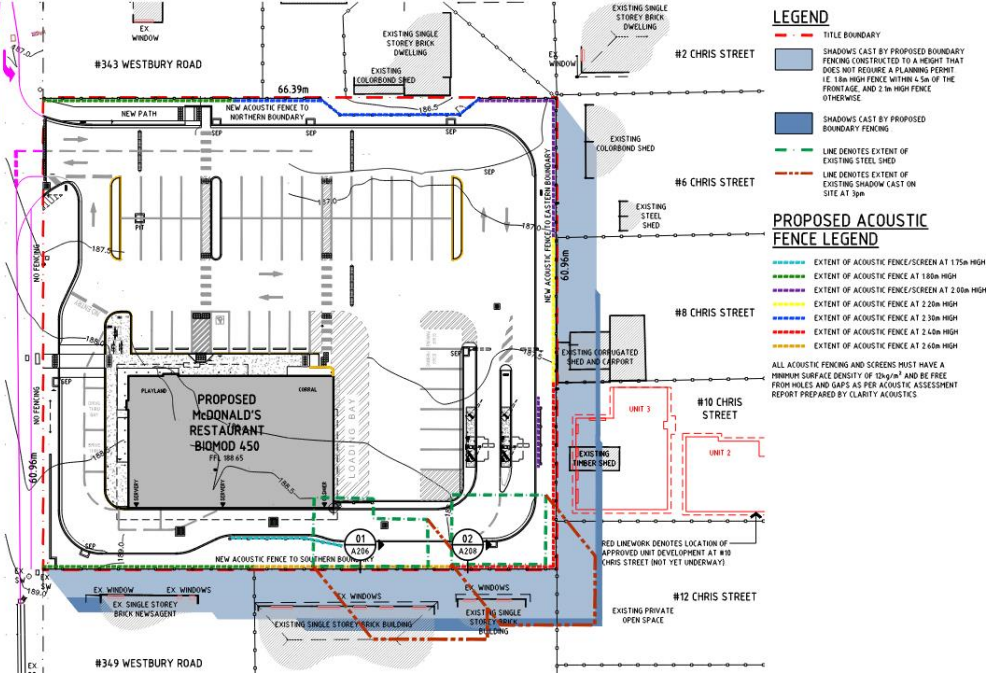


Figure 17: Photo looking north-east from subject site.

8 Chris Street, comprises the dwelling located toward the front of the site and outbuildings located along the southern boundary, constructed to the common boundary. The height of the exiting boundary fence is approximately 1.6m (taken from 8 Chris Street). This property has an established vegetable garden and vines towards the rear boundary, and a pergola structure. The layout of this property provides approximately 360m² of private open space orientated north.

The proposed acoustic fence along this boundary is 2.2m but with the proposed retaining wall the overall height in the north-western corner of 8 Chris Street will be 2.665m, and reduces in height to 2.2m at the south-western corner. The proposed acoustic fence will overshadow the property in the afternoon and the extent of the overshadowing will be longer than currently received. However, compared to a permitted 2.1m high common boundary fence allowed by the Planning Scheme, the additional shadow length will be marginal. The private open space will receive large amounts of direct sunlight and the shadow cast will not overshadow the existing dwelling. Whilst the outlook will be different by having a higher boundary fence compared to that existing, the resulting height of the fence is not considered to cause an unreasonable loss of amenity to the residents of 8 Chris Street.

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	 <p>Figure 18: Looking south-east at boundary fence shared with 8 and 3/10 Chris Street.</p>  <p>Figure 19: Shadow diagram from the proposed acoustic fence for 3pm 21 June. Source: Application documents.</p>
<p>15.4.4 Performance</p>	<p>A solid acoustic fence is proposed to the north and east of the site. This fence is required to have a minimum surface density of 12kg/m² and be free from</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
Criteria P2(b)	holes and gaps as per the acoustic assessment report completed by Clarity Acoustics. A low-level retaining wall is required along the northern and eastern boundary to create the proposed ground level. The acoustic fence will be on top of the proposed ground level. The applicant has verbally confirmed that the acoustic fence will be a timber structure and may include a painted finish in wayward grey.
15.4.4 Performance Criteria P2 Conclusion	The proposed common boundary fencing shared with adjoining residential properties is of varying heights around the perimeter of the site. The fences proposed along the northern and eastern boundaries are considered not to cause an unreasonable loss of amenity, to its adjoining residents and is considered to satisfy the Performance Criteria.

C1.0 Signs Code

Planning Scheme Provision	C1.6.1 Design and siting of signs
	Objective
	<p><i>That:</i></p> <ul style="list-style-type: none"> <i>(a) signage is well designed and sited; and</i> <i>(b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.</i>
	Performance Criteria P1.1
	<p><i>A sign must:</i></p> <ul style="list-style-type: none"> <i>(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</i> <i>(b) be compatible with the streetscape or landscape, having regard to:</i> <ul style="list-style-type: none"> <i>(i) the size and dimensions of the sign;</i> <i>(ii) the size and scale of the building upon which the sign is proposed;</i> <i>(iii) the amenity of surrounding properties;</i> <i>(iv) the repetition of messages or information;</i> <i>(v) the number and density of signs on the site and on adjacent properties; and</i> <i>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.</i>
	Performance Criteria P1.2
	<p><i>If a roof sign, sky sign or billboard, the sign must:</i></p> <ul style="list-style-type: none"> <i>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6;</i> <i>(b) meet the sign standards for the relevant sign type in Table C1.6; and</i> <i>(c) not contribute to visual clutter or cause unreasonable loss of amenity to the surrounding area, having regard to:</i> <ul style="list-style-type: none"> <i>(i) the size and dimensions of the sign;</i> <i>(ii) the size and scale of the building upon which the sign is proposed;</i> <i>(iii) the amenity of surrounding properties;</i> <i>(iv) the repetition of messages or information;</i> <i>(v) the number and density of signs on the site and on adjacent properties; and</i> <i>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1.1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
<p>C1.6.1 Performance Criteria P1.1</p>	<p>Five of the 40 proposed signs rely upon the Performance Criteria as they cannot comply with the requirements set out in Table C1.6 of the applicable sign type. These include:</p> <ul style="list-style-type: none"> • 3x Pole signs (Reference No. on proposal plan: P1, P2 and S11H) • 1x below awning sign (Reference No. on proposal plan: S9B) • 1x banner sign – horizontal (Reference No. on proposal plan: S12)
<p>C1.6.1 Performance Criteria P1.1(a)</p>	<p>All signs are located within the Business Zone, which is an applicable zone for the relevant sign types according to Table C1.6.</p>
<p>C1.6.1 Performance Criteria P1.1(b)</p>	<p>Sub clauses (i), (ii) and (iii) assess individual signs, while the remaining sub clauses assess the overall site. The first three (3) subclauses have been addressed per sign, followed by the overall site assessment.</p> <p>Pole signs P1/P2</p> <ul style="list-style-type: none"> (i) The proposed pole signs are located on the north-western and south-western property corners along Westbury Road. The signs range from 6.5m to 6.8m in height and will replace existing pole signs with similar overall dimensions from the previous business occupying the site. The proposed signs have a single sign face of 6.96m². The 'M' logo is not entirely closed and therefore reduces the bulk of the sign. Compared to the existing pole signs, the bulk of the proposed sign is slightly reduced. There is a service station north-west of the subject site with similar signage. The proposal is considered to not significantly alter the existing streetscape. (ii) The building on the site has a maximum building height of 7.2m and a building gross floor area of 453m². The proposed pole signs are appropriately signed in comparison to the proposed building. (iii) The subject site is surrounded by residential developments. The pole signs are consistent with existing pole signs currently constructed on the site. The bulk of the signs are considered to be reduced. The proposal is considered to not alter the existing

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>amenity of surrounding properties. Whilst the pole signs are proposed to be illuminated, the northern pole sign that is closest to a dwelling is required to be switched off at 10.00pm to comply with the Australian Standard. This is considered appropriate to maintain the amenity of the dwelling to the north of the site.</p> <p>Pole signs S11H</p> <ul style="list-style-type: none"> (i) The proposed pole sign is located along the northern building wall, facing the building. The sign has a face area of 0.27m² (Acceptable solution Table C1.6 is 5m²) and will have a height of approx. 2.3m (to be confirmed on site). The proposed sign comprises a warning message for pedestrians and looks similar to a street sign. (ii) The building on the site has a max. building height of 7.2m and a building gross floor area of 453m². The proposed pole sign size is insignificant compared to the building. (iii) The proposed pole sign is located within the site facing the building and is, therefore, not prominent from the frontage. The sign will not impact on the streetscape or the amenity of surrounding properties. <p>Below awning sign S9B</p> <ul style="list-style-type: none"> (i) The below awning sign is the height clearance sign underneath the Drive Thru height clearance gantry structure. It has a face area of approx. 2.4m² and will be located underneath the gantry. (ii) The sign is below a 3.5m high height clearance gantry. The overall scale (gantry + sign) is small in comparison to the building. (iii) The proposed gantry is located behind the building, but visible from Westbury Road. However, it is not prominent when viewed from the road and, therefore, will not impact on the streetscape or the amenity of surrounding properties. <p>Banner sign - horizontal S12</p>

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Scheme Provision	Planner's Assessment
	<p>(i) The banner sign is located between the two flags constructed in the frontage and exempt from assessment. The banner sign is 3.6m x 900mm and is located 1.95m above ground level. It has a face area of 3.24m².</p> <p>(ii) The sign attached between two (2) flagpoles within the frontage of the site facing the road frontage. The sign is located 1.95m above ground. The building on the site has a maximum building height of 7.2m and a building gross floor area of 453m². The proposed banner sign size is insignificant compared to the building.</p> <p>(iii) The proposed sign is located along the frontage in front of the building. It faces the road and is not illuminated. The location and type of sign will not impact on the amenity of adjoining properties.</p> <p>All signs</p> <p>(iv) Most proposed signs include the 'M' logo in varied sizes; however, most signs including the logo also include messages for direction, location identification or warning purposes. The 'M' logo is for business identification purposes and anticipated to be repeated on site. All other messages and information placed on signs are required for above mentioned purposes and do not account for an unreasonable repetition of messages or information. The number of signs within the frontage setback is limited, with most signs located within the site or attached to the building.</p> <p>(v) The proposal comprises the construction of 40 signs on site. 10 signs are either not visible from the road or regulatory signs. 13 signs are required to provide users of the site directions. 2 signs identify as menu boards directed away from public view towards the drive through lanes. The signs are not concentrated in one location and are provided all over the site and around all four (4) building facades. The number and density of the proposed signs are similar to the Prospect Vale Marketplace development at 350-364 Westbury Road.</p>

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Scheme Provision	Planner's Assessment
	(vi) Some of the proposed signs are required to ensure the safety and efficiency of vehicle and pedestrian movement on site. All other signs contain limited and easy to understand messages and are located within the site boundary. The proposed signs are not considered to impact on the safety of vehicles or pedestrians.
C1.6.1 Performance Criteria P1.1 Conclusion	<p>The number and location of the proposed signs are considered appropriate to communicate desired and required messages. The proposed signs are not concentrated in one location, and they are scattered around the site where the information is required. All signs are well designed in line with known signs for the business in other location to allow easy identifiability. Existing signage in close proximity to the site along Westbury Road are compatible with the proposed signs. Signage within the immediate frontage of the site is limited and therefore reduces the risk of visual clutter. The proposal is compatible with the existing streetscape and will not unreasonably impact on surrounding properties.</p>
C1.6.1 Performance Criteria P1.2	<p>This Performance Criteria (P1.2) is not applicable as a roof sign, sky sign or billboard is not applied for.</p>

C1.0 Signs Code

Planning Scheme Provision	C1.6.1 Design and siting of signs
	Objective
	<p><i>That:</i></p> <p>(a) <i>signage is well designed and sited; and</i></p> <p>(b) <i>signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.</i></p>
	<p>Performance Criteria P2</p> <p><i>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</i></p> <p>(a) <i>the topography of the site and the surrounding area;</i></p> <p>(b) <i>the relative location of buildings, habitable rooms of dwellings and private open space;</i></p> <p>(c) <i>any overshadowing; and</i></p> <p>(d) <i>the nature and type of the sign.</i></p>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C1.6.1 Performance Criteria P2	The proposed pole sign (P1) relies upon the Performance Criteria being 455mm away from the residential zoned land to the north of the subject site.
C1.6.1 Performance Criteria P2(a)	The area is slightly sloping towards the north resulting in the subject site being slightly above the adjoining residential property.
C1.6.1 Performance Criteria P2(b)	The closest residential dwelling to the proposed pole sign is approx. 13m away to the north-east of the sign. The private open space of the adjoining residence is located further east.

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Scheme Provision	Planner's Assessment
C1.6.1 Performance Criteria P2(c)	The residential dwelling is located north of the proposed sign. There are no concerns regarding overshadowing.
C1.6.1 Performance Criteria P2(d)	The proposed signage is a replacement of an existing signage with similar dimensions. The proposed signage will reduce the bulk of the sign. The proposed pole sign is internally illuminated; however, this sign will be extinguished after 10pm daily (refer to obtrusive light analysis).
C1.6.1 Performance Criteria P2 Conclusion	The proposed pole sign will replace an existing sign with similar dimension. It will reduce the bulk of the sign by opening the sign surface with the 'M' logo. Illumination of this sign will be extinguished after 10pm daily to reduce impacts on the amenity of the residential use.

C1.0 Signs Code

Planning Scheme Provision	C1.6.1 Design and siting of signs
	Objective
	<p><i>That:</i></p> <p>(a) <i>signage is well designed and sited; and</i></p> <p>(b) <i>signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.</i></p>

	Performance Criteria P3
	<p><i>The number of signs for each business or tenancy on a street frontage must:</i></p> <p>(a) <i>not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and</i></p> <p>(b) <i>not involve the repetition of messages or information.</i></p>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P3, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C1.6.1 Performance Criteria P3	There are eight signs directly within the road frontage: two pole signs, two flags and banner, a blade sign, a regulatory sign as well as a wall sign along the frontage fence. Three further signs are attached to the building facing the road. The performance criterion is relied upon due to overall the number of signs within the frontage as well as the repetition of sign types.
C1.6.1 Performance Criteria P3(a)	The pole signs are a replacement of existing signs with similar dimensions. The proposed signs will reduce the bulk of these signs by reducing solid sign area. The pole signs are located at the south-western and north-western corner of the site. The wall signs will be placed on different levels on the building. While the number of signs will be increased, the location and design of these signs are not considered unreasonable.
C1.6.1 Performance	Six of the 15 signs considered applicable for the assessment against this Performance Criteria include the 'M' logo in varied sizes. The 'M' logo is for business identification purposes and anticipated to be repeated on site. The logo itself is not considered to contain a message or specific information.

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Scheme Provision	Planner's Assessment
Criteria P3(b)	All identified signs contain different information except for the two pole signs, which both state '24 hours'. This is a repetition of a message; however, their locations at the north-western and south-western corner of the site are considered suitable to allow the easy identification of the business as well as the trading hours approaching the property from both directions.
C1.6.1 Performance Criteria P3 Conclusion	The proposed signs within the frontage of the site are considered to not cause visual clutter based on the locations and design of the signs. Furthermore, the repetition of messages is very limited and mostly reduced to the business logo for identification purposes. The proposed signage is compatible with developments in the vicinity, particularly the Prospect Vale Marketplace. The proposal is considered to not cause unreasonable loss of amenity to the surrounding areas.

C1.0 Signs Code

Planning Scheme Provision	C1.6.2 Illuminated signs
	Objective
	<p><i>That:</i></p> <ul style="list-style-type: none"> <i>(a) illuminated signs are compatible with the streetscape;</i> <i>(b) the cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and</i> <i>(c) any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.</i>
	<p>Performance Criteria P1</p> <p><i>An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) the location of the sign;</i> <i>(b) the size of the sign;</i> <i>(c) the intensity of the lighting;</i> <i>(d) the hours of operation of the sign;</i> <i>(e) the purpose of the sign;</i> <i>(f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;</i> <i>(g) the intended purpose of the changing message of the sign;</i> <i>(h) the percentage of the sign that is illuminated with changing messages;</i> <i>(i) proposed dwell time; and</i> <i>(j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C1.6.2 Performance Criteria P1	The proposal includes 23 illuminated signs including the pole signs. There is no Acceptable Solution for this standard and as such, the corresponding Performance Criteria is relied upon.

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Scheme Provision	Planner's Assessment
<p>C1.6.2 Performance Criteria P1(a)</p>	<p>A number of proposed illuminated signs are attached to the building for business identification purposes (11 signs) or provide directional information to lead site users to specific locations (7 signs). Three signs are located within the frontage identifying the business by logo or name. Two signs comprise the menu boards which faces away from the frontage and is almost behind the building.</p>
<p>C1.6.2 Performance Criteria P1(b)</p>	<p>The proposed signs are of varied sizes. All signs are of appropriate size. All signs except for the pole signs comply with the applicable size requirements set out in Table C1.6. The pole signs exceed the acceptable size; however, the area to be illuminated will be reduced compared to the currently existing pole signs.</p>
<p>C1.6.2 Performance Criteria P1(c)</p>	<p>Intensity of the illumination of the pole signs can be considered dull. They are not brightly lit neon yellow; it is more of a glowing pastel yellow colour as observed at the South Launceston McDonalds. The pole signs in terms of the intensity of the lighting is not considered to be obtrusive.</p> <p>Provided that the pole sign on the north-western corner of the site is turned off daily at 10pm, the provided obtrusive lighting report concludes that illuminance and intensity calculated at relevant residential boundaries comply with the requirements of AZ/NZS4282:2023. No illuminated sign will exceed 350cd/m³.</p>
<p>C1.6.2 Performance Criteria P1(d)</p>	<p>Except for the north-western pole sign, which will be turned off daily at 10pm, all other signs will operate between dusk to dawn, as identified in the Obtrusive Lighting Assessment.</p>
<p>C1.6.2 Performance Criteria P1(e)</p>	<p>Most signs are required for identification purposes or directions. Some of the proposed signs are required for business identification purposes. The two pole signs allow the identification from a distance in both directions of Westbury Road. All other illuminated signs are located to avoid the repetition of the same sign in the same direction (e.g. the 'M' logo is placed on the top building corner in each direction).</p>

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Scheme Provision	Planner's Assessment
<p>C1.6.2 Performance Criteria P1(f)</p>	<p>The northern pole sign is within a view corridor of a residential property to the north. The adjoining property owner has expressed concerns regarding his view onto the proposed pole sign. However, the current view comprises a pole sign of similar size with a larger illuminated sign face. It is also noted that the proposal includes this sign to be turned off daily at 10pm which is considered to minimise impact to adjoining residential properties.</p> <p>Westbury Road is characterised by a mix of residential properties with established commercial operations (business and industrial) clustered throughout. As such, there is a pattern of signage, both illuminated and non-illuminated, along Westbury Road adjacent to those business areas. Between the Country Club Avenue round-a-bout to the south of the site and the Olde Tudor Shopping complex to the north (located in City of Launceston municipality) there are distinct clusters of illuminated signage. At the Casino Rise round-a-bout there is a large, illuminated roof sign and an illuminated pole sign. Further north, the Prospect Vale Marketplace has a cluster of illuminated signs, including the illumination of signs located on the walls of buildings, and the illumination of the signs located at the entrances to the property (including petrol price sign). It is noted that the subject site is located within proximity to the Prospect Vale Marketplace (approximately 50m measured from the closest points of each site). Further north at the Olde Tudor Shopping Complex and associated commercial area that extends for approximately 350m along Westbury Road there are a series of illuminated signs.</p>
<p>C1.6.2 Performance Criteria P1(g)</p>	<p>No sign with changing messages proposed.</p>
<p>C1.6.2 Performance Criteria P1(h)</p>	<p>No sign with changing messages proposed.</p>
<p>C1.6.2 Performance</p>	<p>No sign with changing messages proposed.</p>

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Scheme Provision	Planner's Assessment
<i>Criteria P1(i)</i>	
<i>C1.6.2 Performance Criteria P1(j)</i>	The pole signs are proposed to be located adjacent to the road for maximum viewing opportunity. However, there are no electronic traffic control device within proximity to the site.
<i>C1.6.2 Performance Criteria P1 Conclusion</i>	The proposed illuminated signs are considered compatible with the streetscape considering the mixed-use character of the area and the presents of illuminated signs in the vicinity of the subject site. An obtrusive light report was provided and concludes that the cumulative effect of the proposal complies with the applicable Australian Standards provided the northern pole sign is turned off after 10pm daily. An assessment of several viewpoints at night demonstrated that there are already existing light sources in the area (Prospect Vale Marketplace, streetlights amongst others) and that the proposal is considered not to negatively impact on the character of the area.

C2.0 Parking and Sustainable Transport Code

Planning Scheme Provision	C2.5.3 Motorcycle parking numbers
	Objective
	<i>That the appropriate level of motorcycle parking is provided to meet the needs of the use.</i>
	Performance Criteria P1 <i>Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:</i> <ul style="list-style-type: none"> <i>(a) the nature of the proposed use and development;</i> <i>(b) the topography of the site;</i> <i>(c) the location of existing buildings on the site;</i> <i>(d) any constraints imposed by existing development; and</i> <i>(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C2.5.3 Performance Criteria P1	The development has not included a dedicated motorcycle parking space as required by the Acceptable Solution. Therefore, the corresponding Performance Criteria is relied upon.
C2.5.3 Performance Criteria P1(a)	The proposal is for a Food Services business that will provide a car park providing 38 car parking spaces. The Planning Scheme requires thirty-one car parking spaces to be provided. As such, it is considered reasonable that the motorcycle car parking can use the additional car parking spaces provided, rather than providing a dedicated space. It is noted that a dedicated motorcycle car parking space could be provided between the loading bay and the drive through.

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Scheme Provision	Planner's Assessment
C2.5.3 Performance Criteria P1(b)	Whilst the topography of the site is gently sloping from the south, south-west corner to the north north-west corner, having a fall of approximately 2.5m, the finished ground level will be generally flat.
C2.5.3 Performance Criteria P1(c)	All buildings on the site are proposed to be demolished. The proposed car park will be located to the northern portion of the site whilst the main restaurant building will be located toward the southwest.
C2.5.3 Performance Criteria P1(d)	There are no constraints from existing buildings on the site or adjoining sites.
C2.5.3 Performance Criteria P1(e)	<p>Parking is proposed to occur on the site and the number of car parking spaces provided onsite exceed the number of spaces prescribed by the Planning Scheme. It is considered appropriate to allow the additional spaces on the site to be used for motorcycle parking. However, it is noted that a dedicated motorcycling parking space could be provided in the space between the loading bay and drive through.</p> <p>Parking on Westbury Road is limited, however, Vale Street, Chris Street and Burrows Street, are located within walking distance from the site and could be used for motorcycle parking if required.</p>
C2.5.3 Performance Criteria P1 Conclusion	It is demonstrated that there are more than the required car parking spaces proposed in the development and whilst a motorcycle parking space has not been dedicated, there is adequate space for motorcycle parking within the proposed car park. As such, the application satisfies the Performance Criteria C2.5.3.

C2.0 Parking and Sustainable Transport Code

Planning Scheme Provision	C2.6.5 Pedestrian access
	Objective
	<i>That pedestrian access within parking areas is provided in a safe and convenient manner.</i>
	Performance Criteria P1
	<i>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</i>
	<i>(a) the characteristics of the site;</i>
	<i>(b) the nature of the use;</i>
	<i>(c) the number of parking spaces;</i>
	<i>(d) the frequency of vehicle movements;</i>
	<i>(e) the needs of persons with a disability;</i>
	<i>(f) the location and number of footpath crossings;</i>
	<i>(g) vehicle and pedestrian traffic safety;</i>
	<i>(h) the location of any access ways or parking aisles; and</i>
	<i>(i) any protective devices proposed for pedestrian safety.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C2.6.5 Performance Criteria P1	Two pedestrian footpaths are proposed to gain entry to the site from Westbury Road. One of these paths will also be used by people parking in the car park. Another pedestrian path has been provided in the design to capture people parking towards the eastern side of the car park. Whilst the pedestrian paths have been provided they are not demonstrated to provide protective devices between the footpath and the access way or parking aisle as required by the Acceptable Solution. Therefore, the corresponding Performance Criteria is relied upon.
C2.6.5 Performance	The characteristics of the site will not prevent safe and convenient pedestrian access. A circular driveway is proposed between the northern boundary and the restaurant building. This will incorporate the main parking area located in the middle. There will be parking provided directly

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
Criteria P1(a)	to the north of the proposed restaurant and towards the east. The circulation space and aisle widths comply with the requirement of the Planning Scheme. The car parking area will have a slight fall for stormwater drainage, but will generally be level.
C2.6.5 Performance Criteria P1(b)	The proposed use of the development is for Food Services (McDonalds convenience restaurant) to operate 24 hours 7 days a week. Patrons will be able to either park their vehicle and order/eat in or can alternatively use the drive through.
C2.6.5 Performance Criteria P1(c)	The development proposes 38 parking spaces to be provided. One of which will be for accessible parking.
C2.6.5 Performance Criteria P1(d)	The TIA expects the proposed use will generate up to 170 vehicle movements per hour during peak periods. This equates to 85 vehicles entering the property and 85 vehicles exiting the property during the hour. The TIA indicates that the drive through will generate the highest peak generation.
C2.6.5 Performance Criteria P1(e)	A dedicated accessible parking space has been provided near the main entrance to the proposed restaurant.
C2.6.5 Performance Criteria P1(f)	Two formalised footpath crossings are provided from the car park to the main entrance. A third footpath crossing is also provided to the western side of the building from Westbury Road. The two footpath crossings within the car parking area will provide crossing points to the north of the restaurant. These crossings will capture pedestrians that are parking in the northern car park. The car park is expected to be a low-speed traffic environment, providing an appropriate space for pedestrians to cross safely.
C2.6.5 Performance	The traffic speed environment will be low-speed. Speed humps are proposed within the circulation area of the car park to encourage low

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Criteria P1(g)	vehicle speeds. Signed and line marked pedestrian crossings have been provided to facilitate the safe pedestrian movements. The TIA has stated that <i>'the general awareness of this activity makes the pedestrian environment safe and acceptable'</i> .
C2.6.5 Performance Criteria P1(h)	The access way is located along the northern boundary, whilst the parking aisles is to the south of the main car parking area. The width of the access way and parking aisle is in accordance with the Planning Scheme.
C2.6.5 Performance Criteria P1(i)	Speed humps have been provided in the access way and parking aisle to maintain a low vehicle speed environment. Wheel stops are also proposed at the end of each car parking space to prevent vehicles encroaching the footpath. The footpath to the north will also be separated by the kerb.
C2.6.5 Performance Criteria P1 Conclusion	The proposed arrangement for pedestrian access within the parking area is considered to be provided in a safe and convenient manner. The application satisfies Performance Criteria C2.6.5 P1.

C2.0 Parking and Sustainable Transport Code

Planning Scheme Provision	C2.6.6 Loading bays
	Objective
	<i>That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.</i>
	Performance Criteria P2 <i>Access for commercial vehicles to and from the site must be safe, having regard to:</i> <ul style="list-style-type: none"> <i>(a) the types of vehicles associated with the use;</i> <i>(b) the nature of the use;</i> <i>(c) the frequency of loading and unloading;</i> <i>(d) the area and dimensions of the site;</i> <i>(e) the location of the site and nature of traffic in the area of the site;</i> <i>(f) the effectiveness or efficiency of the surrounding road network; and</i> <i>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C2.6.6 Performance Criteria P2	<p>The proposed access to the loading bay for commercial vehicles, specifically a 14-pallet McDonalds rigid vehicle that is 11.5m long, requires the two parking spaces dedicated as 'staff parking' to be vacated during the time of deliveries. As such, this is not considered to satisfy the Acceptable Solution and requires assessment against the corresponding Performance Criteria. It is noted that the amended plans submitted have removed the parking spaces to the east of the buildings. As such, no car parking spaces are required to be vacated to enable the manoeuvring of the 14 pallet McDonalds rigid vehicle. The rigid vehicle will require the full width of the access way/ circulation area along the eastern side of the car park to manoeuvre, which will require on-site management when deliveries area due to arrive. As such the Performance Criteria is relied upon.</p> <p>It is noted that the full width of the vehicle crossing, is required to be used by the 14-pallet McDonalds rigid vehicle to enter and exit the site and manoeuvre around the eastern end of the main car parking area to enter</p>

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Scheme Provision	Planner's Assessment
	<p>the loading bay. The TIA has stated that <i>'based on the Australian Standard (AS2890.2-2002), use of the full width of the crossover is allowable, noting that services is likely to be "occasional" based on the definitions with the standard (i.e. less than one delivery per day). It is understood that the site will have two to three deliveries per week, on average'</i> (Ratio 2024:29 – Version F 06).</p>
<p>C2.6.6 Performance Criteria P2(a)</p>	<p>Deliveries for McDonalds are received by a 14-pallet McDonalds rigid vehicle which is 11.5m in long. This is the largest delivery vehicle to the site and the loading bay has been designed for this size vehicle. This vehicle will require full use of the width of the vehicle access to enter and exit the site as well as occupying the two-way circulation area towards the east of the site to ingress and egress the loading bay.</p> <p>Waste collection will be by a private waste collection contractor. Waste collection trucks are typically smaller than the 14-pallet rigid vehicles and therefore, can adequately access the area for waste collection.</p> <p>Given the need to use the full width of the access during deliver times if approved, a car parking management plan for deliveries (including waste) generally in accordance with the endorsed Traffic Impact Assessment is to be submitted to the satisfaction of Council's Director Infrastructure Services and Town Planner.</p>
<p>C2.6.6 Performance Criteria P2(b)</p>	<p>The proposal is to operate a Food Service Restaurant (McDonalds) 24 hours a day 7 days a week.</p>
<p>C2.6.6 Performance Criteria P2(c)</p>	<p>The TIA has indicated that the deliveries will be received 2 to 3 days a week. Deliveries are likely to occur on Monday and Thursdays or Tuesday and Fridays. Deliveries typically take 60 to 90 minutes.</p> <p>Deliveries are stated in the TIA to be:</p> <p>Deliveries by Medium Rigid Vehicles, Light Rigid Vehicles and vans:</p> <ul style="list-style-type: none"> Between 7:00am - 9:00pm Monday to Saturday; and

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Scheme Provision	Planner's Assessment
	<ul style="list-style-type: none"> Between 8:00am – 9:00pm Sunday. <p>Deliveries by Heavy Rigid Vehicles:</p> <ul style="list-style-type: none"> Between 7:00am - 6:00pm Monday to Saturday; and Between 8:00am – 6:00pm Sunday. <p>Waste Collection:</p> <ul style="list-style-type: none"> Between 7:00am - 6:00pm Monday to Friday; and Between 8:00am – 6:00pm Sunday. <p>The planning assessment completed by Ratio states that no deliveries or waste collection will occur on public holidays.</p>
<p>C2.6.6 Performance Criteria P2(d)</p>	<p>The site is rectangular in shape being approximately 61m wide by 66m deep. The car parking area, including accessway, parking aisle and loading bay is approximately 1700m² in area. The loading bay will have a length of 18.9m and width of 4.55m adjacent to the main restaurant building.</p>
<p>C2.6.6 Performance Criteria P2(e)</p>	<p>The site is located at 345-347 Westbury Road, Prospect Vale. Westbury Road is a arterial road meaning a variety of vehicle types use the road including large heavy vehicles, passenger vehicles and school buses. Westbury Road is an approved B double route. Westbury Road is one of the main roads that provides connection to Launceston, aside from the Bass Highway.</p> <p>Other than residential uses, there are many different businesses and uses established that require the use of Westbury Road including sporting facilities (Prospect Vale Park, Silverdome), shopping complexes (Prospect Vale Marketplace, Olde Tudor), Country Club Tasmania, Food Service businesses and light industrial and commercial activities as well as schools (high school and primary school). These uses, therefore, require a range of vehicle types to service their use.</p>
<p>C2.6.6 Performance Criteria P2(f)</p>	<p>Westbury Road as a collector road is considered to be generally an effective and efficient road that contributes to the road network. Westbury Road, at the current volume of traffic is considered suitable to absorb the additional</p>

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Scheme Provision	Planner's Assessment
	<p>vehicle movements on to Westbury Road that may be directly associated with this development.</p> <p>The TIA has indicated that deliveries should occur outside of peak times to maintain the efficiency of the road network. Peak times have been identified in the TIA and Council's Road Authority has further determined that there is a double PM peak within the range of 3pm to 6pm. Peak times have been identified as 7.30am to 9am and 3pm to 6pm weekdays and 10am to 1pm on weekends.</p> <p>Westbury Road is expected to experience a peak traffic volume of just under 1300 vehicle movements per hour during the weekday PM peak.</p> <p>If approved, it is recommended that loading from vehicles that require the use of the full width of the vehicle access and internal accessway must not occur between 7.30am and 9.00am and 3.00pm and 6.00pm weekdays and 10.00am and 1pm on weekends to maintain the efficiency of the road network.</p>
<p>C2.6.6 Performance Criteria P2(g)</p>	<p>There are no known existing site constraints. The development will require the demolition and clearance of the site prior to construction.</p> <p>A development constraint is the requirement to use the full width of the vehicle crossover for delivery vehicles to enter and exit the site. The TIA has stated that the requirement for this manoeuvre is consistent with the Australian Standard and that by designing for this to occur will provide pedestrian crossing that is not unnecessarily long. This is considered to enhance the safety of pedestrians.</p>
<p>C2.6.6 Performance Criteria P2 Conclusion</p>	<p>The proposed access for commercial vehicles to and from the site is demonstrated to be safe in consideration of the recommended condition below and with the proposed condition, will satisfy Performance Criteria C2.6.6 P2.</p> <p>Recommended Condition:</p> <ol style="list-style-type: none"> 1. Prior to the commencement of use, an Operational Management Plan that includes requirements for deliveries (including waste collection) generally in accordance with the endorsed Traffic Impact Assessment and endorsed Acoustic Assessment Report, must be

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>submitted to the satisfaction of Council's Director Infrastructure Services and Town Planner. This plan must include:</p> <ol style="list-style-type: none"> a) Information regarding the management of pedestrians and traffic when deliveries are to occur, including management of vehicle ingress and egress from Westbury Road, and internally within the property, especially to the east of the car park at the access to the drive through; b) Hours of delivery (in accordance with condition) c) Recommendations of the endorsed Traffic Impact Assessment Report; d) Recommendations of the endorsed Acoustic Assessment Report e) Notification process for the announcement of deliveries to enable areas to be prepared. <p>2. Delivery vehicles (including waste collection vehicles) that require the delivery vehicles to use the full width of the vehicle access and internal access way, must</p> <ol style="list-style-type: none"> a) not occur between: <ul style="list-style-type: none"> • 7.30am to 9.00am Monday to Friday; and • 3.00pm and 6.00pm Monday to Friday; and • 10.00am and 1.00pm Saturday and Sunday; and b) Other than a) above be within the following hours: <ul style="list-style-type: none"> • 7.00am to 9.00pm Monday to Saturday; and • 8.00am to 9.00pm Sunday and public holidays.

C2.0 Parking and Sustainable Transport Code

Planning Scheme Provision	C2.6.8 Siting of parking and turning areas
	Objective
	<i>That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.</i>
	Performance Criteria P1
	<p><i>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) topographical or other site constraints;</i> <i>(b) availability of space behind the building line;</i> <i>(c) availability of space for vehicle access to the side or rear of the property;</i> <i>(d) the gradient between the front and the rear of existing or proposed buildings;</i> <i>(e) the length of access or shared access required to service the car parking;</i> <i>(f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;</i> <i>(g) the visual impact of the vehicle parking and access on the site;</i> <i>(h) the streetscape character and amenity;</i> <i>(i) the nature of the zone in which the site is located and its preferred uses; and</i> <i>(j) opportunities for passive surveillance of the road.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

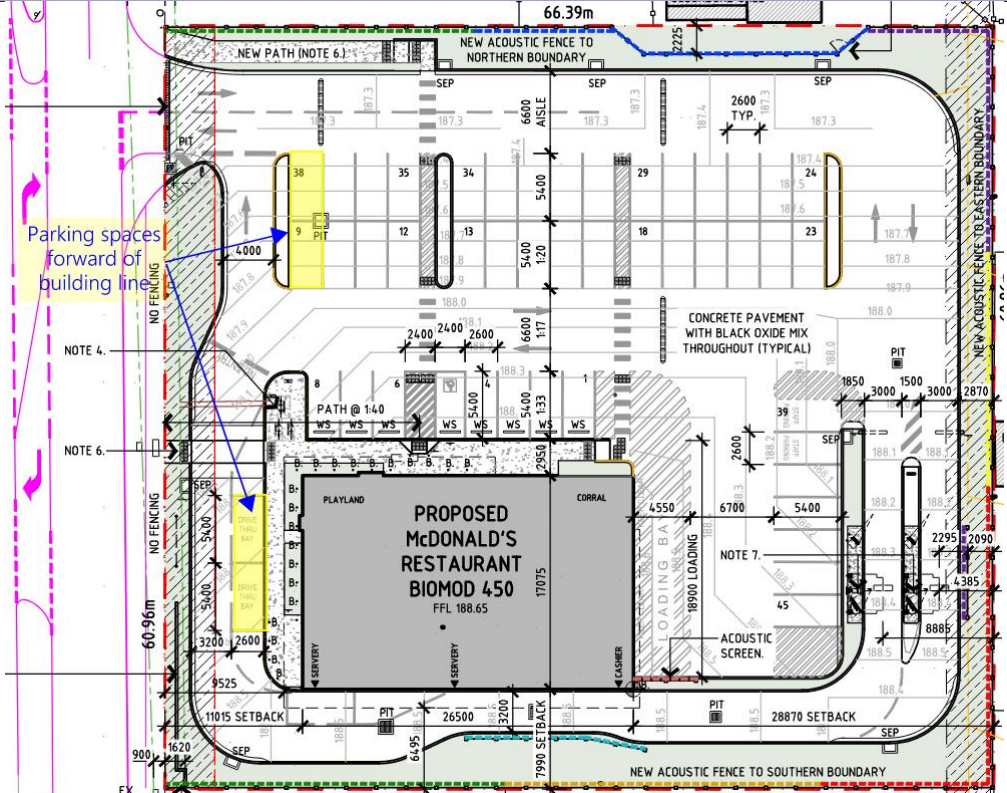
Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C2.6.8 Performance Criteria P1	Two car parking spaces located within the main car parking area will be located marginally in front of the building line of the restaurant. Two waiting bays as part of the drive through will be provided in front of the restaurant. As the parking spaces will be located in front of the building line of the restaurant, the Acceptable Solution is not complied with and assessment against the corresponding Performance Criteria is required.

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>The location of the proposed parking spaces is considered to be the only practical solution and will not cause an unreasonable loss of amenity to adjoining properties having regard to the following.</p>
<p>C2.6.8 Performance Criteria P1(a)</p>	<p>The site has a fall from the south south-western corner to the north north-eastern corner of approximately 2.5m. The site will be cleared of all buildings and structures. The car parking area will be shaped to be gently sloping down in elevation from the south to the north of the site. The gradient of the slope will be 1:33 for the parking spaces directly to the north of the restaurant, with the parking aisle having a gradient of 1:17 and the main parking area having a gradient of 1:20. The accessway will generally be flat.</p>
<p>C2.6.8 Performance Criteria P1(b)</p>	<p>The two waiting bays are located to the west of the main building between Westbury Road and the restaurant. Two car parking spaces in the main car park marginally extend in front of the building line.</p> <p>The waiting bays are located to the front of the building to provide for efficiency of the drive through and having a collection point that connected to serving area of the restaurant.</p> <p>The two car parking spaces in the main parking area are marginally in front of the building line of the restaurant. For these parking spaces to be provided behind the building line, they would need to be removed as the rest of the space is practically used for the access way, parking aisle, car parking, drive through and loading bay.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	 <p>The site plan shows a rectangular building labeled 'PROPOSED McDONALD'S RESTAURANT BIOMOD 450' with a floor level of 188.65. The building has a playland area to the north and a corral to the east. A parking area is shown in yellow, located north of the building. The plan includes various setbacks, paths, and acoustic fences. A note indicates 'Parking spaces forward of building line' with arrows pointing to the yellow area. The plan also shows a 'NEW PATH (NOTE 6.)', 'NEW ACOUSTIC FENCE TO NORTHERN BOUNDARY', 'NEW ACOUSTIC FENCE TO EASTERN BOUNDARY', and 'NEW ACOUSTIC FENCE TO SOUTHERN BOUNDARY'. Other features include a 'CONCRETE PAVEMENT WITH BLACK OXIDE MIX THROUGHOUT (TYPICAL)', 'LOADING DOCK', 'ACoustic SCREEN', and 'PIT' locations. Dimensions and setbacks are provided throughout the plan.</p> <p>Figure 20: Location of car parking spaces in front of the building line shown in yellow. Source Application documents.</p>
C2.6.8 Performance Criteria P1(c)	<p>As the drive through circulates around the perimeter of the property, there is space for vehicles to access the side and rear of the property.</p>
C2.6.8 Performance Criteria P1(d)	<p>There is no observable gradient between the front and rear of the proposed building that will prevent or impede the provision of vehicle parking.</p>
C2.6.8 Performance Criteria P1(e)	<p>The proposed car park is to the north of the building and is directly accessible from the access way.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
C2.6.8 Performance Criteria P1(f)	The accessway that provides connection to the car parking spaces that are forward of the building line, is greater than 2.5m from a window of a habitable room of a dwelling.
C2.6.8 Performance Criteria P1(g)	The visual impact of the vehicle parking and access on the site will be minimal. Businesses that operate in the vicinity of the site provide parking within the frontage and the proposal is consistent with this character. The previous use of the site was a service station and roadhouse which also provided parking to the front of the building line. There is also a fence proposed along the portion of the frontage and landscaping which will soften the appearance of the parking.
C2.6.8 Performance Criteria P1(h)	Refer to (g) above.
C2.6.8 Performance Criteria P1(i)	The site is located in the General Business Zone. Food Services is listed as a Permitted Use Class in this zone.
C2.6.8 Performance Criteria P1(j)	The location of the vehicle parking spaces in front of the building line will allow opportunities for mutual passive surveillance between the road and the parking spaces and restaurant.
C2.6.8 Performance Criteria P1 Conclusion	The vehicle parking and turning areas located in front of the building line are sited in a practical location and will not cause an unreasonable loss amenity to adjoining properties or visual impact on streetscape character. Therefore, the application satisfies the Performance Criteria.

C3.0 Road and Railway Assets Code

Planning Scheme Provision	C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction
	Objective
	<i>To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</i>
	Performance Criteria P1 <i>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</i> <ul style="list-style-type: none"> (a) <i>any increase in traffic caused by the use;</i> (b) <i>the nature of the traffic generated by the use;</i> (c) <i>the nature of the road;</i> (d) <i>the speed limit and traffic flow of the road;</i> (e) <i>any alternative access to a road;</i> (f) <i>the need for the use;</i> (g) <i>any traffic impact assessment; and</i> (h) <i>any advice received from the rail or road authority.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C3.5.1 Performance Criteria P1	<p>The proposed development requires the construction of a vehicle crossing to the site. Council's Road Authority did not provide written consent for the new vehicle crossing. The application, therefore, relies upon the corresponding Performance Criteria to demonstrate compliance with the Standard.</p> <p>The development will result in the formation of kerb and channelling and a footpath to the frontage and the formalisation of a dedicated vehicle crossing to the site. Currently the frontage to the property is trafficable given the historic nature of the site from being a service station and roadhouse.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	A Traffic Impact Assessment Report (TIA) was submitted with the application completed by Ratio Consultants Pty Ltd, version F06.
C3.5.1 Performance Criteria P1(a)	<p>The TIA indicates the development is expected to generate up to 170 peak vehicle movements per hour, equating for 85 vehicles entering the property and 85 vehicles exiting the property. It is estimated that 35% of the vehicles are already using Westbury Road resulting in an actual additional 110 vehicle movements along Westbury Road, or just over 8.5% increase on the existing traffic volumes per hour. The actual percentage increase would be less because the figures do not consider movements that would have been associated with the now closed service station and roadhouse.</p> <p>The TIA has determined that the existing road network has the capacity to accommodate the additional traffic with no adverse impacts to traffic safety or efficiency of the network. The review undertaken by TCS on behalf of council reached the same conclusion provided the recommended conditions are adhered to.</p>
C3.5.1 Performance Criteria P1(b)	<p>The nature of the traffic generated by the proposed use will be predominately passenger type vehicles (less than 5.2m long) associated with urban use and development which will be compatible with the surrounding land use and current mixture of vehicles using Westbury Road. Some medium rigid vehicles will access the site on a regular basis for deliveries and waste management purposes. Allowance for delivery vehicles has been made in the design plans.</p> <p>It is reasonable to expect an increase in pedestrian traffic as a result of the development, this has been catered for with the condition to include installation of a footpath and associated access ramps along the frontage of the site.</p>
C3.5.1 Performance Criteria P1(c)	<p>Westbury Road is an arterial road that caters for many vehicle types including semi-trailers and B Double trucks. Current traffic volumes are in the vicinity of 13,000 vehicles per day. Studies indicate that Westbury Road's capacity is in the realm of 20,000 vehicles per day, therefore it is operating within its current limitations and will continue to do so into the future. There</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>are however several other proposed residential developments that (if constructed) will impact volumes on the road. Meander Valley Council (as the road authority) will need to remain committed to undertaking the necessary studies and works on its road network to ensure appropriate levels of safety and efficiency are maintained. This will include consideration of the strategic intersections being signalised, alternative or duplicated routes and speed limit reductions.</p> <p>Additional vehicle movements generated by the proposed development are expected to be within the capacity of the road without adversely impacting current users. Modifications to Westbury Road will be a requirement of the Planning Permit, if approved, and are necessary to ensure safety and efficiency of the road. All works within the road reserve will need to be to the satisfaction of Councils Director Infrastructure.</p>
<p>C3.5.1 Performance Criteria P1(d)</p>	<p>The speed limit on Westbury Road in the vicinity of the development site is 60km/hr. Analysis of the proposed site access suggests that sight distance for drivers will meet or exceed the requirements of AS2890.1 Off Street car parking, provided some restrictions to parking are implemented on Westbury Road.</p>
<p>C3.5.1 Performance Criteria P1(e)</p>	<p>There are no alternatives to the proposed Westbury Road access on the basis that all other lot boundaries adjoin developed lots and the site does not have another frontage.</p>
<p>C3.5.1 Performance Criteria P1(f)</p>	<p>Food Services is a Permitted Use in the General Business Zone in the Planning Scheme. The proposed use would provide an alternative option to those food service businesses currently operating within the area.</p>
<p>C3.5.1 Performance Criteria P1(g)</p>	<p>The TIA did not determine any reason as to why the proposed use and development should not proceed on traffic related grounds. The review undertaken by TCS on behalf of council reached the same conclusion provided the recommended conditions are adhered to.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
<p>C3.5.1 Performance Criteria P1(h)</p>	<p>Council's Infrastructure Department has been involved throughout the development application process and has used TCS, an independent traffic consultant, to review all the supporting information, drawings and modelling received. A number of iterations of documents have been worked through during the application process.</p> <p>The Ratio Traffic Impact Assessment (TIA) concluded that the road network is sufficient to accommodate the increase in traffic generated by the proposed development without impeding safety or efficiency of the road network. Council's consultant, TCS, generally agrees with the contents of the TIA and conclusions reached and has indicated that the development should not be refused on traffic grounds.</p> <p>The Road Authority (Council) is satisfied that the proposal is not anticipated to significantly impact the operation of the road network and understands that other works as outlined in section C3.5.1 (c) may be necessary depending on future population growth.</p>
<p>C3.5.1 Performance Criteria P1 Conclusion</p>	<p>The application satisfies Performance Criteria C3.5.1 P1 on the basis that Westbury Road and the broader road network has capacity to absorb the additional vehicle movements without causing adverse traffic safety or efficiency impacts, with the current level of traffic service to be maintained subject to implementation of the recommended conditions</p>

C14.0 Potentially Contaminated Land Code

C14.6.1 Excavation works, excluding land subject to the <i>Macquarie Point Development Corporation Act 2012</i>	
Planning Scheme Provision	Objective
	<i>That works involving excavation of potentially contaminated land, excluding on land subject to the Macquarie Point Development Corporation Act 2012, do not adversely impact on human health or the environment.</i>
	Performance Criteria P1 <i>Excavation, excluding on land subject to the Macquarie Point Development Corporation Act 2012, must not have an adverse impact on human health or the environment, having regard to:</i> <ul style="list-style-type: none"> <i>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</i> <i>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</i> <i>(c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes:</i> <ul style="list-style-type: none"> <i>(i) any specific remediation and protection measures required to be implemented before excavation commences; and</i> <i>(ii) a statement that the excavation does not adversely impact on human health or the environment.</i>

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
C14.6.1 Performance Criteria P1	<p>The former use of the site was a service station and motor repairs. This is considered a potentially contaminating activity falling into three of the activities listed in Table C14.2:</p> <ul style="list-style-type: none"> Commercial engine and machinery repairs; Petroleum product or oil storage; Sites of incidents involving release of hazardous materials.

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>Although not a sensitive use, the proposal will include development and the code is considered applicable. The development will require excavation and will involve 250m³ of site disturbance. The application, therefore, relies upon the corresponding Performance Criteria to demonstrate compliance with the Standard.</p> <p>Two Environmental Site Assessments (ESA) were submitted with the application:</p> <ul style="list-style-type: none"> • Phase 2 Environmental Site Assessment – Final v3; and • Phase 2 Environmental Site Assessment – Final v4. <p>These reports were completed by ESD Consulting, authored by Royce Aldred & Rod Cooper. Rod Cooper was certified under a Contaminated Land Practitioners Scheme that was endorsed by the Director, however, when version 4 was completed the certification had expired. As such, the above Environmental Site Assessments were reviewed and endorsed by Richard Evans from Abacus Environmental who is a Certified Environmental Practitioner Site Contamination Specialist with the Certified Environmental Practitioner Scheme.</p> <p>The subsurface contamination remaining at the site is below the depth of excavation. The applicant's Civil Engineer provided information regarding the depth of excavation across the site will be no more than 1.5m below ground level for all works except the building foundations that will be approximately 3m below ground level (BGL). The acoustic fence will require excavation no deeper than 2m. The ESA states that "excavation to these depths are low risk as the groundwater plume and associated residual soil contamination is below 2m BGL. The proposed building location, with excavation to a depth of 3m BGL, is well away from and up gradient from the groundwater plume, so excavation in that location is low risk." It is concluded that "under P1 of C14.6.1 of the Potentially Contaminated Land Code, that the level of contamination does not pose risk to human health or the environment" (ESD Consulting 2024:5 Version 4).</p>
<p>C14.6.1 Performance Criteria P1(a)</p>	<p>Not Applicable.</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
<p>C14.6.1 Performance Criteria P1(b)</p>	<p>The Environmental Site Assessment completed by ESD Consulting and reviewed by Richard Evans CEnvP (Site Contamination) of Abacus Environmental has determined that the level of contamination does not present a risk to human health or the environment.</p> <p>"No specific remediation and protection measures are required to be implemented before excavation commences; ... excavation does not adversely impact on human health or the environment...This ESA reveals that soil in the development area is not likely to be contaminated and therefore the site is suitable for development and future land use. No management measures are proposed... Thus this ESA suffices as part of (b) of C14.6.1(P1) of the code. That the level of contamination does not pose risk to human health or the environment" (ESD Consulting 2024:47-48 Version 4).</p> <p>The engineer Jack Porter, Director Parkhill Freeman has stated that excavation required for the:</p> <ul style="list-style-type: none"> • acoustic fences will not exceed 2 metres; • building footings would not require excavation below 3 metres; and • drainage system would not require excavation below 1.5 metres. <p>This does not include consideration of the footings required for the proposed pylon signs. This depth will need to be confirmed and signed off by a certified site contamination practitioner to ensure that C14.6.1 P1(b) remains satisfied.</p> <p><u>Recommended Condition:</u></p> <p>Prior to commencement of works the following must be submitted to the satisfaction of Council's Town Planner:</p> <ol style="list-style-type: none"> a) the depth of the footing for the pylon signs must be confirmed and signed off by a certified site contamination practitioner to ensure that the depth of the footing is suitable for the potentially contaminated soil and does not present a risk to human health or the environment which would alter the findings of the endorsed Environmental Site Assessment. Refer to Note x. <p>Note:</p>

11.1.16 Planners Advice Performance Criteria

Scheme Provision	Planner's Assessment
	<p>a) The Environmental Site Assessment concluded that the proposed excavation satisfied P1 (b) of clause C14.6.1 of the Tasmanian Planning Scheme – Meander Valley which states:</p> <p><i>"Excavation ... must not have an adverse impact on human health or the environment, having regard to: ... (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or ..."</i></p>
<p>C14.6.1 Performance Criteria P1(c)</p>	<p>Not Applicable.</p>
<p>C14.6.1 Performance Criteria P1 Conclusion</p>	<p>In consideration of the conclusions of the Environmental Site Assessment, and the recommended condition, the proposed excavation will not have an adverse impact on human health or the environment, satisfying the Performance Criteria.</p>



Amended Submission to Planning Authority Notice

Council Planning Permit No.	PA\23\0217	Council notice date	24/04/2023
TasWater details			
TasWater Reference No.	TWDA 2023/00517-MVC	Date of response	22/11/2023
		Date of amended	16/05/2024
		Date of amended	5/06/2024
TasWater Contact	Shaun Verdouw Karen Triffett Huong Pham	Phone No.	0467 901 425 0439492314 (Trade Waste) 0427 471 748
Response issued to			
Council name	MEANDER VALLEY COUNCIL		
Contact details	planning@mvc.tas.gov.au		
Development details			
Address	345-347 WESTBURY ROAD, PROSPECT VALE	Property ID (PID)	7023141
Description of development	Demolition of existing buildings & Construction of Convenience Restaurant & associated buildings		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
JMG	230392BS H01, H02	BA3	24/05/2024
Albus & Co	Site Signage Plan A801	C	04/2024
	Site Signage Plan P001	C	04/2024
Ratio	Planning report	-	29/05/2024
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections and sewerage system and connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 4. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost. 5. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater. <p>FINAL PLANS, EASEMENTS & ENDORSEMENTS</p> <ol style="list-style-type: none"> 6. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for 			



sealing is made.

Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.

7. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.
 - a. Trees with a canopy diameter of 2m or greater located over or within 2m of existing or proposed TasWater sewerage infrastructure must have the root system contained within a tub, raised garden bed or other suitable root barrier system designed to mitigate the potential for the tree roots to infiltrate the pipe trench and/or the pipe.
Advice: Section 56X(1) of the Water and Sewerage Industry Act 2008 (No. 13 of 2008) states that a regulated entity (TasWater) may, by notice in writing, require the owner of any land to remove any tree on that land if the regulated entity reasonably decides that the tree is obstructing or damaging the regulated entity's works or that it is likely to obstruct or damage them. The developer should carefully consider the type of trees planted within the proximity of TasWater infrastructure to avoid the possibility of removal by TasWater at the owners cost at some time in the future.
8. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
 - a. the exact location of the existing water/sewerage infrastructure,
 - b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

TRADE WASTE

9. Prior to the commencement of operation the developer/property owner must obtain Consent to discharge Trade Waste from TasWater.
10. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to discharge.
11. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent.

56W CONSENT

12. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

DEVELOPMENT ASSESSMENT FEES

13. The applicant or landowner as the case may be, must pay a development assessment fee of \$389.86, Consent to Register a Legal Document fee of \$248.30 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.
 The payment is required within 30 days of the issue of an invoice by TasWater.



Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.

Further information can be obtained from TasWater.

- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.

- (c) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Trade Waste

Prior to any Building and/or Plumbing work being undertaken, the applicant will need apply to TasWater for a Certificate for Certifiable Work (Building and/or Plumbing). The Certificate for Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:

Location of all pre-treatment devices i.e. grease arrestor;

Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and

Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

At the time of submitting the Certificate for Certifiable Work (Building and/or Plumbing) a Trade Waste Application form is also required.

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-waste/Commercial>

56W Consent

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (c) A note on the plan indicating how the pipe location and depth were ascertained.
- (d) The location of the property service connection and sewer inspection opening (IO).



Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Natasha Whiteley

From: Council Referrals <Council.Referrals@tasnetworks.com.au>
Sent: Thursday, 27 April 2023 10:45 AM
To: Abbie Massey
Cc: mail@ratio.com.au
Subject: RE: PA\23\0217 - Full Application -345-347 Westbury Rd Prospect Vale CT's2173589 & 2176818- Demolition of existing buildings & Construction of Convenience Restaurant Food Servi.pdf

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

Hi Abbie,

RE: McDonalds Prospect Vale Tasmania - PA\23\0217 - Full Application -345-347 Westbury Rd Prospect Vale CT's2173589 & 2176818

Thank you for your email on 24/04/2023 referring the abovementioned development.

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

It is recommended that the customer (or their consultant) submit an application via our website portal at their earliest convenience to upgrade the electricity supply connection to support this development.

The application portal can be found here [Connections Hub - TasNetworks](#)

An early engagement meeting is recommended to discuss requirements, costings and timing which can be requested via email early.engagement@tasnetworks.com.au

CC: to Ratio Consultants

Kind Regards,

Belinda Lehner
Customer Relationship Specialist
PH: 03 6324 7645
Email: belinda.lehner@tasnetworks.com.au
Work Hours: Mon/Tue/Thu 9am-5pm, Wed/Fri 9am-3pm



1 Australis Drive, Rocherlea 7250
PO Box 419, Launceston TAS 7250
www.tasnetworks.com.au
[@TasNetworks](#)
[/TasNetworks](#)

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11.1.18 Agency Consultation - Tasnetworks

From: Abbie Massey <Abbie.Massey@mvc.tas.gov.au>

Sent: Monday, 24 April 2023 11:35 AM

To: Council Referrals <Council.Referrals@tasnetworks.com.au>; Natasha Whiteley <natasha.whiteley@mvc.tas.gov.au>

Subject: PA\23\0217 - Full Application -345-347 Westbury Rd Prospect Vale CT's2173589 & 2176818- Demolition of existing buildings & Construction of Convenience Restaurant Food Servi.pdf

Hi

We have received a planning application for 345-347 Westbury Road, Prospect Vale in the General Business Zone

Hence the application is referred to TasNetworks under section 44L of the ESI Act 1995.

This permit application has been made under S.57 of the *Land Use Planning and Approvals Act 1993* and Council has the discretion to grant a permit either unconditionally or subject to conditions or refuse the application.

The Application is available through the attached dropbox link due to its size. If you have any issues accessing the documents, please let me know

<https://www.dropbox.com/sh/zdx1mcofw7czysk/AABCIHZ0MKbks4ZHRPR9nJZba?dl=0>
[dropbox.com]

Could you please provide any comments and/or conditions you may have regarding the above application within 10 business days from the date of this letter.

If you have any queries regarding this application, please do not hesitate to contact Council's Planning Department on 6393 5320 quoting reference number PA\23\0217

Kind Regards

Abbie



Abbie Massey, Development Administration Officer

P: 03 6393 5323 E: Abbie.Massey@mvc.tas.gov.au

26 Lyall Street Westbury, TAS 7303 | PO Box 102, Westbury Tasmania 7303

www.meander.tas.gov.au [meander.tas.gov.au]

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11.1.19 Agency Consultation - Tas Gas Networks

Natasha Whiteley

From: Litzen Jacob <litzen.jacob@tasgas.com.au>
Sent: Tuesday, 2 July 2024 4:34 PM
To: Natasha Whiteley
Cc: Asset Engineers
Subject: RE: PA\23\0217 - Referral to Tas Gas Networks - 345-347 Westbury Road, Prospect Vale - Food Services

You don't often get email from litzen.jacob@tasgas.com.au. [Learn why this is important](#)

Hi Natasha,

Tas Gas Networks (TGN) hold no objection to the proposed development on 345-347 Westbury Road, Prospect Vale, PA\23\0217.

Tas Gas Networks (TGN) hold the following conditions to the proposed development on 345-347 Westbury Road, Prospect Vale.

- TGN owns and operate gas pipelines in the road reserve of Westbury Road, any works near to these pipelines shall comply with TGN policies and procedures and must have a Before You Dig enquiry with reasonable notice.
- TGN has an existing gas service connection to the property, 347 Westbury Road, Prospect Vale. Tas Gas Networks shall be contacted to arrange the isolation, removal and or safe method of work(s) near this asset before any works are performed on or adjacent to this service as part of this development.

Regards

Litzen Jacob
Graduate Engineer
Tas Gas Networks

0439 092 445
03 6336 9308

5 Kiln Court, St Leonards, 7250

tasgasnetworks.com.au



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From: Natasha Whiteley <natasha.whiteley@mvc.tas.gov.au>
Sent: Friday, June 28, 2024 12:21 PM
To: Gary Learthart <gary.learthart@tasgas.com.au>; Asset Engineers <asset.engineers@tasgas.com.au>
Subject: PA\23\0217 - Referral to Tas Gas Networks - 345-347 Westbury Road, Prospect Vale - Food Services

11.1.19 Agency Consultation - Tas Gas Networks

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

PA\23\0217

28 June
2024

11805

Tas Gas Networks
5 Kiln Court
ST LEONARDS TAS 7250

Email: gary.learthart@tasgas.com.au; asset.engineers@tasgas.com.au

Dear Gary

Application for Planning Permit – McDonald’s Australia Limited C/O Ratio Consultants – 345-347 Westbury Road, Prospect Vale – Food Services (convenience restaurant), consolidation of titles, demolition of buildings – CT’s: 217358/9 & 217681/8

Council is processing an application for planning approval for use and development at the above address. The property is zoned General Business under the Tasmanian Planning Scheme – Meander Valley and the property has frontage onto Westbury Road.

The property is located within the Tas Gas Declared Pipeline Planning Corridor.

This application has been made under s.57 of the *Land Use Planning and Approvals Act 1993* and was notified on Saturday, 15 June 2024. The application comes off advertising on Monday, 1 July 2024. Please note that in accordance with s.57 of the *Land Use Planning and Approvals Act 1993* Council can either approve the application with or without conditions or refuse the application.

Council is referring the application in accordance with Section 70D of the *Gas Pipelines Act 2000*. A copy of the application and supporting information is attached.

If you have any queries regarding this application please contact Council’s Planning Department on 6393 5320 quoting reference number PA\23\0217.

Yours sincerely

11.1.19 Agency Consultation - Tas Gas Networks

Natasha Whiteley
TEAM LEADER TOWN PLANNING

Attached – A copy of the application and plans can be found here (available until 1 July 2024): [PA.23.0217-Reduced-Size.pdf](#) ([meander.tas.gov.au](#))

Or Here:

https://www.dropbox.com/scl/fo/oeqn7cwype8hg8sa4mtz0/AL0ol8l4iCz3mPuKiCL8_l8?rlkey=u5119g4ha6z3hy3pcummgz4u9&dl=0



Natasha Whiteley, Team Leader Town Planning

P: 03 6393 5344 | E: natasha.whiteley@mvc.tas.gov.au

26 Lyall Street Westbury, TAS 7303 | PO Box 102, Westbury Tasmania 7303

www.meander.tas.gov.au

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APPLICATION FORM

PLANNING PERMIT

Land Use Planning and Approvals Act 1993



- Application form & details **MUST** be completed **IN FULL**.
- Incomplete forms will not be accepted and may delay processing and issue of any Permits.

OFFICE USE ONLY

Property No:	<input type="text"/>	Assessment No:	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>
DA\	<input type="text"/>	PA\	<input type="text"/>	PC\	<input type="text"/>		

- Is your application the result of an illegal building work? ☐ Yes ☐ No Indicate by ✓ box
- Have you already received a Planning Review for this proposal? ☐ Yes ☐ No Pre-application meeting with Natasha Whiteley
- Is a new vehicle access or crossover required? ☐ Yes ☐ No

PROPERTY DETAILS:

Address:	<input type="text" value="345-347 Westbury Road"/>	Certificate of Title:	<input type="text" value="217358/9 & 217681/8"/>
Suburb:	<input type="text" value="Prospect Vale"/>	TAS	Lot No: <input type="text" value="8 & 9"/>
Land area:	<input type="text" value="4,046 m2"/>	m^2 / ha	
Present use of land/building:	<input type="text" value="Service station/Food Services"/>	(vacant, residential, rural, industrial, commercial or forestry)	

- Does the application involve Crown Land or Private access via a Crown Access Licence: ☐ Yes ☐ No
- Heritage Listed Property: ☐ Yes ☐ No

DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box	<input type="checkbox"/> Building work	<input type="checkbox"/> Change of use	<input checked="" type="checkbox"/> Subdivision	<input type="checkbox"/> Demolition
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 4,500,000"/>	Includes total cost of building work, landscaping, road works and infrastructure		
Description of work:	<input type="text" value="Demolition and construction of a convenience restaurant (Food Services) with associated buildings, drive-through, car parking and signage and consolidation of lots."/>			
Use of building:	<input type="text" value="Convenience restaurant (Food Services)"/>	(main use of proposed building – dwelling, garage, farm building, factory, office, shop)		
New floor area:	<input type="text" value="453"/> m^2	New building height:	<input type="text" value="7.2"/> m	
Materials:	External walls:	<input type="text" value="Refer to planning report"/>	Colour:	<input type="text"/>
	Roof cladding:	<input type="text" value="Refer to planning report"/>	Colour:	<input type="text"/>

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 217681	FOLIO 8
EDITION 4	DATE OF ISSUE 02-Nov-2020

SEARCH DATE : 13-Jun-2024

SEARCH TIME : 09.55 AM

DESCRIPTION OF LAND

City of LAUNCESTON

Lot 8 on Plan 217681

Derivation : part of 321A-3R-25Ps. Gtd. to H. Burrows.

Prior CT 2655/37

SCHEDULE 1

M851898 JAMES MAJOR LOWISH Registered 02-Nov-2020 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

122794 FENCING CONDITION in Transfer

N181820 CAVEAT by Steven James Dickson Registered

06-Feb-2024 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469

TASMANIA

REAL PROPERTY ACT, 1862, as amended



CERTIFICATE OF TITLE

Register Book

Vol. Fol.

2655 37

NOTE - REGISTERED
CONVEYANCE

Cert. of Title. Vol.569.Fol.77.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

M. Hutchinson

Recorder of Titles.



CITY OF LAUNCESTON
DESCRIPTION OF LAND
ONE ROOD THIRTY NINE PERCHES AND TWO TENTHS OF A PERCH
on the Plan hereon

FIRST SCHEDULE (continued overleaf)

TERENCE NORTH CLARIDGE of Prospect Vale, Contractor and
LYLA MARY CLARIDGE his wife.

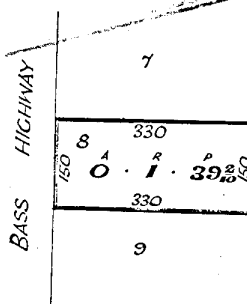
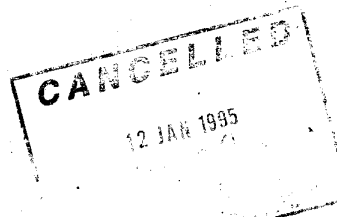
SECOND SCHEDULE (continued overleaf)

TRANSFER NO. 122794 was made SUBJECT TO fencing condition.

RECORDED OF TITLES ARE NO LONGER SUBSISTING.

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

REGISTERED NUMBER
217681



R.C. & C.B.
Broomhall
Ows.

Part of 321A-3R-25Ps. - Gtd. to H. Burrows - Meas. in Links. 194/39D.

FIRST Edition. Registered - 8 MAY 1970

Derived from C.T. Vol. 569.Fol.77. Transfer A47219 D.R. Morgan

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 217358	FOLIO 9
EDITION 4	DATE OF ISSUE 02-Nov-2020

SEARCH DATE : 13-Jun-2024

SEARCH TIME : 09.55 AM

DESCRIPTION OF LAND

Town of PROSPECT VALE

Lot 9 on Plan 217358

Derivation : Part of 321A-3R-25Ps. - Gtd. to H. Burrows.

Prior CT 2642/96

SCHEDULE 1

M851898 JAMES MAJOR LOWISH Registered 02-Nov-2020 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

121629 FENCING CONDITION in Transfer

N181820 CAVEAT by Steven James Dickson Registered
06-Feb-2024 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

ORIGINAL - NOT TO BE CANCELLED BY TITLES OFFICE

R.P. 1469

TASMANIA

REAL PROPERTY ACT, 1862, as amended

NOT RECORDED FOR OFFICE

CONVEYANCE TO REPLACE



CERTIFICATE OF TITLE

Register Book

Vol. Fol.

. 2642 96

Cert. of Title. Vol. 555. Fol. 3.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

M. Hutchinson

Recorder of Titles.



DESCRIPTION OF LAND

TOWN OF PROSPECT VALE
TWO ROADS ONE PERCH on the Plan hereon

FIRST SCHEDULE (continued overleaf)

ARTHUR HENRY KINDRED of Prospect Vale, H.E.C. Retail store Manager
and BONNIE VIVIENNE KINDRED his wife.

SECOND SCHEDULE (continued overleaf)

TRANSFER NO. 121629 was made SUBJECT TO fencing condition.

NO. A218301 MORTGAGE to Permanent DISCHARGED A519770 (29.4.1976)
Building Society.

Registered 6th May, 1965 at 12.2p.m. Recorder of Titles. 3

(Sgd.) A. IMLACH.

Recorder of Titles.

NO. A240672 MORTGAGE to Permanent DISCHARGED A519770 (29.4.1976)
Building Society.

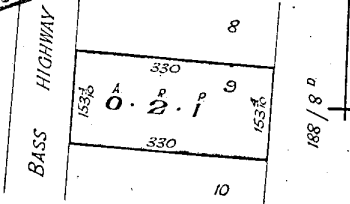
Registered 28th March, 1966 at Noon. Recorder of Titles. 6

(Sgd.) A. IMLACH.

Recorder of Titles.

CANCELLED

12 JAN 1995



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

REGISTERED NUMBER

217358

Part of 321A-3R-25Ps. - Gtd. to H. Burrows - Meas. in Links.

FIRST Edition. Registered 20 1970 194/39D.

Derived from C.T. Vol. 555. Fol. 3. Transfer A218300 R.G. Thomas

11.1.20 Application Documents

Melbourne Office
8 Gwynne St
Cremorne VIC 3121

Geelong Office
Suite 2, 12-14 Union St
Geelong VIC 3220

Sydney Office
Level 11/10 Carrington St
Sydney NSW 2000

Brisbane Office
Level 6/200 Adelaide St
Brisbane QLD 4000

T +61 3 9429 3111
E mail@ratio.com.au
ABN 93 983 380 225

Planning, Transport, Urban Design & Waste Management.

29 May 2023

Natasha Whiteley - Team Leader, Town Planning
Meander Valley Council
26 Lyall Street
Westbury TAS 7303
Sent via email: planning@mvc.tas.gov.au

RFI Response

345-347 Westbury Road, Prospect Vale - Application Reference PA/23/0217

Dear Natasha

We continue to act on behalf of McDonald's Australia Limited, the permit applicant in the matter above. We make reference to Council's latest correspondence dated 22 May 2024 requesting further information. In response to this request, we have enclosed the following documents:

Ref.	Title	Prepared by	Date
1	Application Form	Ratio Consultants	2/11/23
2	Planning Report	Ratio Consultants	29 May 2024
3	Architectural Drawings	Albus & Co	23 May 2024
4	Landscape Plan	Taylors	27 May 2024
5	Transport Impact Assessment	Ratio Consultants	24 May 2024
6	Lighting Assessment	Rb Lighting	28 May 2024
7	Acoustic Impact Assessment	Clarity Acoustics	24 May 2024
8	Odour Risk Assessment	ES&D	24 May 2024
9	Site Services Plan	JMG	24 May 2024
10	McDonald's Australia Fact Sheet	McDonald's	12/2022
11	Review and Advice Letter and Environmental Site Assessment	ES&D & Abacus Environmental	29 May 2024
12	Civil Engineering Documents	Parkhill Freeman	29 May 2024

ratio:

RFI Response Letter - P1

ratio.com.au

11.1.20 Application Documents

A detailed response to Council's Request for Further Information dated 22 May 2024 is provided in Appendix A.

We trust this response satisfies your requirements and we request that the application is placed on advertising as soon as practicable.

Yours sincerely,

Ratio Consultants

ratio:

RFI Response Letter - P2

ratio.com.au

Appendix A – Detailed Response to RFI No. 4

1. TasWater	
RFI	An Amended Submission to Planning Authority has been issued by TasWater dated 16 May 2024. I have attached this for your reference. No further action is required.
Response	Noted.
2. Clause 15.3.1 All Uses	
RFI	<p>a) <i>The requested odour report has been submitted. It is noted that this report references the previous car parking layout. As the car parking design has been amended please either:</i></p> <p>i) <i>Amend the odour report to include and consider the amended car parking layout (preferred option); or</i></p> <p>ii) <i>Provide a statement from the report author commenting on the amended car parking configuration and if this change requires any additional considerations that are not provided for in the report.</i></p>
Response	The Odour Risk Assessment includes a statement confirming that the updated site plan does not change their recommendations as the odour sources and receptors remain unchanged. A copy of the updated site plan is also enclosed in Appendix 1 of this report.

3.	C14.0 Potentially Contaminated Land Code
<p>Comment</p>	<p><i>i) Please amend the report to provide further clarification and respond directly to either C14.6.1 P1 (b) or (c). The recommendation implies that (c) may be relied on to satisfy the performance criteria, however, a plan to manage contamination and associated risk to human health and the environment that includes any specific remediation and protection measures required to be implemented before excavation commences has not been provided (Clause C14.6.1 P1 (c)(i)).</i></p> <p><i>(...)</i></p> <p><i>The second management measure pertaining to the continued monitoring of onsite bores may or may not be related to the proposed excavation for the development, and perhaps does not have any relevance to the excavation proposed by this development and relevance to the Performance Criteria. However, this is not clear in the conclusion and recommendation.</i></p> <p><i>The conclusions and recommendations of the ESA should specify which is directly related to this application (ie concerned with excavation), and what is on-going and associated with the management of the site.</i></p>
<p>Response</p>	<p>The ESA suffices as part (b) of C14.6.1 (P1) of the Potentially Contaminated Land Code as it demonstrates that the level of contamination does not present a risk to human health or the environment.</p> <p>The ESA clearly states that excavation on the site can proceed with standard OH&S procedures in place.</p>
<p>Comment</p>	<p><i>ii) It is also noted that Certified Environmental Practitioner Scheme has advised the Rod Cooper's certification as a SC specialist expired on 19 May 2024. The Tasmanian Planning Scheme requires a site contamination practitioner to be certified under a contaminated land practitioners schemes that is endorsed by the Director. Refer to C14.3 – Definition of Terms.</i></p>
<p>Response</p>	<p>Please refer to the review and advice provided by Richard H Evans (CEnvP -Site Contamination) from Abacus Environmental accompanying the ESA.</p>
<p>Comment</p>	<p><i>iii) Please also include the amended car parking and access configuration in this report.</i></p>
<p>Response</p>	<p>The updated ESA reflects the updated car parking and access configuration and states that these changes are immaterial to environmental risk.</p>

11.1.20 Application Documents

4. Noise Assessment	
Comment	<i>a) Please include statement to clarify whether the dB penalties were applied in the modelling outlined in the original report, or alternatively, from which report version they were included.</i>
Response	Please refer to Section 6.3 of the updated acoustic report. This section clarifies that the corrections have always been applied to the noise modelling including in the original version of the acoustic report.
Comment	It is acknowledged that additional information has been provided regarding the methodology for calculating tonality and impulsivity, and an example for each provided. It is unclear when the +2dB penalty has been applied for each and at which receivers across the three measurement periods. Please provide explanation or indication via use of annotation in the relevant tables.
Response	Please refer to Section 6.3 of the updated acoustic report which provides further explanation on when the corrections have been applied, at which receiver and at what measurement period. Sections 6.4.1, 6.4.2, 6.4.3 have also been updated accordingly.
Comment	i) Table 12 in section 6.4.5 refers to Compliance with 65 dB LAmax for predicted maximum noise levels from late night activity, however section 3.2 refers to a sleep disturbance criterion of 60 dB LAmax. Please review and amend table accordingly.
Response	The above typo has been corrected on Page 21.
Note	Please note that the acoustic assessment has been updated to reflect the parking layout and minor fence height change. The findings and recommendations of the acoustic report remain the same.
5. Light Spill Assessment	
Comment	<i>i) Inconsistencies remain the Electrical Services Lighting Sheet – Sign Luminance Calculations (Drawing No: MCD01155-E01-4) dated 7/03/24. When referencing sections of AS/NZS 4282:2019, Table 3.3 is referred to instead of Table 3.5. It is noted that Table 3.4 has now been included from AS/NZS 4282:2023 on this Sheet, and also in relation to the elevations provided for adjoining properties (pages 27-29). For consistency in the document, it is recommended that one version of the AS/NZS4282 be referred to. Refer to comment below regarding Australian Standards.</i>
Response	The lighting report has been updated to correct typos to ensure the report consistently refers to AS/NZS 4282:2023. We note AS/NZS 4282 (Control of the obtrusive effects of outdoor lighting) are not referenced in the Planning Scheme.

Comment

It is noted that information regarding two Upward Waste Light Ratios (UWLR) has been included on Electrical Services Lighting – Obtrusive Light Analysis (Drawing No: MCD01155-E01-3) dated 07/03/24. Please clarify why this information has been included, and which Performance Criteria is it in relation to. Further, please explain why the percentage ratios for each value has been designated a 'pass' when both exceed 3.0% (10.1% and 9.8% respectively).

Upward Waste Light Ratio is part of the AS/NZS 4282:2023 light technical parameters. It needs to be below 3% in this case for the area lighting, and below 50% for internally-illuminated signs.

The calculations are shown separately in the updated report – signs on Page 12, and area lighting on Page 26.

This is an extract of the relevant section of the standards for Council's benefit.

Table 3.2 — Light technical parameter limits

Zones	Maximum vertical illuminance (E_v) lux		Threshold increment (TI)		Upward Light Ratio
	Non-curfew	Curfew	Maximum TI %	Default Adaptation level (L_{ad}) cd/m ²	Maximum ULR _S or ULR _L
A0	0 ^a	0.0	N/A	N/A	0.00
A1	2	0.1	20	0.1	0.00
A2	5	1	20	0.2 ^b	0.01
A3	10	2	20	1	0.02
A4	25	5	20	5	0.03
TV	N/A	N/A	20	10	0.08
^a For A0, E_v shall be as close to zero as practicable without impacting safety considerations.					
^b For an internally illuminated sign in a A2 zone, $L_{ad} \leq 0.25$ cd/m ²					

Response

3.3.3.4 Control of upward waste light

The upward light impact of lighting included under [Clause 3.3.3](#) shall be assessed as individual items as follows:

- (a) Internally illuminated signs and other internally illuminated objects shall have a ULR_L of ≤ 0.50 .
- (b) Digital signs shall have a ULR_L of ≤ 0.45 .
- (c) Externally lit signs and billboards shall be lit from the top and shall have a ULR_L or ULR_S no greater than that specified in [Table 3.2](#).

For other lit surfaces not included in (a) to (c), e.g. façade lighting, walls, and trees, the lighting system shall include measures which mitigate upward waste light. See [Appendix A](#) for guidance.

Comment

Please amend the report to respond to the Australian Standards referenced in the Planning Scheme. I note that in some instances, more current versions, that supersedes the version listed in the Planning Scheme has been referred to (e.g., AS/NZS 1158.3.1). It is also noted that some Australian/New Zealand

	<i>Standards referred to are not referred in the Planning Scheme, and therefore this does not apply (other than using the same version of the standard throughout the report).</i>
Response	<p>Please refer to Page 5 of the Lighting Assessment confirming that the proposal has been designed to meet both the previous and current versions (2005 and 2020) of AS/NZS 1158.3.1:2020 – Lighting for roads and public spaces.</p> <p>If Council has any concerns with compliance with the standards referenced in the Scheme (2005) we request a condition be included in the permit.</p>
Note	Please note that the cd values in the updated report have changed because the layout of area lights within the site has changed slightly to suit the revised plans.

6. Traffic Impact Assessment	
RFI	<p>a) Intersection Analysis -The intersection analysis undertaken for the proposed access is not based upon the recent traffic data for 2024 and is based on older lower estimates of traffic activity. I.e. the volumes used for analysis are lower than they should be in all cases. Accordingly, the analysis for the following scenarios is affected:</p> <ul style="list-style-type: none"> • 2024 (Appendix E of the TIA) • 2034 assuming 1% compound annual growth (Appendix F of the TIA) • 2034 assuming 1.9% compound growth (Appendix G of the TIA) <p>Please amended to reflect the recent traffic data.</p>
Response	Please refer to the Cover Letter accompanying the Transport Impact Assessment.
RFI	<p>b) Section 5.3 The compliant sight distance for the restaurant requires vehicles not parking outside 343 (full frontage) and 341 (approx. ½ the frontage). There are currently no restrictions to parking at these locations. Please amend the plans to show the parking restrictions. It is suggested to show the extent of the required Yellow “No Standing” line required to the front of these properties.</p>
Response	Please refer to the Cover Letter accompanying the Transport Impact Assessment.
RFI	<p>c) The Response to Council Request for Further Information dated 10 May 2024 on Page 4 recommends the southern boundary fence ‘abutting 349 Westbury Road is constructed with a height generally consistent with existing conditions (1.2 metres high) for a distance of 2.5m from the property boundary. This will be sufficient to provide safe sight distance to pedestrians using the new footpath. From 2.5 metres the fence will taper to the proposed height of 1.8 metres.’</p>

11.1.20 Application Documents

	<ul style="list-style-type: none">• Please provide comments, from suitably qualified persons, regarding how this recommendation will impact the light spill, noise and odour assessments.• Please provide a diagram to demonstrate sight distance from the driveway at 349 Westbury Road, in consideration of:<ul style="list-style-type: none">i) The 1.8m high fence; andii) The reduction of the fence to 1.2m, noting the 1.5m high opaque fence proposed to be located in front of the drive-thru.
Response	<p>Please refer to the Cover Letter accompanying the Transport Impact Assessment.</p> <p>The acoustic, odour and lighting assessments have been updated to reflect both the new parking layout and the minor change to the southern fencing height. All findings and recommendations within these reports remain unchanged.</p>
RFI	<p>d) Please explain why semi-trailer movements for the exit are shown. The proposal only suggests rigid vehicles to be used for deliveries so why show semi-trailer movements? Having semi-trailer movements has the effect of widening the entrance and therefore increasing the distance that pedestrians need to cross at the driveway and may result in multiple vehicles using (or attempting to use) the access which would be undesirable from a safety perspective.</p> <p>If semi-trailer movements are not required to be shown, please amend plans to reflect the swept paths for the vehicles associated with the development, i.e. rigid vehicles. A 14m semi-trailer is shown in Appendix H of the TIA.</p>
Response	<p>Please refer to the Cover Letter accompanying the Transport Impact Assessment.</p>

11.1.20 Application Documents

7. Stormwater	
RFI	<p><i>The Environmental Site Assessment (ESA) considers various depths of excavation required for the building foundations (no deeper than 3m below surface level), acoustic fence (no deeper than 2m below surface level), and drainage system (no deeper than 1.5m below surface level). The ESA states that 'excavation to these depths are low risk...</i></p> <p><i>Excavation on the site can progress with the management measure specified below...' (Pages 44 & 45 of Environmental Site Assessment Final V3). It is generally accepted that on the basis of a revised ESA as required above, if the consideration of excavation depths required above and the conclusion remains the same, no further information is required and Points a) - c) are not required.</i></p>
Response	Noted.
Other matters	
Note	Please update all associated reports and plans to reflect the new car parking and access configuration. The reports should have consideration to the proposed amended design.
Response	All associated documents have been updated to reflect the new parking layout and access configuration.
Note	Please confirm the hours of operation. It is noted the development will operate 24 hours a day 7 days a week. However, please confirm if this is for both the restaurant and drive-thru or just the drive-thru.
Response	Both the restaurant and the drive-thru are proposed to operate 24 hours a day 7 days a week.
Note	Please review the submission documentation. For example, the Planning Report refers to Appendix A however, this is not attached to the report. It is recommended that the application material is resubmitted, as this will assist with the preparation of documentation for advertising to ensure we have all the appropriate material (including attachments to reports etc). This should include all the documentation that was previously submitted but has not required further amendments and therefore, has not been submitted with each response for additional information.
Response	<ul style="list-style-type: none"> The planning submission has been updated to remove references to Appendix A. All relevant documents and plans have been re-submitted for completeness, including civil engineering drawings and stormwater management plan. In the attempt to avoid the need for amendments to the planning permit or the need for a new planning application, we request Council that the civil engineering drawings and stormwater reports are <u>not endorsed</u> as these documents are subject to change as part of the subsequent approvals processes.

Client
McDonald's Australia Limited

Date
29 May 2024

Planning Report

345-347 Westbury Road, Prospect Vale

Planning

Transport

Urban Design

Waste Management



ratio.com.au

11.1.20 Application Documents

Project
345-347 Westbury Road, Prospect Vale

Prepared for
McDonald's Australia Limited

Our reference
19464P

Directory path X:\19001-19500\19464P - 345-347 Westbury Road, Prospect Vale\5. Planning permit lodgement

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ratio:

19464R004.docx 345-347 Westbury Road, Prospect Vale

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1. Introduction

1.1. Instruction

Ratio Consultants has been engaged by McDonald's Australia Limited, the permit applicant, to prepare a planning report with respect to an application for a change of use to Food Services and associated buildings and works including signage at 345-347 Westbury Road, Prospect Vale.

1.2. Investigations and research

In the course of this report, we have:

- Assessed the proposal against the relevant planning controls and policies contained within the Tasmanian Planning Provisions and the Meander Valley Local Provisions Schedule ("the Scheme");
- Inspected the site and surrounds in August 2022;
- Reviewed the application plans prepared by Timmins & Whyte Architecture & Design;
- Reviewed the Landscape Plan prepared by Taylors;
- Reviewed the Transport Impact Assessment prepared by Ratio Consultants;
- Reviewed the Lighting Plan and modelling prepared by Rb Lighting;
- Reviewed the Acoustic Report prepared by Clarity Acoustics;
- Reviewed the Odour Risk Assessment prepared by ES&D;
- Reviewed the Environmental Site Assessment prepared by ES&D; and
- Reviewed the Site Services Plan prepared by JMG.

1.3. Summary

In summary, it is submitted within this report that the proposal should be supported because:

- The convenience restaurant use is 'as of right' and is appropriate having regard to the site's location in a General Business Zone and within an established commercial precinct and an urban growth corridor.
- The proposed buildings and works and signs represent an appropriate outcome for the site having regard to the zoning and physical context.
- The proposed layout and mitigation measures ensure the proposal will not have unreasonable amenity impacts on surrounding properties; and
- Traffic, car parking and access for service/delivery vehicles is well considered and designed to minimise disruption to the local road network.

2. Site Analysis

2.1. Subject site

The subject site, 345-347 Westbury Road, Prospect Vale, is comprised of two lots, formally known as Lot 8 on Plan 217681 and Lot 9 on Plan 217358.

The subject site is located on the eastern side of Westbury Road, between its intersection with Vale Street and Burrows Street, approximately 40 metres from Prospect Vale Market Place, 300 metres from an industrial precinct to the south and 5 kilometers from Launceston's CBD (as the crow flies).

Figure 1. Location Plan



Source: Nearmaps (2022)

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The features of the site are summarised as follows:

- The subject site has an approximate site area of 4,046 square metres, a frontage width to Westbury Road of 60.96 metres and a depth of approximately 66.39 metres.
- The land has a gentle slope, falling by approximately 1 metre from the southwestern to the northeastern corner of the site.
- The subject site was recently used for vehicle fuel sales and service and food services operating as 'Jim's Roadhouse'.
- It is developed with two main single-storey buildings setback at least 9 metres from the street, associated outbuildings scattered across the site (some built to the southern boundary of the site), the service station canopy and concrete areas within the front setback. The remainder of the site is a mix of gravel and grassed areas.
- Two pylon signs to a height of 6.5 and 6.8 metres are found on the site, one on the northwest corner of the site and the second in the southwest corner both targeting vehicle traffic travelling on both sides of Westbury Road.
- Additional signage is found on the site in the form of wall and window signs associated with ancillary businesses trading as 'AutoTech west' and 'Roadster Roadhouse'.
- No fencing is provided along the front boundary of the site and various fence types and highs are found along side and rear boundaries including low brick, paling and colourbond fences.
- Vehicle access is provided via Westbury Road.
- There are no easements, covenants or restrictions registered on either title.

Figure 2. Subject site – Service station



Source: Google Maps (2017)

Figure 3. Subject site – Food Services



Source: Google Maps (2017)

2.2. Character of the area

The broader area

The subject site is located in the main commercial section of Westbury Road within close proximity to other commercial properties, more notably, Prospect Vale Market Place accommodating Woolworths, Caltex and several other food services and retail premises.

Directly adjoining the site to the south is a restaurant and a butchery. Further south, within approximately 300 metres is an industrial complex accommodating both light industrial and commercial uses including a kitchen supply store, vehicle repairs and a construction outlet.

The signage associated with the commercial uses in the area, including the subject site, are large and target vehicle traffic.

Immediate surroundings

The subject site and the adjoining property to the south, No. 349 Westbury Road (CT 23538/1), are located within the General Business Zone. Surrounding land uses are generally residential, developed with single and multiple dwellings with various, generally large, outbuildings.

Figure 4. Immediate surroundings



Source: Nearmaps (2022)

More specifically, nearby properties are described as follows:

South

- No. 349 Westbury Road, Prospect Vale (CT 23538/1) to the south is also zoned General Business and is developed with two single-storey commercial buildings, a butcher and a restaurant/convenience store.
- Immediately behind are Units 1 to 6 at 349 Westbury Road (CT 23538/2) developed with two buildings accommodating three residential units and a large carport. The private open space of four of the units is adjacent to the common boundary of the subject sites. The units are setback approximately 4.2 metres from the common boundary.
- There are various outbuildings, generally large, developed to the southern boundary of the site directly to the north of Units 1 to 6. The majority of the views to and from the subject site are obstructed by the various outbuildings as seen in the photographs below:

East

- The subject site abuts five properties to the east and northeast. These lots are generally similar in size and orientation. From the southeast to the northeast:
- No. 12 Chris Street abuts the southeast corner of the site, it is developed with a single-storey residential dwelling with a two-storey addition to the west. This building is setback between 30-38 metres from the subject site.
- No.10 Chris Street is developed with three units. The nearest dwelling is setback approximately 2.4 metres from the common boundary with the subject site.
- No. 8 Chris Street developed with a single storey dwelling setback over 30 metres from the subject site and associated outbuildings built to the common boundary.
- No. 6 Chris Street developed with a dwelling and two outbuildings with respective setbacks of 32 metres and 3.5 metres.
- Finally, No. 2 is located to the northeast corner of the site, it is a semi-internal lot accommodating six units, three of these setback 2.3 metres from the subject site and the remaining three setback over 25 metres from the common boundary.

North

- Immediately to the north is No.343 Westbury Road, a lot developed with four units.
- The private open space of all units abuts the subject site. Three of the units are setback approximately 14 metres from the common boundary, one is built to the boundary.
- Unit one has a boundary wall of approximately 1.5 metres.
- Unit two has a tall boundary wall of approximately 2.5-3 metres.
- Units four and three have standard fences (1.7 metres in height approximately).

West

- To the west of the site is Westbury Road, a local road, providing a north-to-south link between and parallel to the Bass Highway and to the city's centre.
- Opposite to Westbury Road are a number of residential properties, the majority developed with multiple dwellings.

Figure 5. Southern interface with Units 1 to 6 at No. 349



Figure 6. Interface to the east No. 6 Chris Street



Figure 7. Interface to the north east – No. 2 and No. 6 Chris Street



Figure 8. Interface to the north – No. 343 Westbury Road



3. The Proposal

3.1. Overview

It is proposed to demolish all existing buildings, structures and paving on the site and construct a convenience restaurant (Food Services) to be operated by McDonald's Australia, with associated buildings and structures, drive-through, car parking, landscaping and business identification signage.

Key features and details of the proposal are summarised below:

3.2. Operational details

- The proposed McDonald's restaurant is to operate 24 hours, 7 days a week.
- There will be approximately 75 patrons on site at any one time.

3.3. Buildings and works, car parking and vehicle access

- Demolition of existing buildings, structures and sections of concrete including one tree.
- Construction of a single storey convenience restaurant building with a gross floor area of 453sqm:
 - Minimum setback to Westbury Road of 11 metres approximately.
 - Minimum setback to the southern boundary of 7.9 metres approximately.
 - Minimum setback to the rear of 28 metres approximately.
 - Minimum setback to the north of 35 metres approximately.
 - Maximum height of 7.2 metres occurring at the north-west corner of the building ('playland').
- Pedestrian entrance located on the northern side of the building accessed directly from Westbury Road via a pedestrian crossing, covered by a canopy which also wraps around the building's north, west and south interfaces.
- Materials and finishes include:
 - Timber-look cladding applied to parapets and 'playland' walls.
 - Charcoal grey applied finish to external walls.
 - Red applied finish to external walls (drive-through windows) and sides of the playland.
 - White applied finish to fascias/canopies.

- Pedestrian access available via two access points from Westbury Road.
- Vehicular access to be obtained and consolidated via one crossover to Westbury Road and located at the northwestern corner of the site.
- Two north-to-south pedestrian paths leading to the control building are provided within the car park to allow for pedestrian circulation.
- The parking scheme proposed includes:
 - A total of 45 on-site car parking spaces located generally to the north and west of the main building including two (2) staff car spaces and one (1) accessible space.
 - Six (6) bicycle spaces directly to northeast of the entrance to the main building.
- A drive-through with two lanes for ordering located to the west of the site which turn into a single lane to the south of the building where the servery is located and finishing in the parking areas.
- A dedicated loading bay is provided adjacent to the east face of the building which is to be screened with a 2.5 metre acoustic screen on its southern side as per the recommendations of the Acoustic Assessment Report.
- Rooftop plant and mechanical services will include air conditioner units, exhaust fans, FSB condenser unit and refrigerator unit.

Refer to the submitted architectural plans for further details.

3.4. Landscaping and fencing

- Generous setbacks are provided to all site boundaries, including the parking areas, which allow areas for the provision of meaningful landscaping.
- The detailed landscape plan prepared by Taylors nominates the planting of three large native trees estimated to reach a mature height of 15 metres, several medium sized trees and shrubs located along the boundaries of the site, adjoining the drive-through areas and in localised sections within the parking areas.
- Acoustic fencing is to be provided to the entire length of the southern, eastern and northern boundaries (residential interfaces). The height of the fencing ranges between 1.2 and 2.6 metres.
- An opaque fence of 1.5 metres is proposed to the southern section of the western boundary to mitigate lighting impacts to surrounding residential properties.

3.5. Signs

The proposed McDonald's restaurant includes an array of business identification signs, summarised in the table below.

Table 1. Description of signs proposed.

Reference	Type of sign ¹	Description
P1	Pylon sign	Illuminated pylon sign ('M' logo and '24 Hours' with logo) with a display area of approximately 3.91 square metres and an overall height of 6.5 m, addressing Westbury Road and located at the north-western corner of the site.
P2	Pylon sign	Illuminated pylon sign ('M' logo and '24 Hours' with logo) with a display area of approximately 3.91 square metres and an overall height of 6.8 m, addressing Westbury Road and located at the south-western corner of the site.
S2A & S2B	Wall signs	1.66sqm illuminated wall signs ('PlayPlace'), located on the northern and western 'playland' walls.
S3 (A-D)	Wall signs	A total of four 1.63sqm illuminated wall signs ('M' logo), located on three faces of the building, two of this located along the northern face, one along the western face and one along the eastern face.
S4	Awning fascia sign	0.4sqm illuminated awning fascia sign ('McDonald's'), located on the canopy above the pedestrian entrance.
S5A	Wall sign	1.13sqm illuminated wall sign ('McCafe') located on the western elevation.
S5B	Wall sign	1.22sqm illuminated wall sign ('McCafe') located on the northern elevation.
S6	Projecting wall sign	0.16sqm projecting wall sign ('McDelivery Collection Area') located on the western elevation. It has a horizontal dimension of 500mm (measured from the wall) and is contained within the title boundaries of the site.

¹ In accordance with C1.3.1 and Table 1.3 under the Signs Code.

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S7A & S7B	Blade signs	Illuminated blade signs (digital menu boards) with display area of approximately 0.69sqm and overall height of 1.855 metres, located at the entrance to each drive through bay.
S7C & S7D	Blade signs	Illuminated blade signs (digital menu boards) with display area of approximately 1.305sqm and overall height of 1.855 metres, located at the point of service/order of each drive through bay.
S8 (A-E)	Blade signs	1.61sqm double-sided internally illuminated blade signs (directional with alternative wording such as 'drive thru', 'no entry', 'any lane') in different locations as seen in A801.
S9	Pole/gantry sign	3.5 metre pole / gantry sign (drive-through height clearance) located at the drive through entrance. Internally illuminated.
S10	Pole/gantry sign	Pole / gantry sign ('Order here') attached to the drive-through canopies. Internally illuminated.
S11	Directional signage	Directional signage described in A807.
S12	Flags	Two 1.7 square metre flags (Australian and McDonald's), each attached to a pole with a maximum height of 8.5 m, located within the front setback to Westbury Road.
S13A to C	Window sign	Three aluminium panels with the words 'Pay here' and 'Pick up here' located along the southern side of the building facing the drive through lane.
S14	Wall sign	McDonald's word mark with a display area of approximately 1.1 square metres applied to the screen near the western boundary.

Figure 9. Perspective Image of the proposal



4. Planning Controls

4.1. Overview

The subject site is located within the C15.0 General Business Zone.

The following codes are relevant to this application:

- C1.0 Signs Code
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C14.0 Potentially Contaminated Land Code

There are no standards within the Local Provisions Schedule relevant to this application.

5. Planning Assessment

5.1. Use Categorisation

The proposed use of the land for a restaurant is best categorised in the 'Food Services' use class.

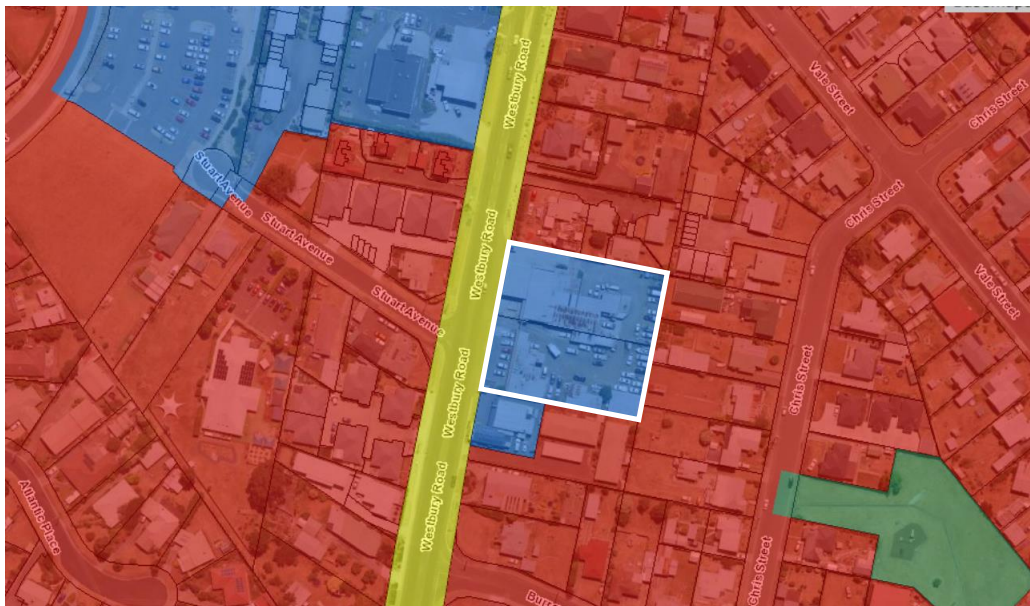
Food Services is defined under Table 6.2 Use Classes as follows:

use of land for selling food or drink, which may be prepared on the premises, for consumption on or off the premises. Examples include a cafe, restaurant and take away food premises.

5.2. General Business Zone

Food Services is a 'No Permit Required' use class under the General Business Zone (C15.2). The application has a discretionary status as it relies on the performance criteria under a number of clauses.

Where compliance with an applicable acceptable solution is not achieved, the development satisfies the relevant performance criteria.



Source: The List Map (Accessed in January 2023)

15.3 – Use Standards

15.3.1 – All uses	
Objective: <i>That uses do not cause an unreasonable loss of amenity to residential zones.</i>	
Acceptable Solution A1 <i>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:</i> <i>(a) 7.00am to 9.00pm Monday to Saturday; and</i> <i>(b) 8.00am to 9.00pm Sunday and public holidays.</i>	Performance Criteria P1 <i>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to:</i> <i>(a) the timing, duration or extent of vehicle movements; and</i> <i>(b) noise, lighting or other emissions.</i>
Assessment – Complies with P1. <p>The proposal must demonstrate that it does not cause an unreasonable loss of amenity to adjacent sensitive uses. The ability of the site to accommodate a 24/7 operation is partially determined by the site attributes, the location of sensitive uses, the proposed layout and design, the nature and magnitude of the noise and light emissions and the mitigation measures proposed.</p> <p>This written response should be read in conjunction with:</p> <ul style="list-style-type: none"> – the Acoustic Assessment Report prepared by Clarity Acoustic; – the Lighting Assessment prepared by Rb Lighting; – the Odour Risk Assessment prepared by ES&D; and – the Transport Impact Assessment prepared by Ratio Consultants. <p>SITE ATTRIBUTES</p> <p>The subject site displays a variety of attributes that make it an appropriate candidate to accommodate a 24/7 convenience restaurant:</p> <ul style="list-style-type: none"> – The subject site forms part of the south-west corridor, one of the three urban growth areas identified by the Greater Launceston Plan 2014. – Specifically, the site is within close proximity (if not part of) Prospect Vale Marketplace in a strategic sense. Listed second in the hierarchy of suburban activity centres in terms of functional size and catchment. – The site fronts Westbury Road, a main commercial road, and is located within close proximity to other commercial properties, more notably, Woolworths, Caltex and several other food services and retail premises both within and outside of Prospect Vale Marketplace. 	

- Historically, the site has been used and developed for commercial and industrial-type purposes. It is currently used for vehicle fuel sales and services and food services.
- At the 'micro' level, the subject site demonstrates no constraints that would prevent its development being predominantly flat with a site area of over 4,000 square metres. Further, the site is not limited by restrictive easements or covenants.

ADJOINING SENSITIVE USES

Suburban activity centres in Launceston generally front a main road and form part of a cluster of commercial use and development interspersed with residential properties. The subject site follows this pattern, it faces a main road and adjoins residential properties to the north, east and south.

The existing levels of residential amenity of adjoining residential lots differ from those of properties contained within predominantly residential areas, this is reflected by the levels of traffic, noise and light as well as visual amenity as a result of existing buildings, structures and signage on the subject site and nearby commercial properties.

PROPOSED LAYOUT

- The main building is setback as far as practicable from sensitive interfaces whilst allowing sufficient setbacks to the street to accommodate parking and landscaping areas.
- Likewise, the drive through lane is strategically located to the south and south-east. This is because to the east, dwellings are well setback from the common boundary (30 metres) and to the south there is an adjoining commercial use and fewer residential uses.
- Landscaping strips with widths between 2 to 5 metres bound the site and provide additional separation to adjoining properties.

EMISSIONS

- The emissions likely to be generated by the proposed use are mainly external lighting and noise generated by the operation of the mechanical service plant, goods delivered, customer order display, vehicles and patrons.

Noise

- In the absence of noise measures guidelines within the relevant performance criteria, the authors of the acoustic report have adopted criteria with the assistance of EPA Tasmania which is generally consistent with the New South Wales EPA's Noise Policy for Industry and Victoria's EPA publication 1826.4.
- The proposed sleep disturbance criterion is also consistent with the maximum noise level criterion accepted by the Tribunal in *Marching Ants (Tas) Pty Ltd v Launceston City Council and Ors [2021]*.
- As described in the acoustic report, the adopted criteria for the assessment of this proposal are consistent with and on some occasions more stringent than the criteria applied in other jurisdictions.
- The acoustic report predicts noise emissions from the proposal and compares them with the adopted criteria at each of the receivers identified. In all instances, the proposal meets the adopted criteria subject to the mitigation measures summarised below.
- We note, whilst in the opinion of Clarity Acoustics, a sleep disturbance criterion of 65 dB L_{Amax} is an appropriate external criterion, we have updated the assessment and noise mitigation requirements to reflect the more stringent 60 dB L_{Amax} criteria outlined in the Environment Protection Policy (Noise) 2009 as requested by Council in the Request for Further Information.

Light

- We defer to the lighting assessment prepared by Rb Lighting which includes a lighting plan including technical details, levels of illumination and modelling. This assessment demonstrates compliance for an A4 environmental zone for non-curfew and curfew operation subject to the following recommendation:
 - The northern pylon sign to be turned off during curfew hours with a turn off timer.
- The above assessment includes certification by a Registered Lighting practitioner demonstrating compliance with AS/NZS 4282:2023 Control of the obtrusive effects of outdoor lighting.

Odour

- The proposed convenience restaurant is designed to a high standard and will incorporate standard industry rangehoods and other kitchen exhaust fans which mitigates odour. The operator will manage the ongoing operation of the facility in a manner which prevents any discernible production of odours from the facility in accordance with the requirements of the AS1668.2 (The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings).
- Please refer to the Odour Risk Assessment prepared by ES&D Consulting demonstrating that the risk of loss of amenity within the neighbouring residences around the proposal is very low. The following recommendation is included to ensure there is no loss of amenity at the nearest residences:
 - An exhaust air speed of greater than 2 metres per second.
- The above recommendation has been annotated in the architectural drawings.
- ES&D is of the opinion that odour is unlikely to cause nuisance for the proposed development, based on the lack of odour complaints observed for the Invermay and South Launceston McDonald's, and the lack of odour experienced by the two ES&D consultants during the various site odour surveys.

MITIGATION MEASURES

A number of physical and operational mitigation measures are to be implemented:

- A perimeter acoustic fence to the northern, eastern and southern site boundaries with heights between 1.2 to 2.6 metres.
- A 2.5m high acoustic screen to the south of the loading bay.
- Waste collection and delivery hours restricted as per the recommendations of the Acoustic assessment.
- Sound power restriction limitations to the mechanical plant.
- Delivery trucks to switch off refrigeration condensers.
- Rooftop air conditioner units will operate at low speed at night (between 10pm and 7am). The refrigerator unit will be provided with a 1.6 m acoustic screen.
- An exhaust air speed of greater than 2 metres per second (Odour Risk Assessment recommendation).
- The northern pylon sign to be turned off during curfew hours a turn off timer (Lighting Assessment).

The proposed 24/7 operation is considered to meet P1 having regard to the context of the site, the site attributes, the proposed layout, the operational and physical mitigation measures and the supporting technical assessment contained in the supporting reports.

<p>Acceptable Solution</p> <p>A2</p> <p><i>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must:</i></p> <p><i>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</i></p> <p><i>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property in those zones.</i></p>	<p>Performance Criteria</p> <p>P2</p> <p><i>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i></p> <p><i>(a) the level of illumination and duration of lighting; and</i></p> <p><i>(b) the distance to habitable rooms of an adjacent dwelling.</i></p>
<p>Assessment – Complies with P2.</p> <ul style="list-style-type: none"> – We defer to the lighting assessment prepared by Rb Lighting which includes a lighting plan including technical details, levels of illumination and modelling. This assessment demonstrates compliance for an A4 environmental zone for non-curfew and curfew operation subject to: <ul style="list-style-type: none"> The northern pylon sign to be turned off during curfew hours with a turn off timer. – The above assessment includes certification by a Registered Lighting practitioner demonstrating compliance with AS/NZS1158.3.1:2005 & 2020. 	

<p>Acceptable Solution</p> <p>A3</p> <p><i>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:</i></p> <p><i>(a) 7.00am to 9.00pm Monday to Saturday; and</i></p> <p><i>(b) 8.00am to 9.00pm Sunday and public holidays.</i></p>	<p>Performance Criteria</p> <p>P3</p> <p><i>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i></p> <p><i>(a) the time and duration of commercial vehicle movements;</i></p> <p><i>(b) the number and frequency of commercial vehicle movements;</i></p> <p><i>(c) the size of commercial vehicles involved;</i></p> <p><i>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</i></p> <p><i>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</i></p> <p><i>(f) potential conflicts with other traffic.</i></p>
<p>Assessment – Complies with A3.</p> <p>The proposed hours for delivery and waste collection are as follows:</p> <ul style="list-style-type: none"> – Deliveries via HRV – 7 am and 6 pm (Monday to Saturday) and 8 am to 6 pm (Sundays). – Deliveries via other vehicles including MRV, LRV and van – 7 am and 9 pm (Monday to Saturday) and 8 am to 9 pm on Sundays. – Waste Collection – 7 am to 6 pm (Monday to Saturday) and 8 am to 6 pm (Sundays). – No deliveries or waste collection on Public Holidays. <p>*HRV, MRV and LRV refer to Heavy, Medium and Light Rigid Vehicles respectively.</p> <p>The above hours are in accordance with the Acceptable Solution.</p>	

<p>15.3.2 Discretionary uses</p>	
<p>Objective:</p> <p><i>That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.</i></p>	
<p>Acceptable Solution</p> <p>A1</p> <p><i>No acceptable solution.</i></p>	<p>Performance Criteria</p> <p>P1</p> <p><i>A use listed as Discretionary must:</i></p> <p><i>(a) not cause an unreasonable loss of amenity to properties in adjoining residential zones; and</i></p>

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	<i>(b) be of an intensity that respects the character of the area.</i>
Not Applicable The proposed use is a 'No Permit Required' use class.	

Acceptable Solution A2 <i>No acceptable solution.</i>	Performance Criteria P2 <i>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</i> <i>(a) the characteristics of the site;</i> <i>(b) the need to encourage activity at pedestrian levels;</i> <i>(c) the size and scale of the proposed use;</i> <i>(d) the functions of the activity centre and the surrounding activity centres; and</i> <i>(e) the extent that the proposed use impacts on other activity centres.</i>
Not Applicable The proposed use is a 'No Permit Required' use class.	

15.3.3 – Retail Impact	
Objective: <i>That retail uses do not compromise or distort the activity centre hierarchy.</i>	
Acceptable Solution A1 <i>The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 3500m2 per tenancy.</i>	Performance Criteria P1 <i>Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to:</i> <i>(a) the extent that the proposed use improves and broadens the commercial or retail choice with the area;</i> <i>(b) the extent that the proposed use impacts on other activity centres; and</i> <i>(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.</i>
Not Applicable The proposal is not for 'Bulky Goods Sales'.	

15.4 – Development Standards for Buildings and Works

15.4.1 – Building height	
Objective: <i>That building height:</i> <i>(a) is compatible with the streetscape; and</i> <i>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</i>	
Acceptable Solution A1 <i>Building height must be not more than 12m.</i>	Performance Criteria P1 <i>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</i> <i>(a) the topography of the site;</i> <i>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</i> <i>(c) the bulk and form of existing buildings;</i> <i>(d) the apparent height when viewed from the adjoining road and public places; and</i> <i>(e) any overshadowing of public places.</i>
Assessment – Complies with A1 The proposed development has a maximum height of 7.2 metres.	
Acceptable Solution A2 <i>Building height:</i> <i>(a) within 10m of a General Residential Zone must not be more than 8.5m; or</i> <i>(b) within 10m of an Inner Residential Zone must not be more than 9.5m.</i>	Performance Criteria P2 <i>Building height within 10m of a General Residential Zone or Inner Residential Zone must be consistent with building height on the adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</i> <i>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</i> <i>(b) overlooking and reduction of privacy to adjoining properties; or</i> <i>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</i>
Assessment – Complies with A1 The proposed building is located within 10 m of a General Residential Zone and therefore, to meet the acceptable the proposal must not exceed 8.5 metres in height. The maximum height proposed is 7.2 metres and therefore, the acceptable solution is met.	

15.4.2 - Setbacks	
<p>Objective:</p> <p><i>That building setback:</i></p> <p><i>(a) is compatible with the streetscape;</i></p> <p><i>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones; and</i></p> <p><i>(c) minimises opportunities for crime and anti-social behaviour through setback of buildings.</i></p>	
<p>Acceptable Solution</p> <p>A1</p> <p><i>Buildings must be:</i></p> <p><i>(a) built to the frontage at ground level; or</i></p> <p><i>(b) have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</i></p>	<p>Performance Criteria</p> <p>P1</p> <p><i>Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</i></p> <p><i>(a) providing small variations in building alignment to break up long façades;</i></p> <p><i>(b) providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping;</i></p> <p><i>(c) the avoidance of concealment spaces;</i></p> <p><i>(d) the ability to achieve passive surveillance; and</i></p> <p><i>(e) the availability of lighting.</i></p>
<p>Assessment – Complies with A1</p> <p>The main building is to be setback 11 metres from the front street, this setback is within the range of front setbacks of adjoining properties, namely No. 1/343 at approximately 11.9 metres and No. 4/359 which is built to the front boundary. The acceptable solution is met.</p>	

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<p>Acceptable Solution</p> <p>A2</p> <p><i>Building must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than:</i></p> <p><i>(a) 5m; or</i></p> <p><i>(b) half the wall height of the building, whichever is the greater.</i></p>	<p>Performance Criteria</p> <p>P2</p> <p><i>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</i></p> <p><i>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</i></p> <p><i>(b) overlooking and reduction of privacy to the adjoining property; or</i></p> <p><i>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</i></p>
<p>Assessment – Complies with A2</p> <p>The subject site adjoins the General Residential Zone. The proposed building is setback well over 5 metres from all boundaries. The acceptable solution is met.</p>	
<p>Acceptable Solution</p> <p>A3</p> <p><i>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.[1]</i></p> <p><i>[1] An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.</i></p>	<p>Performance Criteria</p> <p>P3</p> <p><i>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</i></p> <p><i>(a) the characteristics and frequency of emissions generated;</i></p> <p><i>(b) the nature of the proposed use;</i></p> <p><i>(c) the topography of the site and location of the sensitive use; and</i></p> <p><i>(d) any proposed mitigation measures.</i></p>
<p>Assessment – Complies with A3</p> <p>The subject site adjoins the General Residential Zone. No roof plant equipment is to be located within 10 metres of the boundaries of the site.</p>	

15.4.3 Design	
Objective: <i>That building façades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.</i>	
Acceptable Solution A1 <i>New buildings must be designed to satisfy all of the following:</i> <i>(a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</i> <i>(b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</i> <i>(c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and</i> <i>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</i>	Performance Criteria P1 <i>New buildings must be designed to be compatible with the streetscape, having regard to:</i> <i>(a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</i> <i>(b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</i> <i>(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</i>
Assessment – Complies with A1 The proposed building meets the acceptable solution as follows: (a) The service plant is contained within the main parapet of the proposed building and therefore it is not visible from the street or adjoining properties. (b) The service plant located at the roof-top will accommodate service infrastructure including air conditioned units, fans and condensing and refrigerator units as seen in Drawing A102. (c) No security shutters or grilles over windows are proposed. (d) The parking areas will be illuminated in accordance with the lighting report, the illumination will be in the way of pole mounted lights to be designed and installed as per the recommendations of the lighting report.	

<p>Acceptable Solution</p> <p>A2</p> <p><i>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</i></p> <p><i>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</i></p> <p><i>(b) if for a ground floor level façade facing a frontage:</i></p> <ul style="list-style-type: none"> - <i>(i) have not less than 40% of the total surface area consisting of windows or doorways; or</i> - <i>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</i> <p><i>(c) if for a ground floor level façade facing a frontage must:</i></p> <ul style="list-style-type: none"> - <i>(i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</i> - <i>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</i> <p><i>(d) provide awnings over a public footpath if existing on the site or on adjoining properties.</i></p>	<p>Performance Criteria</p> <p>P2</p> <p><i>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</i></p> <p><i>(a) how the main pedestrian access to the building addresses the street or other public places;</i></p> <p><i>(b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</i></p> <p><i>(c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</i></p> <p><i>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</i></p> <p><i>(e) the need for provision of awnings over a public footpath.</i></p>
<p>Assessment – Complies with A2</p> <p>The proposed building meets the acceptable solution as follows:</p> <p>(a) The proposed pedestrian entry will provide direct access to the building via Westbury Road. This entry is visible from the street and publicly accessible.</p> <p>(b) The ground floor level façade fronting Westbury Road achieves glazing levels of approximately 41%. It has an approximate area of 56.9 square metres at the ground level and is provided with four large windows/access doors with a total area of approximately 23.7 square metres.</p> <p>(c) The façade fronting Westbury Road has a length of approximately 17.3 metres and the longest blank wall has an approximate length of 3.3 metres, no greater than 19% of the length of this façade.</p> <p>(d) Not applicable – The existing development on the subject site does not provide awning over the footpath, likewise, adjoining properties are developed to the site boundaries without awnings over the public road.</p>	

15.4.4 – Fencing	
<p>Objective:</p> <p><i>That fencing :</i></p> <p><i>(a) is compatible with the streetscape; and</i></p> <p><i>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</i></p>	
<p>Acceptable Solution</p> <p>A1</p> <p><i>No Acceptable Solution [2]</i></p> <p><i>[2] An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.</i></p>	<p>Performance Criteria</p> <p>P1</p> <p><i>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</i></p> <p><i>(a) its height, design, location and extent;</i></p> <p><i>(b) its degree of transparency; and</i></p> <p><i>(c) the proposed materials and construction</i></p>
<p>Assessment – Complies with P1</p> <p>This clause applies to front fences including side boundary fences within 4.5 metres of the frontage. The acoustic fences along the northern and southern boundaries of the site extend within 4.5 metres of the frontage. These sections of the fences are solid and have a maximum height of 1.8 metres.</p> <p>Clause 4.6.3 exempts fences up to 1.8 metres, however, it also requires a transparency of at least 30% above the height of 1.2 metres. As the acoustic fences are solid, an assessment against P1 is required.</p> <p>The proposal, including the proposed fencing, is considered to meet the performance criteria because:</p> <ul style="list-style-type: none"> – The proposal will positively contribute to the existing streetscape, it will increase activation at the street level and provide improved and separate pedestrian access to the site. – A meaningful landscaping response is proposed which will soften the appearance of fencing throughout the site. – The fences will protect the amenity of the properties to the north from noise and lighting emissions and improve the residential amenity by way of increased privacy allowing for better use of their private open space areas. – The proposed fences will not impact the existing levels of sunlight and daylight of the property to the north due to the orientation of the site. Noting, the property to the south within the first 4.5 metres is used for commercial purposes. – The variation to exemption 4.6.3 is considered minor as it only relates to the lack of transparency above 1.2 meters. <p>An assessment against fences along the side and rear boundaries not affected by this Clause is included under C15.4.4 (A2).</p> <p>We note a 1.5 metre high screen is proposed to the southern section of the western boundary to mitigate lighting impacts to surrounding residential properties. This fence will be screened externally and internally with small and medium sized shrubs shown in the landscape plan (trimmed to maintain visibility of the signage on the fence). The remainder of</p>	

the Westbury Road frontage will remain unfenced allowing opportunities for passive surveillance.

Acceptable Solution	Performance Criteria
<p>A2</p> <p><i>Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must:</i></p> <p><i>(a) have a height above existing ground level of not more than 2.1m; and</i></p> <p><i>(b) not contain barbed wire [2]</i></p>	<p>P2</p> <p><i>Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:</i></p> <p><i>(a) their height, design, location and extent; and</i></p> <p><i>(b) the proposed materials and construction.</i></p>
<p>Assessment – Complies with P2</p> <p>The proposed acoustic fences along the side and rear boundaries have varying heights at 1.75, 1.8, 2, 2.3, 2.4 and 2.6 metres. The proposal, including the proposed fencing, is considered to meet the performance criteria because:</p> <ul style="list-style-type: none"> – High fences for noise attenuation purposes or acoustic treatment are expected in zone boundaries such as this. The purpose of the proposed fences is to mitigate off-side amenity impacts, particularly to sensitive interfaces. – The fences along common boundaries will significantly improve the visual amenity of the site's interface with adjoining residential properties, it will provide greater privacy levels with a consistent and a neat design in the way of fiber cement painted in 'Wayward Grey'. – The proposed fencing, coupled with the proposed demolition of existing structures and buildings close and at the common boundaries will provide visual relief when seen from adjoining properties and overall, a better interface response to adjoining properties. – Further, a meaningful landscape scheme is proposed including medium sized canopy trees. – The variation to the acceptable solution is relatively minor with fences exceeding the acceptable solution by approximately 200 to 500mm measured from the finished floor level of the subject site and approximately up to 300mm more when measured from NGL. – The shadow diagrams provided for the acoustic fences and sunlight diagrams demonstrate the proposal will generally have the same overshadowing impact and daylight impact as a boundary fence exempt from planning approval. – Furthermore, the shadow and sunlight diagrams show that proposed demolition of structures near sensitive interfaces will improve the daylight access of existing windows. – The existing outlook of these properties is dominated by industrial structures, high fencing, boundary walls and external storage of materials and vehicles as seen in Figures 5 to 6, most of which exceed 2.1 metres, examples provided below: 	

Image (a). Fencing to the south



Image (b). External storage to the east



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Image (c). Boundary wall to the south



Image (b). Boundary wall and high fencing to the north



15.4.5 – Outdoor storage areas	
Objective: <i>That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.</i>	
Acceptable Solution A1 <i>Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</i>	Performance Criteria P1 <i>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened.</i>
Assessment – Complies with A1 <p>No external storage is likely to be required for the operation of the use. Notwithstanding this, if any goods need to be temporarily stored externally, they will be placed directly to the east of the proposed building and to the west of the loading bay. The acceptable solution is met as this area is not visible from the road.</p>	

Clause 15.5 – Development Standards for Subdivision

15.5.1 Lot Design	
Objective: <i>That each lot:</i> <i>(a) has an area and dimensions appropriate for use and development in the zone; and</i> <i>(b) is provided with appropriate frontage to a road.</i>	
Acceptable Solution A1 <i>Each lot, or a lot proposed in a plan of subdivision, must:</i> <i>(a) have an area of not less than 100m² and existing buildings are consistent with the setback required by clause 15.4.2 A1 and A2;</i> <i>(b) be required for public use by the Crown, a council or a State authority;</i> <i>(c) be required for the provision of Utilities; or</i> <i>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</i>	Performance Criteria P1 <i>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</i> <i>(a) the relevant requirements for development of buildings on the lot;</i> <i>(b) existing buildings and the location of intended buildings on the lot;</i> <i>(c) the topography of the site; and</i> <i>(d) the pattern of development existing on established properties in the area.</i>
Assessment – Complies with A1 <p>The proposal includes the consolidation of two lots located within the same zone.</p>	

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<p>Acceptable Solution</p> <p>A2</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.</i></p>	<p>Performance Criteria</p> <p>P2</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</i></p> <p><i>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</i></p> <p><i>(b) the topography of the site;</i></p> <p><i>(c) the functionality and useability of the frontage ;</i></p> <p><i>(d) the anticipated nature of vehicles likely to access the site;</i></p> <p><i>(e) the ability to manoeuvre vehicles on the site;</i></p> <p><i>(f) the ability for emergency services to access the site; and</i></p> <p><i>(g) the pattern of development existing on established properties in the area.</i></p>
<p>Assessment – Complies with A2</p> <p>The proposed lot has a combined frontage to a road in excess of 3.6 metres and in accordance with the acceptable solution.</p>	
<p>Acceptable Solution</p> <p>A2</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</i></p>	<p>Performance Criteria</p> <p>P2</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</i></p> <p><i>(a) the topography of the site;</i></p> <p><i>(b) the distance between the lot or building area and the carriageway;</i></p> <p><i>(c) the nature of the road and the traffic, including pedestrians; and</i></p> <p><i>(d) the pattern of development existing on established properties in the area.</i></p>
<p>Assessment – Complies with A2</p> <p>The existing lots and subsequently the proposed consolidated lot have existing vehicle access from the boundary to a road.</p>	

15.5.2 Services	
Objective: <i>That the subdivision of land provides services for the future use and development of the land.</i>	
Acceptable Solution A1 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</i>	Performance Criteria P1 <i>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to:</i> <i>(a) flow rates;</i> <i>(b) the quality of potable water;</i> <i>(c) any existing or proposed infrastructure to provide the water service and its location;</i> <i>(d) the topography of the site; and</i> <i>(e) any advice from a regulated entity.</i>
Assessment – Complies with A1 The proposed lot has a connection to a full water supply service.	

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Acceptable Solution A2 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.</i>	Performance Criteria P2 <i>No performance Criterion.</i>
Assessment – Complies with A2 The proposed lot has a connection to a reticulated sewerage system.	
Acceptable Solution A3 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</i>	Performance Criteria P2 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</i> <i>(a) the size of the lot;</i> <i>(b) topography of the site;</i> <i>(c) soil conditions;</i> <i>(d) any existing buildings on the site;</i> <i>(e) any area of the site covered by impervious surfaces; and</i> <i>(f) any watercourse on the land.</i>
Assessment – Complies with A2 The proposed lot has a connection to the public stormwater system.	

5.3. Signs Code

C1.1 – Code Purpose

This purpose of the Signs Code is:

- To provide for appropriate advertising and display of information for business and community activity.
- To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.
- To ensure that signage does not interrupt or compromise safety and efficiency of vehicular or pedestrian movement.

5.4. Signs exempt from requiring a permit

Pursuant to C1.4.2:

'A sign within a building or site that cannot be, or is not intended to be, seen from outside of the building or site is exempt from requiring a permit'.

Therefore, the signage addressing the internal parking areas, drive-through areas and directional signage, are exempt from the requirements of this code.

Whilst the flags proposed within the front setback (S12) are intended to be seen from the main street, they are exempt from the signs code in accordance with Table C1.4 because:

- they are limited to no more than two flags per site;
- have a minimum clearance above ground level well over 2.4 metres (7.3 metres); and
- do not exceed a maximum area of 2 square metres (each).

We also note that the majority of the signs described in A807 required for directional purposes are also 'regulatory signs' and therefore, exempt from the requirements of this code in accordance with Table C1.4.

5.5. Signage subject to assessment

The following illuminated signs need to be assessed against the requirements of the Signs Code as they are deliberately intended to be seen from the main street:

- Two pylon signs addressing pedestrian and vehicle traffic travelling along Westbury Road (P1 & P2).
- Three wall signs along the western elevation facing Westbury Road including an 'M', 'PlayPlace' and a 'McCafe' logo (S3A, S2A & S5A).
- Three wall signs along the northern face of the building including two 'M' logos, 'McCafe' and 'PlayPlace' logo (S3B, S3C, S5B & S2B)
- Two blade signs located at either side of the main driveway providing directions to vehicles entering the site from Westbury Road (D8A & S8B).
- 'McDonald's' wall sign applied to the screed near the western boundary (S14).

In the case that the Responsible Authority deems any of the signage considered 'exempt' to require assessment against the requirements of the Signs Code, we submit that all signs listed in Table 1 of this report meet the relevant performance criteria under the Signs Code. We also note that all signage types proposed (including those identified as exempt) are allowed within the General Business Zone as per Table C1.6.

5.6. Existing conditions

The subject site is currently developed with two pylon signs to a height of approximately 6.5 and 6.8 metres, one on the northwest corner of the site and the second on the southwest corner both targeting vehicle traffic travelling on both sides of Westbury Road. Directly adjoining the site to the south is a restaurant and a butchery.

Figure 10. Existing signage at the subject site



Figure 11. Take-away food shop & Butcher to the south of the subject site



The subject site is located in a main commercial section of Westbury Road within close proximity to other commercial properties, more notably, Prospect Vale Market Place accommodating Woolworths, Caltex and several other food services and retail premises.

The signage associated with the commercial uses in the area, including the subject site, are large and predominately target vehicle traffic. Streetscape views traveling to the north and to the south within the surrounding area are generally characterised by multiple signs per tenancy including large pylon/ground base signs in key locations as seen in the images below.

Figure 12. Existing streetscape along Westbury Road and Vale Street



Figure 13. View of the subject site from Woolworth's parking areas



Figure 14. Streetscape view to the north along Westbury Road.



Figure 15. Service station – Caltex Marketplace



C1.6 – Development Standards for Buildings and Works

C1.6.1 – Design and Siting of Signs	
Objective: <i>That:</i> <ul style="list-style-type: none"> a) <i>Signage is well designed and sited; and</i> b) <i>Signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.</i> 	
Acceptable Solution A1 <i>A sign must:</i> <ul style="list-style-type: none"> (a) <i>Be located within the applicable zone for the relevant sign type set out in Table C1.6; and</i> (b) <i>Meet the sign standards for the relevant sign type set out in Table C1.6,</i> <i>excluding for the following sign types, for which there is no Acceptable Solution:</i> <ul style="list-style-type: none"> i. <i>Roof sign;</i> ii. <i>Sky sign; and</i> iii. <i>Billboard.</i> 	Performance Criteria P1.1 <i>A sign must:</i> <ul style="list-style-type: none"> (a) <i>Be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</i> (b) <i>Be compatible with the streetscape or landscape, having regard to:</i> <ul style="list-style-type: none"> i. <i>The size and dimensions of the sign;</i> ii. <i>The size and scale of the building upon which the sign is proposed;</i> iii. <i>The amenity of surrounding properties;</i> iv. <i>The repetition of messages or information;</i> v. <i>The number and density of signs on the site and on adjacent properties; and</i> vi. <i>The impact on the safe and efficient movement of vehicles and pedestrians.</i> P1.2 <i>If a roof sign, sky sign or billboard, the sign must:</i> <ul style="list-style-type: none"> (a) <i>Be located within the applicable zone for the relevant sign type set out in Table C1.6;</i> (b) <i>Meet the sign standards for the relevant sign type in Table C1.6; and</i> (c) <i>Not contribute to visual clutter or cause unreasonable loss of amenity to the surrounding area, having regard to:</i> <ul style="list-style-type: none"> i. <i>The size and dimensions of the sign;</i> ii. <i>The size and scale of the building upon which the sign is proposed;</i>

	<p>iii. <i>The amenity of surrounding properties;</i></p> <p>iv. <i>The repetition of messages or information;</i></p> <p>v. <i>The number and density of signs on the site and on adjacent properties; and</i></p> <p>vi. <i>The impact on the safe and efficient movement of vehicles and pedestrians.</i></p>
<p>Assessment – Complies with P1.1</p> <p>The proposed signs are consistent with the requirements of P1.1, having regard to the following:</p> <p>(a) Be located within an applicable zone for the relevant sign type as set out in Table C1.6;</p> <p>The subject site is located within the General Business Zone. Pylon signs, wall signs, and blade signs are allowed within this zone in accordance with Table C1.6.</p> <p>(b) Be compatible with the streetscape or landscape, having regard to (i to vi):</p> <p>The proposed signs are compatible with the streetscape, having regard to sizes and dimensions, scale, amenity, visual clutter and safety and the existing site conditions and suite of signage which currently occupies the existing site and the existing character of the streetscape (as described in section 5.6). Specifically:</p> <ul style="list-style-type: none"> – The two proposed pylon signs have been designed to maintain the size, height and general scale of the existing pylon signs. Whilst the proposed heights (6.5 and 6.8 metres) exceed the sign standards under Table C1.6, they will match the height of the existing pylon signs on the site. Further, the signs will be entirely located within the boundaries of the site and without projecting beyond the boundary as the existing pylon signs do. Subject to the recommendations provided under the lighting report, these signs will not unreasonably impact the residential amenity of adjoining properties, particularly those to the north. – The wall signs along the western face of the building are of a modest scale and meet all the sign standards under Table C1.6 as they have a maximum combined area of approximately 4.4 square metres, do not extend beyond or above the wall and do not occupy more than 25% of the wall area. – The wall sign along the southern elevation meets the relevant sign standards under Table C1.6. – Whilst the wall signs along the northern face of the building exceed the maximum combined area of 4.5 square metres set out under Table C1.6 at approximately 6.14 square metres, they do not extend beyond the wall area and are considered modest in scale, size and form, particularly in relation to the control building. Some of these signs primarily target pedestrian traffic from the parking areas and are not primarily designed to be seen from outside the site boundaries. – The blade signs are directional by nature but have been included in this assessment because they are located within close proximity to the front of the site on either side of the driveway. Both signs meet the sign standards under Table C1.6 with a vertical dimension under 3.6 metres and a horizontal dimension under 1.2 metres. <p>P1.2 – Not Applicable</p> <p>There are no roof signs, sky signs or billboards proposed.</p>	

11.1.20 Application Documents

<p>Acceptable Solution</p> <p>A2</p> <p><i>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</i></p>	<p>Performance Criteria</p> <p>P2</p> <p><i>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) The topography of the site and the surrounding area;</i> <i>(b) The relative location of buildings, habitable rooms of dwellings and private open space;</i> <i>(c) Any overshadowing; and</i> <i>(d) The nature and type of the sign.</i>
<p>Assessment – Complies with P2</p> <p>The proposed pylon sign closer to the north is located within 1 metre from the northern boundary and therefore, must demonstrate compliance with the performance criteria. The remaining signs are setback over 2 metres from the boundary with the general residential zone to the north, east and south.</p> <p>As previously discussed, the proposed pylon signs have been designed to match the height and location of the existing signs eliminating the potential for increased visual impacts. They are compatible with the existing character of the streetscape, will not result in any overshadowing of the residential property due to the orientation of the site (located to the south) and subject to the recommendations from the lighting assessment will not result in unreasonable amenity impacts to adjoining residential properties by way of light spill.</p>	

Acceptable Solution	Performance Criteria
<p>A3</p> <p><i>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</i></p> <ul style="list-style-type: none"> <i>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</i> <i>(b) 1 window sign for each window;</i> <i>(c) 3 if the street frontage is less than 20m in length; and</i> <i>(d) if the street frontage is 20m or more, excluding the following sign types, for which there is no limit:</i> <ul style="list-style-type: none"> <i>i. Name plate; and</i> <i>ii. Temporary sign.</i> 	<p>P3</p> <p><i>The number of signs for each business or tenancy on a street frontage must:</i></p> <ul style="list-style-type: none"> <i>(a) Not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and</i> <i>(b) Not involve the repetition of messages or information.</i>
<p>Assessment – Complies with P3</p> <p>The proposal does not meet the acceptable solution as there are more than 1 of each sign type (wall signs, pole/pylon signs and blade signs) facing a road.</p> <p>Notwithstanding, the proposed signage has been sensitively designed as an integral design feature, creating visual interest and appropriately identifying the function and purpose of the development. The signage proposed is balanced with the form and scale of the main building, which achieves modest site coverage, particularly when compared with nearby commercial developments. As previously mentioned, the proliferation of signs proposed is consistent with the existing signage provision at the site and is also consistent with the character of this area.</p>	

C1.6.2 – Illuminated Signs	
Objective: <i>That:</i> <ul style="list-style-type: none"> a) <i>Illuminated signs are compatible with the streetscape;</i> b) <i>The cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and</i> c) <i>Any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.</i> 	
Acceptable Solution A1 No Acceptable Solution	Performance Criteria P1 <i>An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:</i> <ul style="list-style-type: none"> <i>(a) The location of the sign;</i> <i>(b) The size of the sign;</i> <i>(c) The intensity of the lighting;</i> <i>(d) The hours of operation of the sign;</i> <i>(e) The purpose of the sign;</i> <i>(f) The sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;</i> <i>(g) The intended purpose of the changing message of the sign;</i> <i>(h) The percentage of the sign that is illuminated with changing messages;</i> <i>(i) Proposed dwell time; and</i> <i>(j) Whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.</i>
Assessment – Complies with P1 The proposed illuminated signs comply with Performance Criteria 1 as follows: <ul style="list-style-type: none"> – The proposed illuminated signs are all located appropriately so as not to conflict with one another and cause visual clutter. – The illuminated wall signs are modestly sized, of a suitable scale and are consistent with modern facilities. – The intensity of lighting will be at a level suitable to the site’s location, having regard to its surrounding context and its physical relationship to Westbury Road and sensitive interfaces. – The illuminated signs will operate 24/7 in accordance with the convenience restaurant operations. 	

11.1.20 Application Documents

<ul style="list-style-type: none">– The signs' purposes are to better identify the building during night hours.– The signs will be visible from the street, but importantly, they are sufficiently setback within the site to ensure that they do not cause distraction or conflict to road users.– The proposed signs will be installed in accordance with the recommendations contained with the lighting report prepared by Rb Lighting.– The Rb Lighting assessment demonstrates the proposed signage scheme complies with AS/NZS 4282:2023 Control of the obtrusive effects of outdoor lighting.	
Acceptable Solution A2 <i>An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.</i>	Performance Criteria P2 No Performance Criterion.
Assessment – Complies with A2 None of the illuminated signs will feature flashing, movement or animation.	

C1.6.3 – Third party sign

Not applicable – No third party signs are proposed.

C1.6.4 – Signs on local heritage places and in local heritage precincts and local heritage landscape precincts.

Not applicable.

5.7. C2.0 Parking and Sustainable Transport Code and C3.0 Road and Railway Asset Code

We defer to the assessment within the accompanying Transport Impact Assessment prepared by Ratio Consultants which includes a comprehensive analysis and response to the standards contained within C2.0 and C3.0.

5.8. C14.0 Potentially Contaminated Land Code

The purpose of the Potentially Contaminated Land Code is to ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

This code applies to development on land that has been used for a potentially contaminating activity. The subject site was recently used as a service station which naturally includes 'Petroleum product or oil storage' an activity listed under Table C14.2.

C14.5 Use Standards

Not applicable – The proposal is not for a sensitive use, or a use class listed in Table C14.1.

C14.6 Development Standards for Buildings and Works

C14.6.1 – Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012.	
Objective: <i>That works involving excavation of potentially contaminated land, excluding on land subject to the Macquarie Point Development Corporation Act 2012, do not adversely impact on human health or the environment.</i>	
Acceptable Solution A1 <i>Excavation, excluding on land subject to the Macquarie Point Development Corporation Act 2012, must involve less than 250m³ of site disturbance.</i>	Performance Criteria P1 <i>Excavation, excluding on land subject to the Macquarie Point Development Corporation Act 2012, must not have an adverse impact on human health or the environment, having regard to:</i> <ul style="list-style-type: none"> <i>a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</i> <i>b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</i> <i>c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes:</i> <ul style="list-style-type: none"> <i>(i) any specific remediation and protection measures required to be implemented before excavation commences; and</i> <i>(ii) a statement that the excavation does not adversely impact on human health or the environment.</i>
Assessment – Complies with P1 subject to Condition. <p>The proposed works are likely to result in over 250m³ of site disturbance. Therefore, the proposal relies on the performance criteria.</p> <p>The Environmental Site Assessment demonstrates compliance with Performance Criteria P1.</p>	

C14.6.2 Redevelopment on land subject to the Macquarie Point Development Corporation Act 2012

Not applicable – The subject site is not subject to the above.

C14.5 Development standards for Subdivision

Not applicable – This clause applies for the subdivision of land that allows for a sensitive use or Use Class listed in Table C14.1. The proposal includes the consolidation of lots, however, not for the purpose of allowing a sensitive use.

6. Conclusion

The proposal represents a well-considered, modest design that will deliver an improvement to the existing site, improving street scape interaction through a more activated frontage in line with the purpose of the General Business Zone .

The proposed signage proliferation is appropriate to the scale of the building and will not contribute to unreasonable visual clutter in the area.

In our opinion, the proposal substantially satisfies all relevant standards under the TPS. The proposal also strikes an appropriate balance between achieving economic uplift associated with the proposed commercial facility whilst being sensitively designed to mitigate external amenity impacts as much as reasonably required and possible.

It follows that we believe that the proposal should be supported.

Ratio Consultants Pty Ltd

11.1.20 Application Documents

M c D O N A L D ' S P R O S P E C T V A L E

PROPOSED CONVENIENCE RESTAURANT
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

STAGE:

DA ISSUE
B U I L D I N G & W O R K S P A C K A G E

AMENDMENT: C (RFI RESPONSE III, APRIL 2024)



McDonald's Australia Limited
ABN. 43 008 496 928
☎ 03 9418 5555
✉ devgroup-aust@au.mcd.com



11.1.20 Application Documents



PLAYPLACE



CORRAL



DRIVETHRU



McCAFE

Revisions	General Notes	Drawing Notes
C. RFI RESPONSE 3 B. RFI RESPONSE 2 A. PLANNING APPLICATION	01/02/24 DW TM 08/12/23 DW TM 20/04/23 ST TM	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.
Issue/Description	Date	CHK. INT



Client

McDonald's Australia Limited
ABN: 43 008 496 928
03 9418 5555
design@mc.com.au



Project Manager

Lead Consultant

Albus & Co.
BUILDING DESIGNERS

T: (+61) 0407 399 984
E: hello@albusco.com.au
NORTHCOOTE, 3070 VIC AUSTRALIA

Project

PROPOSED NEW CONVENIENCE
RESTAURANT
McDONALD'S PROSPECT VALE

Location

345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

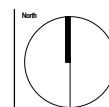
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@ A3	B10 MOD_450	
Drawing		
3D VIEWS		
Project Number	Drawing Number	Issue
0317	A001	C

11.1.20 Application Documents



OVERALL SITE PLAN

Revisions	General Notes	Drawing Notes
<p>C RFI RESPONSE 3 APR. 24 DW</p> <p>B RFI RESPONSE 2 07.12.23 DW TM</p> <p>A PLANNING APPLICATION 20.04.23 ST DW</p> <p>Issue Description Date Ck. Int</p>	<p>Do not scale this drawing. The drawing phases design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figures dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



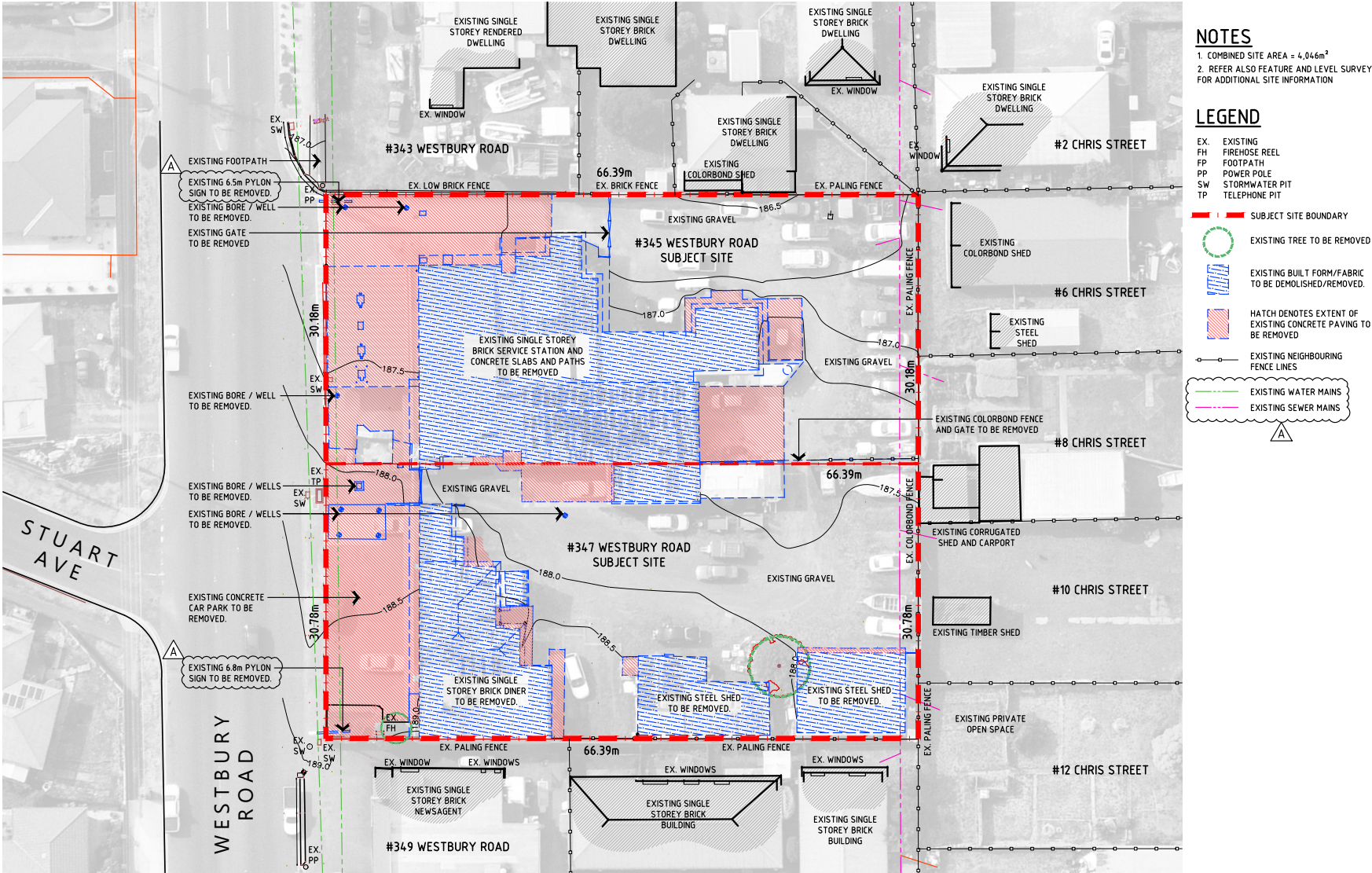
Project
PROPOSED NEW CONVENIENCE
RESTAURANT
MCDONALD'S "PROSPECT VALE"

Location
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS NOT TO BE USED DURING CONSTRUCTION

Scale	Series	
1:750 @ A3	MOD450	
Drawing		
OVERALL SITE PLAN		
Project Number	Drawing Number	Issue
24011	A041	C

11.1.20 Application Documents

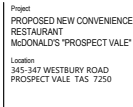
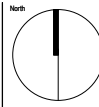


EXISTING SITE PLAN

Revisions	General Notes	Drawing Notes
C R1 RESPONSE 3 R1 RESPONSE 2 PLANNING APPLICATION Issue Description	APR 24 07.12.23 20.04.23 Date	DW TM ST DW CHK 1st

Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contract manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimetres. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

Drawing Notes



BUILDING & WORKS	
NOT TO BE USED DURING CONSTRUCTION	
Scale	Series
1:750 @ A3	MOD450
Drawing	
EXISTING SITE PLAN	
Project Number	Drawing Number
24011	A042
Issue	C

NOTE

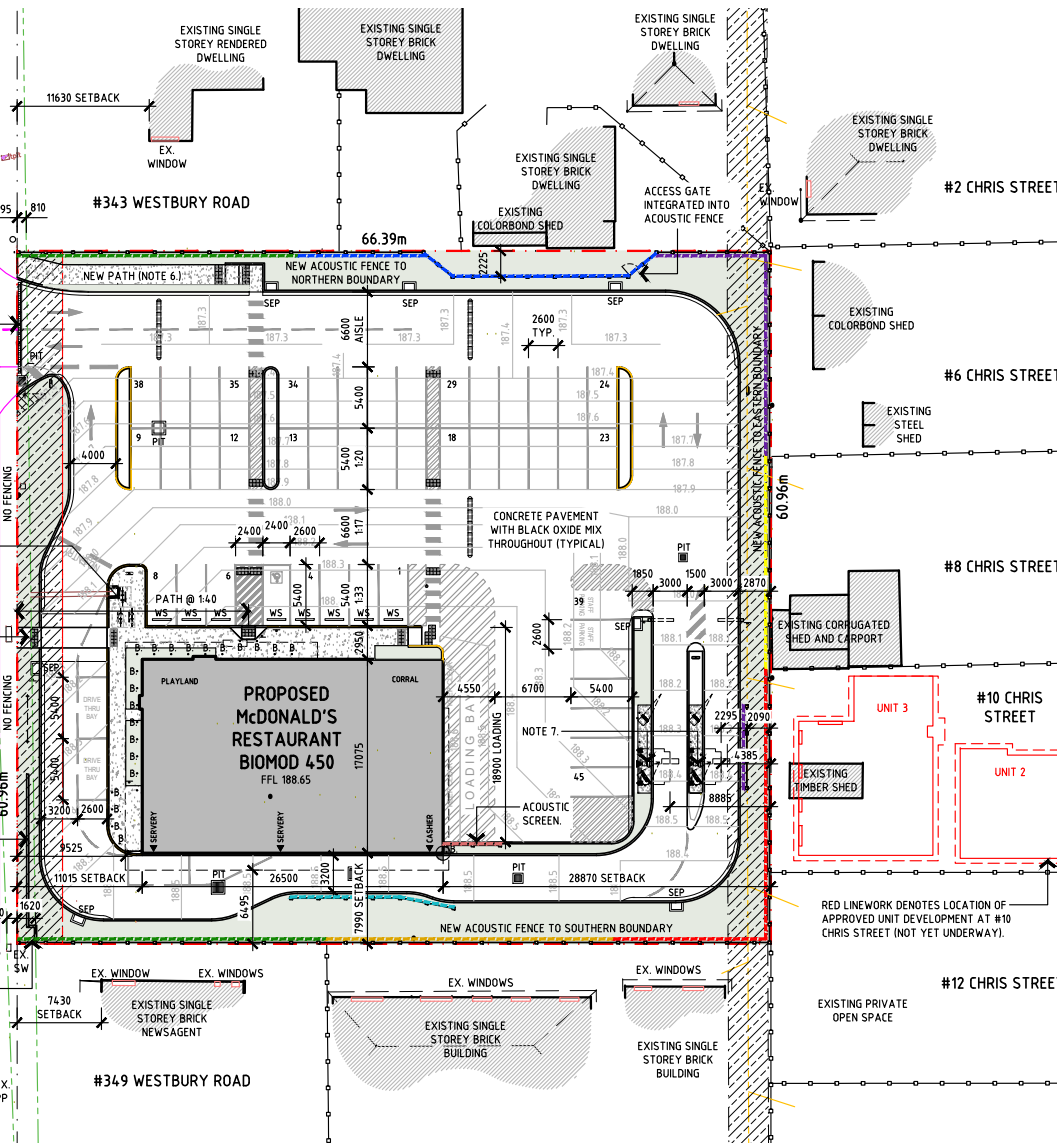
SITE FEATURES, LEVELS AND AUTHORITY ASSET LOCATIONS DETERMINED BY COHEN & ASSOCIATES (LAND & AERIAL SURVEYORS) DETAIL IDENTIFICATION SURVEY: REF: 74-49 CARRIED OUT OCTOBER 2022.

NEW CROSSOVER IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS AND AS2890.1.

WESTBURY ROAD

NEW 13.5m LONG, 1.5m HIGH OPAQUE FENCE TO PREVENT LIGHT SPILL FROM DRIVE THRU LANE VEHICLES. REFER DRAWING A203 FOR DETAILS.

ACOUSTIC FENCE LOWERED TO MAXIMUM 1.2m HIGH WITHIN 2.5m OF WESTBURY ROAD BOUNDARY



NOTES

1. SITE AREA = APPROX. 4,046m²
BUILDING GFA = 453m²
2. DINING ROOM SEATING CAPACITY = 75 PATRONS.
3. PARKING:
4.2 X 2600 X 5400 PATRON CAR SPACES.
2 X 2600 X 5400 STAFF CAR SPACES.
1 X 2400 X 5400 ACCESSIBLE SPACES WITH
1 X 2400 X 5400 CLEAR ADJACENT SPACE.
2 X 2600 X 5400 WAITING BAYS.
1 X LOADING BAY.
4. BIKE HOOPS IN ACCORDANCE WITH AUSTRALIAN STANDARDS PART 3 BICYCLE PARKING AS2890.3:2015 TO ACCOMMODATE 6 X BICYCLES.
5. HATCHED AREAS DENOTE PEDESTRIAN SIGHT LINES IN ACCORDANCE WITH AS2890.1 CLAUSE 32.4, AND CLAUSE 52.06-9 OF THE PLANNING SCHEME.
6. 1.5m WIDE ODA COMPLIANT BRUSHED CONCRETE PEDESTRIAN STREET ACCESS PATH TO CIVIL ENGINEER'S DETAILS.
7. DRIVE THRU LANE CUSTOMER ORDER DISPLAY AND ASSOCIATED CANOPY, REFER DRAWINGS A082, A807 AND A808 FOR DETAILS.
8. LOT 8 ON PLAN 217681 AND LOT 9 ON PLAN 217358 TO BE CONSOLIDATED PRIOR TO THE OCCUPATION OF THE PROPOSED DEVELOPMENT.

LEGEND

- TITLE BOUNDARY
- B BOLLARD
- EP ELECTRICAL POLE
- LP LIGHT POLE
- SEP SIDE ENTRY PIT
- WS WHEEL STOP
- VEHICLE DETECTOR LOOP
- EXISTING WATER MAINS
- EXISTING SEWER MAINS
- PROPOSED EXTERNAL ROAD UPGRADE WORKS TO TRAFFIC ENGINEER'S DETAILS.
- FUTURE EASEMENTS FOR EXISTING WATER AND SEWER INFRASTRUCTURE IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS. 3m WIDE FOR SEWER INDICATED. 4m WIDE FOR WATER INDICATED

REFERENCES

- FOR SITE SIGNAGE PLAN (REFER DWG | A801)
- FOR ACOUSTIC FENCE SHADOW DIAGRAMS (REFER DWG | A070)

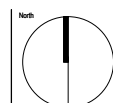
PROPOSED ACOUSTIC FENCE LEGEND

- EXTENT OF ACOUSTIC FENCE/SCREEN AT 1.75m HIGH
- EXTENT OF ACOUSTIC FENCE AT 1.80m HIGH. LOWER TO 1.2m HIGH WITHIN 2.5m OF WESTBURY ROAD ON SOUTHERN BOUNDARY.
- EXTENT OF ACOUSTIC FENCE/SCREEN AT 2.00m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.20m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.30m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.40m HIGH
- EXTENT OF ACOUSTIC SCREEN AT 2.50m HIGH
- EXTENT OF ACOUSTIC FENCE AT 2.60m HIGH

ALL ACOUSTIC FENCING AND SCREENS MUST HAVE A MINIMUM SURFACE DENSITY OF 12kg/m² AND BE FREE FROM HOLES AND GAPS AS PER ACOUSTIC ASSESSMENT REPORT PREPARED BY CLARITY ACOUSTICS.

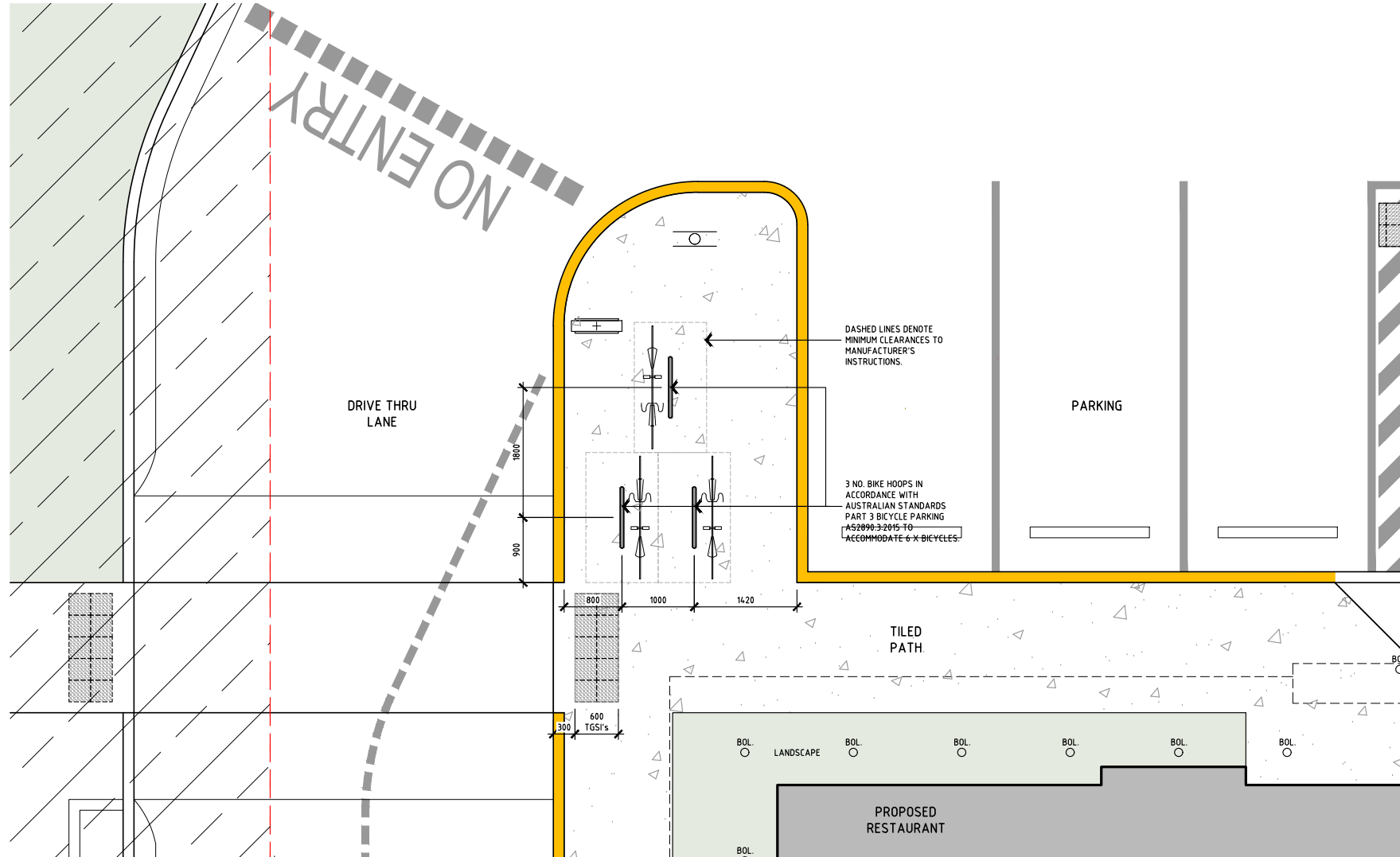
BUILDING & WORKS NOT TO BE USED DURING CONSTRUCTION

Revisions	General Notes	Drawing Notes
D ACOUSTIC FENCE LOCALLY COVERED	23.05.24	DW
C EXTERNAL ROADWORKS ADDED	26.04.24	DW
C CAR PARK LAYOUT UPDATED	16.04.24	DW
B RFI RESPONSE 2	07.12.23	TM
A PLANNING APPLICATION	20.04.23	ST
Issue Description	Date	CHK. INT



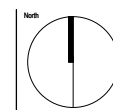
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Drawing		
PROPOSED SITE PLAN		
Project Number	Drawing Number	Issue
24011	A062	D

11.1.20 Application Documents



BICYCLE PARKING PLAN

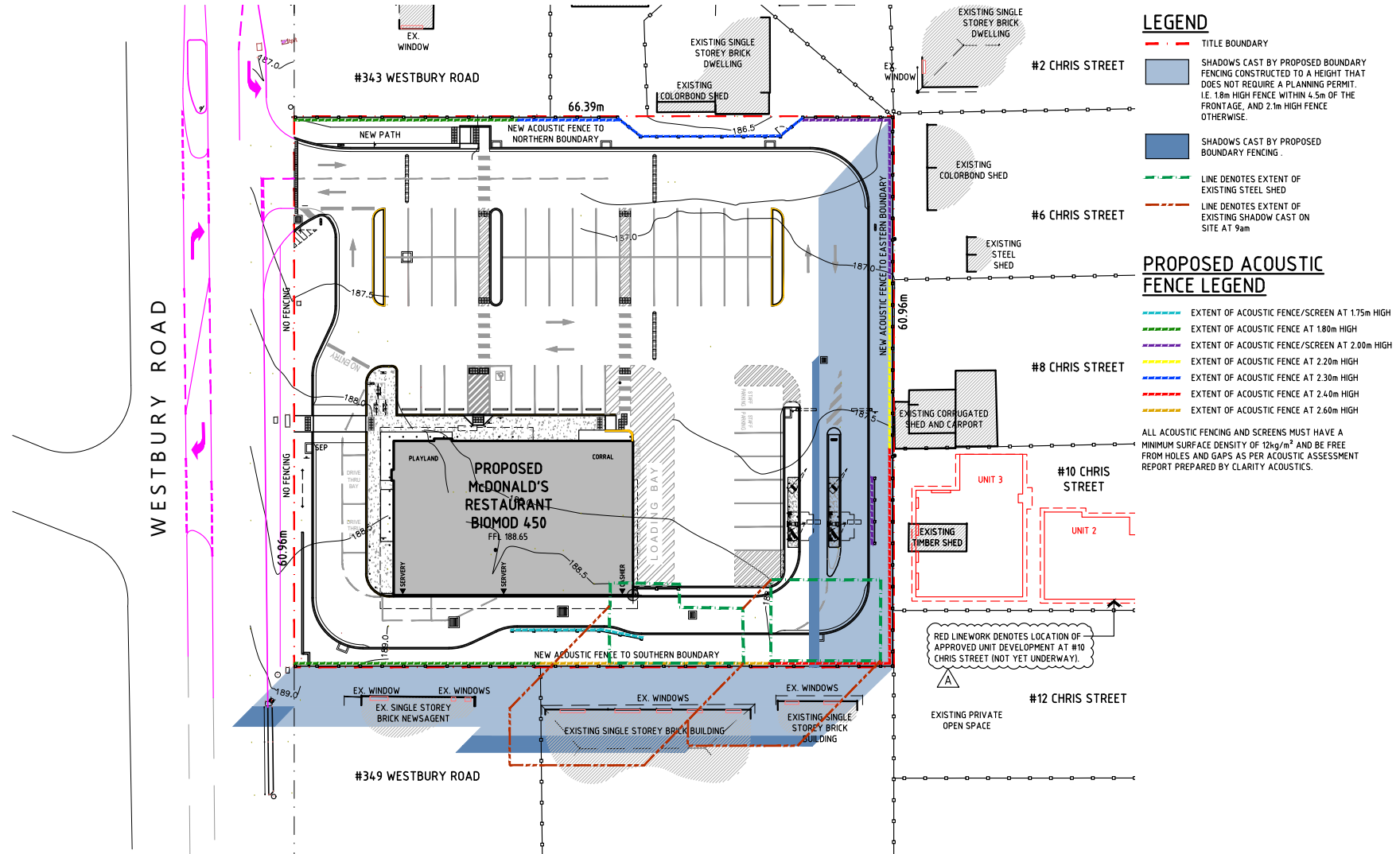
Revisions	General Notes	Drawing Notes
<p>C RFI RESPONSE 3 APR. 24 DW</p> <p>B RFI RESPONSE 2 07.12.23 DW TM</p> <p>A PLANNING APPLICATION 20.04.23 ST DW</p> <p>Issue Description Date Chk. Int</p>	<p>Do not scale this drawing. The drawing phases design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



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Drawing		
BICYCLE PARKING PLAN		
Project Number	Drawing Number	Issue
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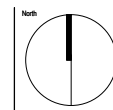
BUILDING & WORKS
NOT TO BE USED DURING CONSTRUCTION

11.1.20 Application Documents



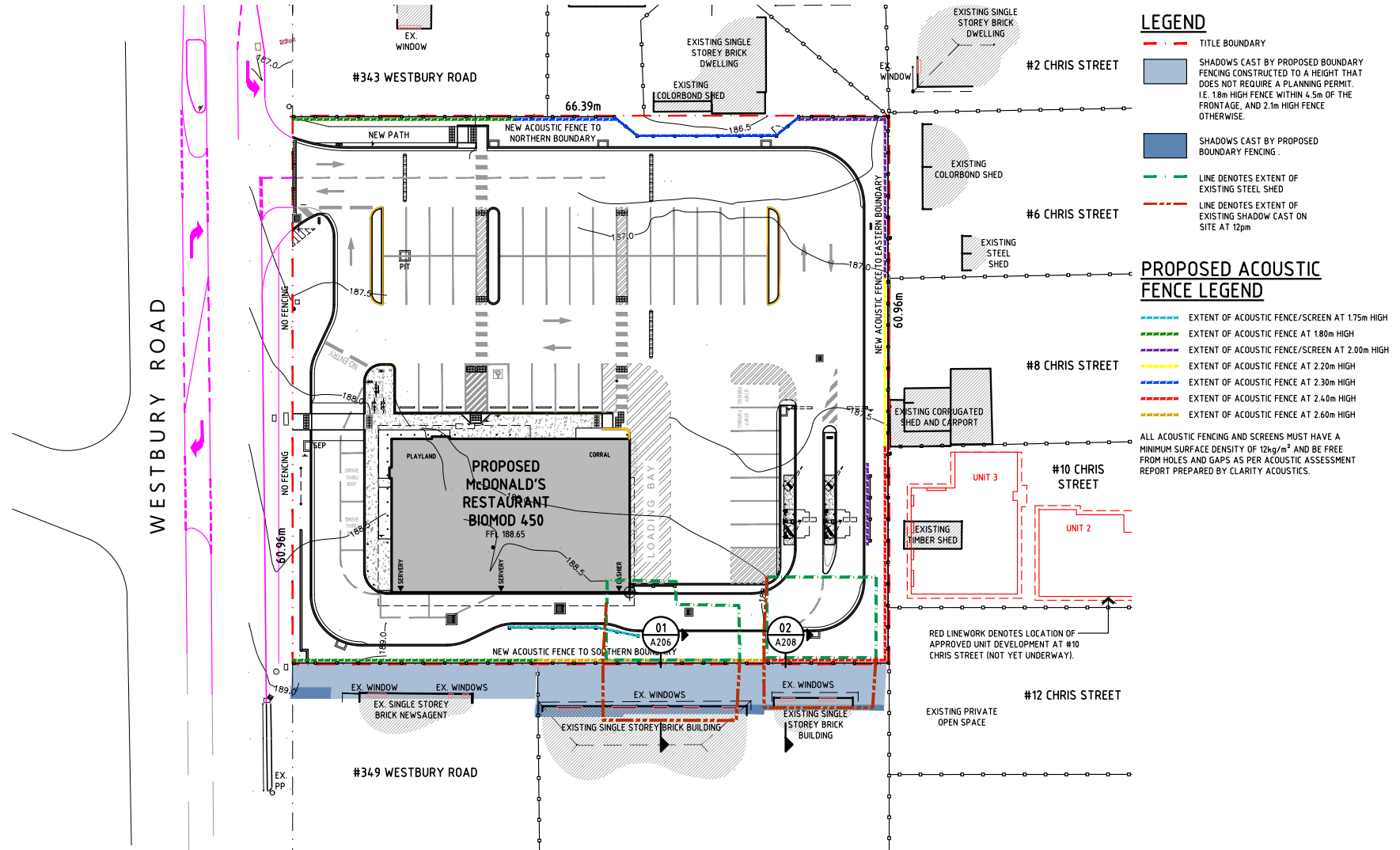
PROPOSED BOUNDARY FENCING SHADOW DIAGRAM
9am 21st JUNE

Revisions	General Notes	Drawing Notes
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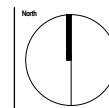
BUILDING & WORKS	
Scale	Series
1:400 @ A3	BIOMOD-450
Drawing	
PROPOSED SHADOW DIAGRAM - 9am	
Project Number	Drawing Number
24011	A070
Issue	
C	

11.1.20 Application Documents



PROPOSED BOUNDARY FENCING SHADOW DIAGRAM
12pm 21st JUNE

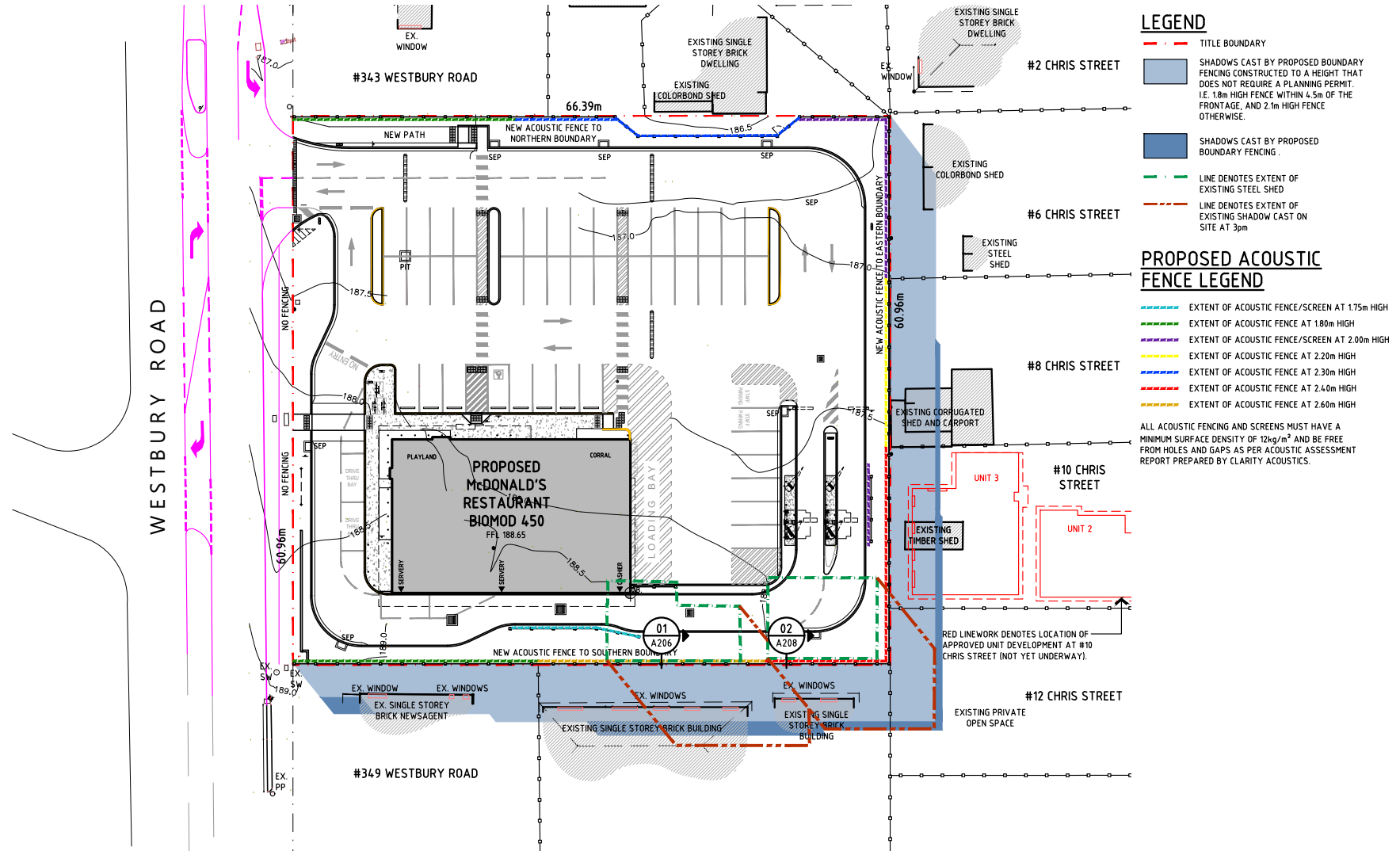
Revisions	General Notes	Drawing Notes
C RFI RESPONSE 3 B RFI RESPONSE 2 PLANNING APPLICATION	Do not scale this drawing. The drawing phases design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
APR. 24 07.12.23 20.04.23	DW TM ST DW DW	
Issue Description	Date	CHK. INT



BUILDING & WORKS NOT TO BE USED DURING CONSTRUCTION

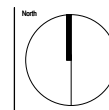
Scale	Series
1:400 @ A3	BIOMOD-450
Drawing	Issue
PROPOSED SHADOW DIAGRAM - 12pm	
Project Number	Drawing Number
24011	A071
Issue	
C	

11.1.20 Application Documents



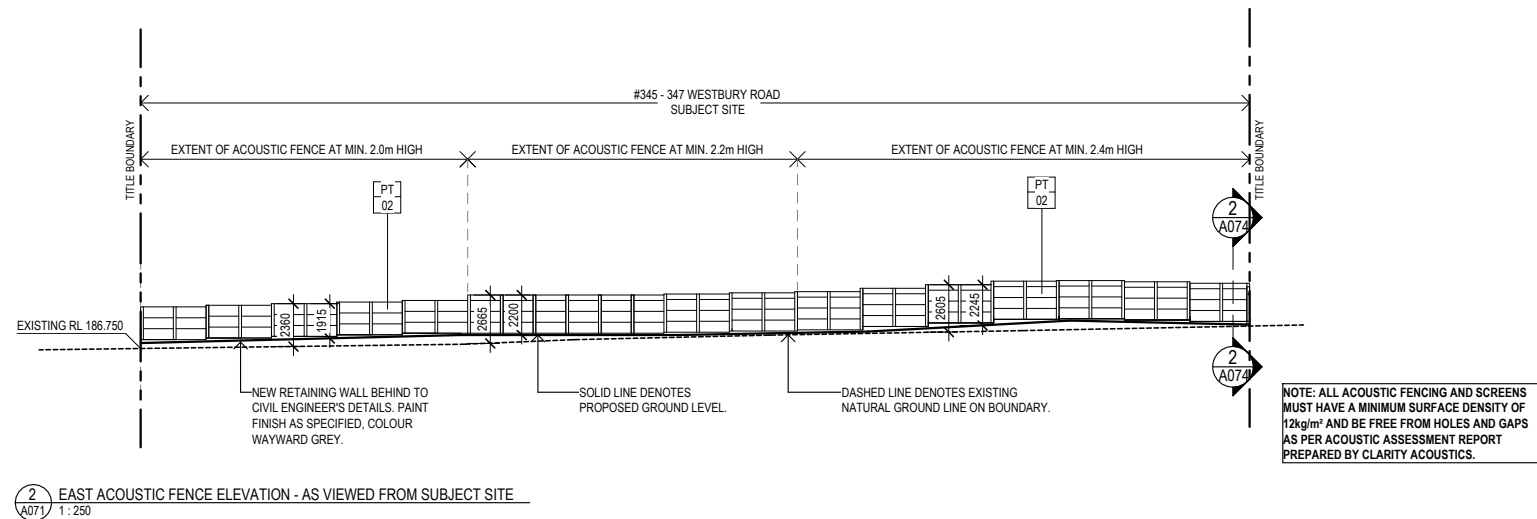
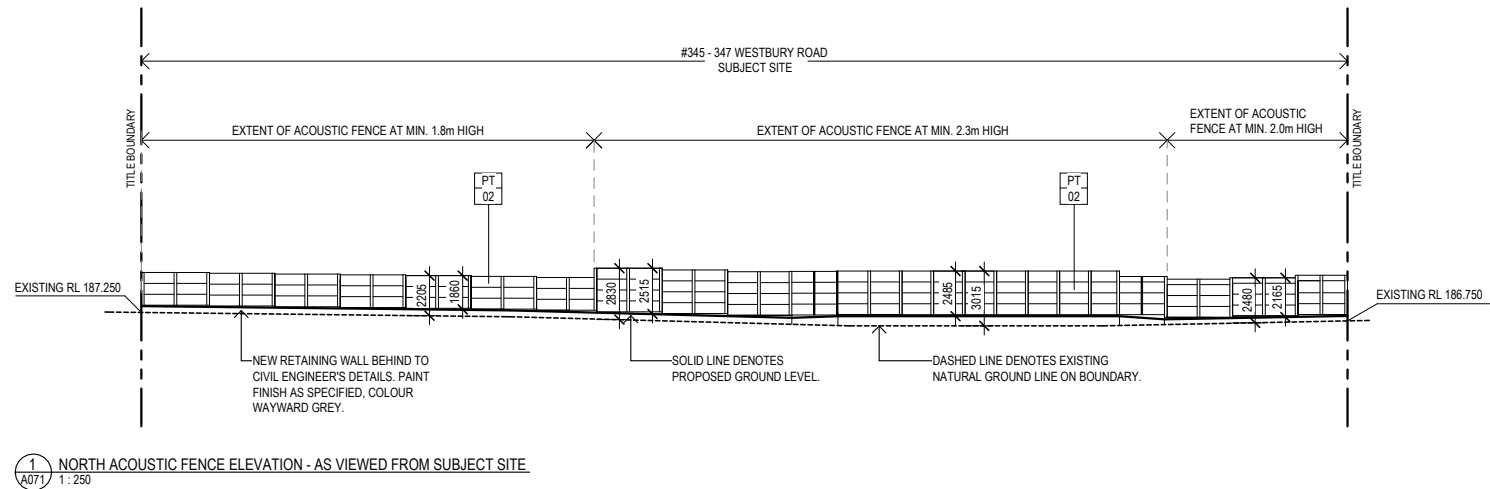
PROPOSED BOUNDARY FENCING SHADOW DIAGRAM
3pm 21st JUNE

Revisions	General Notes	Drawing Notes
<p>C RFI RESPONSE 3 APR. 24 DW</p> <p>B RFI RESPONSE 2 07.12.23 DW TM</p> <p>A PLANNING APPLICATION 20.04.23 ST DW</p> <p>Issue Description Date Chk. Int.</p>	<p>General Notes</p> <p>Do not scale this drawing. The drawing phases design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	<p>Drawing Notes</p>



BUILDING & WORKS NOT TO BE USED DURING CONSTRUCTION			
Scale	Series	Issue	
1:400 @ A3	BIMOD-450		
Drawing			
Project Number	Drawing Number	Issue	
24011	A072	C	

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
<p>C. RFI RESPONSE 3 01.02.24 DW</p> <p>B. RFI RESPONSE 2 01.12.23 DW TM</p> <p>A. DRAWING ADDED 01.02.23 DW TM</p> <p>Issue/Description Date CNA Int</p>	<p>Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	

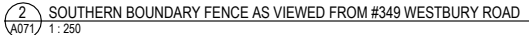
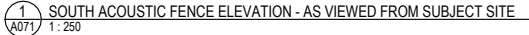


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Project
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RESTAURANT
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Location
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale 1:250 @ A3 Series B10 MOD_450
Drawing ACOUSTIC FENCE ELEVATIONS
Project Number 0317 Drawing Number A073 Issue C



General Notes

Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

Drawing Notes:

Drawing Notes

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 McDonald's Australia Limited
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✉ devgroup-aust@su.mod.com

Project Manager

NDG
NATIONAL DEVELOPMENT GROUP

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Project
PROPOSED NEW CONVENIENCE
RESTAURANT
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Location
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PROSPECT VALE TAS 7250

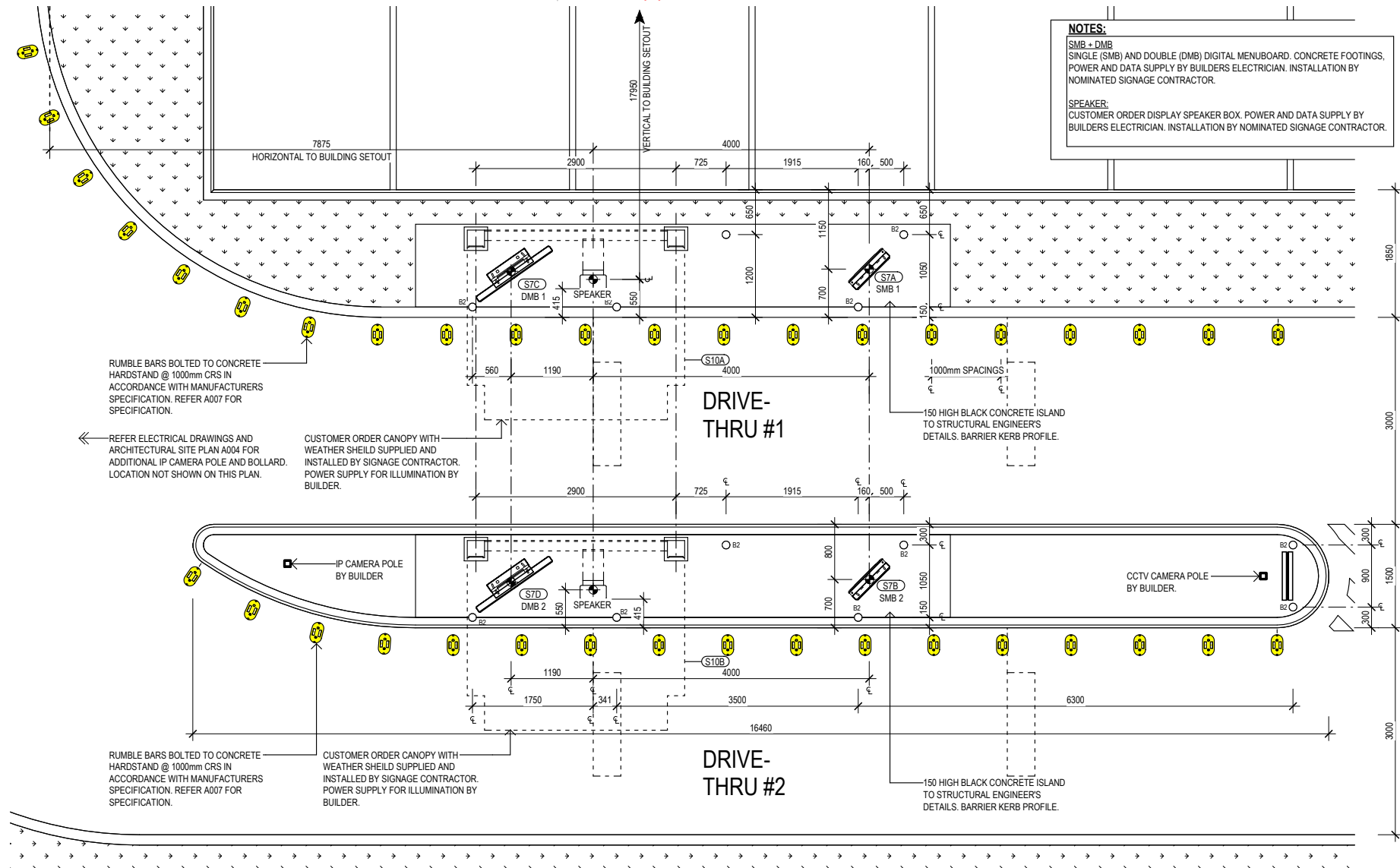
BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale Series
1 : 250 @ A3 BIO MOD_450

Drawing
ACOUSTIC FENCE ELEVATION

Project Number Drawing Number Issued
0317 A074 D

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
C. R01 RESPONSE 3 B. R01 RESPONSE 2 A. PLANNING APPLICATION	01.06.24 DW 08.12.23 DW 20.04.23 ST	01.06.24 DW 08.12.23 DW 20.04.23 ST
Issue/Description	Date	CHK. INT

Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

Drawing Notes

North



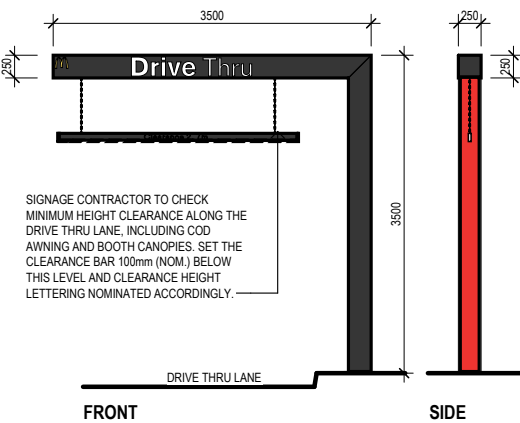
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Project
PROPOSED NEW CONVENIENCE
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Location
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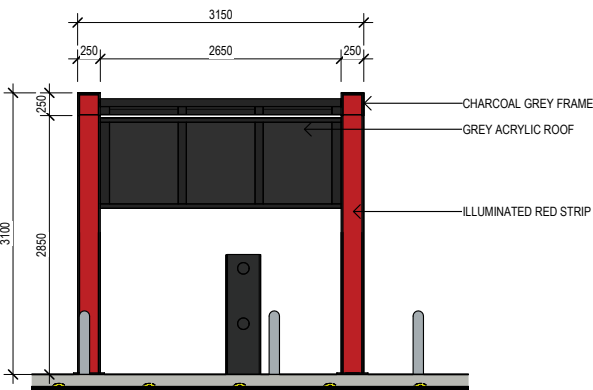
BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale	Series
1:50 @ A3	B10 MOD_450
Drawing	COD UNIT DETAILS
Project Number	Drawing Number
0317	A082
Issue	C

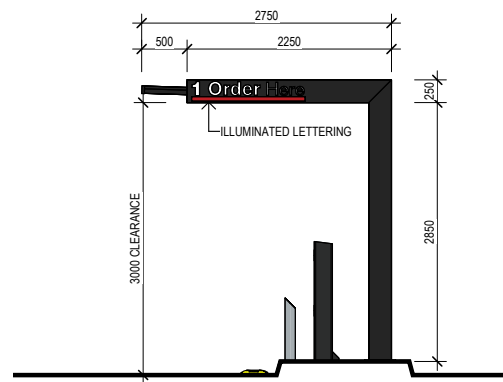
11.1.20 Application Documents



1 HEIGHT CLEARANCE GANTRY
1 : 50



2 ORDER CANOPY ELEVATION
A071 1 : 50



3 ORDER CANOPY SIDE
A071 1 : 50

Revisions	General Notes	Drawing Notes
C. RFI RESPONSE 3 B. RFI RESPONSE 2 A. PLANNING APPLICATION	01/02/24 DW 08/12/23 DW TM 20/04/23 ST TM	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.



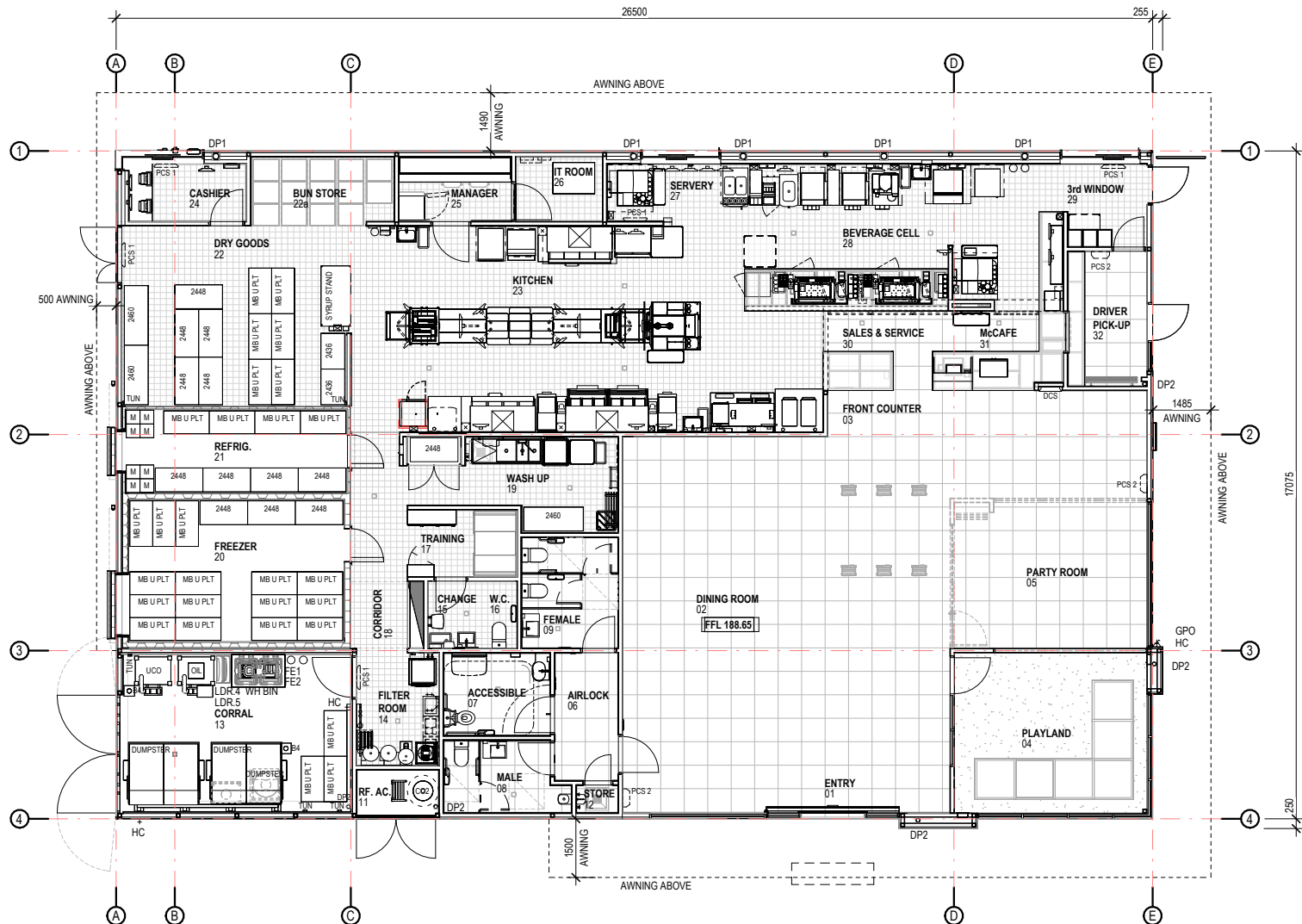
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BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale
1 : 50 @ A3
Series
BIO MOD_450
Drawing
DRIVE THRU CANOPY DETAILS
Project Number
0317
Drawing Number
A083
Issue
C

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
C	01/02/24	01/02/24
B	06/12/23	06/12/23
A	20/04/23	20/04/23
Issue/Description	Date	CHK

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Drawing Notes

North



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BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale
1:100 @ A3
Series
B10 MOD_450
Drawing
PROPOSED FLOOR PLAN
Project Number
0317
Drawing Number
A101
Issue
C

REQUIRED SOUND POWER LEVEL OF MECHANICAL PLANT IN ACCORDANCE WITH CLARITY ACOUSTICS' REPORT, dB LAW

DESCRIPTION	MAX. PERMISSIBLE SOUND LEVEL
AC-1	82
AC-2	81
AC-3	62
FAN-1 (TOILET EXHAUST)	66
FAN-2 (FRY STATION EXHAUST)	73
FAN-3 (FILET STATION EXHAUST)	73
FAN-4 (GRILL STATION EXHAUST)	70
FAN-5 (WASHUP EXHAUST)	57
FAN-7 (MAKE UP AIR)	64
FAN-8 (RELIEF AIR)	70
MAC-90 REFRIGERATION UNIT	84

Revisions

Revisions	General Notes	Drawing Notes
C R/R RESPONSE 3	01.05.24	01.05.24
B R/R RESPONSE 2	08.12.23	08.12.23
A PLANNING APPLICATION	20.04.23	20.04.23

General Notes

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Drawing Notes

- 1.75m HIGH ACOUSTIC SCREEN AS PER ACOUSTIC ENGINEER'S REPORT.

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PROPOSED NEW CONVENIENCE RESTAURANT
MCDONALD'S PROSPECT VALE
Location
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

Scale

1:100 @ A3

Series

BIO MOD_450

Project Number

0317

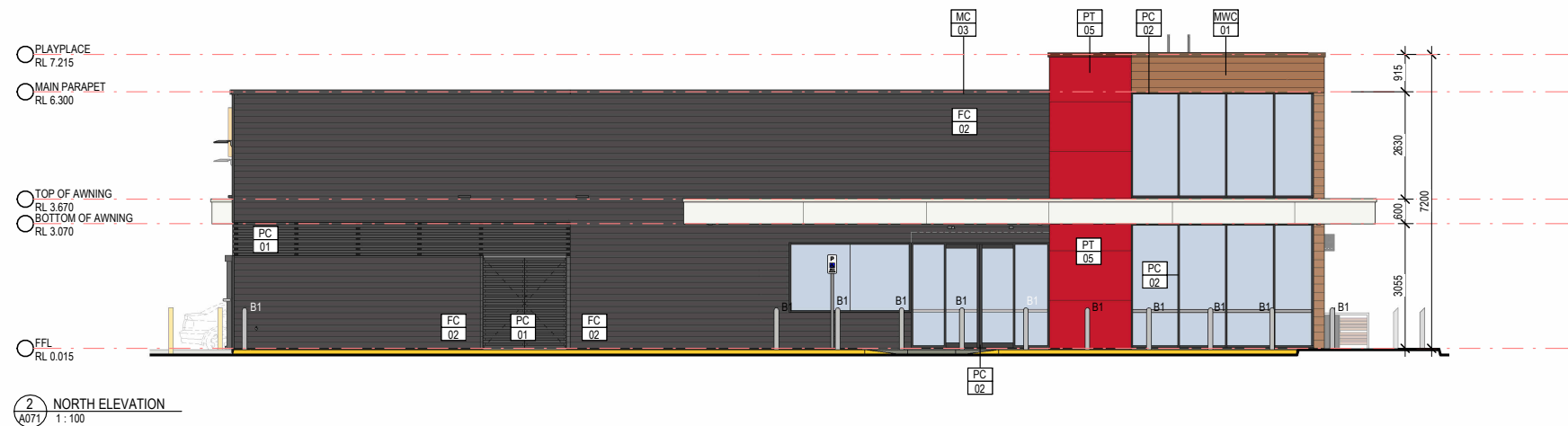
Drawing Number

A102

Issue

C

11.1.20 Application Documents



Revisions			
C	RII RESPONSE 3	01/02/24	DW
B	RII RESPONSE 2	08/12/23	DW
A	PLANNING APPLICATION	20/04/23	ST
Issue/Description	Date	CHK	INT

General Notes
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Drawing Notes
1. REFER TO FINISHES LEGENDS ON DA205. SIGNAGE PLAN ON DA801



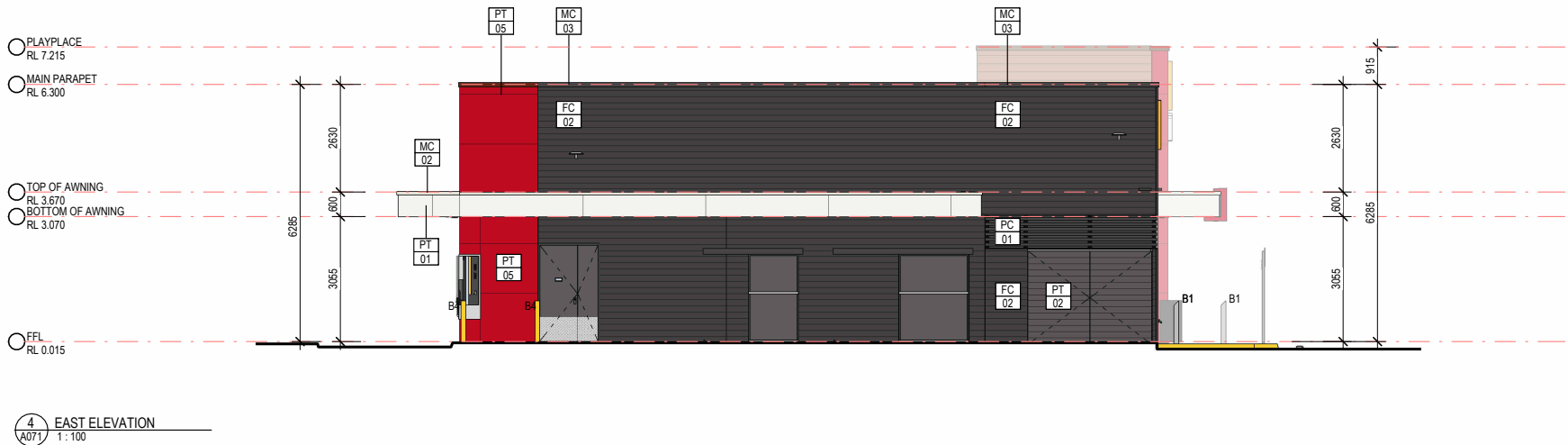
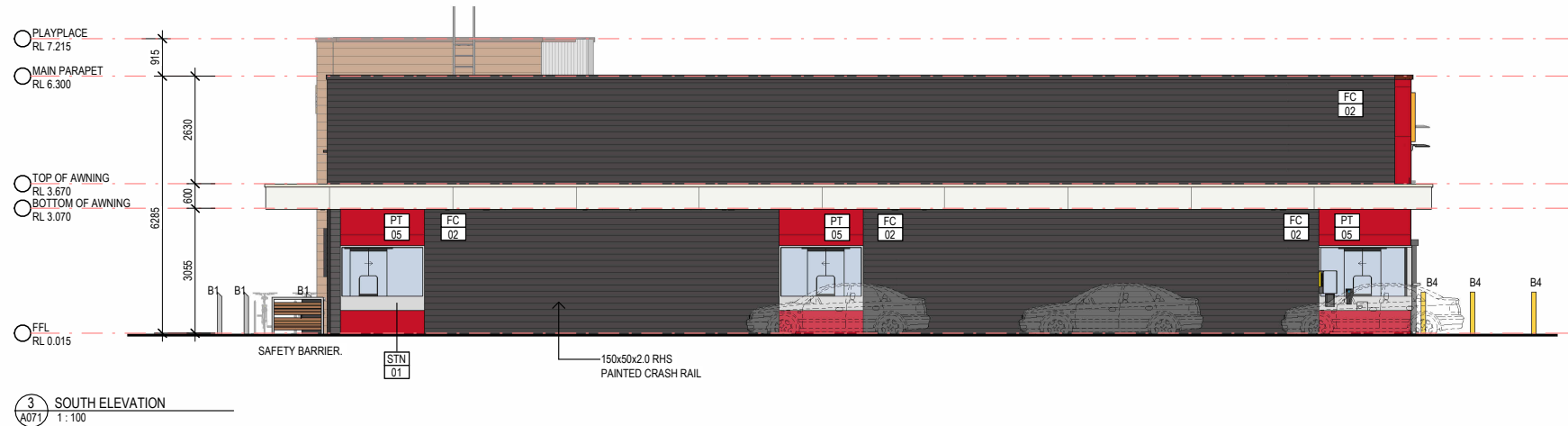
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BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1 : 100 @ A3	BIO MOD_450	
Drawing		
WEST & NORTH BUILDING ELEVATIONS		
Project Number	Drawing Number	Issue
0317	A201	C

11.1.20 Application Documents



Revisions			
Rev	Description	Date	By
C	RPI RESPONSE 3	01/02/24	DW
B	RPI RESPONSE 2	08/12/23	DW
A	PLANNING APPLICATION	20/04/23	ST

General Notes

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Drawing Notes

1. REFER TO FINISHES LEGENDS ON DA205, SIGNAGE PLAN ON DA801



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Project

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RESTAURANT
McDONALD'S PROSPECT VALE

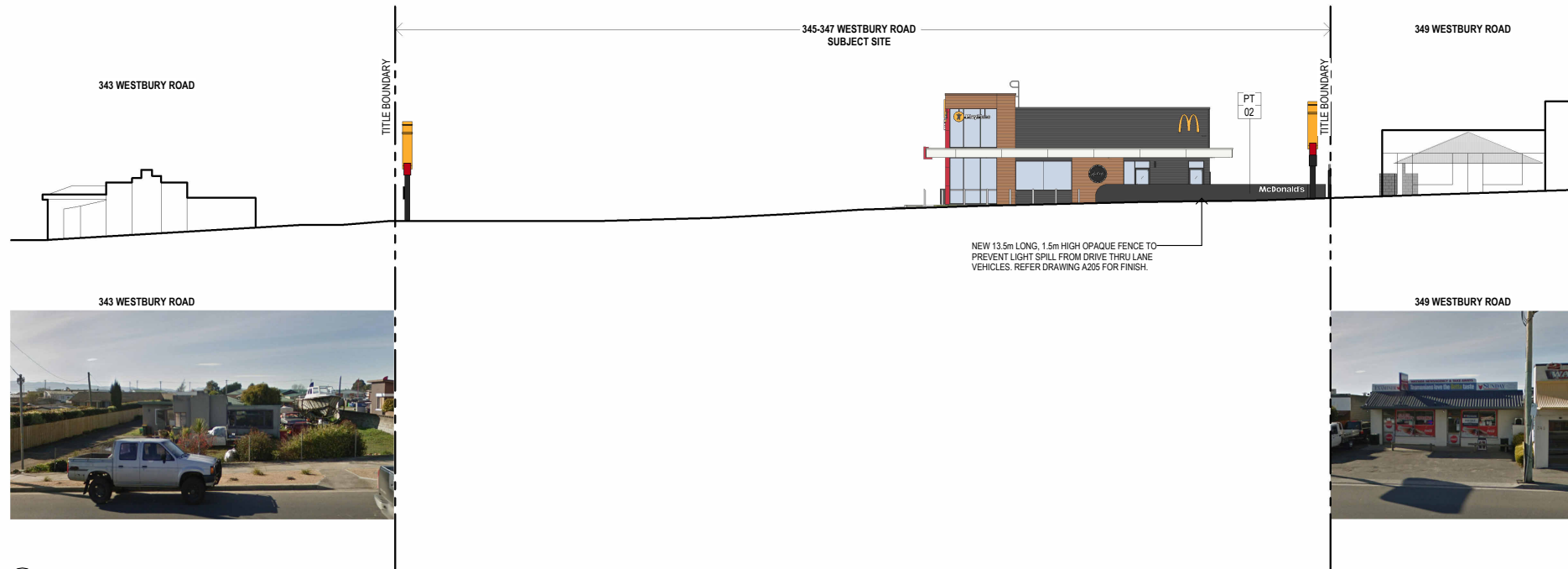
Location

345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1 : 100 @ A3	BIO MOD_450	
Drawing		
SOUTH & EAST BUILDING ELEVATIONS		
Project Number	Drawing Number	Issue
0317	A202	C

11.1.20 Application Documents



1
A071 STREETScape ELEVATION (WEST)
1 : 250

Revisions	General Notes	Drawing Notes
<p>C. R/I RESPONSE 3 01.05.24 DW</p> <p>B. R/I RESPONSE 2 08.12.23 DW TM</p> <p>A. R/I RESPONSE 08.07.23 DW TM</p> <p>Issue/Description Date Chk. Int.</p>	<p>Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



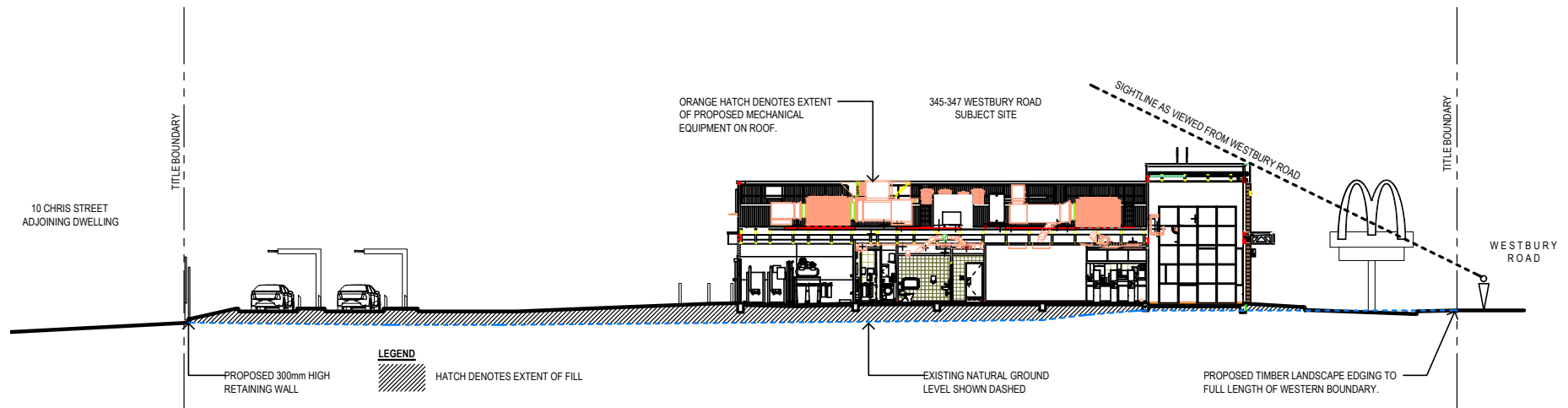
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Project
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Location
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PROSPECT VALE TAS 7250

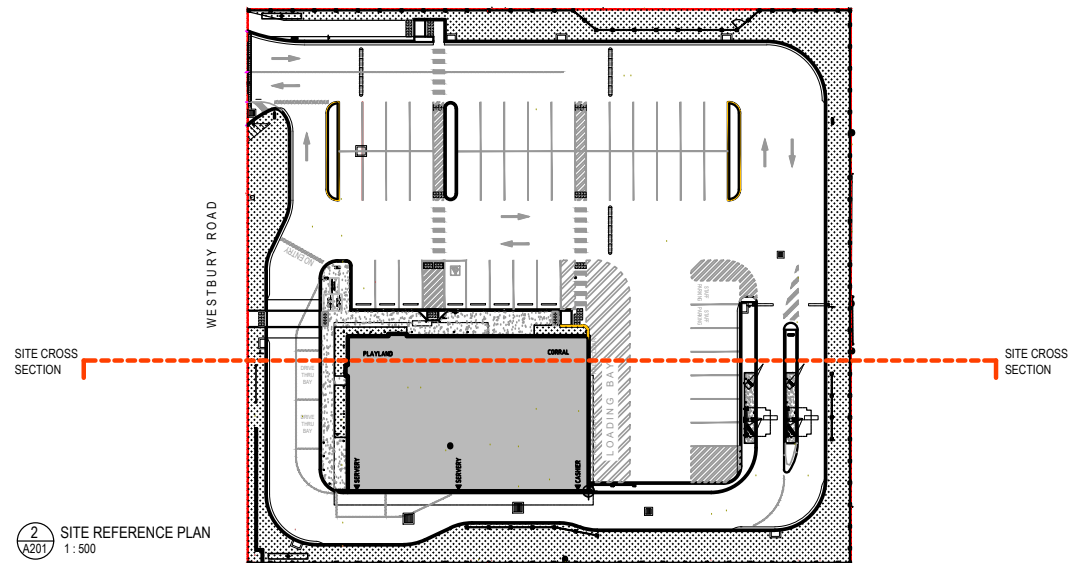
BUILDING & WORKS NOT FOR USE DURING CONSTRUCTION

Scale	Series
1 : 250 @ A3	B10 MOD_450
Drawing	
STREETScape ELEVATION	
Project Number	Drawing Number
0317	A203
Issue	C

11.1.20 Application Documents



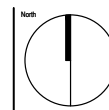
1 SITE CROSS SECTION
1:200



2 SITE REFERENCE PLAN
1:500


Revisions	General Notes	Drawing Notes
C	RF1 RESPONSE 1	18.04.24
B	RF1 RESPONSE 2	07.12.23
A	PLANNING APPLICATION	20.04.23
Issue/Description	Date	CHK. INT.



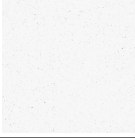
Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by construction manufacturer. This is a computer generated drawing. Do not amend by hand. Figures dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimetres. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.



BUILDING & WORKS	
NOT TO BE USED DURING CONSTRUCTION	
Scale	Series
A5 INDICATED @ A3	810MCD-450
Drawing	
SITE CROSS SECTION	
Project Number	Drawing Number
24011	A204
Issue	C

11.1.20 Application Documents

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
MC	01	PARAPET CAPPING - ADJACENT TIMBER LOOK CLADDING (PLAYLAND)	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	JASPER	
MC	02	PARAPET CAPPING - AWNINGS	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	SURFMIST	
MC	03	PARAPET CAPPING - MAIN BUILDING WALLS	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	WOODLAND GREY	
MC	04	PARAPET CAPPING	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	MANOR RED	
MWC	01	PLAYPLACE & PARAPETS	TIMBER LOOK ALUMINIUM CLADDING SYSTEM USING KNOTWOOD 200mm CLADDING PROFILE	KNOTWOOD	LIGHT OAK	
MWC	02	ROOF WELL (INTERNAL PARAPET LINING)	CUSTOM ORB CORRUGATED STEEL RIVET FIXED VERTICALLY TO FRAMES	LYSAGHT	ZINCALUME	
PC	01	CORRAL BATTENS & ROOF ACCESS, ELEC. ROOM DOORS	POWDERCOAT FINISH	DULUX DURATEC ZEUS	MONUMENT SATIN (COLORBOND)	

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
PC	02	ALUMINIUM WINDOWS & DOOR FRAMES. REFER NOTE 1.	POWDERCOAT FINISH	DULUX DURATEC ZEUS	LUNAR ECLIPSE SATIN (BLACK)	
PT	01	FASCIAS (RIBBON)	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	VIVID WHITE PW1H9	
PT	02	MAIN BUILDING WALLS AND LOW HEIGHT WALL	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG1G8	
PT	05	BLADE WALL & DRIVETHRU WINDOWS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	DULUX HIOT LIPS PB1F2	
STN	01	DRIVETHRU WINDOW SILL & SURROUND	RECONSTITUTED STONE. REFER TO DECOR DOCUMENTS	REFER DECOR	REFER DECOR	

Revisions		General Notes		Drawing Notes	
C	R01 RESPONSE 3	01/02/24	DW	1. FOR BUILDING ELEVATIONS REFER A201-A203	
B	R01 RESPONSE 2	08/12/23	DW		
A	PLANNING APPLICATION	20/04/23	ST		
Issue/Description	Date	CHK	INT	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	

1. FOR BUILDING ELEVATIONS REFER A201-A203



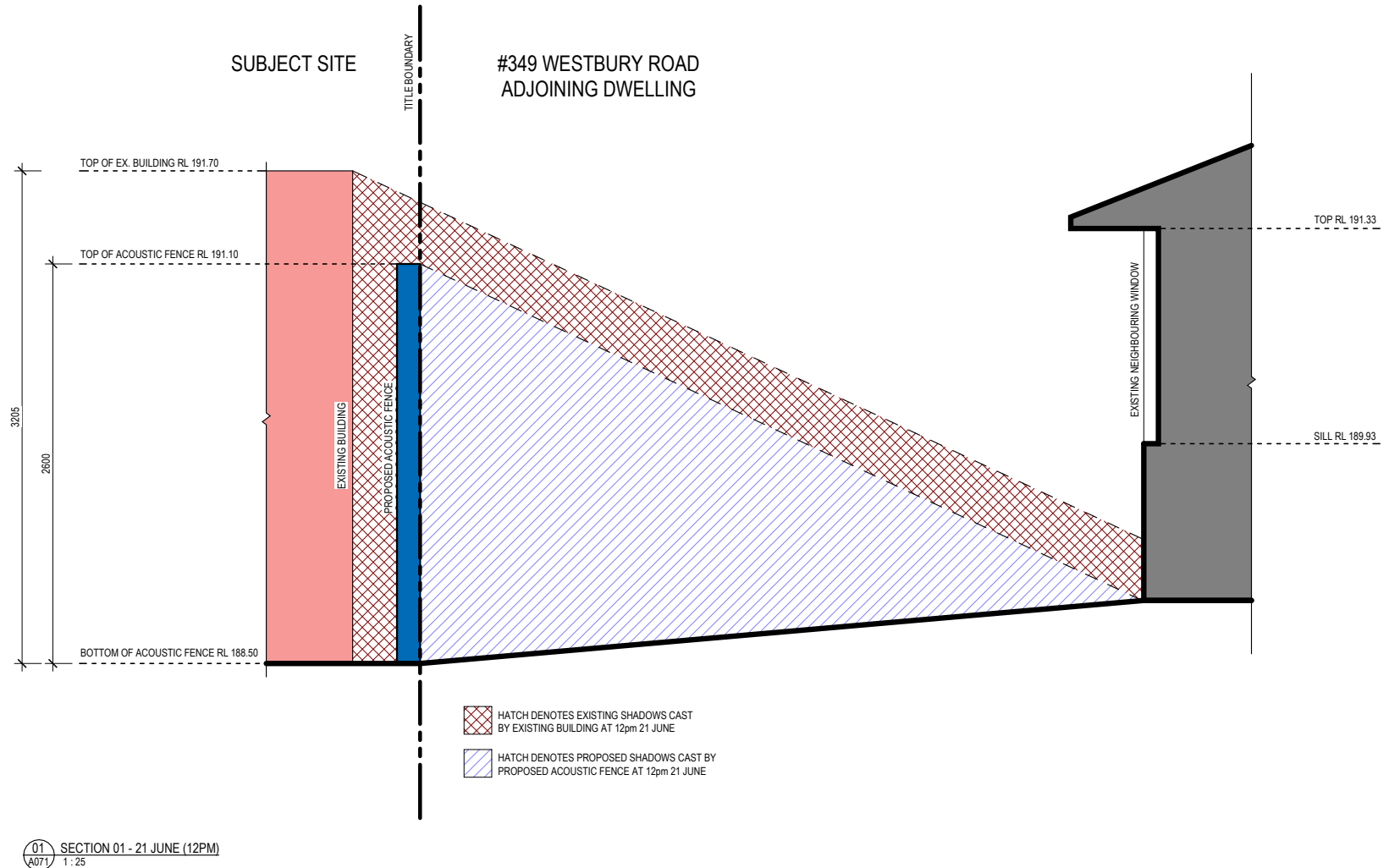
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PROPOSED NEW CONVENIENCE RESTAURANT
MCDONALD'S PROSPECT VALE
Location
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS
NOT FOR USE DURING CONSTRUCTION

Scale	Series
NTS	B10 MOD_450
Drawing	
FINISHES SCHEDULE	
Project Number	Drawing Number
0317	A205
Issue	
C	

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
C. RFI RESPONSE 3 B. RFI RESPONSE 2 A. PLANNING APPLICATION Issue/Description	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
01/06/24 08/12/23 20/04/23	DW DW TM	
	Date CHA: HHT	



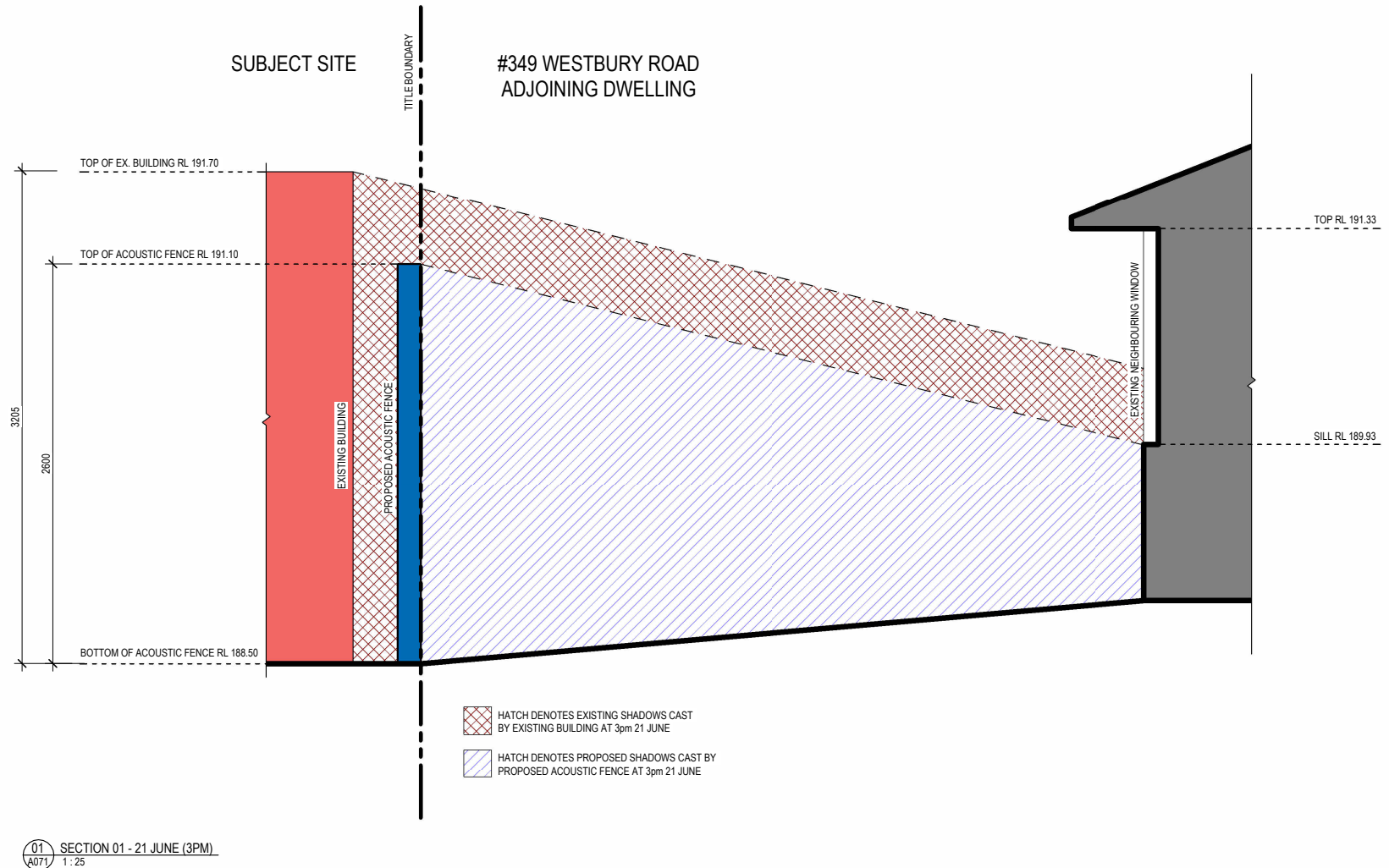
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Project
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RESTAURANT
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PROSPECT VALE TAS 7250

BUILDING & WORKS NOT FOR USE DURING CONSTRUCTION

Scale	Series
1:25 @ A3	B10 MOD_450
Drawing	
SECTION 01 SHADOW - 21 JUNE (12PM)	
Project Number	Drawing Number
0317	A206
	Issue
	C

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
<p>C. RFI RESPONSE 3 01/06/24 DW</p> <p>B. RFI RESPONSE 2 08/12/23 DW TM</p> <p>A. PLANNING APPLICATION 20/04/23 ST TM</p> <p>Issue/Description Date CHA: HHT</p>	<p>Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



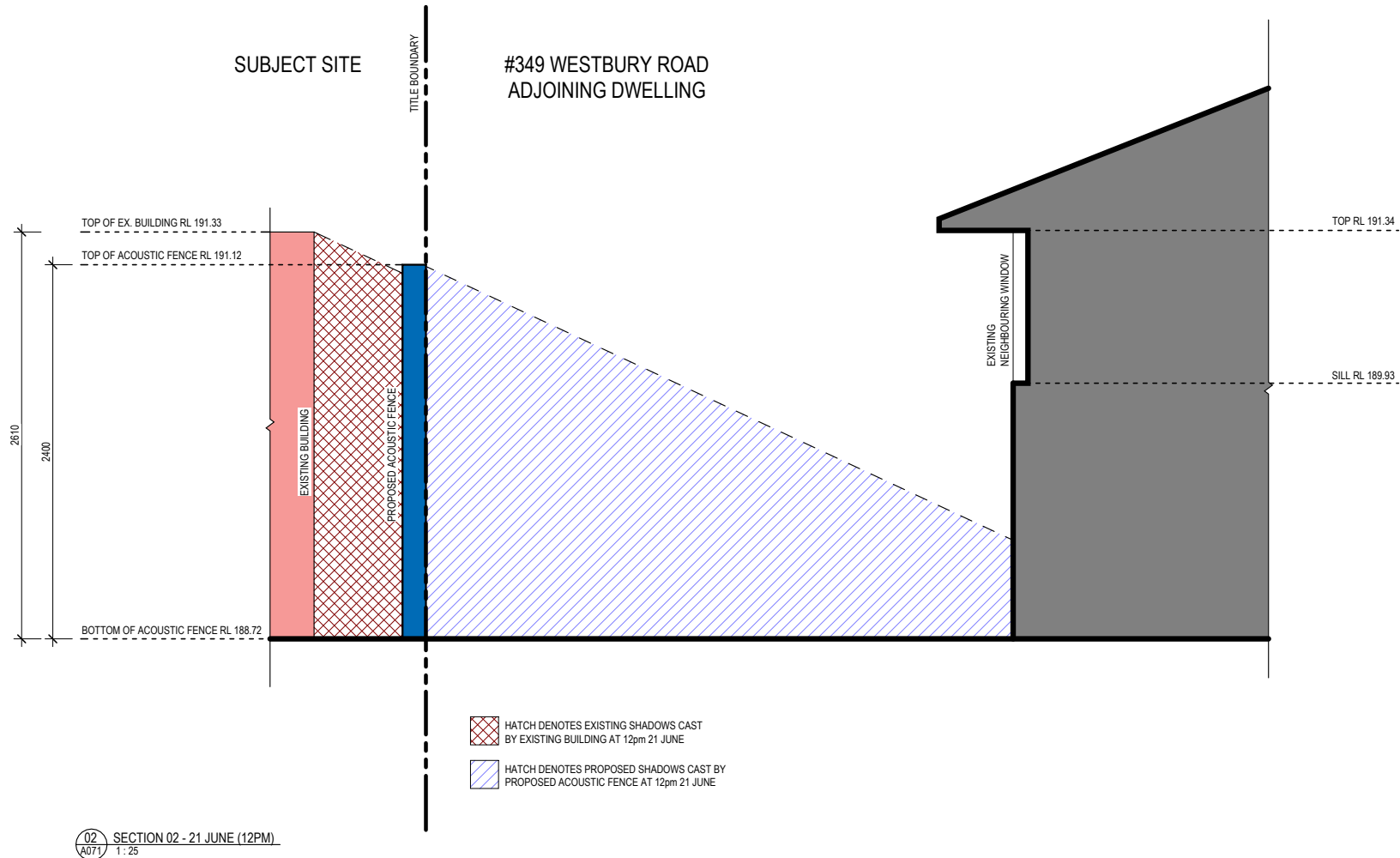
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NORTHCOOTE, 3070 VIC AUSTRALIA

Project
PROPOSED NEW CONVENIENCE RESTAURANT
McDONALD'S PROSPECT VALE
Location
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1 : 25 @ A3	BIO MOD_450	
Drawing		
SECTION 01 SHADOW - 21 JUNE (3PM)		
Project Number	Drawing Number	Issue
0317	A207	C

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
<p>C. RFI RESPONSE 3 01/02/24 DW</p> <p>B. RFI RESPONSE 2 08/12/23 DW TM</p> <p>A. PLANNING APPLICATION 20/04/23 ST TM</p> <p>Issue/Description Date CHA INT</p>	<p>Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



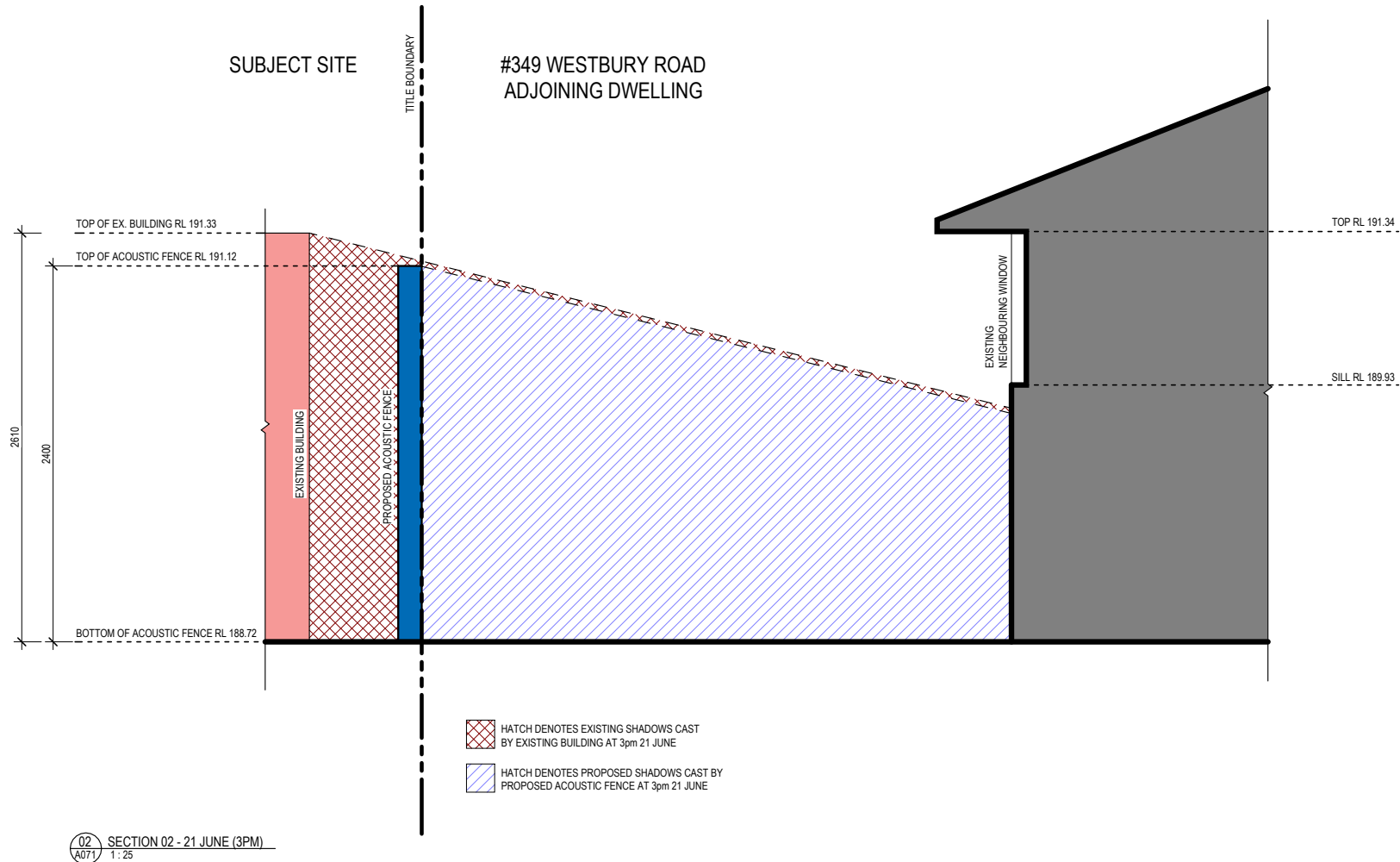
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Project
PROPOSED NEW CONVENIENCE
RESTAURANT
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Location
345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

BUILDING & WORKS NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1:25 @ A3	BIO MOD_450	
Drawing	SECTION 02 SHADOW - 21 JUNE (12PM)	
Project Number	Drawing Number	Issue
0317	A208	C

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
<p>C. RFI RESPONSE 3 01/02/24 DW</p> <p>B. RFI RESPONSE 2 08/12/23 DW TM</p> <p>A. PLANNING APPLICATION 20/04/23 ST TM</p> <p>Issue/Description Date CHA INT</p>	<p>Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



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BUILDING & WORKS NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1:25 @ A3	BIO MOD_450	
Drawing	SECTION 02 SHADOW - 21 JUNE (3PM)	
Project Number	Drawing Number	Issue
0317	A209	C

McDONALD'S PROSPECT VALE

345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

STAGE:

DA ISSUE
PYLON SIGNAGE PACKAGE

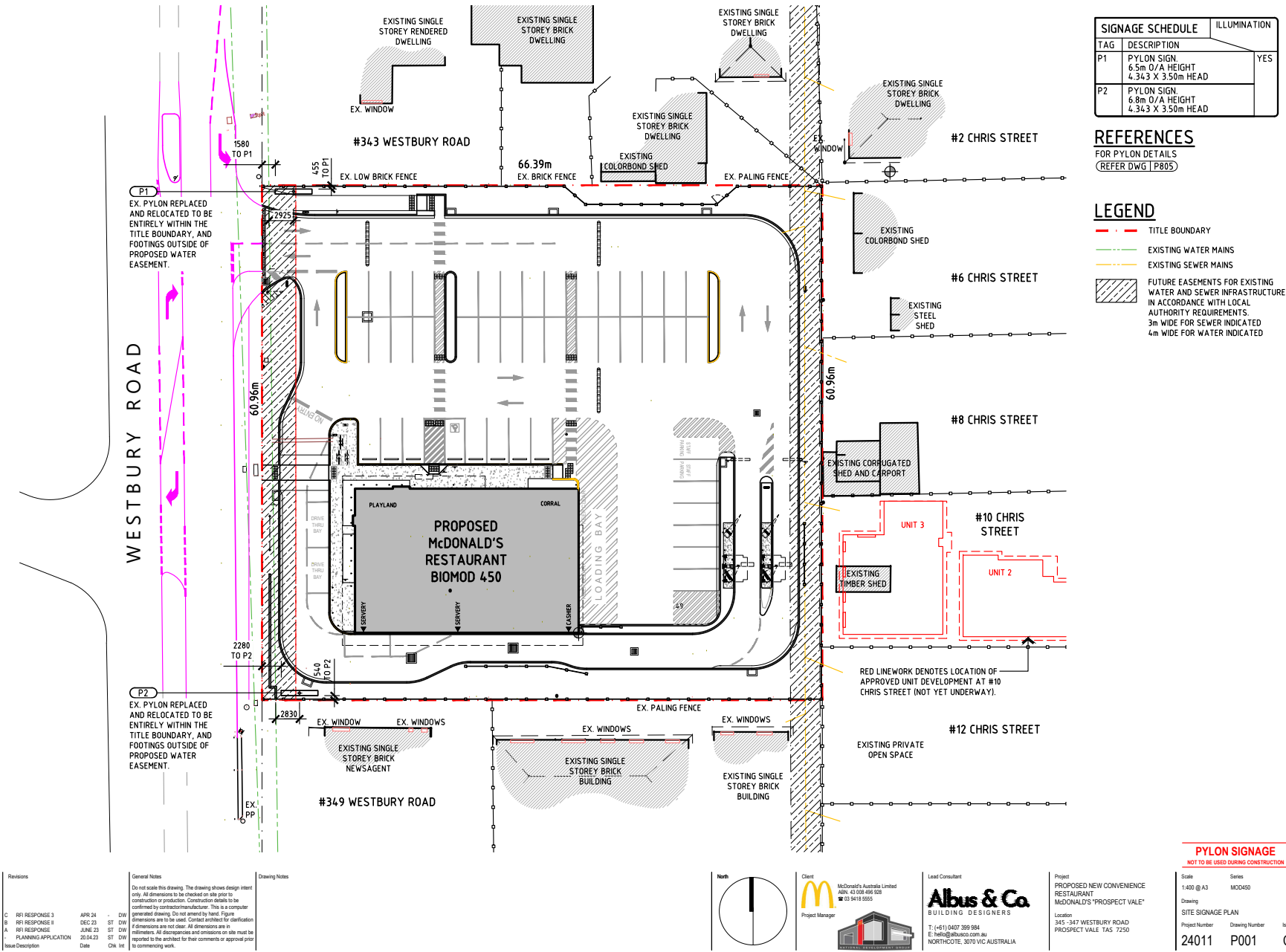
AMENDMENT: C (RFI RESPONSE III, APRIL 2024)



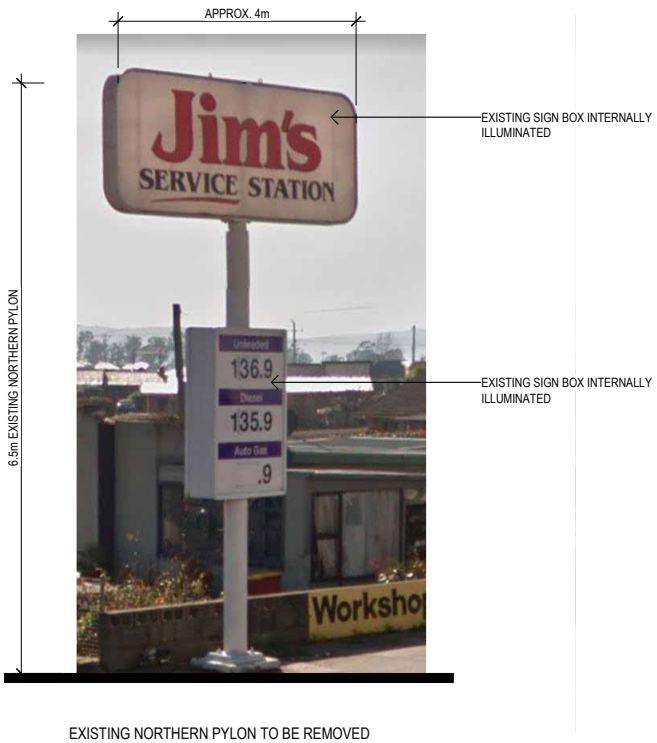
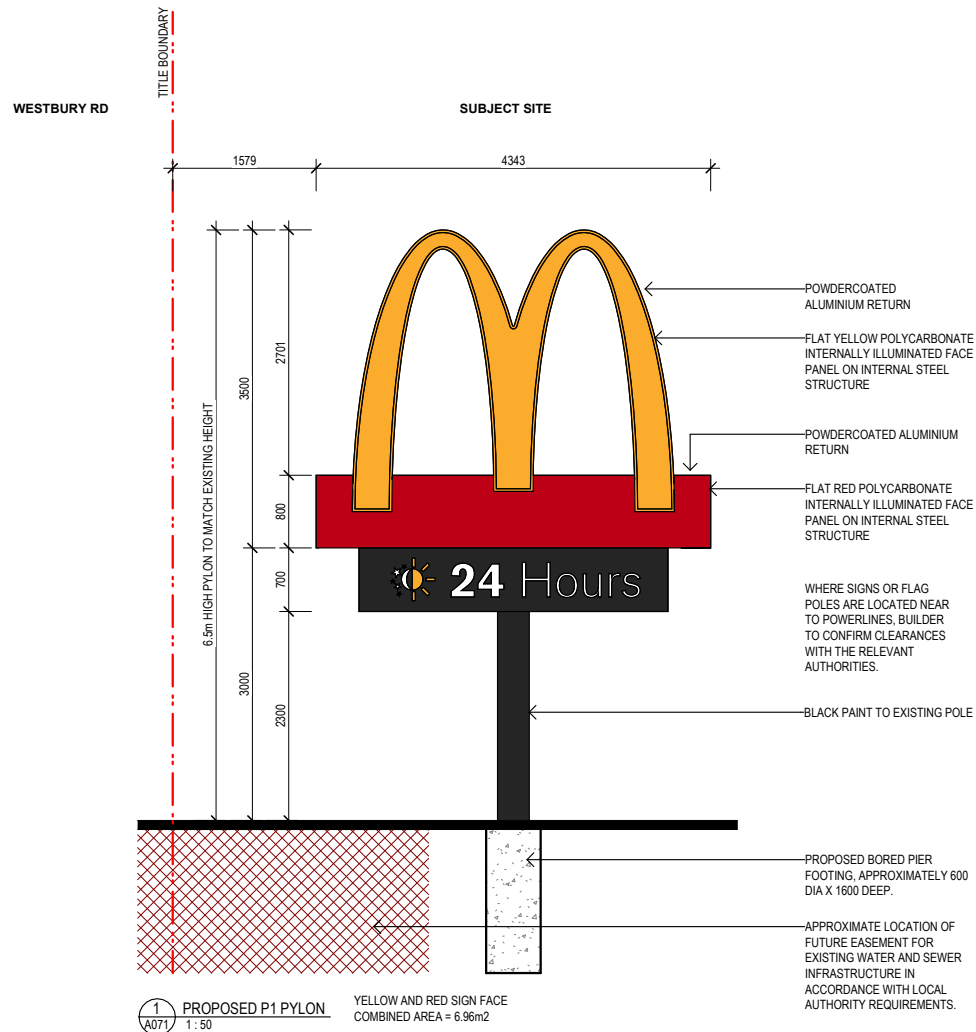
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ABN. 43 008 496 928
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✉ devgroup-aust@au.mcd.com



11.1.20 Application Documents



11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
C. RFI RESPONSE 3 B. RFI RESPONSE 2 A. PLANNING APPLICATION	01/06/24 DW 08/12/23 DW TM 20/04/23 ST TM	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

Drawing Notes



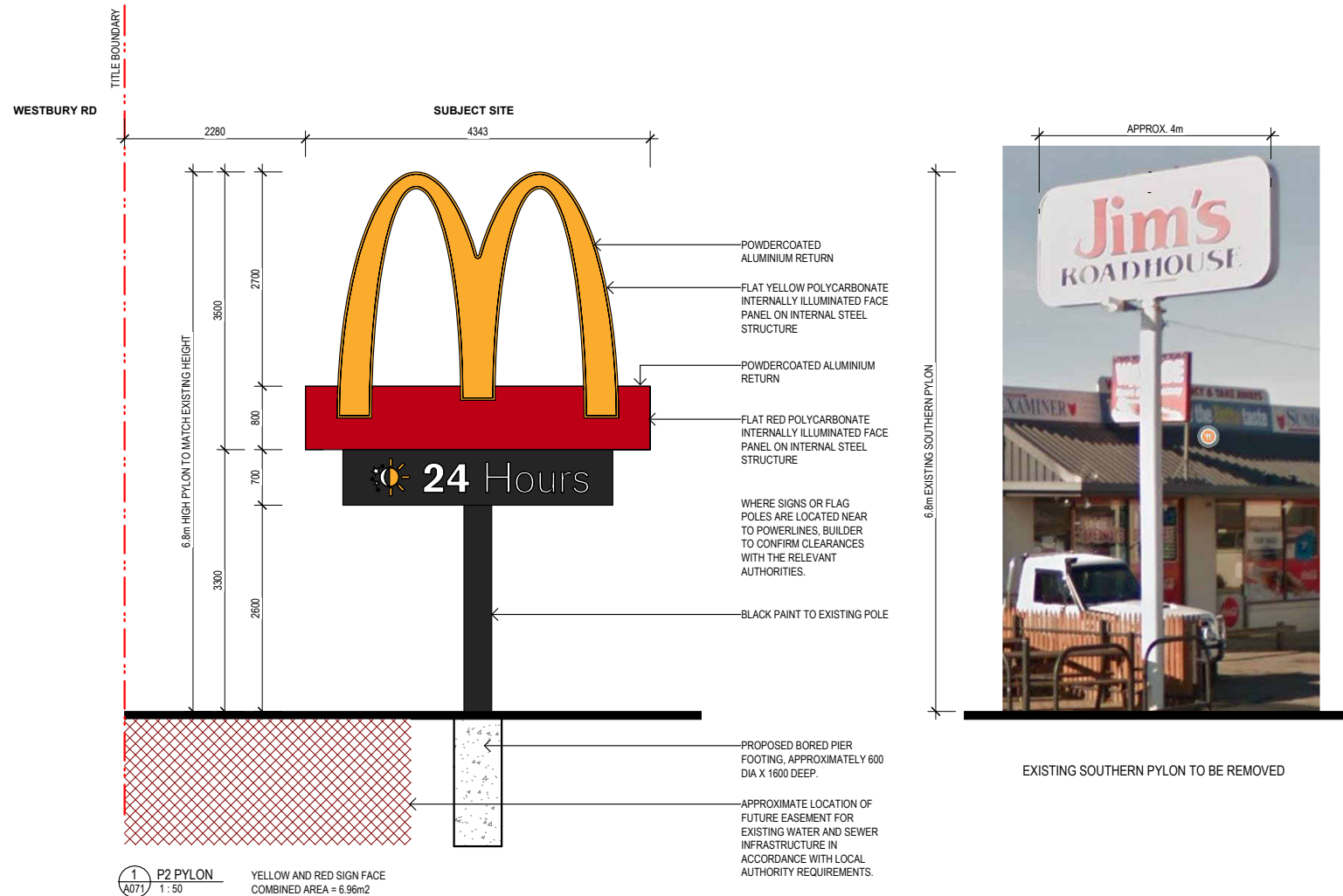
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Location
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PROSPECT VALE TAS 7250

ANCILLARY SIGNAGE
NOT FOR USE DURING CONSTRUCTION

Scale	Series
1:50 @ A3	B10 MOD_450
Drawing	P1 PYLON DETAILS
Project Number	Drawing Number
0317	P805
Issue	C

11.1.20 Application Documents



Revisions	General Notes	Drawing Notes
C. RFI RESPONSE 3 B. RFI RESPONSE 2 A. PLANNING APPLICATION	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
01/02/24 08/12/23 20/04/23	DW TM TM	
Issue/Description	Date	CHA: HHT



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PROSPECT VALE TAS 7250

ANCILLARY SIGNAGE NOT FOR USE DURING CONSTRUCTION

Scale	Series
1:50 @ A3	B10 MOD_450
Drawing	
P2 PYLON DETAILS	
Project Number	Drawing Number
0317	P806
	Issue
	C

M c D O N A L D ' S P R O S P E C T V A L E

345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

STAGE:

DA ISSUE
ANCILLARY SIGNAGE PACKAGE

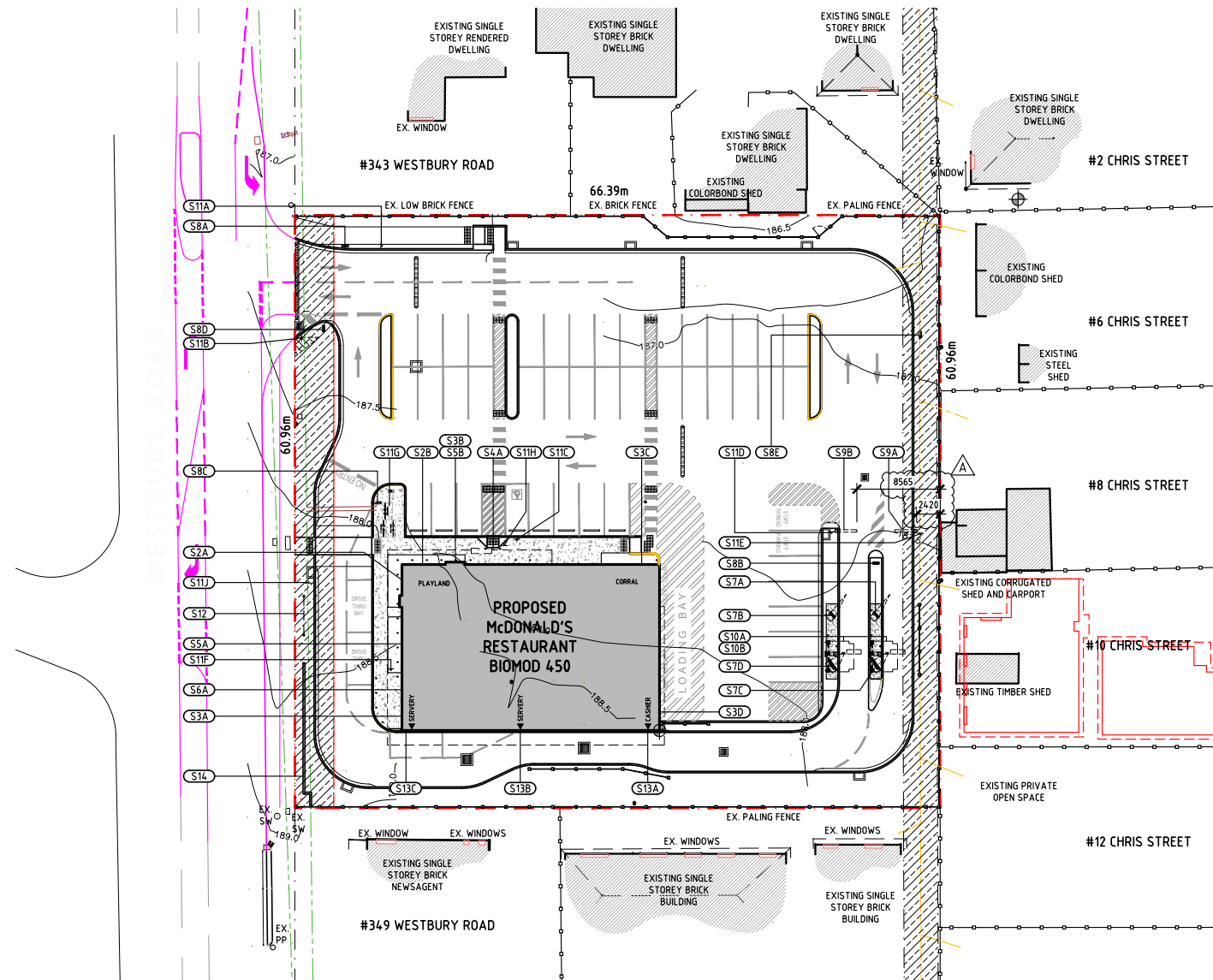
AMENDMENT: C (RFI RESPONSE III, APRIL 2024)



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11.1.20 Application Documents



SIGNAGE SCHEDULE		ILLUMINATION
TAG	DESCRIPTION	
S2A, S2B	PLAY PLACE SIGN, LOGO & LETTERING FIXED TO HANGING FRAME.	YES
S3A, S3B, S3C, S3D	WALL SIGN, 1.371 X 1.200m HIGH "M" LOGO FIXED TO WALL/BLADE.	
S4A	ENTRY CLIP, 2.100 X 0.750m HIGH NON-ILLUMINATED FASCIA WITH LED ILLUMINATED LETTERING: "McDONALDS"	
S5A	WALL SIGN, Ø1200 BUTTON SIGN, WORDING: "McCAFE" FIXED TO WALL.	
S5B	WALL SIGN, 1.420 X 0.70m HIGH, WORDING: "McCAFE" FIXED TO BLADE.	
S6A	"McDELIVERY" BLADE SIGN, 0.40 X 0.40m SIGNBOX FIXED TO WALL.	
S7A, S7B	SINGLE DIGITAL PRESELL MENUBOARD.	
S7C, S7D	DOUBLE DIGITAL MENUBOARD.	
S8A	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, DOUBLE SIDED, WORDING: "WELCOME" / "WELCOME".	
S8B	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, SINGLE SIDED, WORDING: "DRIVE THRU" & "ANY LANE, ANY TIME".	
S8E	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, SINGLE SIDED, WORDING: "DRIVE THRU".	
S8C, S8D	DIRECTIONAL SIGN, 0.7 X 2.3m HIGH, DOUBLE SIDED, WORDING: "THANKYOU / NO ENTRY".	
S9A, S9B	HEIGHT CLEARANCE GENTRY.	
S10A, S10B	WORDING: "1. ORDER HERE". REFER DWG. A808	
S11A	SHARED ZONE SIGN & SPEED SIGN (10km/hr) AS SPECIFIED.	NO
S11B	STOP SIGN AS SPECIFIED.	
S11C	ACCESSIBLE PARKING AS SPECIFIED.	
S11D, S11E, S11F	NO PEDESTRIAN ACCESS SIGN AS SPECIFIED.	
S11G	BIKE RACK AS SPECIFIED (DOUBLE SIDED WHERE SHOWN).	
S11H	PEDESTRIAN WARNING SIGN AS SPECIFIED.	
S11J	PEDESTRIAN CROSSING SIGN	
S12	FLAGPOLES AND BANNER.	
S13A, S13B, S13C	INFORMATION SIGNS WORDING: "2. PAY HERE" / "3. PICK UP HERE" / "4. PICK UP HERE".	
S14	"McDONALD'S" LETTERSET 3.065m X 0.374m	YES

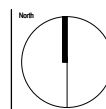
REFERENCES LEGEND

FOR SIGNAGE DETAILS
 (REFER DWG. A805)
 (REFER DWG. A806)
 (REFER DWG. A807)
 FOR BUILDING ELEVATIONS
 (REFER DWG. A802)
 (REFER DWG. A803)

ANCILLARY SIGNAGE

NOT TO BE USED DURING CONSTRUCTION

Revisions	General Notes	Drawing Notes
C RFI RESPONSE 3 B RFI RESPONSE 2 A RFI RESPONSE PLANNING APPLICATION Issue Description	Do not scale this drawing. The drawing phases design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	

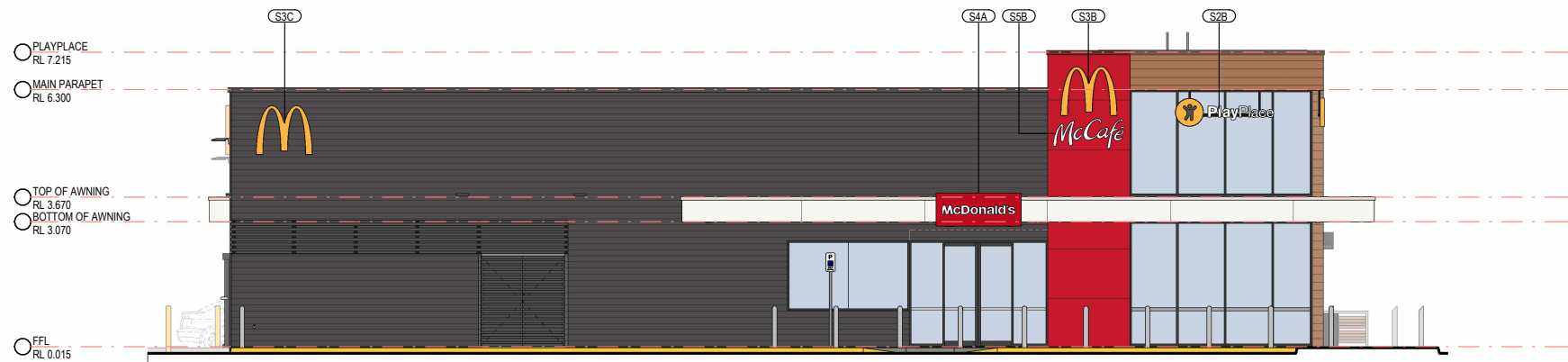


Scale	Series
1:400 @ A3	MCD450
Drawing	
SITE SIGNAGE PLAN	
Project Number	Drawing Number
24011	A801
Issue	
C	

11.1.20 Application Documents



1 WEST SIGNAGE ELEVATION
A071 1:100



2 NORTH SIGNAGE ELEVATION
A071 1:100

Revisions	General Notes	Drawing Notes
C	REV RESPONSE 3	01/02/24 DW
B	REV RESPONSE 2	08/12/23 DW TM
A	PLANNING APPLICATION	20/04/23 ST TM
Issue/Description	Date	CHK. INT

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Drawing Notes



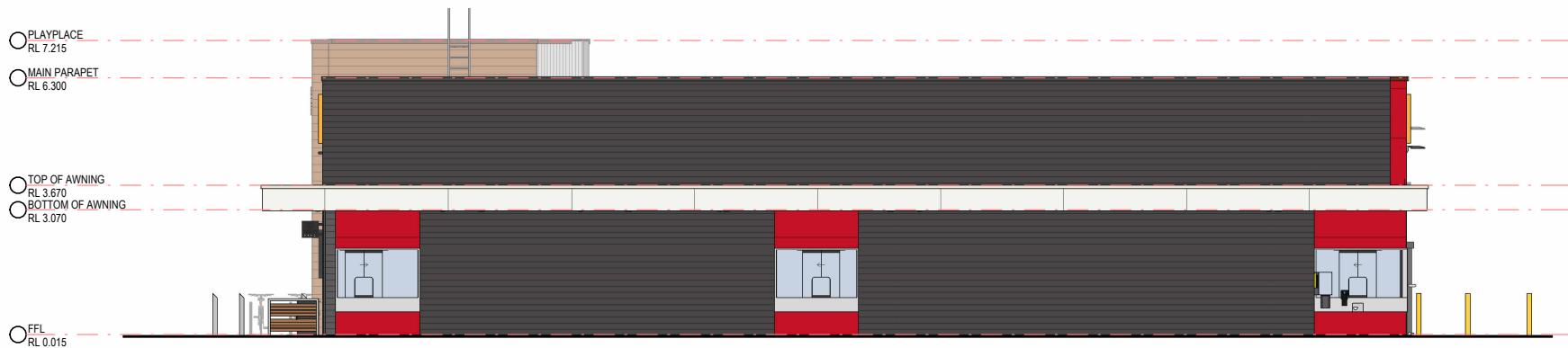
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Project
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Location
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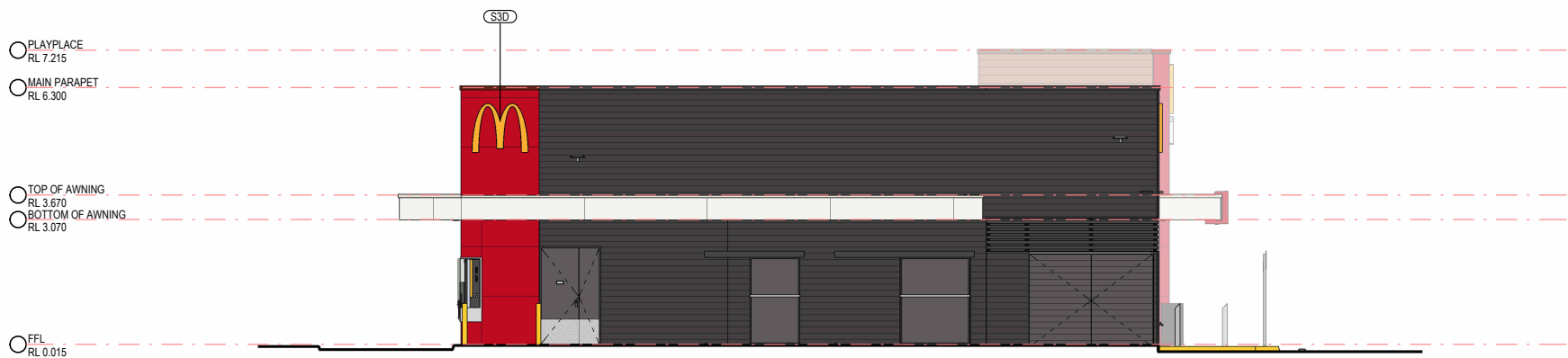
ANCILLARY SIGNAGE NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1 : 100 @ A3	BIO MOD_450	
Drawing	WEST & NORTH SIGNAGE ELEVATIONS	
Project Number	Drawing Number	Issue
0317	A802	C

11.1.20 Application Documents



1 SOUTH SIGNAGE ELEVATION
A071 1: 100



2 EAST SIGNAGE ELEVATION
A071 1: 100

Revisions				General Notes	Drawing Notes
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C	RII RESPONSE 3	01/02/24	DW		
B	RII RESPONSE 2	06/12/23	DW		
A	PLANNING APPLICATION	20/04/23	ST		
Issue/Description		Date	CRK	INT	



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Project

PROPOSED NEW CONVENIENCE
RESTAURANT
MCDONALD'S PROSPECT VALE

Location

345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

ANCILLARY SIGNAGE
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Scale	Series	
1: 100 @ A3	BIO MOD_450	
Drawing		
SOUTH & EAST SIGNAGE ELEVATIONS		
Project Number	Drawing Number	Issue
0317	A803	C

11.1.20 Application Documents



PLAYPLACE



CORRAL



DRIVETHRU



McCAFE

Revisions	General Notes	Drawing Notes
C. RFI RESPONSE 3 B. RFI RESPONSE 2 A. PLANNING APPLICATION	01/02/24 DW TM 08/12/23 DW TM 20/04/23 ST TM	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.



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Project

PROPOSED NEW CONVENIENCE
RESTAURANT
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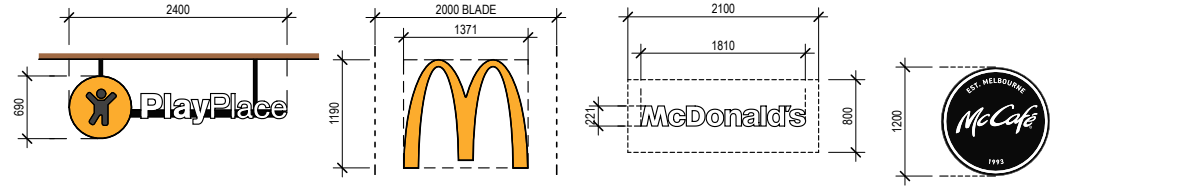
Location

345-347 WESTBURY ROAD
PROSPECT VALE TAS 7250

ANCILLARY SIGNAGE
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Scale	Series
@ A3	B10 MOD_450
Drawing	3D VIEWS
Project Number	Drawing Number
0317	A804
Issue	C

11.1.20 Application Documents

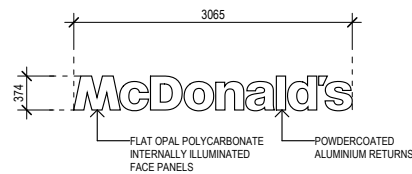


S2 PLAYPLACE (100mm DEPTH)
1:50
YELLOW LOGO WITH INDIVIDUAL POLYCARBONATE LETTERING FIXED TO FRAME. INTERNALLY ILLUMINATED. WHITE LETTERS.

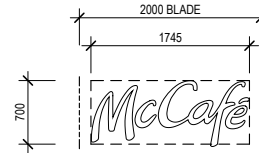
S3 WALL SIGN (100mm DEPTH)
1:50
YELLOW FLAT FACE POLYCARBONATE LOGO. INTERNALLY ILLUMINATED. YELLOW LOGO

S4 CLIP SIGN (20mm DEPTH)
1:50
LED ILLUMINATED WORDMARK ONLY. RED CLIP TO BE CONSTRUCTED BY THE BUILDER..

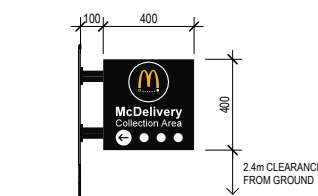
S5A McCAFE BUTTON SIGN (100mm DEPTH)
1:50
FABRICATED METAL BUTTON SIGN. OPAL FACES WITH BLACK VINYL GRAPHICS. LED ILLUMINATION.



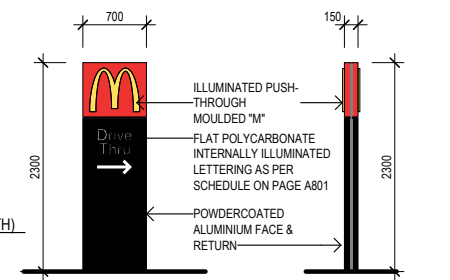
S14 "McDONALD'S" WORD MARK WALL SIGN (100mm DEPTH)
1:50
FLAT OPAL POLYCARBONATE INTERNALLY ILLUMINATED FACE PANELS
POWDERCOATED ALUMINIUM RETURNS



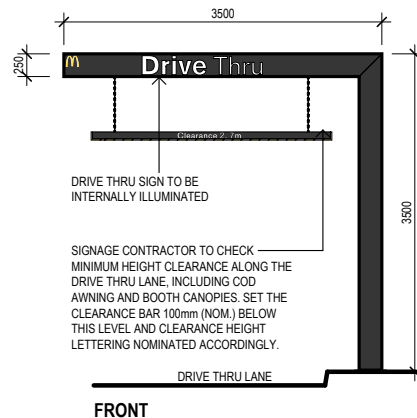
S5B WALL SIGN (100mm DEPTH)
1:50
INDIVIDUAL HALO ILLUMINATED REVERSE PAN FABRICATED ALUMINIUM CHANNEL LETTERS. BRUSHED ALUMINIUM FINISH.



S6 McDELIVERY WALL SIGN (100mm DEPTH)
1:20
FABRICATED METAL SIGN. OPAL FACES WITH BLACK VINYL GRAPHICS. LED ILLUMINATION.

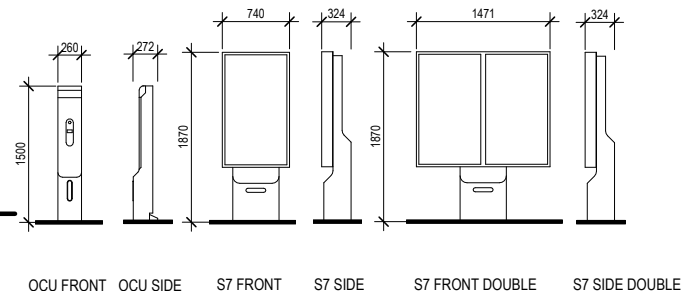


FRONT
ALTERNATIVE WORDING
(ALL IN TITLE CASE):
"NO ENTRY"
"WELCOME" W/- ARROWS"
"THANK YOU"
"ENTRY"
"DRIVE-THRU ANY LANE, ANY TIME"
"DRIVE-THRU W/- ARROWS"
"EXIT"
"NO ENTRY"



S9 HEIGHT CLEARANCE GANTRY
1:50

SIDE



S7 FRONT **S7 SIDE** **S7 FRONT DOUBLE** **S7 SIDE DOUBLE**

ANCILLARY SIGNAGE NOT FOR USE DURING CONSTRUCTION

Revisions	General Notes	Drawing Notes
<p>C. RFI RESPONSE 3 01/04/24 DW</p> <p>B. RFI RESPONSE 2 08/12/23 DW TM</p> <p>A. PLANNING APPLICATION 20/04/23 ST TM</p> <p>Issue/Description Date CHA INT</p>	<p>Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.</p>	



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Scale	Series
As indicated @ A3	B10 MOD_450
SIGNAGE DETAILS	
Project Number	Drawing Number
0317	A806
Issue	C

11.1.20 Application Documents



S11 CARPARK METAL SIGNS
1:10

DEPENDENT ON LOCATION WITHIN SITE, S11 SIGNAGE SHOULD BE SET A MINIMUM OF 2m ABOVE TOP OF KERB TO PREVENT OBSTRUCTION TO OCCASIONAL PEDESTRIANS, OR TO REDUCE INTERFERENCE FROM PARKED VEHICLES. IF THIS DOESN'T APPLY, SIGNAGE HEIGHTS SHALL BE SET AS NOTED.

ANCILLARY SIGNAGE
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Revisions	General Notes	Drawing Notes
C R1 RESPONSE 3 01/04/24 DW	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
B R1 RESPONSE 2 08/12/23 DW		
A PLANNING APPLICATION 20/04/23 ST		
Issue/Description	Date	CHA: JH



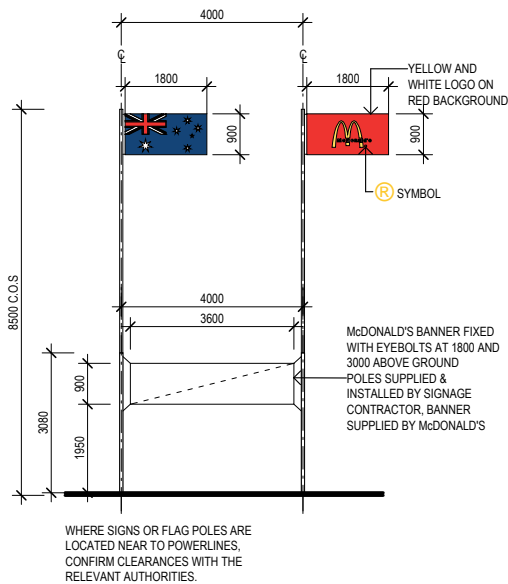
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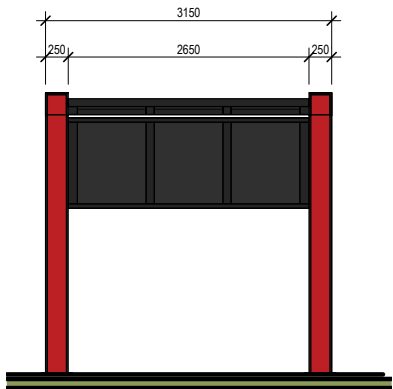
Scale
1:10 @ A3
Series
B10 MOD_450
Drawing
SIGNAGE DETAILS
Project Number
0317
Drawing Number
A807
Issue
C

File Name

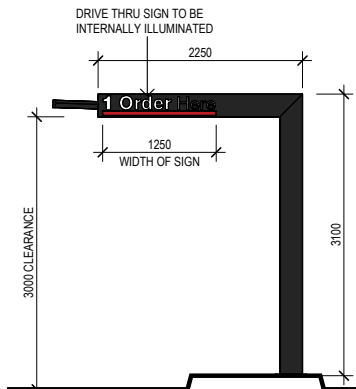
11.1.20 Application Documents



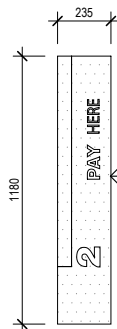
S12 FLAG POLES & BANNER
1: 100



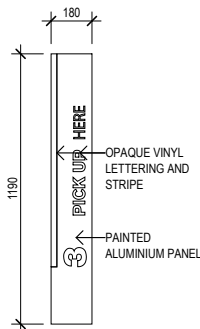
S10 ORDER CANOPY ELEVATION
1: 50



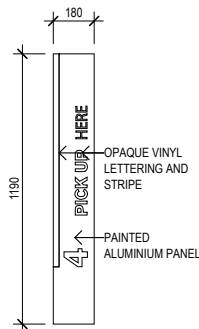
S10 ORDER CANOPY SIDE
1: 50



CASHIER



PRESENT



3rd WINDOW

S13 INFORMATION BOARDS
1: 20

Revisions	General Notes	Drawing Notes
C B A	01/04/20 08/12/23 20/04/23	DW TM ST
RII RESPONSE 3 RII RESPONSE 2 PLANNING APPLICATION	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	



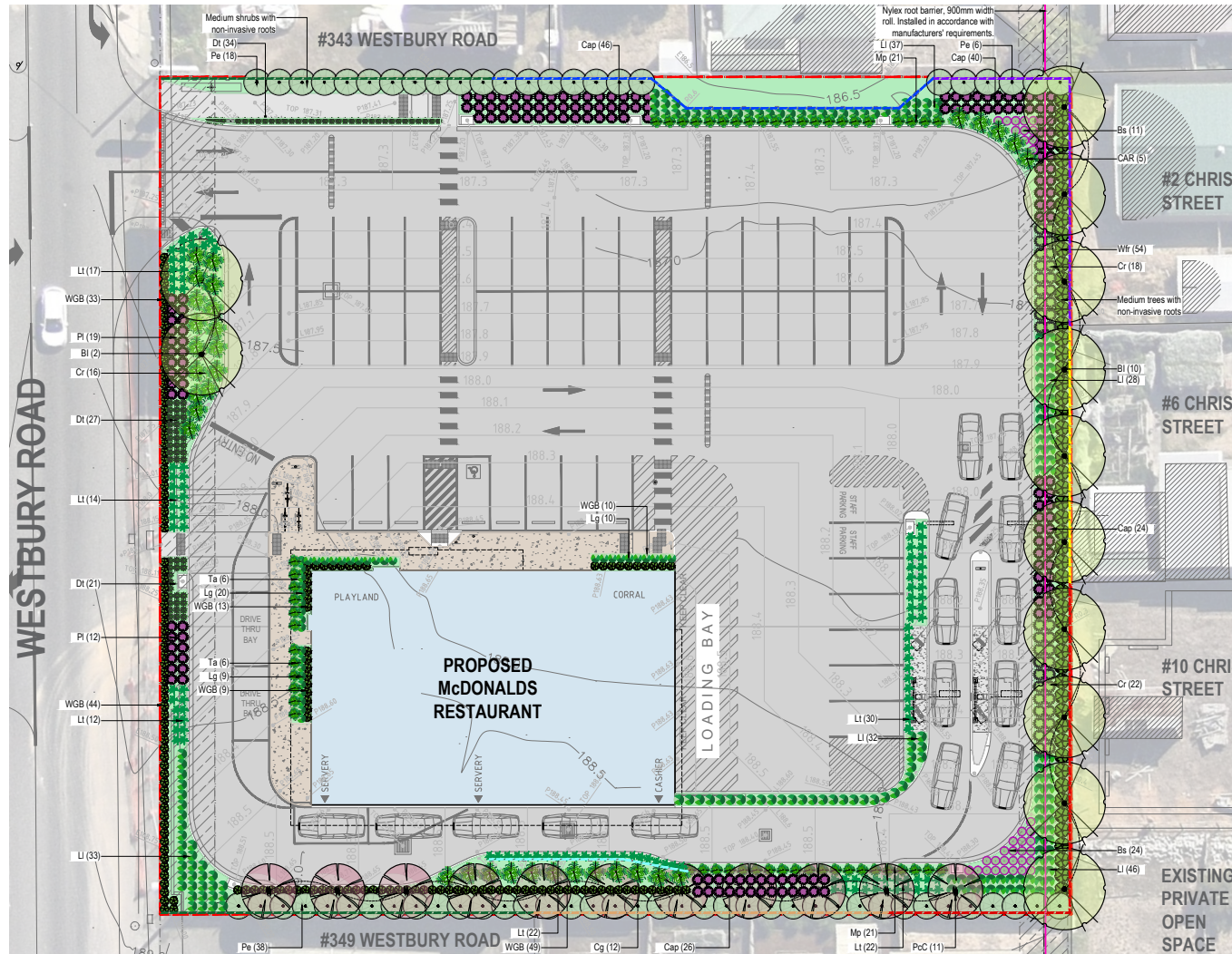
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ANCILLARY SIGNAGE
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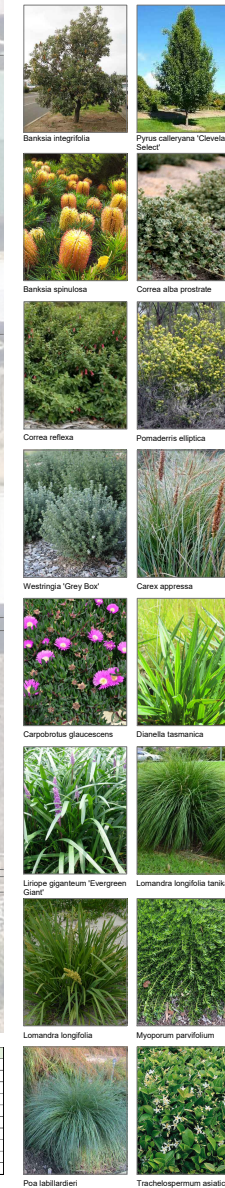
Scale	Series	
As indicated @ A3	B10 MOD_450	
Drawing		
SIGNAGE DETAILS		
Project Number	Drawing Number	Issue
0317	A808	C

11.1.20 Application Documents



PLANT SCHEDULE						GRASSES & GROUNDCOVERS			
CODE	BOTANIC NAME	COMMON NAME	SIZE (HxW) (MATURITY)	RECOMMEND POT SIZE	QUANTITY	Cap	Carex appressa	Tall sedge	0.8 x 0.8
TREES	SI	Banksia integrifolia	15 x 6m	45L	12	Car	Correa alba prostrata	Prostrate White Correa	0.3 x 1.2m
	PcC	Pyrus calleryana 'Cleveland Select'	11 x 3-6m	45L	11	Cg	Corydalis glaucescens	Pigface	0.1-0.3 x 2.0m
SHRUBS	Bs	Banksia spinulosa	0.5 x 0.6m	140mm	35	Lg	Dianella tasmanica	Forest flaxlily	1.0 x 0.5
	Cr	Correa reflexa	0.8 x 0.8m	140mm	12	Lt	Liriope giganteum 'Evergreen Giant'	Liriope Evergreen Giant	0.6 x 0.6m
	Pe	Pomaderris elliptica	2.4 x 2.5m	250mm	62	Li	Lomandra longifolia tanka	Tanka	0.65 x 0.65m
	WGB	Westringia 'Grey Box'	0.6 x 0.6m	140mm	163	Mp	Myoporum parvifolium	Spry-head Mat Rush	0.7 x 0.7m
	Wfr	Westringia frutescens 'Jervis Gem'	1.0 x 1.2	140mm	54	Pi	Poa labillardieri	Yareena	0.1 x 1.0m
						Ta	Trachelospermum asiaticum	Common Tussock-grass	0.7 x 0.7m
								Asiatic star jasmine	0.15 - 1.0m

PLANTING PALETTE



LEGEND

- Property Boundary
- Existing Sewer
- Root Barrier (Refer plans)
- Proposed Trees (Refer to planting schedule)
- Proposed Shrubs (Refer to planting schedule)
- Proposed Low Grasses (Refer to planting schedule)
- Mulched Gardenbed (Mossrock 'Hogged Bark' or similar)
- Pedestrian Access (Tie Paved)
- Road / Carpark (Asphalt surface)
- Concrete (Concrete surface)
- Footpath (Concrete surface)
- Acoustic Fence (Fence Screen 1.75m H, refer Architects Plan)
- Acoustic Fence (Fence Screen 1.80m H lower to 1.2mH, refer Architects Plan)
- Acoustic Fence (Fence Screen 2.0m H, refer Architects Plan)
- Acoustic Fence (Fence Screen 2.20m H, refer Architects Plan)
- Acoustic Fence (Fence Screen 2.30m H, refer Architects Plan)
- Acoustic Fence (Fence Screen 2.4m H, refer Architects Plan)
- Acoustic Fence (Fence Screen 2.50m H, refer Architects Plan)
- Acoustic Fence (Fence Screen 2.60m H, refer Architects Plan)

LANDSCAPE NOTES:

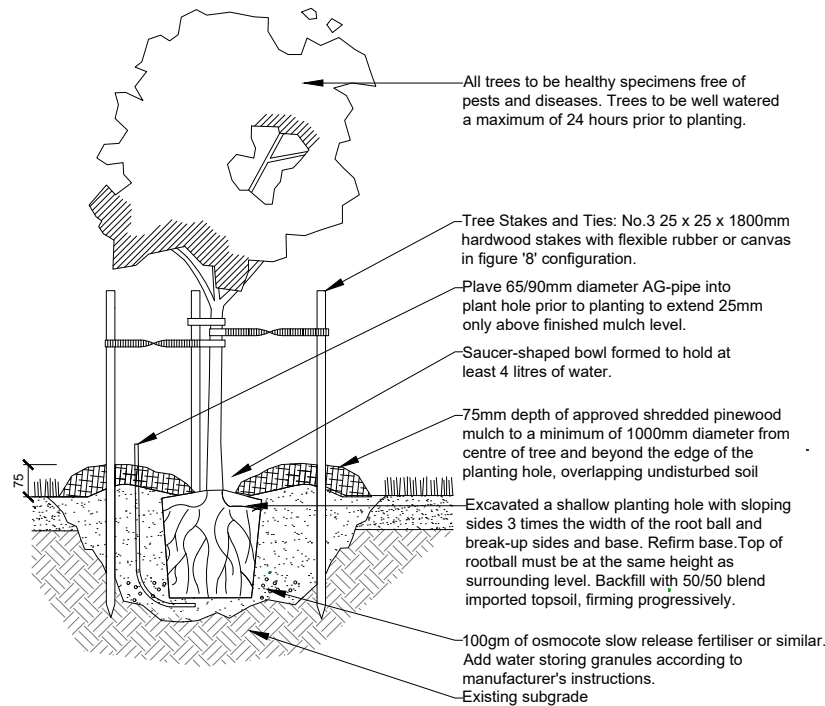
IRRIGATION
If irrigation is to be installed, we recommend an automatic controller, such as Rainbird ESP or similar. Lateral lines should be PVC and HDPE combination, drip irrigation lines are to be Netafim 'Techline' or similar, installed beneath mulch.
A qualified irrigation contractor should be engaged to design the system (including controller, valve and piping requirements) and to complete all irrigation works (trenching and conduit installation may be completed by the contractor).
Conduits to planters and garden beds are to be installed beneath paving, drainage outlet points are to be coordinated with the building storm water design. Water and electrical connection points are to be coordinated with the building design and specified on the engineers drawings. Upon completion, the system is to be tested and commissioned prior to hand-over, as-built drawings and manuals to be prepared and submitted.

DRAINAGE
Drainage for the development will be integrated and connected into the building stormwater design. Proposed topping areas to be graded/drained to prevent water discharge into neighbouring properties.

PLANTING
Driveway trees to have lower limbs uplifted to maintain clear site lines and be positioned to ensure trunk is offset min. 600mm from kerb. Trees adjacent to driveway should incorporate structural soil mix within 2.0m radius under pavement.
Trees and shrubs shall be healthy nursery stock free from insects, diseases and weeds, the specified plant heights, and pot sizes are minimum. If plant material is unavailable in these sizes, larger stock must be used. Plant substitution is not acceptable.

GENERAL NOTES
This drawing is for Town Planning purposes only. Do not scale from plan - contractor to verify all dimensions on site prior to commencing construction. The plants used have low water requirements. Native plant species selection chosen for environmental appropriateness and low maintenance/irrigation requirements. Low growing shrub forms maintain sight lines and provide colour interest. Neat architectural foliage to provide year-round green texture without ongoing maintenance (clipping, pruning) requirements.

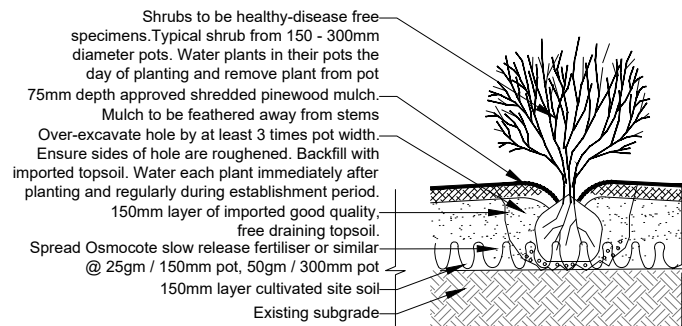
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A
L02

TYPICAL TREE PLANTING DETAIL (ADVANCED STOCK)

not to scale



B
L02

TYPICAL SHRUB PLANTING DETAIL

not to scale

MAINTENANCE NOTES

The Landscape maintenance period is to be a minimum **12 months** duration from Practical Completion and continue until Hand Over.

Maintenance shall be comprised of the following works to ensure continuous healthy growth of all vegetation and ensure the site is maintained in a tidy fashion for the duration of the Maintenance Period:

Initial establishment (first 3 months);

- **minimum weekly site visits**

Consolidation period (3-6 months);

- **minimum weekly site visits during warmer months**

- **minimum fortnightly site visits during cooler months**

Ongoing period (6-12 months);

- **minimum fortnightly site visits**

Maintenance Works

Commencement: Immediately following Practical Completion

Maintenance Period Duration: 12 months (52 weeks)

Actions to be undertaken: All vegetation planted as part of the program of works will be regularly maintained to ensure ongoing health and establishment of the works, including:

- watering,
- weeding,
- rubbish removal,
- fertilising,
- pest and disease control,
- re-staking and tying,
- replanting,
- mulching, and
- pruning.

This work will be undertaken by the landscape contractor appointed by the developer. The work is to be undertaken on a minimum basis outlined above and as required to ensure successful establishment as per the contract specifications.

The developer will be responsible for the costs associated with the Maintenance Period until handed over.

Maintenance Specification

Maintain the landscape works intensively for a period of 13 weeks to ensure healthy establishment (weekly visits) followed by regular ongoing maintenance for a minimum duration of 12 months following the date of the issue of the Certificate of Practical Completion by the Superintendent. Any defects shall be rectified immediately. Maintenance shall include the care of the works by accepted horticultural practices, as well as rectifying any defects that become apparent in the works under normal use. This shall include, but shall not be limited to, the following items where and as required:

WATERING, FERTILIZING, CULTIVATION, TOP DRESSING, RENOVATING, WEEDING, PESTS AND DISEASE CONTROL, STAKING MAINTENANCE, REPLACEMENT OF PLANT MATERIALS, REPLANTING, PRUNING, RE-MULCHING, MOWING OF GRASS, KEEPING THE SITE NEAT AND TIDY.

Any soil subsidence or erosion which may occur after the soil filling and preparation operations shall be made good.

All newly planted areas shall be protected from casual pedestrian traffic as specified herein. Protective fences, where required, shall be removed following successful establishment of the works.

All mulched surfaces shall be kept in a clean and tidy condition and be reinstated or topped up where necessary.

Defects liability: The whole of the works shall be upheld against any defects due to faulty and / or inferior quality materials and / or workmanship as per the requirements of the Head Contract.

Practical completion of planting: Practical completion of the planting works includes, but is not limited to the replacement of plants which have failed, been damaged or been stolen during the works.

Program: Furnish a proposed planting maintenance program, and

amend it as required. Comply with the amended program.

Log book: Keep a log book recording when and what maintenance work has been done and what materials, including toxic materials, have been used. Make the log book available for inspection on request.

Existing planting and grass: Where existing planting or grass is within the landscape contract area, maintain it as for the corresponding classifications of new grassland or planting.

Recurrent works: Throughout the maintenance period, continue to carry out recurrent works of a maintenance nature including, but not limited to, watering, mowing, weeding, rubbish removal, fertilising, pest and disease control, reseeding, returfing, staking and tying, replanting, cultivating, pruning, hedge clipping, aerating, renovating, top dressing, weekly mowing of grass and keeping the site neat and tidy.

Replacements: Continue to replace failed, damaged or stolen plants. If failed due to incorrect/insufficient establishment or maintenance or technique, or neglect, no additional cost for replacement may be claimed.

It is the Contractor's responsibility to demonstrate plants have been stolen/vandalised.

Mulched surfaces: Maintain the surface in a clean and tidy condition and reinstate the mulch as necessary.

Grassed areas: Carry out grass mowing throughout the contract period only as required to maintain the site in a neat, healthy condition

Insecticide Spraying: Spray against insect and fungus infestation as required, and if considered necessary by the Superintendent. All spraying shall be carried out in accordance with the manufacturer's directions.

Report any occurrence of insect attack or evidence of disease amongst the plant material. The Superintendent shall be notified prior to spraying work being carried out.

Watering: All planting and garden beds are to be watered regularly to ensure continuous healthy growth. The minimum requirement shall be consistent with the natural rainfall of the site location. New planting shall receive regular and frequent deep soakings to ensure establishment and healthy growth. Watering method and technique shall accord with current water restrictions. Monitor water requirements and water adequately to ensure active growth, especially during warmer months.

Garden Areas: Garden beds shall be maintained in a weed free state. Any use of spot spraying or other form of weeding shall be undertaken so as to not damage plants planted as art of the contract. Any planting planted as part of the contract which is damaged by the contractor shall be replaced at the contractor's expense. The Contractor shall mow the grass areas at a suitable height as instructed so as to maintain healthy growth and a neat appearance. The mowing frequency may be subject to change as approved by the Superintendent due to weather and other circumstances. Other maintenance activities for grassing such as weeding, reseeding, and rolling etc. shall be priced separately and approved by the Superintendent. If approved, grass areas to be weeded shall be sprayed with approved selective herbicide against broadleaf weeds in accordance with the manufacturer's directions.

Expiry: On expiry of the **52 week** Maintenance Period, a site inspection shall be arranged between the Superintendent or Landscape Architect. On approval of the works, and rectification of any defects, the Maintenance Period shall be deemed completed. A final Completion Certificate will then be issued and the site handed over.

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24 May 2024

Natasha Whiteley (Team Leader Town Planning)
Meander Valley Council
26 Lyall Street
WESTBURY TAS 7303

Response To Council Request for Further Information
Council Reference: PA/23/0217
345-347 Westbury Road, Prospect Vale, Tasmania

Introduction

Ratio has prepared this letter in order to respond to a critical traffic engineering matter raised in Meander Valley Council's (Council) Request for Further Information (RFI) letter (dated 22 May 2024) pursuant to the proposed McDonald's convenience restaurant development on land located at 345-347 Westbury Road, Prospect Vale in Tasmania.

This document should be read in conjunction with Ratio's amended Transport Impact Assessment Report (Version F06 dated 24 May 2024) that has been submitted to Council.

The relevant Council comments within the latest RFI letter pertaining to traffic and transport matters are reproduced in **bold** and are followed by Ratio's further response to each matter.

6. Traffic Impact Assessment

a) Intersection: The intersection analysis undertaken for the proposed access is not based upon the recent traffic data for 2024 is based on older lower estimates of traffic activity. I.e. the volumes used for analysis are lower than they should be in all cases. Accordingly, the analysis for the following scenarios is affected:

- **2024 (Appendix E of the TIA).**
- **2034 assuming 1% compound annual growth (Appendix F of the TIA).**
- **2034 assuming 1.9% compound annual growth (Appendix G of the TIA).**

Please amend to reflect the recent traffic data.

Upon a detailed review of the SIDRA file, it appears the SIDRA model appears to have been corrupted, whereby the input updated traffic flows as referenced by Council were not being processed. This resulted in the previously input data (related to previous iterations) mistakenly being utilised by the SIDRA model.

In order to resolve the issue, Ratio Consultants have recreated a second SIDRA file which has been used within Ratios amended transport impact assessment report (19464T-REP01-F06).

The updated results of the SIDRA intersection are shown within Section 7 and attached as Appendix E, F and G of the amended transport impact assessment report 19464T-REP01-F06).

ratio:

19464T-LET03-F01 P1

b) Section 5.3 – The compliant sight distance for the restaurant requires vehicles not parking outside 343 (full frontage) and 341 (approx. ½ the frontage). There are currently no restrictions to parking at these locations. Please amend the plans to show the parking restrictions. It is suggested to show the extent of the required Yellow ‘No Standing’ Line required to the front of these properties.

The Concept Layout Plan has been updated to include the requested Yellow ‘No Standing’ Line marking.

The extent of the yellow line marking to be provided is shown within the Concept Layout Plan (CLP) that has been prepared for the Site Access / Westbury Road / Stuart Avenue provided in Appendix H of the amended transport impact assessment report 19464T-REP01-F06).

c) The Response to Council Request for Further Information dated 10 May 2024 on Page 4 recommends the southern boundary fence ‘abutting 349 Westbury Road is constructed with a height generally consistent with existing conditions (1.2 metres high) for a distance of 2.5m from the property boundary. This will be sufficient to provide safe sight distance to pedestrians using the new footpath. From 2.5m the fence will taper to the proposed height of 1.8 metres.

Please provide a diagram to demonstrate sight distance from the driveway at 349 Westbury Road, in consideration of:

- The 1.8m high fence; and,
- The reduction of the fence to 1.2m, noting the 1.5m high opaque fence proposed to be located in front of the drive-through.

Council have raised concerns over the impact of the proposed fencing on the pedestrian sight distance for the existing site access for 349 Westbury Road.

As demonstrated in the below figure, there is an existing fence along the northern side of the existing site access at 349 Westbury Road.

Figure 1: Existing Fencing adjacent 349 Westbury Road



ratio:

19464T-LET03-F01 P2

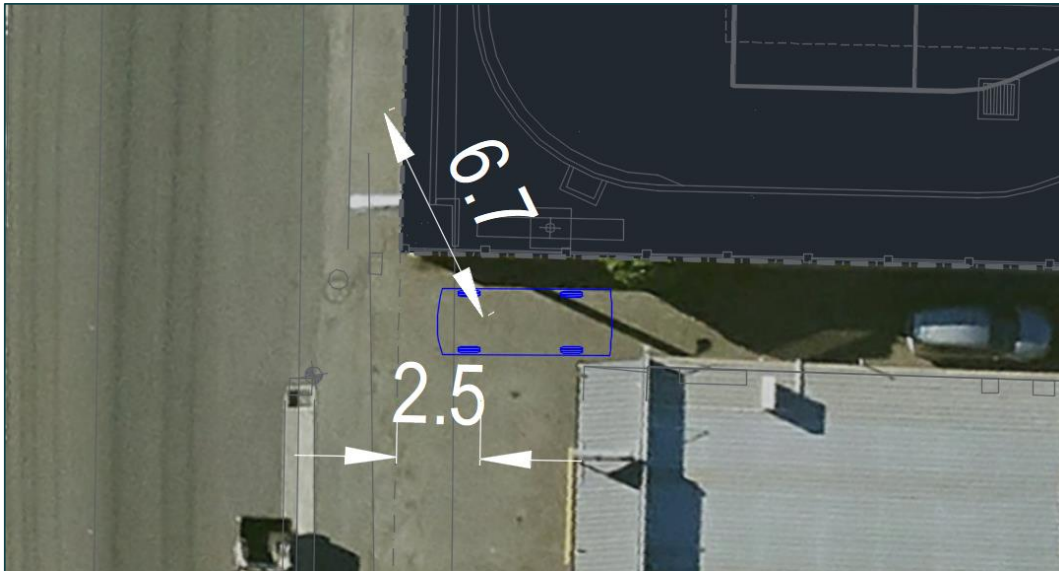
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It is proposed to construct fencing along the southern boundary of the site abutting 349 Westbury Road with a height consistent with existing conditions (1.2 metres high) for a distance of 2.5 metres from the property boundary.

As requested by Council, a diagram has been prepared demonstrating the achieved sight distance for pedestrians at the existing site access for 349 Westbury Road, shown in the below figure.

Figure 2: Achieved Sight Distance at 349 Westbury Road



As shown in Figure 2, the existing site access for 349 Westbury Road achieves a sight distance of approximately 6.7 metres following the introduction of the proposed 1.2m high fencing along the southern boundary of the site. Critically, the achieved 6.7 metres sight distance is clear of the obstruction of the proposed 1.8m high fencing along the western boundary of the site. This is considered to be sufficient to provide safe sight distance to pedestrians using the proposed new footpath.

Accordingly, the proposed fencing is not considered to result in any impacts to the existing sight distance achieved at 349 Westbury Road.

d) Please explain why semi-trailer movements for the exit are shown. The proposal only suggest rigid vehicles to be used for deliveries so why show semi-trailer movements? Having semi-trailer movements has the effect of widening the entrance and therefore increasing the distance that pedestrians need to cross at the driveway and may result in multiple vehicles using (or attempting to use) the access which would be undesirable from a safety perspective.

If semi-trailer movements are not required to be shown, please amend plans to reflect swept paths for the vehicles associated with the development.

Deliveries for the McDonald's restaurant are proposed to be completed by a 14-pallet McDonald's rigid vehicle (11.5m long). The Applicant has advised that this is the only loading vehicle available for McDonald's deliveries within Tasmania.

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19464T-LET03-F01 P3

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The Concept Layout Plan (CLP) has been updated to include the swept path assessment of the 14-pallet McDonald's rigid vehicle (11.5m long) and is provided in Appendix H of the amended transport impact assessment report 19464T-REP01-F06).

Should you require any further information or clarification, please do not hesitate to contact either Sam Lewis or myself.

Yours sincerely



Chris Greenland
Director: Transport
Ratio Consultants Pty Ltd

ratio:

19464T-LET03-F01 P4

ratio.com.au

Client
McDonald's Australia Limited

Date
24 May 2024

Planning

Transport

Urban Design

Waste Management

ratio.com.au

Transport Impact Assessment Report

Proposed McDonald's
Convenience Restaurant
345-347 Westbury Road,
Prospect Vale, Tasmania



11.1.20 Application Documents

Project Proposed McDonald's Convenience Restaurant 345-347 Westbury Road, Prospect Vale, Tasmania	Prepared for McDonald's Australia Limited Our reference 19464T-REP01-F06
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Version	Date	Issue	Prepared by	Approved by
F01	28/03/2023	Final	Sam Lewis	Chris Greenland
F02	07/08/2023	Amended Final (RFI Response)	Sam Lewis	Chris Greenland
F03	30/10/2023	Amended Final (Amended Plans)	Sam Lewis	Chris Greenland
F04	20/12/2023	Amended Final (RFI Response)	Sam Lewis	Chris Greenland
F05	08/05/2024	Amended Final (RFI Response)	Sam Lewis & Mark Petrusma	Chris Greenland
F06	24/05/2024	Amended Final (RFI Response)	Sam Lewis & Mark Petrusma	Chris Greenland

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19464T-REP01-F06 Proposed McDonald's Convenience Restaurant 345-347 Westbury Road, Prospect Vale, Tasmania

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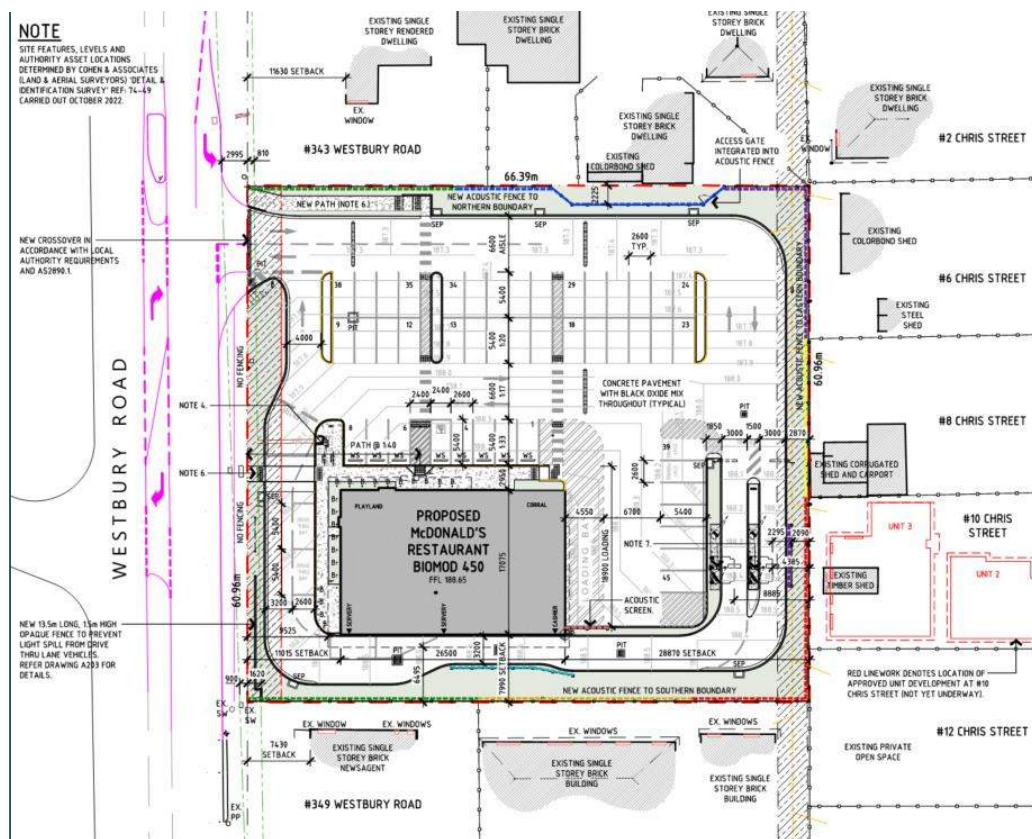
1. Introduction

1.1. Overview

A Planning Permit (PA\23\0217) is currently being sought for a proposed McDonald's convenience restaurant, including a change of use to Food Services and associated buildings and works on land located at 345-347 Westbury Road, Prospect Vale in Tasmania.

For reference, an excerpt of the site plan is provided in Figure 1-1, with a copy of the development plans also provided in Appendix A of this report.

Figure 1-1: Proposed Site Layout



(Source: Timmins + Whyte)

Ratio Consultants were commissioned by McDonald's Australia Limited (the Permit Applicant) to undertake a Transport Impact Assessment of the proposed development at 345-347 Westbury Road, Prospect Vale in Tasmania.

The responsible Road Authority (Meander Valley Council) has provided advice which has been considered in the design of the site and in the following Transport Impact Assessment.

1.2. Purpose & Structure of this Report

This report sets out an assessment of the anticipated parking, traffic and transport implications of the proposed Permit Application, including consideration of the:

1. Existing traffic conditions surrounding the site.
2. Parking demand likely to be generated by the proposed development.
3. Suitability of the proposed parking in terms of supply and layout.
4. Traffic generation characteristics of the proposed development.
5. Proposed access arrangements for the site.
6. Transport impact of the development proposal on the surrounding road network.

1.3. References

In preparing this report, reference has been made to the following:

- Plans for the proposed development prepared by Albus & Co, attached as Appendix A (Drawing No. A062, Issue C, dated 29/4/24).
- Tasmanian Planning Scheme.
- Australian/New Zealand Standard, Parking Facilities Part 1: Off-Street Car Parking (AS2890.1:2004).
- Australian Standard, Parking Facilities Part 2: Off-Street Commercial Vehicle Facilities (AS2890.1:2002).
- Australian/New Zealand Standard, Parking Facilities Part 6: Off-Street Parking for People with Disabilities (AS/NZS 2890.6:2009).
- AustRoads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings Management.
- A desktop inspection of the subject site and its surrounds.
- Traffic surveys undertaken on Friday 5 April 2024 and Saturday 6 April 2024.
- Other documents as nominated.

2. Existing Conditions

2.1. Location and Environment

The subject site, 345-347 Westbury Road, Prospect Vale, is comprised of two lots (formally known as Lot 8 on Plan 217681/8 and Lot 9 on Plan 217358).

The subject site is located on the eastern side of Westbury Road, between its intersection with Vale Street and Burrows Street, approximately 40m from Prospect Vale Market Place, 300m from an industrial precinct to the south and roughly 5km from Launceston's CBD.

The site is broadly rectangular in shape with an approximate frontage of 61m to Westbury Road, a depth of approximately 66m, for an overall site area of 4,040 sqm.

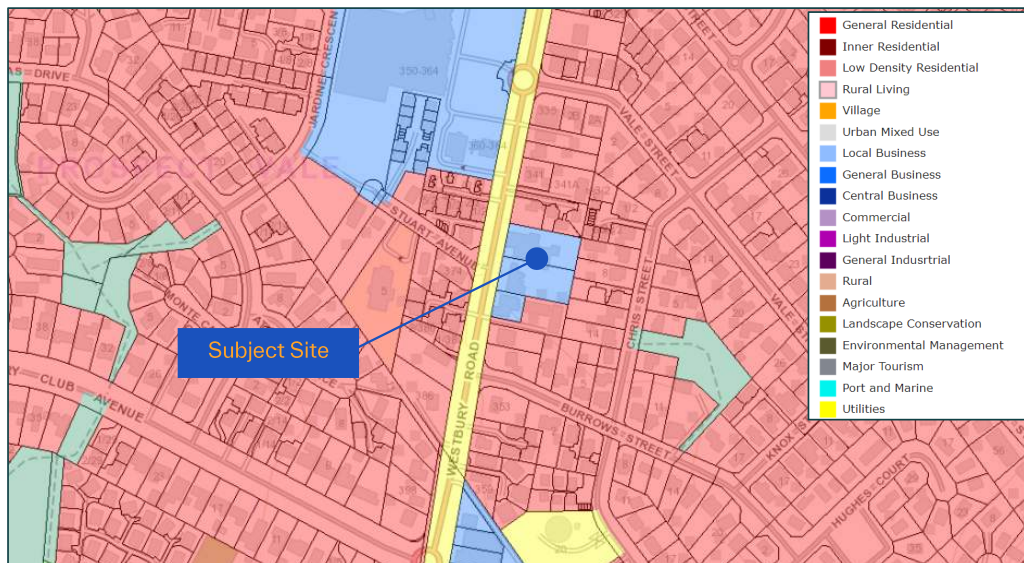
The subject site is currently occupied by an existing service station including automotive repair store and associated retail outlet as well as a restaurant (Roadster Roadhouse) and is surrounded by a mix of other retail and commercial uses, as well as residential areas.

Given the nature of the existing uses of the site, the western frontage of the site to Westbury Road is predominantly one extended crossover, with a secondary site connection via the northern site access to Westbury Road.

In respect to zoning, the site is located within a General Business Zone (21.0) and is not subject to any Overlays.

Figure 2-1 shows the location of the site and the Meander Valley Planning Scheme Zones.

Figure 2-1: Planning Scheme Zones



(Source: LISTMap)

Figure 2-2 shows the current aerial view of the site and its immediate surrounds.

Figure 2-2: Aerial View of the Site and Surrounds



(Source: Landchecker.com.au)

2.2. Site Operation

The key features in respect to how the subject site is has previously operated, are summarised as follows:

- Service station containing three bowzers and associated Control Building.
- Food & Drink Premises (Roadster Roadhouse).
- Automotive Repair Shop.

Vehicle access to the various uses is provided along the western boundary of the site fronting to Westbury Road, consistent with the proposed development.

2.3. Road Network

Westbury Road is classified as an Arterial Road that runs in a north-south direction along the western frontage of the site and is under the jurisdiction of Council.

In the vicinity of the subject site, Westbury Road is configured with a two-lane (one lane in each direction), 13.2m carriageway set within the 22m road reserve (approx.). The two lanes are separated by a driveable median that facilitates the storing of traffic from both directions seeking access to properties on both sides of Westbury Road.

Informal on-street car parking is available on both sides of the roadway, with footpaths also provided on each side of the road. Westbury Road operates at a posted speed limit of 60km/hr.

Westbury Road is shown in Figure 2-3 and Figure 2-4.

Figure 2-3: Westbury Road Looking North



(Source: Google Street View)

Figure 2-4: Westbury Road Looking South



(Source: Google Street View)

2.4. Surrounding Intersections

The key intersections in the vicinity of the subject site include:

- Westbury Road / Stuart Avenue (T-intersection).
- Westbury Road / Burrows Street (T-intersection).
- Westbury Road / Vale Street (Roundabout).

Given the close proximity of the Stuart Avenue / Westbury Road intersection to the subject site and the offset to the proposed site access point (which is proposed to be offset as far as possible to this intersection), this is the critical intersection to be assessed conjunction with the site access point within the traffic assessment.

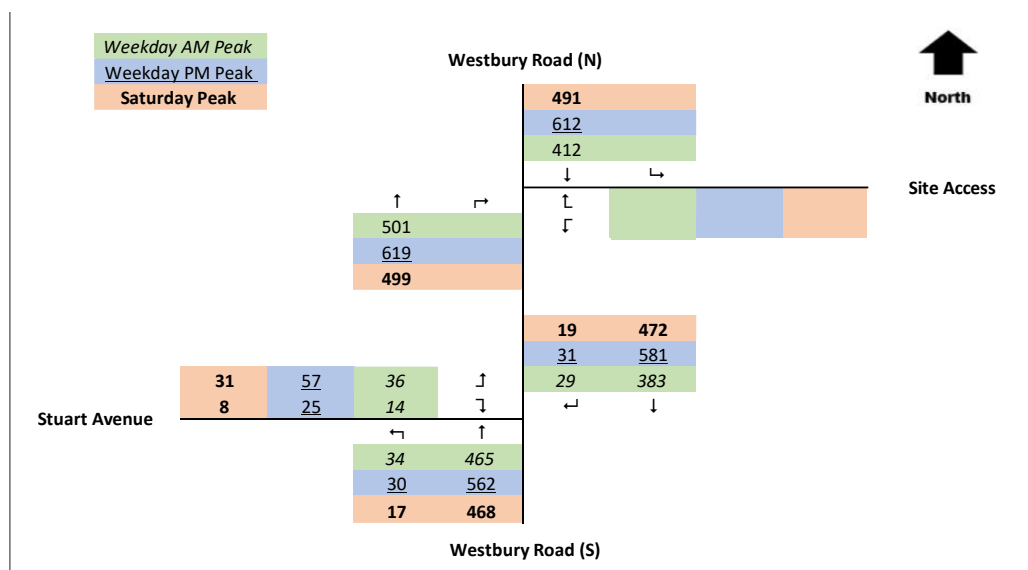
2.5. Existing Traffic Volumes

In order to understand the existing traffic conditions in the vicinity of the subject site, Ratio Consultants sourced turning movement surveys at the Westbury Road / Stuart Avenue intersection.

The surveys were conducted during the AM and PM peak hours on Friday 5 April 2024 and the midday peak hour on Saturday 6 April 2024.

The peak hour turning movements are shown in Figure 2-5, with the full results attached as Appendix B of this report.

Figure 2-5: Existing Turning Movement Volumes (Westbury Road / Stuart Avenue)



2.6. Existing Conditions SIDRA Assessment

Peak Hour Assessment Background

An existing condition weekday PM and Saturday peak hour intersection analysis has been undertaken for the Westbury Road / Stuart Avenue intersection, using SIDRA Intersection traffic modelling software.

It is noted that the PM peak and Saturday peak hours are considered to be the two critical peak periods for the proposal (i.e. no weekday AM assessment is required for this land use) for the following reasons:

- The traffic generated by the site is lower in the weekday AM peak hour when compared to the weekday PM and Saturday midday peak hours.
- Recorded traffic volumes during the AM peak period were lower than the volumes recorded during the PM and Saturday peak hours.

Given that both the traffic generated by the site and the road network traffic volumes are less in the AM peak hour when compared to the PM and Saturday peak hours, it is not considered necessary to assess the AM peak period, consistent with most retail land uses.

SIDRA Parameters

The key parameters used to determine the operational capacity of an intersection are queue length, average delay and degree of saturation (or volume to capacity ratio).

Degree of Saturation (DOS) is a ratio of arrival (or demand) flow to capacity. DOS above 1.0 represent oversaturated conditions and a DOS below 1.0 represent undersaturated conditions.

The operational rating associated with the DOS is summarised as shown in Table 2.1.

Table 2.1: Rating of Degree of Saturation

Degree of Saturation (DOS)	Rating
Up to 0.6	Excellent
0.61 – 0.70	Very Good
0.71 – 0.80	Good
0.81 – 0.90	Fair
0.91 – 1.00	Poor
Greater than 1.00	Very Poor

Although operating conditions with a degree of saturation around 1.00 are undesirable, it is acknowledged that this level of congestion is typical of many metropolitan intersections during the AM and PM peak hours.

The 95th percentile queue length is the value below which 95 percent of all observed cycle queue lengths fall, or 5 percent of all observed queue lengths exceed.

Average Delay is the average time, in seconds, that all vehicles making a particular movement can expect to wait at an intersection.

Westbury Road / Stuart Avenue

The results of the existing PM and Saturday peak hour SIDRA analysis are detailed in Appendix C and summarised in Table 2.2 and Table 2.3.

Table 2.2: Existing Weekday PM Peak SIDRA Results

Approach	Movement	Existing PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (s)
Westbury Road (S)	Left	0.30	0	6
	Through	0.30	0	1
Westbury Road (N)	Through	0.33	3	1
	Right	0.33	3	9
Stuart Avenue	Left	0.16	4	8
	Right	0.16	4	17
Intersection		0.33		

Table 2.3: Existing Saturday Peak SIDRA Results

Approach	Movement	Existing Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (s)
Westbury Road (S)	Left	0.25	0	6
	Through	0.25	0	1
Westbury Road (N)	Through	0.26	2	1
	Right	0.26	2	8
Stuart Avenue	Left	0.05	1	8
	Right	0.05	1	13
Intersection		0.26		

As shown in the preceding tables, the Westbury Road / Stuart Avenue intersection is currently operating with 'Excellent' conditions during the PM and Saturday Peak hours, indicating that there are minimal queues and delays during the peak hour at this intersection.

The existing conditions SIDRA traffic modelling analysis indicates that the road network surrounding the site and in particular the Westbury Road / Stuart Avenue intersection is currently operating well within traffic capacity limits.

2.7. Sustainable Transport

Public Transport

The site has convenient access to a range of public transport facilities with the following bus services provided within close proximity to the subject site, as detailed in Table 2.4.

Table 2.4: Development Summary

Route No.	Route Description	Nearest Stop	Walking Distance
160	Prospect via Westbury Road & Hospital	Westbury Road	35 metres
161	Prospect via Westbury Road & Hospital		
162	Prospect via Westbury Road & Hospital		
165	Prospect Vale, Summerhill, West Launceston & Hospital		
167	Prospect Vale, Summerhill, West Launceston & Hospital		

Pedestrian and Bicycle Network

Pedestrian movements are well facilitated with footpaths generally provided on both sides of the majority of the roads within the vicinity of the site.

It is noted that currently no footpath is provided along the site frontage to Westbury Road with pedestrian movements currently informally catered for within this section of Westbury Road. A pedestrian path is provided along the western side of Westbury Road opposite the site.

There is limited cyclist infrastructure in the area and cyclists are expected to primarily mix with vehicular traffic on-road.

2.8. Crash Analysis

A review has been conducted of the Tasmanian Crash Data database for any reported casualty crashes.

This database records all accidents causing injury that have occurred in Tasmania and categorises these accidents as follows:

- *Fatal;*
- *Serious;*
- *Minor;*
- *First Aid Given; and,*
- *Property Damage Only.*

A summary of the accidents in the vicinity of the subject site between Vale Street and Burrows Street within the last five years is presented in the below table.

Table 2.5: Summary of Crashes in the Vicinity of the Subject Site

Location	Accident No.				
	Fatal	Serious	Minor	First Aid	Property Damage
<i>Site Frontage (inc. Westbury Road / Stuart Avenue intersection)</i>					
Westbury Road	0	0	1	0	2
<i>Neighbouring Intersections</i>					
Westbury Rd / Burrows St	0	0	1	0	0
Total	0	0	2	0	2

Table 2.5 indicates that within the last five years, a total of four crashes were recorded in the immediate vicinity of the subject site.

Critically, two of the four accidents resulted in Property Damage only, with two resulting in Minor injuries.

The four accidents recorded within the last five years results in less than one accident recorded per year on average. It is important to note that only two of the accidents within the last five years resulted in 'Minor' injuries, this represents one 'Minor' crash every 2 ½ years on average.

Given the road classifications, the existing site operation along Westbury Road and associated traffic volumes, it is considered that the road network is operating in a safe manner, particularly given the safe right turning movements that are allowable via the centre traffic lane.

3. The Proposal

3.1. General

It is proposed to develop the land at 345-347 Westbury Road in Prospect Vale for the purpose of a McDonald's convenience restaurant with a dual lane drive-through facility.

More specifically, the development will incorporate the following land use yield and associated transport infrastructure, as summarised in Table 3.1.

Table 3.1: Development Summary

Land Use		
Land Use Clarification	Description	Size / Number
Convenience Restaurant	Building GFA	453 sqm
Transport Infrastructure		
Type	Description	Size / Number
Pedestrian Access	Two pedestrian access points on western boundary to Westbury Road	-
Vehicle Access	Westbury Road	Fully Directional
Parking	Car Spaces	45 spaces [1]
	Bicycle Spaces	6 spaces [2]
Loading	Loading and Waste	Trucks up to 14-pallet trucks

[1] Comprising 42 standard car parking spaces, 2 staff car parking spaces and 1 parking space for people with disabilities.

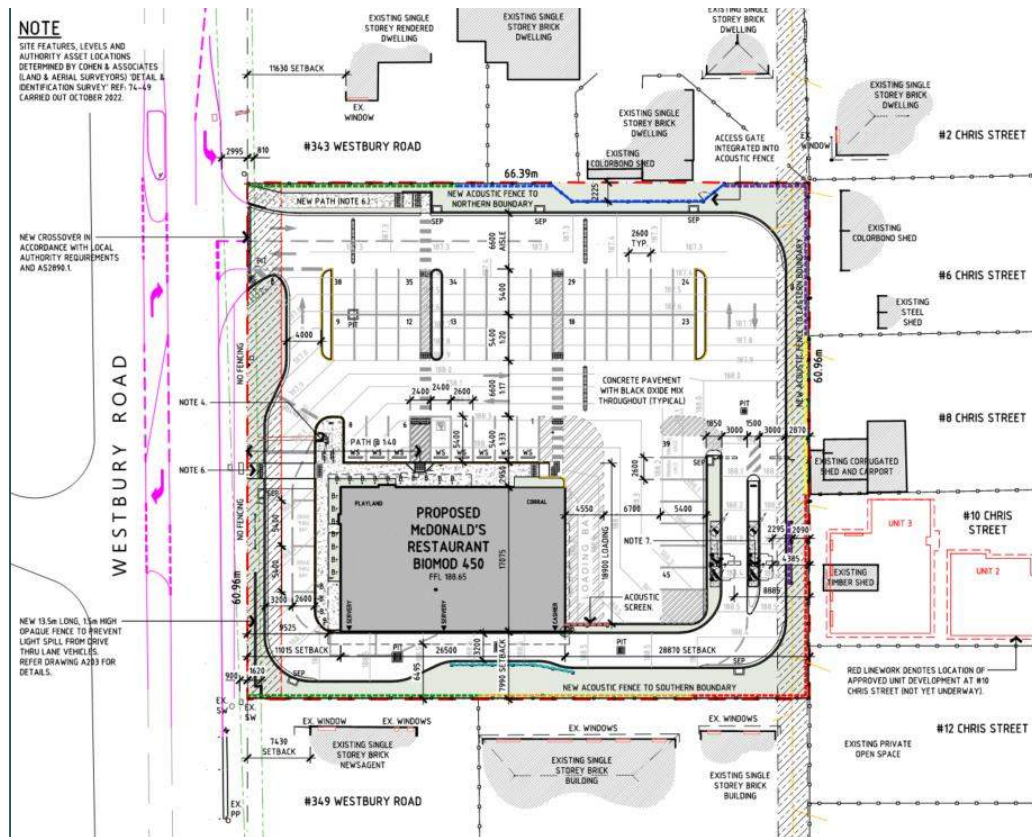
[2] 6 spaces for visitors provided via bicycle hoops to the front of the building, with any informal staff bicycle parking available within the corral storage area of the restaurant.

In addition to the above, a dual drive-through facility containing two order points, one cashier station and two servery locations, as well as two waiting bays is also proposed.

The drive-through facility has an ability to contain a total of up to 14 vehicles back from the second server window at any one time, as well as two additional vehicles contained within waiting bays.

The proposed site layout is shown in Figure 3-1 with a full copy of the plans provided in Appendix A of this report.

Figure 3-1: Proposed Site Layout



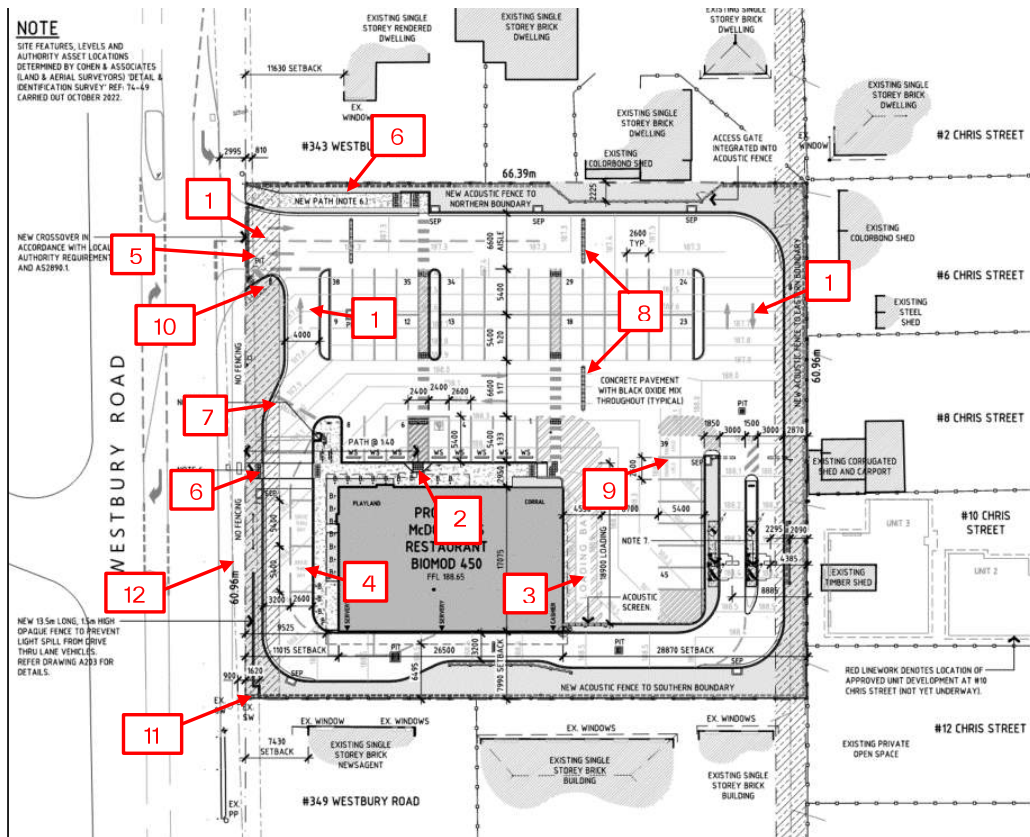
3.2. Internal Design Notes

There are a number of internal design features that are proposed within the on-site car parking area that will assist with the safe management and movement of pedestrian and vehicle movements through the site.

It should be noted that Council has provided comments on the internal layout through the Planning Application process, these comments have been addressed within the design.

These are shown overleaf in Figure 3-2.

Figure 3-2: Internal Design Features



The numbers in each of the above callouts are expanded upon below:

- 1: Linemarking treatments to manage directional movements within car park.
- 2: DDA space provided with adjacent shared zone and pram ramp to assist with pedestrian movements to the front of the store.
- 3: Dedicated truck loading bay area to facilitate loading and waste collection activities, separated from the drive-through aisles.
- 4: Inclusion of waiting bays within the drive-through to increase drive-through capacity and reduce internal queuing.
- 5: Full turning movement access points proposed to the Westbury Road site frontage.
- 6: Pedestrian access points, crossings and pram ramps provided with good sight distance to allow safe pedestrian movement between the restaurant and the car parking area and external public footpath.
- 7: Drive-through exit to be managed via No Entry signage and linemarking treatments.
- 8: Speed humps to control vehicle speeds within the car park.
- 9: Provision of on-site staff car parking spaces to manage loading vehicle movement within the site.
- 10: Provision of 'No Right Turns Permitted Monday – Friday 5:00pm – 6:00pm' signage.
- 11: Fencing height in this location to be consistent with existing conditions to not impact achieved sight distance at 349 Westbury Road.
- 12: Formalised 1.5m wide pedestrian path provided along the site frontage to Westbury Road.

11.1.20 Application Documents

Through the initial design process, pedestrian accessibility and movements throughout the subject site were considered in significant detail. The provision of the north-south pedestrian path within the western section of the car park has been provided to provide a pedestrian connection to the wider pedestrian network (i.e. footpath along Westbury Road). An additional north-south pedestrian path is provided within the eastern section of the car park to facilitate pedestrian movements throughout the wider car park.

The internal pedestrian path also provides a pedestrian connection / route through the car park to the convenience restaurant for approximately half of the vehicles within the car park.

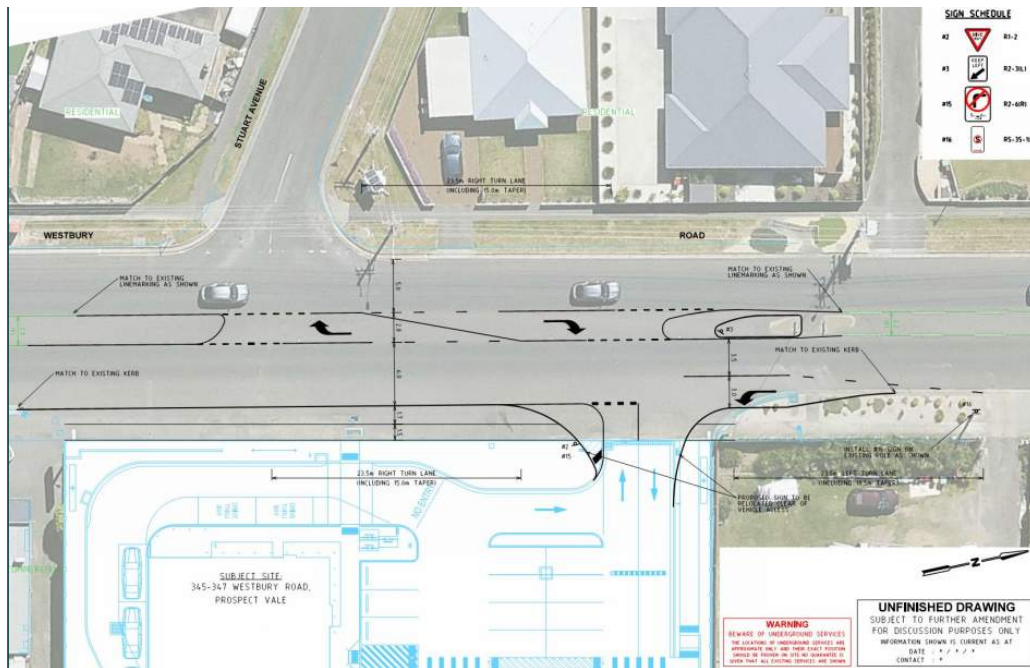
Pedestrian movements for the wider car park are proposed to be informally managed within the car park itself as per typical retail car park areas such as the Prospect Vale Marketplace Shopping Centre located approximately 150 metres north of the subject site.

3.3. Site Access

Vehicle access is proposed to be provided to the site via a single access point to / from Westbury Road along the western frontage of the site.

A Concept Layout Plan (CLP) has been prepared for the Site Access / Westbury Road / Stuart Avenue and is shown in Figure 3-3, with a full copy of the Concept Layout Plan provided in Appendix H of this report. The concept design plan seeks to provide formal turning treatments for right turn traffic movements into both the site and Stuart Avenue.

Figure 3-3: Concept Layout Plan



As shown above, the works within the Westbury Road corridor have been designed with the following features:

- 23.5m long (including 18.5m taper) x 3.0m wide Left Turn Lane on Westbury Road into the site.
- 23.5m long (including 15m taper) x 2.8m wide Right Turn Lane on Westbury Road into the site.
- 23.5m long (including 15m taper) x 2.8m wide Right Turn Lane on Westbury Road into Stuart Avenue.
- 1.5m pedestrian path on Westbury Road along the entire length of the site frontage.

11.1.20 Application Documents

- Provision of 'No Right Turns Permitted Monday – Friday 5:00pm – 6:00pm' signage at the site access to Westbury Road.
- Adjustments to existing median islands and line marking.
- Provision of 'No Standing' signage.

The right and left turn lanes have been maximised as much as possible along the site frontage to Westbury Road and the provision of a new verge that is proposed to contain a pedestrian path and nature strip.

4. Car Parking Assessment

4.1. Planning Scheme Assessment

The Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme states:

“The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

- (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;*
- (b) the site is contained within a parking precinct plan and subject to Clause C2.7;*
- (c) the site is subject to Clause C2.5.5; or*
- (d) it relates to an intensification of an existing use or development or a change of use where:*
 - (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or*
 - (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:*

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required A = Number of existing on-site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1”.

Based on the above, Table C2.1 requires the following car parking provision for the development proposal:

Food Services Use Class: Restaurant / Take-Away Food Premises: 1 space per 15sqm of floor area (including any outdoor dining areas) + 6 queueing spaces for drive-through (if applicable).

Accordingly, the proposed 453sqm Convenience Restaurant with Drive-Through Facility generates a requirement for 30 car spaces plus 6 queueing spaces for drive-through.

The proposal includes the provision of 45 on-site car parking spaces and therefore exceeds the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.

Additionally, the drive-through facility has an ability to contain a total of up to 14 vehicles at any one time, as well as two waiting bays. The proposed provision is in excess of the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.

It should be noted that the drive-through has been purposely located along the southern boundary of the subject site to provide a greater separation from Westbury Road to further remove any possibility of any queuing onto Westbury Road.

Therefore, the proposed provision of car parking is considered to be acceptable.

4.2. DDA Car Parking

The Building Code of Australia (BCA) outlines the requirements for the provision of car parking for people with disabilities.

11.1.20 Application Documents

An assessment of the BCA disabled car parking requirements for the development proposal is outlined in Table 4.1.

Table 4.1: BCA Car Parking Requirements

Description	Use	BCA Disabled Parking Requirements
Shop	Class 6	1 space for every 50 car parking spaces or part thereof

Parking spaces for people with disabilities can be included in the total number of spaces required by the Planning Scheme.

The on-site provision of one space for people with a disability exceeds the BCA requirement and is considered appropriate.

5. Access and Car Parking Layout

In addition to the car parking supply requirements, the Tasmanian Planning Scheme includes various other 'Use Standards' and 'Development Standards' under Clauses C2.5 and C2.6 that relate to the parking supply, site layout and design.

The standards relevant to the transport related design of the site are addressed in the following sections.

5.1. Car Parking Layout

An assessment against the relevant design standards of the Acceptable Solution A1.1 of Clause C2.6.2 of the Planning Scheme is provided below.

The Acceptable Solution A1.1 of Clause C2.6.2 of the Planning Scheme states:

"Parking, access ways, manoeuvring and circulation spaces must either:

- a) comply with the following:*
 - (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;*
 - (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;*
 - (iii) have an access width not less than the requirements in Table C2.2;*
 - (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;*
 - (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;*
 - (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and*
 - (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or,*
- b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6".*

The following is relevant with respect to the development proposal:

- i. The gradients comply with the relevant requirements of AS2890, without any notable gradients within the car park beyond what is needed for drainage. As shown on the Development Plan, attached as Appendix A, no gradient steeper than 1:17 is proposed across the subject site.
- ii. All vehicles can enter and exit the site in a forward direction, with double-width two-way vehicle access points provided.
- iii. Table C2.2 requires an internal access width not less than 5.5m.
In this case the typical access width is in excess of 5.5m with a proposed width of 6.6m along the aisle that connects to Westbury Road.
- iv. Table C2.3 requires parking dimensions of 5.4m length x 2.6m width with combined access and manoeuvring width of 6.4m for 90-degree parking.

11.1.20 Application Documents

In this case all parking spaces exceed the requirements. In this respect, the proposal provides car spaces with a length of 5.4m and a width of 2.6m accessed via a minimum aisle of 6.6 metres.

- v. Refer to iv above.
- vi. No overhead obstructions are proposed.
- vii. Line marking is provided for all on-site car parking spaces in accordance with Australian Standards.

With respect to item b) under A1.1 of the Planning Scheme, the car park has been reviewed against the relevant parts of Australian Standard AS1890.1:2004. The design is addressed in the above responses as well as the other following relevant sections and satisfies the Australian Standard requirements.

Based on the above assessment the development meets the requirements of Acceptable Solution A1.1 of Clause C2.6.2 of the Planning Scheme.

5.2. Vehicle Access Points

The Acceptable Solution A1 under Clause C2.6.3 of the Planning Scheme requires the following with regards to vehicle access points:

"The number of accesses provided for each frontage must:

(a) be no more than 1; or

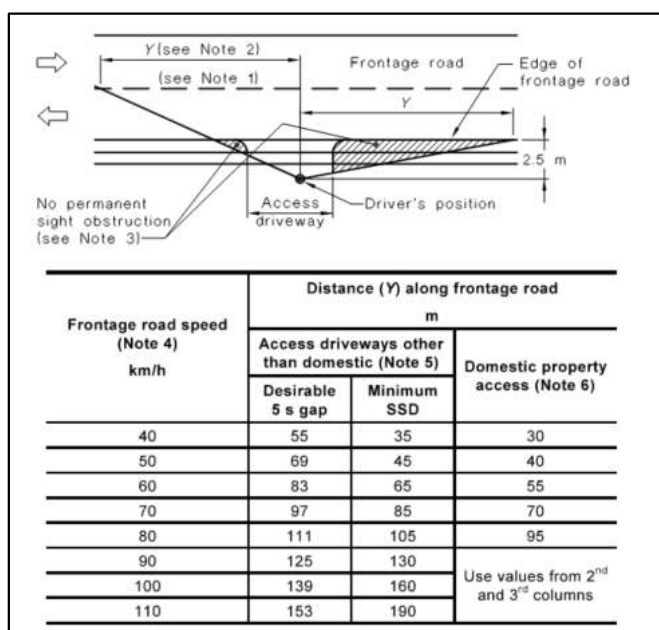
(b) no more than the existing number of accesses, whichever is the greater."

In this regard, there is a single vehicle access point proposed to the Westbury Road site frontage, which complies with the above access requirements.

5.3. Sight Distance Assessment

In order to assess the adequacy of the proposed site access point location, reference is made to Section 3.2.4 within AS2890.1:2004, which outlines sight distance requirements at access driveways. For context, these requirements are shown in Figure 5.1.

Figure 5-1: Sight Distance Requirements at Access Driveways

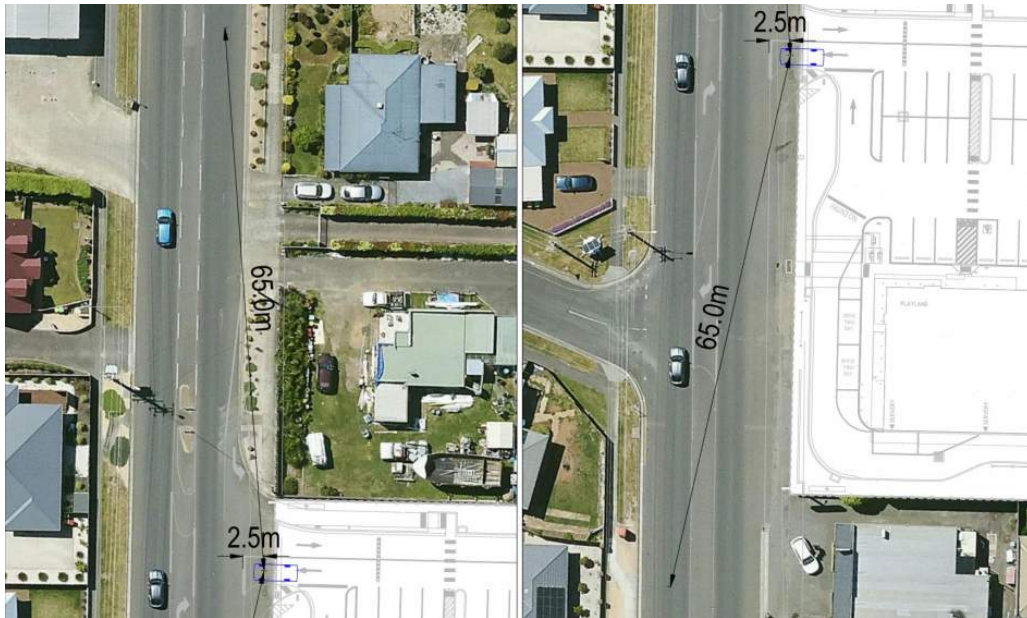


11.1.20 Application Documents

Westbury Road has a posted speed limit of 60km/hr and therefore has a requirement to provide a minimum sight distance of 65 metres in both directions along the frontage road against the above requirements.

As demonstrated within the sight distance assessment contained within the below figure, the required sight distance of 65 metres is comfortably achieved in both directions.

Figure 5-2: Achieved Sight Distance



In order to ensure that the compliant sight distance is achieved to the north at all times, it is proposed to provide a 'No Standing' sign approximately 20 metres north of the access point. This will prevent vehicles parking within the auxiliary left turn lane and ensure clear sight distance for oncoming traffic. This sign is shown within the Concept Layout Plan (CLP) in Appendix H of this report.

It is noted that vehicles parked on-street outside 341 Westbury Road have the potential to obscure sight distance on occasion, however this impact is very minor and does not warrant extending the 'No Standing' zone further to the north given that:

- This is an urban environment and drivers are well accustomed to the presence of side streets and property accesses.
- The driver head position would be closer to the centre of the road, allowing visibility around parked cars under normal circumstances.
- Parked cars typically allow some vision through/over them due to windows and the physical profile of vehicles (e.g. lower bonnets).

Accordingly, the proposed site access is considered to be suitable from a Safe Intersection Sight Distance perspective.

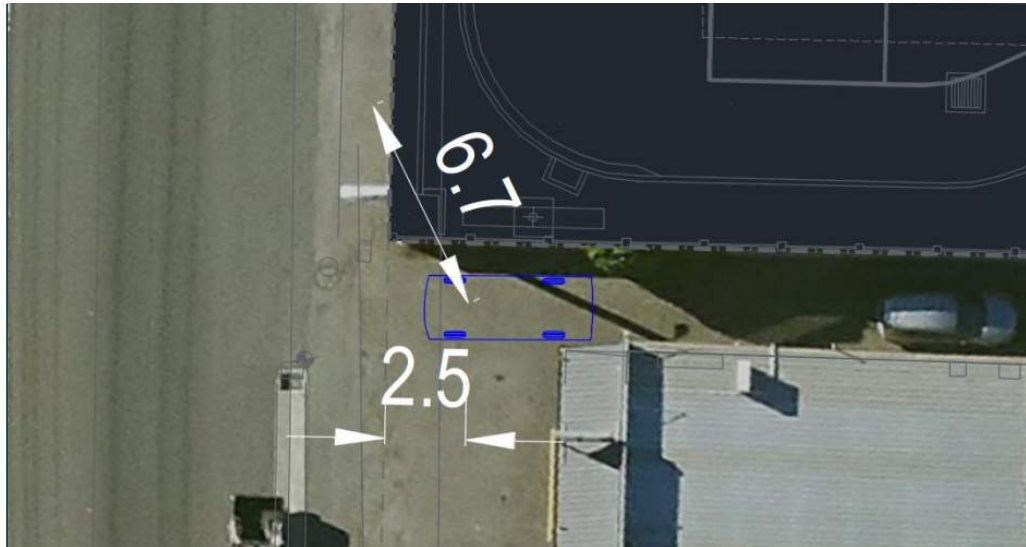
Pedestrian Sight Triangle for 349 Westbury Road

The neighbouring property at 349 Westbury Road has a laneway which runs along the property boundary to the proposed development site. In order to maintain sufficient sight distance to the footpath at this location, it is necessary to restrict the height of the boundary fence.

Accordingly, it is recommended that the height of the fence be limited to 1.2 metres consistent with existing conditions for a minimum distance of 2.5 metres back from the alignment of the proposed footpath. From this point, the fence should taper to the proposed height of 1.8 metres.

AS2890.1 requires sight triangles measuring 2.0 metres wide and 2.5 metres deep be provided at property exits to allow for adequate safety for pedestrians. This can be achieved based on the above recommendations as demonstrated in the figure below.

Figure 5-3: Pedestrian Sight Triangle



5.4. Pedestrian Access

The Acceptable Solution A1.1 of Clause C2.6.5 of the Planning Scheme states:

“Uses that require 10 or more car parking spaces must:

- a) *have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:*
 - i. *a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or*
 - ii. *protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and*
- b) *be signed and line marked at points where pedestrians cross access ways or parking aisles”.*

As the development provides 45 car parking spaces, it triggers the requirement to provide for the footpath, signage and linemarking.

Through the initial design process, pedestrian accessibility and movements throughout the subject site were considered in significant detail. The provision of the north-south pedestrian path within the western section of the car park has been provided to provide a pedestrian connection to the wider pedestrian network (i.e. footpath along Westbury Road).

The internal pedestrian path also provides a pedestrian connection / route through the car park to the convenience restaurant for approximately half of the vehicles within the car park.

A second north-south pedestrian path is also proposed within the eastern portion of the car park to facilitate movements to/from the convenience restaurant for the wider car park.

Pedestrian movements for the wider car park are proposed to be informally managed within the car park as per typical retail car park areas such as the Prospect Vale Marketplace Shopping Centre located approximately 150 metres north of the subject site.

11.1.20 Application Documents

As shown on the Development Plan attached as Appendix A, it is proposed to provide two pedestrian paths (in excess of the required 1.0m), providing access to the McDonald's Convenience Restaurant from Westbury Road. A crossing and pedestrian link is also provided from the building entrance across the drive-through exits to the car parking area in the western side of the site.

As shown on the Concept Layout Plan provided in Appendix H of this report, it is proposed to construct a 1.5m pedestrian path along the entire length of the site frontage to Westbury Road, providing pedestrian access to the McDonald's Convenience Restaurant from Westbury Road.

These pedestrian links will be suitably signed and line marked at their crossing points over the vehicle accessways and accordingly are considered to generally respond to the requirements of A1.1 of Clause C2.6.5 of the Planning Scheme.

The development was also assessed against the requirements of Performance Criteria P1 of Clause C2.6.5 of the Planning Scheme, which states:

"Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- a) the characteristics of the site;*
- b) the nature of the use;*
- c) the number of parking spaces;*
- d) the frequency of vehicle movements;*
- e) the needs of persons with a disability;*
- f) the location and number of footpath crossings;*
- g) vehicle and pedestrian traffic safety;*
- h) the location of any access ways or parking aisles; and,*
- i) any protective devices proposed for pedestrian safety.*

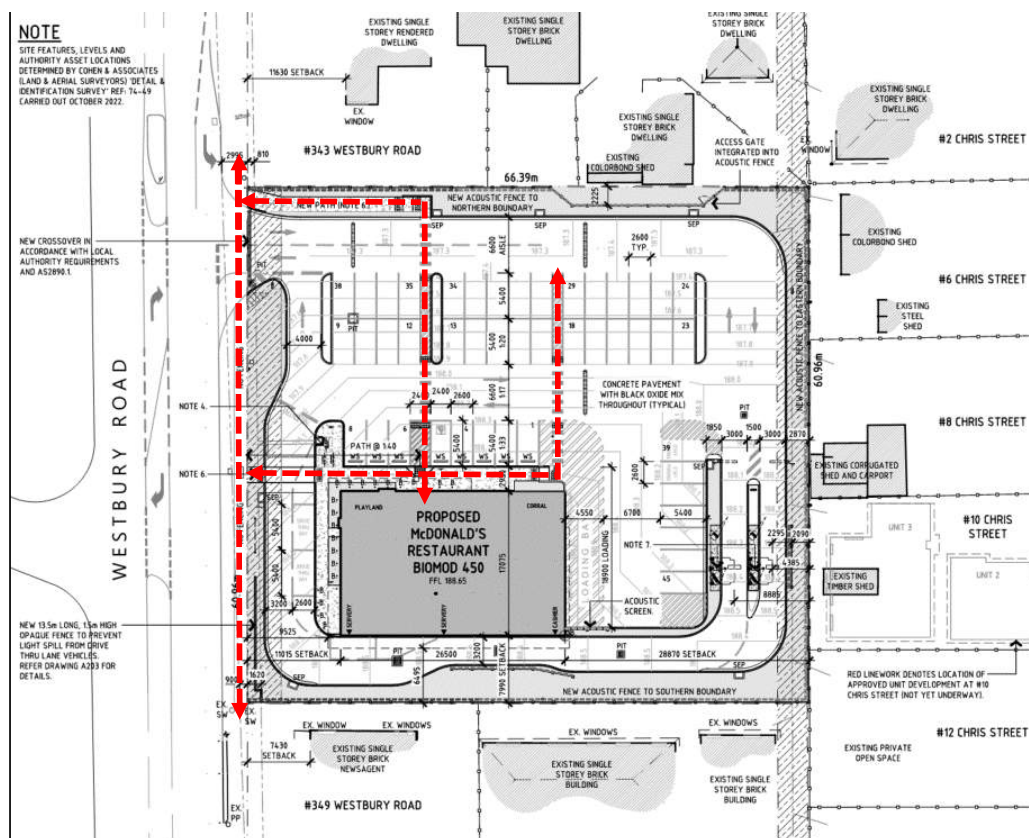
The following is relevant with respect to P1:C2.6.5:

- a) The site layout and pedestrian facilities is considered typical of the characteristics of a McDonald's. In this respect, McDonald's typically have pedestrian movements within the car parking manoeuvring area (i.e. a customer walking from the car to the building). The low-speed environment and awareness of this activity makes this a generally safe and acceptable design.
- b) There will be a degree of familiarity with the operation of the development site and pedestrian movement through the site, due to the resemblances with similar sites.
- c) The site has a total of 45 on-site car parking spaces. Suitable pedestrian facilities have been provided such that there will be generally low vehicle / pedestrian conflict. Speed humps are proposed throughout the car park to encourage low vehicle speeds.
- d) The frequency of vehicles relates to the traffic generation and the turnover of the parking spaces near the pedestrian aisles. The drive-through component of the site will generate the highest peak generation. A signed and line marked pedestrian crossing has been provided to facilitate safe pedestrian movements across the drive-through.
- e) One disabled parking space is located immediately adjacent to the buildings access. The path along the front of the building complies with gradient requirements of AS2890.6.
- f) To facilitate walk-up trade to the proposed restaurant, a pedestrian connection has been provided to the building entrance from the footpath along the Westbury Road frontage. This connection will crossover the drive-through lane (in a section where there are clear sightlines prior to the crossing), with kerb pram-ramps provided or a break in the landscaping strip. There is also an internal pedestrian connection provided to the north of the building entrance, to facilitate safe pedestrian movement across the site. These pedestrian links are considered to be

adequate to provide safe pedestrian movement through and to/from the site and are shown in Figure 5-4.

- g) Refer to (a) and (b) above. The low-speed environment and general awareness of this activity makes the pedestrian environment safe and acceptable given the nature of the land uses of the development.
- h) Refer to (a) above.
- i) Speed humps are proposed throughout the car park to encourage low vehicle speeds. It is also proposed to provide wheel stops to prevent vehicles from encroaching onto the footpath.

Figure 5-4: Pedestrian Links



On this basis the car parking layout and pedestrian facilities meets the requirements of Performance Criteria P1 of Clause C2.6.5 of the Planning Scheme.

5.5. Loading Arrangements

The Acceptable Solution A1 and A2 of Clause C2.6.6 of the Planning Scheme states:

"The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2- 2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site".

"The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities."

11.1.20 Application Documents

Deliveries for the McDonald's restaurant are proposed to be completed by a 14-pallet McDonald's rigid vehicle (11.5m long). The Applicant has advised that this is the only loading vehicle available for McDonald's deliveries within Tasmania.

Accordingly, the development has been designed to facilitate deliveries by this design vehicle with the loading bay designed to be 18.9m long x 4.55m wide, in excess of the relevant requirements of the Australian Standards.

AS2890.2 requires that the loading bay service area is dependent on a combination of:

- a) *The maximum size of vehicle likely to use the facility.*
- b) *The frequency with which vehicles of different classification use the facility; and,*
- c) *Whether the public road from which the facility is accessed is a major or minor road.*

The dedicated on-site loading area has been designed to cater for 14-pallet McDonald's rigid delivery vehicle to access the site via the Westbury Road access in a forward direction and reverse into the loading bay from the car parking aisle fronting the restaurant entrance.

Once loading is complete, the vehicle will then exit the loading area and the site in a forward direction via the egress point to Westbury Road.

The above movements by a 14-pallet McDonald's rigid vehicle have been confirmed via a swept path assessment (refer to Appendix D of this report).

It should be noted that the loading vehicle requires the full crossover width for vehicle access. Based on the Australian Standards (AS2890.2-2002) use of the full width of the crossover is allowable, noting that service is likely to be "occasional" based on the definitions with the standards (i.e. less than one delivery per day). It is understood that the site will have two to three deliveries per week, on average.

The above is an allowable loading arrangement noting that this is supported within the Australian Standards. The Australian Standards state that "*the swept path of the maximum size design vehicle using the facility may be allowed to occupy the entire width (less specified clearances) of a two-way access driveway when the vehicle is entering or leaving the minor road*".

Indeed, providing a crossover design that allows for use of the full width for occasional loading outside of peak times allows for a crossover width that is satisfactory and not unnecessarily long for pedestrians to have to cross at all other times. Additionally, given there is an ability for loading vehicles to turn in all directions and noting the right turn lane on Westbury Road, there should be no reason to restrict truck turning movements.

Two car spaces are required to be vacant during delivery times in order for the delivery vehicle to suitably access / egress the loading bay. These two spaces are identified on the plans. Given that deliveries are generally scheduled, and that these spaces are proposed to be allocated to staff. This arrangement is successfully implemented at many other McDonald's restaurants and is considered to be an adequate arrangement.

Upon departing the site, the loading vehicle requires the full width of the internal access aisle to negotiate the turns within the site. As shown within the swept path assessment, attached as Appendix D, there are multiple opportunities for vehicles to store whilst the loading vehicle manoeuvres through the site. In order to further reduce the potential for conflict, a member of staff will be available to assist the delivery vehicle leaving the site.

Acceptable Solution A3 of Clause 15.3 in the Planning Scheme restricts hours of operation for commercial vehicle movements (e.g. deliveries, waste collection etc.) to between 7am and 9pm on weekdays and Saturdays. Commercial vehicle movements are restricted to between 8am and 9pm on Sundays.

Accordingly, it is proposed to restrict hours of operation as per the requirements of Acceptable Solution A3 of Clause 15.3.

Specifically, the following loading vehicle and waste collection operational hours are proposed:

Deliveries via MRV, LRV or Vans:

- Between 7:00am – 9:00pm Monday to Saturday.
- Between 8:00am – 9:00pm Sunday.

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Deliveries via HRV:

- Between 7:00am – 6:00pm Monday to Friday.
- Between 8:00am – 6:00pm Sunday.

Waste Collection:

- Between 7:00am – 6:00pm Monday to Friday.
- Between 8:00am – 6:00pm Sunday.

With regard to the above points, the proposed loading vehicle access arrangements are considered acceptable.

The development site is anticipated to be served by approximately two deliveries per week with deliveries anticipated to arrive on a Monday / Thursday or Tuesday / Friday delivery cycle with unloading / loading of the delivery vehicle typically taking approximately 60-90 minutes in duration.

Based on the above, the development is anticipated to be served by less than one delivery per day.

The proposal also incorporates a dedicated area for bin storage located in the corral adjacent to the loading area. It is understood that bins will be collected from this area by a private waste collection contractor.

Given that this area is accessible by a 14-pallet McDonald's rigid vehicle, a waste truck which is typically smaller (around the size of an 8.8m MRV) will be able to adequately negotiate this area for refuse collection.

The proposed access and manoeuvring arrangements therefore comply with AS2890.2 and Acceptable Solution A1 of Clause C2.6.6 of the Planning Scheme.

Loading Bay Operational Characteristics

Loading activities will be wholly contained within the designated loading bay and adjacent area. Delivery and waste vehicles will enter / exit the site and circulate the internal accessways in a forward direction. However, as noted previously in this report, access to the loading bay will be via a single reverse manoeuvre.

To ensure safety for vulnerable users within the car park (pedestrians, cyclists etc.) truck drivers will be required to use their reversing beeper when undertaking reverse movements.

McDonald's are expected to have ample opportunity to ensure that a staff member is tasked with preparing the loading bay and to guide the vehicle to / from the loading bay in a safe manner given that delivery drivers are to notify staff at least 30 minutes prior to arriving on-site.

This will allow staff to ensure that the loading bay and adjacent staff car parking spaces are vacated before another delivery arrives on-site and prevent queuing, whilst importantly providing sufficient time for the staff member to clear the area of pedestrians and to guide the loading vehicle into position.

Upon arrival to the site, a staff member will be tasked with guiding the loading vehicle into position for loading to be undertaken. The critical movement, for which the staff members will be required, are anticipated to be the single reversing manoeuvre upon entry to the loading bay.

Upon departing the loading bay, the staff member will assist in ensuring that the staff car parking bays are vacant to enable the loading vehicle to undertake the required egress manoeuvre as well as clearing the vehicles path of pedestrians.

No assistance to the driver will be required to assist vehicle movements to/from Westbury Road as movements are in a forward direction and there is adequate sight distance provided in both directions.

The above is considered to suitably achieve compliance with Acceptable Solution 15.13.1 A3.

5.6. Accessible Parking

The Acceptable Solution A1.2 of Clause C2.6.2 of the Planning Scheme states:

"Parking spaces provided for use by persons with a disability must satisfy the following:

- a) be located as close as practicable to the main entry point to the building;
- b) be incorporated into the overall car park design; and,

- c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.”

The development proposes to provide a total of one disabled parking space located adjacent to the built form with the adjacent pram ramp providing direct and convenient access to the main entry point to the building.

As demonstrated on the development plans, attached as Appendix A, the footpath gradient for the front of the building complies with AS2890.6, with the gradient no steeper than 1:14 in parking areas containing disability car parking spaces for use by person with a disability.

The dimensions and layout of the accessible parking space comply with the requirements of AS2890.6 (specifically noting the requirement for a ‘shared space’ adjacent to the accessible parking space).

5.7. Motorcycle Parking

No motorcycle parking spaces are proposed.

The Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme states “*the number of on-site motorcycle parking spaces for all users must be no less than the number specified in Table C2.4*”.

The requirements of Table C2.4 are summarised as follows:

Table 5.1: Statutory Motorcycle Parking Requirement

No. of Car Parking Spaces Required for a Use	No. of Motorcycle Parking Spaces Required for a Use
0 – 20 spaces	No Requirement
21 – 40 spaces	1 space
41 or more spaces	1 space for every 20 car spaces

The proposal generates the requirement to provide 30 car parking spaces. Accordingly, in this instance, the required number of spaces is one motorcycle space.

It is not proposed to provide any motorcycle spaces on-site and therefore the Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme is not met.

The Performance Criteria P1 of Clause C2.5.3 states:

“Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) The nature of the proposed use and development,*
- (b) The topography of the site;*
- (c) The location of existing buildings on the site;*
- (d) Any constraints imposed by the existing development; and,*
- (e) The availability and accessibility of motorcycle spaces on the street or in the surrounding area.”*

The following is relevant with respect to the development proposal:

a. Nature of the proposed use and development. It is not proposed to provide any motorcycle spaces, consistent with the approach adopted at many other McDonald’s restaurants.

b. Topography of the site. A maximum gradient of 1:17 is proposed on-site.

c. Location of existing buildings on the site. All existing buildings on the site are proposed to be demolished.

d. Constraints imposed by the existing development. No constraints are imposed by the existing development.

e. Availability and accessibility of motorcycle spaces. From a review of aerial imagery, no formal motorcycle parking spaces are located in the immediate vicinity. It is considered that any future motorcycle parking demand can be adequately catered for within one of the 15 additional car parking spaces proposed.

Accordingly, the proposed motorcycle parking strategy is considered to adequately respond to the requirements of Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme.

5.8. Access Impact

The Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme states:

“For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.”

The fronting road, Westbury Road, is not a Category 1 road. The proposed development will consolidate the existing vehicular access points to the site to provide a single double-width vehicle access to Westbury Road. These access arrangements are considered to be suitable for the proposed land use.

The Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme states:

“Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a license issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road”.

Table C3.1 states that the acceptable increase in daily traffic volume at a vehicle crossing on major roads is 10% or 10 vehicles per day, whichever is greater.

The traffic generated by the future McDonald's convenience restaurant compared to the existing site operation is anticipated to represent an increased daily traffic generation of more than 10% and therefore the Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme is not met.

The Performance Criteria P1 of Clause C3.5.1 states:

“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

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

The following is relevant with respect to the development proposal:

- a. Increase in traffic. As detailed within Section 7, following the development of the subject site, the configuration of the site access will result in safe and efficient traffic movements.
- b. Nature of traffic. The traffic generated by the development will primarily be regular vehicle traffic, with only occasional heavy vehicle movements.
- c. Nature of road. Westbury Road has sufficient spare capacity to cater for the traffic generated by the development proposal. This has been detailed within Section 7.
- d. Speed limit and traffic flow or road. The posted speed limit of Westbury Road is 60km/hr.
- e. Alternative access. With the consolidation of accesses to a single double width crossover to Westbury Road, no alternative access is considered necessary.
- f. Need for use. The need for the development has not been assessed in this report.
- g. Traffic impact assessment. Section 7 of this report completes a detailed traffic assessment of the development proposal.
- h. Road authority advice. The Road Authority has not provided specific advice in relation to the development proposal.

With consideration to the Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme, the proposed vehicle access strategy to the site is considered to be suitable for the proposed use.

It should be noted that the post development operation of the surrounding roads and key intersections has been assessed in detail within Section 7 of this traffic report.

5.9. Swept Path Assessment

Loading Bay

The dedicated on-site loading area has been designed to cater for 14-pallet McDonald's rigid delivery vehicle to access the site via the Westbury Road access in a forward direction and reverse into the loading bay from the car parking aisle fronting the restaurant entrance.

Once loading is complete, the vehicle will then exit the loading area and the site in a forward direction via the egress point to Westbury Road.

The above movements by a 14-pallet McDonald's rigid vehicle has been confirmed via a swept path assessment (refer to Appendix D of this report).

Site Access and Drive-Through

Swept path assessments have been undertaken to demonstrate that B99 vehicle can suitably access the site with simultaneous two-way movements through the Westbury Road site access point.

Swept path assessments have also been undertaken to demonstrate that B99 vehicle can navigate the drive-thru and circulate around stationary vehicles in the two waiting bays, all with adequate clearance.

As per Councils request, a swept path assessment has also been undertaken to demonstrate that B99 vehicle can navigate the drive-thru and depart the site.

For reference, these swept path diagrams are presented in Appendix D of this report.

5.10. Summary

The assessments and details contained within these previous sections confirm that the access arrangements and car parking layouts have been designed appropriately and in general accordance with the requirements of the Tasmanian Planning Scheme, AS/NZS 2890.1:2004 and A2890.2:2018 as applicable.

6. Bicycle Parking

6.1. Bicycle Facilities

The Acceptable Solution A1 of Clause C2.5.2 of the Planning Scheme states:

“Bicycle parking spaces must:

- a) be provided on the site or within 50m of the site; and*
- b) be no less than the number specified in Table C2.1”.*

The requirements of Table C2.1 are set out in Table 6.1.

Table 6.1: Statutory Bicycle Parking Requirement

Land Use	Size	Statutory Parking Rate	Statutory Requirement
Restaurant / Take-Away Food Premises	453 sqm	1 space per 75sqm of floor area	6 spaces
Total			6 spaces

Table 6.1 indicates that the proposal has a statutory bicycle parking requirement of six bicycle spaces.

6.2. Proposed Bicycle Parking Provision

The proposed provision of six bicycle parking spaces meets the Planning Scheme requirements and is therefore acceptable.

6.3. Bicycle Parking / Facilities Design

The Acceptable Solution A1 and A2 of Clause C2.6.7 of the Planning Scheme states:

“Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:

- a) be accessible from a road, cycle path, bicycle lane, shared path or access way;*
- b) be located within 50m from an entrance;*
- c) be visible from the main entrance or otherwise signed; and*
- d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.”*

“Bicycle parking spaces must:

- a) have dimensions not less than:

 - i) 1.7m in length;*
 - ii) 1.2m in height; and*
 - iii) 0.7m in width at the handlebars;**
- b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and*
- c) include a rail or hoop to lock a bicycle that satisfies Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.”*

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With respect to the above, the bicycle parking spaces have been designed in accordance with the Australian Standards, which require a 0.5m wide x 1.8m long envelope for horizontal hoop spaces. The 0.7m wide spacing at the handlebars that is specified above is achieved by alternating the orientation of the parked bicycles on either side of the hoop rack.

The spaces have a clear access aisle width of more than the 2m specified in the Planning Scheme and the parking area is accessed using the parking aisles, as well as located in a visible area within 50m of the entrance.

Clause C2.6.7 A1 (d) requests that bicycle parking *“be available and adequately lit during the times they will be used, in accordance with Table 2.3 of Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements”*.

The bicycle parking spaces are proposed to be located adjacent to the built form of the proposed McDonald's convenience restaurant and as such will be well lit throughout the operational hours of the convenience restaurant. The location of the bicycle parking spaces and associated lighting placement has been located to enhance the prestige of the bicycle parking spaces, as well as reduce the potential for crime, and with due consideration to night time vehicle movements.

As such, the requirements of Clause C2.6.7 of the Planning Scheme are met.

7. Traffic Assessment

7.1. Traffic Generation

With reference to surveys undertaken of several existing McDonald's convenience restaurants, an average peak hour traffic generation of approximately 170 vehicles per hour can be expected from the subject site.

It is acknowledged that this traffic generation rate can vary between McDonald's restaurants depending on the location, the proximity to other McDonald's or convenience restaurants (i.e. catchment area) and various other factors. However, the above total traffic generation rate is considered to represent a typical average regardless of the size of the restaurant.

A review of the survey sites has been undertaken to determine the appropriateness of the case study data. The key determining factor with respect to traffic generation is generally frontage road exposure to passing traffic, with slightly higher traffic generation for dual frontage roads, compared to a single frontage road site.

McDonald's stores across Australia are relatively uniform. This results in broadly standardised floor areas and patronage between each surveyed store. Additionally, a review of on-site car parking provision was undertaken at each of the surveyed stores. The average on-site car parking provision across the surveyed sites was observed to be 48 spaces. This is similar to the proposed provision at the subject site of 45 spaces (three fewer spaces than the average) and is therefore considered to be reflective of the site.

Furthermore, each of the surveyed sites also includes an operational drive-through arrangement. Drive-throughs are a key driver of the traffic generated at McDonald's stores, therefore the inclusion of drive-throughs at each of the surveyed sites is considered to result in a reflective traffic generation rate for the development site.

The average traffic generation of 170 peak hour vehicle movements is considered appropriate to be adopted for the weekday PM and Saturday peak hours and has been accepted as part of the assessments prepared by Ratio for all other McDonald's restaurant developments across Australia.

7.2. Traffic Distribution and Assignment

The directional distribution and assignment of traffic generated by the proposed development will be influenced by a number of factors, including the:

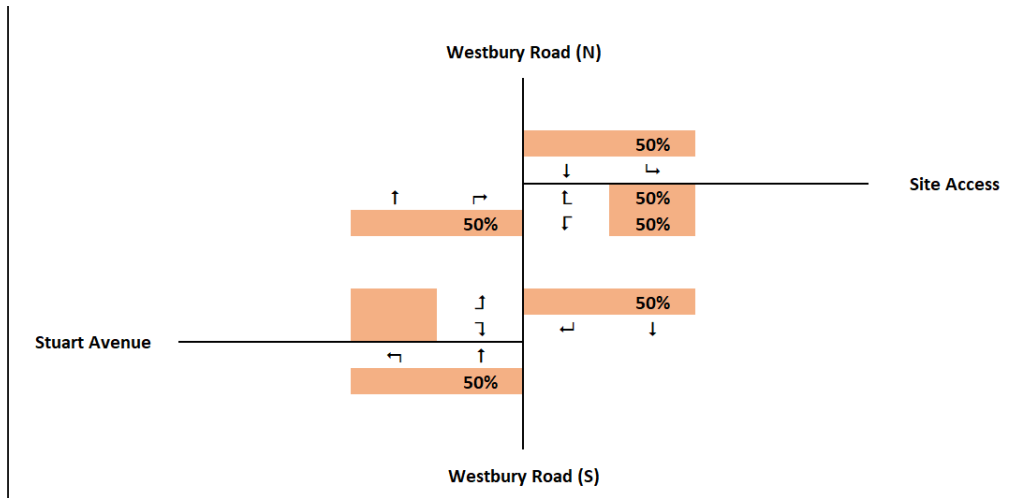
- Configuration of the arterial road network in the immediate vicinity of the site.
- Existing operation of intersections providing access between the local and arterial road network.
- Distribution of households in the vicinity of the site.
- Surrounding employment centres, retail centres and schools in relation to the site.
- Configuration of access points to the site.

Having regard to the above, with key consideration in this case to the existing traffic movements past the site and the configuration of the road network surrounding the site, the following directional distribution for movements to/from the site have been adopted:

- North: 50%.
- South: 50%.

These adopted distributions have been shown graphically in Figure 7-1.

Figure 7-1: Adopted Traffic Directional Distribution



In addition, the directional split of traffic (i.e. the ratio between the inbound and outbound traffic movements) during the peak hour is assumed to be 50:50, given the typical high turnover and short stay operating conditions of a McDonald's convenience restaurant.

7.3. Characteristic Trip Type

An important characteristic of the traffic generation of a convenience restaurant is the different types of trips which may occur. These different trip types correspond to:

- 'Primary Trips'
- 'Link-diverted Trips'
- 'Non-link-diverted Trips'

Primary trips and link-diverted trips involve a vehicle either making a special trip or a modification of the route to an existing trip. Non-link-diverted trips, on the other hand, correspond to those trips which do not involve a diversion from the route that would otherwise have been taken, or in other words are trips generated by passing traffic.

The important distinction here is that it is only primary trips and link-diverted trips which impact upon the external road network. Non-link-diverted trips are already present on the adjacent road network, and although these trips need to be considered in the design of access driveways, turning lanes and so on, they do not constitute additional traffic per se.

A significant proportion of traffic is anticipated to access the site during the road network peak hour as non-link-diverted trips and as such, it is anticipated that there will be a reduced amount of additional trips generated along the site frontage road.

In this respect, reference is made to the 'RTA NSW – Guide to Traffic Generating Developments' which states the following regarding McDonald's convenience restaurants:

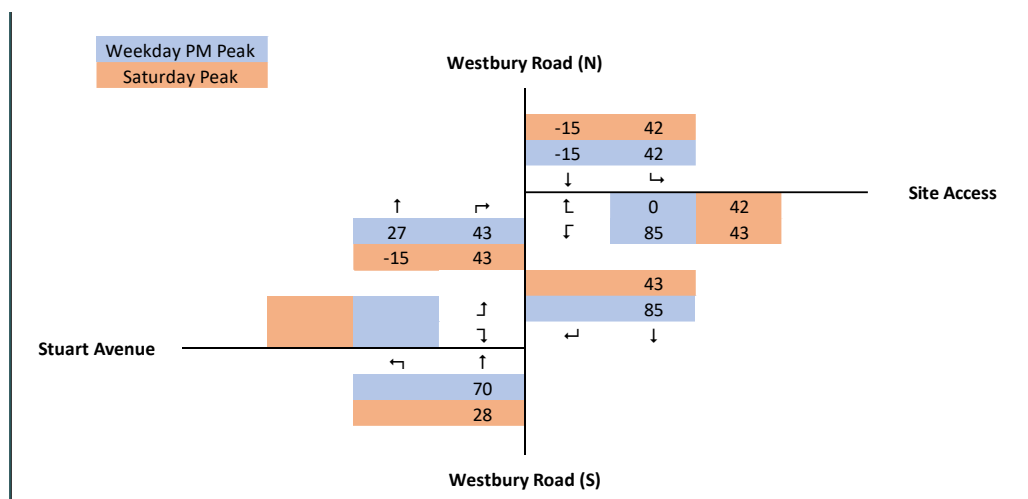
- "The proportion of passing trade is typically about 35%. This discount should be taken into account in assessing external traffic impact."

This assessment therefore assumes that 35% of traffic movements will be from existing external road traffic travelling past the site on Westbury Road, being the arterial road that will carry the vast majority of traffic past the site.

7.4. Traffic Generation Summary

Based on various factors outlined in the previous sections, Figure 7-2 has been prepared to show the estimated increase in vehicle turning movements in the vicinity of the site during the peak hour periods, including consideration of the reductions in through volumes as a result of passer-by trips that already travel past the site.

Figure 7-2: Peak Hour Site Generated Traffic Volumes (including Non-Link Diverted Trips)



As the right turn manoeuvre out of the site is proposed to be restricted during the PM peak hour, all right-out movements during the PM peak hour are assumed to turn left out of the site and head south to the Country Club Avenue / Westbury Road roundabout from where they will undertake a U-turn manoeuvre to head north on Westbury Road past Stuart Avenue and the site.

7.5. Post Development Traffic Volumes

By combining the existing surveyed traffic volumes with the anticipated site generated traffic movements, the resultant estimated post development peak hour traffic volumes at the Westbury Road / Site Access intersection are shown in Figure 7-3 and Figure 7-4.

Figure 7-3: Post Development PM Peak Hour Traffic Volumes

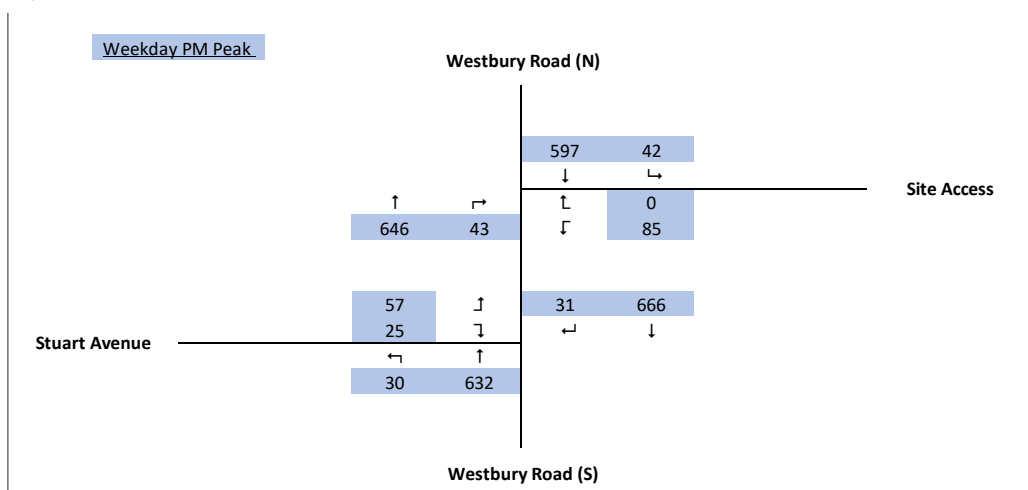
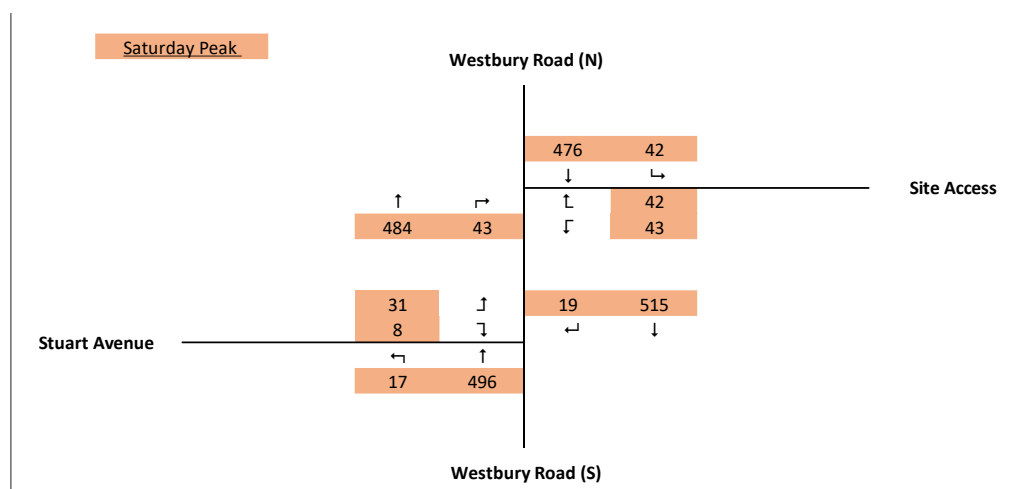


Figure 7-4: Post Development Saturday Peak Hour Traffic Volumes



7.6. Traffic Impacts – Post Development Conditions (2024)

A post development conditions weekday PM and Saturday midday peak hour intersection analysis has been undertaken of the Westbury Road / Site Access intersection, using SIDRA Intersection modelling. In this case, given the proximity of the two intersections, a SIDRA network model has been established to accurately account for the impacts that any queueing or congestion from one intersection may have on the adjacent intersection.

The key parameters used to determine the operational capacity of an intersection are queue length, average delay and degree of saturation (or volume to capacity ratio).

Degree of Saturation (DOS) is a ratio of arrival (or demand) flow to capacity. DOS above 1.0 represent oversaturated conditions and a DOS below 1.0 represent undersaturated conditions. The operational rating associated with the DOS is summarised below.

Table 7.1: Ratings of Degree of Saturation

Degree of Saturation (DoS)	Rating
Up to 0.6	Excellent
0.61 – 0.70	Very Good
0.71 – 0.80	Good
0.81 – 0.90	Fair
0.91 – 1.00	Poor
Greater than 1.00	Very Poor

Although operating conditions with a degree of saturation around 1.00 are undesirable, it is acknowledged that this level of congestion is typical of many metropolitan intersections during the road network peak hours.

The 95th percentile queue length is the value below which 95 percent of all observed cycle queue lengths fall, or 5 percent of all observed queue lengths exceed. Average Delay is the average time, in seconds, that all vehicles making a particular movement can expect to wait at an intersection.

Westbury Road / Site Access Intersection

A post development conditions PM and Saturday peak hour intersection analysis has been undertaken of the Westbury Road / Site Access intersection, using SIDRA Intersection network modelling.

The results are detailed in Appendix E and summarised in Table 7.2 and Table 7.3.

Table 7.2: Post Development PM Peak SIDRA Results – Westbury Road / Site Access

Approach	Movement	Post Development PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Through	0.33	0	0
	Right	0.07	1	7
Site Access	Left	0.14	1	10
Westbury Road (N)	Left	0.02	0	6
	Through	0.33	0	1
Intersection		0.33		

Table 7.3: Post Development Saturday Peak SIDRA Results – Westbury Road / Site Access

Approach	Movement	Post Development Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Through	0.28	0	0
	Right	0.06	1	6
Site Access	Left	0.28	3	9
	Right	0.28	3	25
Westbury Road (N)	Left	0.02	0	6
	Through	0.26	0	1
Intersection		0.28		

As shown in the preceding tables, the Westbury Road / Site Access intersection is anticipated to operate with 'Excellent' conditions during the PM and Saturday Peak hours.

There is negligible queuing anticipated, and generally minimal delays with the exception of the right turn exit movement out of the site during the Saturday peak which is expected to have average delays of 25 seconds, with minimal queueing expected (less than one vehicle).

During either peak hour, the 95% queue for right turn in movements from Westbury Road is anticipated to be less than one vehicle with average delays of up to 7 seconds. As such, it is expected that there will be adequate storage within the right turn lane for vehicles seeking to enter the site.

During the weekday PM peak the right out movement will be restricted and as such no delays or queueing related to this movement are anticipated.

Westbury Road / Stuart Avenue Intersection

A post development conditions PM and Saturday peak hour intersection analysis has been undertaken of the Westbury Road / Stuart Avenue intersection, using SIDRA Intersection network modelling.

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The results are detailed in Appendix E and summarised in Table 7.4 and Table 7.5.

Table 7.4: Post Development PM Peak SIDRA Results – Westbury Road / Stuart Avenue

Approach	Movement	Post Development PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Left	0.34	0	6
	Through	0.34	0	1
Westbury Road (N)	Through	0.34	0	0
	Right	0.04	1	6
Stuart Avenue	Left	0.28	3	10
	Right	0.28	3	36
Intersection		0.34		

Table 7.5: Post Development Saturday Peak SIDRA Results – Westbury Road / Stuart Avenue

Approach	Movement	Post Development Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Left	0.26	0	6
	Through	0.26	0	1
Westbury Road (N)	Through	0.26	0	0
	Right	0.02	1	5
Stuart Avenue	Left	0.07	1	8
	Right	0.07	1	19
Intersection		0.26		

As shown in the preceding tables, the Westbury Road / Stuart Avenue intersection is anticipated to continue to operate with 'Excellent' conditions during the PM and Saturday Peak hours. Once again there is expected to be negligible queueing at the intersection, and minimal delays for all movements during the peak hours.

During either peak hour, the 95% queue for right turn in movements from Westbury Road to Stuart Avenue is anticipated to be less than one vehicle with average delays of up to 6 seconds. As such, there is adequate expected storage within the right turn lane for vehicles seeking to enter Stuart Avenue.

Summary

Having regard to the analysis and discussion within the previous sections, the additional traffic generated by the proposed development is expected to have negligible impacts on the operation of Westbury Road under current (2024) conditions, which is expected to continue to operate in a satisfactory manner.

Furthermore, the delays and queuing for the movements in and out of the site are considered to be acceptable.

7.7. Assessment of Future Year Conditions (2034)

Due to the anticipated development in the surrounding area, a future year assessment has been undertaken to evaluate the future performance of the Westbury Road / Site Access intersection in 2034. Two traffic growth scenarios have been considered:

Scenario 1 - a baseline scenario assuming a 1% annual growth rate.

Scenario 2 - a sensitivity test scenario assuming a more conservative 1.9% annual growth rate.

These scenarios will project traffic volumes for a 10-year period to ensure the adequacy of the site access in accommodating future traffic demands. This will help inform decisions about any potential improvements or modifications that may be necessary to maintain acceptable traffic operations at the site access.

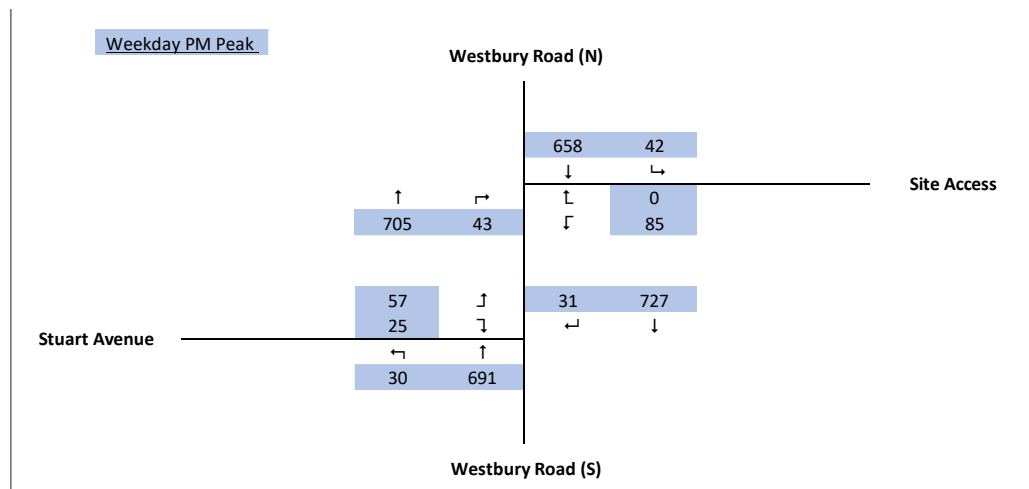
7.8. Scenario 1 - Future Year Conditions (1% Growth)

In consideration of the anticipated development in the surrounding area and *Launceston Western Suburbs Developments Strategic Transport Assessment (dated January 2022)* prepared by Veitch Lister Consulting (VLC) for the City of Launceston, a 1% compounding growth rate is considered to be reflective of the projected growth along Westbury Road.

Accordingly, the following SIDRA assessments have been prepared adopting a 1% compounding growth rate of traffic volumes on Westbury Road. The results of the following SIDRA assessments are considered to be reflective of the base forecast for Westbury Road.

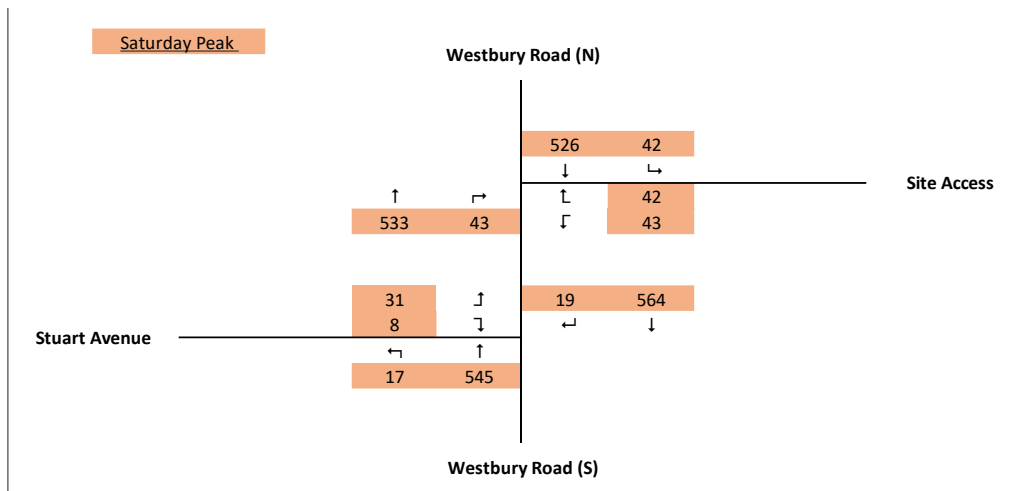
For clarity, the resultant estimated post development peak hour traffic volumes, adopting the 1% compounding traffic rate, are shown in the below figures.

Figure 7-5: Future Year PM Peak Hour Traffic Volumes – 2034 (1% Growth)



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Figure 7-6: Future Year Saturday Peak Hour Traffic Volumes – 2034 (1% Growth)



Scenario 1 - Westbury Road / Site Access Intersection – 2034 (1% growth)

A future year development (1% growth) conditions PM and Saturday peak hour intersection analysis has been undertaken of the Westbury Road / Site Access intersection, using SIDRA Intersection network modelling.

The results are detailed in Appendix F and summarised in Table 7.6 and Table 7.7.

Table 7.6: Future Year (1% Growth) PM Peak SIDRA Results – Westbury Road / Site Access

Approach	Movement	Future Year PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Through	0.36	0	0
	Right	0.08	1	8
Site Access	Left	0.16	2	11
Westbury Road (N)	Left	0.02	0	6
	Through	0.36	0	1
Intersection		0.36		

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Table 7.7: Future Year (1% Growth) Saturday Peak SIDRA Results – Westbury Road / Site Access

Approach	Movement	Future Year Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Through	0.27	0	0
	Right	0.06	1	6
Site Access	Left	0.33	4	11
	Right	0.33	4	31
Westbury Road (N)	Left	0.02	0	6
	Through	0.29	0	1
Intersection		0.33		

As shown in the preceding tables, the Westbury Road / Site Access intersection is anticipated to operate with 'Excellent' conditions during the PM and Saturday Peak hours in the future year with the adoption on a 1% compounding growth rate.

There is negligible queuing anticipated, and generally minimal delays with the exception of the right turn exit movement out of the site during the Saturday peak which is expected to have average delays of 31 seconds, with minimal queueing expected (less than one vehicle). Given that this longest queue expected within a peak hour under a 10-year assessment, it is evident that no internal queuing is expected to disrupt the internal operation of the proposed development.

During either peak hour, the 95% queue for right turn in movements from Westbury Road is anticipated to be less than one vehicle with average delays of up to 8 seconds. As such, adequate storage is expected within the right turn lane for vehicles seeking to enter the site.

During the weekday PM peak the right out movement will continue to be restricted and as such no delays or queueing related to this movement are anticipated in 2034.

Scenario 1 - Westbury Road / Stuart Avenue Intersection – 2034 (1% growth)

A future year development (1% growth) conditions PM and Saturday peak hour intersection analysis has been undertaken of the Westbury Road / Stuart Avenue intersection, using SIDRA Intersection network modelling.

The results are detailed in Appendix F and summarised in Table 7.8 and Table 7.9.

Table 7.8: Future Year (1% Growth) PM Peak SIDRA Results – Westbury Road / Stuart Avenue

Approach	Movement	Future Year PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Left	0.37	0	6
	Through	0.37	0	1
Westbury Road (N)	Through	0.37	0	0
	Right	0.05	1	7
Stuart Avenue	Left	0.35	4	12
	Right	0.35	4	48
Intersection		0.37		

Table 7.9: Future Year (1% Growth) Saturday Peak SIDRA Results – Westbury Road / Stuart Avenue

Approach	Movement	Future Year Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Left	0.29	0	6
	Through	0.29	0	1
Westbury Road (N)	Through	0.29	0	0
	Right	0.02	1	5
Stuart Avenue	Left	0.08	1	8
	Right	0.08	1	23
Intersection		0.29		

As shown in the preceding tables, the Westbury Road / Stuart Avenue intersection is anticipated to continue to operate with 'Excellent' conditions during the PM and Saturday Peak hours in the future year assessment with the adoption on a 1% compounding growth rate.

Once again there is expected to be negligible queueing at the intersection, and minimal delays for the majority of movements during the peak hours.

During either peak hour, the 95% queue for right turn in movements from Westbury Road to Stuart Avenue is anticipated to be less than one vehicle with average delays of up to 7 seconds. As such, adequate storage is expected within the right turn lane for vehicles seeking to enter Stuart Avenue.

It is noted that the right-out movement during the PM peak hour is anticipated to experience delays of up to 48 seconds. With consideration of the 10 years of growth that has been accounted for, and the nature of the right out movement (i.e. not increased by development traffic), this delay is considered to be acceptable.

Scenario 1 – 1% Growth Summary

As detailed within the above SIDRA assessments, both the Westbury Road / Site Access intersection and Westbury Road / Stuart Avenue intersection are anticipated to operate within 'Excellent' conditions with minimal queues and delays anticipated.

Having regard to the analysis and discussion above, the additional traffic generated by the proposed development with consideration of 1% compounding traffic growth along Westbury Road is expected to have negligible impacts on the operation of Westbury Road or the surrounding road network, which is expected to continue to operate in a satisfactory manner.

The right turn lanes to Stuart Avenue and the site access have been designed appropriately to cater for the 95th percentile queue lengths generated by vehicles seeking to enter Stuart Avenue and the site access.

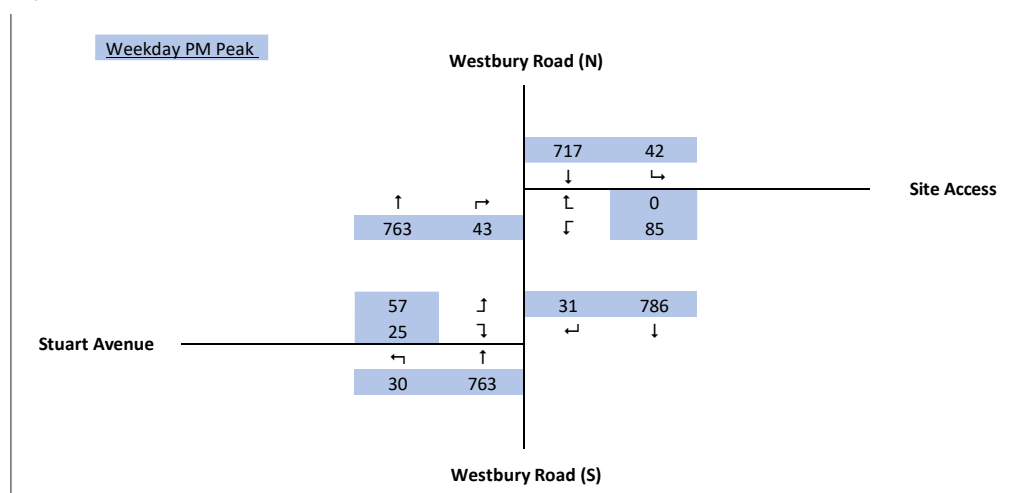
However, in order to provide further confidence to the appropriateness of the proposed site access arrangement, a 10-year projection has been assessed adopting a more conservative growth rate of 1.9% as advised by Council.

7.9. Scenario 2 - Future Year Conditions (1.9% Growth)

In order to provide further assurance over the acceptability of access arrangements for the site, a sensitivity analysis has been undertaken with a 1.9% annual compounding growth rate on Westbury Road.

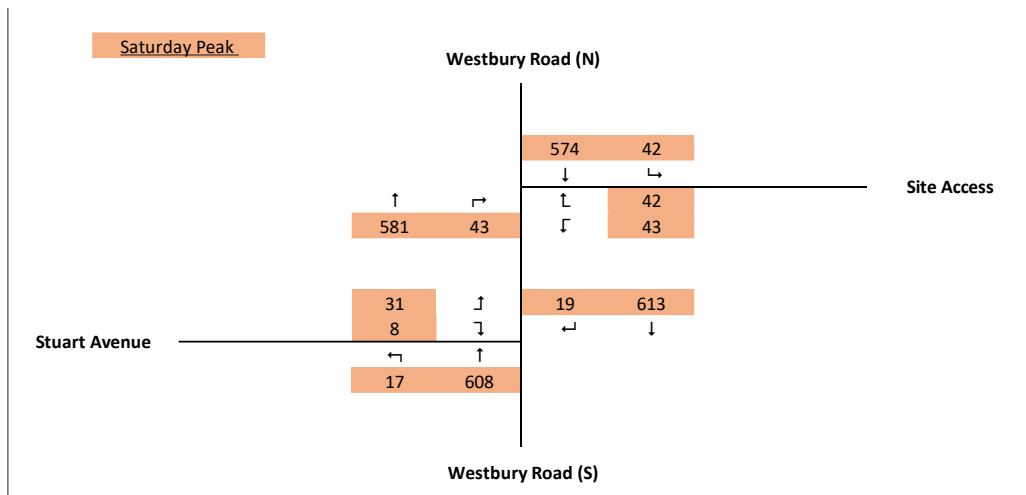
For clarity, the resultant estimated post development peak hour traffic volumes, adopting the sensitivity test of 1.9% compounding traffic growth rate, are shown in the following figures.

Figure 7-7: Future Year PM Peak Hour Traffic Volumes – 2034 (1.9% Growth)



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Figure 7-8: Future Year Saturday Peak Hour Traffic Volumes – 2034 (1.9% Growth)



Scenario 2 - Westbury Road / Site Access Intersection – 2034 (1.9% growth)

A future year development (1.9% growth) conditions PM and Saturday peak hour intersection analysis has been undertaken of the Westbury Road / Site Access intersection, using SIDRA Intersection network modelling.

The results are detailed in Appendix G and summarised in Table 7.10 and Table 7.11.

Table 7.10: Future Year (1.9% Growth) PM Peak SIDRA Results – Westbury Road / Site Access

Approach	Movement	Future Year PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Through	0.39	0	0
	Right	0.09	1	9
Site Access	Left	0.18	2	11
Westbury Road (N)	Left	0.02	0	6
	Through	0.40	0	1
Intersection		0.40		

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Table 7.11: Future Year (1.9% Growth) Saturday Peak SIDRA Results – Westbury Road / Site Access

Approach	Movement	Future Year Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Through	0.30	0	0
	Right	0.07	1	7
Site Access	Left	0.41	4	13
	Right	0.41	4	39
Westbury Road (N)	Left	0.02	0	6
	Through	0.32	0	1
Intersection		0.41		

As shown in the preceding tables, the Westbury Road / Site Access intersection is anticipated to operate with 'Excellent' conditions during the PM and Saturday Peak hours in the future year with the conservative adoption of a 1.9% compounding growth rate.

There is negligible queuing anticipated, and generally minimal delays, with the exception of the right turn exit movement out of the site during the Saturday peak which is expected to have average delays of 39 seconds, with minimal queueing expected (less than one vehicle). Given that this longest queue expected within a peak hour under a sensitivity 10-year assessment, it is evident that no internal queuing is expected to disrupt the internal operation of the proposed development.

During either peak hour, the 95% queue for right turn in movements from Westbury Road is anticipated to be less than one vehicle with average delays of up to 9 seconds. As such, adequate storage is expected within the right turn lane for vehicles seeking to enter the site.

During the weekday PM peak the right-out movement will continue to be restricted and as such no delays or queueing related to this movement are anticipated in 2034.

Scenario 2- Westbury Road / Stuart Avenue Intersection – 2034 (1.9% growth)

A future year development (1.9% growth) conditions PM and Saturday peak hour intersection analysis has been undertaken of the Westbury Road / Stuart Avenue intersection, using SIDRA Intersection network modelling.

The results are detailed in Appendix G and summarised in Table 7.12 and Table 7.13.

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Table 7.12: Future Year (1.9% Growth) PM Peak SIDRA Results – Westbury Road / Stuart Avenue

Approach	Movement	Future Year PM Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Left	0.41	0	6
	Through	0.41	0	1
Westbury Road (N)	Through	0.40	0	0
	Right	0.05	1	8
Stuart Avenue	Left	0.47	5	16
	Right	0.47	5	66
Intersection		0.47		

Table 7.13: Future Year (1.9% Growth) Saturday Peak SIDRA Results – Westbury Road / Stuart Avenue

Approach	Movement	Future Year Saturday Peak		
		DoS	95%ile Queue (m)	Avg. Delay (sec)
Westbury Road (S)	Left	0.32	0	6
	Through	0.32	0	1
Westbury Road (N)	Through	0.31	0	0
	Right	0.02	1	6
Stuart Avenue	Left	0.09	1	9
	Right	0.09	1	28
Intersection		0.32		

As shown in the preceding tables, the Westbury Road / Stuart Avenue intersection is anticipated to continue to operate with 'Excellent' conditions during the PM and Saturday Peak hours in the future year with the adoption on a 1.9% compounding growth rate.

Once again there is expected to be negligible queueing at the intersection, and minimal delays for the majority of movements during the peak hours.

During either peak hour, the 95% queue for right turn in movements from Westbury Road to Stuart Avenue is anticipated to be less than one vehicle with average delays of up to 8 seconds. As such, there is adequate storage anticipated within the right turn lane for vehicles seeking to enter Stuart Avenue.

It is noted that the right-out movement during the PM peak hour is anticipated to experience delays of up to 66 seconds. With consideration of the 10 years of conservative growth that has been accounted for, and the nature of the right-out movement (i.e. not increased by development traffic), this delay is considered to be acceptable. It is noted that queue lengths remain very low, at less than one vehicle.

Scenario 2 – 1.9% Growth Summary

As detailed within the above SIDRA assessments, both the Westbury Road / Site Access intersection and Westbury Road / Stuart Avenue intersection are anticipated to operate within 'Excellent' conditions with minimal queues and delays anticipated.

Critically, the departing movements from the site to Westbury Road are anticipated to operate with maximum delays of up to 39 seconds and queues of up to one vehicle. It is considered that a less than one minute delay and queues of up to one vehicle within the car park during the peak hour in ten years' time is entirely satisfactory for this assessment.

The right turn lanes to Stuart Avenue and the site access have been designed appropriately to cater for the 95th percentile queue lengths generated by vehicles seeking to enter Stuart Avenue and the site access.

The subject site has adequate room to cater for the 95th percentile queue lengths generated by vehicles seeking to depart the site of a single vehicle or less which is not expected to materially impact pedestrian movements and is standard for any retail site access location.

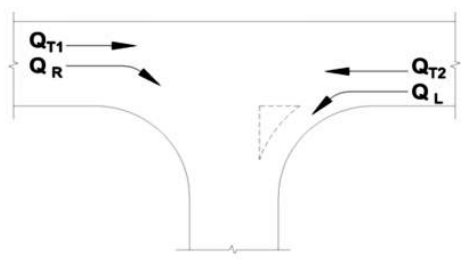
Having regard to the analysis and discussion above, the additional traffic generated by the proposed development with consideration of a conservative 1.9% compounding traffic growth along Westbury Road is expected to have negligible impacts on the operation of Westbury Road or the surrounding road network, which is expected to continue to operate in a satisfactory manner.

7.10. Assessment of Turn Lane Treatment Warrants

In respect to turning warrants, guidance is sought from the Austroads Guide to Traffic Management Part 6, which provides information on determining the appropriate types of turn lane treatments to be provided, based on the volume of through traffic and turning movements into the minor leg of an intersection.

Specifically, warrants for turn lane treatments are outlined based on the major road traffic volumes (Q_m) and the turning volumes (Q_r or Q_l), shown in Figure 7-9 and Figure 7-10.

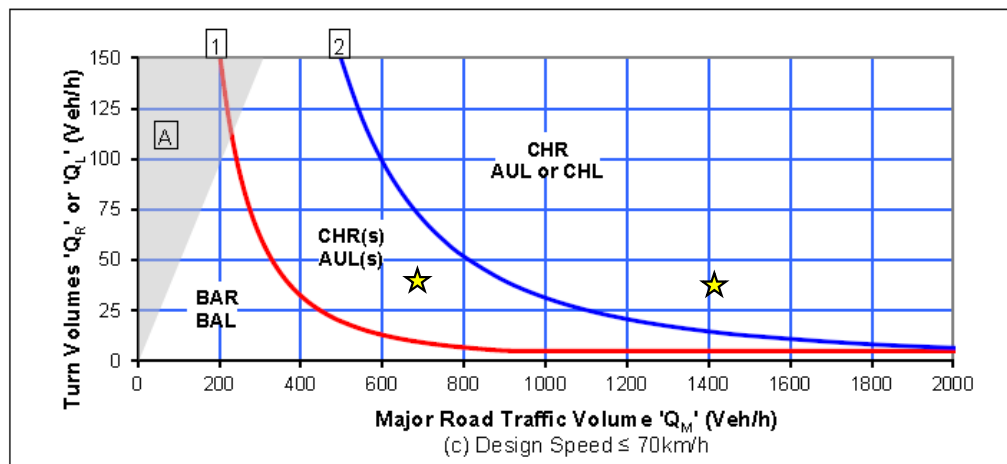
Figure 7-9: Calculation of Q_m



Road type	Turn type	Splitter island	Q_m (veh/h)
Two-lane two-way	Right	No	$= Q_{T1} + Q_{T2} + Q_L$
		Yes	$= Q_{T1} + Q_{T2}$
	Left	Yes or no	$= Q_{T2}$
Four-lane two-way	Right	No	$= 50\% \times Q_{T1} + Q_{T2} + Q_L$
		Yes	$= 50\% \times Q_{T1} + Q_{T2}$
	Left	Yes or no	$= 50\% \times Q_{T2}$
Six-lane two-way	Right	No	$= 33\% \times Q_{T1} + Q_{T2} + Q_L$
		Yes	$= 33\% \times Q_{T1} + Q_{T2}$
	Left	Yes or no	$= 33\% \times Q_{T2}$

The application of these warrants is outlined in the figure overleaf, with markups shown for the corresponding Q_m and Q_r or Q_l volumes in this instance.

Figure 7-10: Turn Lane Warrants (Weekday Peak)



Based on the above, and with an allowance for anticipated growth, an Auxiliary Left Turn Lane (s) and Channelised Right Turn Lane are warranted in this case, based on the future year traffic volumes for the site access point (2034).

The lanes along Westbury Road are already separated by a trafficable centre median that functions as a shared right turn lane facility for traffic travelling in both directions. This treatment is proposed to be formalised to provide back-to-back channelised right turn lanes into Stuart Avenue and the subject site.

In addition to the above, it is proposed to provide a 3.0m wide left turn auxiliary lane. The 23.5m long left turn lane (including an 18.5m taper) can be achieved with minor road widening and kerb realignment, as shown in Appendix H.

The Concept Layout Plan includes a swept path analysis demonstrating the ability for the relevant design vehicles to manoeuvre through the intersection whilst the SIDRA assessment determines that the intersections will operate in a satisfactory manner with both right turn lanes appropriately storing the maximum peak hour queues.

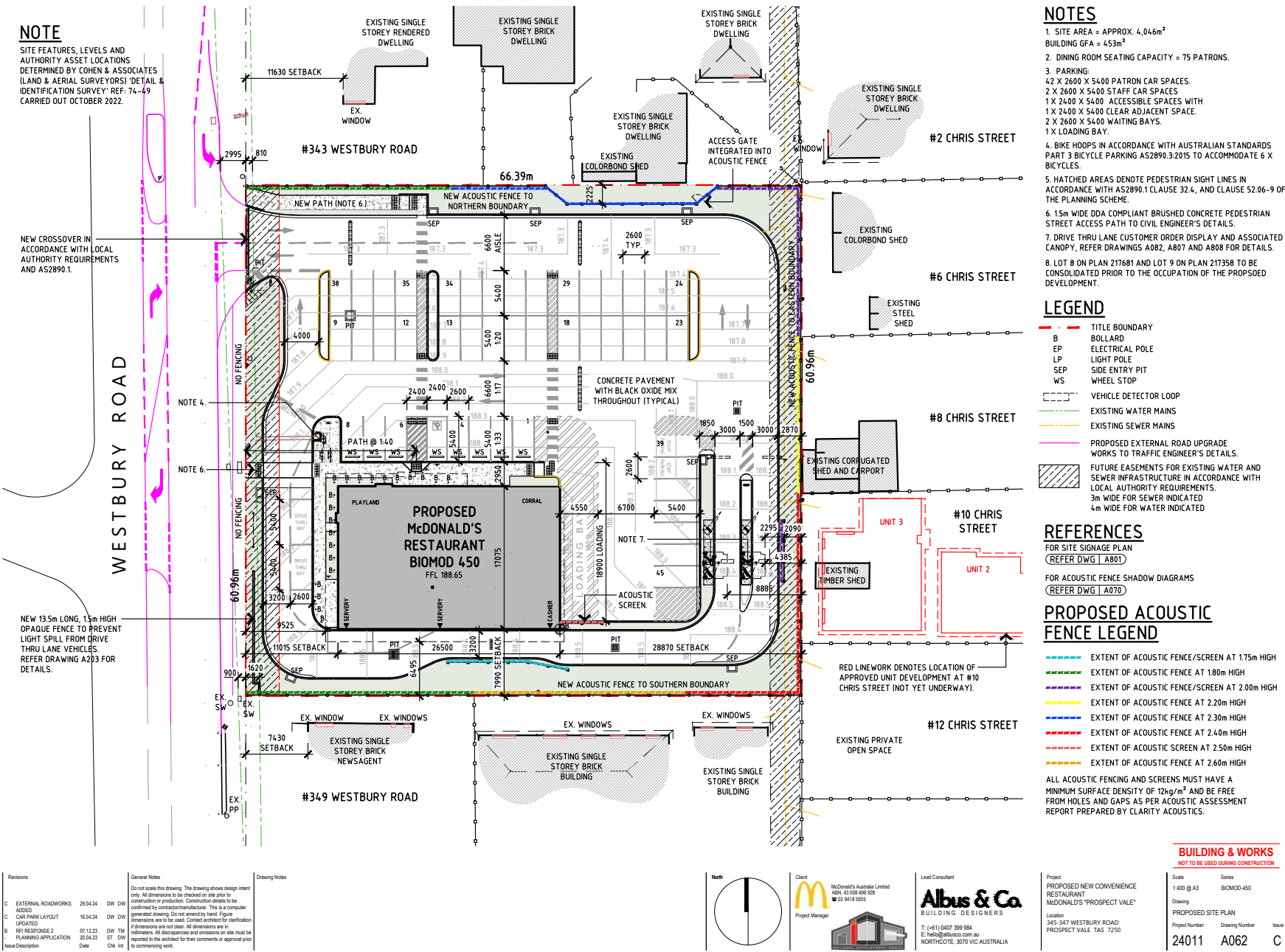
8. Conclusion

Based on the analysis and discussion presented within this report, the following conclusions are made:

- A Planning Permit is currently being sought for a proposed McDonald's convenience restaurant (food services) on the subject land.
- The proposed development generates a statutory parking requirement of 30 car parking spaces.
- The proposed supply of 45 on-site car parking spaces exceeds the statutory requirement and is considered to be acceptable.
- The proposed parking layout and site access arrangements are consistent with the requirements set out in the Planning Scheme and/or Australian/New Zealand Standards for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009).
- CAD-based swept paths have been completed which confirm the key vehicle movements can be completed with adequate clearance through the site access points and relevant key areas within the site.
- It is proposed to provide six visitor bicycle parking spaces as well as additional storage for informal staff bicycle parking within the corral area. These proposed bicycle parking and facilities are considered to be appropriate to service the proposed development.
- Vehicle access to the dedicated loading bay has been assessed through CAD-based swept path assessments and is considered satisfactory for the development.
- The site is expected to generate up to 170 vehicle movements in any peak hour.
- The level of traffic generated by the proposed development is expected to be comfortably accommodated by the surrounding road network without creating adverse traffic safety or capacity impacts. The intersection of Westbury Road / Stuart Avenue and the site access point to Westbury Road have been modelled in SIDRA Intersection under post development conditions and are both expected to function with 'Excellent' operating conditions following completion of the proposed development, with no safety or traffic capacity issues.
- Furthermore, future year assessments (2034) adopting a baseline 1% and a sensitivity 1.9% growth rate have been undertaken. The intersections of Westbury Road / Stuart Avenue and the site access point to Westbury Road have been modelled in SIDRA Intersection and are both expected to function with acceptable operating conditions following completion of the proposed development, with no significant safety or traffic capacity issues.

Overall, the proposed development is not expected to create adverse traffic or parking impacts in the precinct.

Appendix A – Development Plans



Appendix B – Traffic Survey Results

11.1.20 Application Documents

TRANS TRAFFIC SURVEY TURNING MOVEMENT SURVEY



Intersection of Stuart Ave and Westbury Rd, Prospect Va

GPS -41.482057, 147.126023

Date:	Fri 05/04/24
Weather:	Overcast
Suburban:	Prospect Vale
Customer:	RATIO

North:	Westbury Rd
East:	N/A
South:	Westbury Rd
West:	Stuart Ave

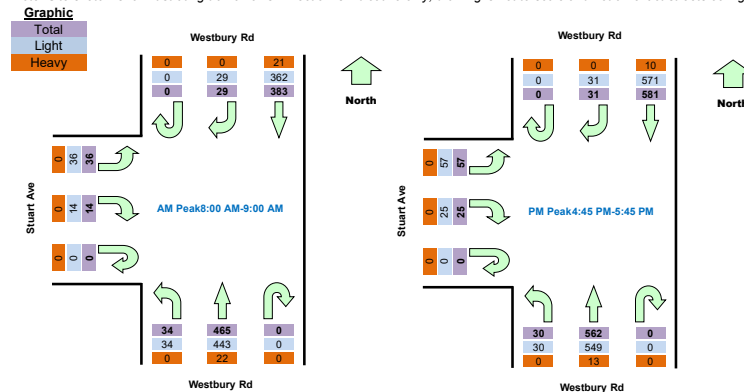
Survey Period	AM: 7:00 AM-10:00 AM
	PM: 4:00 PM-7:00 PM
Traffic Peak	AM: 8:00 AM-9:00 AM
	PM: 4:45 PM-5:45 PM

All Vehicles

Time		North Approach Westbury Rd			South Approach Westbury Rd			West Approach Stuart Ave			Hourly Total	
Period Start	Period End	U	R	SB	U	NB	L	U	R	L	Hour	Peak
7:00	7:15	0	3	63	0	39	1	0	1	1	586	
7:15	7:30	0	3	53	0	60	3	0	3	2	676	
7:30	7:45	0	0	65	0	90	5	0	3	4	828	
7:45	8:00	0	7	81	0	89	4	0	0	6	922	
8:00	8:15	0	7	82	0	97	6	0	2	4	961	Peak
8:15	8:30	0	5	100	0	144	10	0	6	11	936	
8:30	8:45	0	6	116	0	117	9	0	5	8	852	
8:45	9:00	0	11	85	0	107	9	0	1	13	766	
9:00	9:15	0	7	76	0	76	5	0	4	5	728	
9:15	9:30	0	3	77	0	103	1	0	1	7		
9:30	9:45	0	2	64	0	92	6	0	4	7		
9:45	10:00	0	4	82	0	89	4	0	3	6		
16:00	16:15	0	7	149	0	145	15	0	4	12	1255	
16:15	16:30	0	10	129	0	144	12	0	5	18	1257	
16:30	16:45	0	12	136	0	123	13	0	4	13	1280	
16:45	17:00	0	5	139	0	131	4	0	8	17	1286	Peak
17:00	17:15	0	7	153	0	141	10	0	6	17	1247	
17:15	17:30	0	10	141	0	161	9	0	7	13	1188	
17:30	17:45	0	9	148	0	129	7	0	4	10	1064	
17:45	18:00	1	5	131	0	116	3	0	4	5	926	
18:00	18:15	0	3	130	0	125	4	0	5	8	837	
18:15	18:30	0	2	102	0	102	3	0	4	4		
18:30	18:45	0	1	83	0	72	3	0	7	3		
18:45	19:00	0	2	75	0	87	2	0	3	7		

Peak Time		North Approach Westbury Rd			South Approach Westbury Rd			West Approach Stuart Ave			Peak total
Period Start	Period End	U	R	SB	U	NB	L	U	R	L	
8:00	9:00	0	29	383	0	465	34	0	14	36	961
16:45	17:45	0	31	581	0	562	30	0	25	57	1286

Note: Site sketch is for illustrating traffic flows. Direction is indicative only, drawing is not to scale and not an exact streets configuration.



TRANS TRAFFIC SURVEY

TURNING MOVEMENT SURVEY

trafficsurvey.com.au


Intersection of Stuart Ave and Westbury Rd, Prospect Val

GPS -41.482057, 147.126023

Date:	Sat 06/04/24
Weather:	Overcast
Suburban:	Prospect Vale
Customer:	RATIO

North:	Westbury Rd
East:	N/A
South:	Westbury Rd
West:	Stuart Ave

Survey Period	AM: 10:00 AM-12:00 PM	PM: 12:00 PM-2:00 PM
Traffic Peak	AM: 11:00 AM-12:00 PM	PM: 12:00 PM-1:00 PM

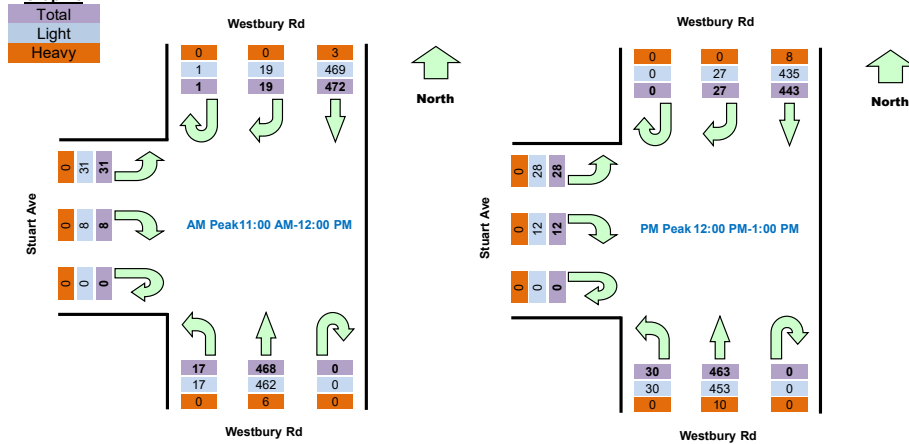
All Vehicles

Time		North Approach Westbury Rd			South Approach Westbury Rd			West Approach Stuart Ave			Hourly Total	
Period Start	Period End	U	R	SB	U	NB	L	U	R	L	Hour	Peak
10:00	10:15	0	4	103	0	109	0	0	4	13	929	
10:15	10:30	0	2	107	0	91	5	0	5	9	924	
10:30	10:45	0	7	101	0	104	6	0	6	5	963	
10:45	11:00	0	4	116	0	107	4	0	4	13	996	
11:00	11:15	0	5	102	0	108	5	0	0	8	1016	Peak
11:15	11:30	1	4	122	0	115	6	0	3	7		
11:30	11:45	0	8	129	0	113	3	0	1	8		
11:45	12:00	0	2	119	0	132	3	0	4	8		
12:00	12:15	0	10	110	0	108	6	0	2	8	1003	Peak
12:15	12:30	0	6	96	0	140	14	0	2	7	949	
12:30	12:45	0	4	122	0	104	5	0	2	7	906	
12:45	13:00	0	7	115	0	111	5	0	6	6	923	
13:00	13:15	0	4	90	1	72	2	0	9	12	898	
13:15	13:30	0	6	94	0	106	5	0	3	8		
13:30	13:45	0	6	106	0	130	3	0	1	15		
13:45	14:00	0	0	104	0	107	4	0	3	7		

Peak Time		North Approach Westbury Rd			South Approach Westbury Rd			West Approach Stuart Ave			Peak total
Period Start	Period End	U	R	SB	U	NB	L	U	R	L	
11:00	12:00	1	19	472	0	468	17	0	8	31	1016
12:00	13:00	0	27	443	0	463	30	0	12	28	1003

Note: Site sketch is for illustrating traffic flows. Direction is indicative only, drawing is not to scale and not an exact streets configuration.

Graphic



Appendix C - SIDRA Modelling Results – Existing Conditions

SITE LAYOUT

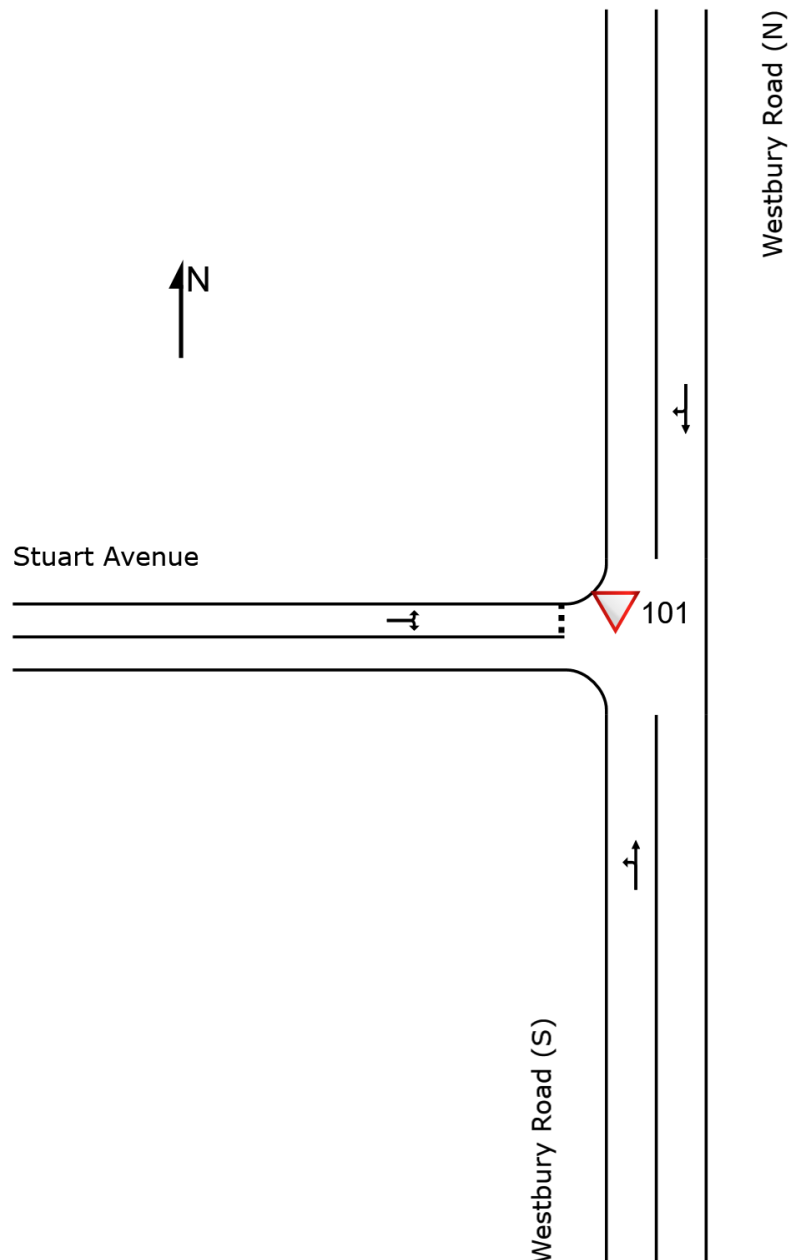
▽ Site: 101 [Westbury Road / Stuart Avenue - PM Peak - Existing (Site Folder: Existing Conditions)]

Westbury Road / Stuart Avenue - PM Peak - Existing

Site Category: (None)

Give-Way (Two-Way)

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



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Project: C:\Users\samuell\Ratio Consultants\19464T - General\Work\Analysis\SIDRA\19464T - SIDRA Analysis - Existing.sip9

MOVEMENT SUMMARY

▽ Site: 101 [Westbury Road / Stuart Avenue - PM Peak - Existing (Site Folder: Existing Conditions)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

Westbury Road / Stuart Avenue - PM Peak - Existing

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			[Total HV]	%	[Total HV]	%				[Veh.]	[Dist]				
			veh/h		veh/h		v/c	sec		veh	m				km/h
South: Westbury Road (S)															
1	L2	All MCs	32	0.0	32	0.0	0.303	5.6	LOS A	0.0	0.0	0.00	0.03	0.00	57.1
2	T1	All MCs	592	5.0	592	5.0	0.303	0.1	LOS A	0.0	0.0	0.00	0.03	0.00	59.5
Approach			623	4.7	623	4.7	0.303	0.4	NA	0.0	0.0	0.00	0.03	0.00	59.4
North: Westbury Road (N)															
8	T1	All MCs	612	5.0	612	5.0	0.334	0.4	LOS A	0.5	3.3	0.09	0.12	0.09	59.2
9	R2	All MCs	33	0.0	33	0.0	0.334	9.1	LOS A	0.5	3.3	0.09	0.12	0.09	56.6
Approach			644	4.7	644	4.7	0.334	0.8	NA	0.5	3.3	0.09	0.12	0.09	59.1
West: Stuart Avenue															
10	L2	All MCs	60	0.0	60	0.0	0.162	8.3	LOS A	0.5	3.8	0.63	0.85	0.63	49.0
12	R2	All MCs	26	0.0	26	0.0	0.162	17.4	LOS C	0.5	3.8	0.63	0.85	0.63	48.9
Approach			86	0.0	86	0.0	0.162	11.1	LOS B	0.5	3.8	0.63	0.85	0.63	49.0
All Vehicles			1354	4.4	1354	4.4	0.334	1.3	NA	0.5	3.8	0.08	0.12	0.08	58.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA (TWSC): Level of Service is not defined for major road approaches or the intersection as a whole for Two-Way Sign Control (HCM LOS rule).

Two-Way Sign Control Capacity Model: SIDRA Standard.

Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).

Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.

Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

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SITE LAYOUT

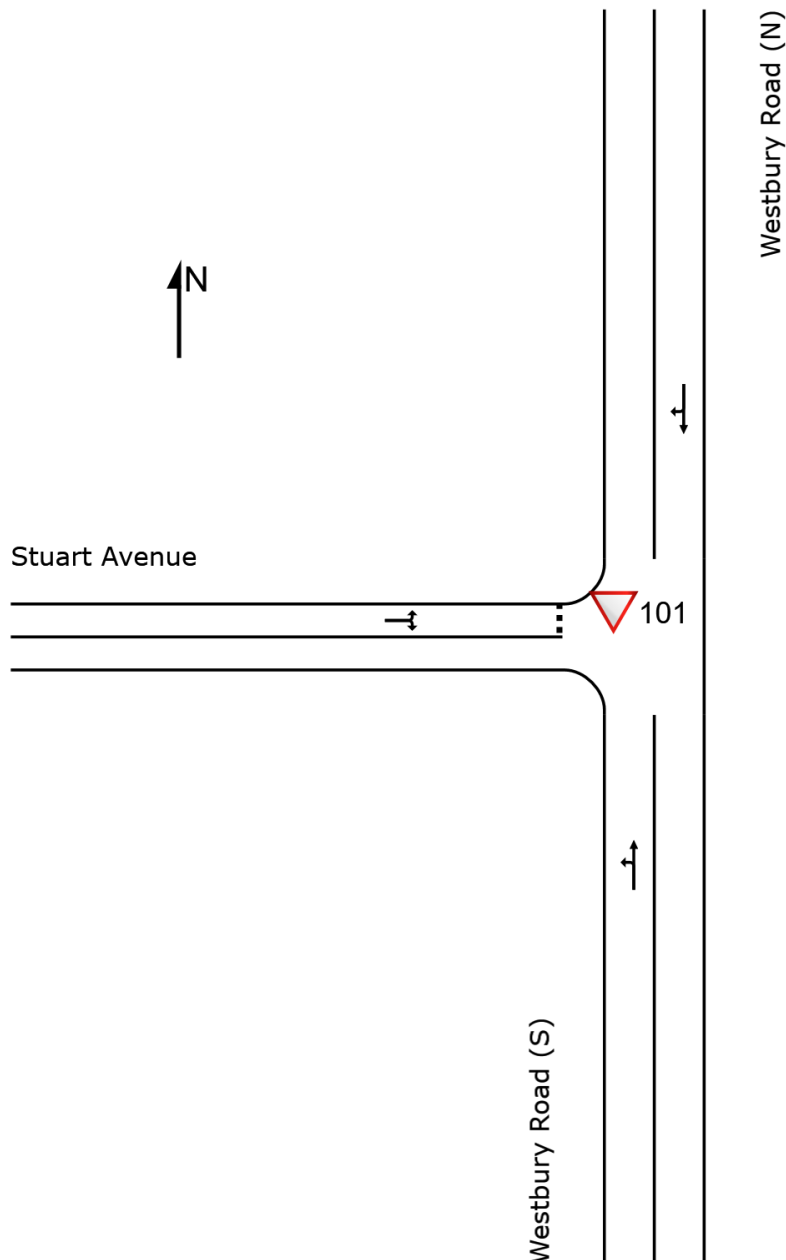
▽ Site: 101 [Westbury Road / Stuart Avenue - Saturday Peak - Existing (Site Folder: Existing Conditions)]

Westbury Road / Stuart Avenue - Saturday Peak - Existing

Site Category: (None)

Give-Way (Two-Way)

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



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MOVEMENT SUMMARY

▽ Site: 101 [Westbury Road / Stuart Avenue - Saturday Peak - Existing (Site Folder: Existing Conditions)]

Output produced by SIDRA INTERSECTION Version: 9.1.4.221

Westbury Road / Stuart Avenue - Saturday Peak - Existing

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			[Total HV]	%	[Total HV]	%				[Veh.]	Dist]				
			veh/h		veh/h		v/c	sec		veh	m				km/h
South: Westbury Road (S)															
1	L2	All MCs	18	0.0	18	0.0	0.249	5.6	LOS A	0.0	0.0	0.00	0.02	0.00	57.2
2	T1	All MCs	493	5.0	493	5.0	0.249	0.1	LOS A	0.0	0.0	0.00	0.02	0.00	59.7
Approach			511	4.8	511	4.8	0.249	0.3	NA	0.0	0.0	0.00	0.02	0.00	59.6
North: Westbury Road (N)															
8	T1	All MCs	497	5.0	497	5.0	0.261	0.2	LOS A	0.2	1.7	0.06	0.07	0.06	59.5
9	R2	All MCs	20	0.0	20	0.0	0.261	8.0	LOS A	0.2	1.7	0.06	0.07	0.06	56.9
Approach			517	4.8	517	4.8	0.261	0.5	NA	0.2	1.7	0.06	0.07	0.06	59.4
West: Stuart Avenue															
10	L2	All MCs	33	0.0	33	0.0	0.053	7.5	LOS A	0.2	1.3	0.52	0.71	0.52	50.7
12	R2	All MCs	8	0.0	8	0.0	0.053	12.5	LOS B	0.2	1.3	0.52	0.71	0.52	50.6
Approach			41	0.0	41	0.0	0.053	8.5	LOS A	0.2	1.3	0.52	0.71	0.52	50.7
All Vehicles			1068	4.6	1068	4.6	0.261	0.7	NA	0.2	1.7	0.05	0.07	0.05	59.1

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA (TWSC): Level of Service is not defined for major road approaches or the intersection as a whole for Two-Way Sign Control (HCM LOS rule).

Two-Way Sign Control Capacity Model: SIDRA Standard.

Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).

Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.

Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

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Appendix D – Swept Path Assessment

11.1.20 Application Documents

