

**Town Planning compliance advice re: extension of
existing medical centre and new signage**
Against the Kingborough Interim Planning Scheme 2015

For Partnered Health

**20 Channel Highway, Kingston TAS 7050
(CT-154504/1)**

12 November 2025

Version 2.0



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

Gray Planning
224 Warwick Street
West Hobart TAS 7000

12 November 2025

Mr Michael Broadbent
Partnered Health
Level 2, 196 Greenhill Road EASTWOOD
SOUTH AUSTRALIA 5063

Dear Michael,

RFI RE: PROPOSED DEVELOPMENT/USE – EXTENSION TO MEDICAL CENTRE (GENERAL PRACTICE) AT 'KINGSTON PLAZA', 20 CHANNEL HIGHWAY, KINGSTON

I refer to the Council planning application DA-2025-193 for which a further information request has been received from Council dated 7 July 2025.

Gray Planning has been engaged to review and provide compliance advice against the updated P3 plans and information against the Planning Scheme use and development standards that apply to the subject site 20 Channel Highway, Kingston.

Please find attached an updated town planning report comprising an assessment has been taken against the *Kingborough Interim Planning Scheme 2015* as it applies for a planning application for an extension of the existing medical centre use into the adjacent vacant tenancy and new signage at Kingston Plaza at 20 Channel Highway, Kingston.

It is intended that the information will address item #6 of the Council Request for Further Information (RFI#2) dated 26 August 2025.

Should you have any questions about the content of the report, please do not hesitate to contact me on 0439 342 696.

Yours faithfully



Danielle Gray B.Env.Des. MTP. MPIA
Principal Consultant, Gray Planning



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1 Introduction

1.1 Purpose

The purpose of this report is to provide planning responses to address the Council RFI received for DA-2025-193 about the proposed extension of the existing medical centre and new signage at the subject site at Kingston Plaza, 20 Channel Highway, Kingston in the Kingborough Council municipality (title reference CT-154504/1).

1.2 Copyright

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Last updated: 12 November 2025

Report Author: Danielle Gray

Version 2.0



2 The subject site

2.1 Existing Site Development at the subject site

The subject site comprises Kingston Plaza at 20 Channel Highway in Kingston in the Kingborough Council municipality (title reference CT-154504/1).

The subject site is in private ownership with individual tenancies tenanted out. The Centre acts as a small local shopping centre providing retail, food services, banking, a medical centre and consulting rooms.

The subject site has road access from Channel Highway. Parking is located in the Channel Highway facing foreground of the subject site.

The surrounding area has mixed land use of generally retail, hotel industry, food services, civic, religious (church) and consulting room uses.

The existing tenancy 12A at 20 Channel Highway contains the Kingston Plaza medical centre. The planning application DA-2025-193 seeks to expand the floor space of the medical centre into the next door tenancy 12 that has been recently vacated by a gym.

The advice provided within this report providing a summary of compliance against applicable planning use and development standards under the *Kingborough Interim Planning Scheme 2015*.





Figure.1. The subject site at 20 Channel Highway shown outlined. The approximate location of the Kingston Plaza medical centre is arrowed. Source: TheLIST, sourced August 2025. No nominated scale.





Figure.2. The subject site at 20 Channel Highway, Kingston shown outlined with surrounding use and development of predominantly a commercial, civic and retail nature. Source: TheLIST, sourced August 2025. No nominated scale.



3 The RFI for DA-2025-193

3.1 Council RFI dated 7 July 2025

The planning application seeking an extension of the floor area for the existing Kingston Plaza medical centre along with signage was lodged to Kingborough Council and received a subsequent RFI (Request for Further Information) dated 7 July 2025. A copy of this RFI is shown overleaf.

3.2 Council RFI dated 26 August 2025

The planning application received a subsequent RFI (Request for Further Information) dated 26 August 2025. A copy of this RFI#2 is shown overleaf.





7 July 2025

Our Ref: DA-2025-193

Cascade Road Medical Centre Pty Ltd
Level 2, 196 Greenhill Road
EASTWOOD SOUTH AUSTRALIA 5063

Delivered by email only: Matthew.Quigley@partneredhealth.com.au

Dear Sir/Madam

PROPOSED DEVELOPMENT/USE – EXTENSION TO MEDICAL CENTRE (GENERAL PRACTICE) AT 'KINGSTON PLAZA', 20 CHANNEL HIGHWAY, KINGSTON

Thank you for your application for a planning permit.

An initial assessment has been undertaken and I advise that the following additional information is needed.

1. A full copy of the certificate title must be submitted to Council. It is acknowledged that the current folio text and folio plan for CT 154504/1 has been provided. However, a copy of the Part 5 Agreement (registered under Schedule 2 of the certificate title) must also be submitted as part of the application to Council.

Accordingly, please provide a copy of the Part 5 Agreement (Dealing Number C964871), which can be obtained online through www.thelist.tas.gov.au or at Service Tasmania.

2. A written statement providing a description of the existing and proposed use and the scope of proposed buildings and works, including but not limited to:
 - (a) A general description of the proposed daily business operation;
 - (b) The layout of the medical practice and description of the consulting rooms and any other room providing a medical service;
 - (c) A description of all proposed buildings and works;
 - (d) Total number of employees onsite at any time;
 - (e) Maximum number of persons providing health services at any one time; and
 - (f) Hours of operation.

It is acknowledged that a cover letter has been supplied, but this information is insufficient and does not address all the information requested above.

3. Amended dimensioned Site Plan drawn to scale showing:
 - (a) The location of all buildings onsite and with the individual tenancies (shop(s)) subject to the proposal clearly identified.
 - (b) Location of any proposed signage, including an annotated description of

Kingborough Council

Civic Centre, 15 Channel Highway, Kingston TAS 7050
 (03) 6211 8200 kc@kingborough.tas.gov.au

Locked Bag 1, Kingston TAS 7050
 www.kingborough.tas.gov.au



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0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

- signage type and sign dimensions; and
- (c) All existing assigned carparking spaces and any proposed additional assigned car parking spaces for the subject tenancies (shop(s)).

It is acknowledged that a basic Site Plan has been supplied but does not show all the information requested above.

4. Dimensioned Elevation Plans of the façade clearly showing the following:

- (a) All glazing and cladding materials;
- (b) Signage location(s);
- (c) Signage dimensions;
- (d) Dimensions from natural ground level to the proposed finished floor levels;
- (e) Description of signage type; and
- (f) Details of construction materials/colours proposed to be used.

It is acknowledged that a concept signage plan has been supplied, but this is insufficient and does not show all the information requested above.

- 5. A written statement that addresses and responds to the 'Acceptable Solution(s)' or 'Performance Criteria' of the Central Business Zone Use Standards – Clause 22.3 of the Kingborough Interim Planning Scheme (the Scheme).
- 6. A written statement that addresses and responds to the 'Acceptable Solution(s)' or 'Performance Criteria' of the Central Business Zone Development Standards for Building and Works – Clause 22.4 of the Scheme. Specifically, consideration must be given to Clause 22.4.3 Design and Clause 22.4.4 Passive Surveillance.
- 7. A Traffic Impact Assessment (TIA) prepared by a suitably qualified person to demonstrate that the existing road systems are adequate to accommodate the increased traffic volumes generated by the proposed development and will not contribute to an unacceptable increase in traffic hazard.

The TIA must also address the relevant clauses of Codes E5.0 Road and Railway Assets Code and E6.0 Parking and Access Code of the Scheme.

Please note that Table E6.1 Number of Parking Spaces Required, Use Class: **Business and professional services – Medical centre**, requires 5 parking spaces for each person providing health services to satisfy the acceptable solution A1. An application that does not satisfy the Acceptable Solution A1 requires an assessment against the Performance Criteria P1 as outlined in Table E6.1. The TIA can incorporate any existing approved use and parking spaces.

A decision regarding your application must be made within 42 days of the date in which it became valid. However, the assessment time is put on hold until the requested information is received and is satisfactory to Council.

You must submit the information requested to Council within 2 years of the date of this letter or your application will lapse. If you require more time, you may lodge a request to extend the time in writing before the 2 years is up. If you do not provide the information and the application lapses, you will have to resubmit all application documents and pay new application assessment fees to proceed.

If you submit the required additional information electronically (preferred), please send it to development@kingborough.tas.gov.au.



You have a right of appeal against the requirement to submit any of the requested information. You must lodge any appeal with the Tasmanian Civil & Administrative Tribunal (TASCAT) within 14 days of the date of this letter.

If you have any questions please contact Shannon McCaughey on 6211 8200.

Yours sincerely



MELISSA STEVENSON
COORDINATOR STATUTORY PLANNING





26 August 2025

Our Ref: DA-2025-193

Cascade Road Medical Centre Pty Ltd
Level 2, 196 Greenhill Road
EASTWOOD SOUTH AUSTRALIA 5063

Delivered by email only: Matthew.Quigley@partneredhealth.com.au

Dear Sir/Madam

PROPOSED DEVELOPMENT/USE – EXTENSION TO MEDICAL CENTRE (GENERAL PRACTICE) AT 'KINGSTON PLAZA', 20 CHANNEL HIGHWAY, KINGSTON

Thank you for the additional information provided in relation to your application. Please read this letter in conjunction with the original request for further information dated 7 July 2025.

Unfortunately, the information you have provided has not fully satisfied Council's request. The following matters are still outstanding.

1. Information provided is adequate.
2. Information provided is adequate.
3. Information provided is adequate.
4. Information provided is adequate.
5. Information provided is adequate.
6. **Information provided is not adequate.**

It is acknowledged that a Planning Report prepared by Gray Planning has been submitted which provides an assessment against Clauses 22.4.3 and 22.4.4. However, the report does not acknowledge or address that the building façade and external wall are being altered through the inclusion of solid window signage. This alteration requires explicit consideration under both Clauses, as the signage has the potential to reduce transparency to the street, diminish activation of the façade, and limit opportunities for passive surveillance.

Accordingly, you are requested to provide an amended planning report or separate assessment against Clause 22.4.3 – Design and Clause 22.4.4 – Passive Surveillance, having regard to the changes to the building façade arising from the proposed window signage.

Kingborough Council

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0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au
ABN 99148920244

7. Information provided is partially adequate.

It is acknowledged that a Traffic Impact Assessment has been provided; however, it does not adequately address the requirements of Clause E6.6.1 of the Scheme. The proposal results in an increase in the number of car parking spaces required, yet the assessment fails to:

- demonstrate compliance with the Acceptable Solution A1 by confirming that the proposed number of spaces is no less than that specified in Table E6.1; or
- provide justification against the Performance Criteria P1, by directly addressing whether the number of spaces is sufficient to meet expected demand, having regard to:
 - (a) car parking demand generated by the use;
 - (b) the availability of on-street and public car parking in the locality;
 - (c) the availability and frequency of public transport within 400 m walking distance of the site;
 - (d) the availability and likely use of other modes of transport;
 - (e) the availability and suitability of alternative arrangements for car parking provision;
 - (f) any reduction in car parking demand due to sharing of spaces by multiple uses, either because of variation in demand over time or efficiencies gained from consolidation; and
 - (g) any existing car parking deficiency or surplus associated with the site;
 - (h) any credit which may be allowed for car parking demand deemed to have been provided in association with a pre-existing use, except where substantial redevelopment of the site has occurred.

Accordingly, please provide an updated Traffic Impact Assessment to demonstrate compliance with Table E6.1 or provide a detailed justification against Performance Criteria P1 to satisfy the requirements of Clause E6.6.1 of the Scheme.

You will need to provide the requested information to enable the application to be progressed. Should you wish to submit further information electronically, please send it to development@kingborough.tas.gov.au.

Please be advised that the period in which Council may consider your application, being forty two (42) days from receipt of the application, is currently not running and will not begin again until such time as the matters referred to above are addressed to the satisfaction of Council.

Please be advised that pursuant to section 54(2AA) of the *Land Use Planning and Approvals Act 1993* if the information requested is not submitted within two years of Council's original request the application will lapse. A request to extend the time can be made in writing before the application lapses. If the application lapses, a fresh application must be made including all documentation and associated fees.

If you wish to discuss your application, or the content of any further information request, it is suggested that you contact the officer named in this letter to determine if an appointment to discuss is required and ensure they are available should you intend to visit the office.

Responses to item #6 has been commented on within the following assessment, noting that version 3 of the proposal plans has reduced the extent and number of new signs being proposed to address Council concerns outlined in RFI#2.



4 Zoning of the subject site

4.1 KIPS 2015 zoning

The subject site is zoned Central Business under the *Kingborough Interim Planning Scheme 2015*.

This zoning is shown below.

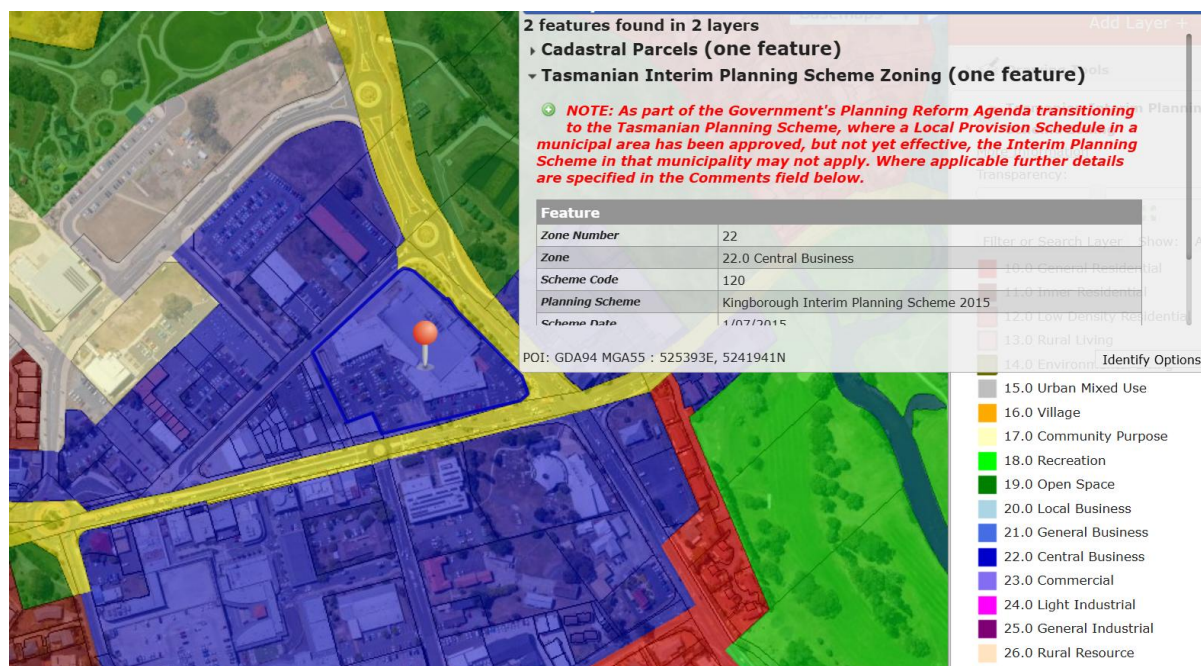


Figure.3. Tasmanian Planning Scheme zoning of the subject is Central Business (blue shaded land). This covers much of the Kingston CBD area. Source: TheLIST, sourced August 2025. No nominated scale.

The standards for any use or development in the Central Business zone are contained under Part 22.0 of the Planning Scheme.



5 RFI items requiring updated plans and TIA

The RFI from Council dated 7 July 2025 requested multiple items. These are outlined below.

5.1 Item #1

This item requested a copy of the Part 5 Agreement C964871 registered on the title for CT-154504/1.

A copy of this was retrieved and provided to the client. This Part 5 is also included as Appendix A in this planning report.

The Part 5 concerns itself with parking arrangements for the subject site.

A copy of this Part 5 was provided by the client to their traffic engineers and has been considered as part of the request for a Traffic Impact Assessment.

*As per advice from Council dated 26 August in RFI#2, this item has now been satisfied.

5.2 Item #2

This item requested a written description of the existing use. The client Partnered Health has provided this and Gray Planning has referred to this information to compile this planning report.

From review of the client's written outline (also provided to Council as part of the RFI response) the following responses are provided to each item requested by Council:

- (a) The daily business operations have been outlined in the client's submission and will not change from existing hours of operation. The existing use is a medical centre where patients can book appointments with general practitioners (medical GPs). This existing approved use will not change as part of the application.
- (b) The layout of the overall tenancy (proposed floor plan) has been shown on updated plans showing the proposed floor plan and is accompanied by the client's written submission detailing the operations of the existing medical centre (which will not alter other than more floor space and more GPs being available).
- (c) The planning application involves an expansion of an existing use (medical centre) at Kingston Plaza (tenancy 12A) into the next door vacant tenancy 12. There is no demolition or external alteration works proposed. All building works are internal only and comprise an internal fitout. The façade of the tenancies will not change at all other than new signage.
- (d) Employee numbers have been outlined in the client's submission, noting that all GPs would not be on site at any one time.
- (e) Employee numbers and the business operations have been outlined in the client's submission, noting that all GPs would not be on site at any one time.
- (f) Hours of operation are currently 8:00am until 5:00pm weekdays. The centre is closed on weekends and public holidays. These hours will remain unchanged by the proposal.

*As per advice from Council dated 26 August in RFI#2, this item has now been satisfied.



5.3 Item #3

This item requested an amended site plan. This has been provided by the client as part of the RFI response back to Council.

*As per advice from Council dated 26 August in RFI#2, this item has now been satisfied.

5.4 Item #4

This item requested dimensioned elevation plans of the façade. Existing and proposed façade elevations that also show signage have been provided by the client as part of the RFI response back to Council.

It should be noted that there are NO changes to the façade as it currently appears. There are no external or demolition works proposed to the façade. There is no change to façade colours, materials or finishes. There is new signage only to the façade.

Signage details have also been provided by the client as part of the RFI response back to Council.

*As per advice from Council dated 26 August in RFI#2, this item has now been satisfied, noting that updated signage plans (Version 3) have been provided that further reduce the extent and number of signs being proposed.

5.5 Item #5

This item requested a written statement address Use standards for the zone. This is provided within this planning report (see section 7) and has been provided against additional plans and information provided by the client as part of their RFI response.

*As per advice from Council dated 26 August in RFI#2, this item has now been satisfied.

5.6 Item #6

This item requested a written statement address Development standards for the zone. This is provided within this updated planning report and has been provided against additional amended Version 3 plans and information provided by the client as part of their RFI#2 response.



5.7 Item #7

This item requested a TIA. This has been provided by the client's Traffic Engineer as part of their RFI response with a further response to be provided in due course, as requested in the RFI#2 letter from Council.



6 Site Photos

The subject site was inspected by the report author on 28 July 2025, and the following images were taken on that inspection.



Image.1. The existing medical centre tenancy entrance. No demolition or alteration works are proposed to this external façade. New signage is however proposed to replace existing signage, and this has been submitted on updated plans to Council. Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.





Image.2. The existing medical centre tenancy entrance on the right. No demolition or alteration works are proposed to this external façade. New signage is however proposed to replace existing signage, and this has been submitted on updated plans to Council.
 Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.





Image.3. The tenancy façade for the previous gym that is now vacant. No demolition or alteration works are proposed to this external façade. New signage is however proposed, and this has been submitted on updated plans to Council. Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.





Image.4. The tenancy façade for the previous gym that is now vacant. No demolition or alteration works are proposed to this external façade. New signage is however proposed, and this has been submitted on updated plans to Council. The existing Below Awning sign (arrowed) is already existing and was used by the previous gym tenant. This will be retained with the medical centre logo and lettering replacing the gym logo and lettering. Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.





Image.5. The side by side tenancies of the former gym site (left hand side) to be used as an extension of the existing medical centre and the existing medical centre tenancy (right hand side). No physical demolition or alteration works are proposed to either external façade. Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.





Image.6. The tenancy façade for the previous gym that is now vacant. No demolition or alteration works are proposed to this external façade. New signage is however proposed, and this has been submitted on updated plans to Council. The existing Below Awning sign (arrowed) is already existing and was used by the previous gym tenant. This will be retained with the medical centre logo and lettering replacing the gym logo and lettering. Source: Gray Planning, taken 28 July 2025. Taken with iPhone 14 Pro. No image modification.





Image.7. The tenancy façade for the previous gym that is now vacant. No demolition or alteration works are proposed to this external façade. The tenancy extent is arrowed.

Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.



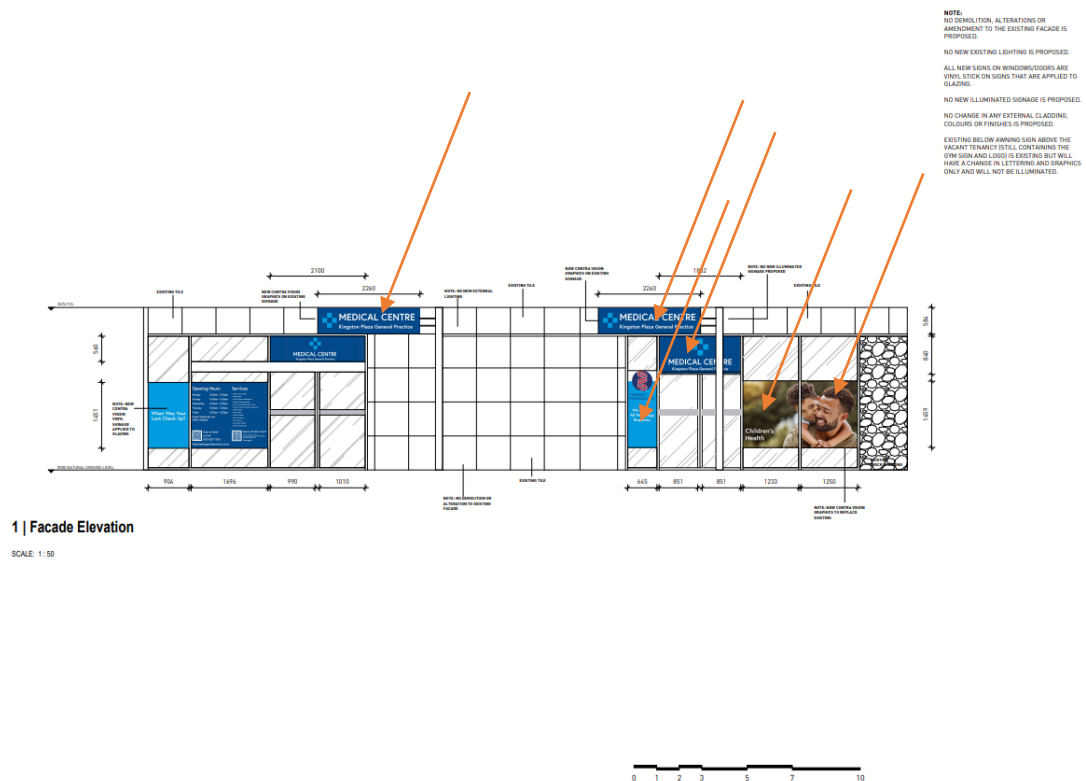


Image.8. The side by side tenancies of the former gym site (left hand side) to be used as an extension of the existing medical centre and the existing medical centre tenancy (right hand side). No physical demolition or alteration works are proposed to either external façade. Source: Gray Planning, taken 28 July 2025. Taken with iphone 14 Pro. No image modification.



7 Version 3 signage plans

The plans have been amended to the following version showing a reduction in signage originally proposed:



Existing signs subject to a change in graphics, colour or logo in the above elevation drawing that have been indicated with an arrow.

The Planning Scheme offers the following exemption for signage:

- E17.4.3** Changes to the graphics of a legally existing sign, including text, graphic design and colour is exempt from requiring a permit under this planning scheme.

There are three new signs being proposed at the empty tenancy formerly occupied by the gym.

These include:

- 0.56m x 2.1m adhesive vinyl sign to be applied to glass over automatic doors;
- 1.451m x 1.696m adhesive vinyl sign to be applied to glass to the immediate right of the automatic doors that gives information on opening hours and practicing medical experts; and
- 1.451m x 0.9m adhesive vinyl sign to be applied to side glass panel to the left of automatic doors.

None are illuminated and all are adhesive vinyl.



Council made the following request under item #6 on 26 August 2025:

6. Information provided is not adequate. It is acknowledged that a Planning Report prepared by Gray Planning has been submitted which provides an assessment against Clauses 22.4.3 and 22.4.4. However, the report does not acknowledge or address that the building façade and external wall are being altered through the inclusion of solid window signage. This alteration requires explicit consideration under both Clauses, as the signage has the potential to reduce transparency to the street, diminish activation of the façade, and limit opportunities for passive surveillance. Accordingly, you are requested to provide an amended planning report or separate assessment against Clause 22.4.3 – Design and Clause 22.4.4 – Passive Surveillance, having regard to the changes to the building façade arising from the proposed window signage.

Planning Response:

Council has raised issues of transparency, activation of the façade and passive surveillance and these have been considered under each applicable Performance Criteria of clauses 22.4.3 and 22.4.4.



8 Use standards in the Central Business zone

A planning application seeking approval for an extension of the existing medical centre use at the subject site has been assessed against the following Use standards which can be found in Part 22.3 of the *Kingborough Interim Planning Scheme 2015* (the 'Planning Scheme').

Under Table 8.2 of the Planning Scheme, a medical centre falls under the Business and Professional Services use class as follows:

Table 8.2 Use Classes

| Use Class | Description |
|------------------------------------|--|
| Bulky goods sales | use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscape suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales. |
| Business and professional services | use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre. |

Under Table 22.2 for the Central Business zone, Business and Professional Services are a Permitted use with no qualification as follows:

22.2 Use Table

| No Permit Required | |
|--------------------|---|
| Use Class | Qualification |
| Any permitted use | Only if replacing an existing use on the site and there is no associated development requiring a permit |
| Residential | Only if home-based business |
| Utilities | Only if minor utilities |
| Permitted | |



| Use Class | Qualification |
|-------------------------------------|--|
| Business and professional services | |
| Community meeting and entertainment | |
| Educational and occasional care | Only if above ground floor level, (except for access). |
| Food services | Except if a take away food premises with a drive through facility. |
| General retail and hire | Except if adult sex product shop or supermarket. |
| Passive recreation | |
| Residential | Except if No Permit Required. Only if above ground floor level (except for access). |
| Research and development | Only if above ground floor level (except for access). |
| Discretionary | |
| Use Class | Qualification |

The following responses are provided to each of the Use Standards for the Central Business zone:



22.3.1 Hours of Operation

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

Planning Response:

The current hours of operation are 8:00am until 5:00pm weekdays. The medical centre is not open public holidays or weekends.

These hours of operation are within the A1 Permitted hours of operation for the Central Business zone.

The application does not seek any amendment of these existing hours of operation. Therefore, this clause is not triggered by the proposal.



22.3.2 Noise

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

Planning Response:

The planning application seeks an extension of the existing medical centre by expansion into the adjacent vacant tenancy.

The existing use will not vary for the current medical centre use in terms of operations and the nature of the uses and the services offered.

No new machinery is proposed as part of the expansion. No machinery is operated externally at the subject site. No noise emissions occur as a result of the existing medical centre use and activity.

The nearest corner of the subject site 20 Channel Highway is separated to the closest part of land zoned General Residential at Unit 3, 9 Channel Highway a distance no less than 96m.

It is considered that in the absence of any proposed machinery operation or noise emitting use associated with the expansion of the existing medical centre use, this clause is not triggered, and no acoustic measuring is required.



22.3.3 External Lighting

| Objective: | |
|--|---|
| To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone. | |
| Acceptable Solutions | Performance Criteria |
| A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; | P1 External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following: |
| (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone. | (a) level of illumination and duration of lighting; (b) distance to habitable rooms in an adjacent dwellings. |

Planning Response:

The planning application does not seek approval for any new external lighting as the existing external façade of the tenancy will not be subject to any alteration or demolition works. In any case, the subject site is more than 50m to any land in a residential zone.

This clause is therefore not triggered.



22.3.4 Commercial Vehicle Movements

| Objective: | |
|--|---|
| To ensure that commercial vehicle movements do not have unreasonable impact on residential amenity on land within a residential zone. | |
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;</p> <p>(b) 7.00 am to 9.00 pm Sundays and Public Holidays.</p> | <p>P1</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p> |

Planning Response:

The current hours of operation are 8:00am until 5:00pm weekdays. The medical centre is not open public holidays or weekends.

These hours of operation are within the A1 Permitted hours of operation for the Central Business zone.

The application does not seek any amendment of these existing hours of operation.

Any commercial vehicle movements will continue to be undertaken during the existing hours of operation which comply with those in the A1 Acceptable Solution.



9 Development standards for buildings in the Central Business zone

A planning application seeking approval for an extension of the existing medical centre use at the subject site would be assessed against the following Development standards which can be found in Part 22.4 of the *Kingborough Interim Planning Scheme 2015* (the 'Planning Scheme'), noting that the proposal does not seek approval for any demolition, alteration or modification to the physical fabric of the existing vacant tenancy façade previously used by a gym.

The proposed signs are vinyl peel and stick on signage that are applied to glass and able to be easily removed without any impact on building fabric, leaving no residue.



22.4.1 Building Height

| Objective: | |
|--|--|
| To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone. | |
| Acceptable Solutions | Performance Criteria |
| A1 Building height must be no more than: 15 m. | P1 Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the scale of nearby buildings; (c) be no more than 20 m. |
| A2 Building height within 10m of a residential zone must be no more than: (a) 8.5m; or (b) 9.5m if for 6 Summerleas Road (FR 130964 /1), 58 Channel Highway (FR 30067/2), 56A Channel Highway (FR 198046/1), 56 Channel Highway (FR 30067/3), 54 Channel Highway (FR 126454/4), 52 Channel Highway (FR 126454/5), 50 Channel Highway (FR 146799/1), 48 Channel Highway (FR 20911/3), 46 Channel Highway (FR 20911/2), or 44 Channel Highway (FR 140017/0, FR 140017/1, FR 140017/2). | P2 Building height within 10m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone. |

Planning Response:

The planning application does not seek approval for any external alteration or extension to the Kingston Plaza building.

Building height will remain entirely unaffected by the proposal and therefore this clause is not triggered.



22.4.2 Setback

| | |
|--|----------------------|
| Objective: | |
| To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone. | |
| Acceptable Solutions | Performance Criteria |
| A1 | P1 |

| | |
|---|--|
| <p>Building setback from frontage must be parallel to the frontage and must be no more than:</p> <p>3 m, if fronting Channel Highway.</p> <p>nil m, if fronting any other street.</p> | <p>Building setback from frontage must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) be consistent with any Desired Future Character Statements provided for the area; (b) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape; (c) enhance the characteristics of the site, adjoining lots and the streetscape; (d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created; (e) provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance. |
|---|--|



| | |
|--|---|
| <p>A2</p> <p>Building setback from a residential zone must be no less than:</p> <p>(a) 6 m;</p> <p>(b) half the height of the wall, whichever is the greater.</p> | <p>P2</p> <p>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</p> <p>(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;</p> <p>(b) overlooking and loss of privacy;</p> <p>(c) visual impact when viewed from adjoining lots,</p> <p>taking into account aspect and slope.</p> |
|--|---|

Planning Response:

The planning application does not seek approval for any external alteration or extension to the Kingston Plaza building.

Building frontage will remain entirely unaffected by the proposal and therefore this clause is not triggered.



22.4.3 Design

| Objective: | |
|--|--|
| To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone. | |
| Acceptable Solutions | Performance Criteria |
| A1 Building design must comply with all of the following: <ul style="list-style-type: none"> (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) not include security shutters over windows or doors with a frontage to a street or public place; (g) provide awnings over the public footpath if existing on the site or on adjoining lots. | P1 Building design must enhance the streetscape by satisfying all of the following: <ul style="list-style-type: none"> (a) provide the main access to the building in a way that addresses the street or other public space boundary; (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces; (c) treat large expanses of blank wall in the front façade and facades facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space; (d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street; (e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact; (f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints; (g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible; |
| | (h) be consistent with any Desired Future Character Statements provided for the area. |
| A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent. | P2 No Performance Criteria. |

Planning Response:

The planning application does not seek approval for any external alteration or extension to the Kingston Plaza façade building fabric other than the application of adhesive vinyl signage to be stuck onto existing glazing. Alterations to building fabric are internal only, as shown on



the 'existing' and 'proposed' floor plans submitted which show an internal fit out of tenancies to combine these spaces into a larger internal single tenancy.

The following responses have been made to made to each A1 and A2 Acceptable Solution Criteria with respect to the proposed removable stick on vinyl signage to be applied to existing windows. It is maintained that these constitute 'signage' not physical alterations to building fabric:

A1(a): provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;

The pedestrian entrances to both tenancies will remain entirely unaltered by the proposal as no external works or physical impact to façade fabric are proposed. No new signage is proposed to be applied to either door with each entrance remaining as per the existing transparent glazing.

A1(b): for new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade

No new building is proposed. No external alterations to the existing fabric of the facades are proposed to the two tenancies within the Kingston Plaza building. The internal alterations will not result in any amendment to the existing external facades of both affected tenancies.

In terms of the new signage proposed on the gym entrance, the following areas of signage are proposed:

- 0.56m x 2.1m adhesive vinyl sign to be applied to glass over automatic doors = 1.176sqm in signage area;
- 1.451m x 1.696m adhesive vinyl sign to be applied to glass to the immediate right of the automatic doors that gives information on opening hours and practicing medical experts = 2.46sqm in signage area; and
- 1.451m x 0.9m adhesive vinyl sign to be applied to side glass panel to the left of automatic doors = 1.3sqm in signage area.

Total area of signage proposed: 4.936sqm

Total area of glazed façade: 2.9m x 4.7 = 13.36sqm in the former gym façade of glazing comprising windows and glazed doors.

4.936sqm of glazed area proposed to be obscured by vinyl stick on removable signage = 36.94% obstruction of glazed façade elements.

The double width glazed doors will be retained as clear glazed elements to enable clear views to and from the reception area of the tenancy, whilst also providing patients in the reception area with reasonable privacy as they wait in the reception.



A1(c): for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade

No external alterations are proposed to the two tenancies within the Kingston Plaza building. The internal alterations will not result in any amendment to the existing external facades of both affected tenancies. The glazing to have signage opposed is articulated by frames and broken up by signage comprising images, a logo, colour panels and lettering. It is not considered that the application of the signage will constitute a blank façade which is typically considered to be a façade unarticulated and unadorned with any changes in materials, colours or finishes.

A1(d): screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;

No new mechanical plant or miscellaneous equipment is proposed to be installed externally. Any new air conditioning and heating will be internally installed and use outlets within the existing roof form and equipment internally within the building.

A1(e): incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof

No new roof top infrastructure is proposed as part of the application such as lifts and service plants.

A1(f): not include security shutters over windows or doors with a frontage to a street or public place

No external alterations are proposed to the two tenancies within the Kingston Plaza building. The internal alterations will not result in any physical alteration or amendment to the existing external facades of both affected tenancies other than removable peel on adhesive signage being placed on some of the glazed window and door panels of the empty gym tenancy. No security shutters are existing and none are proposed.

A1(g): provide awnings over the public footpath if existing on the site or on adjoining lots

No external alterations other than removable signage on glazing are proposed to the two tenancies within the Kingston Plaza building. The internal alterations will not result in any amendment to the existing external facades of both affected tenancies. No new awnings are



proposed, and the existing awnings over the public footpath are entirely unaffected by the proposal and will remain as existing.

A2: Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.

There are no proposed changes to the external walls of the tenancy façade that faces Channel Highway. This façade does not face a residential zone in any case as the subject site is wholly surrounding by land zoned General Business or land zoned Utilities that contains roads.

Comments have been provided against the P1 Performance Criteria as follows (noting there are no P2 Performance Criteria):

P1(a) provide the main access to the building in a way that addresses the street or other public space boundary;

Both entrances to tenancies will not be physically altered and will not have any signage applied to them to enable them to retain clear glazing to ensure transparency for both customer and pedestrians.

The entrance will remain centrally located and an absence of any obscure glazing or signage enables the tenancy access to visually address the street without any obstruction or screening.

P1(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;

More than 63% of the glazed façade of the former gym tenancy will remain to provide for passive surveillance for both customer and pedestrians.

The signage proposed on the gym tenancy provides the following information which is considered important for patients given the business is for a medical practice and is not a retail premises offering goods for sale:

- Identifies the business with an attractive business logo;
- Provide a degree of visual screening for guests waiting in the reception area;
- Provides information about medical consultants operating out of the tenancy and the hours and days of operation of the practice.

Then centrally located entrance doors are proposed to be entirely free of any visual obstruction, signage or obscure glazing to provide for clear views to and from the tenancy and to enable an appropriate level of passive surveillance appropriate for the medical practice which is not a retail tenancy offering goods for sale.



P1(c) treat large expanses of blank wall in the front façade and facades facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;

The existing cream coloured tiled facade spanning between the two tenancies is not proposed to be affected by the proposal and will retain its articulated textured tiling finish, in keeping with all other adjacent tenancies.

P1(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;

No such equipment is proposed.

P1(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;

No such equipment is proposed.

P1(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;

No physical alteration to the existing awning is proposed at all which will remain entirely as existing in its original form from the original approval of the shopping centre.

P1 (g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;

No shutters are proposed.



P1(h) be consistent with any Desired Future Character Statements provided for the area.

The Desired Future Character Statements for Kingston are:

22.1.3 Desired Future Character Statements

| Desired Future Character Statements | Implementation Strategy |
|---|---|
| KINGSTON | |
| <p>(a) Central Kingston should be further developed and improved so that it is a pleasant destination, and is characterised by attractive public spaces and a modern urban design.</p> <p>(b) Central Kingston will be developed so that visitors are able to access the area and move about in a safe and efficient manner.</p> <p>(c) Car parking needs are to be met in a manner that allows for active streetscape functions, pedestrian safety and convenient locations.</p> | <p>(a) The redevelopment of significant land parcels (such as the former Kingston High School site) and public streetscapes will be based on contemporary urban planning techniques that meet long term community needs.</p> <p>(b) Traffic modelling will be required to ensure efficient movement and physical infrastructure will be provided to best meet the needs of vehicles, cyclists and pedestrians.</p> <p>(c) Car parking areas are not to face immediately onto streets within central Kingston and should be designed so that common areas are provided behind, under or above buildings facing the street.</p> |

In terms of the above Statements, the following responses are offered:

- (a) The proposed signage and extension of the medical centre will not have any unreasonable or detrimental impact on Kingston's public spaces. The tenancy in question is located internally within a privately owned site which is accessed by the general public. The signage proposed is not out of keeping with existing signage in close visual proximity and is not considered visually distracting, unattractive, inappropriate or blocking opportunities for passive surveillance appropriate for the use proposed, noting that medical practices would typically have less clear glazed window areas than retail shops or food service businesses.
- (b) The subject site is very well accessed by public and private transport as well as accessible on foot. The proposal will not alter this.
- (c) Car parking is readily available to the subject site and is located directly adjacent to pedestrian walkways. The tenancies in question are conveniently located to car parking and the proposal will not result in pedestrian safety to be compromised. The very close proximity to available car parking readily enables active streetscape functions where shoppers can easily alight from vehicles to access shops and services at the subject site. This will not be altered by the proposal.



In terms of the following Implementation Strategies, the following comments are provided:

- (a) The subject site is not located in the former Kingston High School site which has now been redeveloped by Council.
- (b) Traffic modelling has previously been provided by the applicant and it is understood more will be provided in response to RFI#2.
- (c) This Strategy is applicable to proposed new developments involving new parking. The proposal seeks to retrofit an existing tenancy where parking was approved and constructed to be located between shopfronts and Channel Highway.



22.4.4 Passive Surveillance

| Objective: | |
|---|--|
| To ensure that building design provides for the safety of the public. | |
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Building design must comply with all of the following:</p> <ul style="list-style-type: none"> (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front facade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the facade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; | <p>P1</p> <p>Building design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces; (b) locate windows to adequately overlook the street and adjoining public spaces; (c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (d) locate external lighting to illuminate any entrapment spaces around the building site; (e) provide external lighting to illuminate car parking areas and pathways; (f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces; (g) provide for sight lines to other buildings and public spaces. |
| <p>(f) provide well-lit public access at the ground floor level from any external car park.</p> | |

Planning Response:

The planning application does not seek approval for any external alteration or extension to the Kingston Plaza building fabric. Alterations are internal only, as shown on the 'existing' and 'proposed' floor plans submitted. Comments have been made against the proposed application of adhesive vinyl signs to be temporarily stuck onto some of the existing areas of clear glazing.



The following responses have been made to made to each A1 and A2 Acceptable Solution Criteria:

A1(a): provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site

There are no proposed changes to the main pedestrian entrance of the former gym tenancy façade that faces Channel Highway. The existing pedestrian entrances will not be altered and will have no signage applied and will remain entirely as existing clear glazed double entrances through which the entrance is clearly visible and easily identified from the adjacent pedestrian footpath and also from all adjacent publicly accessible area within the subject site.

A1(b): for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade

The proposal seeks approval for the application of removable vinyl signage to be applied to 36% of the available façade glazing of the front façade that faces south toward the footpath and parking.

The external façade of both tenancies will not be affected by any physical works other than new signage attached to glazing. There are no new buildings proposed. Windows and doors are not being removed. No areas of window or door glazing is being removed.

A1(c): for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade

There are no proposed changes to the external walls of the tenancy façade that faces Channel Highway. All works are only applicable to the south facing front façade that faces the footpath and parking.

A1(d): avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces

There are no proposed changes to the external walls of the tenancy façade that faces Channel Highway. There are no new buildings proposed and no alterations creating articulations that may be able to be used as entrapment spaces. The proposed signage does not create any entrapment spaces.



A1(e): provide external lighting to illuminate car parking areas and pathways

No new external lighting is proposed.

A1(f): provide well-lit public access at the ground floor level from any external car park

There are no proposed changes to the external walls of the tenancy façade that faces Channel Highway other than the application of adhesive vinyl signage to be applied to existing glazing. There are no alterations to the existing ground level accesses which are both directly opposite parking spaces in the existing plaza car parking areas. Both tenancy access points will be kept free of signage, any obscure glazing and retained as clear entrance points to enable passive surveillance to and from publicly accessible areas within the subject site.

The following comments have been provided against the P1 Performance Criteria:

Building design must provide for passive surveillance of public spaces by satisfying all of the following: P1 (a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;

Both entrances of each tenancy will remain entirely free from any signage or visual obstruction. Both will retain their existing visibility within the adjacent public spaces.

P1(b) locate windows to adequately overlook the street and adjoining public spaces;

Existing glazing in the tenancy facades is proposed to be altered by the application of adhesive vinyl signage to be applied to 36% of glazed areas.

Given the nature of the premise as a medical practice, some degree of privacy and screening for patients once inside the building is warranted and reasonable. It is considered that there will remain a substantial degree of glazing to enable adequate overlooking of the adjacent footpath and adjoining public space which is used for parking and vehicular access.

P1(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;

Both tenancies are on the ground floor. Windows and door entrances will not be amended per se or removed but some will have adhesive vinyl signage applied to identify the premises and provide valuable information about practice.

Pedestrians will still be able to see into the building via cleared glazed areas not proposed to be obscured with any signage.



P1(d) locate external lighting to illuminate any entrapment spaces around the building site;

No new external lighting is proposed as part of the development. It is not considered that either tenancy currently offers any entrapment spaces nor will any be created as part of the proposal.

P1(e) provide external lighting to illuminate car parking areas and pathways;

No new external lighting is proposed as part of the development.

P1(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;

The public access into each tenancy will be retained as existing. No visual obstruction will occur to the entrance point into each tenancy. Clear glazing will be entirely retained to entrance doors. Pedestrians using either entrance will be able to maintain a clear sight line to the adjacent public footpath and other tenancies along the covered walkway of the centre where other business entrances are located.

P1(g) provide for sight lines to other buildings and public spaces.

Sight lines to and from the tenancies will remain in terms of the external form of the building which will remain unaltered.



22.4.5 Landscaping

| Objective: | |
|--|---|
| To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone. | |
| Acceptable Solutions | Performance Criteria |
| A1 Landscaping along the frontage of a site is not required if all of the following apply: <ul style="list-style-type: none"> (a) the building extends across the width of the frontage, (except for vehicular access ways); (b) the building has a setback from the frontage of no more than 1 m. | P1 Landscaping must be provided to satisfy all of the following: <ul style="list-style-type: none"> (a) enhance the appearance of the development; (b) provide a range of plant height and forms to create diversity, interest and amenity; (c) not create concealed entrapment spaces; (d) be consistent with any Desired Future Character Statements provided for the area. |
| A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2 m. | P2 Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land. |

Planning Response:

The planning application does not seek approval for any new building or any external alteration to the existing Kingston Plaza building. The need for landscaping is therefore not triggered.



22.4.6 Outdoor Storage Areas

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

Planning Response:

The planning application does not seek approval for any outdoor storage areas. The medical centre use is not a use where outdoor storage would be reasonably expected or required.



22.4.7 Fencing

| Objective: | |
|---|---|
| To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance. | |
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Fencing must comply with all of the following:</p> <ul style="list-style-type: none"> (a) fences, walls and gates of greater height than 1.5m must not be erected within 4.5m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1m and must not contain barbed wire. | <p>P1</p> <p>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) the height of the fence; (b) the degree of transparency of the fence; (c) the location and extent of the fence; (d) the design of the fence; (e) the fence materials and construction; (f) the nature of the use; (g) the characteristics of the site, the streetscape and the locality, including fences; (h) any Desired Future Character Statements provided for the area. |

Planning Response:

The planning application does not seek approval for any fencing.



22.4.8 Environmental Values

| | |
|---|--|
| Objective: | |
| To ensure that the design and location of buildings and works avoids and minimises adverse environmental impacts. | |
| Acceptable Solutions | Performance Criteria |
| A1 No trees of high conservation value will be impacted. | P1 Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value. |

Planning Response:

The planning application does not seek approval for any vegetation removal and will not result in any vegetation impact as all proposed works are internal within an existing building, other than new signage to be applied to windows in the façade or to replace existing signage.

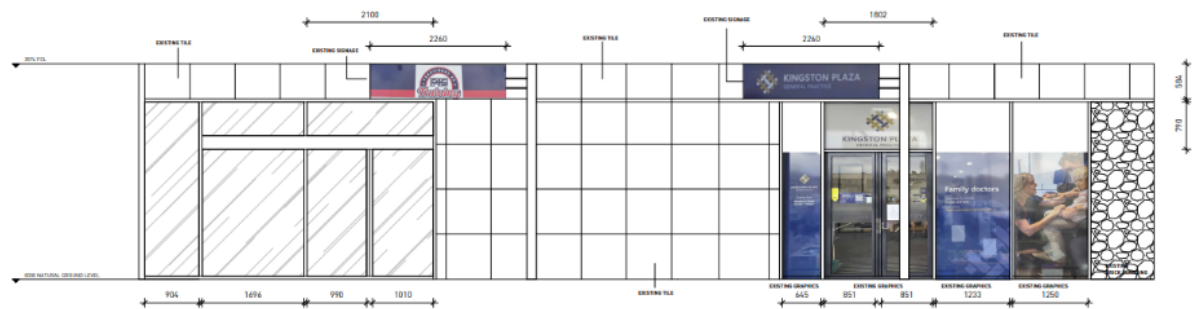


10 Planning Scheme Signs Code

C1.0 Signage Code

This Code applies to new signage and is therefore applicable to the proposed development as now window signage is proposed.

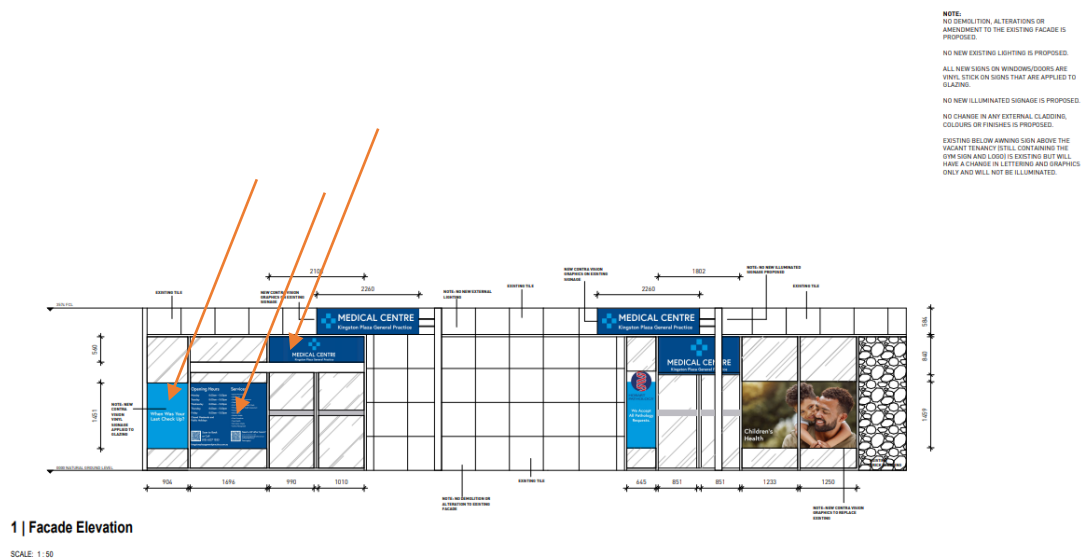
The following image provided by the client (the applicant) shows existing signage at the subject site:



1 | Facade Existing Elevation

SCALE: 1:50

In terms of entirely new signage (not existing), the following **new** signs are proposed (arrowed) in amended Version 3 plans:



1 | Facade Elevation

SCALE: 1:50

0 1 2 3 5 7 10



03 6288 8449
0439 342 696



danielle@grayplanning.com.au
224 Warwick St, West Hobart, Tas, 7000



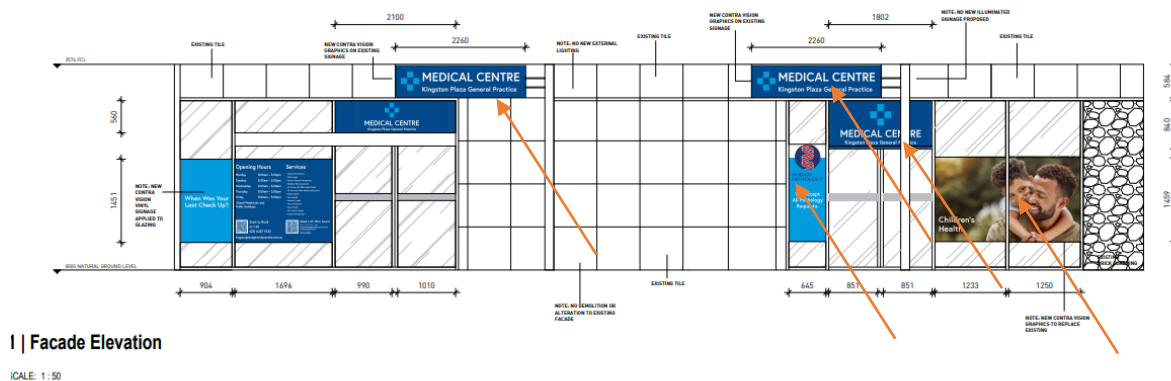
grayplanning.com.au
ABN 99148920244

The three new signs being proposed at the empty tenancy formerly occupied by the gym are:

- 0.56m x 2.1m adhesive vinyl sign to be applied to glass over automatic doors;
- 1.451m x 1.696m adhesive vinyl sign to be applied to glass to the immediate right of the automatic doors that gives information on opening hours and practicing medical experts; and
- 1.451m x 0.9m adhesive vinyl sign to be applied to side glass panel to the left of automatic doors.

None of these signs are illuminated.

In terms of existing signage that is proposed to have a change in letter or graphics, the following indicates what existing signs at the subject site are proposed to have a change of colour, lettering or graphics:



The above existing signs with replacement graphics signs on the former gym façade include:

- 2.2 wide x 0.58 high sign in existing Below Awning signs comprising dark blue background with white lettering comprising medical centre name and logo, to replace existing gym logo and business name (no increase in sign size); and
- 0.64 wide x 1.45m high vinyl sign applied to existing window comprising mid blue background with white lettering 'New Patients and Families Welcome' to replace existing centre name and logo on darker blue background (no increase in sign size); and
- Two x 1.23m wide x 1.45m high vinyl sign applied to existing window comprising a photo image of a man and a child to replace existing photo image (no increase in sign size).

None of these signs are illuminated.

None of the existing signs to have changes in graphics/images/text are larger than existing signs they will replace.



Under the E17.0 Signs Code, the signage proposed (both new and replacement signs) are defined as either:

| | |
|-------------------|---|
| Below Awning Sign | means a sign attached to and supported below an awning. |
|-------------------|---|

Or

| | |
|-------------|--|
| Window Sign | means a sign on the glass surface of a window or located less than 150mm behind a surface. |
|-------------|--|

In the Central Business zone, both Below Awning and Window signs are Permitted signs in Table E17.3.

It is also noted under the E17.0 Signs Code that:

E17.4.3 Changes to the graphics of a legally existing sign, including text, graphic design and colour is exempt from requiring a permit under this planning scheme.

In terms of the proposed new signs on both tenancy facades, the following comments are made against the triggered clauses:

E17.6.1 Use of Signs

| Objective: | |
|---|---|
| To ensure that the use of signs complements or enhances the built or natural environment in which they are located. | |
| Acceptable Solutions | Performance Criteria |
| A1 A sign must be a permitted sign in Table E.17.3. | P1 A sign must be a discretionary sign in Table E.17.3. |

Planning Response:

Below Awning and Window Signs are Permitted signs in the applicable Central Business zone.



| | |
|---|---------------------------------------|
| A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed. | P2 No performance criteria. |
|---|---------------------------------------|

Planning Response:

The proposed Below Awning and Window Signs are directly related to the services provided within the medical centre tenancy.

| | |
|---|---|
| A3 A sign must not contain flashing lights, moving parts or moving or changing messages or graphics, except if a Statutory Sign | P3 A sign contain flashing lights, moving parts or moving or changing messages or graphics must not have an unreasonable impact upon the residential amenity of a residential use caused by |
| | light shining into windows of habitable rooms, movement or visual intrusion or cause undue distraction to drivers of motor vehicles. |

Planning Response:

The proposed Below Awning and Window Signs do not contain flashing lights, moving parts or changing messages and graphics.

| | |
|--|---|
| A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign | P4 An illuminated sign within 30 metres of a residential use must not have an unreasonable impact upon the residential amenity of that use caused by light shining into windows of habitable rooms. |
|--|---|

Planning Response:

None of the proposed signs are to be illuminated.

The subject site is significantly more than 30m to a residential use.



E17.7.1 Standards for Signs

| Objective: | |
|---|--|
| To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located. | |
| Acceptable Solutions | Performance Criteria |
| A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3. | P1 A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following: <ul style="list-style-type: none"> (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape; (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times; (d) not result in loss of amenity to neighbouring properties; (e) not involve the repetition of messages or information on the same street frontage; (f) not contribute to or exacerbate visual clutter; |
| | (g) not cause a safety hazard. |

Planning Response:

All of the proposed signs are Permitted.

In Table E17.2, the following standards are provided for Below Awning and Window signs:

| | |
|-------------------|---|
| Below Awning Sign | (a) Depth no more than 500mm; (b) Width no more than 300mm; (c) Does not project beyond the width of the awning or has a length no more than 2700mm, whichever is the lesser; (d) Clearance from ground no less than 2400mm. |
|-------------------|---|



| | |
|-------------|---|
| Window Sign | <p>(a) Does not obscure more than 10% of the window surface.</p> <p>(b) Must be on a ground floor level window.</p> |
|-------------|---|

In terms of the Below Awning Sign, the existing sign is understood to be previously approved for the former gym occupant and for this application, involves a change in graphics and lettering only and is therefore an Exempt sign under clause E17.4.3 of the E17.0 Signs Code.

All of the new proposed window signs are on ground level windows but collectively, make up more than 10% of the available glazed surface, with 36% obscurement of glazing proposed.

The following comments are provide against the P1 Performance Criteria:

P1

A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:

(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;

Planning Response:

The proposed signs are to be placed over existing window and doors and do not exceed the width of the doors and windows on which they are to be placed.

The signs are a mix of attractive photographic images and informative information about the centre hours of operation and services provided as well as centre logo and business name.

It is considered that they are integrated into the facades onto which they are to be placed and informative as they provide information to customers and passers by. They will not dominate the building onto which they are placed or the streetscape in terms of the percentage of overall façade they will cover across the available façade area.

(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;

Planning Response:

The proposed Window and Below Awning Signs are of dimensions that fit within existing window frames. New graphics to replace existing signage graphics is of the same size and does not extend beyond the dimensions of existing signage.

None of the signs either individually or collectively, will dominate the streetscape of the premises which will retain around 63% of glazed areas free of signage. None of the façade wall of the tenancies will be affected by any signage.



(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;

Planning Response:

The Window signs are constructed of easily removed adhesive peel on peel off vinyl that sticks the glazed surfaces and can be readily replaced or removed if necessary. They are able to be removed without leaving damage or residue or any physical impact to either glazing or glazing frames within the façade.

(d) not result in loss of amenity to neighbouring properties;

Planning Response:

There will be no loss of amenity to any neighbouring property. The subject site is a shopping centre surrounding by roads and opposite retail, hotel and civic uses.

The signs in and of themselves are entirely reasonable as to what would be expected on the tenancy façade.

(e) not involve the repetition of messages or information on the same street frontage;

Planning Response:

The signage on each tenancy provides no repetition of messages or images per tenancy frontage.

The centre name and logo have been placed over the automatic glass doors into each tenancy to identify the use of the tenancy for pedestrians at close proximity.

The Below Awning Signs on each tenancy are intended to identify the tenancy from a greater distance to pedestrians outside the Kingston Plaza site or motorists.

It is important that each tenancy façade is appropriately identified to allow for the access to be readily identified.

(f) not contribute to or exacerbate visual clutter;

Planning Response:

The extent and messaging proposed on the signs is not considered to contribute to visual clutter. The signs have minimal wording and messages, simple logos and visually calming images and colouring (blue backgrounds). No bright colouring or large visually prominent graphics or distracting messages are proposed.



(g) not cause a safety hazard.

Planning Response:

The proposed signs are to be placed on the façade of the existing tenancies and will not result in any hazard such as a tripping hazard to pedestrians or a safety hazard to motorists.

| | |
|--|--|
| <p>A2</p> <p>The number of signs per business per street frontage must comply with all of the following:</p> <ul style="list-style-type: none"> (a) maximum of 1 of each sign type; (b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. <p>except for the following sign types, for which there is no limit;</p> <ul style="list-style-type: none"> (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign. | <p>P2</p> <p>The number of signs per business per street frontage must:</p> <ul style="list-style-type: none"> (a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; (b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs; (c) not involve the repetition of messages or information. |
|--|--|

Planning Response:

The proposed signs number one sign per individually framed window but more than 1 sign of each type.

There are four individual signs on the former gym tenancy façade and four signs (existing) on the existing medical centre façade.



The total tenancy façade frontage width for both tenancies combined is marginally under 20m.

The following comments are provide against the P2 Performance Criteria:

P2

The number of signs per business per street frontage must:

(a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;

Planning Response:

The proposed new signage on the tenancy formerly used as the gym replicates existing signage on the adjacent existing medical centre façade with signage extent and number reduced from that original proposed to address Council concerns about passive surveillance.

The number of signs per façade is not considered excessive, with each providing specific and different information, identification and messaging. The extent of signage proposed is consistent with other tenancies in the retail centre at 20 Channel Highway.

(b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;

Planning Response:

The subject site is not considered to be currently visually ‘cluttered’. The Kingston Plaza site is not considered to currently have visual clutter when viewed from within and along Channel Highway looking toward the tenancies.

The proposed signage will not create visual clutter. Each sign has been designed to convey a specific message and purpose. For example, the Below Awning signs identify the site for motorists or pedestrians at greater distance while Window signs advertise services or opening hours and provide attractive images to pedestrians in close visual proximity. An appropriate degree of screening for patients waiting inside the reception area is proposed to provide some degree of privacy when waiting for medical appointments but still provide clean lines of sight and passive surveillance from within the building to outside public spaces.

A calming blue colour scheme has been used and bright ‘loud’ colours have been specifically avoided.

(c) not involve the repetition of messages or information.

The signage on each tenancy provides no repetition of messages or images per tenancy.

The centre name and logo are located over the automatic glass doors into each tenancy to identify the use of the tenancy for pedestrians at close proximity.



The Below Awning Signs on each tenancy are intended to identify the tenancy from a greater distance to pedestrians outside the Kingston Plaza site or motorists.

| | |
|--|---|
| A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign. | P3 No performance criteria. |
|--|---|

Planning Response:

The proposed signs are located on the windows of existing facades on a shopping centre building (Kingston Plaza).

There is no opportunity for these signs to obstruct, prevent or delay any driver from being able to see Statutory Signs or Tourist Information Signs.

| | |
|---|---|
| A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting. | P4 No performance criteria. |
|---|---|

Planning Response:

The proposed signs have no resemblance in design, graphics or colours or any design used that would reasonably resemble Statutory Signs.



11 Appendix A

TASMANIAN LAND TITLES OFFICE

Notification of Agreement under the



C964871

Land Use Planning and Approvals Act 1993 (Section 71)

| DESCRIPTION OF LAND | | | |
|-----------------------|-------|--------|-------|
| Folio of the Register | | | |
| Volume | Folio | Volume | Folio |
| 153339 | 1 | | |
| 7560 | 1 | | |

REGISTERED PROPRIETOR:
ROCKFAM INVESTMENTS PTY LTD (A.C.N. 106 741 673)

PLANNING AUTHORITY:
KINGBOROUGH COUNCIL


Dated this 5th day of February 2008

We **KINGBOROUGH COUNCIL**

of **CIVIC CENTRE, 15 CHANNEL HIGHWAY, KINGSTON**

the abovenamed Planning Authority, certify that the above particulars are correct and that attached is a certified executed copy of the agreement between the abovenamed parties, notice of which is to be registered against the abovementioned folio of the Register.

The abovenamed Planning Authority holds the original executed Agreement.

Signed 
(on behalf of the Planning Authority)

Land Titles Office Use Only

LUA Version 1



THE BACK OF THIS FORM MUST NOT BE USED

Stamp Duty



Certified copy of original agreement

- 1 -

A/General Manager, Kingborough Council

THIS AGREEMENT is made this 5th day of February 2008

Pursuant to Part V (Section 71) of the Land Use Planning and Approvals Act 1993

BETWEEN: ROCKFAM INVESTMENTS PTY LTD (A.C.N. 106 741 673) the registered office of which is situate at 29 Layton Crescent, Geelong in Victoria (called "Rockfam")

AND: KINGBOROUGH COUNCIL (A.B.N. 44 094 485 626) the office of which is situate at Civic Centre, 15 Channel Highway, Kingston in Tasmania (called "Council")

BACKGROUND:

- A. Rockfam is undertaking alterations to the Supermarket and creation of new retail tenancies at 20-24 Channel Highway Kingston ("the Development Site").
- B. To facilitate car parking for the completed development Rockfam is creating a car park at 4 John Street, Kingston ("the John Street Car Park").
- C. Council approved the development and creation of the John Street Car Park being DA-2007-315 on the 14th of July 2007 ("the Development Approval") subject to certain conditions.
- D. Condition 47 of the Development Approval requires Rockfam to enter into this Agreement with Council to be registered pursuant to Part V of the Land Use Planning and Approvals Act 1993.

OPERATIVE PART:

1. Rockfam must ensure that TWO HUNDRED (200) car parking spaces are provided and maintained for the development either at the Development Site solely or in combination with the John Street Car Park.
2. The parties agree that up to FORTY (40) car parking spaces of the required TWO HUNDRED (200) car parking spaces may be provided at the John Street Car Park.
3. In the event that Rockfam proposes any alternative development for the 4 John Street site it must maintain the required TWO HUNDRED (200) car parking spaces required pursuant to the Development Approval either at the Development Site or in



Certified copy of original agreement

- 2 -




 General Manager, Kingborough Council

combination still with 4 John Street, Kingston or an alternative property of Rockfam close to the Development Site.

4. Rockfam must pay all costs for and in connection with the preparation and registration of this Agreement including any fees payable to the Recorder of Titles.
5. Rockfam acknowledges that this Agreement will be registered pursuant to Part V of the Land Use Planning and Approvals Act 1993 and must do all things necessary to facilitate that registration.

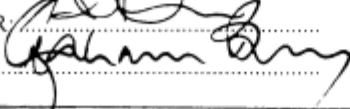
IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first hereinbefore mentioned.

SIGNED FOR AND ON BEHALF OF)
ROCKFAM INVESTMENTS PTY LTD)
 (A.C.N. 106 741 673))
 by authority of its Directors in accordance)
 with Section 127 of the Corporations Law)

Director:  Director: 
 Name: Herman Roueffrouen Name: Robert Roueffrouen

THE COMMON SEAL of the)
 KINGBOROUGH COUNCIL has been)
 affixed pursuant to a resolution of the)
 KINGBOROUGH COUNCIL passed the)
5th day of February 2008)
 in the presence of:)



GENERAL MANAGER: 
 COUNCILLOR: _____
 COUNCILLOR: _____

