PLEASE QUOTE

Your Ref:

Our Ref: SBB:CF 9952508

Enquiries: S Byster-Bowles

80 Wilson Street, Burnie Tasmania PO Box 973, Burnie TAS 7320

ABN: Phone: Email: Web: 29 846 979 690 (03) 6430 5700 burnie@burnie.tas.gov.au www.burnie.tas.gov.au BURNIE

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NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993) Advice to Adjoining Land Owner or Occupier

Application No: -	DA 2024/32
Development Site: -	54 Marine Terrace BURNIE CT 170719/1
Proposal: -	Establish a General Retail and Hire use (Bottle shop) in an existing building
Discretionary Matter: -	Clauses 17.3.2 (P1) and C2.5.1 (P1.1)

Notice of the above application is served on you as an adjoining land owner or occupier.

The application may be viewed at -

Burnie City Council Customer Services Counter Ground Floor, City Offices, 80 Wilson Street, Burnie

Between the hours of 8.30 am - 5.00 pm Monday to Friday inclusive (excluding public holidays) or on Council's website at <u>www.burnie.tas.gov.au/permits</u>

You are entitled to make representation in writing on any aspect of the proposal addressed to: -

General Manager, Burnie City Council, PO Box 973, Burnie 7320

or <u>burnie@burnie.tas.gov.au</u> by no later than 5.00 pm on **4 September 2024.** Council must have regard to any written representation received during the exhibition period when considering its decision on the application.

All persons who make representation will be notified within seven (7) days of the Council's decision. Any persons who made representation and is not satisfied with the Council decision may, under Section 61(5) of the *Land Use Planning and Approvals Act 1993*, lodge an appeal against that decision within fourteen (14) days of the date of that notice to: -

The Tasmanian Civil and Administrative Tribunal, GPO Box 1311, HOBART TAS 7001.

Should you have any enquiries regarding this development proposal, please do not hesitate to contact the Planning Department on (03) 6430 5700.

S Byster-Bowles MANAGER DEVELOPMENT SERVICES Date of Notice: - 21 August 2024



Land Use Planning and Approvals Act 1993		Office use only	
Tasmanian Planning Scheme			Application No Date Received
PERMITAPPLICATION			Permit Pathway - Permitted/Discretionary
Use or Developm	ent Site:		
Street Address	53-54 Marine Terrace, South Burnie		
Certificate of Title Reference	CT170719/1		
Applicant			
First Name		Seco	
Surname	I Can Smell a Dead Duck Pty Ltd by their agent,	Na	me
	Ireneinc Planning and Urban Design		
Owper (noto if me	ore than one owner, all names must be indicated)		
L	re than one owner, all names must be indicated)	Second	Neme
First Name	Pharos Properties Pty Ltd	Second	name
Surname			

Instruction for making a permit application

a) Use or development?

The application must provide a full description of the proposed use and/or development and of the manner in which the use and/or development is to operate.

"Use" is the purpose or manner for which land is utilised. "Development" is any site works (including any change in natural condition or topography of land and the clearing or conversion of vegetation), and the construction, alteration, or removal of buildings, structures and signs, required in order to prepare a site for use or to change existing conditions within a site. Subdivision is development.

Clause 6.2 Tasmanian Planning Scheme provides the use classes by which all use or development must be described. Development must be categorised by reference to the use class it is to serve.

b) Required Information

Adequate statements, plans and specifications must be included within the permit application to address and demonstrate compliance with all applicable requirements of the planning scheme, including any site analysis, impact report and recommendation, and advice, consent or determination required from a State agency or utility entity.

The application must clearly identify the documents relied upon for determination.

Section 51(1AC) Land Use Planning and Approvals Act 1993 provides that a permit application is not valid unless it includes all of the information required by a planning scheme. Clause 6.1 Tasmanian Planning Scheme prescribes the minimum information that is necessary in order to complete a valid permit application.

S54 Land Use Planning and Approvals Act 1993 provides that the planning authority may require the applicant to supply further information before it considers a permit application. If the planning authority requires further information to more particularly address one or more of the applicable requirements of the Tasmanian Planning Scheme, the statutory period for determination of a permit application does not run until that information is answered to the satisfaction of the planning authority

c) Applicable Provisions and Standards

The permit application must be assessed against the applicable provisions and standards of the Tasmanian Planning Scheme. The

application is to identify by reference the clauses it relies upon to demonstrate compliance. (eg clause 8.4.3 (A1 – A4, and P5)

d) Discretionary Permits

If a permit is discretionary the permit application must be notified for a period of 14 days to allow opportunity for any interested person to consider the proposed use and/or development and to provide comment on the discretionary matter.

If a permit application relies on performance criteria to satisfy an applicable standard or is discretionary under another provision of the interim planning scheme, the permit is discretionary only with respect to that standard.

The Council must have regard to all representations received during the notification period on a discretionary matter when determining whether to grant or refuse a permit.

e) If the applicant is not the landowner

If the applicant is not the owner of the land in the use or development site, the applicant is required to notify all of the owners either prior to or within 7 days from the date of making the permit application.

The permit application must identify all of the landowners; and the applicant must sign the application form to acknowledge the obligation to advise such landowners that the permit application has been made.

If the site includes land owned or administered by the Burnie City Council or by a State government agency, the consent in writing from the Council or the Minister responsible for Crown land must be provided at the time of making the application.

f) Applicant declaration

It is an offence for a person to do any act that is contrary to a compliance requirement created under the section 63 *Land Use Planning and Approvals Act 1993*. The applicant is required to complete a declaration that the information given in the permit application is true and correct.

g) Payment of Fees

The Council is not required to take any action on the permit application until all the relevant fees have been paid.

Permit Info		(NB If insufficient space, please attach separate document)
Proposed Us	e:	
Use Class	General Retail and Hire	e (Bottle Shop)
Documents i	ncluded with the permit appli	ication to describe the Use
See Planr	ning Report	
Proposed De	velopment	
	which the development applie	es N/A
		ication to describe the Development
	······································	·····
No deve	lopment proposed - chang	ae in use only.
	· · · · · · · · · · · · · · · · · · ·	
Provisions ar	nd Standards relied upon for g	grant of a Permit

I, Kate Heckelmann, from Ireneinc Planninng and Urban Design the land has been notified of the intention to make this permit a		/each of the owners of
Signature of Applicant	Date	23 April 2024
If the permit application involves land owned or administ	ered by the BURNIE Cl	TY COUNCIL
Burnie City Council consents to the making of this permit applica	ation.	
General Manager (Signature)	Date	
If the permit application involves land owned or administ	ered by the CROWN	

I, the Minister responsible for the land, consent to the making of this permit application.

Minister	(Signature)
----------	-------------

Applicant Declaration

I, Kate Heckelmann, from Ireneinc Planninng and Urban Design declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant

the	

Date 23 April 2024

Date

If land is not in applicant's ownership

Notification of Landowner/s





SEARCH OF TORRENS TITLE

VOLUME	FOLIO
170719	1
EDITION	DATE OF ISSUE
5	12-Jul-2021

SEARCH DATE : 19-Apr-2024 SEARCH TIME : 09.31 AM

DESCRIPTION OF LAND

City of BURNIE Lot 1 on Sealed Plan 170719 Derivation : Part of 50,000 Acres Gtd. to the Van Diemens Land Company Prior CT 111193/1

SCHEDULE 1

M815927 TRANSFER to PHAROS PROPERTIES PTY LTD Registered 21-Apr-2020 at noon

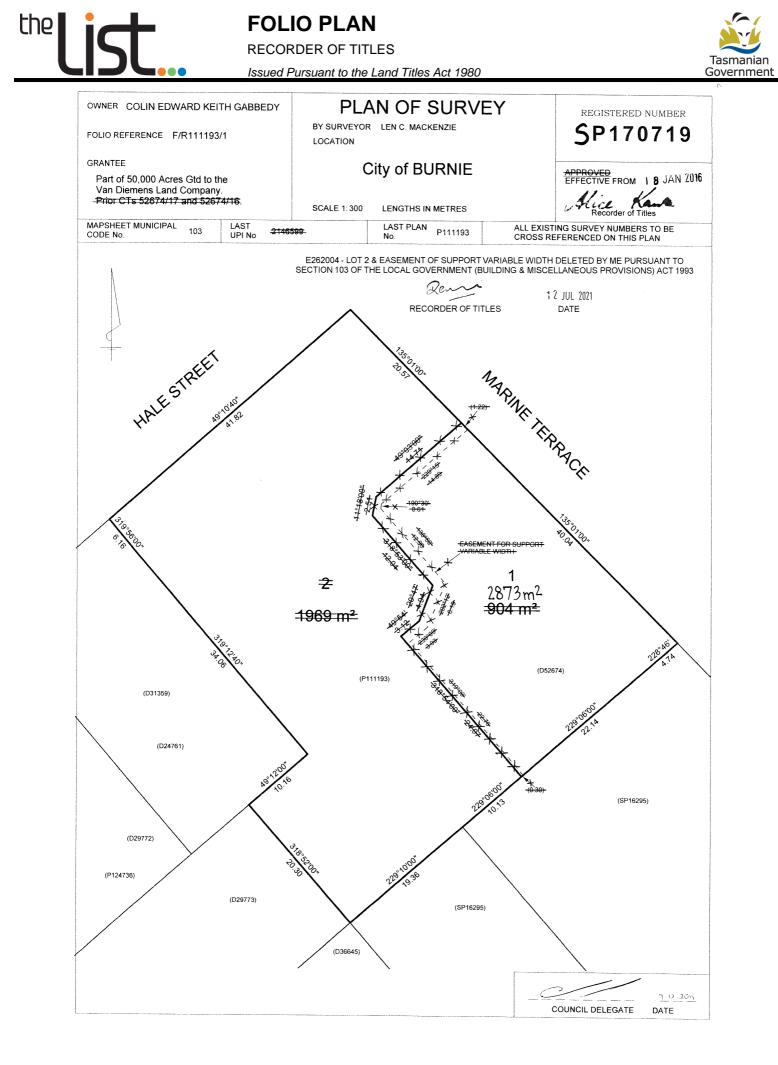
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP170719 FENCING COVENANT in Schedule of Easements
7/4015, 7/8855 & 13/3456 CONVEYANCES Made Subject to
 Exceptions And Reservations in favour of The V.D.L.
 Co.
7/4015 FENCING CONDITION in Conveyance

- 13/3456 FENCING CONDITION in Conveyance
- B841186 PROCLAMATION under Section 52A of the Roads and Jetties Act 1935 Registered 05-Oct-1995 at noon

UNREGISTERED DEALINGS AND NOTATIONS

- NOTICE: This folio is affected as to deleted easement & amalgamation of Lots 1 & 2 pursuant to Request to Amend No. E262004 made under Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993. Search Sealed Plan No. 170719 Lodged by WALLACE WILK & WEB on 24-Jun-2021 BP: E262004
- E374731 MORTGAGE to Westpac Banking Corporation Lodged by DOBSON MITCHELL on 14-Mar-2024 BP: E374731



Volume Number: 170719



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and

(2)any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as (1)may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and (2)any easements or profits a prendre described hereunder

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS

Lot I on the Plan is subject to a Right of Support as defined below over the "Easement for Support Variable--Width" (appurtenant to Lot-2 on the Plan) shown on the Plan.

- Lot 2 is together with a Right of Support as defined below over the "Easement-for Support Variable Width" shown on the Plan-

Right of Support hereon deleted by me pursuant to Request to Amend No. E262004 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

FENCING COVENANT

Ren 1 2 1111 2021 Recorder of Titles

Registered Number

PAGE 1 OF # PAGE/S

2

Date

SP 1707

The owner of each Lot on the Plan covenants with the subdivider Colin Edward Keith Gabbedy ("the subdivider") that the subdivider will not be required to fence.

DEFINITIONS

"Right of Support" means the full right and liberty for the owners of the time being of the dominant tenement to have building(s) erected upon the dominant tenement which require(s) for its/their stability lateral and/or subjacent support upheld and maintained by the soil of the servient tenement PROVIDED ALWAYS that this easement of support shall not be construed to prevent the owner for the time being of the land of the servient tenement or its successors in title from making excavations or carrying out works of any nature or kind provided that in making any exeavation or carrying out works for any purpose sufficient support for the existing building or any future building shall be provided by either natural or artificial means and that no excavations or works shall be made of a permanent nature without leaving permanent means of support and the full and free right for the owner of the dominant tenement and his or her employees, agents or contractors to enter upon the servient tenement for the purpose of erecting, inspecting, repairing and

(USE ANNEXURE PAGES FOR CONTINUATION)

& REFERENCE: EIK/150195	REF NO.	Council Delegate
SOLICITOR Bartletts, Burnie	50,2014/1213	\sim
FOLIO REF: 111193/1	DATE:7.12.2015	5
SUBDIVIDER: Colin Edward Keith Gabbedy	PLAN SEALED BY:	Burnie City Council

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

ElK:#bartl_ba_150195 1.DOC

Revision Number: 05



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO

SCHEDULE OF EASEMENTS PAGE 2 OF 2 PAGES

Registered Number SP 170719

SUBDIVIDER: Colin Edward Keith Gabbedy FOLIO REFERENCE: 111193/1

maintaining a resting or supporting structure in whole or in part within the "Easement for Support Variable-Width" shown on the Plan.

<u>NO OTHER</u> easements, covenants or profits a prendre are created to benefit or burden any of the lots shown on the Plan.

SIGNED by **COLIN EDWARD KEITH**) **GABBEDY** the registered proprietor of the) land comprised in folio of the Register) Volume 111193 Folio 1 in the presence of:-)

Witness Signature: Name: Address Occupation:

CHIRIS BARTLETT 635 WILSON ST BURNIE Solution

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



53-54 MARINE TERRACE, SOUTH BURNIE

ireneinc & smithstreetstudio PLANNING & URBAN DESIGN

PLANNING TAS PTY LTD TRADING AS IRENEINC PLANNING & SMITH STREET STUDIO PLANNING & URBAN DESIGN ABN 78 114 905 074

53-54 MARINE TERRACE, SOUTH BURNIE

UPDATED JUNE 2024

Planning Submission to Burnie City Council

Planning Application - Change of Use - Bottle Shop and supporting signage.

Last Updated - 5 June 2024 Authors - Kate Heckelmann Reviewed - Irene Duckett

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TASMANIA

49 Tasma Street, North Hobart, TAS 7000



ireneinc planning

CONTENTS

53-54 MARINE TERRACE, SOUTH BURNIE		2
CONTI	ENTS	3
1. IN7	TRODUCTION	4
1.1	THE SITE	4
1.1.1	Zone	8
1.1.2	Relevant Overlays	8
1.2	THE PROPOSAL	9
1.2.1	Use	11
1.2.2	Development	11
2. AS	SESSMENT OF TASMANIAN PLANNING SCHEME - BURNIE	12
2.1	COMMERCIAL ZONE	12
2.1.1	Use	12
2.1.2	Use standards and Response Statement	12
2.2	ADDITIONAL ASSESSMENT CONSIDERATIONS	15
2.2.1	Flood Hazard Areas Hazard Area Code	15
2.2.2	Safeguarding of Airports Code	15
2.2.3	Parking and Sustainable Transport Code	15
2.2.4	Road and Railway Assets Code	19
2.2.5	Signs Code	20
3. CO	NCLUSION	27

3

1. INTRODUCTION

Ireneinc Planning and Urban Design, trading as Planning Tas Pty Ltd, has been engaged by I Can Smell a Dead Duck Pty Ltd in its capacity as trustee for the I Can Smell a Dead Duck Unit Trust to prepare an application for a bottle shop use to occur within an existing building (Building B) on the premises located at 53-54 Marine Terrace, South Burnie.

The following is an assessment of the proposed use in response to the provisions of the *Tasmanian Planning Scheme - Burnie* and has been prepared in accordance with the requirements of the *Land Use Planning Approvals Act 1993*.

The documentation that this assessment has been prepared in response to and forms part of the permit application is as follows:

- Certificate of title
- Proposal plans prepared by inaspace Architecture + Design
- Traffic Impact Statement prepared by Midson Traffic May 2024.

1.1 THE SITE

The site is located at the corner of Marine Terrace and Hale Street in South Burnie and is identified as 53-54 Marine Terrace, South Burnie (CT170719/1).



Figure 1: Aerial view of the 53-54 Marine Terrace site (Source: The LIST - www.theLIST.tas.gov.au, State of Tasmania)



Figure 2: Closer range aerial view of the 54 Marine Terrace site (Source: The LIST - www.theLIST.tas.gov.au, State of Tasmania)

5

The overall site contains a newly constructed complex that is made up of three tenancies across two buildings, including a service station (Bennetts Petroleum and Mood Food), takeaway food premises (KFC) and a separate showroom building. The showroom building is the only building subject to this application.

The site has 23 car parking spaces, 2 motorcycle parking spaces and bicycle parking rack, which are intended to be shared across the complex.

Building B, identified in Figure 2, Figure 3 and Figure 4 is the building which is relevant to this planning application. Building B has a floor area of approximately $253m^2$ and has approval for a showroom use. Construction of the building has only recently been completed so no use has yet commenced within the building.

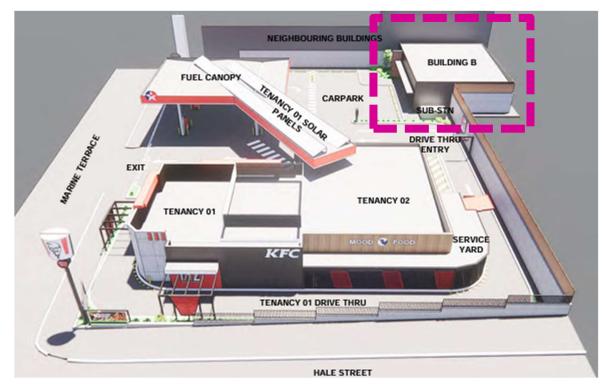


Figure 3: Building subject to the proposed planning application (Source: inaspace Architecture + Design)

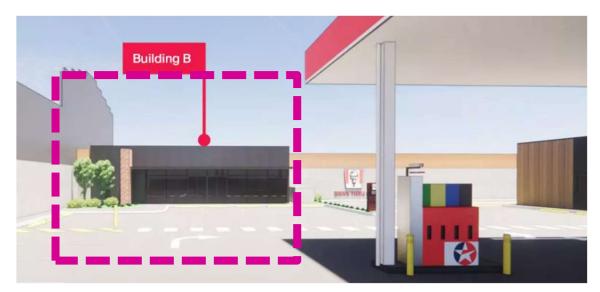
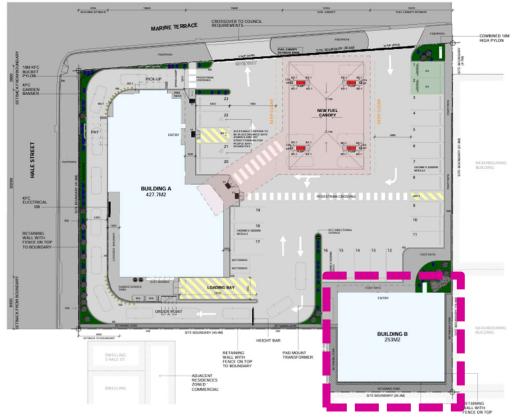


Figure 4: Building subject to the proposed planning application (Source: inaspace Architecture + Design)



1 SITE PLAN 1:150

Figure 5: Building B identified in Site Plan of 53-54 Marine Terrace (Source: inaspace Architecture + Design)

To the north-east of the site across Marine Terrace is the Burnie Port. The remainder of land immediately surrounding the site is also identified within the Commercial Zone (see **Figure 6**) and are recognised as having uses which are predominantly commercial in nature.

7

1.1.1 ZONE

The subject site is located within the Commercial Zone under the *Tasmanian Planning Scheme* - *Burnie* - see **Figure 6**.



Figure 6: Subject site identified in zoning mapping (Source: The LIST - www.theLIST.tas.gov.au, State of Tasmania)

1.1.2 RELEVANT OVERLAYS

The subject site is located identified within the following overlays under the planning scheme.

- Flood-prone areas overlay see Figure 7.
- Airport obstacle limitation area see **Figure 8**.

The relevance of these overlays is considered in section 2.2 of this report.

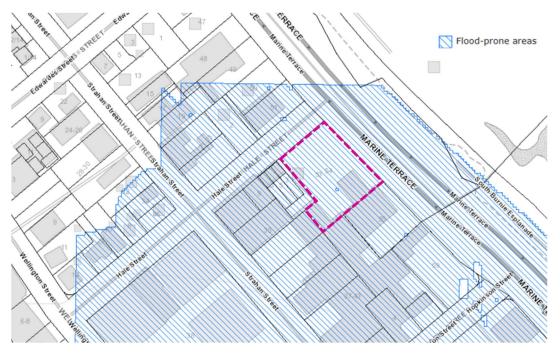


Figure 7: Subject site identified in flood-prone area overlay mapping (Source: The LIST - www.theLIST.tas.gov.au, State of Tasmania)



Figure 8: Subject site identified in airport obstacle limitation overlay mapping (Source: The LIST - www.theLIST.tas.gov.au, State of Tasmania)

1.2 THE PROPOSAL

As part of the overall approval for the complex, Building B had been intended to be utilised used for showroom uses. However, this property has been recently leased with the intention of it instead being utilised as a bottle shop. There are no changes to the existing configuration of the site or parking proposed by this application.

9

The proposed planning application seeks to change the use of this building from the existing Bulky Goods Sales use (showroom) to a General Retail and Hire use (bottle shop).

Additionally, there are two signs proposed as part of this application, as shown in Figure 9 below. These signs include:

- Sign 1: Transom Sign the existing approval (DA2021/11 as amended on 14.11.22 provided for an illuminated tenancy sign, as shown in Figure 10 below. However, this application seeks to change the extent of the signage proposed. It is still intended to be an LED illuminated sign that will be a single faced sign erected above the entrance door and windows of the building.
- Sign 2: Window Signs these new signs are proposed to apply to the window glazing which would generally cover the extent of the windows of the building, as shown in the below figure, except for the sliding access doors which will remain clear.

Beyond the signs described above, this application does not seek to further change other approved signage for the site. The proposed signs are in addition to other signage approved and amended through the original development approval for the development (DA2021/11) and subsequently approved minor amendment.



Figure 9: Proposed signage to support bottle shop tenancy.



Figure 10: Excerpt of Development Plan from approval package DA2021/11 as amended 14.11.2022 (Source: Approval Package)

1.2.1 USE

It is understood that Building B is currently approved as a showroom activity, which under the planning scheme is categorised under the Bulky Goods Sales use class, which is defined as:

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

This planning application seeks to change the use of Building B to Bottle shop which under the planning scheme is categorised under the General Retail and Hire use class, which is defined as:

use of land for selling goods or services or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, bottle shop, cellar door sales, commercial art gallery, department store, hairdresser, market, primary produce sales, local shop, shop, shop front dry cleaner and supermarket.

1.2.2 DEVELOPMENT

The application seeks to change the use of an existing approved building and does not propose any further development, apart from new signage specific to the proposed bottle shop tenancy. Provisions relating to signage are addressed in section 2.2.5 of this report.

The following provides an assessment of the proposed change in use against the relevant assessment provisions of the Tasmanian Planning Scheme - Burnie (the planning scheme).

2.1 COMMERCIAL ZONE

The subject site is located within the Commercial Zone under the planning scheme. The purpose of the Commercial Zone is:

- To provide for retailing, service industries, storage and warehousing that require:
 - a) large floor or outdoor areas for the sale of goods or operational requirements; and
 - b) high levels of vehicle access and parking for customers.
- To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

The proposed change in use is consistent with the purpose of this zone.

2.1.1 USE

The proposed bottle shop use is categorised within the General Retail and Hire use class, which is a discretionary use within the Commercial Zone.

2.1.2 USE STANDARDS AND RESPONSE STATEMENT

17.3 Commercial Zone Use Standards

17.3.1 All uses

Objective: That uses do not cause an unreasonable loss of residential amenity to residential zones.		
Acceptable Solutions	Performance Criteria	
A1	P1	
Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:	Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:	
(a) 7.00am to 9.00pm Monday to Saturday; and	(a) the timing, duration or extent of vehicle movements; and	
(b) 8.00am to 9.00pm Sunday and public holidays.	(b) noise, lighting or other emissions.	
Response:		

N/A the subject site is located over 250m from the nearest residentially zoned land.

A2

External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must:

(a) not operate within the hours of
 11.00pm to 6.00am, excluding any
 security lighting; and

if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.

P2

External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, 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

the distance to habitable rooms of an adjacent dwelling.

Response:

N/A the subject site is located over 250m from the nearest residentially zoned land.

Α3

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:

(a) 7.00am to 9.00pm Monday to Saturday; and

8.00am to 9.00pm Sunday and public holidays.

Ρ3

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) the time and duration of commercial vehicle movements;
- (b) the number and frequency of commercial vehicle movements;
- (c) the size of commercial vehicles involved;
- (d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;
- (e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and potential conflicts with other traffic.

Response:

N/A the subject site is located over 250m from the nearest residentially zoned land.

17.3.2 Discretionary uses

Objective: That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.

Acceptable Solutions	Performance Criteria
A1	P1
No Acceptable Solution.	A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:
	(a) the characteristics of the site;
	(b) the size and scale of the proposed use;
	(c) the functions of the activity centre and the surrounding activity centres; and
	(d) the extent that the proposed use impacts on other activity centres.

Response:

Complies with P1.

The proposed use will operate out of an existing tenancy which was approved as part of a mixeduse development over the site. The scale and intensity of the proposed bottle shop use is considered commensurate to and compatible with the existing uses on the site as well as the nature of commercial activities which surround the site.

17.3.3 Retail impact

Objective: That Bulky Goods Sales do not compromise or distort the activity centre hierarchy.		
Acceptable Solutions	Performance Criteria	
A1	P1	
The gross floor area for Bulky Goods Sales must be not less than 250m ² per tenancy,	Bulky Goods Sales must not compromise or distort the activity centre hierarchy, having regard to:	
unless the use relies on more than 50% of the site area for outdoor display of goods for sale.	 (a) the extent that the proposed use improves and broadens the commercial or retail choice within the area; 	
	(b) the extent that the proposed use impacts on surrounding activity centres; and	
	(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.	

Response:

N/A the proposed application seeks to change an existing Bulky Goods Sales use to a General Retail and Hire use class (bottle shop).

2.2 ADDITIONAL ASSESSMENT CONSIDERATIONS

2.2.1 FLOOD HAZARD AREAS HAZARD AREA CODE

The subject site is identified under the planning scheme as being affected by the Flood-Prone Areas Hazard Area overlay. However, the Flood-Prone Areas Hazard Area Code is not applicable to the proposed application as it does not involve a change of use relating to a habitable building.

2.2.2 SAFEGUARDING OF AIRPORTS CODE

The subject site is identified under the planning scheme as being affected by the Airport Obstacle Limitation Area overlay. However, the Safeguarding of Airports Code is not applicable to the proposed application as it does not involve development or the introduction of a sensitive use to the site.

2.2.3 PARKING AND SUSTAINABLE TRANSPORT CODE

Objective : That an appropriate level of car parking spaces are provided to meet the needs of the use.			
Acceptable Solutions	Performance Criteria		
A1	P1.1		
 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, 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; 	 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand over time; or 		
 (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: 	 (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking 		
 (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 	 (d) the availability and frequency of other transport alternatives; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; 		

C2.5.1 Car parking numbers

development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces	(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and
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)	 other uses in the vicinity; (g) the effect on streetscape; and (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development. P1.2
N = Number of on-site car parking spaces required A = Number of existing on site car parking	The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:
spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1	 (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and
C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.	(c) the pattern of parking in the surrounding area.
Response:	

Response:

Complies with P1

The existing approved development includes a total of 23 car parks, which are to be shared across the site. Building B which is subject to this application is approximately 253m².

In considering limb (d)(ii) of A1, which is relevant to the proposal, the proposed change in use for Building B from a Bulky Goods Sales use to a General Retail and Hire use will result 26 car parks being required by parking calculation. As shown in the following:

Use	Table C2.1 Minimum Parking requirement	to overall site	parking spaces required for the existing use or development specified	C= No. of on-site car parking spaces required for the proposed use or development specified in Table C2.1.
Vehicle Fuel Sales and Service	4 spaces per service bay	8 fuel bays	32	32
Food services - Take away food premises	1 space per 15m ² of floor area (including any outdoor dining areas)	158m ²	10	10
Bulky Goods Sales	1 space per 50m ² of floor area	253m ²	5	-
General Retail and Hire	1 space per 30m ² of floor area	253m ²	-	8

Total	4
-------	---

50

N = A + (C- B) 26 = 23 + (50-47)

This calculation results in a technical shortfall of 3 car parks.

Given the nature of the proposed change in use of Building B from showroom to bottle shop and considering the nature of the other uses existing within this complex its anticipated that this shortfall will not have an adverse impact on the overall operation of the site and that the existing 23 car parking spaces continue to be reasonable to the needs of the uses.

The ultimate parking requirements for this site were considered in the previous development application, which approved 23 car parks to be shared across the approved complex - significantly less than the 47 established by Table C2.1.

While it is not anticipated that the bottle shop use will result in a significantly larger volume of vehicle traffic it is acknowledged that the nature and frequency might slightly change from what would otherwise be expected by a showroom use. It is however expected that the proposed use will generate an increased level of cross utilisation with the other uses on site and may have varying peak parking demands that would result in the existing parking remaining adequate for the overall site.

This is confirmed by a Traffic Impact Assessment provided by Midson Traffic May 2024 which is provided as an attachment to this application.

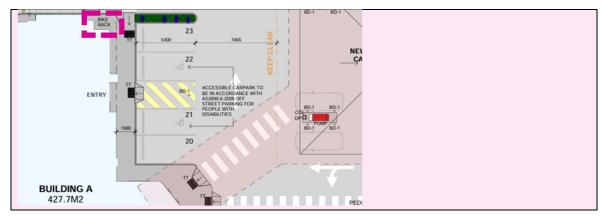
<i>Objective:</i> That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.		
Acceptable Solutions	Performance Criteria	
 A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and be no less than the number specified in Table C2.1. 	 P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and 	
	the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.	

C2.5.2 Bicycle parking numbers

Response:

Complies with A1

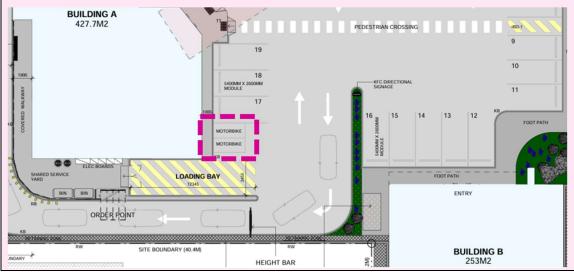
Table C2.1 establishes a ratio of 1 space per 100m² of floor area for General Retail and Hire uses, which would establish 2 bicycle parking spaces. Noting that the shared use of access and parking arrangements of this site, the existing bicycle rack provided next to Building A (KFC) is considered sufficient to provide appropriate bicycle parking for the overall site when considering the proposed change in use.



C2.5.3 Motorcycle parking numbers

Acceptable Solutions	Performance Criteria	
 A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained. 	 P1 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 existing development; and the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area. 	

Based on Table C2.4 The existing development considering the proposed use would require 1 motorcycle park. The site currently provides 2 designated motorcycle parks.



C2.5.4 Loading Bays - <u>not applicable</u> (proposal does not involve a use with a tenancy of greater than $1000m^2$)

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone - <u>not applicable</u> (proposal is not located within a Residential Zone)

C2.6 Development Standards for Buildings and Works - <u>not applicable</u> (No development associated with this code is proposed and as such the development standards do not apply)

C2.7 Parking Precinct Plan - not applicable (no relevant parking precinct plan)

2.2.4 ROAD AND RAILWAY ASSETS CODE

C3.5 Use Standards

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

Objective: 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.

Acceptable Solutions	Performance Criteria
A1.1	P1
For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction;	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:
(b) a new vehicle crossing; or	(a) any increase in traffic caused by the use;
(c) a new level crossing.A1.2	(b) the nature of the traffic generated by the use;
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	 (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road;
the road authority.	(f) the need for the use;
A1.3	(g) any traffic impact assessment; and
For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	(h) any advice received from the rail or road authority.
A1.4	
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 licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. 	
A1.5	
Vehicular traffic must be able to enter and leave a major road in a forward direction.	
Response:	
A1.1 - N/A	
A1.2 - N/A	
A1.3 - N/A	
A1.4 - Complies	

It is anticipated that the proposed change of use is anticipated to result in very minimal intensification of the existing accesses that would not be greater than the amounts in Table C3.1. have a very minor and inconsequential increase to the vehicle traffic when considering the overall uses which are already approved to occur over this site.

A1.5 Complies

The proposed change in use does not propose changing of the existing access points - the existing site already facilitates this acceptable solution.

2.2.5 SIGNS CODE

C1.6 Development Standards for Building and Works

C1.6.1 Design and siting of signs

Objective: That: (a) signage is well designed and sited; and (b) signs do not contribute to visual clutte surrounding area.	d er or cause an unreasonable loss of visual amenity to the
Acceptable Solutions	Performance Criteria
A1	P1.1
A sign must:	A sign must:
 (a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and 	 (i) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and
(b) meet the sign standards for the relevant sign type set out in Table C1.6.	(j) be compatible with the streetscape or landscape, having regard to:
	• the size and dimensions of the sign;
	 the size and scale of the building upon which the sign is proposed;
	the amenity of surrounding properties;

• the repetition of messages or information;
 the number and density of signs on the site and on adjacent properties; and
 the impact on the safe and efficient movement of vehicles and pedestrians.
P1.2 N/A

Response:

Complies with P1.1

The proposed Transom Sign (Sign 1) meets the requirements of this sign type set out in Table 1.6, except for (c) where instead of a maximum vertical dimension of 500mm the proposed sign will be closer to 1000m and (d) where instead of being 3.6m above ground level, the maximum height of the sign will be closer to 4.6m. As such P1.1 is to be considered for Sign 1.

For the proposed Window signs (Sign 2), Table 1.6 establishes that window signs must not occupy more than 25% of each window area. The proposed window signage does not meet this requirement and as such P1.1 is also to be considered for Sign 2.



Both proposed Sign 1 and Sign 2 are located within an applicable zone for Transom and Window Signs, as set out in Table C1.6.

The extent of signage proposed is compatible with the extent of the approved development as well as the broader streetscape.

The proposed signage is to be fixed to a building which is set back from the road frontage of the site, as such the signage will have less presence from the road frontage. Additionally, the signage is to be fixed to the existing approved building and is not likely to have an impact on the safe and efficient movement of vehicles and pedestrians throughout the site.

Proposed Sign 1 will sit well within the extent of the existing building frontage and although larger than the existing approved extent of signage, will still be of a scale that is not incompatible with the surrounding development.

Although the decal branding for the window signage is yet to be finalised it will be largely

graphic with minimal information or messaging to align with the outcomes sought in this performance criteria.

Overall, considering the location of this building as part of a broader development and the proposed extent of signage is not dissimilar from other nearby businesses including:



Petbarn - 4B/43-46 Marine Terrace, South Burnie (Source: Google Streetview)



Repco Burnie - 48 Marine Terrace, South Burnie (Source: Google Streetview)



ARB Burnie - 1A Edwardes St, South Burnie (Source: Google Streetview)



Harvey Norman Complex - 4B/43-46 Marine Terrace, South Burnie (Source: Google Streetview)

A2

A sign must be not less than 2m from the boundary A sign must not cause an unreasonable loss of of any lot in the General Residential Zone, Inner amenity to adjoining residential properties, having Residential Zone, Low Density Residential Zone, regard to: Rural Living Zone or Landscape Conservation Zone. (a) the topography of the site and the surrounding area; (b) the relative location of buildings, habitable rooms of dwellings and private open space; (c) any overshadowing; and (d) the nature and type of the sign.

P2

Response:

N/A the subject site is located over 250m from the nearest residentially zoned land.

A3	Р3
 The number of signs for each business or tenancy on a road frontage of a building must be no more than: (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, excluding the following sign types, for which there is no limit: (i) name plate; and (ii) temporary sign. 	 The number of signs for each business or tenancy on a street frontage must: (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 (b) not involve the repetition of messages or information.
<i>Response:</i> N/A Tenancy is not located directly on a road from	ntage.

C1.6.1	Illuminated	signs
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		5			
Objective:					
That:	(a)	illuminated signs are compatible w	vith the streetscape;		
	(b)	the cumulative impact of illuminated signs on the character of the area is managed,			
		including the need to avoid visual			
	(c)		illuminated signs on road safety and pedestrian		
		movement are minimised.			
Acceptable Solutions			Performance Criteria		
A1			P1		
No Acceptable Solution.			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:		
			(a) the location of the sign;		
			(b) the size of the sign;		
			(c) the intensity of the lighting;		
			(d) the hours of operation of the sign;		
			(e) the purpose of the sign;		

 (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;
(g) the intended purpose of the changing message of the sign;
 (h) the percentage of the sign that is illuminated with changing messages;
(i) proposed dwell time; and
(j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.

Response:

Complies with P1.

Although the existing approval (DA2021/11 as amended on 14.11.22) provided for an illuminated tenancy sign for this building.

While the now proposed Sign 1 will be larger than initially approved, the proposed extent of the sign and its illumination is considered to still achieve the performance criteria.

The extent of signage proposed is considered to remain compatible with the extent of the approved development as well as the broader streetscape. The sign is not expected to result in any amenity impacts on neighbouring properties.

The proposed signage is to be fixed to a building with static illumination. The building is well set back from the road frontage of the site, and its view from Marine Terrace is also limited by the Fuel Canopy and other buildings associated with the broader development. Other light sources during night-time hours, such as car headlights, streetlights and existing illuminated signage will also serve to reduce the impact from light spill.

Additionally, the signage is to be fixed to the existing approved building and is not likely to have an impact on the safe and efficient movement of vehicles and pedestrians throughout the site.

Proposed Sign 1 will sit well within the extent of the existing building frontage and although larger than the existing approved extent of signage, will still be of a scale that is not incompatible with the surrounding development. The dimension/size is commensurate/proportionate to the massing of the building.

A2	P2
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.	No Performance Criterion.

Response:

Complies with A2 - the proposed illuminated sign (Transom Sign) is not intended to be static light and not create the effect of flashing, animation or movement.

C1.6.3 Third party sign

N/A Tenancy is not located directly on a road frontage.

C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts

N/A Tenancy is not located directly on a road frontage.

3. CONCLUSION

This planning application seeks approval for a bottle shop use to occur within the extent of the existing Building B on the site located at 53-54 Marine Terrace, South Bernie.

This building is newly constructed as part of a larger multi tenancy complex which includes a service station and takeaway food premises. It had initially been approved for a showroom use. The current lessee of Building B now intends for this building to be used as a bottle shop, which is a General Retail and Hire Use under the planning scheme.

There are no changes to the existing configuration of the site or parking proposed by this application. The only additional development proposed by this application seeks approval of signage which relates to the intended bottle shop.

Under the planning scheme this site is identified as being within the Commercial Zone. General Retail and Hire uses in this zone are categorised as discretionary.

This report includes an assessment of this proposed use against the relevant provisions of the Tasmanian Planning Scheme - Burnie.

Overall, the proposed change in use represents an outcome which is consistent with uses intended in the Commercial Zone. The proposed use will operate out of an existing tenancy which was approved as part of a mixed-use development over the broader site. The scale and intensity of the proposed bottle shop use is considered commensurate to and compatible with the existing uses on the site as well as the nature of commercial activities which surround the site.

The proposal does result in a minor shortfall in car parking, however given the nature of the proposed change in use of Building B and considering the nature of the other uses existing within this complex its anticipated that this shortfall would not have an adverse impact on the overall operation of the site and that the existing 23 car parking spaces continue to be reasonable to the needs of the uses.



I Can Smell a Dead Duck Pty Ltd

53 Marine Terrace, Burnie Traffic Impact Statement

July 2024





Contents

1.	Intr	oduction	3		
	1.1	Background	3		
	1.2	Traffic Impact Assessment/ Traffic Impact Statement	3		
	1.3	Statement of Qualification and Experience	3		
	1.4	Subject Site	4		
	1.5	Reference Resources	4		
2.	Existing Conditions				
	2.1	Transport Network	6		
3.	Prop	posed Development	7		
	3.1	Development Proposal	7		
4.	Traffic Impacts				
	4.1	Trip Generation	8		
	4.2	Trip Assignment	9		
	4.3	Access Impacts	9		
	4.4	Pedestrian Impacts	10		
5.	Parking Assessment				
	5.1	Parking Provision	11		
	5.2	Empirical Parking Demand	11		
	5.3	Planning Scheme Requirements	12		
6.	Con	clusions	15		

Figure Index

Figure 1	Subject Site & Surrounding Road Network	4
Figure 2	Marine Terrace Hourly Traffic Flow	6
Figure 3	Proposed Development Plans	7



1. Introduction

1.1 Background

Midson Traffic were engaged by I Can Smell a Dead Duck Pty Ltd to prepare a traffic impact statement for a proposed bottle shop development at 53 Marine Terrace, Burnie.

A previous traffic impact assessment (TIA) was prepared by Midson Traffic for the site, which included a fast food outlet and a service station. This report expands on the previous TIA and examines the traffic and parking impacts associated with the inclusion of a bottle shop.

1.2 Traffic Impact Assessment/ Traffic Impact Statement

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

A traffic impact statement (TIS) is a reduced form of a TIA, where only specific traffic and/or parking matters are required to be investigated. A TIS is often undertaken when the full traffic and transport impacts associated with a development are not considered necessary.

This TIS has generally been prepared in accordance with the Department of State Growth (DSG) publication, *A Framework for Undertaking Traffic Impact Assessments*, 2020. This TIS has also been prepared with reference to the Austroads publication, Guide to Traffic Management, Part 12: *Integrated Transport Assessments for Developments*, 2020.

This TIS also addresses the relevant clauses of Code C2.0, *Parking and Sustainable Parking Code*, and C3.0, *Road and Railway Assets Code*, of the Tasmanian Planning Scheme – Burnie, 2021.

1.3 Statement of Qualification and Experience

This TIS has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *Traffic Impact Assessment Guidelines*, August 2020, as well as Council's requirements.

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 28 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006
- Master of Traffic, Monash University, 2004
- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)



1.4 Subject Site

The subject site is located at 53-54 Marine Terrace, Burnie. The site is a former service station and boat sales yard located on the corner of Marine Terrace and Hale Street. The site has recently been approved to be redeveloped with a KFC fast food outlet and service station.

The subject site and surrounding road network is shown in Figure 1.

Figure 1 Subject Site & Surrounding Road Network

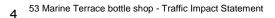


Image Source: LIST Map, DPIPWE

1.5 Reference Resources

The following references were used in the preparation of this TIA:

- Tasmanian Planning Scheme Burnie, 2021 (Planning Scheme)
- Austroads, Guide to Traffic Management, Part 12: Integrated Transport Assessments for Developments, 2020





- Austroads, Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections, 2021
- Department of State Growth, *Traffic Impact Assessment Guidelines*, 2020
- Roads and Maritime Services NSW, *Guide to Traffic Generating Developments*, 2002 (RMS Guide)
- Roads and Maritime Services NSW, Updated Traffic Surveys, 2013 (Updated RMS Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1)



2. **Existing Conditions**

2.1 **Transport Network**

For the purpose of this report, the transport network consists of Marine Terrace and Hale Street.

2.1.1 Marine Terrace

Marine Terrace forms an extension of the Bass Highway through Burnie. It is classified as a Category 1 Road under the Department of State Growth's road hierarchy. Category 1 Roads are the State's major highways and are crucial to the effective functioning of Tasmanian industry, commerce and the community. They carry large numbers of heavy freight and passenger vehicles and are the key links supporting future economic development in Tasmania.

Near the subject site, Marine Terrace is a four-lane highway with a divided carriageway. The posted speed limit is 70-km/h near the subject site. A dedicated left-turn lane accessing Hale Street is located immediately adjacent to the site.

Marine Terrace carries approximately 22,500 vehicles per day near the subject site¹. Peak weekday flows are typically 2,100 and 2,200 vehicles per hour during the morning and evening peak periods respectively. The hourly flows by day of week are summarised in Figure 2. It can be seen in Figure 2 that the hourly traffic flow is reasonably consistent between the peak periods, with flows significantly lower between 6:00pm and 7:00am.



Figure 2 **Marine Terrace Hourly Traffic Flow**

Source: Department of State Growth, 2017 Traffic data

2.1.2 Hale Street

Hale Street connects between Marine Terrace and Wellington Street. It provides access to a mix of commercial and residential properties along its length.

¹ Department of State Growth traffic data, Marine Terrace north of Hale Street, 2017 data: 22,051 vehicles per day.



3. Proposed Development

3.1 Development Proposal

The proposed development involves the construction of a bottle shop in the southeastern corner of the site. The bottle shop will have a floor area of $253m^2$. The parking provision for the overall site will be 23 spaces.

The proposed development is shown in Figure 3.

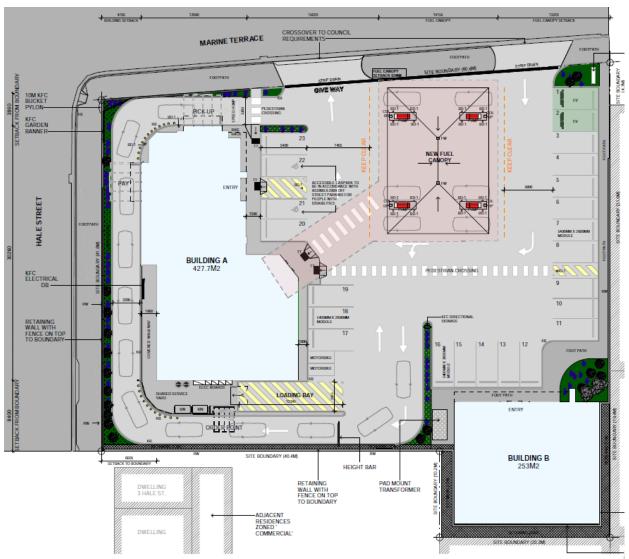


Figure 3 Proposed Development Plans

53 Marine Terrace bottle shop - Traffic Impact Statement

7



4. Traffic Impacts

4.1 Trip Generation

Traffic generation of the site was calculated in the previous TIA as follows:

- Daily traffic generation 2,568 vehicles per day
- Peak traffic generation
 324 vehicles per hour

The proposed development will increase the traffic generation as a bottle shop. There is little empirical data available on traffic generation of bottle shop developments.

Midson Traffic have undertaken traffic generation surveys of similar bottle shop developments over the years. A peak hour survey of a similar bottle shop between 5:00pm and 6:00pm to record the traffic generation and duration of stay. The survey was undertaken on the Friday immediately before Father's Day, the survey results are therefore considered to be a relatively high activity period for a bottle shop.

The bottle shop surveyed is the BWS located at 124 Davey Street, Hobart. It is on the corner of two busy roads, namely Davey Street and Molle Street, and has a separate entry on Davey Street and exit on Molle Street. The surveyed site had a floor area of approximately $450m^2$ (compared to the proposed development total floor area of $253m^2$).

The surveyed site contains a drive-through with 9 spaces and 2 clear lanes in addition to 18 parking spaces (shared with the adjacent Hotel). The average evening peak hour traffic generation of the surveyed site was found to be approximately 62 vehicles per hour. Stay durations ranged between 1:05 minutes and 7:50 minutes with the average stay duration being equal to 3:54 minutes.

If the traffic generation were based on the relative floor areas of the sites, this would represent an expected peak traffic generation of approximately 35 vehicles per hour for the proposed development. It should also be noted that a significant percentage of the traffic generation of the site would be from *passing trade*, that is, traffic already on the road network (ie. Marine Terrace).

The daily traffic generation is likely to be in the order of 350 vehicles per day (assuming that the peak generation represents 10% of the daily traffic generation).

It is also noted that the proposed bottle shop will be located within a site that contains a service station and a fast food outlet. It is therefore likely that there will be some shared trips between these uses (ie. customers visit bottle shop and fast food site in one trip for example). A traffic generation discount rate of 20% has been applied to account for shared trips. The net traffic generation of the proposed development is therefore 28 vehicles per hour, with a daily generation of 280 vehicles per day.

The total traffic generation of the overall site will therefore increase to:

- Daily traffic generation 2,848 vehicles per day
- Peak traffic generation
 352 vehicles per hour



4.2 Trip Assignment

The site is located on the southern side of the divided carriageway of Marine Terrace. All traffic accessing the site will therefore enter via a left-turn and exit via a left-turn.

4.3 Access Impacts

The traffic generation associated with the development will be split across two vehicular accesses to the site. Generally speaking, the traffic generation at each access will be 1,424 vehicles per day, with a peak of 176 vehicles per hour assuming that both accesses will have equal volumes.

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 licence 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. In this case the previously approved development generates 2,568 vehicles per day. The increase of traffic generation to 2,848 vehicles per day represents an increase of approximately 11%. The development therefore does not comply with the requirements of Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme.

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. <u>Increase in traffic</u>. The increase in traffic is estimated to be in the order of 280 vehicles per day. The peak increase is estimated to be 28 vehicles per hour (two-way movements). The configuration of the accesses will result in safe and efficient traffic movements. The left-in/ leftout movements at the access will provide a relatively safe environment through minimising



conflicts associated with movements such as right turn movements. Specifically, the peak increase represents 14 inward and 14 outward additional trips per hour at the site's accesses.

- b. <u>Nature of traffic</u>. The traffic generated by the development will be similar in nature to the previously approved development site and consistent with the traffic in the surrounding transport network.
- c. <u>Nature of road</u>. Marine Terrace is a major highway. It has sufficient spare capacity to cater for the traffic generated by the development proposal. It is noted that 50% of the trips generated by the development will be pass-by trips (ie. trips already on the network stopping at the development mid-trip).
- d. <u>Speed limit and traffic flow or road</u>. The posted speed limit of Marine Terrace is 70-km/h. The traffic volume is 22,500 vehicles per day.
- e. <u>Alternative access</u>. No alternative access is considered necessary.
- f. <u>Need for use</u>. The need for the development has not been assessed in this report.
- g. <u>Traffic impact assessment</u>. This report documents the findings of a traffic impact assessment.
- h. <u>Road authority advice</u>. The road authority has not provided specific advice in relation to the development proposal.

Based on the above assessment, the development meets the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.

4.4 Pedestrian Impacts

The proposed development is likely to generate a moderate level of pedestrian activity in the surrounding road network.

The existing footpath provision in the surrounding road network has the capacity to service a high level of pedestrian activity (being near a CBD environment). The existing footpath infrastructure is considered more than adequate to cater for any pedestrian traffic that might be generated.

The internal layout of the site also provides a low speed safe environment for pedestrians with a footpath constructed along the eastern boundary of the site and across the frontage of the proposed development. Zebra crossings are also provided through the car park.



5. Parking Assessment

5.1 Parking Provision

The proposed development provides a total parking supply of 23 spaces.

5.2 Empirical Parking Demand

The proposed development will be located in a site that has multiple land uses in close proximity. The parking demands of each of the components of the site are calculated in the following sections.

5.2.1 Existing Use Parking Demands

The existing use comprises of 'Building A' on the development plans shown in Figure 3. Building A contains a KFC fast food shop and a convenience store associated with the fuel station.

KFC Component

The RMS Guide recommends a parking provision of 15 spaces per 100m² of GFA of restaurant, or 1 space per 3 seats, whichever is greater.

It further states for KFC drive through facilities:

"A drive through capacity of 6 car lengths should be provided. This requirement could be reduced to 5 car lengths for restaurants with low potential turnover. However the queue must be able to extend to 8 car lengths without unreasonably disrupting car parking operations or extending onto the street for restaurants with single booths or potential high turnover".

In this case the KFC component will have a strong reliance on drive-through service and will provide little or no on-site dining provision. The area that could be utilised for a 'restaurant' space is relatively small and the parking demands were therefore based on the seating capacity which is 16 seats. This is a requirement for 5 spaces.

Service Station and Convenience Store

The RMS Guide recommends the following parking provision for a service station and convenience store:

- 6 spaces per work bay
- 5 spaces per 100m² GFA of convenience store
- 15 spaces per 100m² GFA or 1 space per 3 seats of restaurant.

This equates to 9 spaces (noting that no work bays provided as there is no vehicle servicing component, the convenience store has a GFA of 179.06 m^2 and there is no restaurant component as take away food is only provided which is typical of modern convenience stores attached to service stations).



Modern service stations incorporate take away food and corner store elements with fuel purchases. Comparisons were drawn with the recently refurbished Caltex Mood Food in Regent Street, Sandy Bay. The Sandy Bay Store comprises of 2 work bays (motor vehicle garage), three rows of fuel bowser access, a convenience store and three on-site car parking spaces. No seating or on-site dining is provided. It was noted that informal parking was used when the service bays were in use (customers dropping off or collecting cars for service). The informal parking generally took place directly in front of the garage area or on-street nearby. The proposed development does not incorporate service bays and therefore this component of parking is not required.

General observations indicate that customers of the Mood Food convenience store are almost exclusively utilising fuel bowsers prior to entry. Use of the car parking spaces was generally for the purchase of ice or bags of firewood.

Effectively the 8 fuel bowsers provide parking for 8 cars for sales relating to the convenience store. On this basis the provision of 2 spaces for the convenience store is considered adequate and appropriate for the service station and convenience store component of the site.

Total Parking Demand for Building A

The total parking demand associated with Building A is 7 parking spaces, as well as a drive through facility for 6 cars.

Proposed Bottle Shop

The proposed bottle shop (shown as 'Building B' on Figure 3) will have a parking demand of 1 space per $30m^2$ of floor area (retail). This is a demand for 8 spaces.

Overall Site Parking Demands

The total parking demands associated with the development are therefore 15 spaces (7 spaces for existing use and 8 spaces for the proposed development). The provision of 23 spaces (plus drive through storage associated with the KFC component of the site) satisfies this demand.

5.3 Planning Scheme Requirements

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

12 53 Marine Terrace bottle shop - Traffic Impact Statement



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".*

Table C2.1 requires 1 space per $30m^2$ of floor area for `*general retail and hire*' land use. This is a requirement for 8 spaces.

Table C2.1 requires a total of 27 parking spaces (KFC = 10.6 spaces + drive through spaces; Service Station = 0.6 spaces; and Convenience Store = 15.0 spaces).

The total requirement of Table C2.1 for the overall site is therefore 35 spaces. The total site parking provision of 23 spaces therefore does not satisfy the Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.

The Performance Criteria P1 of Clause C2.5.1 of the Planning Scheme states:

"The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;

(b) the ability of multiple users to share spaces because of:

(i) variations in car parking demand over time; or

(ii) efficiencies gained by consolidation of car parking spaces;

(c) the availability and frequency of public transport within reasonable walking distance of the site;

(d) the availability and frequency of other transport alternatives;



(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;

(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;

(g) the effect on streetscape; and

(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development".

The following is relevant with respect to the development proposal:

- a. <u>Off-street public car parking</u>. Off-street car parking is not readily available near the subject site.
- b. <u>Shared parking</u>. The service station and convenience store relies heavily on customer patronage utilising fuel sales and convenience store shopping in one trip when parked at the fuel bowser (ie. reducing parking demands of the marked parking spaces on the site). It is highly likely that customers of the proposed bottle shop will also visit the KFC site and/or convenience store in one trip.
- c. <u>Public transport</u>. Not applicable.
- d. <u>Alternative transport modes</u>. Not applicable.
- e. <u>Site constraints</u>. Not applicable.
- f. <u>On-street car parking</u>. There is limited available on-street car parking in the surrounding road network. Some on-street car parking is available in Hale Street.
- g. <u>Streetscape</u>. Not applicable.
- h. <u>Suitably qualified assessment</u>. This report documents the findings of a traffic impact assessment prepared by a suitably qualified practitioner (as documented in Section 1.3). The actual parking demand was assessed as being 15 spaces, which is provided (noting a surplus of 8 spaces as 23 spaces are provided).

Based on the above assessment the on-site car parking meets the requirements of Performance Criteria P1 of Clause C2.5.1 of the Planning Scheme.



6. Conclusions

This traffic impact statement (TIS) investigated the traffic and parking impacts of a proposed bottle shop development at 53 Marine Terrace, Burnie.

The key findings of the TIA are summarised as follows:

- The traffic generation of the proposed development is 28 vehicles per hour, with a daily generation of 280 vehicles per day. This accounts for some shared trips between the previously approved components of the site. The total traffic generation of the overall site will therefore increase to 2,848 vehicles per day, with a peak of 352 vehicles per hour.
- No changes are proposed for the previously approved access arrangements. The increased traffic generation at the accesses satisfies the requirements of Performance Criteria P1.4 of Clause C3.5.1 of the Planning Scheme.
- The proposed development and existing uses of the site will have a total of 23 spaces. The parking demands associated with the proposed development will be 8 spaces. The total site parking demand will be 15 spaces. The provision of 23 spaces therefore satisfies the likely demands of the overall site. If necessary, 8 spaces can be designated for bottle shop use only the appropriate location for these spaces is immediately in front of Building B (spaces 9 to 16).
- The parking provision of the overall site satisfies the requirements of Performance Criteria P1 of Clause C2.5.1 of the Planning Scheme.

Based on the findings of this report the proposed development is supported on traffic and parking grounds.



Midson Traffic Pty Ltd ABN: 26 133 583 025

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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	31 May 2024
1	Keith Midson	Zara Kacic-Midson	1 August 2024



53 - 54 MARINE TERRACE SOUTH BURNIE, 7320



DRAWING REGISTER

WD-0.00	COVER SHEET
WD-0.01	SITE ANALYSIS PLAN
WD-0.02	SITE PLAN
WD-0.03	LANDSCAPING PLAN
WD-0.04	TENANCY 01 FLOOR PLAN
WD-0.05	TENANCY 02 FLOOR PLAN
WD-0.06	FUEL CANOPY FLOOR PLAN
WD-0.07	BUILDING B FLOOR PLAN
WD-0.08	ROOF PLAN
WD-0.09	PROPOSED ELEVATIONS
WD-0.10	PROPOSED ELEVATIONS
WD-0.11	PROPOSED ELEVATIONS
WD-0.12	EXTERNAL PERSPECTIVES
WD-0.13	EXTERNAL PERSPECTIVES
WD-0.14	EXTERNAL PERSPECTIVES

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SITE INFORMATION

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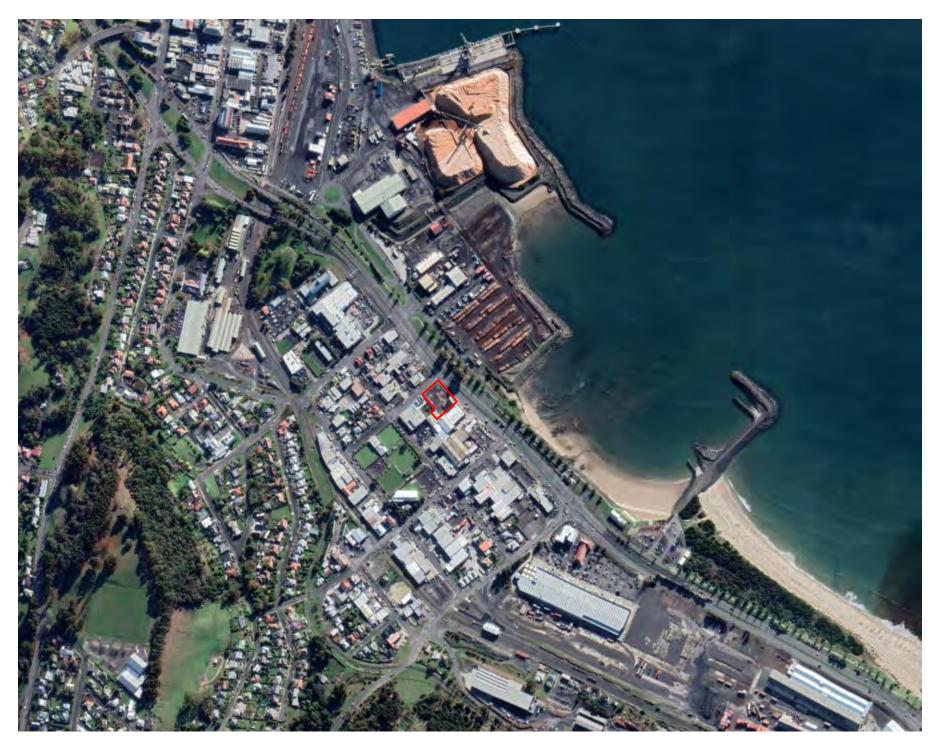
PLANNING OVERLAYS: FLOOD-PRONE AREAS AIRPORT OBSTACLE LIMITATION AREA (175.4m AHD)

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LAND AREA:

BUILDING AREA:

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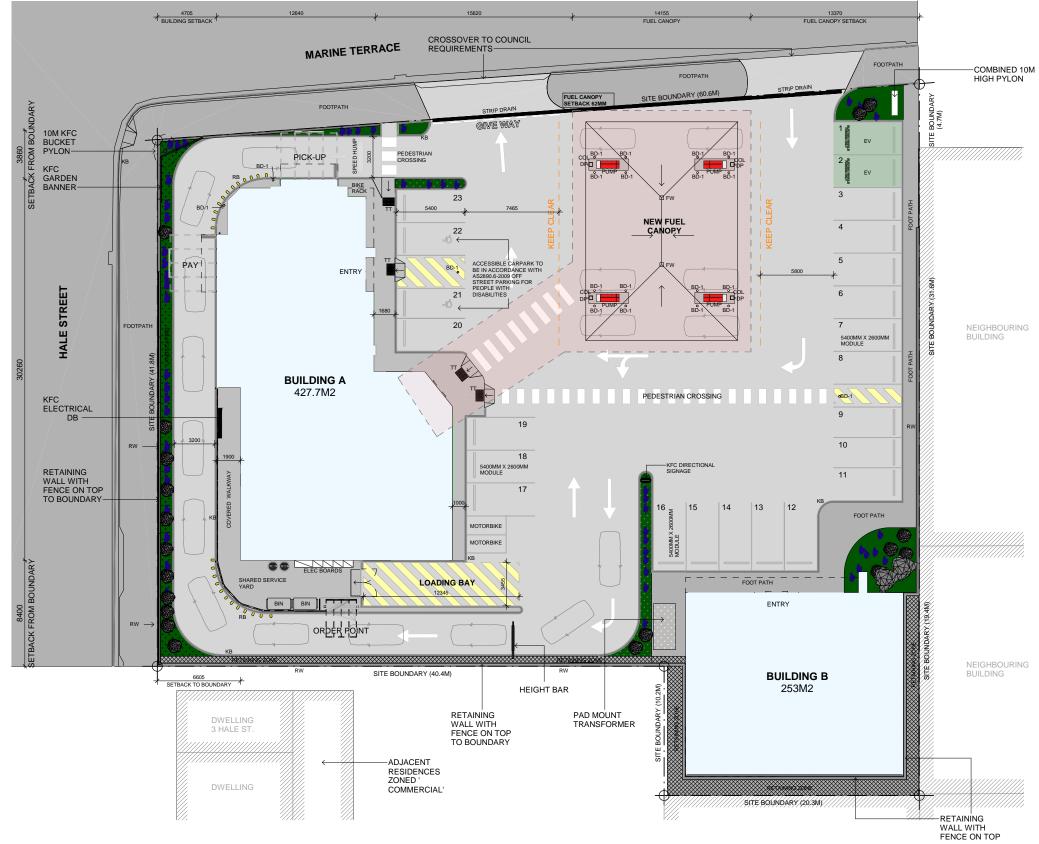
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BUILDING A	
TENANCY 01:	165m2
TENANCY 02:	238m2
TOILETS:	20.3m2
BUILDING B	253m2

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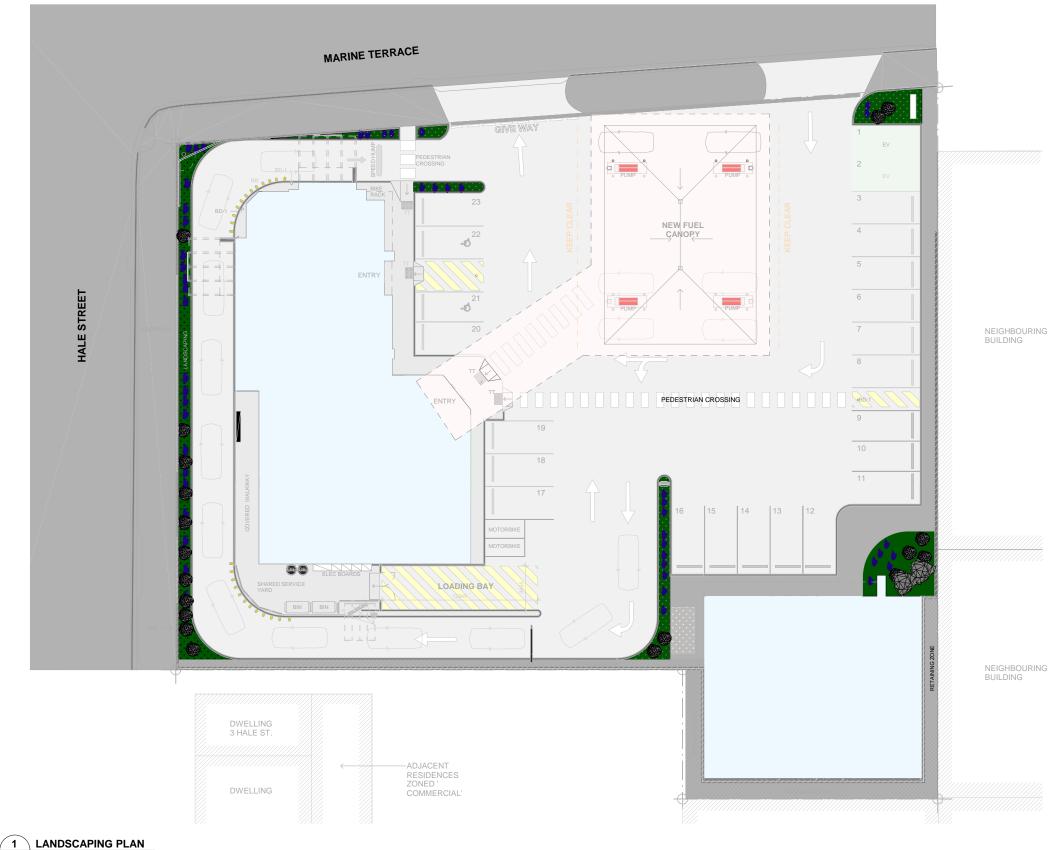






GENERAL LEGEND					
Key Value Keynote Text					
BD-1	BOLLARD				
COL	COLUMN TO S/E DWGS				
DP	DOWNPIPE TO H/E DWGS				
EV	ELECTRIC VEHICLE PARKING				
FW	FLOOR WASTE TO H/E DWGS				
KB	KERB				
OIL	PORTABLE OIL TANK (K10) BY CFL				
RB	RUMBLE BAR				
RW	RETAINING WALL				
TT	TACTILE INDICATOR TILES TO AS 1428.4				







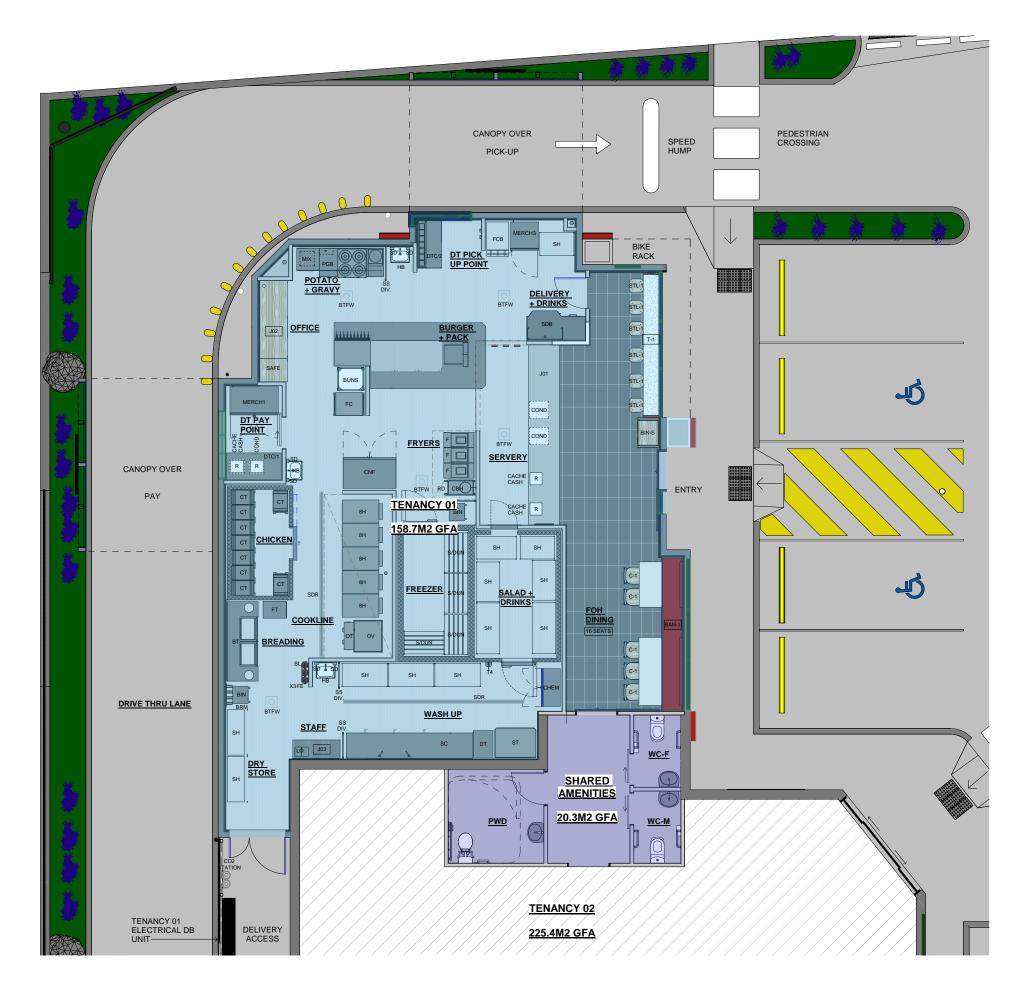


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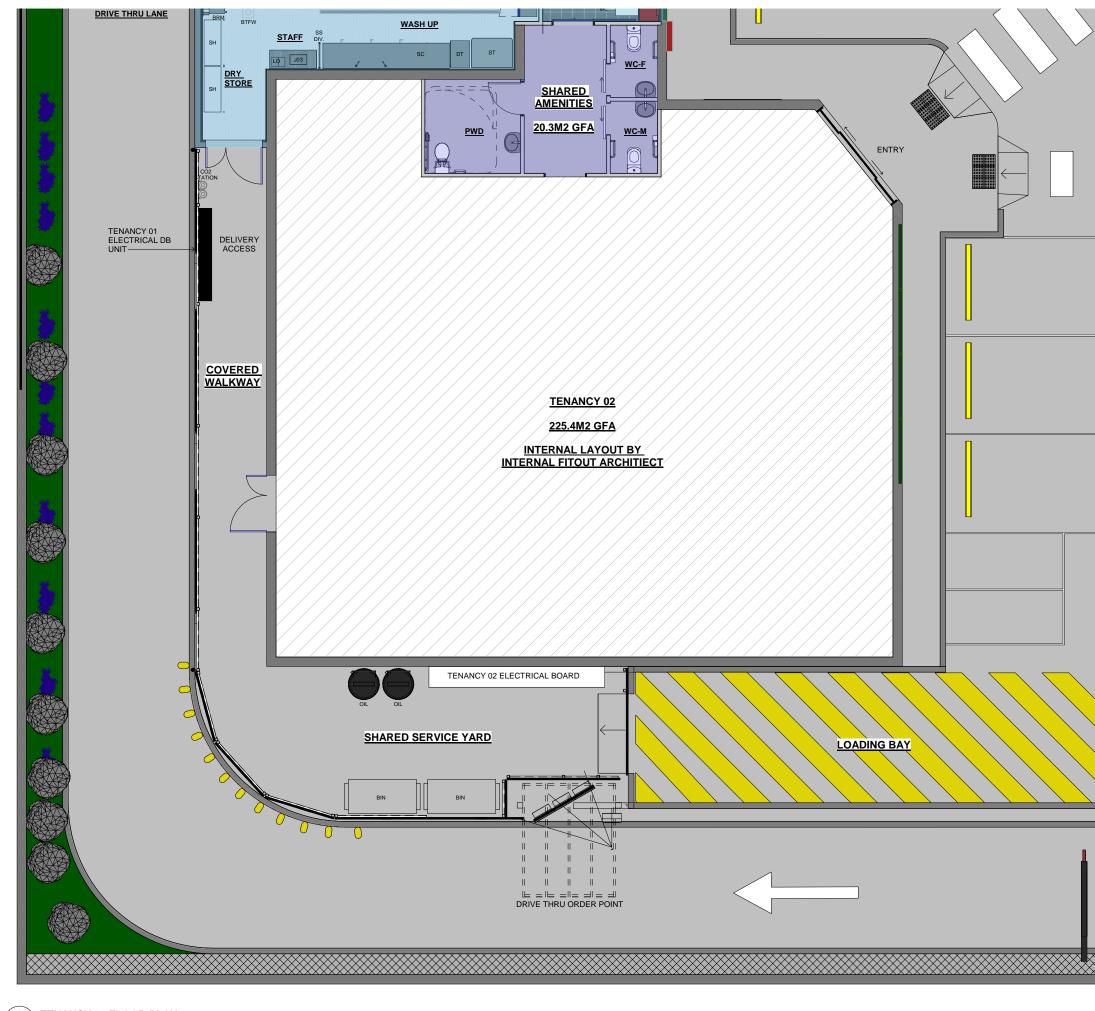


1 TENANCY 01 FLOOR PLAN MD-2.01 1 : 50

GENERAL LEGEND				
Key Value	Keynote Text			
8H	COLLECTOMATIC (8 HEAD)			
BAN-1	BANQUETTE TYPE 1			
BIN	REFUSE BIN (A6) BY CFL			
BIN-S	SINGLE BIN			
BL	BIN LINER HOLDER			
BRM	BROOM/MOP HOOK RACK (S12)			
BT	BREADING TABLE BY CFL			
BTFW	BUCKET TRAP FLOOR WASTE TO H/E DWGS			
BUNS	BREAD TROLLEY (S4) BY CFL			
C-1	CHAIR TYPE 1 BY CFL			
CBH	CHIP BOWL HOLDER (S20)			
CHEM	CHEMICAL CUPBOARD			
CNF	CHIP NUGGET FREEZER			
CO2 STATION				
CT	CHICKEN TROLLEY BY CFL			
DT	DRYING TROLLEY (S2)			
DTC/1	DRIVE THRU 'PAY' COUNTER (S22)			
DTC/2	DRIVE THRU 'PICK-UP' COUNTER (S23)			
F	CHIP FRYER (K6) BY CFL			
FC	FINISHING CABINET (K9)			
FCB	FROZEN CARBONATED BEVERAGE MACHINE BY CFL			
FE	FIRE EXTINGUISHER			
FT	FLOUR TROLLEY (S1) BY CFL			
HB	HAND BASIN TO H/E DWGS			
J01	SERVERY COUNTER			
J02	MANAGERS DESK			
J03	STAFF TRAINING DESK			
MERCH1	2DR UPRIGHT DRINKS FRIDGE BY CFL			
MERCH3	1DR UPRIGHT DRINKS FRIDGE			
OT	OVEN TROLLEY (S28)			
OV	OVEN (K14)			
PGB	POTATO + GRAVY BENCH (S7)			
R	REGISTER			
RD	RAW CHIP DUMP (S10)			
S/DUN	DUNNAGE RACKS (FREEZER)			
SC	SCULLERY- 3 BOWL SINK (S27)			
SD	SOAP DISPENSER BY CFL			
SDB	STAINLESS STEEL DELIVERY BENCH			
SDR	STRIP DRAIN TO H/E DETAILS			
SH	ADJUSTABLE SHELVING (CONTRACTOR TO NOMINATE SIZES TO FIT) BY CFL			
SS DIV.	STAINLESS STEEL PARTITION (S19)			
ST	OZ TANK SOAKING UNIT (E36) BY CFL			
STL-1	STOOL TYPE 1 BY CFL			
T4	TAP TYPE 4			
T-1	TABLE TYPE 1			

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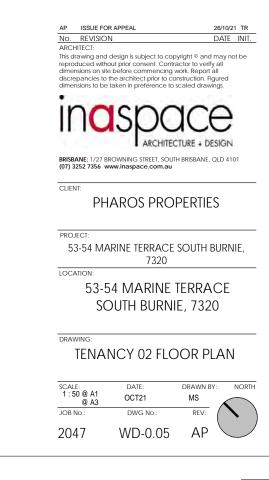
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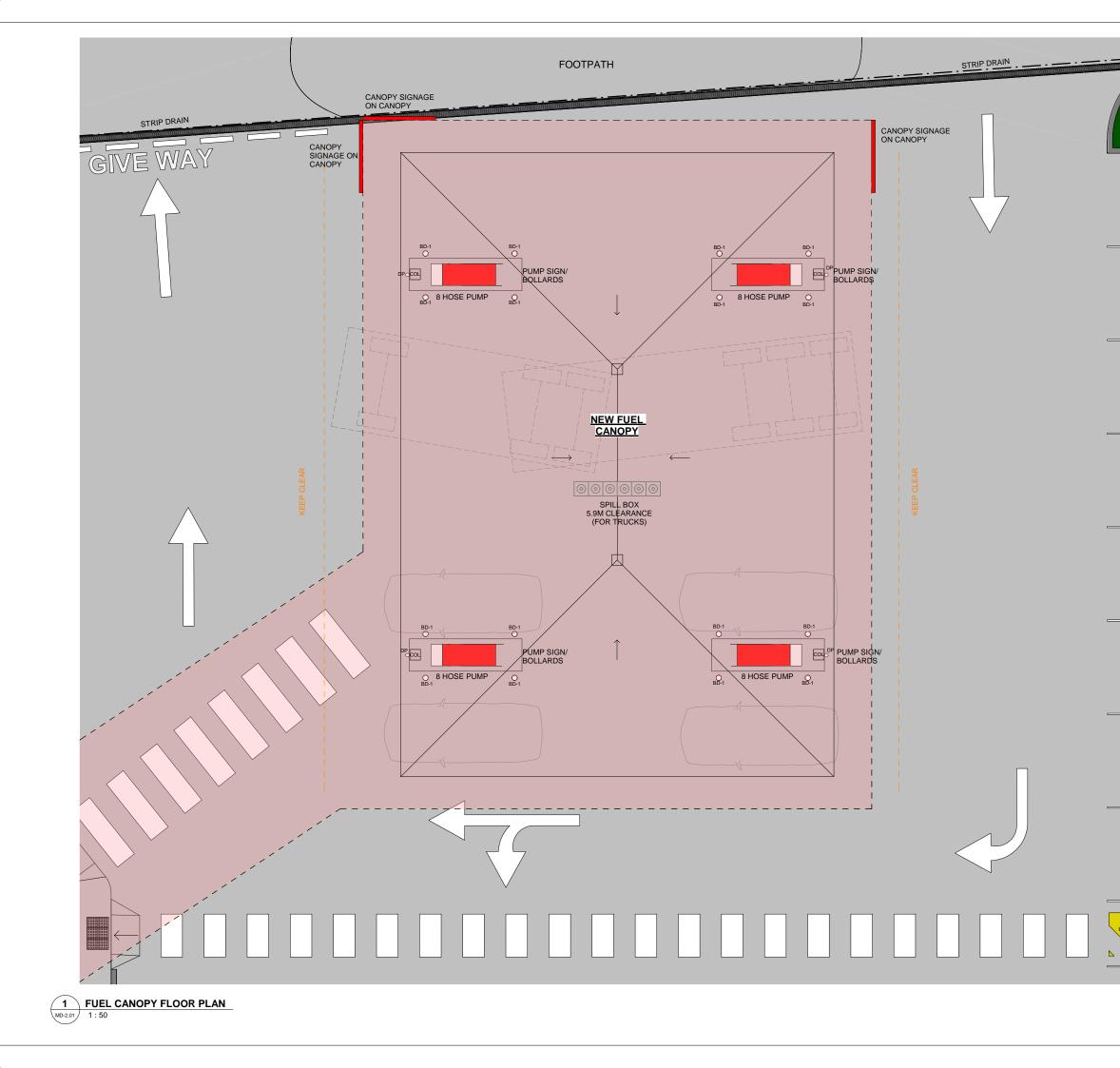


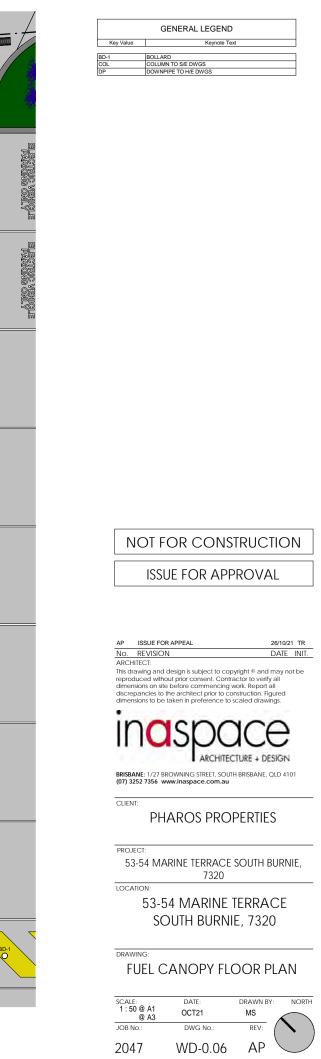
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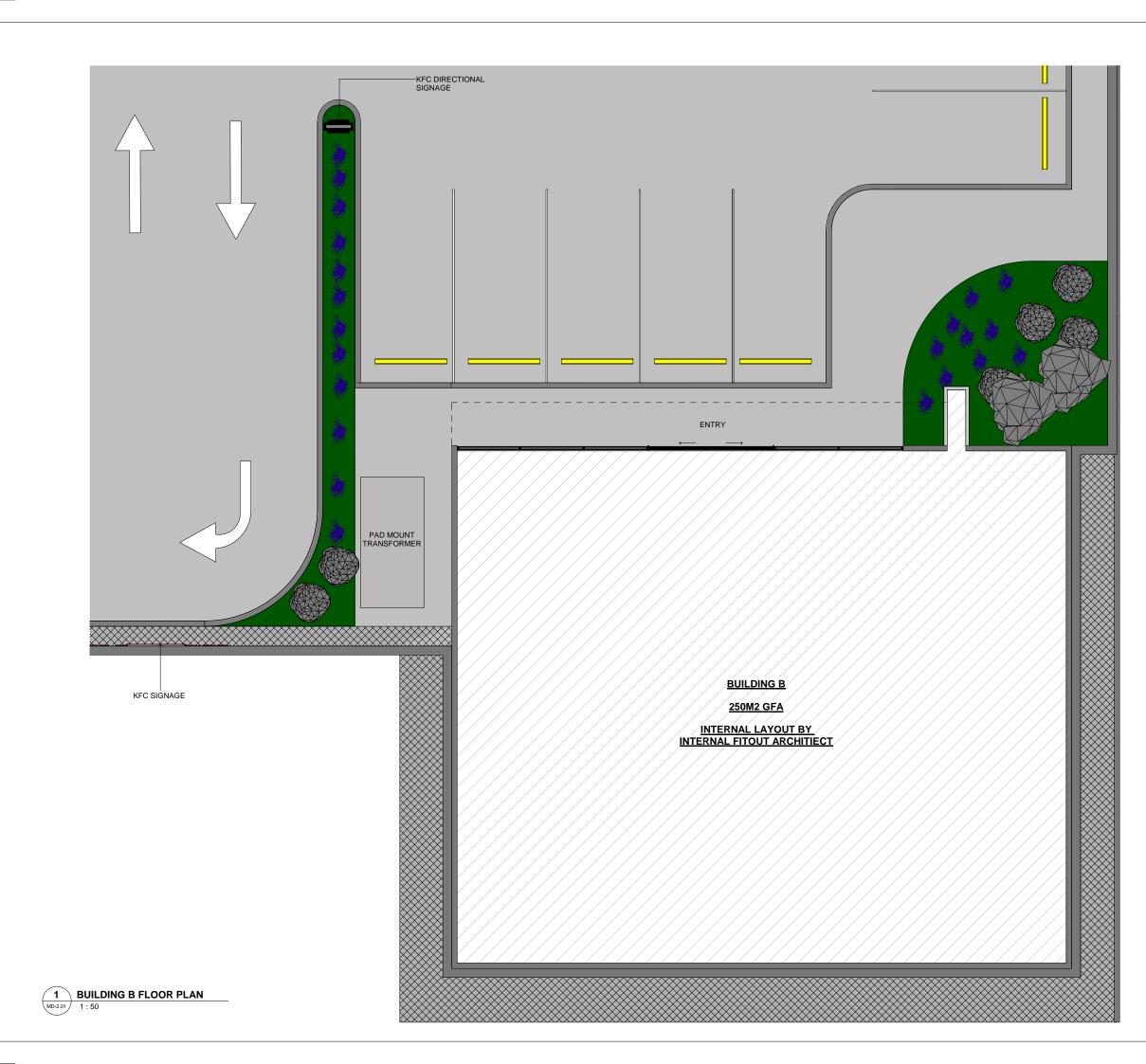
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BTFW	BUCKET TRAP FLOOR WASTE TO H/E DWGS			
CO2 STATION				
DT	DRYING TROLLEY (S2)			
J03	STAFF TRAINING DESK			
OIL	PORTABLE OIL TANK (K10) BY CFL			
SC	SCULLERY- 3 BOWL SINK (S27)			
SH	ADJUSTABLE SHELVING (CONTRACTOR TO NOMINATE SIZES TO FIT) BY CFL			
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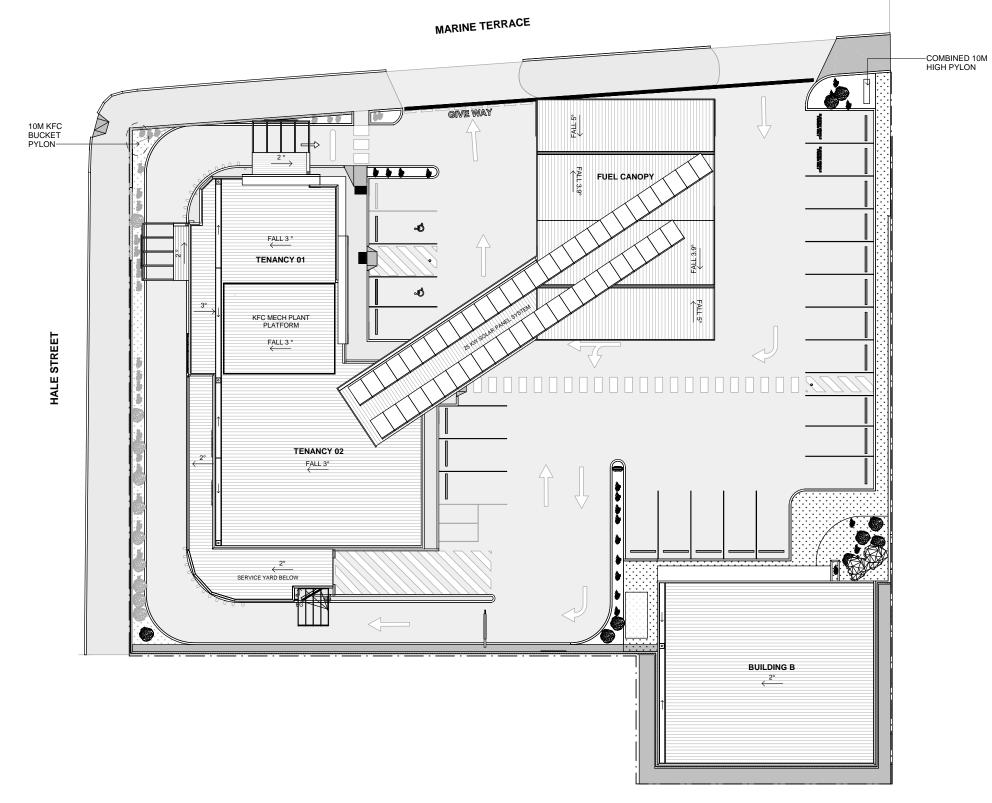








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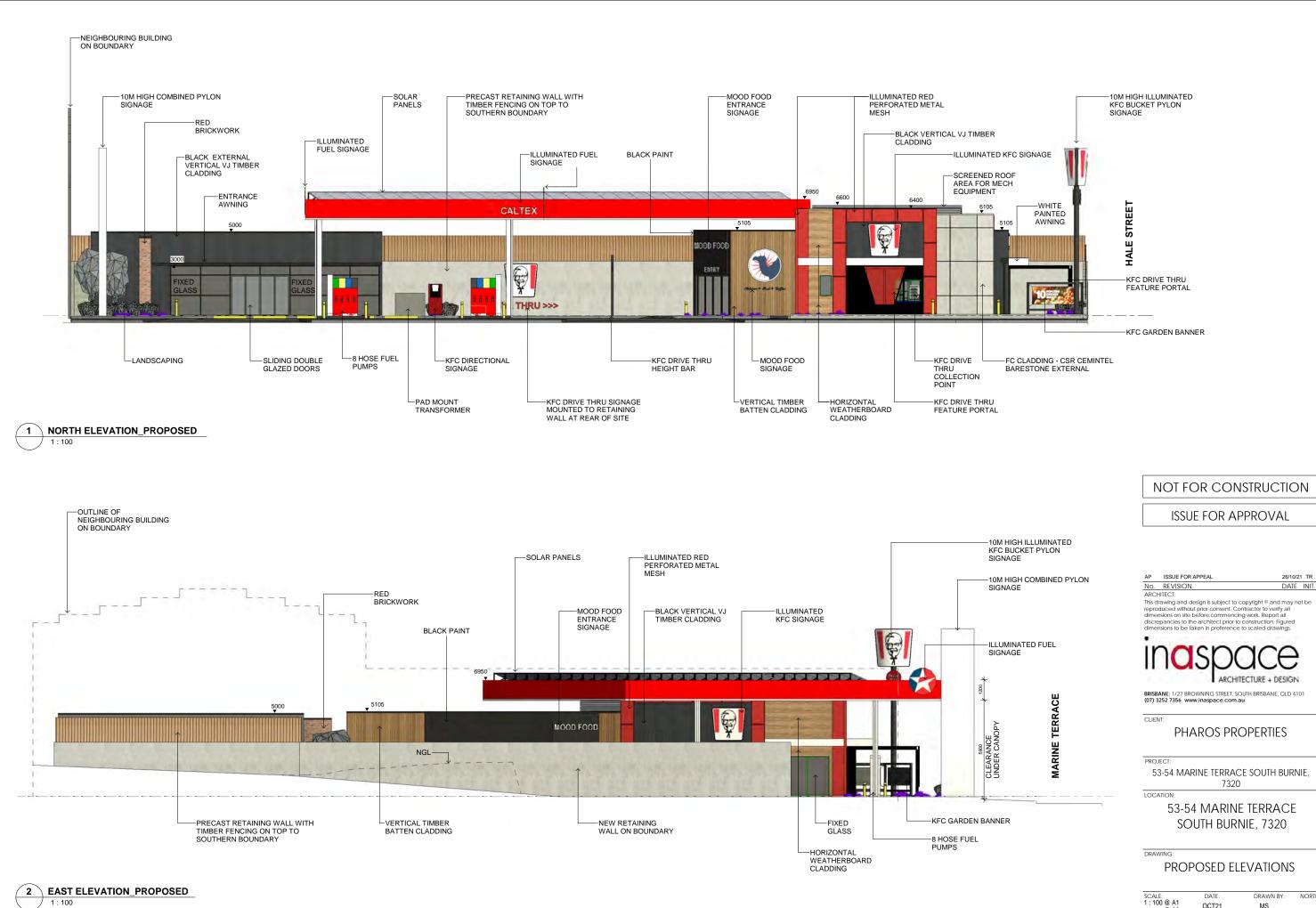
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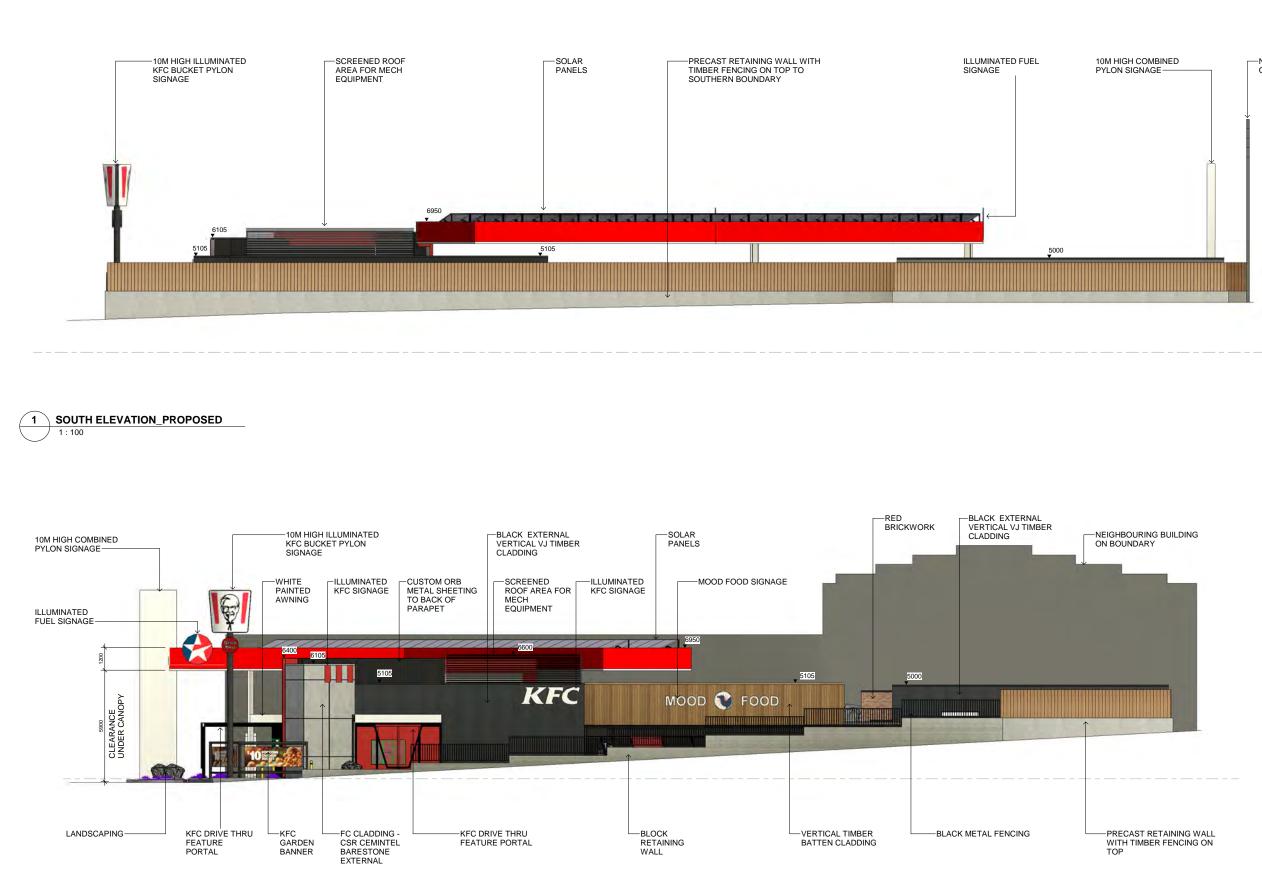
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2 WEST ELEVATION_PROPOSED

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-NEIGHBOURING BUILDING ON BOUNDARY

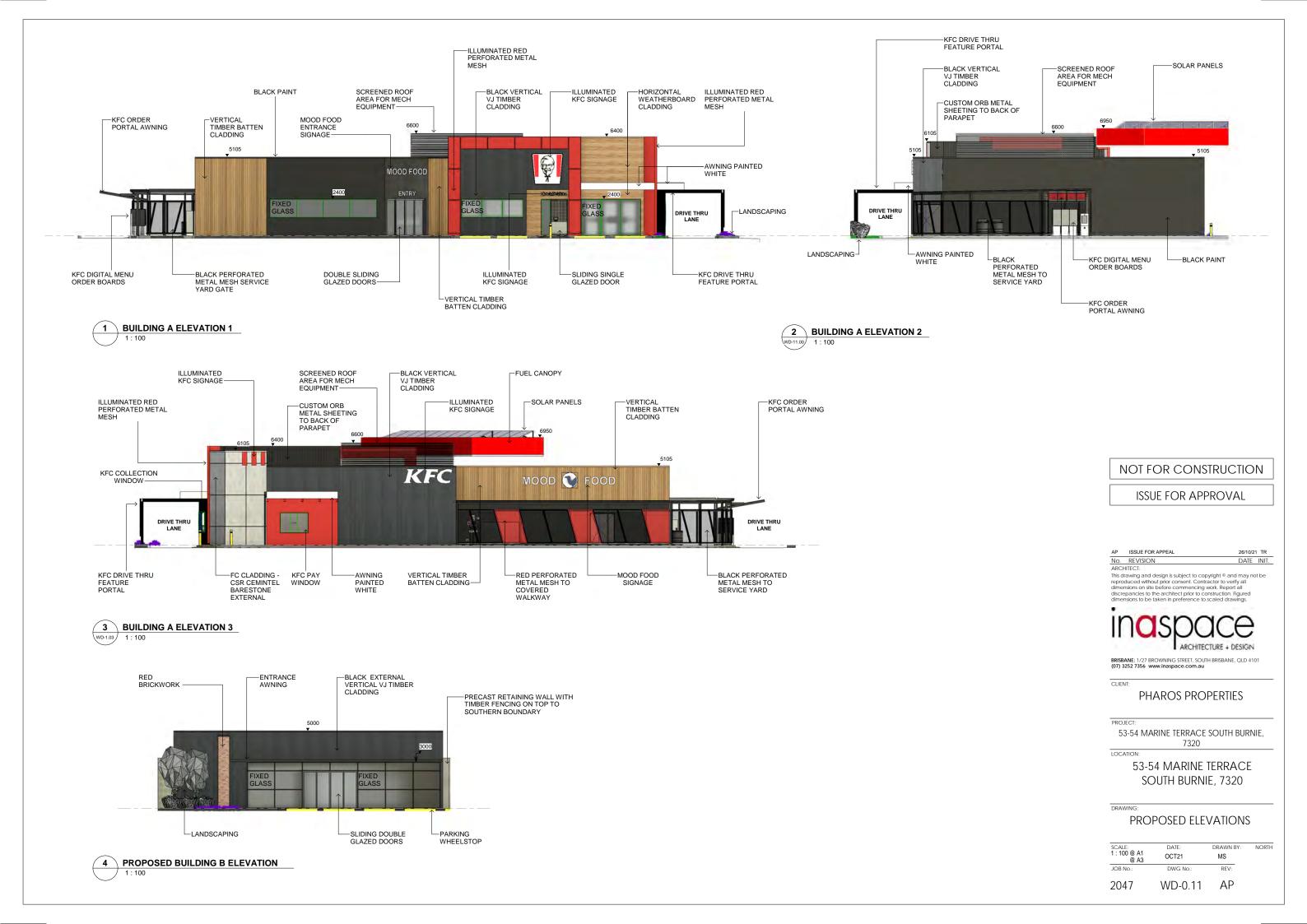
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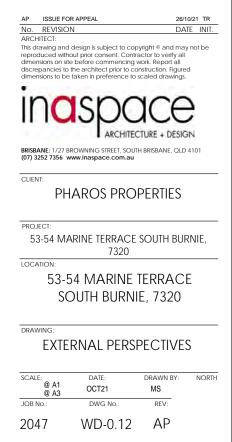
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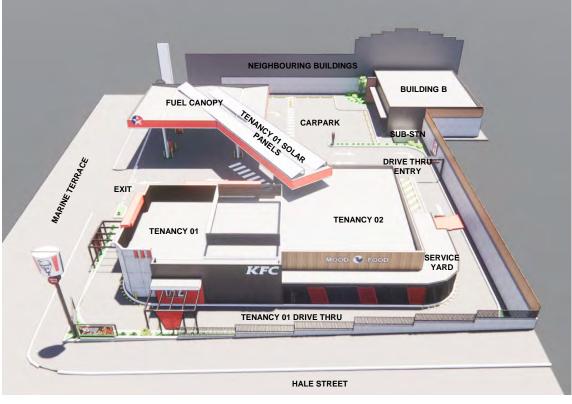


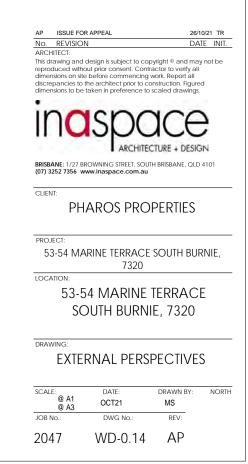
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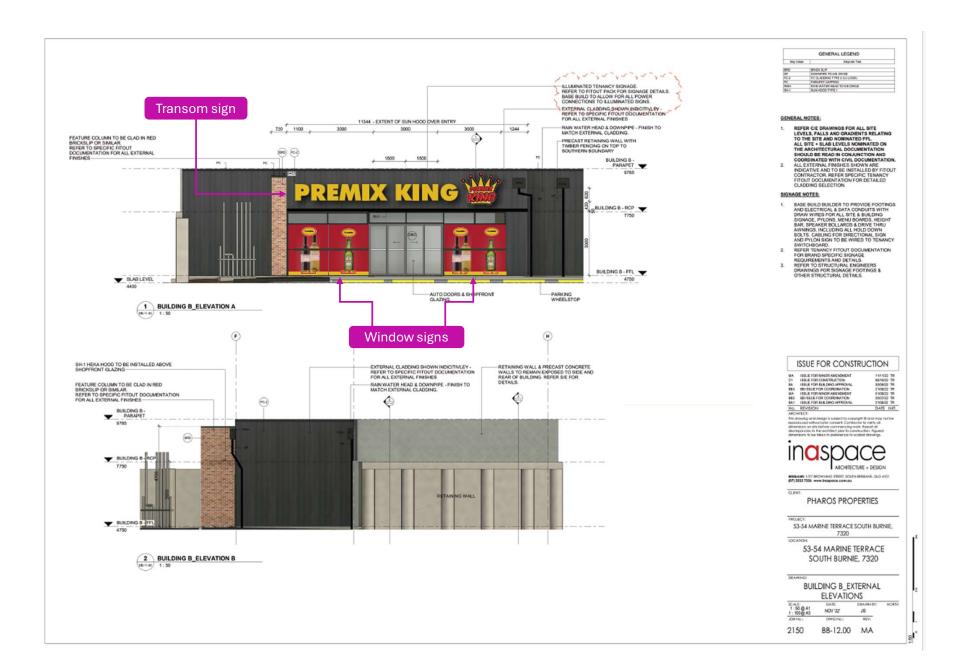












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3-54 MARINE TERRACE, SOUTH	Month	10							
BORRIE	Year	21							

Note: All scales refer to A1 size prints

Document		Scale					Rev	ision	1			
WD-0.00	Cover Sheet	NTS	AP									
WD-0.01	Site Analysis Plan	NTS	AP									
WD-0.02	Site Plan	1:150@A1	AP									
WD-0.03	Landscaping Plan	1:150@A1	AP									
WD-0.04	Tenancy 01 Floor Plan	1:50@A1	AP									
WD-0.05	Tenancy 02 Floor Plan	1:50@A1	AP									
WD-0.06	Fuel Canopy Floor Plan	1:50@A1	AP									
WD-0.07	Building B Floor Plan	1:50@A1	AP									
WD-0.08	Roof Plan	1:150@A1	AP									
WD-0.09	Proposed Elevations	1:100@A1	AP									
WD-0.10	Proposed Elevations	1:100@A1	AP									
WD-0.11	Proposed Elevations	1:100@A1	AP									
WD-0.12	External Perspectives	NTS	AP									
WD-0.13	External Perspectives	NTS	AP									
WD-0.14	External Perspectives	NTS	AP									

Distribution			Nun	nber	of C	opie	s						
Client	Pharos Properties	Tim Lucus Nick Papastamatis	1										
Builder													
Reason for is	sue				•		•		•	•	•	•	•
p = preliminary a = approval t = tender	c = con	rmation struction illding approval	а										

Media

e= email p= print f= ftp t= tracing e e
d= disk

tr

Signature

tr = taniareiken

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