



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

Late Item

Ordinary Meeting of Council

Monday, 23 January 2017

**Des Jennings
General Manager**

AGENDA – ORDINARY MEETING

23 JANUARY 2017



PLAN 5 PLANNING APPLICATION P16-077 437 WOOLMERS LANE, LONGFORD

Attachments: Section 3 – Page 1

Responsible Officer: Des Jennings, General Manager
Report prepared by: Clare Hester Consultant Planner
File Number: 114300.06 CT105810/1

1 INTRODUCTION

This report assesses an application for 437 Woolmers Lane, Longford to construct a tyre storage and shredding facility. The shredding operation will enable end of life tyres (ELT's) to be shred into 50mm tyre chips and removed from the site; it is proposed that up to 7,800 tonnes of ELT's per annum will be shredded, which will allow for the eventual removal of the stockpile of ELT's currently on the site. The development application also seeks permission for the continued delivery of 2,600 tonnes per annum of ELT's (approximately 325,000 tyres) to the site.

The shredder will be located in a 160m² shed with a maximum height of 4.7m. Once the existing stockpile of ELT tyres has been shred it is proposed that all tyres delivered to the site will also be stored in the shed.

The proposal is a Level 2 activity. The application was subsequently, referred to the Environmental Protection Authority (EPA) for assessment under the *Environmental Management and Pollution Control Act 1994*.

2 BACKGROUND

Applicant:
6ty Degrees (obo Tyre Recycle Tasmania)

Owner:
K Gatenby

Zone:
Rural Resource

Codes:
E4 Road and Railway Assets Code
E6 Car Parking and Sustainable Transport Code

Classification under the Scheme:
Recycling and waste disposal

Existing Use:
Tyre storage

Deemed Approval Date:
24 February 2017

Recommendation:
Approve with conditions

Discretionary Aspects of the Application

1. 26.2 Use table
Recycling and waste disposal is a discretionary use class.
- 2-5. 26.3.1 Discretionary uses if not a single dwelling
Acceptable solutions A1 – A4 are for only permitted or no permit required uses
6. 26.3.1 Discretionary uses if not a single dwelling
Acceptable solution A5 if for only permitted, no permit required uses or be located in an existing shed.
7. E4.3.1 A3 – increase in average daily traffic movements by more than 10%.
8. E6.6.1 Car Parking Numbers – the number of car parking spaces provided does not meet the requirements of Table E6.1.
9. E6.7.1 A1 Construction of Car Parking Spaces and Access Strips

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Planning Instrument: *Northern Midlands Interim Planning Scheme 2013* (planning scheme)

Preliminary Discussion

The use of the site for the storage of ELT's was issued a planning permit in December 2013; since this time there have been a number of formal and informal meetings to determine the best path forward for the use. Refer to section 4.4 below in the report that details the permit history.

The subject application was submitted to Council on the 7 April 2016, becoming valid when the fees were paid on the 8 April 2016; no further information was requested by Council.

The application was referred to the Environmental Protection Authority (EPA) on the 13 April 2016; the EPA requested further information from the application on the 2 May 2016. The application was placed on public exhibition for a period of 14 days from 19 October 2016. Subsequent to the four representations received the EPA requested further information from the applicant on the 9 December 2016. The EPA provided its determination to Council on the 13 January 2017.

Copies of outgoing correspondence, including correspondence from the EPA is attached.

3 STATUTORY REQUIREMENTS

The proposal is for a Level 2 activity as listed in Schedule 2 of the *Environmental Management and Pollution Control Act 1994* (the EMPCA), the application was subsequently referred to the Environmental Protection Authority (EPA) on the 13 April 2016, for assessment under the EMPCA.

The EPA prepared an environmental assessment report, and formally notified Council of its determination for approval on the 13 January 2017. The permit states that acting under Section 25(5)(a)(i) of the EMPCA, the Board of the EPA requires that the Permit Part B be included in any Permit granted under the *Land Use Planning and Approvals Act 1993* with respect to the activity.

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

The proposal is for the storage and shredding of end of life tyres (ELT's) on a 19.88ha site development area within a 1,054ha title area. The specific details of the project can be summarised as follows:

- The volume of ELT's to be delivered to the site per annum is 2,600 tonnes which is approximately 325,000 ELT's.
- A tyre shredder – the Barclay 4.9 Primary Shredder is proposed for the site to process up to 7,800 tonnes of ELT's per annum which will allow for the eventual removal of the stockpile currently on the site.
- A 20m x 8m shed is proposed that has a maximum height of 4.7m which will contain the shredder and once the shredder is fully operational, all deliveries of ELT's will be delivered and stacked (by hand) within the proposed shed for direct processing by the shredder.

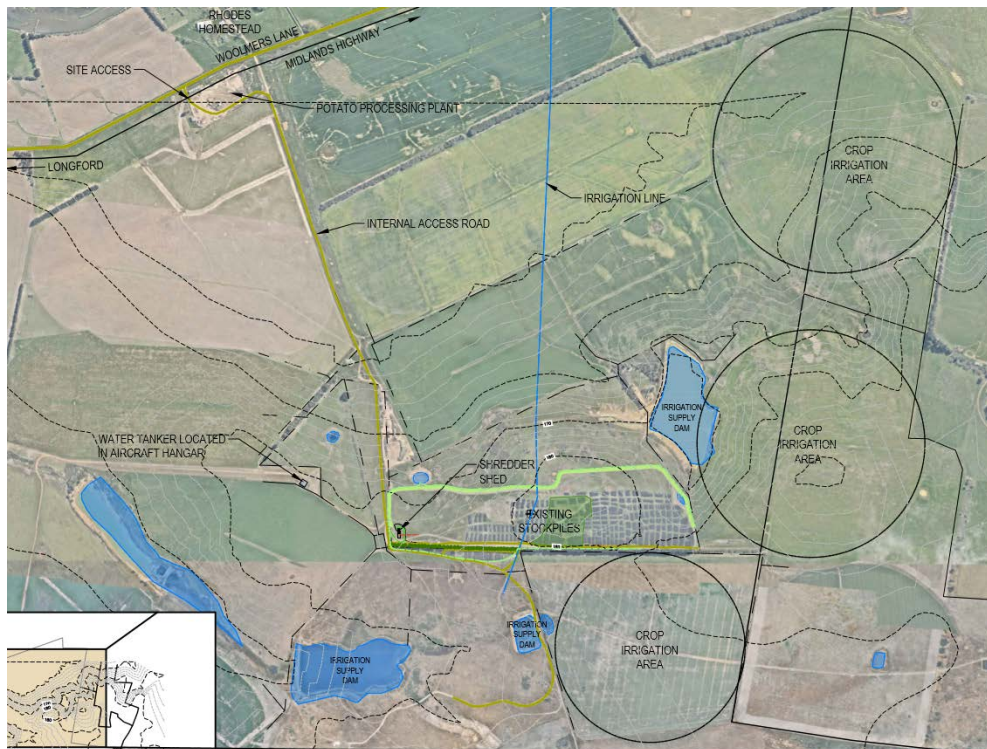
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- The tyre shredder will shred ELT's into 50mm tyre chips.
- The tyre chips will be removed from the site to be sold and/or further processed into recycled rubber products.
- An external temporary storage area (approximately 5,000m²) for the ELT's is proposed in the event that the shredder is non-operational. The ELT's within this temporary storage area are identified as being in piles W6m x L20m x H3m each with a 20m separation.
- Continued commitment to remove the ELT stockpile from the site by 31 December 2020.
- The operating hours including the ELT deliveries, the shredder and the chip dispatches are proposed from Monday to Saturday between 6.00am and 6.00pm with the tyre shredder not operating before 7.00am.
- The vehicle movements prior to the shredder becoming operational are 12; once operational the use will create 18 vehicle movements per day.
- The use will employ two staff on site.

Site Plan

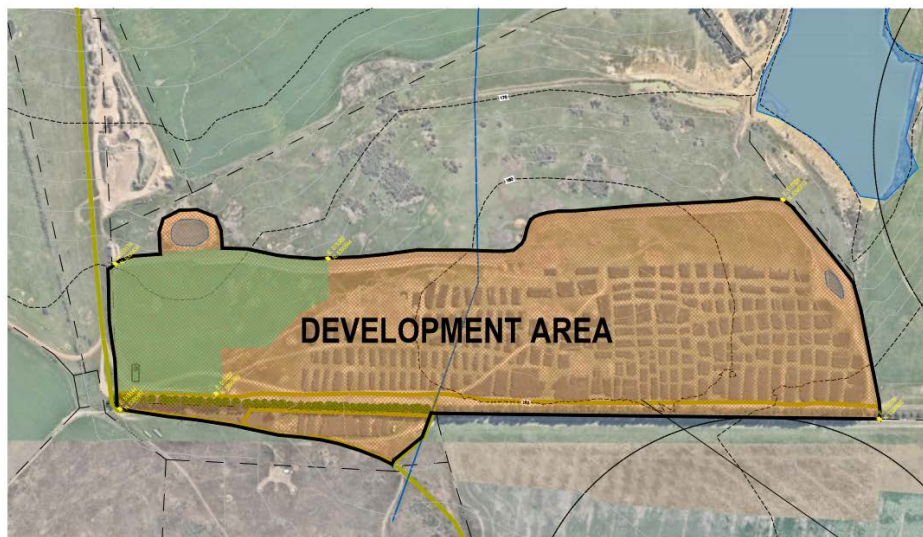


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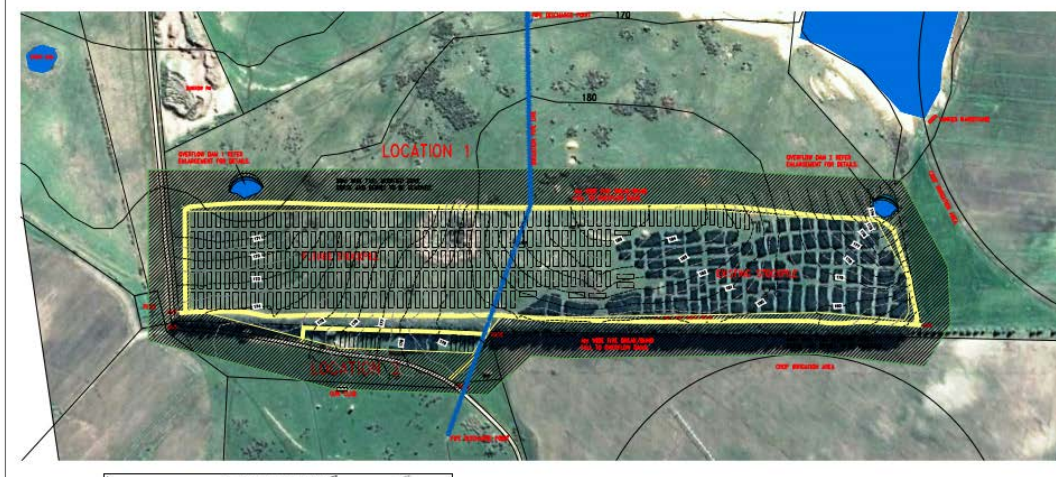
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Development Area of subject development application



Development Area approved under planning permit 13-199

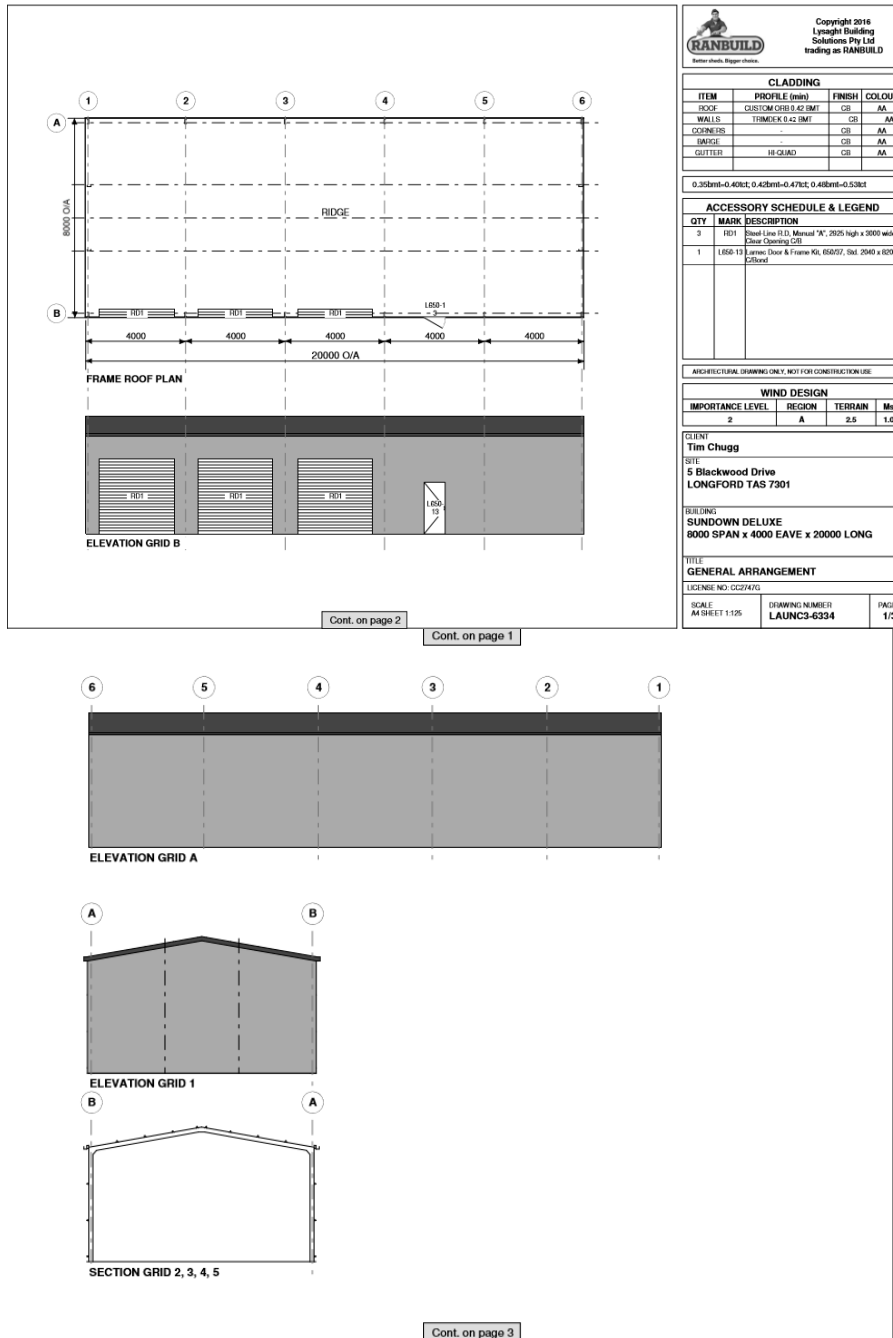


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Elevations

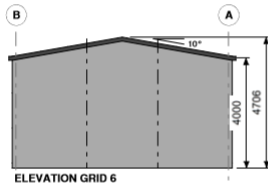
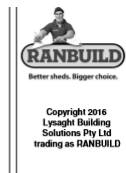


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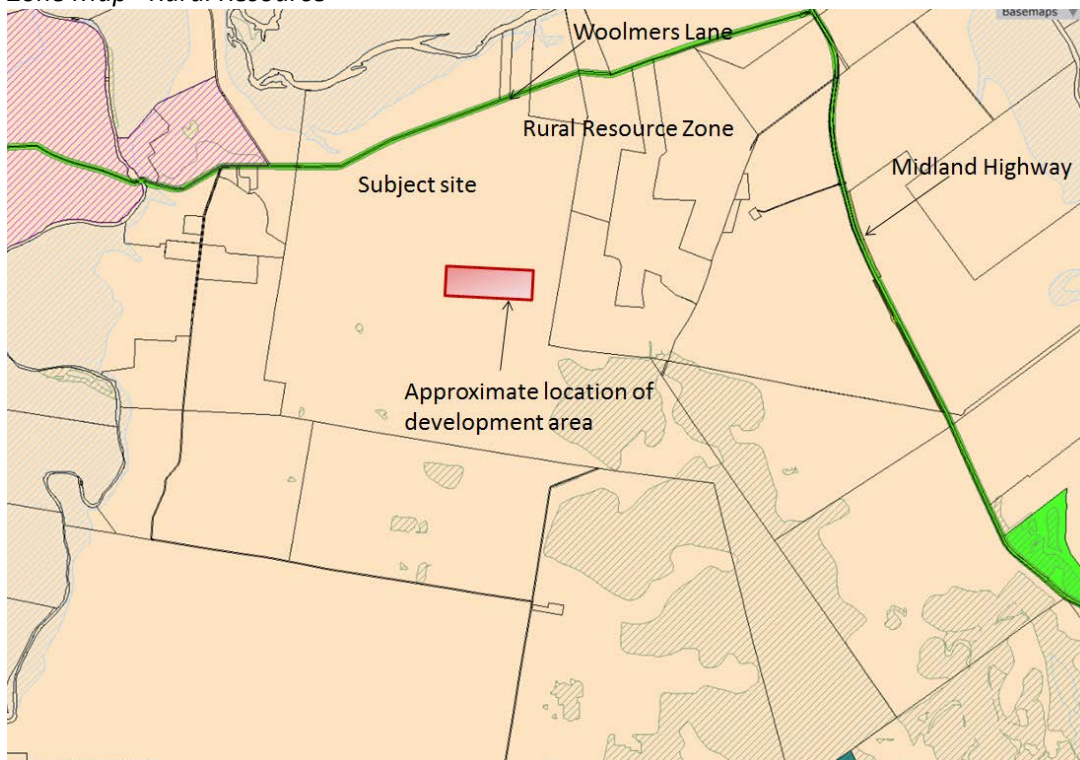
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4.2 Zone and land use

Zone Map –Rural Resource



The land is zoned *Rural Resource* and is subject to the following codes:

- Road and Railway Assets Code; and
- Car Parking and Sustainable Transport Code.

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As previously identified the proposal is a Level 2 activity as listed in Schedule 2 of the *Environmental Management and Pollution Control Act 1994* (the EMPCA). The proposal is therefore exempt from the following codes under the planning scheme:

- E9 Water Quality Code pursuant to Clause E9.4.1 f); and
- E11 Environmental Impacts and Management Code pursuant to Clause E11.4.1 a).

The use proposed fits within the use class of Recycling and Waste Depot which is defined under Table 8.2 as:

Use of land to collect, dismantle, store, dispose of, recycle or sell used or scrap material. Examples include a recycling depot, refuse disposal site, scrap yard, vehicle wrecking yard and waste transfer station

A Recycling and Waste Depot is a discretionary use in the Rural Resource Zone pursuant to Clause 26.2, Use Table for the Rural Resource Zone.

4.3 Subject site and locality

The site development area is 19.88ha in size and is part of a larger title (C.T. 105810/1), that is used for irrigation cropping and grazing with a small area used for excavation works. The site is part of the Low South Esk Irrigation District. The site area is 200m from the eastern boundary, 1.5km from the western boundary and over 1km from the southern boundary.

The title area like the surrounding landscape is relatively flat with some undulation, with the development site area located on a low ridge. The area is largely void of standing vegetation other than some remnant patches of dry eucalypt forest and woodland as well as wind breaks.

The surrounding land is predominantly used for agricultural purposes; with nearest sensitive uses located approximately 1,400m from the site development area. To the west of the site there are a number of uses that do not fit within the use class of Resource development, including potato processing, grain silos, impact fertilizer depot, poultry raising and egg production.

Aerial photograph of area



4.4 Permit/site history

The delivery and storage of ELT's on the site (Recycling and Waste Disposal) was granted a planning permit P13-199, by the Northern Midlands Council (Council) on the 20 December 2013. The permit was

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subsequently amended pursuant to s 44(2) (d) of the EMPCA on 6 June 2016 with the following four conditions:

- 12. Tyres must not be deposited on the Land after 20 December 2016.
- 13. All tyres must be removed from the Land by 31 December 2020.
- 14. All tyres delivered to the Land from 10 March 2016 must be stored in rows no more than 6 metres wide, no more than 20 metres long, with a minimum aisle width of 10 metres, and a maximum height of 3 metres.
- 15. When tyres are removed from the Land, preference must be given, where possible, to first remove tyres from the older, larger piles that existed prior to the grant of the Permit, with the effect that these piles will be depleted in preference to more recently created piles.

The subject planning application seeks to continue to store as well as shred ELT's which is beyond the scope of the above planning permit (in particular conditions 12 and 13).

4.5 Representations

The application was advertised in accordance with Section 27G of the *Environmental Management and Pollution Control Act 1994*. A review of Council's Records management system after completion of the public exhibition period revealed that 4 representations (attached) were received from:

- Michael Salhani (no address supplied)
- Australian Tyre Recyclers Association
- Tyrecycle, Somerton Victoria
- Tasmanian Conservation Trust, Hobart Tasmania

The matters raised in the representations are outlined below followed by the planner's comments.

Issue 1

Inconsistent with permit P13-199

Planner's comment:

Inconsistency with P13-199 is the reason for the subject development application, not a basis for refusing the application.

Issue 2

Significant expansion of storage area from 2,600 tonnes per year to 7,800 tonnes per year

Planner's comment:

The application is for the delivery of 2,600 tonnes of ELT's to be delivered to the site per annum and the shredding of up to 7,800 tonnes per annum. The larger tonnage for the shredding enables the removal of the stockpile of ELT's. The application documents have indicated that there will be an increase in the stockpile for a period of 4 – 9 months until the shredder becomes operational.

Issue 3

The ELT storage will expand for 9 months before shredding commences.

Planner's comment:

The applicant provided an updated Environmental Effects Report that states that the time period for the commissioning of the shredder equates to a period of 4-5 months however there are a number of challenges that may arise during the construction process so timeframes cannot be guaranteed. Given that the proponent would not purchase the shredder until planning approval is granted, the expansion of the stockpile for a period of up to 9 months is considered reasonable. A condition of approval is recommended to ensure that stockpiling must cease if the shredder is not commissioned within 9 months.

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Issue 4

Inconsistent with the Rural Resource zone and relevant codes.

Planner's comment:

The proposal has been assessed against the relevant zone standards and codes and subject to conditions has been found to be acceptable.

Issue 5

Inconsistent with the values and community objectives of the communities of Perth and Longford.

Planner's comment:

The relevant document the proposal must be assessed against is the interim planning scheme and any representations received.

Issue 6

Inadequate environmental values report.

Planner's comment:

The site area is not subject to the Biodiversity Code and therefore an environmental values report is not required. Notwithstanding all environmental values are considered by the EPA in their Environmental Assessment Report.

Issue 7

Inconsistent with tourism of area.

Planner's comment:

The proposal has been found to be consistent with the Local Area Objectives and is not within the Scenic Corridor Overlay. Furthermore, the site area is over 1.5km south of Woolmers Lane and over 2km west of Midland Highway with some undulation of land and wind breaks ensuring that the development proposed is not visible from any tourist routes. Furthermore, a condition will also be placed on the permit that requires the finishes of the shed to have a light reflectance values not greater than 40%.

Issue 7

Two other ELT recycling operations have been established in neighbouring Councils which undermines viability of proposal.

Planner's comment

This is beyond the scope of the assessment.

Issue 7

Dumping of contaminated material in May 2016

Planner's comment

A permit was issued on the 31 October 2016 that dealt with the above.

Issue 7

ELT's will not be processed and removed off the site and will instead be further stockpiled.

Planner's comment

The previous planning permit includes conditions which require the removal of the stockpiling of ELT's by December 2020 and it is recommended to include a similar condition on this permit. If these conditions are not met then enforcement action can be taken pursuant to section 64 of the *Land Use Planning and Approval Act 1993* or pursuant to s48 of the EMPCA.

Issue 8

The shredder is a first pass through unit (primary shredder) only.

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Planner's comment

In the further information provided to the EPA on the 23 December 2016 the applicant confirmed that the shredded material will require further processing before it can be reused, with any further processing to be undertaken on a separate site; this is also recognised in the Environmental Assessment Report.

Issue 9

The stockpile is a fire risk with two fires associated with the existing stockpile.

Planner's comment

The Bushfire Prone Areas Code is not triggered by the application. An Emergency Fire Plan was prepared in conjunction with the Tasmanian Fire Service and in accordance with the *South Australian Fire Authorities, Community Safety Department (2014) Built Environs Section Guideline No. 13, General Guidelines for Rubber Tyre Storage*. Furthermore, the Environmental Assessment Report specifically considered fire management, and conditions on the permit have been recommended.

Issue 10

There is no requirement for the viability of the clean up to be contingent on continuing to place tyres at the site.

Planner's comment

Agreed; notwithstanding the development application for the continued use of the site and the shredding of the ELT's is required to be assessed against the planning scheme.

Issue 11

Liquid effluent does not refer to the water required to shred tyres.

Planner's comment

The applicant confirmed in an updated Environmental Effects Report (dated 23 December 2017) to the EPA that water is not required for the operation of the tyre shredder. Further, the Environmental Assessment Report specifically considers liquid effluent with conditions on the permit accordingly.

Issue 11

Market for the product is very unlikely.

Planner's comment

This is beyond the scope of the assessment.

Issue 12

Pile sizes currently not in the format of 20mx6mx3m

Planner's comment

Condition 14, on the permit 13-199, amended 6 June 2016 required only the tyres delivered to the land from 10 March 2016 to be stored in the above format.

Issue 12

Proponent required to pay a bond to the EPA to be used to remove the tyre stockpile of the proponent fails to do so.

Planner's comment

A condition requiring a bond is recommended to be included in the permit.

Issue 13

Conditions requiring a weed management plan and a biosecurity management plan.

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Planner's comment

The Environmental Assessment Report specifically considers these matters, with conditions on the permit accordingly.

4.6 Referrals

The only referrals required were as follows:

Council's Works & Infrastructure Department

Precis: Council's Works & Infrastructure Department's recommended conditions regarding sealing of the crossover are included in the conditions of approval.

Environment Protection Agency (level 2 under EMPCA)

The application was referred, by Council to the Board of the EPA on the 13 April 2016. In accordance with Section 25(5) of the EMPCA, Council was notified of the decision on the 13 January 2016 to approve the proposal and that conditions must be contained in any permit granted by the Council under the LUPAA in respect of the activity.

4.7 Planning Scheme Assessment

RURAL RESOURCE ZONE
ZONE PURPOSE
<i>26.1.1 Zone Purpose Statements</i> <i>26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i> <i>26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.</i> <i>26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.</i> <i>26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i>
Assessment: The proposal includes a site development area of 19.88ha on a title that has a land area of 1054ha; approximately 2% of the land title area. By the 31 December 2020 when the stockpile of ELT's has been removed this site development area will be substantially reduced to approximately 5ha – 0.5% of the land title area. Furthermore, the use, which is non-sensitive in nature, will not constrain or conflict with the existing cropping and grazing of the subject and nearby sites. The proposal is considered to be consistent with the Zone Purpose Statements subject to the conditions recommended which will ensure that the use progresses in a manner consistent with the Zone Purpose Statements.

LOCAL AREA OBJECTIVES
<i>a) Primary Industries:</i> <i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i> <i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i> <i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i> <i>b) Tourism</i> <i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i> <i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that</i>

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capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

Assessment: The proposal will not undermine the primary use of the title area or the adjacent areas being for grazing and irrigation cropping. Similarly, the proposal cannot be seen from either Woolmers Lane or the Midland Highway and therefore will not undermine rural tourism of the area. The proposal which is for a singular niche use will not undermine the activity centre hierarchy. As such, it is considered that the proposal meets the local area objectives subject to the conditions recommended which will ensure that the use progresses in a manner consistent with the Local Area Objectives.

DESIRED FUTURE CHARACTER STATEMENTS

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

Assessment: The proposal cannot be seen from either Woolmers Lane or the Midland Highway, furthermore by December 2020 all storage of the ELT's together with the shredder and the loading of the chips will occur within the shed proposed. A condition is recommended to be placed on the permit that requires the finishes of the shed to have a light reflectance values not greater than 40%. The proposal is considered to be consistent with the desired future character statements.

USE STANDARDS

26.3.1 Discretionary Uses if not a single dwelling

<i>A1 If for permitted or no permit required uses.</i>	Comment: The proposal does not comply and must be assessed against the corresponding performance criteria.
<i>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i> <i>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</i>	Comment: As detailed above the proposal is considered to be consistent with the local area objectives; sub clause P1.2 does not apply to the proposal. The proposal is considered to meet the requirements of P1.1 and P1.2.
<i>A2 If for permitted or not permit required uses.</i>	Comment: The proposal does not comply and must be assessed against the corresponding performance criteria.
<i>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i> <i>i) amount of land alienated/converted is minimised; and</i> <i>ii) location is reasonably required for operational efficiency; and</i> <i>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i>	Comment: The proposal is on non-prime agricultural land; the proposal meets the requirements of P2.1 and P2.2.
<i>A3 If for permitted or no permit required uses.</i>	Comment:

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	The proposal does not comply and must be assessed against the corresponding performance criteria.
<i>P3 The conversion of non-prime agricultural to nonagricultural use must demonstrate that:</i> <i>a) the amount of land converted is minimised having regard to:</i> <i>i) existing use and development on the land; and</i> <i>ii) surrounding use and development; and</i> <i>iii) topographical constraints; or</i> <i>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</i> <i>i) limitations created by any existing use and/or development surrounding the site; and</i> <i>ii) topographical features; and</i> <i>iii) poor capability of the land for primary industry; or</i> <i>c) the location of the use on the site is reasonably required for operational efficiency.</i>	Comment: The site development area is approximately 2% of the title area with the site development area reducing to approximately 0.5% by December 2020. Moreover, the site development area has approval from permit 13-199; as such there is minimal (refer site plans) conversion of non-prime agricultural land with the application including a commitment to reducing the stock pile and repurposing the land for grazing. It is considered that any conversion has been minimised given the existing use and development on the land. The proposal is considered to be consistent with the P3 a).
A4 if for permitted or no permit required uses.	Comment: The proposal does not comply and must be assessed against the corresponding performance criteria.
<i>P4 It must demonstrated that:</i> <i>a) emissions are not likely to cause an environmental nuisance; and</i> <i>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</i> <i>c) the capacity of the local road network can accommodate the traffic generated by the use.</i>	Comment: The proposal was referred to the EPA who found that with conditions the proposal will not cause an environmental nuisance. The use is not a sensitive use and by 31 December 2020 the site development area will be for approximately 0.5% of the title area – it is considered that the use will not unreasonably confine or restrain normal primary industry operations. The majority of truck movements will be to and from the Midlands Highway with the proposal creating approximately 18 vehicle movements per day. The capacity of the road network will not be compromised by the use. The proposal is considered to meet the requirements of P4.
A5 The use must: <i>a) be permitted or no permit required; or</i> <i>b) be located in an existing building.</i>	Comment: The proposal does not comply; the proposal must be assessed against the corresponding performance criteria.
<i>P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</i> <i>a) the impacts on skylines and ridgelines; and</i> <i>b) visibility from public roads; and</i> <i>c) the visual impacts of storage of materials or equipment; and</i> <i>d) the visual impacts of vegetation clearance or retention; and</i> <i>e) the desired future character statements.</i>	Comment: The proposal cannot be seen from a public road, does not require the clearance of standing vegetation and is substantially screened by wind breaks. The shed will be located on a low ridge, to ensure the visual appearance is consistent with the area, a condition will be placed on the permit that requires the finishes of the shed to have a light reflectance values not greater than 40%. As detailed above the proposal is consistent with the desired future character statement. It is further noted that by December 2020 the ELT stockpile will be removed with the remaining infrastructure on site being the shed that will contain the shredder and the ELT's with some parking and maneuvering areas, which is generally consistent with a rural landscape.

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	The proposal is considered to be consistent with the P5.
26.3.3 Irrigation Districts	
A1 <i>Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999</i>	Comment: The proposal for a non-agricultural use is located within the South Esk Irrigation District and therefore must be assessed against the corresponding performance criteria.
P1 <i>Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:</i> <i>a) the location and amount of land to be used; and</i> <i>b) the operational practicalities of irrigation systems as they relate to the land; and</i> <i>c) any management or conservation plans for the land.</i>	Comment: The use is not a sensitive use and by December 2020 the site development area will be for approximately 0.5% of the title area only. The site development area currently has approval for tyre storage with the proposal requiring a minimal increase in land as evident in the site plans above. Furthermore, the proponent has committed to the removal of the stockpile by December 2020 and that this land will be rehabilitated to be used for agricultural once the removal of the ELT's occurs; a condition consistent with this is recommended for the permit. It is considered that the use proposed will not unreasonably reduce the current and future irrigation potential of the land given the minimal land to be used, the current use of the site and the non-sensitive nature of the use.

DEVELOPMENT STANDARDS

26.4.1 Building Location and Appearance	
A1 Building height must not exceed: <i>a) 8m for dwellings; or</i> <i>b) 12m for other purposes.</i>	Comment: The proposed shed has a building height of 4.7m; the proposal complies with A1.
A2 Buildings must be set back a minimum of: <i>a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</i> <i>b) 200m where a sensitive use is proposed; or</i> <i>c) the same as existing for replacement of an existing dwelling.</i>	Comment: The setbacks proposed are 200m from the eastern boundary, 1.5km from the western boundary and over 1km from the southern boundary; the proposal complies with A2.

CODES

E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	Acceptable with conditions. See code assessment below.
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Acceptable with conditions. See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

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ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6.1 Use and road or rail infrastructure	
A1 <i>Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</i>	Comment: A1 does not apply; the proposal is not for a sensitive use.
A2 <i>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</i>	Comment: A2 does not apply; Woolmers Lane has a speed limit of more than 60km/h.
A3 <i>For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</i>	Comment: The proposal uses an existing access that was upgraded as part of permit 13-199; the traffic movements approved as part of that development application were 12 vehicle movements per day (6 truck and 6 light vehicle). The subject development application includes in addition to these vehicle movements 6 movements (2 truck and 4 light vehicle). This represents an increase of 50%. The proposal must therefore be assessed against the corresponding performance criteria.
P3 <i>For limited access roads and roads with a speed limit of more than 60km/h:</i> <i>a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</i> <i>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</i> <i>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</i>	Comment: Woolmers Lane is not a category 1, 2 or 3 road nor is it a limited access road; as such part a) and b) do not apply. The junction was upgraded as part of permit 13-199. The increase in traffic movements still totals only 18 per day, which will have a negligible impact on the efficiency of the road network including both Woolmers Lane and the Midland Highway. The proposal is considered to be consistent with the requirements of A3.
E4.7.2 Management of Road Accesses and Junctions	
A1 <i>For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</i>	Comment: A1 does not apply as the speed limit of Woolmers Lane is greater than 60km.
A2 <i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i>	Comment: The proposal does not include a new access or junction, therefore A2 does not apply.

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E4.7.4 Sight distance at Accesses , Junction and Level Crossings	
A1 <i>Sight distances at</i> <i>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i> <i>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</i>	Comment: The access has a 173m sight distance in the East direction and 388m to the West. Council's Works & Infrastructure section is satisfied with the sight distances.

ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6.1 Car Parking Numbers	
A1 <i>The number of car parking spaces must not be less than the requirements of:</i> <i>a) Table E6.1; or</i> <i>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</i>	Comment: The proposal has a site area of 19.88ha; the number of car parks required as pursuant to Table E6.1 is 1 per 500m² of the site and 1 space per employee. That is 399.6 parking spaces (400). The number of car parks proposed is 2; the proposal requires assessment against P1.
P1 <i>The number of car parking spaces provided must have regard to:</i> <i>a) the provisions of any relevant location specific car parking plan; and</i> <i>b) the availability of public car parking spaces within reasonable walking distance; and</i> <i>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</i> <i>d) the availability and frequency of public transport within reasonable walking distance of the site; and</i> <i>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</i> <i>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</i> <i>g) an empirical assessment of the car parking demand; and</i> <i>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</i> <i>i) the recommendations of a traffic impact assessment prepared for the proposal; and</i> <i>j) any heritage values of the site; and</i> <i>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</i>	Comment: The site plan does not identify a parking plan however the supporting planning submission identifies that 2 parking spaces can easily be accommodated on site. The use will employ only two staff; with all other visitors to the site being the truck drivers that will be delivering the ELT's or removing the chips. It is considered that the car parking demand will be met on the site. A condition however is recommended that requires a detailed parking plan that clearly identifies the location of the car parking to be provided on site. Subject to the above condition the proposal is considered to satisfy P1.

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i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.	
E6.6.2 Bicycle Parking Numbers	
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	Comment: There is no requirement for bicycle parking spaces as there are only 2 employees.
E6.6.3 Taxi Drop-off and Pickup	
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	Comment: Council sought legal advice in relation to this Acceptable Solution as there is no corresponding performance criteria. The advice concluded that the amount of car parking Council will accept under the Performance Criteria for E6.6.1 is the appropriate interpretation. As such, in this case, the requirement is 1 taxi drop off space. A condition is recommended accordingly.
E6.6.4 Motorbike Parking Provisions	
Objective: To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	Comment: Council sought legal advice in relation to this Acceptable Solution as there is no corresponding performance criteria. The advice concluded that the amount of motorbike parking Council will accept under the Performance Criteria for E6.6.1 is the appropriate interpretation. As such, in this case, the requirement is 1 motorbike parking space. A condition is recommended accordingly.
E6.7.1 Construction of Car Parking Spaces and Access Strips	
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	Comment: The proposal does not include detailed plans of the car parking spaces and manoeuvring areas. The supporting planning submission however states that the proposal will be formed to an adequate level and drained but does not stipulate the impervious all weather seal. It is assumed that given the rural location and the relatively small number of vehicle movements the car parking area will be a pervious, all weather seal. The proposal must therefore be assessed against the corresponding performance criteria.

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P1 <i>All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</i>	Comment: The proposal is in a rural setting with a substantial amount of land. A condition should be placed on the permit that requires the surfacing of the car parking, access strips and manoeuvring and circulation spaces to be readily identifiable and constructed to an all weather surface. Subject to this condition the proposal is considered to meet P1.
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E6.7.2 Design and Layout of Car Parking

A1.1 <i>Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</i> A1.2 <i>Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i>	Comment: The proposal includes two car parking spaces only and is within a Rural Resource Zone. A1.1 and A1.2 do not apply.
A2.1 Car parking and manoeuvring space must: a) <i>have a gradient of 10% or less; and</i> b) <i>where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i> c) <i>have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</i> A2.2 <i>The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.</i>	Comment: No details of the car parking, manoeuvring areas or access were provided in the application documents, however the supporting planning submission stated that the proposal complies. To ensure compliance, a condition should be placed on the permit to ensure compliance with A2.1 and A2.2; that is have a gradient of 10% or less, access widths no less than Table E 6.2 and Table E6.3 and ensure compliance with AS2890.1 Subject to the above condition the proposal is considered to meet A2.1 and 2.2.

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

E6.7.3 Car Parking Access, Safety and Security

A1 <i>Car parking areas with greater than 20 parking spaces must be:</i> a) <i>secured and lit so that unauthorised persons cannot enter or;</i> b) <i>visible from buildings on or adjacent to the site during the times when parking occurs.</i>	Comment: The development proposed identifies 2 car parking spaces only; A1 does not apply to the proposal.
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E6.7.4 Parking for Persons with a Disability

A1 <i>All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</i>	Comment: There are no spaces designated for use by persons with a disability; A1 does not apply to the proposal.
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A2	One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009.	Comment: The proposal is for only 2 car parking spaces. A2 does not apply to the proposal.
E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup		
A1	For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.	Comment: A1 does not apply to the proposal.
E6.8 Provisions for Sustainable Transport		
The proposal does not include bicycle parking and provides only 2 car parking spaces, therefore not requiring the provision of pedestrian walkways. Section E6.8 does not apply to the proposal.		
SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS		
9.1	Changes to an Existing Non-conforming Use	N/a
9.2	Development for Existing Discretionary Uses	N/a
9.3	Adjustment of a Boundary	N/a
9.4	Demolition	N/a
9.5	Subdivision	N/a
STATE POLICIES		
The proposal is consistent with all State Policies.		
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993		
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .		
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES		
Strategic Plan 2007-2017		
4.3 – Development Control		

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

Approve subject to conditions, or refuse and state reasons for refusal.

7 DISCUSSION

Discretion to refuse the application is limited to:

- 26.2 Use table
Recycling and waste disposal is a discretionary use class.

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- 26.3.1 Discretionary uses if not a single dwelling
Acceptable solutions A1 – A4 are for only permitted or no permit required uses
- 26.3.1 Discretionary uses if not a single dwelling
Acceptable solution A5 if for only permitted, no permit required uses or be located in an existing shed.
- E4.3.1 A3 – increase in average daily traffic movements by more than 10%.
- E6.6.1 Car Parking Numbers – the number of car parking spaces provided does not meet the requirements of Table E6.1.
- E6.7.1 A1 Construction of Car Parking Spaces and Access Strips

Tyre storage & shredding, ongoing delivery & storage of up to 2,600 tonnes of 'end of life' tyres per year and the shredding of up to 7,800 tonnes of end of life tyres (level 2 activity under EMPCA).

Conditions that relate to any aspect of the application can be placed on a permit.

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

- A Application & referral to EPA.
- B EPA's request for further information dated 2 May 2016 and applicant's response.
- C EPA's permission to advertise & representations.
- D EPA's request for additional information dated 9 December 2016 and applicant's response.
- E EPA's Environmental Assessment Report and conditions.
- F Tyre removal plan referred to in condition 8.3 of the recommendation.

RECOMMENDATION

The land at 437 Woolmers Lane (CT105810/1), Longford to be developed and used for Recycling and Waste Disposal (Tyre recycling facility - storage & shredding of end of life tyres) (level 2 activity under EMPCA) in accordance with development application P16-077 subject to the following conditions:

1 Layout not altered

All use and development authorised by this permit must be undertaken substantially in accordance with the following endorsed documents:

- **P1 – Site Plan Title Boundary** (Project No. 15.242, Drawing No. C01, Rev -);
- **P2 – Development Area Plan** (Project No. 15.242, Drawing No. C02, Rev -);
- **P3 – Site Plan** (Project No. 15.242, Drawing No. C03, Rev -);
- **P4 – Drainage Plan** (Project No. 15.242, Drawing No. C04, Rev -);
- **P5 – General Arrangement** (Drawing No. LAUNC3-6334, Page 1/3);
- **P6 – Shed Elevation** (Drawing No. LAUNC3-6334, Page 2/3);
- **P7 – Shed Elevation** (Drawing No. LAUNC3-6334, Page 3/3);
- **P8 – 4.9" Primary Shredder Single Pass Layout** (Drawing No. 4.9-1 PASS, Date 01-06);
- **P9 – 4.9" Primary Shredder Single Pass Layout** (Drawing No. 4.9-1 PASS- A, Date 01-07);
- **P10 – 4.9" Primary Shredder Single Pass Layout** (Drawing No. 4.9-1 PASS- C, Date 01-07);
- **D1 – "Tyre Shredder, 437 Woolmers Lane Longford, Supporting Submission"**, 6ty Degrees, 6 April 2015; and
- **D2 – "Tyre Storage and Shredding, 437 Woolmers Lane Longford, Environmental Effects Report"**, 6ty Degrees, Issue 4.1, 17 October 2016.

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2 **Environmental Management and Pollution Control Act 1994**

The person responsible for the activity authorised by this permit must comply with the conditions contained in Schedule 2 of PERMIT PART B PERMIT CONDITIONS – ENVIRONMENTAL No. 9478 dated 13 January 2017 which the Board of the Environment Protection Authority (the **EPA**) has required the planning authority to include in this permit, pursuant to section 25(5) of the *Environmental Management and Pollution Control Act 1994*.

3 **Fire Management and Response Plan**

- 3.1 Within ninety (90) days from the date on which this permit takes effect under section 53 of the *Land Use Planning and Approvals Act 1993*, a Fire Management & Response Plan (the **Fire Plan**) must be prepared and submitted to Council's General Manager for approval.
- 3.2 The Fire Plan must be prepared in consultation with the Tasmania Fire Service, the Director of the EPA and the Council.
- 3.3 Once approved by Council's General Manager, the Fire Plan will be endorsed and will then form part of this permit.
- 3.4 Any proposed amendments to the approved Fire Plan must be prepared in consultation with the Tasmania Fire Service, the Director of the EPA and the Council and do not take effect unless and until they are approved by Council's General Manager.

4 **Plans required**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, plans to the satisfaction of Council's General Manager must be submitted. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and show:

- a) the location and dimensions of:
 - i. the 2 staff car parking spaces to be provided on site;
 - ii. 1 dedicated taxi drop off and pick up space; and
 - iii. 1 dedicated motorbike parking space;
- b) details of the all-weather surface to be provided to all car parking, access strips, maneuvering and circulation spaces;
- c) details of the all-weather surface with a load capacity of at least 20 tonnes suitable for fire trucks for the 'INTERNAL ACCESS ROAD' depicted on endorsed document *P1 – Site Plan (Project No. 15.242, Drawing No. C01, Rev -)*;
- d) all car parking and maneuvering space with a gradient of 10% or less;
- e) access width a minimum of 3.0m with the provision of a passing bay (2.0m wide by 5.0m long) every 30m unless access width is 5.5m or more; and
- f) the finishes of the shed with a light reflectance value not greater than 40%.

5 **Marking of Operations Area**

Within thirty (30) days from the date on which this permit takes effect, the 'OPERATIONS AREA' depicted on endorsed document *P2 – Development Area Plan (Project No. 15.242, Drawing No. C02, Rev -)* must be clearly marked out with a fence or similar to the satisfaction of Council's General Manager.

6 **Marking of tyre pod locations**

Within thirty (30) days from the date on which this permit takes effect, all empty or partially filled pods depicted on the endorsed plans must be marked on-site in accordance with the endorsed plans, to the satisfaction of Council's General Manager.

7 **Tyre delivery to cease if shredder not commissioned**

If after the expiration of nine (9) months from the date on which this permit takes effect the tyre shredder has not been installed, commissioned and brought into operation, all deliveries of tyres to the site must cease until such time as the tyre shredder has been installed, commissioned and brought into operation.

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8 Shredding of Existing Stockpiles

- 8.1 After commencement of use of the shredder, tyres from the area labelled 'EXISTING STOCKPILES' on endorsed document *P1 – Site Plan (Project No. 15.242, Drawing No. C01, Rev -)* (the **Existing Stockpiles**) must be shredded at a rate of no less than 1,400 tonnes every four (4) months.
- 8.2 Every four (4) months following the commencement of use of the shredder, the operator must provide Council's General Manager with a report confirming compliance with condition 8.1 of this permit. The report must include a copy of endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Rev -)* indicating which pods have been removed or partially depleted during the relevant period
- 8.3 Tyres taken from the Existing Stockpiles for shredding must be taken in the following order:
 - a. firstly, from within the area labelled 'STOCKPILE LOCATION 1' on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Rev -)* commencing with the tyre pod located in the south-eastern corner of 'STOCKPILE LOCATION 1' (the **First Pod**) followed by the eight (8) tyre pods located immediately due west of the First Pod;
 - b. secondly, from within the area labelled 'STOCKPILE LOCATION 2' on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Rev -)*;
 - c. thirdly, the tyre pods in 'STOCKPILE LOCATION 1' located to the east of the area where tyres have previously been removed by 'Tyrecycle' as indicated on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Rev -)*; and
 - d. fourthly, the balance of the tyre pods in 'STOCKPILE LOCATION 1'.

Note: for the assistance of the operator Council has prepared and **attached** to this permit a plan indicating the location of the tyre pods described in permit conditions 8.3 a, b and c.

9 Bond/bank guarantee

- 9.1 Within thirty (30) days from the date on which this permit takes effect the operator must supply Council with either:
 - a. a cash bond in the amount of \$200,000; or
 - b. an irrevocable bank guarantee procured from a reputable Australian financial institution made in favour of the Council in the amount of \$200,000,as security for the removal of tyres from the site in accordance with permit condition 16.1.
- 9.2 The bond or bank guarantee supplied in accordance with permit condition 9.1 will be returned by Council once condition 16.1 of this permit has been met in full.
- 9.3 If the operator fails to comply with permit condition 16.1 (in whole or in part), the bond or bank guarantee supplied in accordance with permit condition 9.1 will be applied by Council towards the removal of tyres in accordance with that condition and the balance of the bond or bank guarantee (if any) will be returned to the operator.

10 Vector and Vermin Control

- 10.1 Prior to the commencement of use of tyre storage, a Vector and Vermin Management Plan (the **Vermin Plan**) must be prepared and submitted to Council's General Manager for approval.
- 10.2 The Vermin Plan must include aerial spraying/fogging of the tyre pods to prevent the breeding of mosquitoes.
- 10.3 Once approved by Council's General Manager, the Vermin Plan will be endorsed and will then form part of this permit.

11 Car park and access

Prior to the commencement of the use of the shredder, all areas to be set aside for parked vehicles and internal access roads as shown on the endorsed plans must be constructed to the satisfaction of Council's General Manager.

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12 Construction of crossover

- 12.1 Prior to commencement of use of the shredder, a driveway crossover and sealed apron must be constructed from the edge of Woolmers Lane to the property boundary of 437 Woolmers lane in accordance with Council's Standard Drawing TSD-R05-v1 – Truck Access to Rural Properties 'Type A'.
- 12.2 Access works must not commence until an application for vehicular crossing has been approved by Council.
- 12.3 Works must not be undertaken within the public road reserve without prior approval for the works by the Works & Infrastructure Manager. Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

13 Vehicle movements to local highway

All vehicles leaving the site laden with tyre chips must turn right on to Woolmers Lane and proceed directly to the Midland Highway.

14 Management Commitments

The operator must conduct the activity in accordance with the following management commitments as set out in Part D of endorsed document *D2 – "Tyre Storage and Shredding, 437 Woolmers Lane Longford, Environmental Effects Report", 6ty Degrees, Issue 4.1, 17 October 2016*:

- 14.1 Within seven (7) days of the Fire Plan being endorsed in accordance with condition 3.3 of this Permit, a copy of the Fire Plan:
 - a. must be stored on site and made available for inspection by Council officers upon request; and
 - b. must be provided to the Tasmania Fire Service.
- 14.2 Every six (6) months from the date of the Fire Plan being endorsed in accordance with condition 3.3 of this Permit, the Fire Plan must be reviewed in consultation with Tasmania Fire Service and to the satisfaction of Council's General Manager.
- 14.3 From the date that this permit takes effect, sheep must be run through the development site such that the grass is maintained in a low fuel condition.
- 14.4 Every six (6) months from the date that this permit takes effect, all gorse is to be removed from within the development area.
- 14.5 From the date that this permit takes effect, the irrigation line must be maintained in good working order for firefighting at all times.
- 14.6 Every three (3) months from the date that the permit takes effect, the collection pond valves must be inspected and maintained in good working order.
- 14.7 Every six (6) months from the date that the permit takes effect, all bunds and firebreaks must be inspected and maintained.

15 Aisles between tyre pods

The aisles between all tyre pods must be kept clear of obstructions at all times so as to maintain the free movement of people and vehicles.

16 Removal of Existing Stockpiles

- 16.1 By 31 December 2020, all tyres located in the areas labelled '*STOCKPILE LOCATION 1*' and '*STOCKPILE LOCATION 2*' on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Issue 01, Rev -)* must be removed from the site. For the avoidance of doubt, this condition does not apply to the areas labelled '*LOCATION OF PROPOSED 20m x 8m TYRE SHREDDER SHED*' and '*TEMPORARY STORAGE AREA IN THE EVENT THAT SHREDDER IS NON-OPERATIONAL*' on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Issue 01, Rev -)*.
- 16.2 After 31 December 2020, tyres must not be deposited, stockpiled or otherwise stored within the areas labelled '*STOCKPILE LOCATION 1*' and '*STOCKPILE LOCATION 2*' on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Issue 01, Rev -)*. For the avoidance of doubt, this condition does not apply to the areas labelled '*LOCATION OF PROPOSED 20m x 8m TYRE SHREDDER SHED*' and

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'TEMPORARY STORAGE AREA IN THE EVENT THAT SHREDDER IS NON-OPERATIONAL' on endorsed document *P3 – Site Plan (Project No. 15.242, Drawing No. C03, Issue 01, Rev -)*.

17 Rehabilitation

By 31 March 2021 the area identified as the *'DEVELOPMENT AREA'* on endorsed document *P2 – Development Area Plan (Project No. 15.242, Drawing No. C02, Rev -)* must be rehabilitated for agricultural use to the satisfaction of Council's General Manager taking advice from a suitably qualified agricultural consultant.

18 Bi-annual reporting

Every six (6) months from the date that the permit takes effect, the operator must supply Council's General Manager with a report in respect to compliance with each applicable condition of this permit.

DECISION

Cr

Cr