



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that a **Planning Authority Committee** meeting of the Devonport City Council will be held in Aberdeen Room, Level 2, parnaple centre, 137 Rooke Street, Devonport, on Monday 1 April 2019, commencing at 5:15pm.

The meeting will be open to the public at 5:15pm.

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Paul West
GENERAL MANAGER

27 March 2019

**AGENDA FOR A MEETING OF THE PLANNING AUTHORITY COMMITTEE OF
DEVONPORT CITY COUNCIL HELD ON MONDAY 1 APRIL 2019
IN THE ABERDEEN ROOM, paranaple centre, 137 ROOKE STREET, DEVONPORT AT 5:15PM**

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Agenda of a meeting of the Devonport City Council's **Planning Authority Committee** to be held in the Aberdeen Room, paranapple centre, 137 Rooke Street, Devonport on Monday, 1 April 2019 commencing at 5:15pm.

PRESENT

		Present	Apology
Chairman	Cr A Rockliff (Mayor)		
	Cr J Alexiou		
	Cr P Hollister		
	Cr S Milbourne		
	Cr L Murphy		
	Cr L Perry		

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

1.0 APOLOGIES

2.0 DECLARATIONS OF INTEREST

3.0 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY – 1 SEPTEMBER 2018 – 24 MARCH 2019

ATTACHMENTS

1. Planning Applications approved under Delegated Authority - 1 September 2018 - 24 March 2019

RECOMMENDATION

That the list of delegated approvals be received.

Author:	Jennifer Broomhall	Endorsed By:	Kylie Lunson
Position:	Planning Administration Officer	Position:	Development Services Manager

Application No.	Location	Description	Approval Date
PA2018.0083	88 North Fenton Street, Devonport	Residential (multiple dwellings x 5)	1/11/2018
PA2018.0110	138 River Road, Ambleside	Pleasure boat facility (pontoon)	19/11/2018
PA2018.0119	3 Allanbrae Place, Devonport	Residential (shed extension)	4/09/2018
PA2018.0121	4 Ellice Hill Drive, Spreyton	Residential (shed)	5/09/2018
PA2018.0122	14 Tedmon Street, Spreyton	Residential (multiple dwellings)	13/09/2018
PA2018.0123	40 Don Road, Devonport	Subdivision and consolidation (no additional lots)	13/09/2018
PA2018.0124	65 James Street, Devonport	Residential (multiple dwellings)	13/09/2018
PA2018.0125	10 Elizabeth Street, Devonport	Residential (garage and pergola)	6/12/2018
PA2018.0126	46-48 Don Road, Devonport	Service Industry (internal alterations)	5/09/2018
PA2018.0127	1 Eveline Court, Devonport	Residential (multiple dwellings x 5)	28/09/2018
PA2018.0128	62 Tasman Street, Devonport	Boundary Adjustment	13/09/2018
PA2018.0129	15 Tatiana Close, Devonport	Residential (dwelling)	25/09/2018
PA2018.0130	101a Brooke Street, East Devonport	Subdivision - 36 lots	4/10/2018
PA2018.0131	128 Kelcey Tier Road, Spreyton	Residential (single dwelling) - extension	13/09/2018
PA2018.0132	65 Sorell Street, Devonport	Permitted: Subdivision (one additional lot) Discretionary: Residential (single dwelling)	16/10/2018
PA2018.0133	14-15 Victoria Parade, Devonport	Visitor Accommodation	22/11/2018
PA2018.0134	23 Tatiana Close, Devonport	Two lot subdivision	19/11/2018
PA2018.0135	34-44 Lovett Street, Devonport	Changerooms & Amenities	13/09/2018
PA2018.0136	7 Turton Street, Devonport	Residential (carport)	11/10/2018
PA2018.0137	80-100 Brooke Street, East Devonport	Residential (workers accommodation)	26/09/2018
PA2018.0138	58 Gunn Street, Devonport	Residential (single dwelling alterations)	2/10/2018
PA2018.0139	23 Steele Street, Devonport	Business and professional services (Medical Centre) - plant enclosure	9/10/2018
PA2018.0140	119 Percy Street, Devonport	Residential (single dwelling addition)	9/10/2018
PA2018.0141	42 Harris Road, Stony Rise	Residential (carport)	1/10/2018
PA2018.0142	101 Lovett Street, Devonport	2 Units	3/10/2018
PA2018.0143	159-161 Madden Street, Devonport	Subdivision and residential (multiple dwellings x 3)	29/01/2019
PA2018.0144	2 Park Drive, Ambleside	2 lot Subdivision	2/01/2019
PA2018.0145	60 Wright Street, East Devonport	Business and professional services (administration office)	11/10/2018
PA2018.0146	17 Fordham Drive, Devonport	Residential (carport)	25/10/2018
PA2018.0147	215 Torquay Road, East Devonport	Transport depot and distribution	22/10/2018

Application No.	Location	Description	Approval Date
PA2018.0148	55 George Street, Devonport	Residential (outbuilding)	25/10/2018
PA2018.0149	9 Matthews Way, Devonport	Storage Units	24/10/2018
PA2018.0150	21 Banksia Crescent, East Devonport	Residential (multiple dwellings x 3)	17/10/2018
PA2018.0151	45 Dana Drive, Devonport	Residential (dwelling)	7/11/2018
PA2018.0152	11 Dana Drive, Devonport	Residential (single dwelling)	9/11/2018
PA2018.0153	14 Henry Street, Devonport	Residential (additional unit)	19/11/2018
PA2018.0154	1 Thomas Street, East Devonport	Visitor Accommodation	12/11/2018
PA2018.0155	3-5 Thomas Street, East Devonport	Visitor Accommodation	12/11/2018
PA2018.0156	6 Swilkin Drive, Spreyton	Residential (dwelling)	22/11/2018
PA2018.0157	14 Mulligan Drive, Spreyton	Residential (dwelling and shed)	28/11/2018
PA2018.0158	10 Sherston Road, Eugenana	Residential (dwelling extension)	17/10/2018
PA2018.0159	71 Wenvoe Street, Devonport	Residential (carport) - located within conservation area	27/11/2018
PA2018.0160	2-18 Best Street, Devonport	Visitor Accommodation and Residential	19/12/2018
PA2018.0161	2 Wattle Pod Court, Spreyton	Residential (dwelling)	14/11/2018
PA2018.0162	44 River Road, Ambleside	Residential (carport)	29/11/2018
PA2018.0163	97 Parker Street, Devonport	Residential (garage)	28/11/2018
PA2018.0164	117 Gunn Street, Devonport	Residential (extension to multiple dwelling)	11/12/2018
PA2018.0165	61 Dana Drive, Devonport	Residential (dwelling)	6/12/2018
PA2018.0166	14 Weemala Lane, Mianetta	Residential (dwelling)	6/12/2018
PA2018.0167	87 Devonport Road, Quoiba	Resource Processing (treatment tank)	21/11/2018
PA2018.0168	6 Ellice Hill Drive, Spreyton	Residential (shed)	7/12/2018
PA2018.0169	50 Highfield Road, Ambleside	Boundary adjustment	4/12/2018
PA2018.0170	5 Sunset Court, Devonport	Residential (shed)	20/12/2018
PA2018.0171	37 Murray Street, East Devonport	3 lot subdivision	20/12/2018
PA2018.0172	42 Don Road, Devonport	Service Industry (Mechanical Repair & Servicing Workshop)	5/12/2018
PA2018.0173	41 Mersey Bluff, Devonport	Visitor Accommodation	7/12/2018
PA2018.0174	2-18 & 20-26 Best Street & 74 Rooke Street, Devonport (Living City)	2 lot Subdivision	17/12/2018
PA2018.0175	2-18 & 20-26 Best Street & 74 Rooke Street & 100 Formby Road & Formby Road, Devonport (Living City)	Passive Recreation (Park)	4/03/2019
PA2018.0176	18 Clayton Drive, Spreyton	Residential (existing carport and woodshed)	18/12/2018

Application No.	Location	Description	Approval Date
PA2018.0177	4 Kalinda Place, East Devonport	Residential (garage)	8/01/2019
PA2018.0178	6 Newton Street, Devonport	Visitor Accommodation	18/12/2018
PA2018.0179	31 Fleetwood Drive, Spreyton	Residential (garage)	8/01/2019
PA2018.0181	1 Forest Heights Drive, Tugrah	Garage Extension	18/12/2018
PA2018.0183	9 Formby Road, Devonport	Service Industry windscreen repairs	31/01/2019
PA2018.0184	6 Wright Street, East Devonport	Visitor Accommodation (Carport)	7/01/2019
PA2018.0185	7 Charlotte Gardens, Devonport	Residential (single dwelling & studio)	29/01/2019
PA2018.0186	169 Steele Street, Devonport	Residential (multiple dwellings x 19)	4/03/2019
PA2018.0187	141 Oldaker Street, Devonport	Multiple dwellings (one additional unit)	17/01/2019
PA2018.0188	187 Tugrah Road, Tugrah	Residential (garage)	25/01/2019
PA2018.0189	23 Charles Street, Devonport	Subdivision (one additional lot) and Residential (single dwelling)	15/03/2019
PA2018.0191	5 Swilkin Drive, Spreyton	Residential (dwelling and shed)	26/02/2019
PA2018.0192	95 Clayton Drive, Spreyton	Residential (dwelling addition)	18/01/2019
PA2018.0193	1 Redruth Court, Spreyton	Residential (single dwelling addition)	18/01/2019
PA2018.0194	17 Lower Barrington Road, Paloona	Visitor Accommodation (farm stay)	17/01/2019
PA2018.0195	6 Forest Heights Drive, Tugrah	Residential (shed)	30/01/2019
PA2019.0001	73 Oldaker Street, Devonport	Demolition of dwelling and outbuildings	15/02/2019
PA2019.0002	14 Leary Avenue, Stony Rise	Residential (shed)	8/03/2019
PA2019.0003	291 Kelcey Tier Road, Eugenana	Residential (dwelling and shed)	12/02/2019
PA2019.0004	229 Melrose Road, Aberdeen	Rural outbuilding	25/02/2019
PA2019.0005	11 Murfet Crescent, Devonport	Multiple dwellings (one additional unit)	4/03/2019
PA2019.0006	29 Forbes Street, Devonport	Residential (dwelling)	1/03/2019
PA2019.0009	1 Maringa Place, Devonport	Residential (double carport)	7/03/2019
PA2019.0010	154 Clayton Drive, Spreyton	Residential (shed)	27/02/2019
PA2019.0011	66 Oldaker Street, Devonport	Visitor Accommodation	27/02/2019
PA2018.0194	17 Lower Barrington Road, Paloona	Visitor Accommodation (farm stay)	17/01/2019
PA2019.0012	101 Wrenswood Drive, Quoiba	Residential (garage)	12/03/2019
PA2019.0013	4 Greenway Court, Devonport	Residential (multiple dwellings x 5)	8/03/2019
PA2019.0014	Site 142 - 6 Wright Street, East Devonport	Visitor Accommodation (carport)	4/03/2019
PA2019.0015	2 Churchill Avenue, Devonport	Residential (one additional unit)	15/03/2019
PA2019.0016	19 Leary Avenue, Stony Rise	Residential (multiple dwellings)	22/03/2019

Application No.	Location	Description	Approval Date
PA2019.0023	10-11 Ferguson Drive, Quoiba	New Shed	15/03/2019
PA2019.0026	85 Devonport Road, Quoiba	Resource Processing (ancillary building)	28/02/2019
PA2019.0027	5 Melrose Road, Aberdeen	Resource development (farm building)	14/03/2019
PA2019.0031	11-15 Steele Street, Devonport	Signage	7/03/2019
PA2019.0032	155 Mersey Main Road, Spreyton	Ancillary Structure (Silos)	8/03/2019

4.0 DEVELOPMENT REPORTS

4.1 PA2019.0029 RESIDENTIAL (MULTIPLE DWELLINGS X 3) - 46 FLEETWOOD DRIVE, SPREYTON

File: 36000 D572584

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes

PURPOSE

The purpose of this report is to enable the Planning Authority to determine planning application PA2019.0029.

BACKGROUND

Planning Instrument:	Devonport Interim Planning Scheme 2013
Applicant:	Cameron Lambert
Owner:	Chloe Sheean
Proposal:	Residential (multiple dwellings x 3)
Existing Use:	Vacant Land
Decision Due:	11/04/2019

SITE DESCRIPTION

The site is identified by certificate of title 176221/48 and forms part of a contemporary subdivision developed by Hard Ball Park Pty Ltd. The lot has an area of 987m² and has frontages to both Fleetwood and Mulligan Drives. A small section of the site is burdened by a 2.5m wide pipeline and services easement. Currently the site is vacant and is immediately surrounded by vacant residential land.

Figure 1 is an image of the site looking from Mulligan Drive and Figure 2 is a copy of the property's title.



Figure 1 – Image of development site looking north from Fleetwood Drive (Devonport City Council (DCC), 2019)

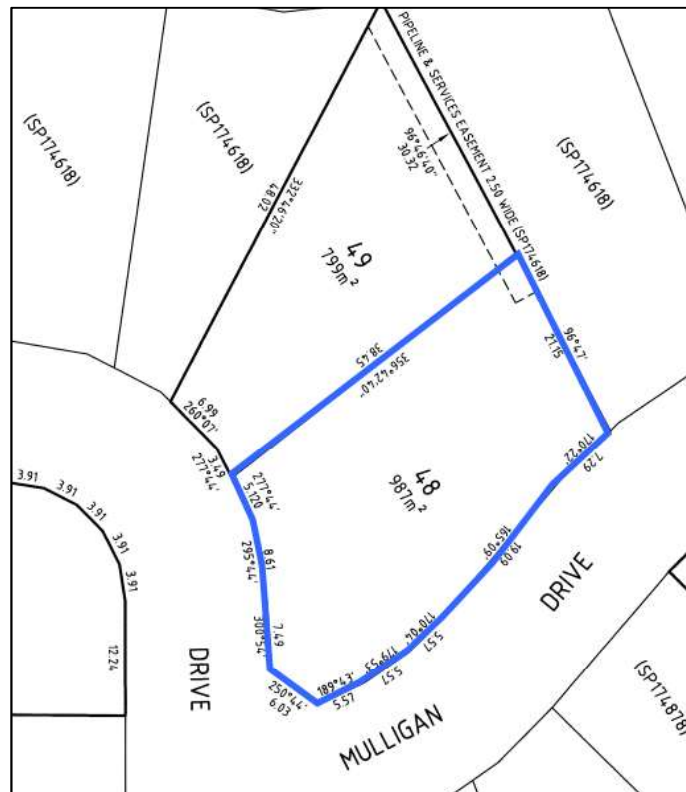


Figure 2 – Title Plan of 46 Fleetwood Drive – CT 176221/48 (The List, 2019)

APPLICATION DETAILS

The applicant is seeking approval to construct three multiple dwellings on the site. Each unit will incorporate two bedrooms and be constructed from brick with a colorbond roof. Units 1 and 2 are proposed to be conjoined and will be separated by a parapet wall. Two car parking spaces are allocated for each unit and a visitor space is provided on the northern section of the development site adjacent to unit 1. A copy of the site plan submitted by the applicant's draftsman is reproduced below as Figure 3.

A full copy of the application documentation including all development plans is appended as **Attachment 1**.

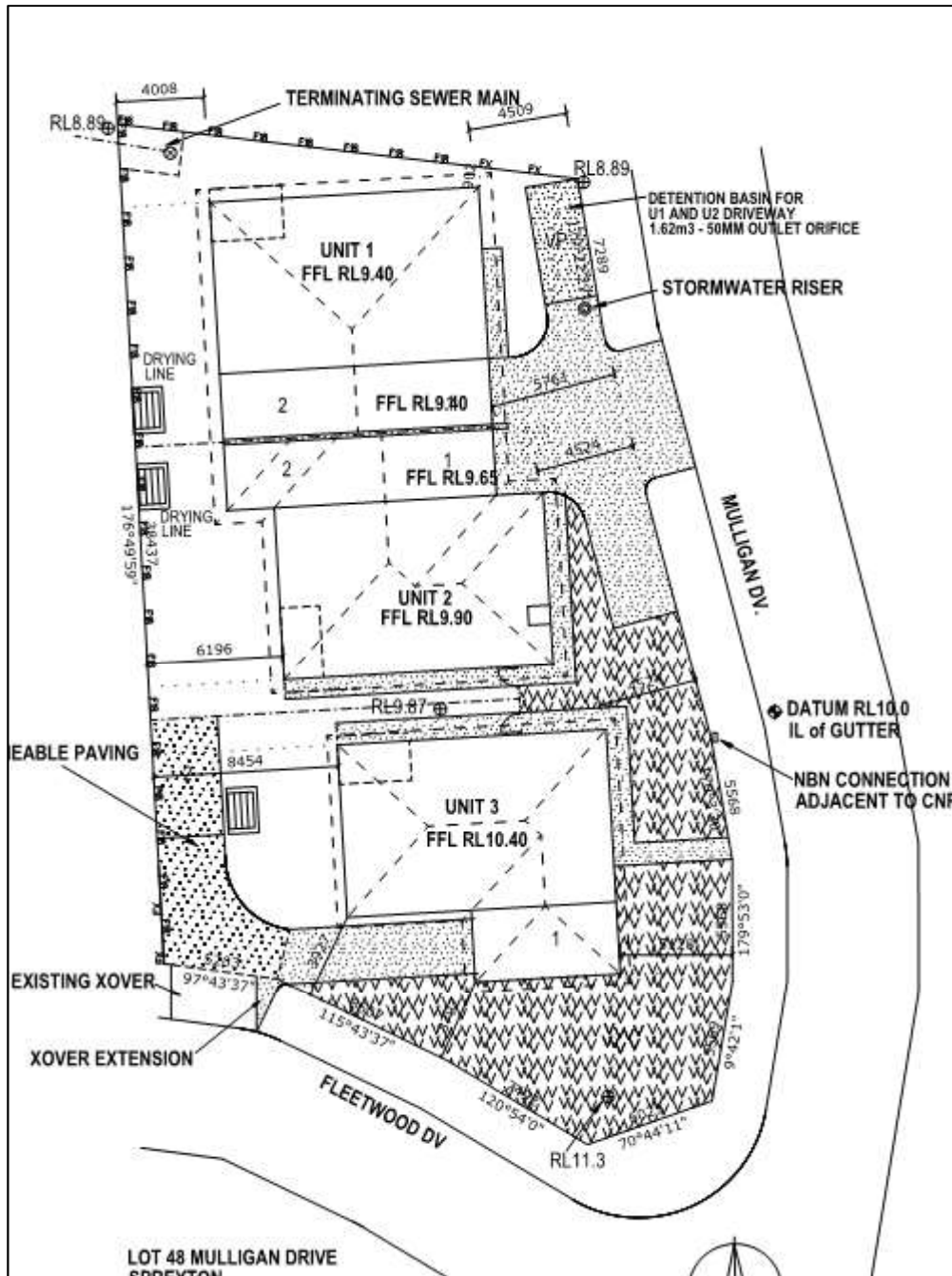


Figure 3 - Site Plan of multiple dwelling development (C D Campbell, 2019)

PLANNING ISSUES

The land is zoned General Residential under the *Devonport Interim Planning Scheme 2013* (DIPS). The intent of the General Residential zone is to provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided and to provide for compatible non-residential uses that primarily serve the local community.

The multiple dwelling development falls under the use class Residential which is defined under the DIPS as:

"use of land for self contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, homebased business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings."

Within the General Residential zone, a Residential use is classified as No Permit Required if the proposal is for a single dwelling or home-based business. All other residential development is Permitted without qualification. In this case, the development is for multiple dwellings and the use is Permitted.

If a development is Permitted but cannot satisfy the acceptable solutions of a development standard prescribed within the DIPS, the Discretionary approval process is invoked. A Discretionary planning application is required to be publicly advertised and the Planning Authority can approve or refuse a Discretionary application. Reliance is placed on the performance criteria of the particular development standard where the acceptable solution is not satisfied to determine if a permit pathway is achievable.

The proposal has been subject to a thorough assessment against the applicable development standards prescribed within the DIPS. Two discretionary components have been identified as part of this development application. Table 1 below provides an overview of the discretions sought. No commentary has been included where the development standards are satisfied at the acceptable solutions level, including matters such as density for multiple dwellings and private open space requirements.

Development standard where the acceptable solutions cannot be satisfied	Reason why acceptable solutions cannot be satisfied
General Residential zone - 10.4.2 A1 & A2 – <i>Setbacks and building envelope for all dwellings</i>	Unit 3 is proposed to be set back 3.79m to the Fleetwood Drive frontage. Under the interpretation of the DIPS, the narrower frontage of a corner lot is considered to be the primary frontage and a 4.5m setback is required to satisfy the acceptable solutions. Furthermore, under A2 of this standard a garage is required to be setback 5.5m from the primary frontage. In this case, the garage of unit 3 is located 3.79m to the primary frontage (Fleetwood Drive).
Traffic Generating Use and Parking Code - E9.6.1 A1.2- <i>Design of vehicle parking and loading areas</i>	The configuration of vehicle parking for units 1 and 2 allow provision for jockey parking. Therefore, the layout of the vehicle parking does not satisfy the acceptable solutions as each parking space cannot be separately accessed.

Table 1 - List of development standards that cannot meet the acceptable solutions

Report to Planning Authority Committee meeting on 1 April 2019

A copy of the development standards where the acceptable solutions are not met is reproduced below, along with an evaluation of whether the proposal has merit against the corresponding performance criteria.

10.4.2 Setbacks and building envelope for all dwellings

Objective:	
To control the siting and scale of dwellings to:	
(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.	
Acceptable Solutions	Performance Criteria
A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. 	P1 A dwelling must: <ul style="list-style-type: none"> (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
A2 A garage or carport must have a setback from a primary frontage of at least: <ul style="list-style-type: none"> (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage. 	P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

Table 10.4.2

Road	Setback (m)
Bass Highway	50

Unit 3's front setback is required to be considered against the merit of performance criteria of 10.4.1 P1 (a), noting that the front setback of units 1 and 2 satisfy the acceptable solutions. Currently, there is sporadic development along this section of Fleetwood Drive as the titles have only recently been issued. Due to the lot's shape, the front setback variation will have a negligible impact on the Fleetwood Drive streetscape. For example, in close proximity to

the Fleetwood Drive and Mulligan Drive intersection unit 3 will be setback approximately 7m from the Fleetwood Drive frontage. 10.4.1 P1 (b) is not applicable to discretion sought as the site does not abut a road identified in Table 10.4.2.

In summary, the performance criteria can be supported for unit 3's location in accordance with 10.4.2 P1.

The location of unit 3's garage is required to be considered against the performance criteria of 10.4.2 P2 to determine merit. As discussed, development along this section of Fleetwood Drive has not yet been established and therefore the garage is not compatible with other garages or carports in the street. However, the opening of the single roller door garage will not face the road frontage and there is some ambiguity as to whether this standard should even be applied as the front setback variation of the unit was assessed to comply with 10.4.2 P1. Regardless, the garage of unit 1 can be supported in its proposed location and the performance criteria of 10.4.2 P2 is considered satisfied.

E9.6 Development Standards

E9.6.1 Design of vehicle parking and loading areas

Objective:

Vehicle circulation, loading, and parking areas-

- (a) protect the efficient operation and safety of the road from which access is provided;
- (b) promote efficiency, convenience, safety, and security for vehicles and users; and
- (c) provide an appropriate layout and adequate dimension to accommodate passenger or freight vehicle associated with use of the site

Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>All development must provide for the collection, drainage and disposal of stormwater; and</p> <p>A1.2</p> <p>Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must -</p> <ul style="list-style-type: none"> (a) Be in accordance with AS/NZS 2890.1 (2004) - Parking Facilities - Off Street Car Parking; (b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities - Off Street Commercial Vehicles; (c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities - Bicycle Parking Facilities; (d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities; (e) Each parking space must be separately accessed from the internal circulation aisle within the site; (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and (g) Be formed and constructed with compacted sub-base and an all-weather surface. 	<p>P1</p> <p>The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for -</p> <ul style="list-style-type: none"> (a) the nature and intensity of the use; (b) effect of size, slope and other physical characteristics and conditions of the site; (c) likely volume, type, and frequency of vehicles accessing the site; (d) likely demand and turnover for parking; (e) delivery and collection vehicles; (f) familiarity of users with the vehicle loading and vehicle parking area; (g) convenience and safety of access to the site from a road; (h) safety and convenience of internal vehicle and pedestrian movement; (i) safety and security of site users; and (j) the collection, drainage, and disposal of stormwater

A total of seven car parking spaces are required to satisfy the car parking requirements for the application (two spaces per dwelling plus one visitor parking space). This is provided and is in accordance with the acceptable solutions for E9.5.1 A1 - *Provision of parking*. However, the parking layout cannot satisfy the above development standard due to the allocation of jockey parking for the occupiers of units 1 and 2. Given the residential nature of the development, the occupiers will be familiar with the parking area and there will be limited demand for turnover of parking. The multiple dwelling proposal provides enough parking in accordance with this Code and the layout is considered satisfactory due to the nature of the development. The performance criteria for the above standard is met.

REPRESENTATIONS

One representation was received within the prescribed 14-day public scrutiny process.

The representation received was from the owners of 1 Mulligan Drive, Spreyton who immediately adjoin the subject property to the north. A copy of the representation is reproduced below as Figure 4.

19th March 2019

General Manager
Devonport City Council
PO Box 604
Devonport TAS 7310

Dear Sir/Madam,

**RE: Application for Planning Permit - 36000
46 Fleetwood Drive, Spreyton**

We the owners of 1 Mulligan Drive, Spreyton are writing to oppose the planning permit of 46 Fleetwood Drive, Spreyton (unit development).

We are a young couple who purchased our block in May 2018. While in the negotiations with the real estate, we were told there would be no units in this development. This heavily swayed our decision to purchase this block of land, with intentions to start a family once we built our home.

We purchased the land knowing that we would be surrounded by 3 blocks, we were comfortable with this knowledge knowing that we would only have 3 neighbours as there would be no units. If this development goes ahead at the least, we will have 5 neighbours. Severely impacting on our privacy. We fear that this will open a gateway for more units, potentially leaving us with many more neighbours.

We feel that having units right beside us, coupled with the fact that there is already a second block on that boundary, will severely lower the value of our property as no one wants that many neighbours.

This development is very attractive to home owners and families with the crown land/creek, with future access to Maidstone Park Sporting Facilities across the bridge with it's complete. It would be a shame to see this development tainted with units.

Unit 1 (the closest to our fence line) is situated in a way that places one corner of the unit 902mm from our boundary line, with the roof line almost directly over our fence line. This is far too close and is not acceptable.

In conclusion we strongly oppose this development and would be very disappointed if it were to go ahead.

Yours Sincerely,
Alex Richardson
Isabella Dyke

Figure 4 – Representation received from Alex Richardson and Isabella Dyke in relation to PA2019.0029

The representation raises the following concerns:

- Increase in neighbours:
- Impact on property value; and
- Concerns that unit 1 is located too close to the common boundary between the two properties.

When considering a representation, the DIPS provides guidance in the form of provision 8.10 - *Determining Applications*. A copy of this provision is shown below as Figure 5.

8.10 Determining Applications	
8.10.1	In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:
	(a) all applicable standards and requirements in this planning scheme; and
	(b) any representations received pursuant to and in conformity with ss57(5) of the Act,
	but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Figure 5 – Provision 8.10 - *Determining Applications* (DIPS, 2013)

The multiple dwelling development has a Permitted status in the General Residential zone and the density of the unit development is 1 unit per 329m² which satisfies the acceptable solutions of 1 unit per 325m². Furthermore, the northern side setback of unit 1 satisfies the acceptable solutions in regard to setbacks and building envelope. The acceptable solutions of 10.4.2 A3 - *Setbacks and building envelope* permit a building (or part of) to be constructed along the rear boundary for a corner lot provided the development falls within the acceptable 3-dimensional building envelope, refer to Figure 6 below. Unit 1 comfortably satisfies this requirement.

The DIPS is silent on the concern in relation to property value impact.

In summary, the representation does not address any discretionary components of the multiple dwelling application. It is recommended to be noted by the Planning Authority, but the development is not recommended to be altered or any further conditions included.

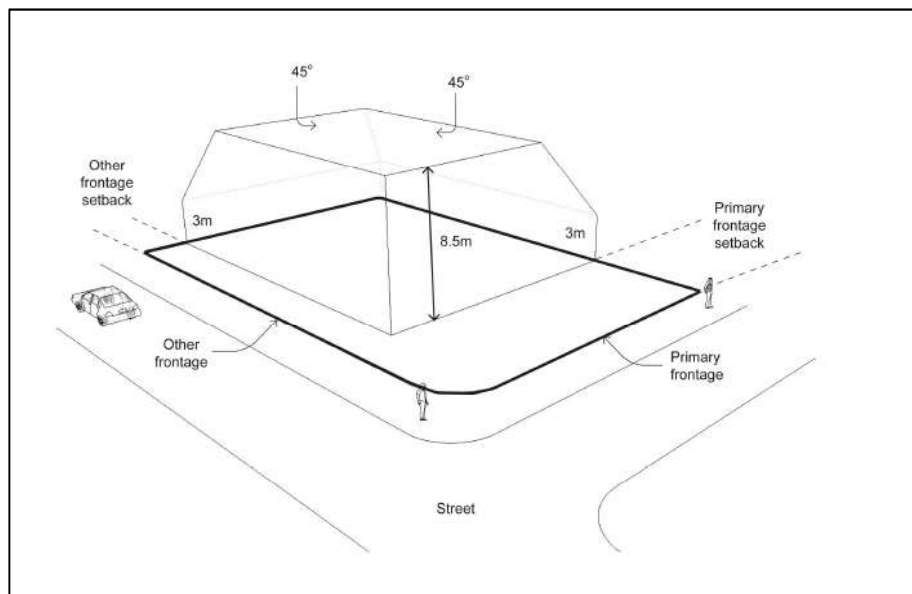


Figure 6 - Acceptable building envelope for a corner lot in the General Residential zone (DIPS, 2013)

DISCUSSION

The application was referred to TasWater for comment as required by the *Water and Sewerage Industry Act 2008* and conditions from this authority will be included in the final recommendation. Refer to **Attachment 2**.

The application has also been referred internally to other Council departments with an interest in development applications. Comments received have been included in the final recommendation.

FINANCIAL IMPLICATIONS

No financial implications are predicted unless legal costs are incurred due to an Appeal to the Resource Management and Planning Appeal Tribunal.

RISK IMPLICATIONS

Due diligence has been exercised in the preparation of this report and no associated risks are predicted.

CONCLUSION

The proposed multiple dwelling development at 46 Fleetwood Drive, Spreyton has been assessed as appropriately complying with the requirements of the DIPS and is recommended for conditional approval.

ATTACHMENTS

1. Application - PA2019.0029 - 46 Fleetwood Drive Spreyton
2. Submission to Planning Authority Notice - PA2019.0029 - 46 Fleetwood Drive Spreyton

RECOMMENDATION

That Council, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0029 and grant a Permit to use and develop land identified as 46 Fleetwood Drive, Spreyton for the following purposes:

- Multiple dwellings x 3

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the endorsed plans referenced as 3 Unit Development – Job No 1238 (Sheets 1-5), dated 10/1/2019, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Stormwater discharge from the proposed development is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development lot being impervious. There is to be no overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm

events. All design calculations are to be submitted for approval by the City Engineer prior to commencing construction on site.

3. The existing stormwater connection is to be used for the purposes of the proposed development.
4. The proposed driveways are to be generally designed and constructed in accordance with the IPWEA Tasmanian Standard Drawings and to concrete standard, size and location suitable for the proposed future use of the site.
5. The proposed parking is to comply with AS2890.1. In addition, the requirements of AS2890.6 (disability parking) is also to be adopted where appropriate.
6. The developer is to comply with the conditions contained in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit, pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*.

THIS IS NOT A BUILDING OR PLUMBING PERMIT.

Prior to commencing any building or plumbing work you are required to:

Contact a Tasmanian registered Building Surveyor to determine the category of building approval required, and

Contact the Council Permit Authority to determine the category of plumbing approval required.

With respect to street addressing for the multiple dwelling development, the following will apply:

Unit number on site plan	Street address
1	Unit 2, 1A Mulligan Drive
2	Unit 1, 1A Mulligan Drive
3	46 Fleetwood Drive

The above street addresses comply with AS/NZS 4819.2011 *Rural and urban addressing*.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

In regard to conditions 2-5 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

In regard to condition 6 the applicant should contact TasWater (Ph 136 992) with any enquiries.

General enquires can be directed to Council's Planning Department - 6424 0511.

Author:	Alex Mountney	Endorsed By:	Kylie Lunson
Position:	Planning Officer	Position:	Development Services Manager

Office use
Application no. _____
Date received: _____
Fee: _____
Permitted/Discretionary _____

Devonport City Council*Land Use Planning and Approvals Act 1993 (LUPAA)**Devonport Interim Planning Scheme 2013***Application for Planning Permit****Use or Development Site**

Street Address: Lot 48 Mulligan Dr Spreyton 7307

Certificate of Title Reference No.: 174878/63 (174618/48)

Applicant's Details

Full Name/Company Name: Cameron Lambert

Postal Address: P O Box 21 Railton 7305

Telephone: 0467772177

Email: cameron_lambert@gmail.com hotmail.com

Owner's Details (if more than one owner, all names must be provided)

Full Name/Company Name: Chloe Sheean

Postal Address: P O Box 21 Railton 7305

Telephone: _____

Email: _____



ABN: 47 611 446 016

PO Box 604

137 Rooke Street

Devonport TAS 7310

Telephone 03 6424 0511

www.devonport.tas.gov.au

council@devonport.tas.gov.au

Sufficient information must be provided to enable assessment against the requirements of the planning scheme.

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: **3 only 2 bedroom Dwelling units**

Description of how the use will operate: **Residential**

Use Class (Office use only):

Applications may be lodged by email to Council - council@devonport.tas.gov.au
The following information and plans must be provided as part of an application unless the planning authority is satisfied that the information or plan is not relevant to the assessment of the application:

Application fee	
Completed Council application form	
Copy of certificate of title, including title plan and schedule of easements	
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:	
• The existing and proposed use(s) on the site	
• The boundaries and dimensions of the site	
• Typography including contours showing AHD levels and major site features	
• Natural drainage lines, watercourses and wetlands on or adjacent to the site	
• Soil type	
• Vegetation types and distribution, and trees and vegetation to be removed	
• The location and capacity of any existing services or easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing adjoining properties, adjacent buildings and their uses	
• Any natural hazards that may affect use or development on the site	
• Proposed roads, driveways, car parking areas and footpaths within the site	
• Any proposed open space, communal space, or facilities on the site	
• Main utility service connection points and easements	
• Proposed subdivision lot boundaries, where applicable	
• Details of any proposed fencing	
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:	
• Setbacks of buildings to property (title) boundaries	
• The internal layout of each building on the site	
• The private open space for each dwelling	
• External storage spaces	
• Car parking space location and layout	
• Elevations of every building to be erected	
• The relationship of the elevations to natural ground level, showing any proposed cut or fill	
• Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites	
• Materials and colours to be used on roofs and external walls	
A plan of the proposed landscaping including:	
• Planting concept	
• Paving materials and drainage treatments and lighting for vehicle areas and footpaths	
• Plantings proposed for screening from adjacent sites or public spaces	
Details of any signage proposed	

Value of use and/or development

\$ 540K

Notification of Landowner/s (s.52 Land Use Planning and Approvals Act, 1993)

If land is not in applicant's ownership

I, Cameron Paul Lambert declare that the owner/s of the land has/have been notified of my intention to make this application.

Applicant's signature: Date: 5/1/19

If the application involves land owned or administered by the Devonport City Council

Devonport City Council consents to the making of this permit application.

General Manager's signature: _____

Date: _____

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

Signature

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that:

- If incomplete, the application may be delayed or rejected; and
- more information may be requested in accordance with s.54 (1) of LUPAA.

PUBLIC ACCESS TO PLANNING DOCUMENTS - DISCRETIONARY PLANNING APPLICATIONS (s.57 of LUPAA)

I understand that all documentation included with a discretionary application will be made available for inspection by the public.

Applicant's signature: Date: 5/1/19**PRIVACY ACT**

The personal information requested on this form is being collected by Council for processing applications under the Land Use and Planning Approvals Act 1993 and will only be used in connection with the requirements of this legislation. Council is to be regarded as the agency that holds the information.

Fee & payment options

Pay by Direct Deposit – BSB: 067-402 Account No. 000 000 13 – Please quote your application number.



Pay In Person at Service Tasmania – Present this notice to any Service Tasmania Centre, together with your payment. See www.service.tas.gov.au for opening hours.



Pay by Phone – Please contact the Devonport City Council offices on 64240511 during office hours, Monday to Friday.



Pay by Post – Cheques should be made payable to Devonport City Council and posted to PO Box 604, Devonport, Tasmania, 7310.

Department of Primary Industries, Parks, Water and Environment

LAND TITLES OFFICE - LAND TASMANIA

GPO Box 541, Hobart, Tasmania 7001
Ph (03)61654444
Email: titles.enquiries@dpiwpe.tas.gov.au
Web: www.dpiwpe.tas.gov.au



17 January 2019

TO: **FRIEND AND EDWARDS LAWYERS**
DX 70501
ULVERSTONE 7315

**NOTICE OF ACCEPTANCE
OF**

SEALED PLAN NO: 176221

SUBDIVIDER: HARD BALL PARK PTY LTD

I have accepted this Plan. Enclosed is a copy in the form in which it has taken effect.

Titles issued and dispatch details are as follows:

Volume	Folio	Dispatch
176221	48	Dispatched on: 18-Jan-2019 to: FRIEND AND EDWARDS LAWYERS
176221	49	Dispatched on: 18-Jan-2019 to: FRIEND AND EDWARDS LAWYERS
176221	63	Dispatched on: 18-Jan-2019 to: FRIEND AND EDWARDS LAWYERS

A handwritten signature in cursive script that reads "Alice Kawa".

Alice Kawa
Recorder of Titles

COUNCIL APPROVAL

(Insert any qualification to the permit under section 83(5), section 109 or section 111 of the Local Government (Building & Miscellaneous Provisions) Act 1993)
The subdivision shown in this plan is approved

Registered Number

SP 176221

In witness whereof the common seal of Devonport City Council

has been affixed, pursuant to a resolution of the Council of the said municipality

~~passed~~ the 4th day of December 2018, in the presence of us

Member

Member

Council Delegate *Ruven*

Council Reference SA2011.0011

NOMINATIONS

For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993

the owner has nominated

Friend & Edwards Solicitor to act for the owner

PDA Surveyors Surveyor to act for the owner

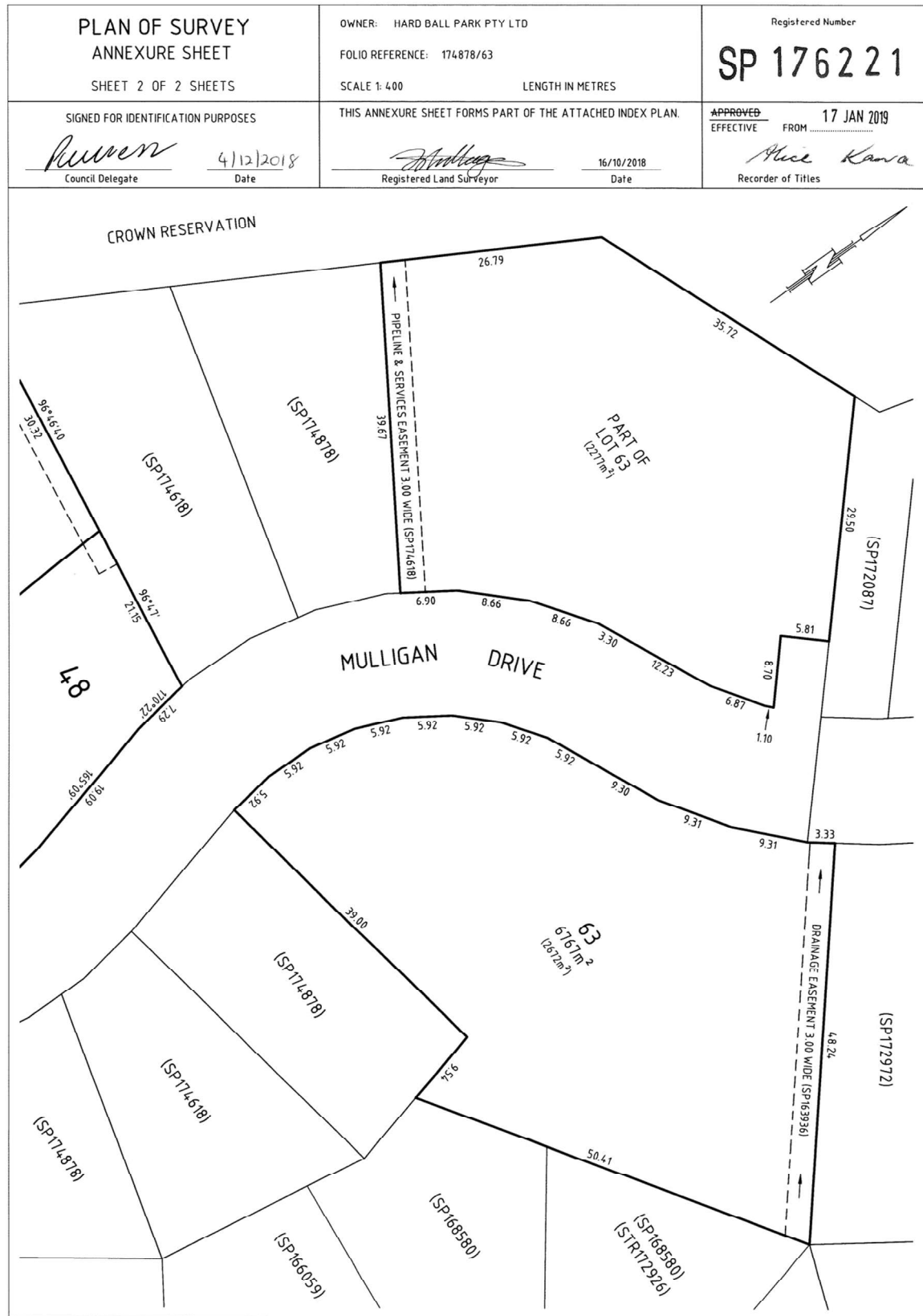
OFFICE EXAMINATION: Indexed ✓ Computed GM 17/12/18 Examined GM 17/12/2018


OWNERS: HARD BALL PARK PTY LTD FOLIO REFERENCE: 174878/63 GRANTEE: PART OF LOT 281, 600A-0R-0P, GRANTED TO ALFRED NICHOLAS	PLAN OF SURVEY BY SURVEYOR: JOHN E W MAGEE PDA SURVEYORS LOCATION: CITY OF DEVONPORT SCALE 1: 1000 LENGTHS IN METRES	REGISTERED NUMBER SP176221 *APPROVED* 17 JAN 2019 EFFECTIVE FROM <i>Alice Kava</i> Recorder of Titles
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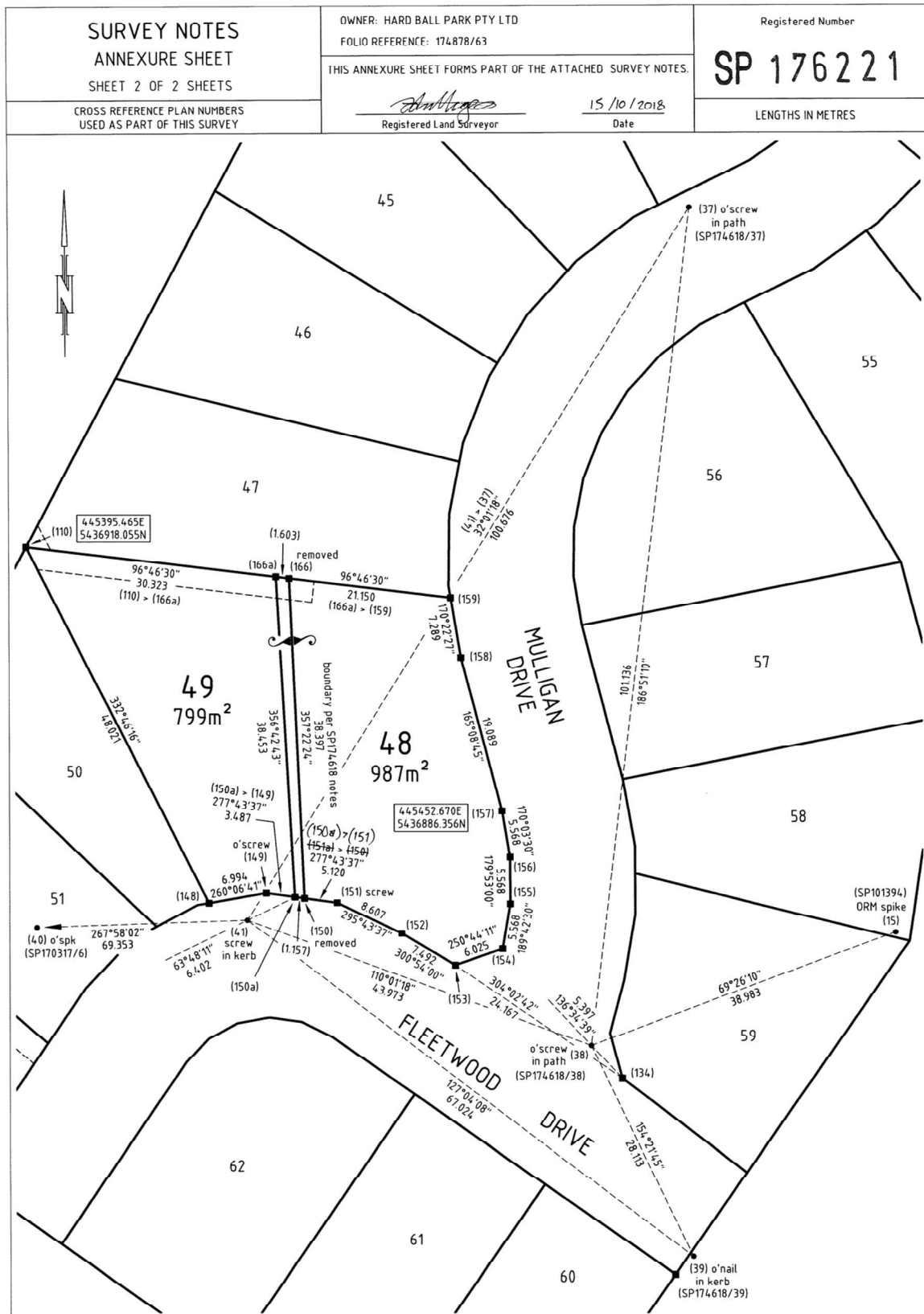
LOT 63 IS COMPILED FROM 174878/63 & THIS SURVEY. ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

<i>John E W Magee</i> Registered Land Surveyor 16/10/2018 Date	<i>Pauline</i> Council Delegate 4/12/2018 Date
---	---

ITEM 0.0



SURVEY NOTES SHEET 1 OF 2 SHEETS		Registered Number SP 176221		SURVEY CERTIFICATE I, <u>John E W Magee</u> of <u>Burnie</u> in Tasmania a Registered Land Surveyor HEREBY CERTIFY that: (a) this survey is based upon the best evidence that the nature of the case admits. (b) the survey notes have been truly compiled from surveys made by me or made under my supervision; and (c) this survey and accompanying survey notes comply with the relevant legislation affecting surveys and are correct for the purpose required. <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  Signature </div> <div style="text-align: right;"> Date: 16/10/2018 </div> </div>	
CROSS REFERENCE PLAN NUMBERS USED AS PART OF THIS SURVEY		LENGTHS IN METRES			
Owner: Hard Ball Park Pty Ltd					
Folio Reference: 174878/63					
Purpose of Survey: Subdivision (redefinition of SP174878 Lots 48 & 49)					
Survey Commenced: 15/09/2015		Survey Completed: 5/10/2018		Surveyors Ref: 43047	
Horizontal Datum: GDA94		Bearing Datum: MGA94		Combined Scale Factor: 0.99963480	
MGA94 COORDINATE ORIGIN					
SURCOM	Mark ID: SPM 10277	E: 445620.815	N: 5436666.272	EPU: 0.04	
AUSPOS	Local coordinated mark:	E	N	EPU	Measurement Duration:
NRTK	Local coordinated mark:	E	N	EPU	CORS provider:
Single base station CORS CORS provider:	Local comparison information SURCOM Check Mark ID:	SURCOM: E		N	
		Measured: E		N	
		Δ E		Δ N	
		Local coordinated mark:		E	N
MGA94 BEARING ORIGIN Total station datum per GNSS observations at (37), (38) & (40)					
BOUNDARY REINSTATEMENT REPORT <ul style="list-style-type: none"> - All re-establishment per SP174618, - The age of all survey marks found is consistent with their stated origin - All corner marks are OCPs unless otherwise stated - All OCPs by SP174618 unless otherwise stated - Identifiers for OCPs by SP163287 correspond with this survey - All subject boundaries are open unless otherwise stated - CB fence is Colorbond fence - DH & screws at corners are in concrete driveway aprons unless otherwise stated - P & S Easement is Pipeline & Services Easement - Survey performed using 3" total station - SPM connection by RTK GNSS - EPU is Estimated Positional Uncertainty - EPU is 0.06± unless otherwise stated 					
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FOR AMENDMENTS TO SURVEYORS SURVEY NOTES SEE PLAN RELATED DOCUMENTS FOR CONSENT. </div>					



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 176221

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

EASEMENTS:**Drainage Easement in Gross:**

Lot 63 is subject to a Pipeline and Services Easement in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the land marked Pipeline and Services Easement 3.00 WIDE, (SP 174618) shown on the Plan ("the Easement Land").

Lot 63 on the Plan is subject to a Right of Drainage in favour of the Devonport City Council over the "Drainage Easement 3.00 WIDE" (SP 174618) shown on the plan.

Lot 49 and Lot 48 is subject to a Pipeline and Services Easement in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the land marked Pipeline and Services Easement 2.50 WIDE (SP 174618) shown on the Plan ("the Easement Land").

Lot 63 on the Plan is subject to a Right of Drainage in favour of the Devonport City Council over the Pipeline and Services Easement 3.00 WIDE" (SP 174618) shown on the plan.

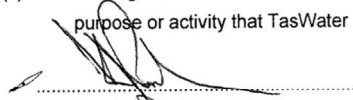
~~Lot 63 on the Plan is subject to a Right of Drainage in favour of the Devonport City Council over the Pipeline and Services Easement 3.00 WIDE" (SP 174618) shown on the plan.~~

~~Lot 63 is subject to a Pipeline and Services Easement in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ("TasWater") over the land marked Pipeline and Services Easement 3.00 WIDE (SP 174618) shown on the Plan ("the Easement Land").~~

The Pipeline and Services Easement is defined as follows:-


THE FULL RIGHT AND LIBERTY for the Transferee at all times to:

- (1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other person's duly authorised by it and with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;


Hard Ball Park Pty Ltd


Hard Ball Park Pty Ltd

(USE ANNEXURE PAGES FOR CONTINUATION)

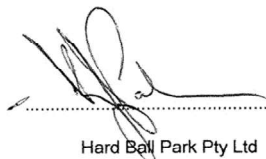
SUBDIVIDER: Hardball Park Pty Ltd FOLIO REF: 174618/63 SOLICITOR: Friend & Edwards Lawyers & REFERENCE: JRD: 140679	PLAN SEALED BY: Devonport City Council DATE: 4/12/2018 SA2011.0011 REF NO.  Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 4 PAGES	Registered Number SP 176221
SUBDIVIDER: Hard Ball Park Pty Ltd Hardball Park Pty Ltd FOLIO REFERENCE: 174618/63	

- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse and repair the Infrastructure;
- (4) remove and replace the Infrastructure;
- (5) run and pass sewage, water and electricity through and along the Infrastructure;
- (6) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (1) without doing unnecessary damage to the Easement Land; and
 - (2) leaving the Easement Land in a clean and tidy condition; and
- (7) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
- (8) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

PROVIDED ALWAYS THAT:

- (1) The registered proprietors of the Lot in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
 - (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land;
 - (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
 - (c) remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land;
 - (d) do anything which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
 - (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
 - (f) permit or allow any action which the Owner must not do or acquiesce in that action.
- (2) TasWater is not required to fence any part of the Easement Land.
- (3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot.



Hard Ball Park Pty Ltd



Hard Ball Park Pty Ltd

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

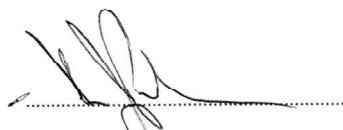
<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 3 OF 4 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 176221</p>
<p>SUBDIVIDER: Hard Ball Park Pty Ltd Hardball Park Pty Ltd</p> <p>FOLIO REFERENCE: 174618/63</p>	

- (4) The Owner may erect a gate across any part of the Easement Land subject to these conditions:
- (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and
 - (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
- (5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
- (6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action, damages or otherwise against the Owner, TasWater may:
- (a) reinstate the ground level of the Easement Land; or
 - (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
 - (c) replace anything that supported, protected or covered the Infrastructure.

Interpretation:

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) power poles and lines, electrical wires, electrical cables and other conducting media (excluding telemetry and monitoring devices);
- (e) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
- (f) anything reasonably required to support, protect or cover any of the Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.



Hard Ball Park Pty Ltd



Hard Ball Park Pty Ltd


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


<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 4 OF 4 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 176221</p>
<p>SUBDIVIDER: Hard Ball Park Pty Ltd Hardball Park Pty Ltd</p> <p>FOLIO REFERENCE: 174618/63</p>	

**FENCING
COVENANTS:**

The owners of all lots shown on the plan covenant with the Vendor, Hardball Park Pty Ltd ACN 123 971 719, that the Vendor shall not be required to fence.

Executed by
HARDBALL PARK PTY LTD
ACN 123 971 719
Pursuant to Section 127(i)
Of the Corporations Act 2001
As the registered proprietor
Of the land comprised in
Folio of the Register
Volume 172087 Folio 62


.....
Director


.....
Director

COVENANTS

Each lot on the plan is burdened by the restrictive covenants created by and more fully set forth in Sealed Plans 163287, 163936, 164570, 165804, 166059, 168131, 168580, 169204, 170528, 172087, 172972, 173713, 174618 & 174878 in the following terms:

1. Not to erect on any Lot any building other than buildings designed for use as private dwellings and/or residences and the buildings usually appurtenant thereto.
2. Not to erect on the said Lot any building whatsoever which shall have been pulled down or demolished on any other land and not to use any second hand materials other than clean washed bricks whatsoever in the erection of any building on the said Lot and to use first class materials only.

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

Mielke, Garry (DPIPWE)

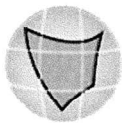
From: John Magee <John.Magee@pda.com.au>
Sent: Monday, 17 December 2018 2:24 PM
To: Mielke, Garry (DPIPWE)
Subject: SP176221
Attachments: 17122018141759.pdf

Hi Garry

Please find attached my recognition of the mistake you highlighted. Please change the notes accordingly

Thanks for spotting that one.

John Magee
Registered Land Surveyor
B.Geom (Tas)
PDA Surveyors
PHONE: +61 3 64314400
FAX: +61 3 64316663
MOB: 0409 833 029
john.magee@pda.com.au
6 Queen Street, Burnie, 7320
www.pda.com.au

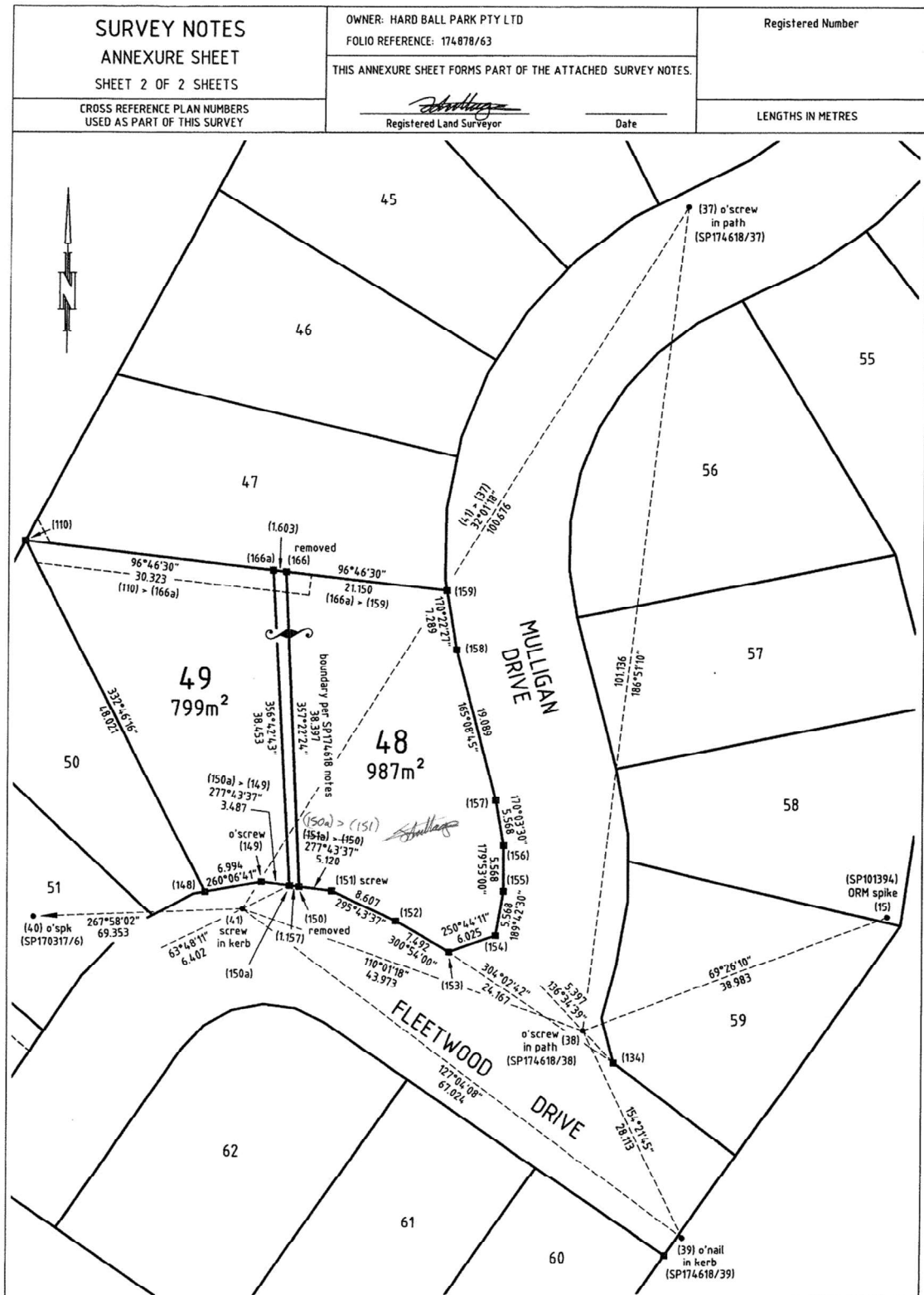


PDA Surveyors Incorporating
**WALTER
SURVEYS**
Surveying, Engineering & Planning
ABN 71 217 806 325

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*This office will close on Friday 21st December 2018 at 12 noon
and re-open on Monday 7th January 2019 at 8.30 am
Partners and staff extend to you the compliments of the season.*



ISSUED FOR PLANNING

ISSUED FOR SURVEYING

CO-01 14614 COVER SHEET

SP-01 26114 SITE PLAN

FP-01 36114 FLOOR PLAN UNITS 1 AND 2

FP-02 46114 FLOOR PLAN UNIT 3

EL-01 56114 ELEVATIONS

SS-01 66114 SLAB SETOUT

SE-01 76114 TYPICAL SECTION

PL-01 86114 PLUMBING PLAN

BR-01 96114 BRACING - REFER TO ENGR'S. SEPARATE DWG'S.

EP-01 106114 ELECTRICAL PLAN

DS-01 116114 DETAIL SHEET-REFER TO ENG. DWG'S. FOR FOOTING/SLAB DESIGN.

RF-01 126114 ROOF FRAME-TRUSS MANUFACTURER'S DETAILS TAKE PRECEDENCE.

RP-01 136114 ROOF PLAN

GS-01 146114 GENERAL SPECIFICATION

AREAS

FLOOR AREA 307 M2

INCL. GARAGE.

TOTAL

LAND AREA 986.00 M2

SITE COVER 0.31

CLIMATE ZONE 7

WIND CLASS. N2

SOIL CLASS. M

BAL CLASS. LOW

PROPOSED 3 UNIT DEVELOPMENT

ON

LOT 48 (#22) MULLIGAN DV

SPREYTON

FOR

CAMERON LAMBERT

C/T 176221/48

(hardball park p/l)

ATTACHMENTS

CERT OF RESP. DESIGNER FORM 3 (C D CAMPBELL)

CERT OF TITLE & FOLIO PLAN

LIGHT, VENTILATION AND BUILDING FABRIC SCHEDULE.

LIGHTING POWER CONSUMPTION CALCULATOR

CD CAMPBELL

CC5661Y

Sheffield 7306

0144 234 1237

info@cdcampbell.co.uk

CD CAMPBELL

CC5661Y

Sheffield 7306

0144 234 1237

info@cdcampbell.co.uk

PROSPECTIVE TENDERS SHALL VISIT THE SITE AND SATISFY THEMSELVES THAT THE DRAWINGS FULLY REPRESENT THE CONDITIONS EXISTING AND NOTIFY THE OWNER OF ANY ITEM THAT COULD MATERIALLY AFFECT THEIR PRICE OR REQUEST CLARIFICATION OF THE ISSUE PRIOR TO SUBMITTING THEIR QUOTATION.

QIKDRAW GENERATED - NO MANUAL CHANGES TO BE MADE TO THIS

DRAWING - ORIGINAL DRAWING SIZE A3 - DRAWINGS AT SCALE (UON)

This design and print is the property of C D Campbell and must not be used without written permission from the author. Supply of this print represents a confidential communication between the author and the recipient. Joint ownership with the recipient may arise under separate contractual arrangements.

SCALE: 0

10/1/2019

OWNER: CAMERON LAMBERT

SITE ADDRESS: LOT 48 MULLIGAN DRIVE SPREYTON

PROJECT: PROPOSED 3 UNIT DEVELOPMENT

SHEET DESCRIPTION: COVER SHEET

SH: No: 10f5

Dwg No: CO01

Job No: 1237

REVISIONS:

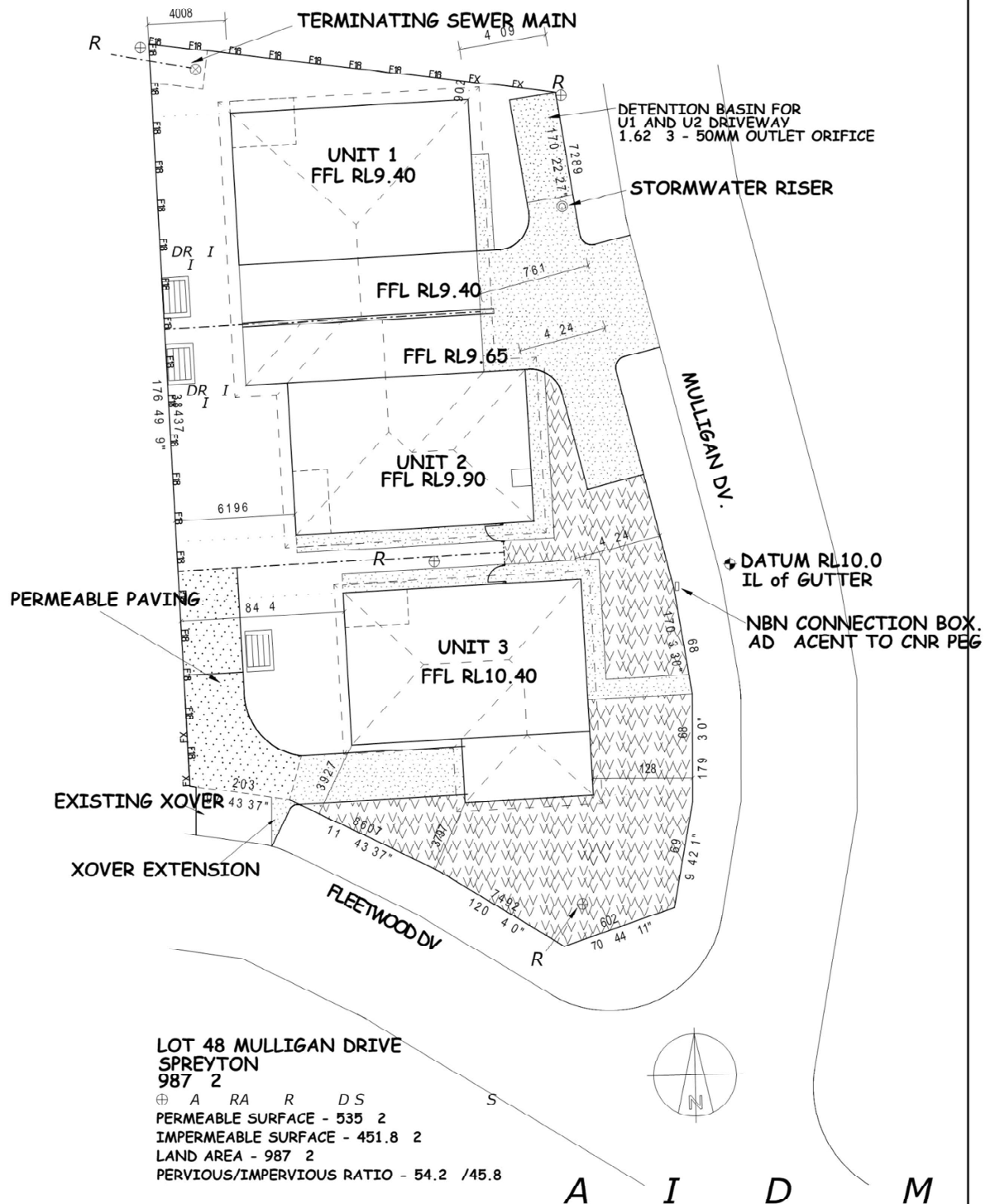
REVISIONS:

REVISIONS:

DRAWING MC

DESIGN CHK

AUTH:



IKDRAW GENERATED NO MANUAL CHANGES TO BE MADE TO THIS
DRAWING ORIGINAL DRAWING SIZE A3 DRAWINGS AT SCALE (UON)

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SCALE: 1:200

DATE: 10/1/2019

DRAWN: M C

DRG CHK: DESIGN CHK: AUTH:

OWNER: CAMERON LAMBERT

ADDRESS: LOT 48 MULLIGAN DRIVE SPREYTON

PROJECT: 3 UNIT DEVELOPMENT

SHEET DESCRIPTION: SITE PLAN

2 of 5

DWG No: SP 01

JOB No: 1238

C D CAMPBELL CC: 861

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REF TO VOL 2 PART 3 6 1 AS3740

BUILDER NOTE

THIS BUILDING HAS BEEN ENGINEERED
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IN ACCORDANCE WITH THE NCC
AND THE ENGLISH AUSTRALIAN STANDARDS
VARIANCES SHOULD BE REFERRED TO THE
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SIMILAR EQUIVALENT MATERIAL
MAY BE USED PROVIDED
A CONFIRMATION IN WRITING
IS OBTAINED FROM THE
BUILDING SURVEYOR OR DESIGNER
PRIOR TO INSTALLATION

CONCRETE SPECIFICATION

AS2870 CLS.3 TO 5.5

EXP. CLASS - A2

MIN. COVER - 30MM

FC - 25MPa

SLUMP - 100MM

USE - N25/20/100

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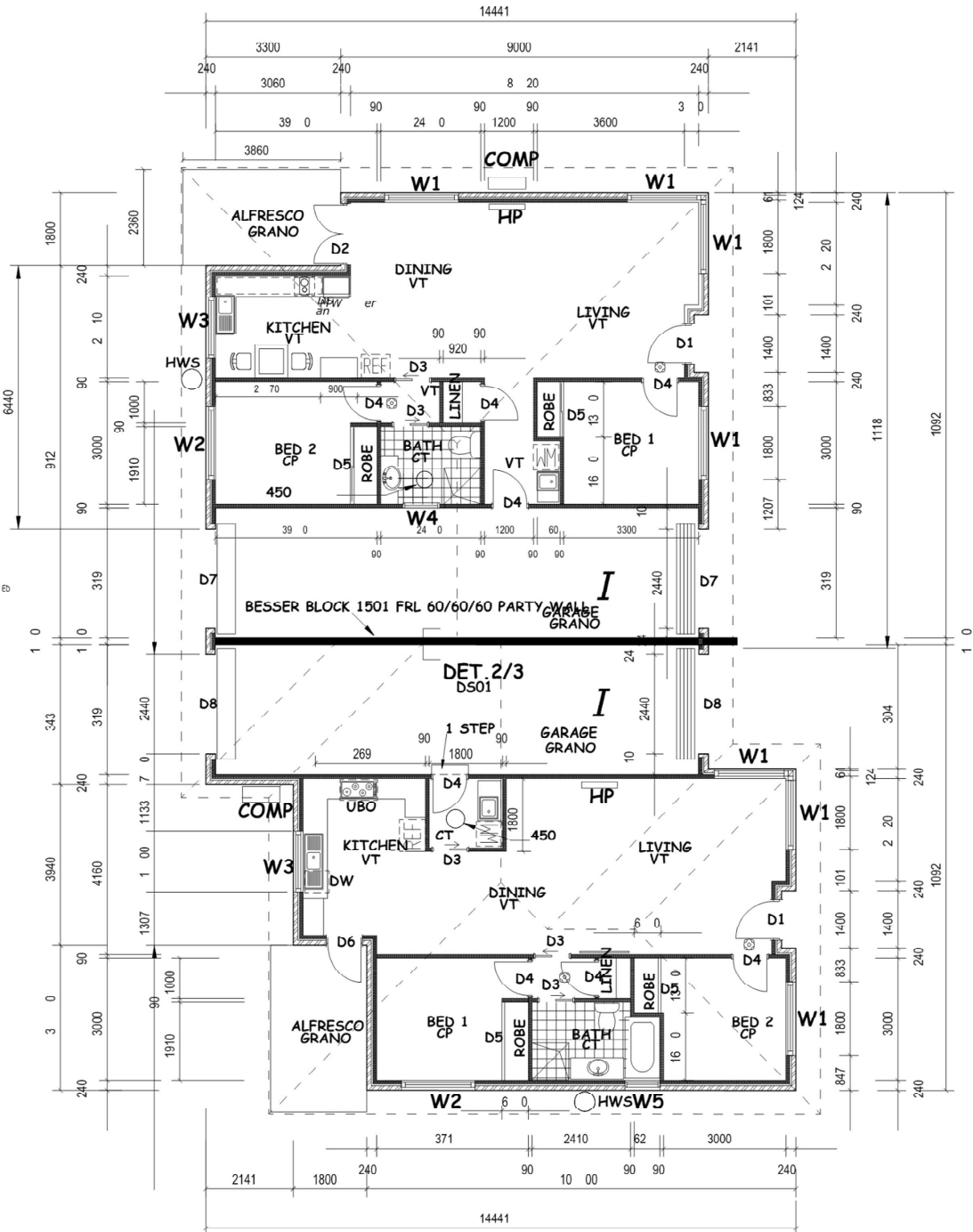
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BUILDER NOTE

BUILDER SHALL VERIFY ALL SITE SETOUT
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ABBREVIATION LEGEND

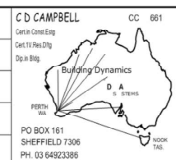
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DRAWING ORIGINAL DRAWING SIZE A3 DRAWINGS AT SCALE (UON)

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SCALE: 1:200	OWNER: CAMERON LAMBERT
DATE: 10/1/2019	ADDRESS: LOT 48 MULLIGAN DRIVE SPREYTON
DRAWN: M C	PROJECT: 3 UNIT DEVELOPMENT
DRG CHK	SHEET DESCRIPTION: FLOOR PLAN UNITS 1 AND 2
DESIGN CHK	3 of 5
AUTH	DWG No: P 01
	JOB No: 1237



WET AREA WATERPROOFING A LINING SHALL BE PROVIDED TO ALL WET AREAS INCLUDING UNIONS WHERE WET SURFACE TILING IS LIKELY TO OCCUR. WITH AN IMPERVIOUS MEMBRANE SUCH AS DOWMELENS "SHOWER WATERPROOFING MEMBRANE" REFER TO (N1.2) PART 3.1.1.1 & A53740

BUILDER NOTE:
THIS BUILDING HAS BEEN ENGINEERED AS A "TREAD TO COMPLY" DESIGN AND SHALL BE CONSIDERED TO BE IN ACCORDANCE WITH THE NATIONAL STANDARDS AND REFERENCED AUSTRALIAN STANDARDS. VARIANCES SHOULD BE REFERRED TO THE BUILDING SURVEYOR OR DESIGNER.

ALTERNATIVE MATERIALS:
ANY MATERIALS SUBSTITUTED MUST BE USED IN ACCORDANCE WITH THE BUILDING SURVEYOR OR DESIGNER'S APPROVAL.

WATERPROOFING MEMBRANE:
SHALL CONFORM TO AS370 C 13.3 AND SHALL BE CONTINUOUSLY BRANDED AND SHALL BE APPLIED TO ALL WET AREAS INCLUDING UNIONS WHERE WET SURFACE TILING IS LIKELY TO OCCUR. WITH AN IMPERVIOUS MEMBRANE SUCH AS DOWMELENS "SHOWER WATERPROOFING MEMBRANE" REFER TO (N1.2) PART 3.1.1.1 & A53740

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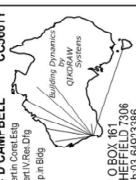
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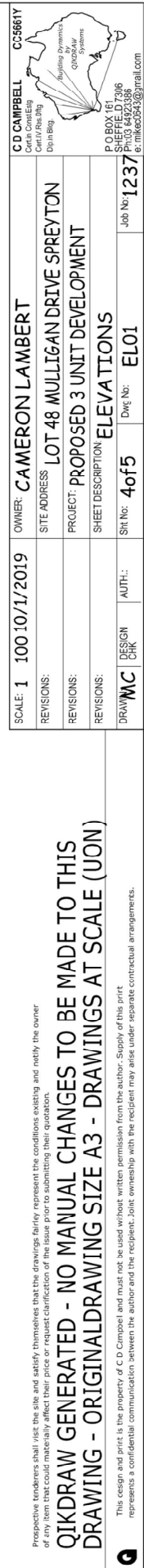


QIKDRAW GENERATED - NO MANUAL CHANGES TO BE MADE TO THIS DRAWING - ORIGINAL DRAWING SIZE A3 - DRAWINGS AT SCALE (UON)

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SCALE 1	10010/1/2019	OWNER: CAMERON LAMBERT	C.D. CAMPBELL Certified Bldg Dip in Bldg	CC5661Y
REVISIONS:		SITE ADDRESS: LOT 48 MULLIGAN DRIVE SPREYTON		
REVISIONS:		PROJECT: PROPOSED 3 UNIT DEVELOPMENT		
REVISIONS:		SHEET DESCRIPTION: LOOR PLAN UNIT 3		
DRAWN: MC	DESIGN: CH	AUTH:	Job No: P02	Job No: 1237







Submission to Planning Authority Notice

Council Planning Permit No.	PA2019.0029	Council notice date	28/02/2019
TasWater details			
TasWater Reference No.	TWDA 2019/00279-DCC	Date of response	05/03/2019
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	DEVONPORT COUNCIL		
Contact details	council@devonport.tas.gov.au		
Development details			
Address	46 FLEETWOOD DR, SPREYTON	Property ID (PID)	9816926
Description of development	Multiple dwellings (C.T. 176221/48)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
C D Campbell	1237 Sheet SP01		10/01/2019
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
DEVELOPMENT ASSESSMENT FEES			
<ol style="list-style-type: none"> 4. The applicant or landowner as the case may be, must pay a development assessment fee of \$351.28 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater. 			
Advice			
General			
For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards			
For application forms please visit http://www.taswater.com.au/Development/Forms			

**Declaration**

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by

A handwritten signature in black ink, appearing to read "J. Taylor".

Jason Taylor

Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

4.2 PA2019.0008 COMMUNITY MEETING AND ENTERTAINMENT (FUNCTION CENTRE) & VISITOR ACCOMMODATION - 10363 BASS HIGHWAY LILICO

File: 35913 D572604

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes

PURPOSE

The purpose of this report is to enable the Planning Authority to determine whether planning application PA2019.0008 should proceed to a permit with any applicable conditions or be refused due to the identified provisions of the planning scheme being unable to be satisfactorily demonstrated.

BACKGROUND

Planning Instrument:

Planning Instrument:	<i>Devonport Interim Planning Scheme 2013</i>
Applicant:	Veris Australia Pty Ltd
Owner:	Mr BA Robinson
Proposal:	Community Meeting and Entertainment (Function Centre) & Visitor Accommodation
Existing Uses:	Residential and Agricultural
Zoning:	Rural Resource
Decision Due:	04/04/2019

SITE DESCRIPTION

The subject site is located at the eastern end of Lillico Straight at Don. The land is bounded by the Bass Highway to the south and the Bass Strait coastline to the north.

The land contains an existing house developed in 2007 (PA2007.0009) which is occupied by the owner. This is situated adjacent to the littoral reserve along the northern boundary.

Access to the house site is via a carpark that is accessible from the Bass Highway. This carpark is primarily used by penguin viewing patrons of an evening.

Figure 1 provides a pictorial view of the site with the subject land (Certificate of Title 161553 Folio 2) shaded yellow.



Figure 1 – Location Plan, 10363 Bass Highway. Photo source DCC Geocortex December 2015

APPLICATION DETAILS

The applicant has described the proposal an Agritourism venture incorporating visitor accommodation in the form of pods and cabins. As well as the accommodation units it is proposed to build a function centre to cater for events such as weddings. There will also be an amenities block for the use of both day visitors and those staying overnight. Kitchen and catering facilities are also included.

Access to the development site will be from Waverley Road by extending the existing internal roadway. It is indicated that the site has been chosen for its natural beauty and outlook. An existing spring will feed an ornamental pond that will meet non-potable water needs. Potable water will be collected in rainwater tanks or delivered by tanker if necessary.

The disposal of waste water will be managed through an on-site Aerated Wastewater Treatment System (AWTS) with associated irrigation. Stormwater will be collected and disposed of from the site by a series of designed swale drains to minimise erosion and the effects of velocity. The sizing is based on 50% of the water being absorbed by the drain before entering the existing watercourse.

The portion of the land Title being used for the proposed development is highlighted in Figures 2 & 3. Figures 1, 2 & 3 are incrementally scaled to better allow the details of the 5.1ha portion of the 25ha parent Title to be understood and measured.

Three types of building form are proposed.

The elevations of the function centre indicate a single storey construction with contemporary building materials and building form with an indicative floor area of approximately 695m².

The proposed cabins are virtually square in shape (4.5m x 5m) and contain basically a bed and wardrobe with a small kitchen with room for a microwave, refrigerator and sink. A

coffee table, chairs and bedside tables complete the picture. Three of these cabins are proposed where indicated on Figure 3.

Details of the 5 proposed pods is limited to what has been provided by an artist's impression submitted by the applicant. The structures have been described as 'igloos' made with fibreglass to look like a rock.

The floor plans of these structures were requested but were not submitted for consideration. This is not fatal to the application as the amenities for each accommodation unit are thought to be shared facilities within the function centre building. It is predicted that the size of these pods will be similar to that of the 3 proposed cabins with similarity extending to the fixtures and fittings within them. The article also includes the future possibility of glass cabins to enhance the coastal view which presumably are the cabins previously described. No details of these are known or have been submitted for consideration.

Appended to this report are the complete details of the application including supporting information from:

- Veris Australia Pty Ltd, Town Planning Consultants, Reference 3D15080 dated November 2018 and Concept Plan D15180 as revised dated 10 December 2018.
- Weeda Drafting and Building Consultants Pty Ltd, designers, Project 16618 dated 21 December 2018
- Pitt and Sherry, Land Stability Assessment, Reference DV18177L001 as revised 18 January 2019
- Sustainable Environment Assessment & Management (SEAM), stormwater and wastewater design, Reference 18079, dated 19 November 2018 and 12 October 2018 respectively **(Attachment 1)**

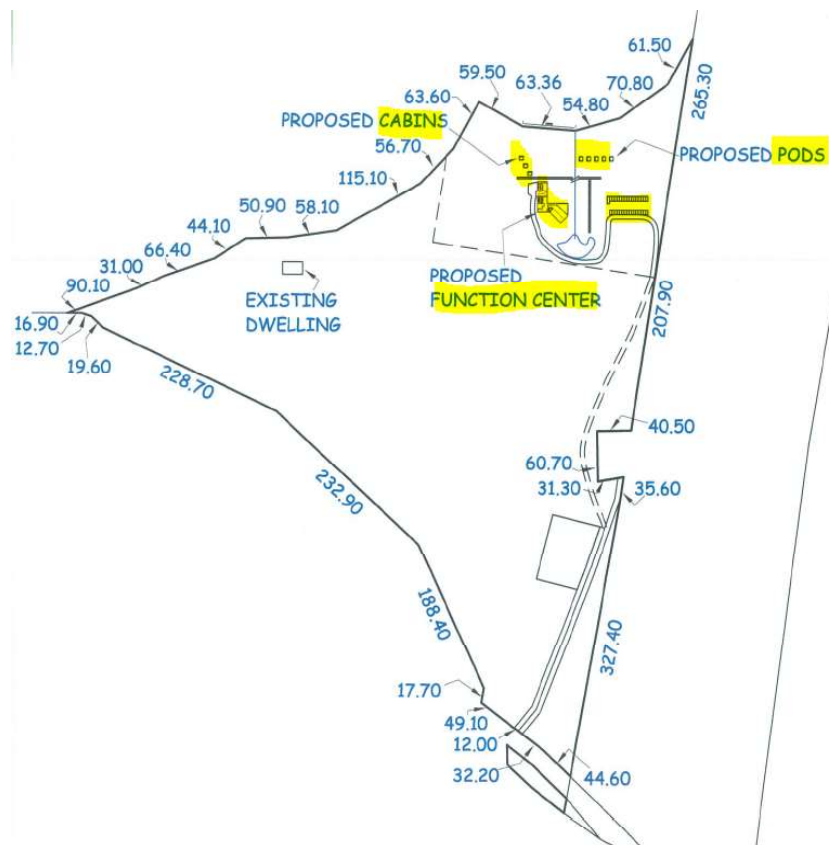


Figure 2 – Site plan. Drawing source, Weeda Drafting, Project 16618

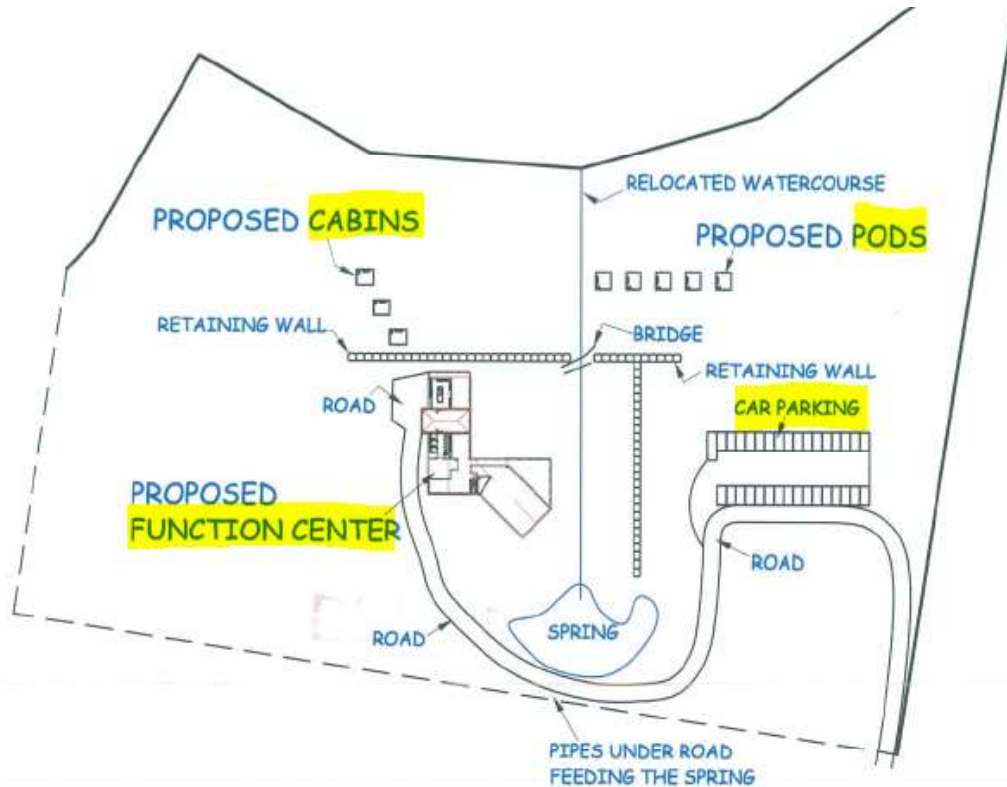


Figure 3 – Site plan (Not to scale). Drawing source, Weeda Drafting, Project 16618

It is understood that the amenities block for the use of both day visitors and function centre guests is not a separate building on the site plan. This is confirmed by the SEAM Report so it has to be predicted that the facilities for both function centre guests and those staying overnight in the eight accommodation units are shared.

PLANNING ISSUES

The land is zoned Rural resource under the *Devonport Interim Planning Scheme 2013* (the Scheme). The applicant has included a planning report¹ to satisfy the identified zone and code standards of the Scheme.

The Scheme provides details on how a discretionary planning permit is to be determined. In particular clause 8.10 instructs the Planning Authority to only exercise discretion in regard to the particular matter contained and identified. This includes assessment against the Performance Criteria (PC) to judge whether these alternatives to the Acceptable Solution (AS) can be demonstrated.

It also requires the planning authority to consider the representations received within the prescribed public exhibition period.

The applicant has submitted that the Visitor accommodation component comprises five x two bed pods and three x two bed cabins for farm stay guests. 'Farm Stay' is not defined in the Scheme. Generally it can include a unique opportunity for guests to experience, by help and observation, how a farm is operated. This satisfies the visitor accommodation qualification in the Use Table and retains the permitted use status under Section 58 of the Land Use Planning and Approvals Act 1993 (the Act).

The 'Community meeting and entertainment' Use Class includes function centres as an activity. This is deemed to be the most suitable classification for the second component of the application.

ZONE STANDARDS

Within the Rural resource zone the 'Community meeting and entertainment' use is discretionary and has to satisfy the Use Standards under Clause 26.3 of the zone. There are no Acceptable Solutions (AS) to this clause and consequently the Performance Criteria (PC) need to be demonstrated. If the PC cannot be demonstrated, then the application cannot proceed to a permit and must be refused.

Use Standards

Clause 26.3.1 - Requirement for discretionary non-residential use to locate on rural resource land

The applicant has submitted that while the overriding theme of the Local Area Objectives (LAO) is the protection of land for primary production, the site does not have significant agricultural value. Further, once the visitor accommodation is in place with its amenities and utilities buildings the addition of the function centre will not further reduce agricultural capacity.

It should be noted that the applicant has frequently referred to the Visitor accommodation component in the commentary to the Use Standards. However because the visitor accommodation activity is permitted it does not have to satisfy these Use Standards.

The submitted land capability map of the site identifies the land as Class 4. This means that the land is primarily suitable for grazing and occasional cropping. The applicant submits that there has been no cropping or grazing activity in the past and it is not intended to do any in the future. However, it should be noted that Class 4 land has value for grazing and cropping and the owner's choice not to undertake any agriculture does not reduce its capability.

The applicant has indicated that once the visitor accommodation is in place, with its amenities and utilities buildings, the addition of the function centre will not further reduce agricultural capacity.

What cannot be established in the application is confirmation of where, if at all, these amenities and utilities will be located because the floor plans of the three cabins only include a sink with no bathing, clothes washing or toilet fixtures. Figure 4 provides details of the proposed floor plan of the three cabins. The floor plans of the five accommodation pods have not been provided to confirm any variation.

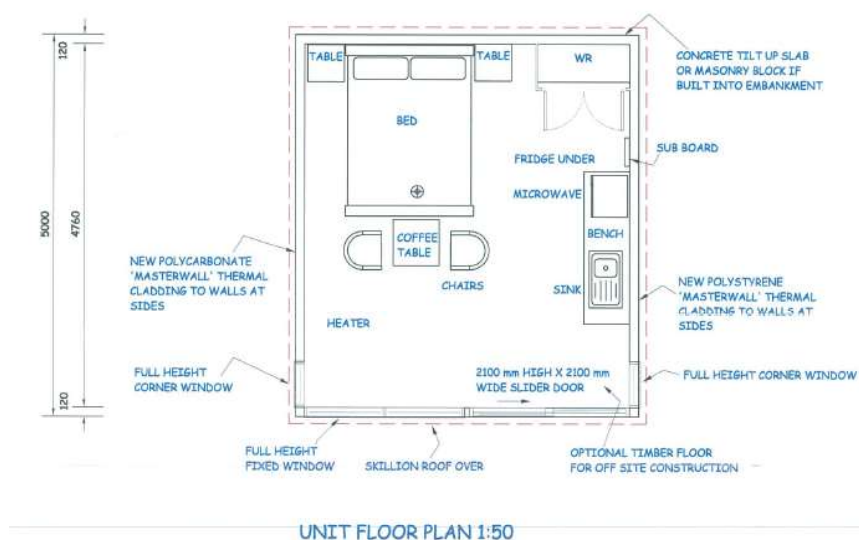


Figure 4 – Unit floor plan, Drawing source. Weeda consultants Project 16618, 21/12/18

It was initially thought that these facilities were incorporated in the Function Centre building however the applicant has intimated that the function centre will be developed afterwards.

It is also noted that the SEAM Report does not refer to any additional buildings for amenities in their onsite waste water management report.

Figure 5 is a copy of the floor plan for the function centre which details in general terms an indicative design of the amenities and facilities.

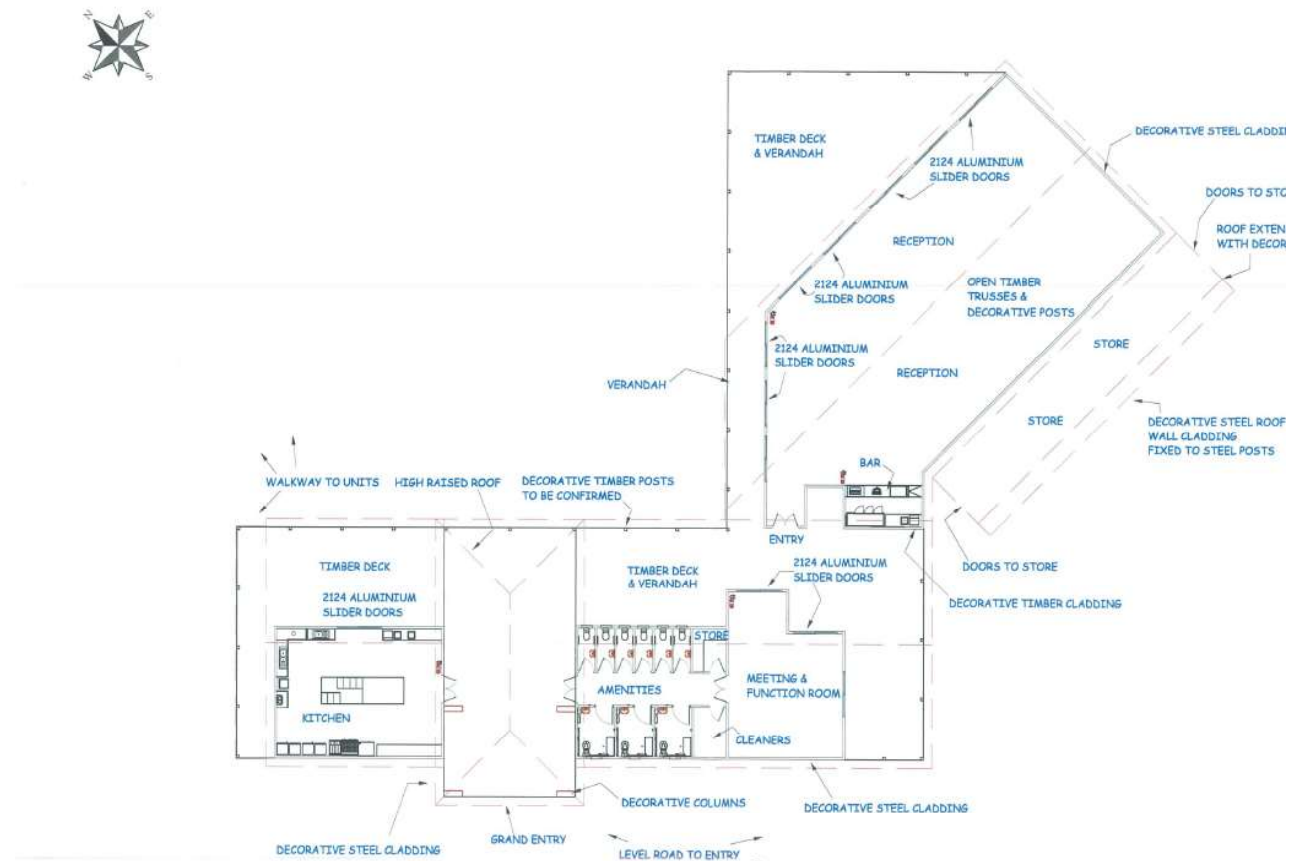


Figure 5 – Floor plan, Proposed function Centre. Drawing source. Weeda consultants Project 16618, 21/12/18

The Local Area Objectives are one of the considerations in the determination of the community meeting and entertainment component of this application. These are reproduced from the Scheme below.

26.1.2 Local Area Objectives

- (a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;
- (b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;
- (c) Air, land and water resources are protected against –
 - (i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and
 - (ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;

- (d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;
- (e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;
- (f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;
- (g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry
- (h) Residential use and development on rural land is appropriate only if –
 - (i) required by a primary industry or a resource based activity; or
 - (ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes

It is acknowledged in the LAO that the primary purpose of rural land is for primary production. The applicant has indicated that the site does not have agricultural value.

However Class 4 land is identified 'as land being suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation. Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited.'¹

The applicant has coined the term 'agritourism' in the planning submission. The only LAO of any significance does consider rural land to be used and developed for tourism and recreation use but it has to be dependent upon a rural location or undertaken in association with primary industry.

In regard to the Desired Future Character Statements (DFCS) in clause 26.1.3 the applicant has submitted that the use is consistent with these because the proposed development will not be visible from the Bass Highway or penguin viewing platform. In addition the impact will be minimised by the use of building materials that blend into the landscape.

¹ Land Capability Handbook – Guidelines for the Classification of Land in Tasmania (Gross, 1999)

26.1.3 Desired Future Character Statements

Use or development on rural land –

- (a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –
 - (i) expansive areas for agriculture and forestry;
 - (ii) mining and extraction sites;
 - (iii) utility and transport sites and extended corridors; and
 - (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency
- (b) may be interspersed with –
 - (i) small-scale residential settlement nodes;

Report to Planning Authority Committee meeting on 1 April 2019

- (II) places of ecological, scientific, cultural, or aesthetic value; and
- (iii) pockets of remnant native vegetation
- (c) will seek to minimise disturbance to –
 - (i) physical terrain;
 - (ii) natural biodiversity and ecological systems;
 - (iii) scenic attributes; and
 - (iv) rural residential and visitor amenity;
- (d) may involve sites of varying size –
 - (i) in accordance with the type, scale and intensity of primary industry; and
 - (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;
- (e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems

It is difficult to judge how the location is consistent with these. The planning submission also refers to the consistency of the proposal with the DFCS because the agritourism proposal is interspersed with places of aesthetic and ecological value, seeking minimal disturbance to natural biodiversity and scenic attributes.

It might be possible to demonstrate that the visitor accommodation component of this proposal could be managed to be consistent but because this a permitted component of the proposal no reliance on the Use Standards is required. Consequently, there is some uncertainty in the applicant relying upon the function centre being labelled as an agritourism development to sustain the proposal at this site.

Further Use Standards under clause 26.3.1 P1 (c) allow one of seven tests to be demonstrated in support of the application².

² RMPAT decision 7/18P

These are listed below:

- (c) Discretionary permit use must be required to locate on rural resource land for operational efficiency –
 - (i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;
 - (ii) to access infrastructure only available on the site or on adjacent land in the zone;
 - (iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;
 - (iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;
 - (v) if required –
 - a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;
 - b. for security;
 - c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;

- (vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;
- (vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or
- (viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and

The applicant has submitted that part of the coast is currently inaccessible to the general public except for those either willing to trespass or are skilled in rock climbing. The location and outlook are the naturally occurring resources that the proposal seeks to exploit. They do not exist anywhere else and for that reason it needs to be on this site. It is further submitted by them that the visitor accommodation and function centre will add diversity and sustainability to the existing farming operation.

There is some uncertainty in submitting that the inaccessibility, location and outlook are the compelling factors for the function centre to locate on Rural resource land if it is not agriculturally based with agricultural intent.

The remaining Use Standard under 26.3.1 requires the function centre to minimise likelihood for:

- (i) Permanent loss of land for existing and potential primary industry use;
- (ii) Constraint or interference to existing and potential primary industry use on the site and on adjacent land; and
- (iii) Loss of land within a proclaimed irrigation district under Part 9 Water Management Act 1999 or land that may benefit from the application of broad scale irrigation development

The applicant has submitted that there will be minimal loss of agricultural potential from this development.

It is proposed to use 5.1 ha from the 25.01 ha site. This is slightly greater than 20% and although the subjectivity of 20% can vary in different sized sites it is difficult to sustain the minimal loss as submitted.

Development Standards

Notwithstanding the Use standards that can only be applied to the function centre component of this application, both the proposed uses have to satisfy the Acceptable Solutions (AS) of any applicable Development Standard of the zone. If the AS cannot be satisfied then demonstration against the Performance Criteria (PC) is required. If these alternative solutions cannot be justified then the application fails and cannot proceed to permit.

26.4.1 Suitability of a site for use or development

The Acceptable Solutions (AS) include thresholds on land size and building area, road access, water supply, waste water disposal and stormwater disposal.

The applicant has only provided commentary that refers to a supplementary report for waste water and stormwater management. This partially satisfied satisfies the AS. However upon examination the AS and PC where relevant are satisfied for this Development Standard.

26.4.2 Location and configuration of development

The AS for this standard rely on the traditional prescriptive boundary setbacks and heights. The application complies with these numerical Standards.

CODE STANDARDS

Two Codes have been identified as being relevant to this application. Similar to the assessment process for the Zone each Code also contains Acceptable Solutions (AS) and Performance Criteria (PC) that have to be satisfied when applicable.

Code E6 Hazard Management Code

This Code applies to the proposed development because the land is exposed to a risk from landslide. It is important to note that this Standard has no Performance Criteria and therefore it must comply with the Acceptable Solutions under E6.6.2.

These require a hazard risk assessment that must determine that:

- (i) there is an insufficient increase in risk to warrant any specific hazard reduction or protection measure; or
- (ii) a tolerable level of risk can be achieved for the type, form, scale and duration of the development.

The applicant has submitted that the land is within a 'Low Landslide Hazard' and is considered to be exempt from the Code. However, the land also contains areas of medium risk and therefore the applicant was requested to supply an assessment from a suitably qualified person. The applicant has provided a Land Stability Assessment (Pitt & Sherry, 18 January 2019) that confirms a low risk and concludes with conditions that should be applied to the development.

Code E9 Traffic Generating Use and Parking Code

One of the purposes of this Code is to require a minimum number of parking spaces on the site for parking associated with the proposed development to satisfy the Acceptable Solutions. The minimum number of vehicle parking spaces is to be in accordance with the Table that applies to this Code. The numbers can obviously vary depending on the use proposed.

For 'Community meeting and entertainment' the parking is to be calculated at the rate of 15 spaces per 100m² of gross floor area; or 1 space per 3 seats whichever the greater. It also requires a loading area for 1 small rigid truck per 1500m² of gross floor area.

The applicant has submitted that the proposed function centre building is 150m² in area which requires 23 parking spaces.

The gross floor area of the function centre is calculated at 695m². This is significantly greater than the submitted 150m² used in the calculation by the applicant. For a function centre of this floor area the minimum number of car parking spaces is 105.

Visitor accommodation requires 1 space per unit and 1 additional space for every 3 units. There is also to be a loading area for 1 small rigid truck. The proposal is for 5 pods and 3 cabins.

The applicant has calculated that this component requires 10 spaces and that just the one small rigid truck will suffice for both proposed uses. The latter seems reasonable and can be supported. However, the number of spaces actually required is 11 when considering the additional ratio of 1 space per 3 units.

Consequently the total number of spaces required on site is 116. The proposal submitted only allows for 34 spaces.

This will significantly impact on the stormwater management calculations which has only been based upon a smaller car park footprint of 900m². A conservative estimate of the area to accommodate the compliant parking is between 2,500 – 3,000m². This will also influence the design and location on the site due to the topographical constraints.

In summary the application does not comply with the Acceptable Solutions and no submission has been provided to demonstrate why the compliant numbers are unreasonable and unnecessary due to the anticipated requirement for the type, scale and intensity of the use, the likely needs and requirements of site users and the likely type, number, frequency and duration of parking demand.

The absence of any submission for the reduced car parking numbers is fatal to the application because the Performance Criteria have not been demonstrated.

COMMUNITY ENGAGEMENT

On 25/01/2019, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 02/02/2019;
- (b) Making a copy of the proposal available in Council Offices from the 02/02/2019;
- (c) Notifying adjoining property owners by mail on 31/01/2019; and
- (d) Erecting a Site Notice for display from the 31/01/2019.

Due to a request for additional information the period for determination of this application concludes on 4 April 2019. Representations received by Council closed on 18/02/2019.

REPRESENTATIONS

Four representations were received within the prescribed 14 day public exhibition period required by the *Land Use Planning and Approvals Act 1993*.

These are appended to this report as **Attachment 2**.

DISCUSSION

With exception these are not related to the discretionary components of the application and do not provide any commentary on why it is contended that discretion should not be considered. In general terms the objections are based on the unsuitability and inappropriateness of the site for the development.

Aboriginal Heritage Tasmania requested the applicant to contact them to discuss whether an assessment may be required due to the presence of Aboriginal heritage near to or within the site. This request was forwarded and the applicant made contact with Aboriginal Heritage Tasmania but at this stage no further correspondence has been received.

One concern expressed is the inconsistency with the primary purpose of the Rural resource zone. This is a valid concern and the need to satisfy the Use Standards is a fundamental requirement for non-residential discretionary use in this zone.

The other matters discuss the intensification of traffic and people numbers in the vicinity of the carpark and nearby penguin viewing area due to the notion that this will be the access point to the development.

There is also a comment based on visibility of the site when viewed from Bass Strait. The State Coastal Policy 1993 addresses this factor. In isolation this Policy cannot be used as a planning assessment tool unless there is a provision within it inconsistent with a planning scheme provision. In this regard the architecture of the interim planning scheme incorporated the three State Policies within the relevant Zones and Codes.

The absence of a flora and fauna assessment has also been highlighted and a request for a full ecological assessment has been mooted in light of the presence of Federally listed

species of birdlife. The author of the representation has contacted the Marine Conservation Branch of the State Government Department of Primary Industries, Parks Water and Environment and also the Environment Protection and Biodiversity Conservation group in Canberra.

State and Federal legislation rules over any provision of a local planning scheme and examples of this have occurred in various developments.

No correspondence has been received from any State or Federal Agency at the time of writing this report.

FINANCIAL IMPLICATIONS

No financial implications are predicted unless an Appeal to the Resource Management and Planning Appeal Tribunal is made on the decision. This may require legal counsel and independent planning submissions.

RISK IMPLICATIONS

Due diligence has been exercised in the preparation of this report and no associated risks are predicted.

The recommendation suggests approval for part of the application (visitor accommodation) and refusal for the community meeting and entertainment (function centre). The applicant may be dissatisfied with this result and seek to appeal the Planning Authority's decision.

CONCLUSION

The assessment of the application has highlighted some significant deficiencies that were not properly addressed by the applicant. These include a failure to demonstrate how the Performance Criteria under the identified Codes could be used as an alternative means of advancing to a permit. Likewise, various parts of the Use Standards have not been addressed and the Desired Future Character Statements not proven.

As expressed earlier in the report if the Performance Criteria cannot be demonstrated even though the degree of subjectivity is difficult to measure then the application cannot proceed to a permit.

ATTACHMENTS

1. Application - PA2019.0008 - 10363 Bass Highway Lillico
2. Representations - PA2019.0008 - 10363 Bass Highway Lillico

RECOMMENDATION

Firstly:

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 58 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0008 and grant a Permit to use and develop land identified as 10363 Bass Highway, Lillico for the following purposes:

- Visitor Accommodation (5 pods and 3 cabins) and associated infrastructure.

Subject to the following conditions:

- 1 Unless requiring modification by subsequent conditions of this permit the use and development is to proceed and be undertaken in accordance with the submitted plans and supporting documentation referenced as:
 - Veris Australia Pty Ltd, Town Planning Consultants, Reference 3D15080 dated November 2018 and Concept Plan D15180 as revised dated 10 December 2018.
 - Weeda Drafting and Building Consultants Pty Ltd, designers, Project 16618 dated 21 December 2018.
 - Pitt and Sherry, Land Stability Assessment, Reference DV18177L001 as revised 18 January 2019.
 - Sustainable Environment Assessment & Management (SEAM), stormwater and wastewater design, Reference 18079, dated 19 November 2018 and 12 October 2018 respectively.
- 2 The developer is to provide an amended plan that indicates a minimum 11 parking spaces for cars and 1 for a small rigid truck. This is to be submitted prior to or at the time of the building and plumbing permit application that confirms the number of spaces, the final location and any alteration to site drainage as a result of the permitted change.
- 3 The developer is to submit a floor plan of the 5 pods for consideration prior to or at the time of the building and plumbing permit application.
- 4 The developer is to take all reasonable steps during site works and construction to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and does not allow for burning of any waste materials on the site.
- 5 The developer is to apply for the relevant food business approval prior to opening the premises if any food products are to be supplied, prepared and/or cooked for guests.
- 6 The developer is to obtain approval prior to opening the premises if the property is to source water for human consumption from a private supply (as defined under the Public Health Act 1997).
- 7 The developer is to cease work immediately if during site works and construction the discovery of any cultural artefacts is uncovered or observed and is to immediately contact the Aboriginal Heritage Tasmania section of the Department of Primary Industries, Parks, Water and Environment for their advice.
- 8 The developer is to cease work immediately if during site works and construction any community of threatened species is discovered or observed and is to immediately

contact the Marine Conservation Branch of the Department of Primary Industries, Parks, Water and Environment for their advice.

- 9 The development is to comply with the requirements of the current National Construction Code and obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

Secondly:

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, refuse the proposed Community meeting and entertainment (function centre) use and development due to the following reasons:

- 1 The application has not satisfactorily demonstrated that the proposed 'Community meeting and entertainment' use (function centre) is consistent with the Local Area Objectives to prove it must be developed on land currently used for primary industry.
- 2 The application has not satisfactorily demonstrated that the proposed 'Community meeting and entertainment' use (function centre) is consistent with the Desired Future Character statements.
- 3 The application has not satisfactorily demonstrated that the proposed 'Community meeting and entertainment' use (function centre) is required to locate on rural resource land for operational efficiency.
- 4 The application has not satisfactorily demonstrated why the significantly lesser number of parking spaces required under clause E9.5.1 of the Scheme is reasonable and necessary due to the anticipated requirement for the type, scale and intensity of the use, the likely needs and requirements of site users and the likely type, number, frequency and duration of parking demand.

Explanatory Notes

Reason 1 – the land has agricultural potential and applying an 'Agritourism' label to a function centre does not constitute a favourable reason to exercise discretion.

Reason 2 – the proposed use of building materials that 'blend' into the landscape hasn't been proven to mitigate visual amenity.

Reason 3 – location and outlook are not naturally occurring resources that can be applied to the site to satisfy the Performance Criteria.

Reason 4 – The application has miscalculated the quantum.

Author:	Shane Warren	Endorsed By:	Kylie Lunson
Position:	Planning Coordinator	Position:	Development Services Manager

Office use
Application no. _____
Date received: _____
Fee: _____
Permitted/Discretionary

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Devonport Interim Planning Scheme 2013

Application for Planning Permit

Use or Development Site

Street Address: 10363 Bass highway Lillico TAS 7310

Certificate of Title Reference No.: 161553/2

Applicant's Details

Full Name/Company Name: Payal Patel/ Veris Australia Pty Ltd

Postal Address: 100 Best Street, Devonport TAS 7310

Telephone: 03 6421 3500

Email: p.patel@veris.com.au

Owner's Details (if more than one owner, all names must be provided)

Full Name/Company Name: Bruce Alexander Robinson

Postal Address: Cheviot Dale 10363 Bass Hwy Lillico TAS 7310

Telephone: 03 6424 2019

Email: Kim Robinson - kim@advantagegroupoz.com
Bruce Robinson- cowhunk7@bigpond.com



ABN: 47 611 446 016
PO Box 604
137 Rooke Street
Devonport TAS 7310
Telephone 03 6424 0511
www.devonport.tas.gov.au
council@devonport.tas.gov.au

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: Agritourism Development

Description of how the use will operate:

Agritourism venture will operate in the form of farm-stay accomodation and function center. Ancillary uses such as kitchen area, toilet blocks and carparks.

Use Class (Office use only):

Applications may be lodged by email to Council - council@devonport.tas.gov.au
The following information and plans must be provided as part of an application unless the planning authority is satisfied that the information or plan is not relevant to the assessment of the application:

Application fee	
Completed Council application form	✓
Copy of certificate of title, including title plan and schedule of easements	✓
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:	✓
• The existing and proposed use(s) on the site	
• The boundaries and dimensions of the site	
• Typography including contours showing AHD levels and major site features	
• Natural drainage lines, watercourses and wetlands on or adjacent to the site	
• Soil type	
• Vegetation types and distribution, and trees and vegetation to be removed	
• The location and capacity of any existing services or easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing adjoining properties, adjacent buildings and their uses	
• Any natural hazards that may affect use or development on the site	
• Proposed roads, driveways, car parking areas and footpaths within the site	
• Any proposed open space, communal space, or facilities on the site	
• Main utility service connection points and easements	
• Proposed subdivision lot boundaries, where applicable	
• Details of any proposed fencing	
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:	
• Setbacks of buildings to property (title) boundaries	
• The internal layout of each building on the site	
• The private open space for each dwelling	
• External storage spaces	
• Car parking space location and layout	
• Elevations of every building to be erected	
• The relationship of the elevations to natural ground level, showing any proposed cut or fill	
• Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites	
• Materials and colours to be used on roofs and external walls	
A plan of the proposed landscaping including:	
• Planting concept	
• Paving materials and drainage treatments and lighting for vehicle areas and footpaths	
• Plantings proposed for screening from adjacent sites or public spaces	
Details of any signage proposed	

Value of use and/or development

\$ _____

Notification of Landowner/s (s.52 Land Use Planning and Approvals Act, 1993)

If land is not in applicant's ownership

I, Payal Patel of Veris Australia Pty Ltd _____ declare that the owner/s of the land has/have been notified of my intention to make this application.

Applicant's signature: Payal Date: 20/11/2018

If the application involves land owned or administered by the Devonport City Council

Devonport City Council consents to the making of this permit application.

General Manager's signature: _____ Date: _____

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

Signature

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that:

- if incomplete, the application may be delayed or rejected; and
- more information may be requested in accordance with s.54 (1) of LUPAA.

PUBLIC ACCESS TO PLANNING DOCUMENTS - DISCRETIONARY PLANNING APPLICATIONS (s.57 of LUPAA)

I understand that all documentation included with a discretionary application will be made available for inspection by the public.

Applicant's signature: Payal Date: 20/11/2018

PRIVACY ACT

The personal information requested on this form is being collected by Council for processing applications under the Land Use and Planning Approvals Act 1993 and will only be used in connection with the requirements of this legislation. Council is to be regarded as the agency that holds the information.

Fee & payment options



Pay by Direct Deposit – BSB: 067-402 Account No. 000 000 13 – Please quote your application number.



Pay in Person at Service Tasmania – Present this notice to any Service Tasmania Centre, together with your payment. See www.service.tas.gov.au for opening hours.



Pay by Phone – Please contact the Devonport City Council offices on 64240511 during office hours, Monday to Friday.



Pay by Post – Cheques should be made payable to Devonport City Council and posted to PO Box 604, Devonport, Tasmania, 7310.

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 161553	FOLIO 2
EDITION 1	DATE OF ISSUE 05-Jan-2012

SEARCH DATE : 20-Feb-2018

SEARCH TIME : 02.43 PM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 2 on Sealed Plan 161553

Derivation : Part of Lot 437, 266 Acres Gtd. to George Best

Prior CT 148697/4

SCHEDULE 1

C781306 TRANSFER to BRUCE ALEXANDER ROBINSON

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP161553 EASEMENTS in Schedule of Easements

SP148697 SEWERAGE AND/OR DRAINAGE RESTRICTION

C839174 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
31-Jan-2008 at noonC880625 AGREEMENT pursuant to Section 71 of the Land Use
Planning and Approvals Act 1993 Registered
01-Oct-2008 at noonUNREGISTERED DEALINGS AND NOTATIONS

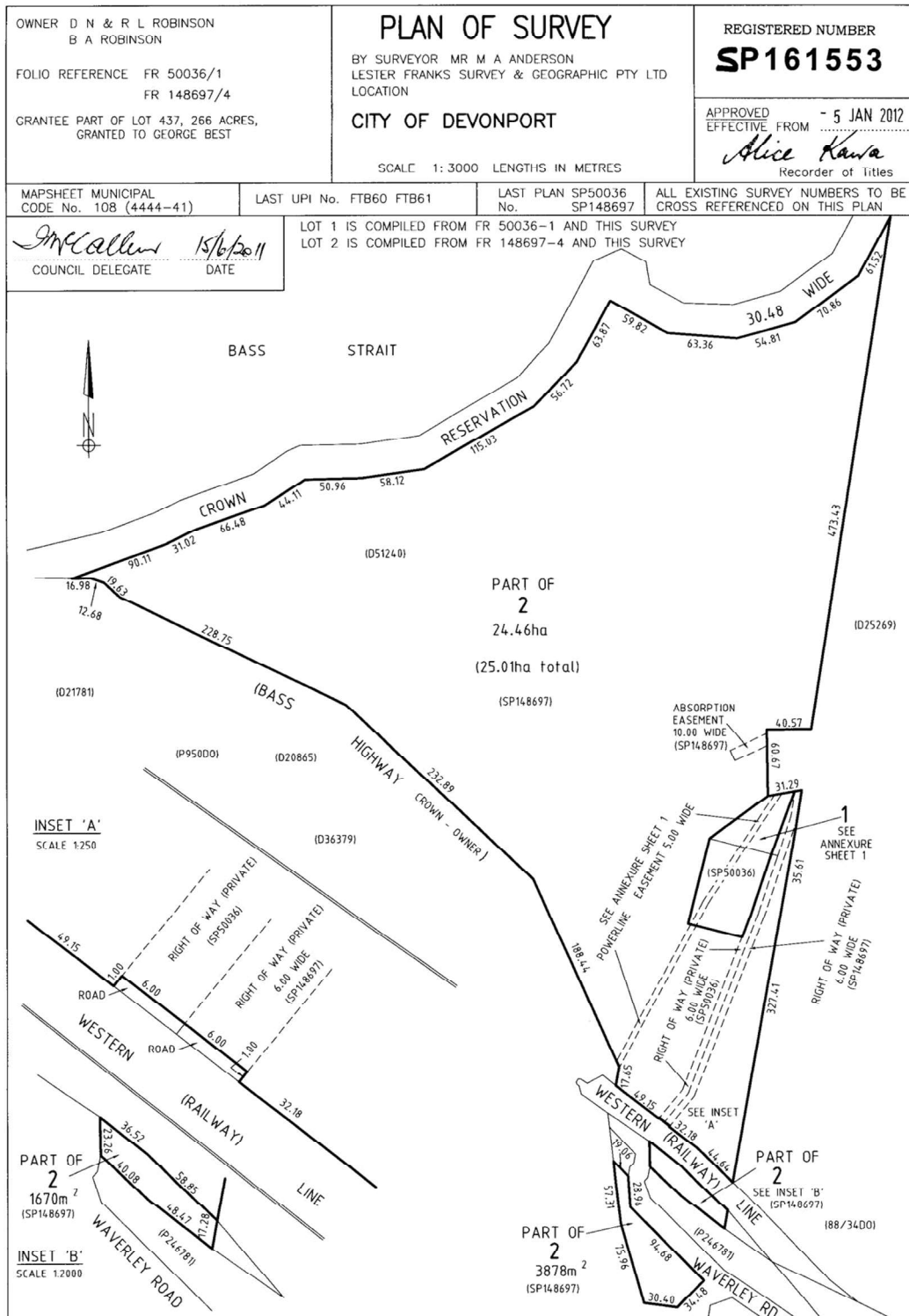
No unregistered dealings or other notations



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980





ITEM 4.2



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 161553

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

~~COVENANTS:~~~~The owner of Lot 1 on the Plan is subject to the fencing covenant in SP50036.~~EASEMENTS:Lot 1 on the plan is together with:

- a) A right of carriageway over the strip of land marked "RIGHT OF WAY (PRIVATE) 6.00 Wide (SP50036)" over Lot 2 on the Plan.
- b) A Power Easement over the strip of land marked "POWERLINE EASEMENT 'A' 5.00 Wide" over Lot 2 on the Plan.

Lot 1 on the Plan is subject to:


on SP148697

- a) A Power Easement (appurtenant to Lot 1 ~~on the Plan~~) over the strip of land marked "POWERLINE EASEMENT 'B' 5.00 WIDE on the Plan" on the Plan.

Lot 2 on the plan is subject to:

- a) A right of carriageway (appurtenant to Lot 1 on the Plan) over the over the strip of land marked "Right of Way (Private) 6.00 wide (SP50036)" on the Plan.
- b) A right of carriageway (appurtenant to Lot 1 on SP148697) over the strip of land marked "RIGHT OF WAY (PRIVATE) 6.00 WIDE (SP148697)" on the Plan.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: BRUCE ALEXANDER ROBINSON and DOUGLAS NOEL ROBINSON and ROSEMARY LORRAINE ROBINSON FOLIO REF: 148697/4 and 50036/1 SOLICITOR & REFERENCE: TEMPLE-SMITH PARTNERS (MTS:110080)	PLAN SEALED BY: DATE: 15/6/2011 SA 2010-0021 REF NO.  Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 2 OF 3 PAGES</p>	<p align="center">Registered Number</p> <p align="center">SP 161553</p>
<p>SUBDIVIDER: BRUCE ALEXANDER ROBINSON and DOUGLAS NOEL ROBINSON and ROSEMARY LORRAINE ROBINSON FOLIO REFERENCE: 148697/4 and 50036/1</p>	

- c) A Power Easement (appurtenant to Lot 1 on SP148697) over the strip of land marked "POWERLINE EASEMENT 'A' 5.00 WIDE" on the Plan.
- d) An Absorption Easement (appurtenant to Lot 1 on the SP148697) over the strip of land marked 'ABSORPTION EASEMENT 10.00 WIDE (SP148697)' on the Plan.

Lot 2 on the Plan is subject to a Power Easement (appurtenant to Lot 1) over the Powerline Easement 'A' 5.00 wide shown passing through such lot.

DEFINITIONS**POWER EASEMENT**

"Power Easement" means the full and free right and liberty for the registered proprietor of the dominant tenement and its, his or her servants, agents and contractors at all times hereafter jointly or severally:

- A. To convey power over and under the strip of land marked "Power Line Easement 5.00 wide" on the plan and in connection therewith and at all times and for all purposes to erect poles and to fix wires thereto and to fix wires under or over the said strip of land for the purpose of supplying electricity or an alternative means of energy
- B. To enter into and upon the servient land for the purpose of examining, operating, maintaining, modifying or replacing electricity infrastructure without doing unnecessary damage to the servient land and making good any damage occasioned thereby
- C. To enter into and upon the servient land for all or any of the above purposes with or without all necessary plant equipment and machinery and the means of transporting the same.

ABSORPTION EASEMENT

"Absorption Easement" means the full and free right and liberty for the registered proprietor of the dominant tenement and its, his or her servants, agents and contractors at all times hereafter jointly or severally:

- A. To install, maintain and lay silage drains or similar waste water drains on or under the strip of land marked "Absorption Easement 10.00 wide" on the plan and to discharge silage from a septic tank system or similar water disposal system through such drains onto such strip of land.
- B. To enter into and upon the servient land for the purpose of examining, operating, maintaining, repairing, modifying or replacing such drains without doing unnecessary damage to the servient land and making good or damage occasion thereby.
- C. To enter into and upon the servient land for all or any of the above purposes with or without all necessary plant, equipment and machinery and to carry out all such work as is referred to in subparagraph B.

No other Easements or Profits a Pendre are created to benefit or burden any of the lots on the Plan.

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



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 3 PAGES	Registered Number SP 161553
SUBDIVIDER: BRUCE ALEXANDER ROBINSON and DOUGLAS NOEL ROBINSON and ROSEMARY LORRAINE ROBINSON FOLIO REFERENCE: 148697/4 and 50036/1	

SIGNED by **BRUCE ALEXANDER ROBINSON**)
 the registered proprietor of the land described)
 in Folio of the Register Volume 1486974 Folio 4)
 in the presence of:)

BA Robinson

WITNESS: *[Signature]*

Full Name: *ROSEMARY MARY OAKLEY*
 Address: *10178 BASS HWY DON*
 Occupation: *RETIRED*

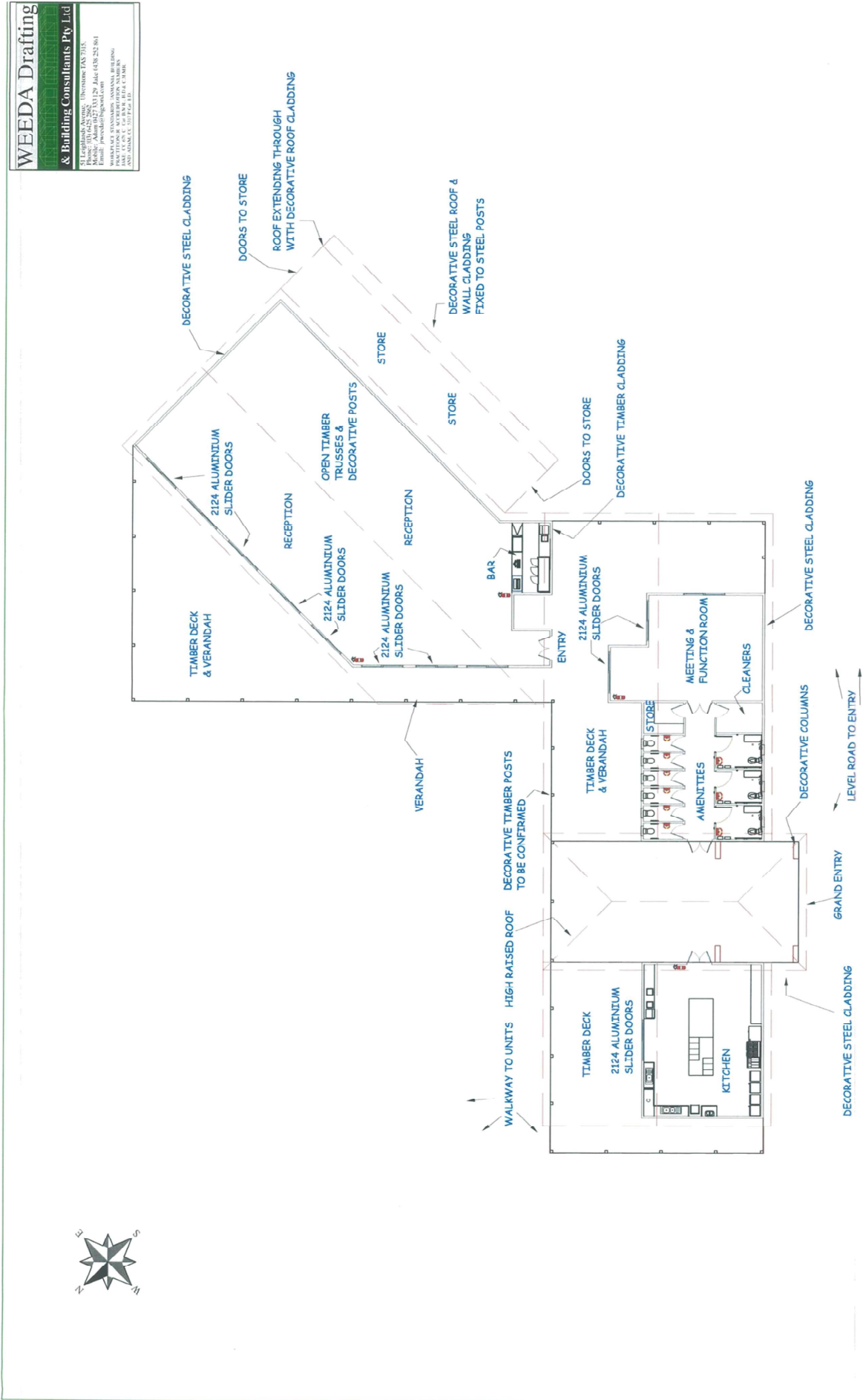
SIGNED by **DOUGLAS NOEL ROBINSON** and)
ROSEMARY LORRAINE ROBINSON the registered)
 proprietors of the land described in Folio of the)
 Register Volume 50036 Folio 1)
 in the presence of:)

D Robinson
R Robinson

WITNESS: *[Signature]*

Full Name: *ROSEMARY MARY OAKLEY*
 Address: *10178 BASS HWY DON 7511*
 Occupation: *RETIRED*

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



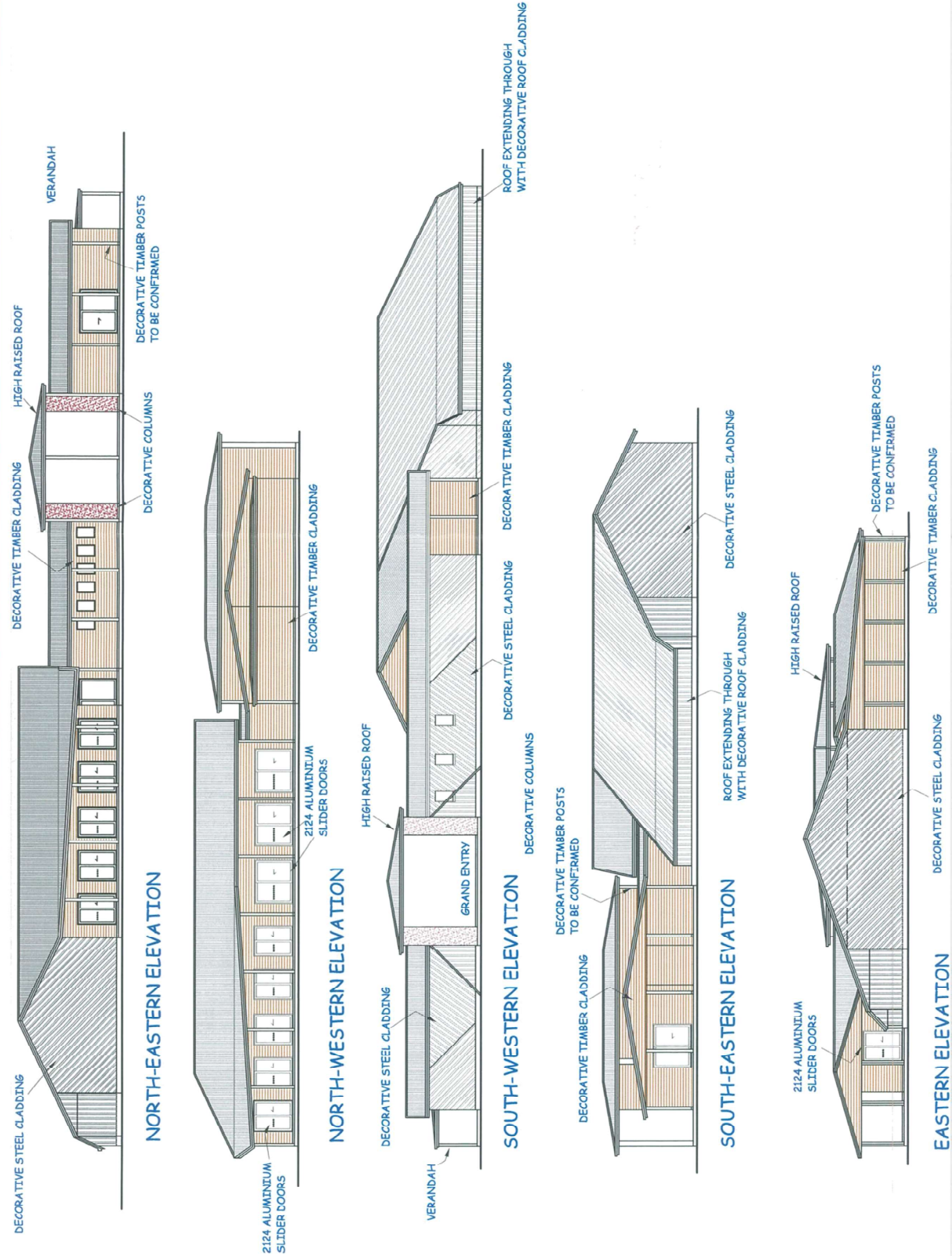
PRELIMINARY FLOOR PLANS OF RECEPTION BUILDING & UNITS AT 256 WAVERLY ROAD, DON HEADS, FOR B.A. ROBINSON	DATE:	21/12/18	SCALE:	1:200	CHECKED BY	J WEEDA	DRAWN BY	A WEEDA	DWG No.	16618 - 1 OF 5



WEEDA Drafting

& Building Consultants Pty Ltd

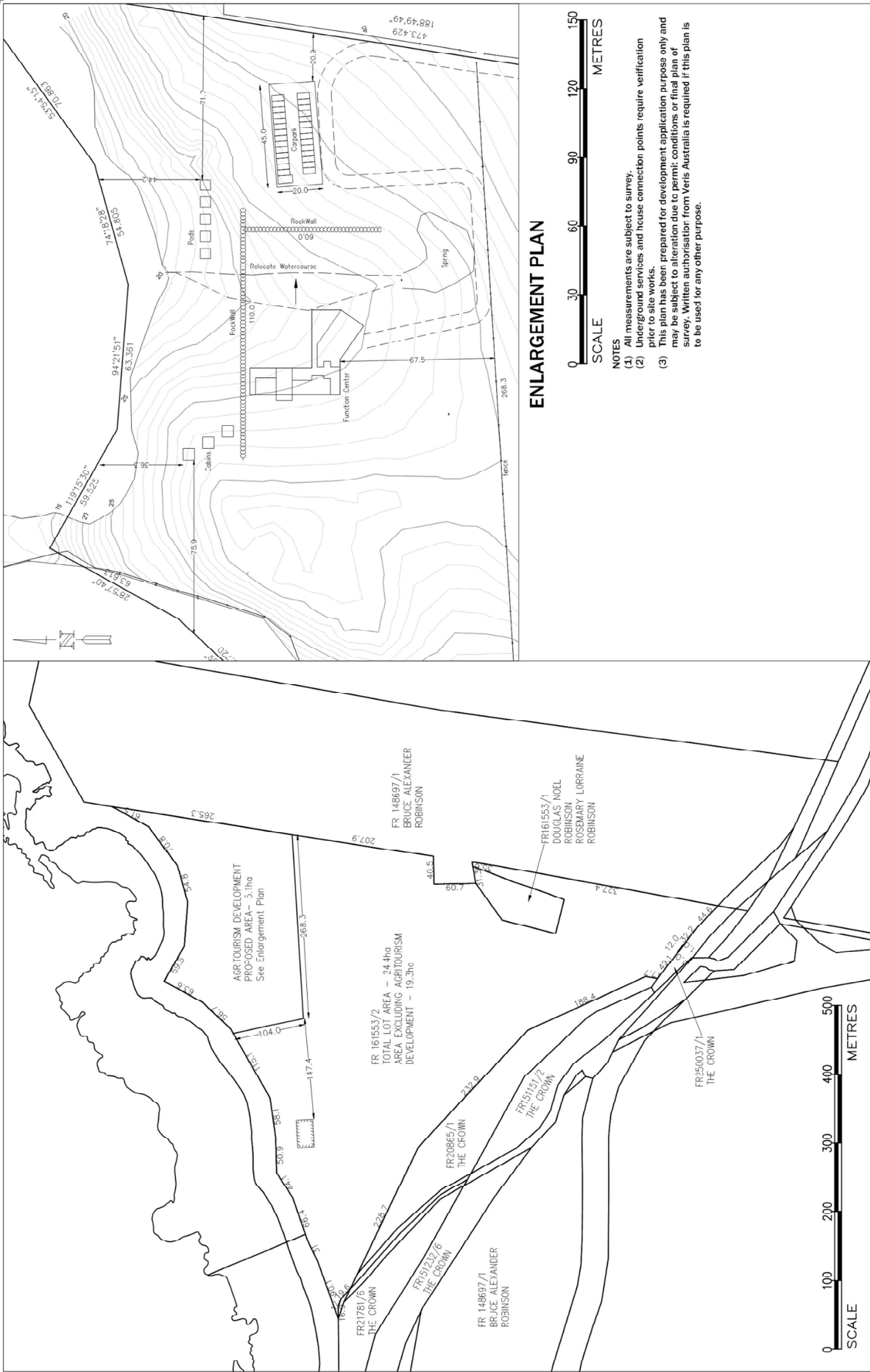
31 Leighton Avenue, Devonport TAS 7315.
Mobile: Adam 0427 335 129 Jodie 0438 252 861
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www.weedadrafting.com
PROFESSIONAL ARCHITECTS
AND ADAM G. DUFFY P.A. 1/19



PRELIMINARY FLOOR PLANS OF RECEPTION BUILDING & UNITS AT 256 WAVERLY ROAD, DON HEADS, FOR B.A. ROBINSON	DATE:	21/12/18	CHECKED BY:	J WEEDA	DRAWN BY:	A WEEDA	DWG No.	16618 - 3 OF 5
	SCALE:	1:200						







ENLARGEMENT PLAN



- NOTES
- (1) All measurements are subject to survey.
 - (2) Underground services and house connection points require verification prior to site works.
 - (3) This plan has been prepared for development application purposes only and may be subject to alteration due to permit conditions or final plan of survey. Written authorisation from Veris Australia is required if this plan is to be used for any other purpose.

B.A Robinson
Concept Plan
Agritourism Development
Lillico

OUR REF: D15180_P02_1	
CONTOUR INTERVAL: 1m	
DATUM: AHD	
SCALE: 1:5000; 1:1500	ORIGINAL SHEET SIZE: A3
DATE OF SURVEY: April 2018	ML
DRAWING No D15180_P02	REV 01 SHEET No: 1 OF 1

NO	DATE	DIN	CHKD	DESCRIPTION
1	10/12/18	PP	JR	Rigid Truck parking space
0	9/07/18	PP	ML	Draft layout

This plan is not intended for attachment to site contract documents.

100 Best Street
Devonport TAS 7310
03 6421 3500
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AEN 25 098 991 210



DEVELOP WITH CONFIDENCE™



3D15080 SUBMISSION REPORT

Agritourism Development

B.A. Robinson

10363 BASS HWY LILLICO

November 2018

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Revision	Status	Date	Prepared By	Reviewed By
000	Draft	12/07/2018	Payal Patel	
001	Final	20/11/2018	Payal Patel	Malcolm Lester
002	Rev1	10/12/2018	Payal Patel	Malcolm Lester

1. SUMMARY

This report is in support of a Development Application in under Section 57 of the Land Use Planning and Approval Act 1993 for development of an Agritourism venture at 10363 Bass Highway Lillico.

The proposal is to develop cabin style farm-stay accommodation and a function centre that will cater to the farm-stay visitors as well as be available for weddings and other events. As a result, this development will also create some ancillary uses such as kitchen area, toilet blocks and carpark.

Devonport City Council is the assessment authority for the application.

An assessment of the proposed development against the provisions of the *Devonport Interim Planning Scheme 2013* has been undertaken. Those provisions relevant to the development are discussed in this report.

The proposal is consistent with the above-mentioned requirements and is considered appropriate for approval.

2. PROPOSAL DESCRIPTION

The proposal is illustrated in the attached plan D15180-P02-Rev0. This application is submitted by Veris Australia Pty Ltd on behalf of Bruce Alexander Robinson, the owner of 10363 Bass Highway Lillico.

The proposed development is to develop an Agritourism site incorporating visitor accommodation in the form of pods and cabins on FR161553/2. The intent for this proposed venture is primarily to provide a unique holiday experience for visitors to Devonport and the North West Region.

As well as the accommodation units, it is proposed to build a function centre to cater for events such as weddings. There will be an amenities block for the use of both day visitors and those staying overnight. Kitchen and catering facilities will be provided on site.

Access to the accommodation and function facilities will be from Waverley Road by extending the existing roadway to the development site.

The site has been selected for its natural beauty and outlook. An existing spring will feed an ornamental pond and meet non-potable water needs. Potable water will be collected in rainwater tanks or delivered by tanker if necessary.

The natural watercourse that leads from the spring will be diverted slightly to create a lawn area for function.

Waste water will be disposed of on-site.

There is a residence on FR161553/2, which has a licenced access from the Bass Highway near the penguin viewing platform. The existing residence has on site wastewater system and stormwater management. The neighbouring title FR148697/1 and FR161553/1 has easements for right of carriageway, powerline and absorption easements over this lot as mentioned in the site description. The total land area for FR161553/2 is approximately 24.4ha and the Agritourism venture is planned over an area of approximately 5.1ha with about 140m frontage to Waverley Road.

The proposed development will not be visible from the Bass Highway or the penguin viewing platform.

3. SITE DESCRIPTION

The subject site is described in the two following tables:

Location	FR161553/2 – 10363 Bass Highway, Lillico
Ownership	Bruce Alexander Robinson
Site Area (ha) and Road Frontages	FR161553/2: 24.4ha with approx. 140m frontage to Waverley Rd and a licensed access to the Bass Highway Agritourism development area – 5.1ha with access only from Waverley Road.
Encumbrances	<ul style="list-style-type: none"> • Subject to - Right of carriageway (appurtenant to FR148697/1) 6.00 wide • Subject to - Right of carriageway (appurtenant to FR148697/1 on SP148697) 6.00 wide • Subject to - A power Easement (appurtenant to FR148697/1 on SP148697) 5.00 wide • An Absorption Easement (appurtenant to FR148697/1 on SP148697) 10.0 wide <p>The absorption easement will be entirely within the new boundary on FR1486697/1 as per submitted planning application PA2018.0095.</p>
Existing Use	Residential (single dwelling)
Local Government Authority	Devonport City Council
Surrounding Land	The subject land is within the Rural Resource Zone. The north is adjoined by coastal reserve, administered by the Parks and Wildlife Service, the south and south-west adjoins public roads owned by Crown Land Services and State Rail Network. A large rural lot is adjoining to the east.
Flora and Fauna	Mainly grassland and pasture with some trees and bushes.
Planning Scheme Designations	Rural Resource Zone Conservation Area 11 E4 Change in Ground Level Code E5 Local Heritage Code E6 Hazard Management Code E9 Traffic Generating Use and Parking Code
Referral requirements	-

3.1. Land Capability

The Department of Primary Industries, Parks, Water and Environment Land Capability Classification maps have identified the subject land as predominantly Class 4 land.

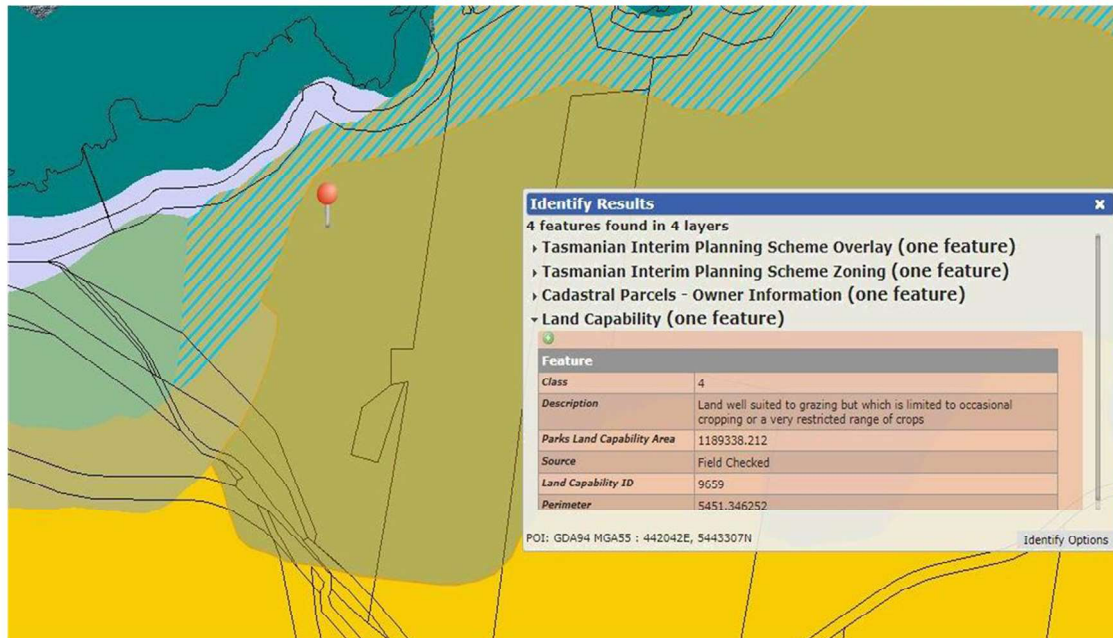


FIGURE 1: LAND CAPABILITY ASSESSMENT

The “*Land Capability Handbook – Guidelines for the Classification of Land in Tasmania*” (Gross, 1999) identifies Class 4 land as:

CLASS 4

“Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.

Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during ‘normal’ years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited.

Based on the land classification, the site is primarily suitable for grazing. Moderate to severe limitations restrict the choice of crops or reduce the productivity. Although as per the owner’s information, there was no cropping or grazing activity over this land area in the past and they do not intend to do any in future too.

4. DEVELOPMENT ASSESSMENT

4.1. Devonport Interim Planning Scheme 2013

The site is subject to assessment under the *Devonport Interim Planning Scheme 2013*.

The proposal has been assessed against the provisions of the following Sections:

- 26.0 Rural Resource Zone
- Conservation Area 11
- E4 Change in Ground Level Code
- E5 Local Heritage Code
- E6 Hazard Management Code
- E9 Traffic Generating Use and Parking Code

4.1.1. 26.0 Rural Resource Zone

Those Clauses relevant to the proposal are addressed below:

26.1 Zone Purpose

The proposal is consistent with the Zone Purpose Statements and the Local Area Objectives. The proposal does not constrain or conflict with the resource development uses on site or on adjoining sites. The proposal is for the development of sleeping pods that will look like rocks, blended with the landscape and eco cabins which will be used for visitor accommodation / farm stay. The function centre is a form of tourism development which is dependent on the rural location. The proposal is considered to not lead any permanent loss of primary industry land as the development will be close to the existing house.

The proposal is consistent with the Desired Future Character Statements which allows for dynamic landscape and visual prominence that are sited and managed with priority for operational efficiency. The proposed Agritourism development is interspersed with places of aesthetic and ecological value, seeking minimal disturbance to natural biodiversity and scenic attributes.

26.2 Use Table

There will be two use classes in the proposed development, Visitor accommodation and Community meeting and entertainment.

Visitor accommodation will comprise five x two bed pods and three x two bed cabins making a total capacity of 16 farm-stay guests. This is a permitted use.

The function centre falls into the Community meeting and entertainment use class. This use is discretionary in the Rural Resource zone. There are no qualifications to this use in the table.

26.3 Use Standards

The exercise of discretion in regard to function centre is guided by 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land.

There is no acceptable solution so the proposal must satisfy the Performance Criteria.

- a. The use is consistent with Local Area Objectives. While the overriding theme of these objectives is the protection of land for primary production, the site in question does not have significant agricultural value. Further, once the visitor accommodation is in place, with its amenities and utilities buildings, the addition of the function centre will not further reduce agricultural capacity.
 - b. The use is consistent with the Desired Future Character Statements. The proposed development will not be visible from the Bass Highway or the penguin viewing platform. In fact, it will only be visible to the public from the sea. Even then its impact will be minimised by the use of building materials that blend into the landscape.
 - c. This is a part of the coast line that is currently inaccessible to the public except perhaps those either willing to trespass or skilled in rock climbing. The location and outlook are the naturally occurring resources that the proposal seeks to exploit. They do not exist anywhere else. For that reason it needs to be on this site.
- The proposed visitor accommodation and function centre will add diversity and sustainability to the existing farming operation.
- d. As noted there will be minimal loss of agricultural potential from this development.

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

The site will not be subdivided from the existing title, so no new lots are to be created. Please see the attached report for wastewater and storm water management by Seam Environmental.

26.4.2 Location and configuration of development

The proposed Agritourism development is located approximately 600m from Waverley road and is located 30m from the rear boundary. Please refer the attached drawing D15180-P02-Rev1 and preliminary concept drawings for reference. The site was chosen to make use of the natural landscape to shield the view from the highway and to include the spring, while minimising any impact on agricultural capacity.

The northern boundary of the site is the coastal reserve, which falls steeply to the sea. The eastern boundary is an adjoining title also owned by B.A. Robinson. The closest set back to this boundary is 35m. The existing residence is some 300m to the west of the proposed development site. There is a ridge between the residence and the site that will mean that one is not visible from the other. The proposed Agritourism development is considered to comply with the acceptable solutions of this clause.

26.4.3 Location of development for sensitive uses

The proposed Agritourism development is located on class 4 land and does not have any existing crop cultivation or grazing practices. It is located approx. 250m away from neighbouring agricultural land and does not interfere with or constrain agricultural land, therefore considered to comply with the acceptable solutions of this clause.

4.1.2. E4 Change in Ground Level Code

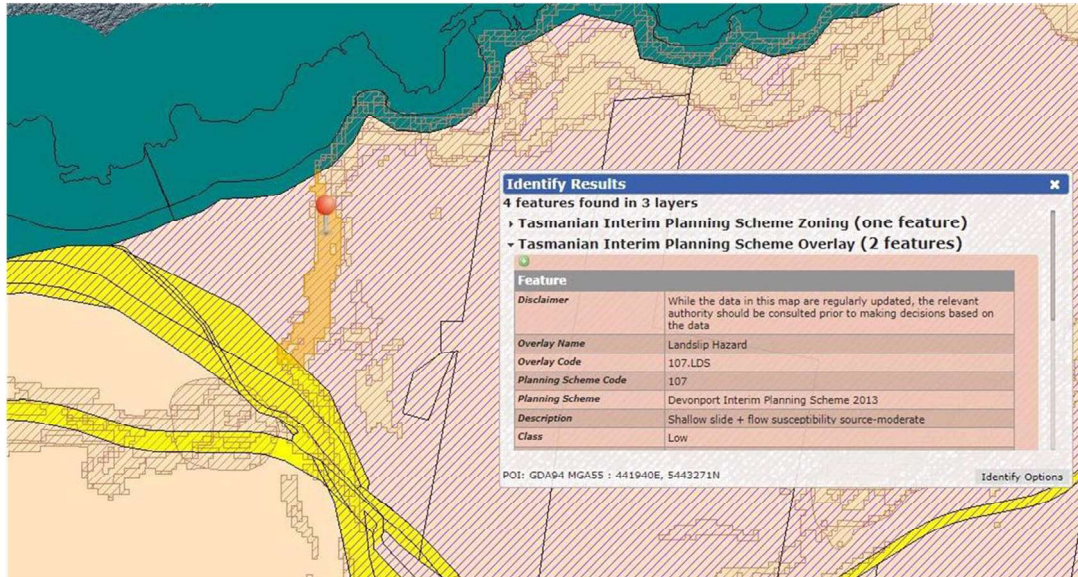
There will be no significant changes in ground level.

4.1.3. E5 Local Heritage Code

The proposed Agritourism development is located on the conservation Area 11 of Don/Lillico Straight. The buildings proposed are of one storey and are 850m away from the road frontage. They will not be visible from any road. Therefore, the proposed development complies with the acceptable solutions of the Table under E5.6.4.

4.1.4. E6 Hazard Management Code

The proposed Agritourism development is located on the land with 'Low Landslide Hazard' as shown on the planning scheme map and therefore is considered to be exempted from this code.



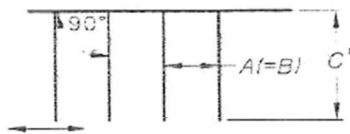
4.1.5. E9 Traffic Generating Use and Parking Code

Minimum Parking Space Requirement	Minimum Loading Area Requirement	PROPOSAL RESPONSE
a) 15 x spaces / 100m ² gross floor area; or b) 1 x space per 3 seats whichever is the greater	1 x >small rigid truck space / 1,500m ² gross floor area	The proposed function center, kitchen area and amenities have an area of 150m ² and hence number of parking spaces required is 22.5, say 23. 1 parking space of size 6.4m x 3.5m for small rigid truck is proposed in the same car park space.
Holiday cabins or units, or serviced apartments a) 1 x space / unit; and b) 1 x additional space / 3 units	(a) 1 x small rigid truck (b) 1 x passenger bus for motel and residential hotel	The proposed Agritourism development comprises of 5 pods (a different form of cabins) and 3 cabins, hence the number of parking spaces required for visitor accommodation is 10. 1 parking space for small rigid truck required. However, in consideration of the size of accommodation,

		it is assumed that 1 Rigid Truck parking space will suffice for the whole development.
--	--	--

The AS/NZS 2890.1 (2004) – Parking Facilities classifies the Off Street Car Parking as 2 for entertainment centres, hotels and motels with medium-term parking (source: AS/NSZ 2890.1:2004 Table 1.1)

'Figure 2.2: Layouts for angle parking spaces' of the same standard defines the minimum car parking space dimensions as well as the aisle width. Considering Bays at 90° for the Agritourism development, and the following dimensions:



(d) Bays at 90°

User class	A	B	C ₁	Aisle width
2	2.5	2.5	5.4	5.8

(Source: AS/NSZ 2890.1:2004 Figure 2.2)

34 parking spaces would require an approx. area of 900m². There is sufficient area on site to allow for parking and turning vehicles to enter and exit the site. The possible location of car park space is shown on the drawing attached D15180-P02-Rev1. This can be addressed more specifically and in detail as per council's requirements. Therefore the proposed Agritourism development complies with the acceptable solutions of this clause providing an appropriate layout to accommodate visitors with the use of the site.

5. CONCLUSION

The application is made pursuant to Section 57 of the Land Use Planning and Approvals Act 1993.

The proposal will allow for development of an Agritourism site incorporating visitor accommodation in the form of pods and cabins. Along with community meeting and entertainment use in the form of function centre/reception building, wedding/ event space, kitchen area, toilet blocks and carpark space on FR161553/2. The intent for this proposed venture is primarily to provide a unique holiday experience for Devonport and the North West Region.

The proposal is considered to be consistent with the requirements of the *Devonport Interim Planning Scheme 2013*.

It is therefore requested that the application be recommended for approval.

—

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**Proposed Development at 256
Waverly Road, Don Heads**

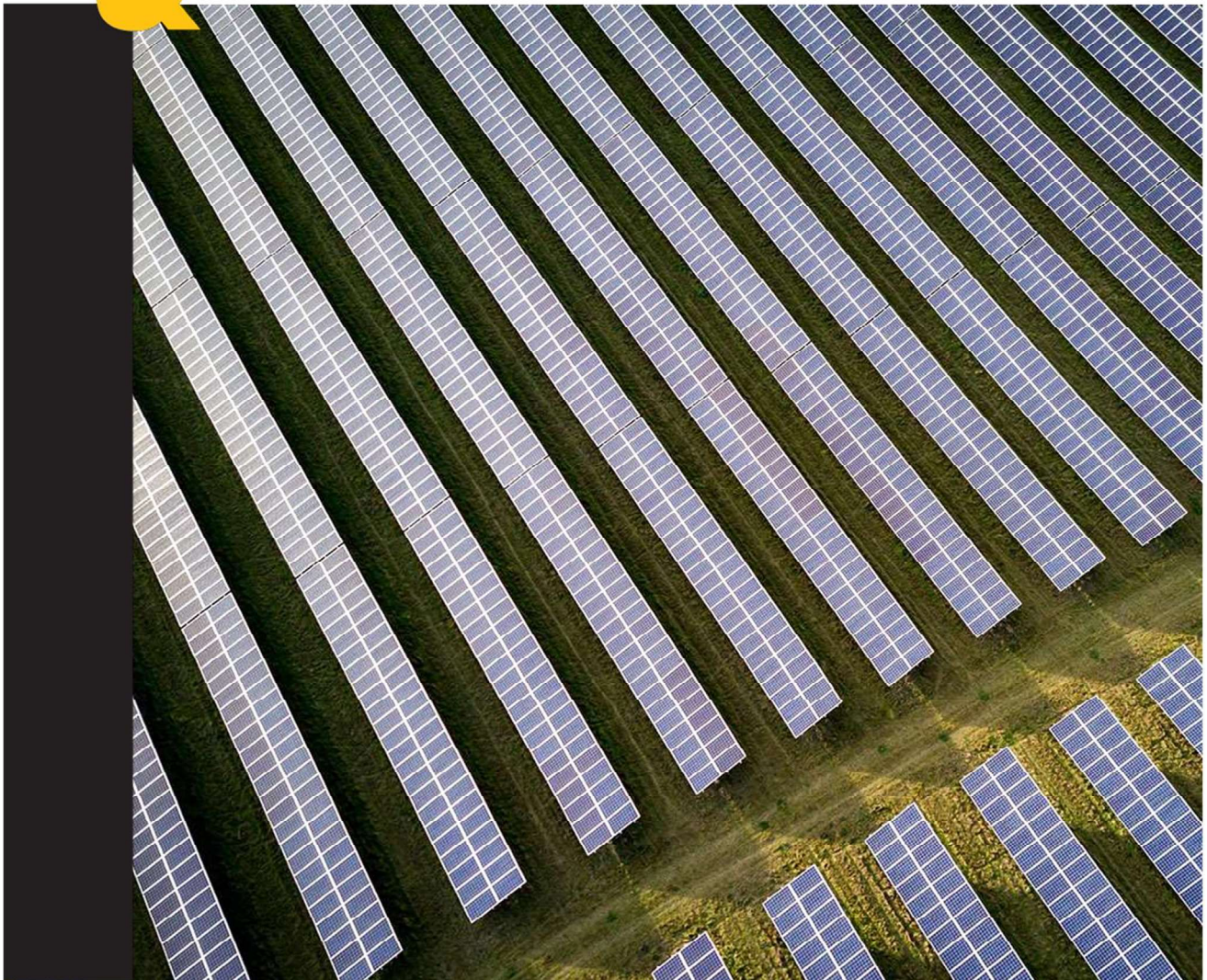
Land Stability Assessment

Prepared for
Veris

Client representative
Payal Patel

Date
18 January 2019

Rev 00



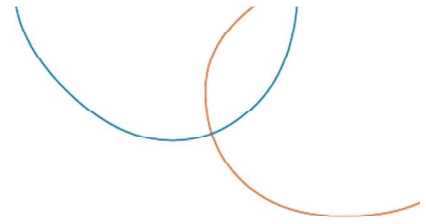


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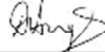
Appendix A — 256 Waverly Road – Development Plan

Prepared by — Austen Easterbrook



Date — 18/01/2019

Reviewed by — David Hugo



Date — 18/01/2019

Authorised by — Austen Easterbrook



Date — 18/01/2019

Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
00	Final Document	A Easterbrook	D Hugo	A Easterbrook	18/01/2019

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1. Introduction

It is proposed to develop a small scale tourism facility at 256 Waverly Road, Don Heads. The site is currently used for grazing cattle. The property is located in an area that is mapped with landslide susceptibility. **pitt&sherry** was engaged by Veris to investigate specifically land stability.

The proposed development is shown on WEEDA Drafting drawing 16618 (Sheet 5 of 5) and a copy of this is attached at Appendix A. The proposed developed and property boundaries is shown on Figure 1 and Figure 2 below.

The development will comprise a light weight single story functions centre, a carpark area and some accommodations pods and cabins which will also be very light single storey structures. Minor cut/fill earthworks to form a level building pad for the function centre/car is proposed. Cuts will be supported by rock retaining walls. An existing spring area will be converted into a small "farm" dam, and a controlled overflow channel will be constructed.

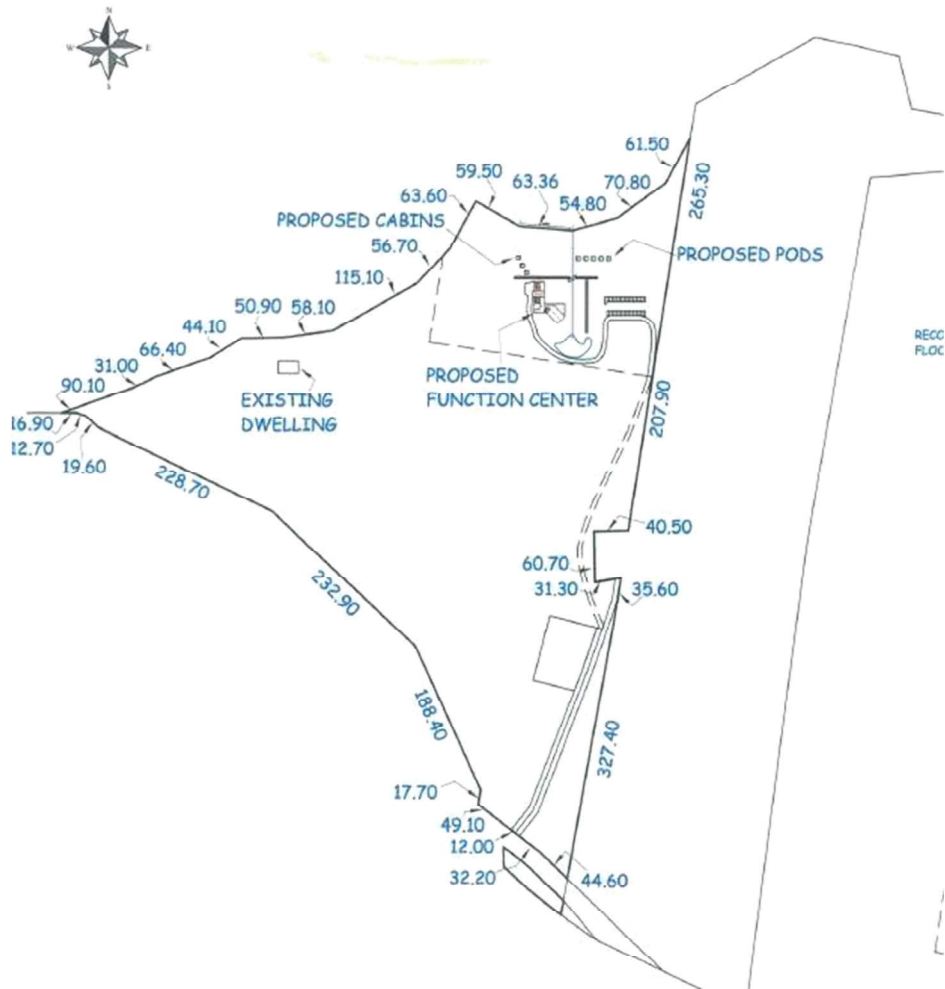


Figure 1 site Plan: Proposed Development 256 Waverly Road

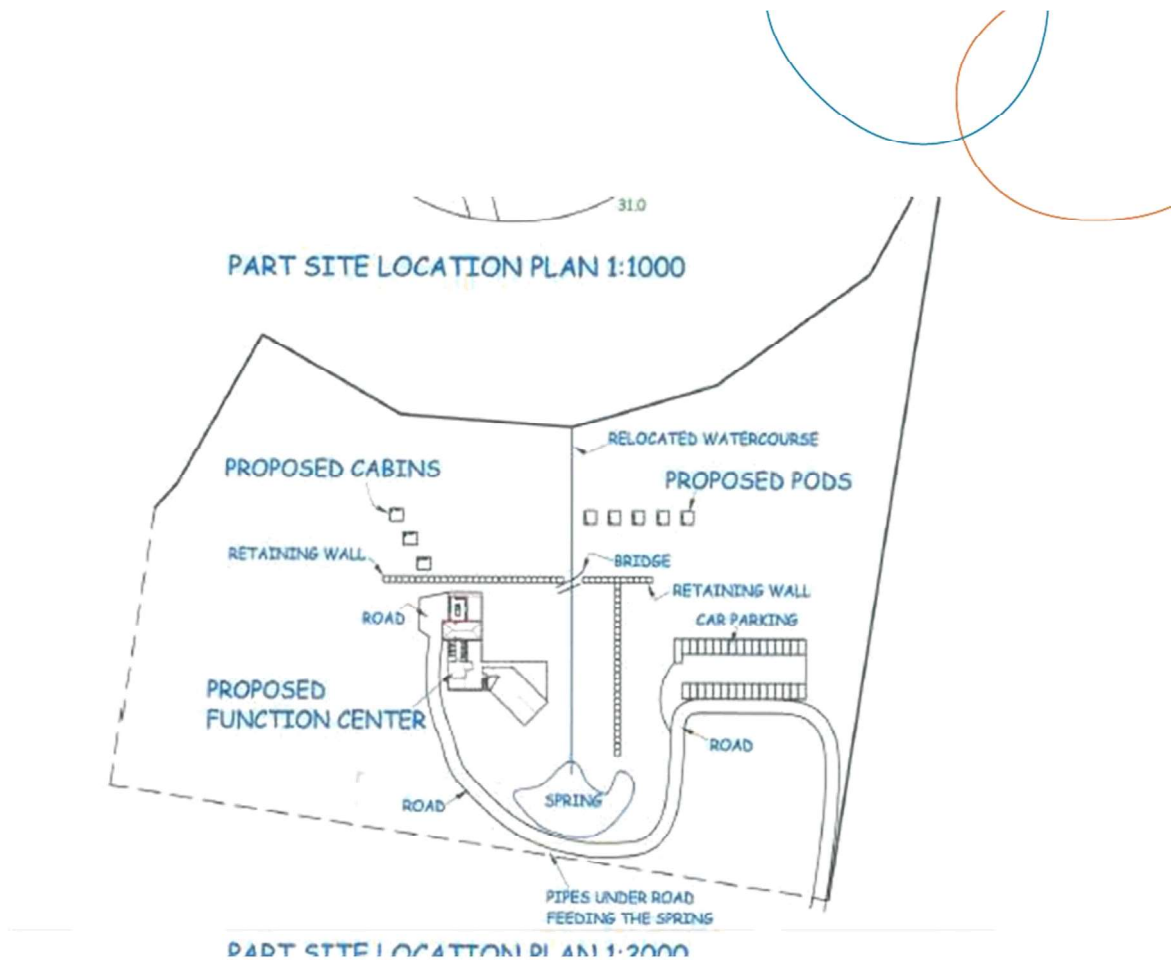


Figure 2 Detailed Proposed development Plan

2. Desktop Study

2.1 Site Geology

An extract of the LISTMap Geological Map sheet is shown in Figure 3 below.

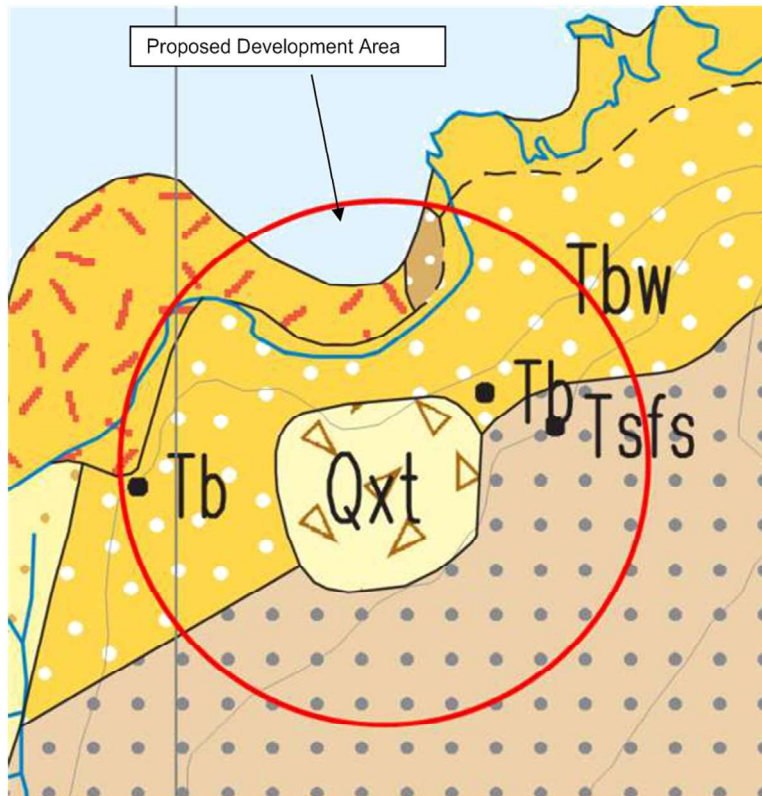


Figure 3: An extract of the Don Heads Geology Map

The geology at the site and surrounding areas comprises:

- TbW– Predominantly deeply-weathered basalt.
- Tb – Basalt (tholeiitic to alkalic) and related pyroclastic rocks.
- Qxt – Landslide deposits predominantly derived from weathered Tertiary rocks.
- Tsfs – Poorly sorted quartz sandstone and ferruginous sandstone.

2.2 Land Stability Maps

Mineral Resources Tasmania has published four Landslide Maps for the area. Relevant features from these maps are described below.

Landslide Inventory

An extract of the Landslide Inventory Map with the proposed subdivision boundary is shown at Figure 4 below.

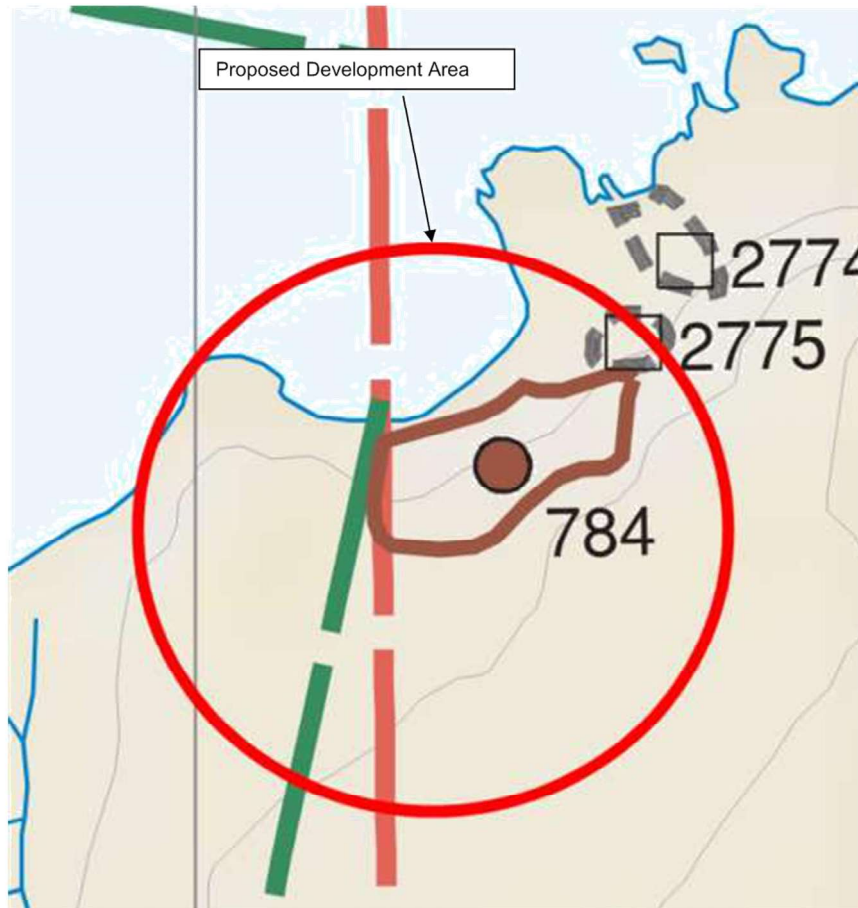


Figure 4 Landslide inventory

Features on the map include:

- Old landslides are shown as brown lines and brown circles.
- Possible landslides are shown in dotted polygons,

Old landslides occurred in a past geological period and there is no record of the landslide during the time of European settlement.

There has been no recent landslide activity. There is a possibility of a landslide as shown on the map in Figure 4 lying in the north east area of the proposed development area.

Land Slide Susceptibility

An extract of the Landslide Susceptibility Map with the proposed development area is shown in Figure 5. This map shows that part of the proposed development area is susceptible to landslide. There are 3 areas in a landslide and these include a regression area, a source area and the runout area. These are shown in Figure 5 and Figure 6 below.



Conceptual Diagram Illustrating Slide-Susceptibility Modelling Techniques

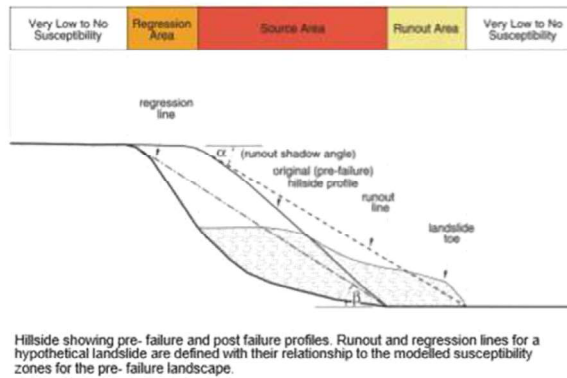


Figure 6 Landslide areas illustration

Part of the proposed development area is covered by a landslide regression and landslide source area.

Geomorphology

The Geomorphology Map shows landslide features in the wider area. As shown in the following Figure 7, there is an orange shaded area towards the north west region of the proposed area. The slope in this region is between 35 and 42 degrees and hence susceptible to landslide. Moreover, towards the east of the area, there is a region affected by landslide.

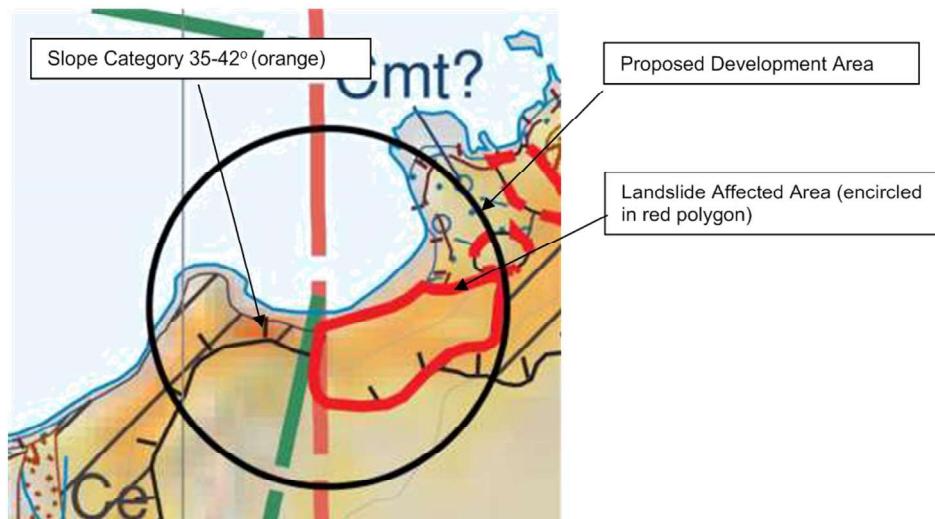


Figure 7 Landslide Geomorphology Map

Rockfall Susceptibility

The Rockfall Susceptibility Map shows that some local regions of the site is susceptible to rockfall. As shown in Figure 8, the red shaded area depicts the source area for rockfall where the slope is greater than 42 degrees. The nature of rockfall is further illustrated in Figure 7.

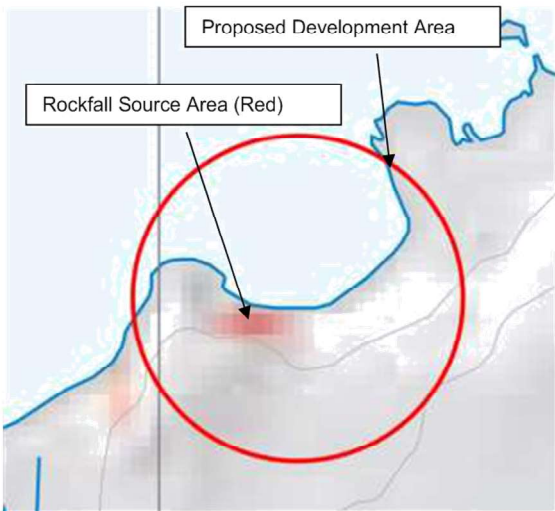


Figure 8 Rockfall Susceptibility Map

Conceptual Diagram Illustrating Rockfall Modelling Technique

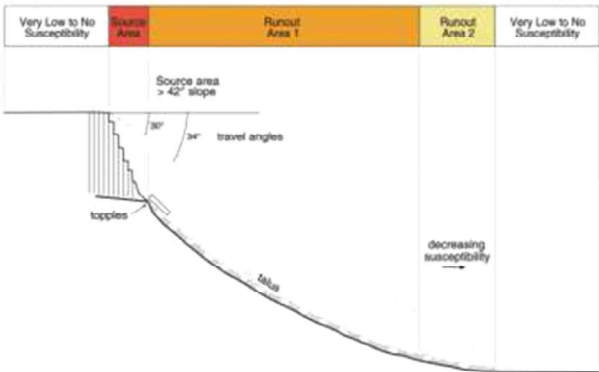


Figure 9 Rockfall Illustration

2.3 Landslide Planning Map

The Tasmanian Governments web site *thelist* provides landslide planning maps. An extract of the map is shown in Figure 10.

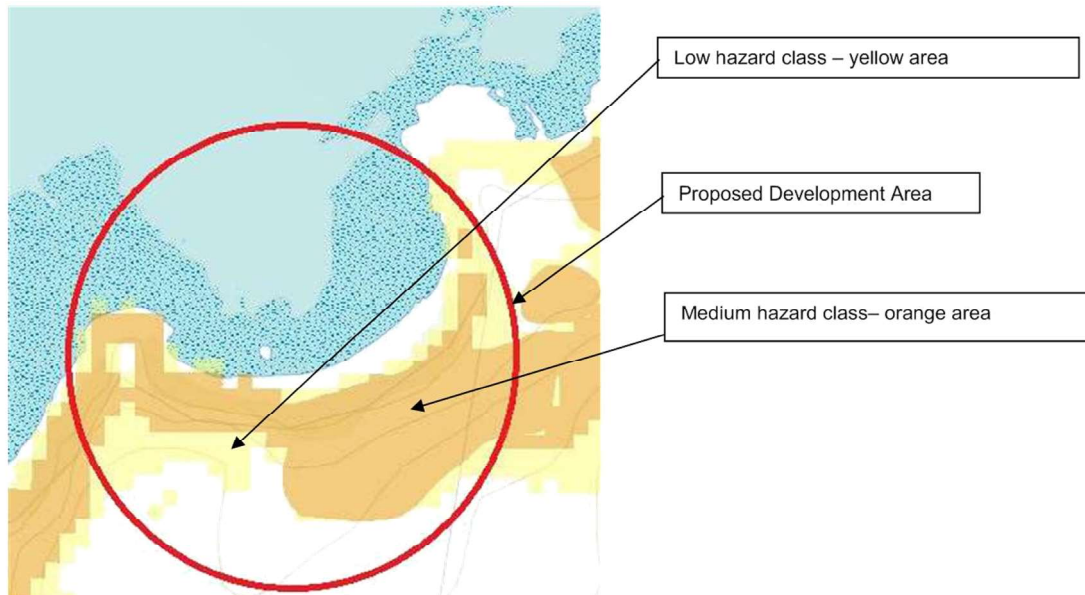


Figure 10 Landslide Planning Map

This map shows:

- That majority of the site is shaded orange and this is a medium hazard class category of landslide mapping.
- On the periphery of the medium class category lie the low hazard class area (yellow shaded).

According to the Tasmanian Governments *"Guide to considering natural hazard risks in land use planning and building control"*

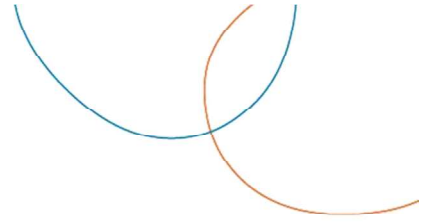
- *Construction of residential dwellings can be considered on a site-specific basis that justifies its location and is subject to a landslide risk assessment and hazard management plan. A tolerable level of risk must be achievable and able to be maintained.*

2.4 Proclaimed Landslip zones

There are no proclaimed landslide zones in this area.

2.5 Google Earth Map

The aerial imagery available on Google Earth was reviewed for the period 2003 to 2016. There were no notable geotechnical features of interest observed.



3. Fieldwork

The area of the proposed development was walked over by a Senior Principal Geotechnical Engineer from pitt & sherry on 11 January 2019. During the walk over features of the site were observed and recorded. These are described below and photos of the area are also shown below.

The site is vegetated with short grass and has a moderate fall of about 20 degrees to the North West. There is an existing spring on the site. The spring drains to a natural open channel as shown on Figure 11 below. Near the northern site boundary the area is very steep (around 40 degrees).



Figure 11 General Site area and spring surface drainage channel

The proposed POD area is located on a level area which appears to be an area of ancient landslip (colluvial material). This area is shown on Figure 12 below. This is in the Source area of the landslip.



Figure 12 Proposed POD Area

There is an area where some shallow erosion has occurred which is shown on Figure 13 below. It is recommended that this is stabilised by either vegetation or hard landscaping as part of the development proposal. There is rock outcrop at the base of the eroded area as shown on Figure 14.



Figure 13 Gully Erosion above POD area

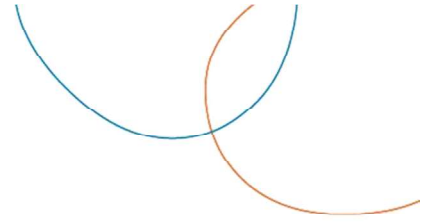


Figure 14 Rock Outcrop at base of gully

The fieldwork did not include sub surface investigations or laboratory testing.

4. Land Stability Assessment

The desktop study indicates that there is a low to moderate landslip hazard, and there is no evidence of recent active landslip in past geological periods and also in recent times. The walkover survey did not identify any evidence of active landslips. The development should not encroach within 30m of the northern property boundary.



4.1 Landslide Risk Assessment

A risk assessment has been carried out and is based on the qualitative approach described by the Landslide Risk Management Guidelines 2007 Appendix C published by the Australian Geomechanics Society. This describes assessing the risk to property.

There are two possible landslide scenarios:

Large scale landslide

The landslides that occurred in past geological periods could be reactivated. This could be triggered by high groundwater levels due to rainfall. In the time since European settlement the site would have experienced the full range of possible rainfall patterns and there is little evidence of landslides occurring. The landslide could also be reactivated due to changing the shape of the topography due to large scale excavations or erosion.

Small scale landslide

A small scale landslide could be triggered by high groundwater levels or excavations resulting from development on the site. If the development was controlled, the risks could be reduced.

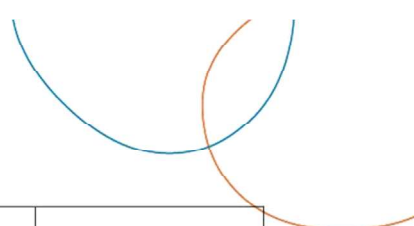
The risk assessment has been carried for the two landslide scenarios and all for site without development and a site with development. The risk assessment is presented in the table below:

Large Scale Landslide

Event	Likelihood	Consequence	Risk Rating
Without Development	Unlikely – no change from current conditions	Insignificant – no buildings at risk	Very Low
With controlled development	Unlikely – the effect of a conference building and accommodation pods constructed in a controlled manner on a large slope is not significant	Medium -Moderate damage could result, landslide movement is likely to be gradual	Low

Small Scale Landslide

Event	Likelihood	Consequence	Risk Rating
Without Development	Unlikely – no change to ground surface or groundwater	Insignificant	Very Low
With controlled development	Unlikely – the effect of a conference building and accommodation	Minor to Medium -limited to moderate damage	Low



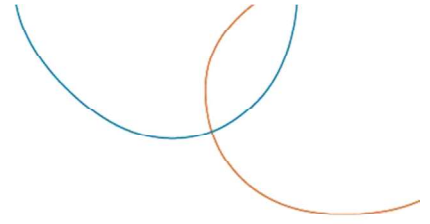
Event	Likelihood	Consequence	Risk Rating
	<p>pods constructed in a controlled manner</p> <p>constructed in a controlled manner is not significant</p>		

The highest risk rating is Low and this is acceptable for development.

4.2 Conditions on future development

Constructing habitable buildings outside the ancient landslip area is considered acceptable provided the following conditions are complied with:

- The development shall incorporate good hillside practices as described in the Australian Geomechanics Society Guidelines for Landslide Risk Management 2007.
- All buildings shall be made from light weight materials such as timber or steel framing, and lightweight cladding. Concrete footings and slabs on ground are acceptable however concrete masonry wall are not recommended. All design and construction should take into account appropriate articulation for all elements.
- Site classifications shall be determined in accordance with AS2870 and the classification shall default to class "P"
- Development in the "regression area" should not adversely impact on the stability of the site.
- Erosion control measures for the realigned water course should be provided. The discharge point at the property boundary should have hard durable rock outfall, designed by an engineer experienced in this type of design.
- Excavations and embankments shall be kept to a minimum and not greater than 1m deep or 1m in height unless designed by an Engineer. Batters shall be retained or provided with minimum slope angles of 1 vertical to 3 horizontal.
- All exposed soil should be protected from erosion by using erosion control materials or by planting grass and or vegetation.
- Incorporate the planting of native vegetation on the property, particularly where there is seepage. This will assist controlling the groundwater levels.
- Underground pipes and their trenches provide a path for water to infiltrate the ground. It is preferred that all pipes be laid downslope so that any water infiltration will flow down the slope rather than across it. It is understood that this is not always practical. Pipes and trenches laid across the slope (or parallel with the contour) should therefore be minimised. To minimise pipes installed across the slope consider installing the pipes diagonally across the slope or in a herring bone layout.
- All stormwater runoff and tank overflows shall not be concentrated in one location. It should be drained in pipes to natural drainage lines.
- Domestic waste water shall be discharged to an evapotranspiration type disposal area with plant species that are tolerant of wet ground conditions. The discharge method shall be by dripper or spray irrigation. This will minimise the amount of waste water being concentrated in the ground.
- All drainage systems shall be maintained by the owner.



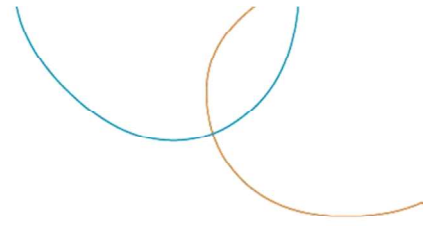
5. References

AGS (2007c). Practice Notes Guidelines for Landslide Risk Management. *Australian Geomechanics* Vol 42 No 1 March 2007

AGS(2007d). Commentary on Practice Notes Guidelines for Landslide Risk Management. *Australian Geomechanics* Vol 42 No 1 March 2007

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Tasmanian Government 2010, Tasmanian Government, Hobart, viewed in October 2018, www.thelist.tas.gov.au



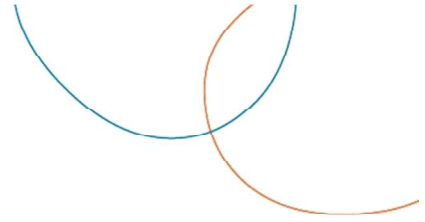
Appendix A

256 Waverly Road – Development Plan

pitt&sherry



pitt&sherry



Report Name

**Pitt & Sherry
(Operations) Pty Ltd**
ABN 67 140 184 309

Phone 1300 748 874
info@pittsh.com.au
pittsh.com.au

Contact

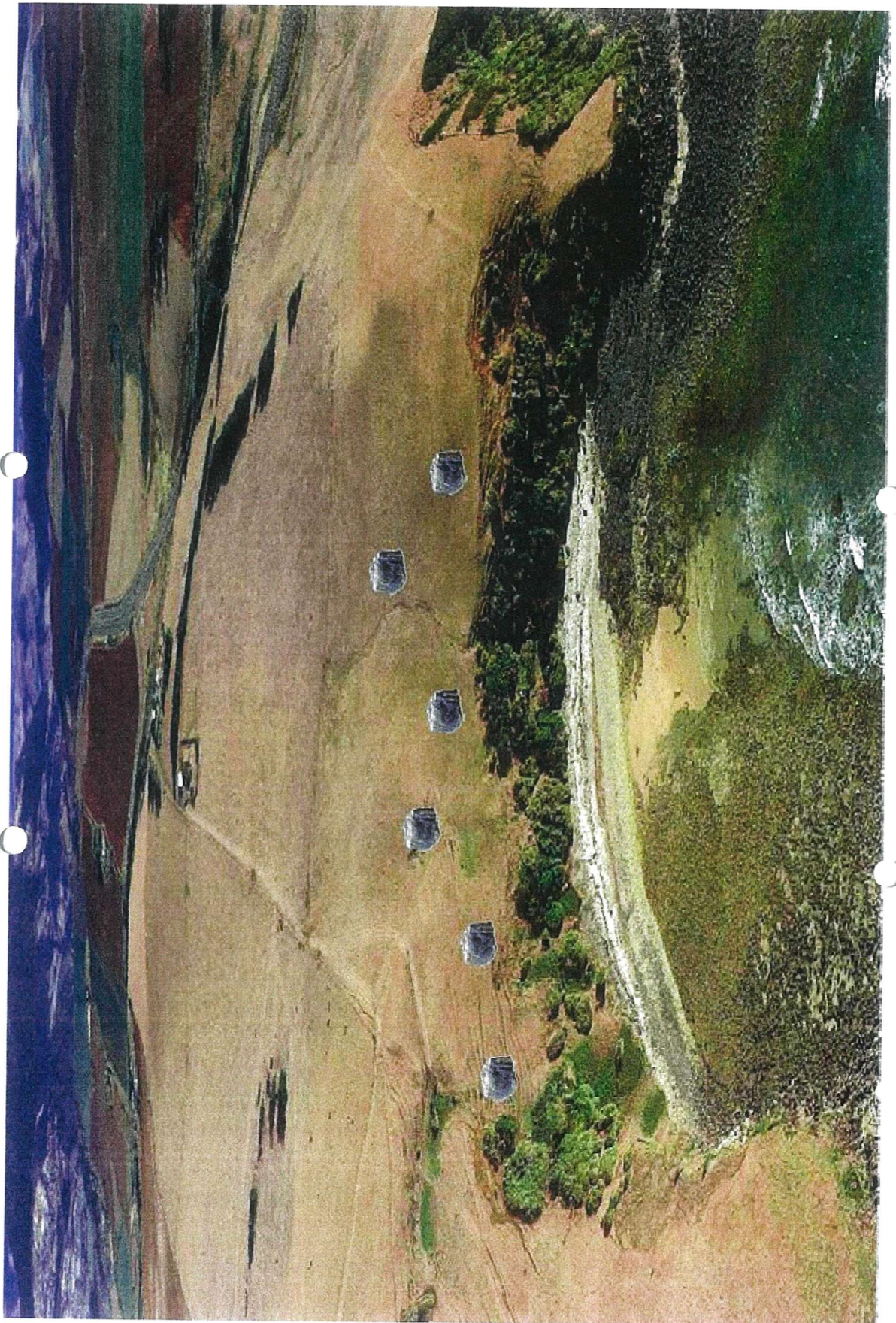
Austen Easterbrook

aeasterbrook@pittsh.com.au

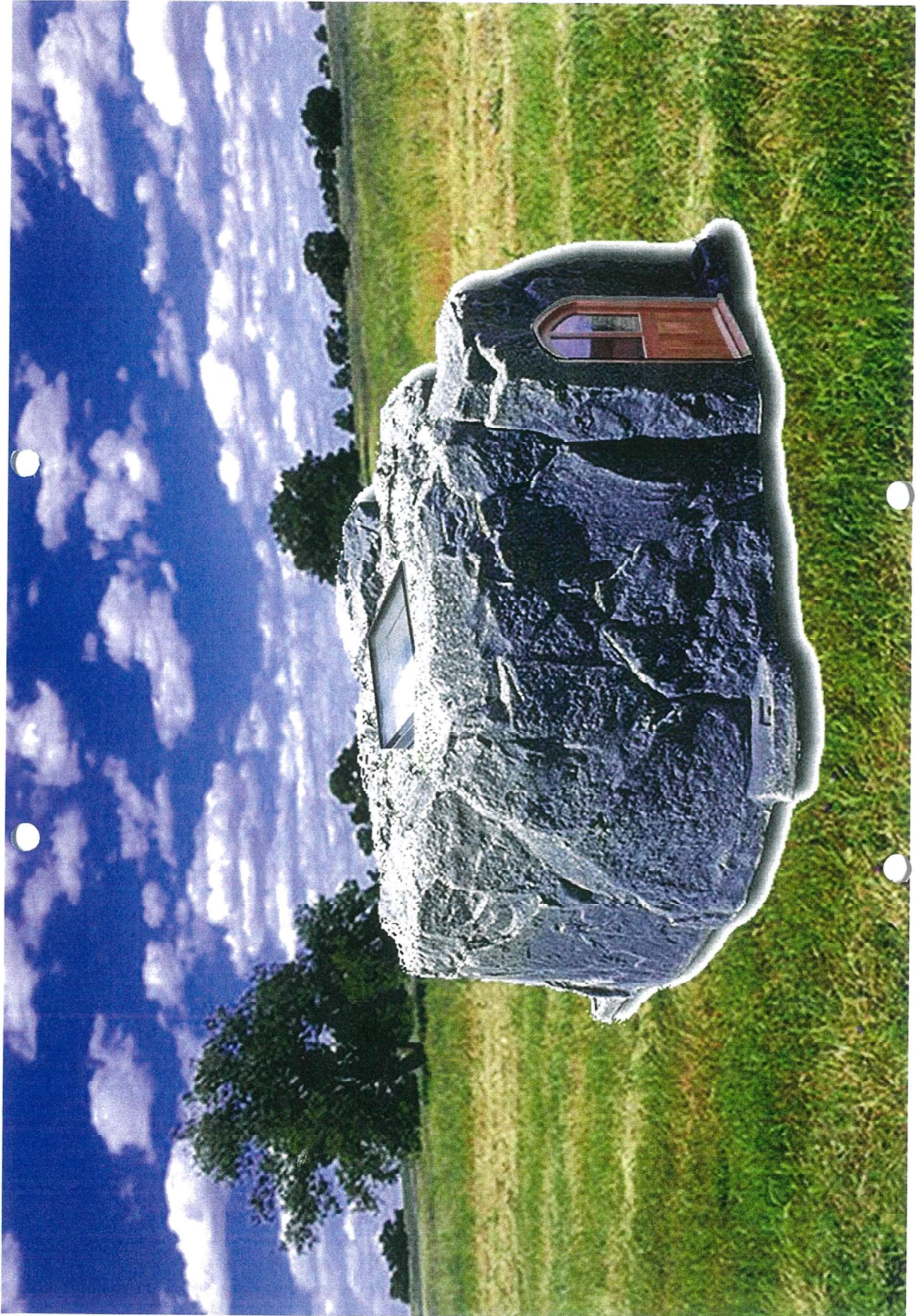
Located nationally —
Melbourne
Sydney
Brisbane
Hobart
Launceston
Newcastle
Devonport
Wagga Wagga



ref: DV18177L001 Rep 31P Rev A00/AE/cy







Storm water Design
Agritourism development,
10363 Bass Hwy, Lillico, Devonport



November 2018

Stormwater Concept Design – Lillico

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Name of Organisation: B.A.Robinson
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Job Number: 18079

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¹SEAM is an environmental management consultancy with complementary environmental health services which commenced operation in 2002. SEAM provides a state wide service specialising in on site wastewater management, solid waste management, and sustainability assessments and environmental and public health contracting. SEAM is a business founded on the premises of sustainability. In Tasmania, the principles of sustainable management (development) are enshrined in a suite of legislation known as the Resource Management and Planning System.

Stormwater Concept Design – Lillico

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1. Introduction

This report will outline the proposed collection and disposal of the stormwater that will be collected from the proposed carpark as part of the Agritourism development at 10363 Bass Highway, Lillico 7310.

The site is located between the Bass Highway (to the south) and Bass Straight (to the north), in the suburb of Lillico (Figure 1).

The proposed Agritourism as shown in Figure 2 will consist of:

- Car parking
- Function center
- Cabins
- Pods

This report will determine the most suitable method of collecting and disposing of the rainwater runoff derived from the carpark.

The function centre, and accommodation pod/cabins, will all have rainwater tanks, with any overflow being directed to the existing watercourse that runs through the property.



Figure 1 – Site Location

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1.2 Scope of report

The scope of this report is to design a stormwater collection and disposal method to dispose of the rainwater runoff from the carpark area for the proposed Agritourism development at 10363 Bass Highway, Lillico 7310. The report will cover:

- Collection – Calculating the impervious areas (m^2) of the site, and identifying the rainfall events (20%, 10% and 5% Annual Exceedance Probability (AEP)) to allow for the sizing of the detention pond.
- Treatment – removal of gross solids, and potential oils and grease
- Discharge - sizing and location of stormwater disposal areas. The aim of the stormwater design is to ensure that it prevents any increases of erosion and retains a high percentage of the stormwater on site unless in high intensity rain events

1.3 Site Information

The site currently consists of a vacant paddock. Predominantly covered with grassland. There are some areas of scrub located along the foreshore, and some trees (windbreak) located to the west of the proposed development.

The proposed carpark is understood to be constructed from compacted gravel. The recommended runoff coefficient for compacted gravel is 70%. (I.E 70% of rainfall that lands on the surface will runoff). The carpark is proposed to be 45m x 20m in size. This gives a total surface area of 900m².

The site has a moderate slopes towards the north and is open and sunny. There is an existing drainage line that runs through the centre of the proposed development.

The following calculations will give the required sizing for the proposed detention pond and swale drains that will be located to the north west of the proposed car park.

2. Rainfall events

The average highest monthly rainfall for Lillico (Forthside Research Station) is 122mm in July and the driest is 44mm in February. However, to design the size of the swale drains, the significant rainfall events (such as 20%, 10% and 5% **Annual Exceedance Probability (AEP)**) will be calculated and the most suitable data used. This will allow for the disposal areas to be of adequate size to allow for large downpours.

Table 1 below and Figure 3 illustrates the volumes over 24 hours for the 50%, 20% and 10% AEP rainfall events as well as the amount of runoff that will occur from the proposed carpark.

Rainfall Event AEP	Peak Rainfall amount (in 24 hours)	Runoff from Carpark 900m ² (L) 70% runoff
50%	55mm	34,650
20%	75mm	47,250
10%	90mm	56,700

Table 1: estimated volume of run-off from per rainfall event

As can be seen from Table 1, the runoff numbers are large. However the figure to focus on will be the liters of runoff for a 20% AEP for a 24 hour period. This figure will be the basis of sizing the disposal area.

The aim will be to install a "buffer" that will take out/adsorb much of the rainfall events and allow any remaining stormwater to be slowly released into the existing watercourse that runs through the property.

For the remainder of the report, the 20% AEP over a 24hour period rain event will be used to size the system. This will occur the most frequently and will allow the design to be sized adequately for such an event. In the times where there are higher intensity rainfall events, the swale drain will still take out the majority of the rainfall event, with the overflow flowing to existing drainage channel.

If the 20% AEP data is extrapolated to reflect the rainfall over a 24 hour period the amount of rainfall is 75mm. This figure will be used to design the disposal area(s).

Area	Total size (m ²)	Runoff Coefficient	Stormwater Runoff (75mm per 24 hours) – 20% AEP
Paved carpark area	900m ²	70%	47,250L

Table 2: estimated volume of run-off in a 24 hour period from the gravel carpark area

2.3 Stormwater Collection (Buffering to absorb peak rainfall events) & disposal

The primary aim is to install an area to allow the peak rainfall events to be captured and slowed, plus remove any sediments and potential contaminants from the carpark. To prevent the need for a detention pond (that requires fencing, maintenance etc) it is proposed to install a long length of swale drain that is capable of holding and slowing the stormwater velocity. It is proposed to install a length of swale drain 160m long 3m wide and 0.5m deep. This sizing is based on 50% of the water being absorbed by the drain before entering the existing watercourse.

The figures used are based on 47,250L being absorbed by 160m of drain at a rate of 50mm (per m of drain) per day.

The remaining stormwater (if any) will then trickle out onto the existing drainage line within the property.

The swale drain will collect all of the sediments that are washed off from the surface of the carpark.

2.5 Collection Points

The runoff collected from the hardstand area (carparks) is highly likely to contain sediments, grease/oils, particulate matter and litter. For this reason it is proposed to install triple interceptor traps on the drains that collect stormwater runoff from the paved areas. This will remove the majority of the pollutants. The remainder should be captured within the swale drain before exiting to the drainage line.

3. Conclusion

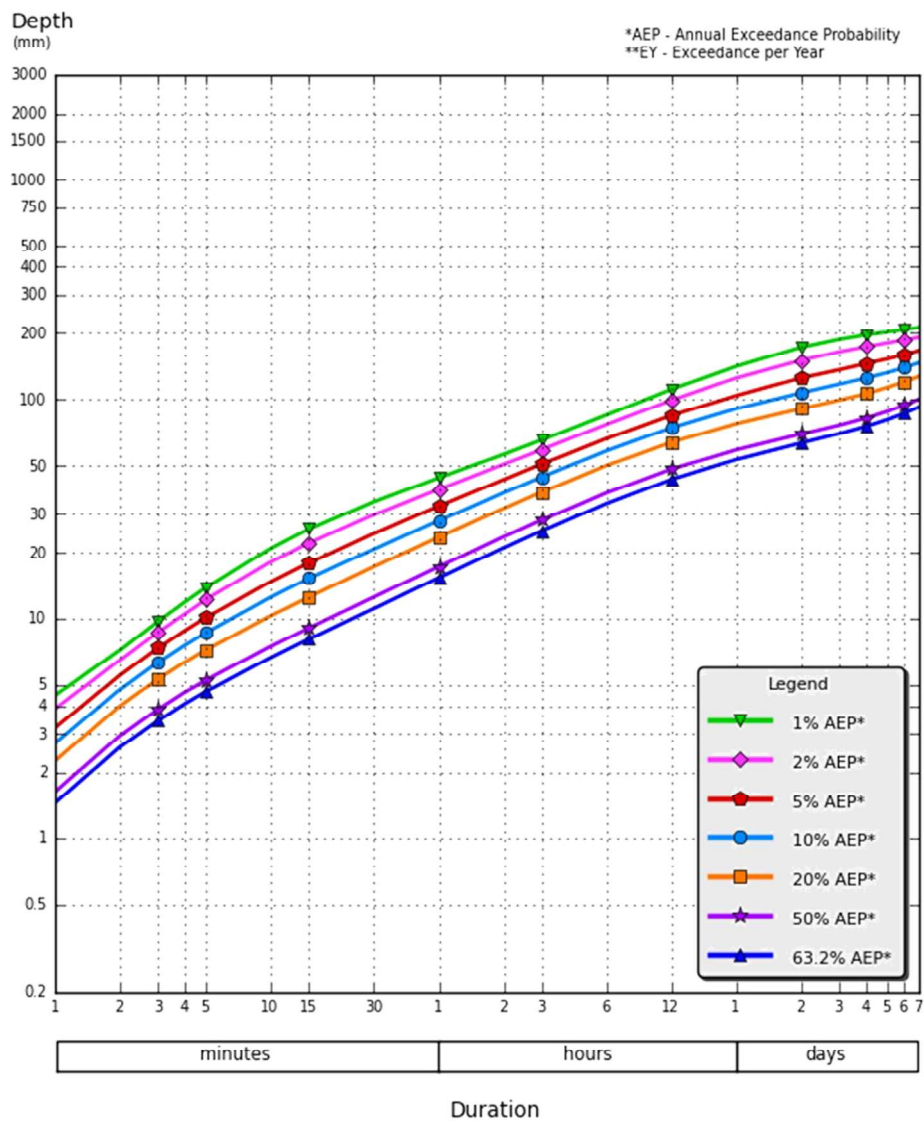
The property for the proposed Agritourism venture is large. And in comparison, the carpark area is relatively small. It is deemed that site has ample room available for processing the stormwater onsite, to remove many of the pollutants before it enters the drainage line. The proposed swale drain will also slow down the velocity of the stormwater to ensure that no erosion from runoff will occur. It will also absorb large amounts of stormwater before exiting the site.

The following items are outside the scope of this report and will need to be designed in detail before construction. It is recommended to have a finalised site plan before adding these details:

- Location of the stormwater drains and pipes

The site plan attached in Figure 4 illustrates the proposed location of the swale drain. The swale drain consists of a drain that is lined with geotextile fabric and large rocks, the edges/banks of the swale drain are to be no more than a slope of 1 in 4 and are to be planted out with vegetation. A typical image is provided in Plate 1. The sizing of the swale drain is recommended to be 3m wide and 0.5m deep, with a total length of approximately 160m. This will ensure that there is adequate capacity to successfully slow down and dispose of the stormwater from a 20% AEP.

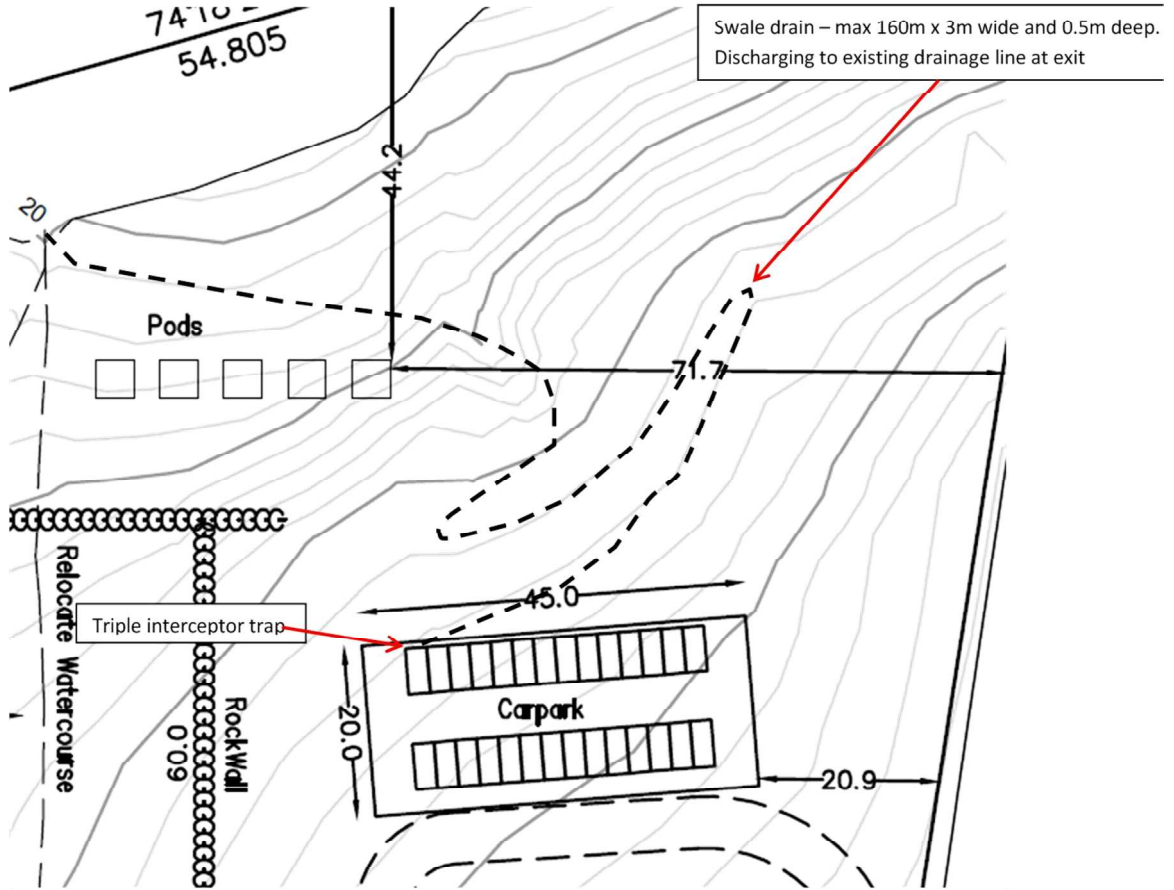
Figure 3– Rainfall intensity chart (Forthside Research Station)



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Figure 4 - Stormwater Swale Drain Concept Plan



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Plate 1 Typical Vegetated Rock Swale Drain



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14



SITE AND SOIL EVALUATION SUMMARY

Name: BA Robinson
Site Address: 10363 Bass Highway, Lillico 7310
Postal Address: C/- Veris – Devonport@veris.com.au

Site and Soil Assessment

Soil Category: Category 4 soils (Loamy Clay)
Soil Permeability: 0.25 m/day
LTAR: 17 L/m²/day
DIR 3.5mm/day
Slope/Aspect: The disposal area falls to the north with a slope of approx 8 degrees.

Wastewater System Design

This report is to calculate and design a wastewater disposal system that will effectively dispose of the wastewater from the amenities at the proposed Agritourism development at 10363 Bass Highway, Lillico.

The proposal is to construct both accommodation facilities as well as a reception/function centre and amenities.

The total wastewater loading is based on Table 4 (*Minimum daily wastewater allowance for non-residential buildings*) of the Directors Guidelines for onsite wastewater management systems. Therefore the expected wastewater loadings are:

- **3 x Cabins** (maximum) 2 persons per cabin, with each person generating up to 100L of wastewater per day.
- **5 x Pods** (maximum) 2 persons per pod, with each person generating up to 100L of wastewater per day
- **Reception Building** (maximum) 100 persons, each generating up to 30L of wastewater per day

Therefore the total wastewater loading is based on:

- Reception Building Visitors 100 x 30L = 3000L per day
- Cabins: 6 x 100L = 600L per day
- Pods: 10 x 100L = 1,000L day

A total projected maximum wastewater loading of 4,600L per day is be expected



Proposed Wastewater System Design

Due to the potentially heavy wastewater load, as well as the close proximity of the nearby surface water, it is proposed to utilise an Aerated Wastewater Treatment System (AWTS) with irrigation.

The area required for irrigation is calculated using the following:

A = Area required for wastewater disposal

Q = Quantity of wastewater (in litres)

DIR = Design Irrigation Rate (based on Cat 4 soils)

$$A = Q/DIR; A = 4600/3.5; A = 1,314\text{m}^2 \text{ (Say } 1,350\text{m}^2\text{)}$$

Collect the wastewater in a new AWTS and pump the wastewater via an indexing valve into a new subsurface irrigation field 1350m².

The irrigation area will be divided into 4 areas, each area 340m² to ensure even distribution of the irrigated wastewater.

Disposal Area

Proposed irrigation field.

The proposed irrigation field will be located towards the north of the proposed function center (see site plan).

See detailed site plan on page 10 for proposed layout

SEE FULL REPORT FOR FURTHER DETAILS



SITE AND SOIL EVALUATION

BACKGROUND

Site and Soil Evaluation Reports must be submitted with all applications for on-site wastewater management systems. Suitably qualified persons such as – soil scientists, engineering geologists, engineers, environmental health officers or other persons must complete evaluation reports. Designers of the on-site wastewater systems are to use their professional judgement to determine if issues outlined in the Report are relevant or if additional information is required. Also designers are to consider applicable legislation, Codes and Standards in relation to the design of the system.

For further information on site evaluation please consult AS/NZS 1547 – 2012 on-site domestic wastewater management. This report includes the necessary information for a SSE report.

REPORT

Municipality	Devonport City Council
Location	10363 Bass Highway, Lillico 7310
Lot Area	Over 25 Hectares
Owner	BA & K Robinson
Site Plan	see attached
Date of inspection	12 th September 2018
Date of this Report	12 th October 2018
Water Supply	Tank Water (Maximum Loading 4,600L per day)

SITE INFORMATION

Topography and Drainage

The disposal area is located on a moderately sloping area with slopes of approximately 8 degrees, the drainage is good, and the site has a sunny and northerly aspect.

Vegetation

The site is predominantly covered with grass.

Land Use

Tourism, accommodation and function centre.

Geology

Tertiary Basalt - Geological Atlas 1:50,000 series - Devonport

**Climate**

Climate data for the site has been taken from the Australian Bureau of Meteorology web site. Mean monthly rainfall, and mean daily maximum temperature for each month has been taken directly from the Forthside Research Station weather station data. To allow for wetter than average weather, the adopted rainfall for each month has an additional 10% added to the mean. A summary of this climate information, as well as monthly retained rain, evapo-transpiration, and evapotranspiration less the retained rain is in the Trench 3™ assessment report. Trench 3™ uses this data when calculating the monthly water balance for the site, which helps determine the system sizing.

Soils**Test Hole 1:**

0 – 600mm	Black/Grey Clayey Sand (Cat 3)
600 – 1100mm+	Dark Red Loamy Clay (Cat 4)

- AS 1547 Soil Category 4 to be used for disposal
- Emerson Test No. 7
- Soil permeability - Estimated permeability is 0.25m/day.
- Design Irrigation Rate (DIR): 3.5mm day

Groundwater

Groundwater not encountered to a depth of 1.1m

Site Stability

Not assessed, no problems likely.



Site Capability Issues for On-site Wastewater Management

Sustainable Environmental Assessment and Management

Land suitability and system sizing for on-site wastewater management
Trench 3.0 (Australian Institute of Environmental Health)

Site Capability Report

Site & Soil Evaluation

Assessment for	B.A. Robinson	Assess. Date	10-Oct-18
	CI-Veris	Ref. No.	18079
Assessed site(s)	10363 Bass Highway, Lillico 7310	Site(s) inspected	12-Sep-18
Local authority	Devonport City Council	Assessed by	J Wood

This report summarises data relating to the physical capability of the assessed site(s) to accept wastewater. Environmental sensitivity and system design issues are reported separately. The 'Alert' column flags factors with high (A) or very high (AA) site limitations which probably require special consideration in site acceptability or for system design(s). Blank spaces indicate data have not been entered into TRENCH.

Alert	Factor	Units	Value	Confid level	Limitation		Remarks
					Trench	Amended	
	Expected design area	sq m	240,000	V. high	Very low		
	Density of disposal systems	/sq km	4	Mod.	Very low		
	Slope angle	degrees	8	V. high	Low		
	Slope form	Straight simple		V. high	Low		
	Surface drainage	Mod. good		High	Low		
	Flood potential	Site floods <1:100 yrs		Mod.	Very low		
	Heavy rain events	Infrequent		Mod.	Moderate		
	Aspect (Southern hemi.)	Faces N		V. high	Very low		
	Frequency of strong winds	Common		High	Low		
	Wastewater volume	L/day	4,600	Mod.	Very high	Moderate	Other factors lessen impact
	SAR of septic tank effluent		2.3	Mod.	Moderate	Low	Other factors lessen impact
	SAR of sullage		2.5	Mod.	Moderate	No change	
	Soil thickness	m	1.1	High	Very low	Moderate	
	Depth to bedrock	m	1.5	Mod.	Moderate	Low	
	Surface rock outcrop	%	0	V. high	Very low		
	Cobbles in soil	%	2	V. high	Very low		
	Soil pH		7.0	Guess	Very low		Other factors lessen impact
	Soil bulk density	gm/cub. cm	1.5	Guess	Low		
	Soil dispersion	Emerson No.	8	High	Very low		
	Adopted permeability	m/day	0.25	High	Low		
	Long Term Accept. Rate	L/day/sq m	17	Mod.	Very low	Moderate	Other factors increase impact



Environmental Sensitivity Issues for On-site Wastewater Management

Sustainable Environmental Assessment and Management
Land suitability and system sizing for on-site wastewater management
Trench 3.0 (Australian Institute of Environmental Health)

Environmental Sensitivity Report **Site & Soil Evaluation**

Assessment for B.A. Robinson
C/- Veris
Assessed site(s) 10363 Bass Highway, Lillico 7310
Local authority Devonport City Council

Assess. Date 10-Oct-18
Ref. No. 18079
Site(s) inspected 12-Sep-18
Assessed by J Wood

This report summarises data relating to the environmental sensitivity of the assessed site(s) in relation to applied wastewater. Physical capability and system design issues are reported separately. The 'Alert' column flags factors with high (A) or very high (AA) limitations which probably require special consideration in site acceptability or for system design(s). Blank spaces indicate data have not been entered into TRENCH.

Alert	Factor	Units	Value	Confid level	Limitation	Trench	Amended	Remarks
A	Cation exchange capacity	mmol/100g	30	Mod.	High	No change		
	Phos. adsorp. capacity	kg/400b m	0.7	Mod.	Moderate			
	Annual rainfall excess	mm	238	High	Low			
	Min. depth to water table	m	2	High	Low			
	Annual nutrient load	kg	47.5	Guess	Very high	Moderate		Other factors lessen impact
	G/water environ. value Agric sensit/dom irrig			High	Moderate			
	Min. separation dist. required	m	6	High	Very low	Low		Other factors increase impact
	Risk to adjacent bores							Factor not assessed
	Surf. water env. value Agric sensit/dom drink			High	Moderate			
AA	Dist. to nearest surface water	m	45	High	Very high			
	Dist. to nearest other feature	m	100	High	Low			
	Risk of slope instability	Very low		High	Very low			
	Distance to landslip	m	250	High	Very low			

There is a natural spring that runs through the property (that will be redirected). The watercourse is only 45m from the wastewater disposal area. Using a treatment system with irrigation, the viral dieback distance is only 6m and thus, the close proximity to the watercourse is not expected to be a problem.

Plate 1 – Looking west over the proposed wastewater disposal area





Assessment Report from Trench 3™ modelling program

Sustainable Environmental Assessment and Management
Land suitability and system sizing for on-site wastewater management
Trench 3.0 (Australian Institute of Environmental Health)

Assessment Report Site & Soil Evaluation

Assessment for	B A Robinson	Assess. Date	10-Oct-18
	CI-Veris	Ref. No.	18079
Assessed site(s)	10363 Bass Highway, Lillico 7310	Site(s) inspected	12-Sep-18
Local authority	Devonport City Council	Assessed by	J Wood

This report summarises wastewater volumes, climatic inputs for the site, soil characteristics and system sizing and design issues. Site Capability and Environmental sensitivity issues are reported separately, where Alert columns flag factors with high (A) or very high (AA) limitations which probably require special consideration for system design(s). Blank spaces on this page indicate data have not been entered into TRENCH.

Wastewater Characteristics

Wastewater volume (L/day) used for this assessment = 4,600 (using a method independent of the no. of bedrooms)
Septic tank wastewater volume (L/day) = 1,520
Sullage volume (L/day) = 3,080
Total nitrogen (kg/year) generated by wastewater = 32.9
Total phosphorus (kg/year) generated by wastewater = 14.5

Climatic assumptions for site (Evapotranspiration estimated using mean max. daily temperatures)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean rainfall (mm)	51	44	53	74	87	100	122	115	95	82	71	68
Adopted rainfall (R, mm)	56	48	58	81	96	110	134	127	105	90	78	75
Retained rain (Pr, mm)	48	41	43	63	82	94	114	108	89	77	66	64
Max. daily temp. (deg. C)	21	21	20	17	14	12	12	12	13	15	17	19
Evapotransp (ET, mm)	18	65	62	43	40	43	45	45	47	56	61	71
Evapotr. less rain (mm)	31	24	19	-20	-42	-50	-69	-69	-42	-21	-5	7
Annual evapotranspiration less retained rain (mm) =												-238

Soil characteristics

Texture = Clay Loam
Adopted permeability (m/day) = 0.25
Adopted LTAR (L/sq m/day) = 17
Category = 4
Thick. (m) = 1.1
Min depth (m) to water = 2

Proposed disposal and treatment methods

Proportion of wastewater to be retained on site:	All wastewater will be disposed of on the site
The preferred method of on-site primary treatment:	In a package treatment plant
The preferred method of on-site secondary treatment:	In-ground
The preferred type of in-ground secondary treatment:	None
The preferred type of above-ground secondary treatment:	Trickle irrigation
Site modifications or specific designs:	Not needed

Suggested dimensions for on-site secondary treatment system

Total length (m) = 50
Width (m) = 27
Depth (m) = 0.2
Total disposal area (sq m) required = 2700
comprising a Primary Area (sq m) of: 1,350
and a Secondary (backup) Area (sq m) of: 1,350

Sufficient area is available on site

See full report for details



AS1547:2012 – Loading Certificate
10363 Bass Highway, Lillico 7310

- System capacity (number of persons and daily flow)

The system has been based on up to:

Reception Building Visitors 100 x 30L = 3000L per day

Cabins: 6 x 100L = 600L per day

Pods: 10 x 100L = 1,000L day

A total projected maximum wastewater loading of 4,600L per day is be expected

- Summary of design criteria

This report is to calculate and design a wastewater disposal system that can dispose of all the effluent generated by up to 116 persons for proposed visitor accommodation and function center 10363 Bass Highway, Lillico 7310

- The location of and use of the 'reserve area'

There is adequate room for a 100% reserve area within the site.

- Use of water efficient fittings, fixtures, or appliances

The report has been based on figures using tank water without any water saving devices. Figures used have been obtained from Table 4 – *Minimum daily wastewater allowance for non-residential buildings from the Director of Building Control, Guidelines for On-Site Wastewater Management Systems*.

- Allowable variation from design flows (peak loading events)

The wastewater figures used for this report have been based on the **maximum** number (ie 100% occupancy) of persons to be using the proposed visitor accommodation and function center.

- Consequences of changes in loading (due to varying wastewater characteristics)

With the system designed for the maximum wastewater loading, there is expected to be no issues with wastewater disposal for the site.

- Consequences of overloading the system

If the system is continuously overloaded (e.g. higher than 4,600L per day for many days) then there is a chance that the disposal area could fail. If this occurs or is expected to occur, the disposal area could be enlarged by an extra 50% if required.



- Consequences of underloading the system

If flows are lower than expected the consequences are expected to be minimal on the irrigation area. Long term under loading of the system may also result in vegetation die off in the irrigation areas and additional watering may be required.

The system should be placed in safe mode when unoccupied for long periods. Under such circumstances additional maintenance of the system may be required when reactivated.

- Lack of maintenance / monitoring consequences:

The system may not be maintained every quarter including the irrigation areas for reasons such as failure to keep up quarterly payments, sale of the house and new owners not familiar with the contract for maintenance or the contractor not being able to continue with the maintenance or neglecting reporting the lack of irrigation area maintenance.

In such circumstance issues of under loading or overloading and condition of the irrigation area are likely to require monitoring and maintenance.

This situation may result in unacceptable health and environmental risks. In such instances, compliance can be regulated by the Local Authority Environmental Health Officer through a range of regulatory tools to ensure compliance.

- **Other considerations:**

Owners/occupiers should be made aware of the importance of maintaining their onsite waste water management system including the irrigation area the maintenance contract for the system.

J. M. Wood

Building Services Designer Hydraulic Accreditation # CC1984 K

A handwritten signature in dark ink, appearing to be 'J. M. Wood', written in a cursive style.



RECOMMENDED SYSTEM DESIGN(S)

Due to the potentially heavy wastewater load, as well as the close proximity of the nearby surface water, it is proposed to utilise an Aerated Wastewater Treatment System (AWTS) with irrigation.

The area required for irrigation is calculated using the following:

A = Area required for wastewater disposal

Q = Quantity of wastewater (in litres)

DIR = Design Irrigation Rate (based on Cat 4 soils)

$$A = Q/DIR; A = 4600/3.5; A = 1,314\text{m}^2 \text{ (Say } 1,350\text{m}^2\text{)}$$

Collect the wastewater in a new AWTS and pump the wastewater via an indexing valve into a new subsurface irrigation field 1350m².

The irrigation area will be divided into 4 areas, each area 340m² to ensure even distribution of the irrigated wastewater.

Specifications:

- Minimum pump capacity to be 25m head at the highest point of the irrigation line
- Vacuum breaker to be installed. Wastewater to be returned to the wastewater unit
- 120 – 130 micron inline filter to be installed
- A surface water cut off drain is to be installed upslope of the irrigation field
- Disposal area to be kept free of vehicular access
- Disposal area to be kept free of animals
- For subsurface irrigation the area is to be dressed with 100mm of good sandy loam topsoils and planted out with grass once complete

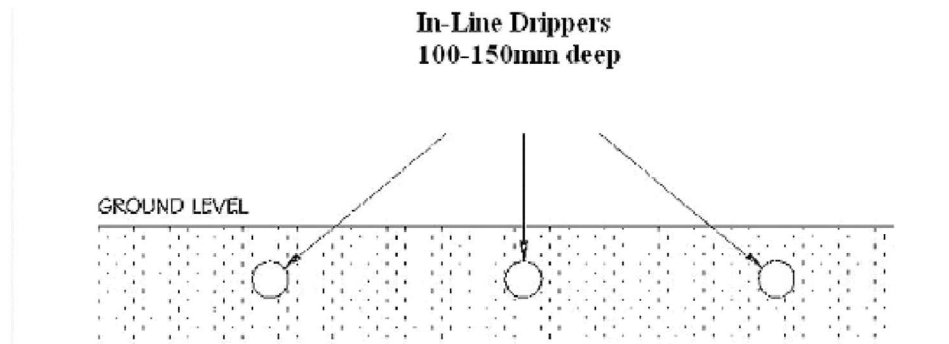
Notes:

- If the soil varies significantly than that illustrated in this report please contact the designer immediately
- If bedrock is encountered during the excavation of the beds the designer is to be contacted immediately
- If ground water is encountered during the excavation of the beds the designer is to be contacted immediately

See cross sections over page



Subsurface Irrigation

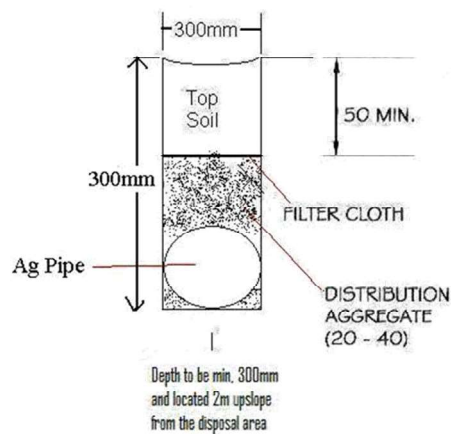


NOTE:

Minimum soil depth to be 500mm, uppermost 100mm to be sandy loam topsoil (this may need to imported).

Depth of dripper lines to be 100mm below surface.

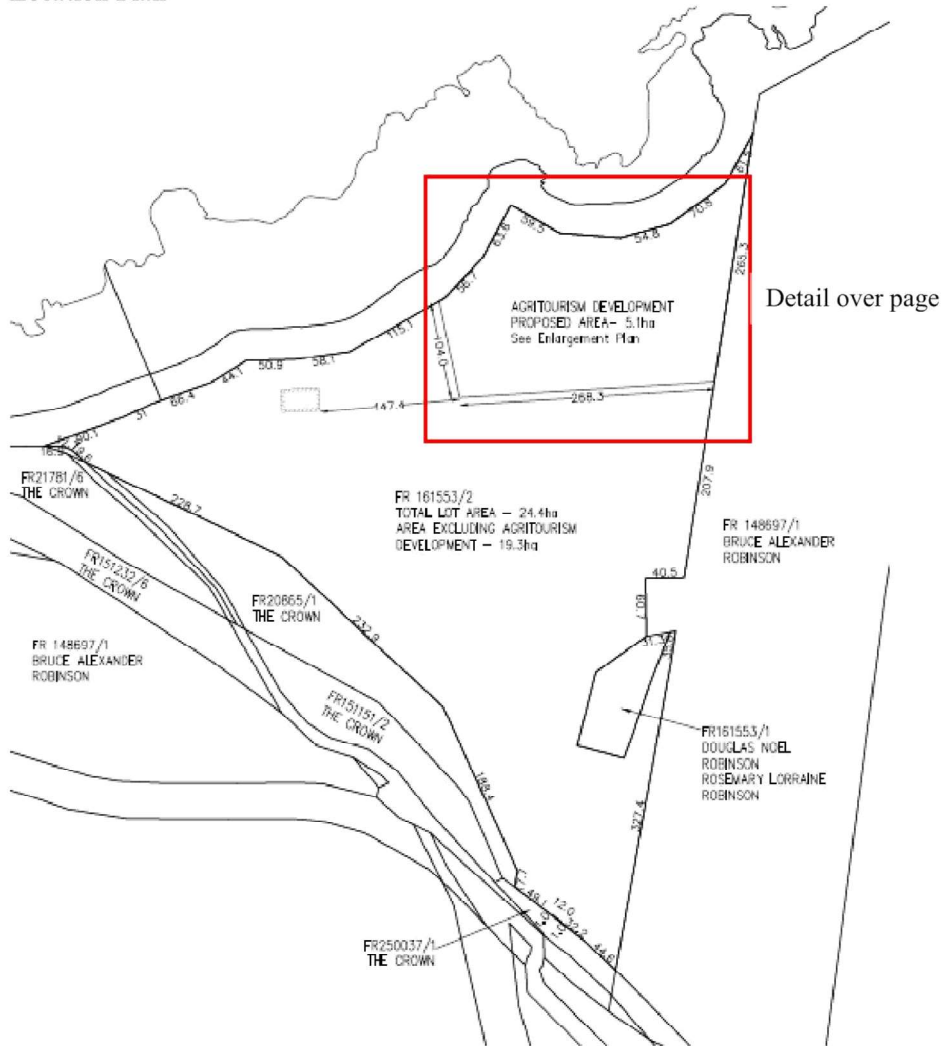
Dripper lines to be 2m apart.

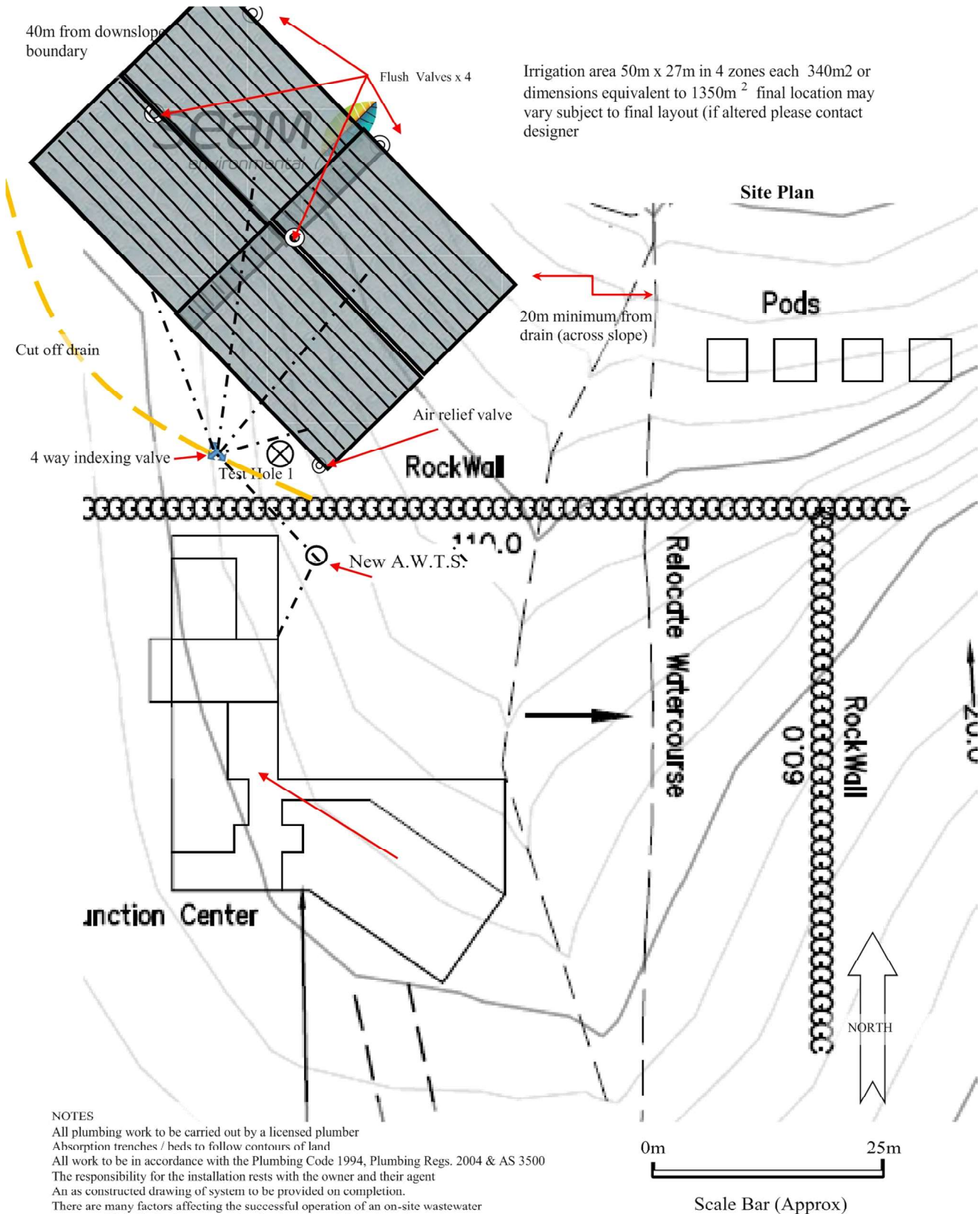


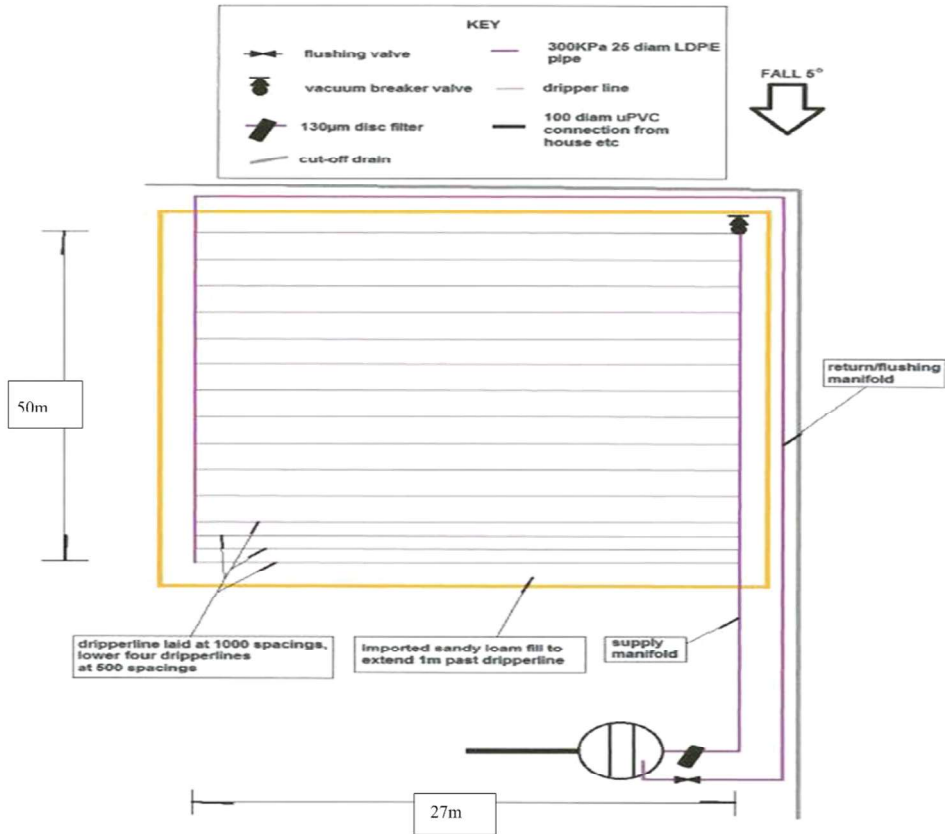
CUT-OFF DRAIN DETAIL



Location Plan







Typical zone irrigation lay out



I/We authorise the Devonport City Council to make copies of the report for internal office use.
Attached with the report or included with the application are original copies of all required
certifications from suitably qualified persons.

The design of this on-site wastewater system is suitable for the property referred to in this report and
the application.

DESIGNER

PREPARED BY: James Wood

NAME OF ORGANISATION:

Sustainable Environmental Assessment and Management (SEAM)

ADDRESS:

49c Stewart Street, Devonport 7310
160 New Town Rd, NEW TOWN
PO Box 2064, Lower Sandy Bay TASMANIA 7005

CONTACT DETAILS:

Ph: (03) 6228 1600
Fax: (03) 6228 1700
Mob: 0419 330 686

SIGNED:

A handwritten signature in black ink, appearing to be 'J Wood', written over a horizontal line.

DATE: 12th October 2018

15/02/19

RE: LILICO DEVELOPMENT ADVOCATE STORIE 13/02/19

ATTENTION DEVONPORT MAYOR AND ALDERMAN.

The purpose of this correspondence is to state our thoughts on this application our Parents lived at Lillico, Don and Leith and as children it was beautiful place to live fresh air, lovely waterfront to stroll along with our parents and collect rocks and many sea items not to mention finishing at the Penguins we used to sit and watch them come home in the evening and to think this development may go head is certainly not needed we are glad our parents have passed on and not here to see this they would be broken hearted we are listing our reasons why this should not be approved.

1. This would be a distraction from traffic travelling on the highway and could cause accidents.
2. What and where will grey water and sewerage go hopefully not into our Pristine Waters?
3. There would be Aboriginal Artefacts' in that area or will these be ignored?
4. Why do we need a Wedding Venue when there are some beautiful venues available in the State now?
5. Wellness Retreat? We have plenty of them in all areas of the State this would cost Top Dollar one would think?
6. Will this only cater for Visitors, because a family with children would never be able to afford such a luxury!!
7. Why a Function Centre when we have a lovely one in Devonport now the PARANACLE?
8. Farm stay cabins and Pods to highlight the history of the Lillico Farm etc ?
9. Wedding Ideas from America? Why do we have to have American ideas total rubbish?
10. Bride and Groom families would never afford this establishment if approved one would think?
11. Parking where is this going to be and where will it exit the highway?
12. Local firm to build Igloos Great Idea but this makes it sound good to get it approved?
13. The application contradicts herself the applicant says it would be built in stages, starting with Safari Tents? But before that she said they would not have tents because they would blow away?
14. We question the Insurance and Liabilities with a development like this? What might fall back on Devonport Council and Ratepayers?
15. This Application is no more than money making issue from the applicant and if improved it will get bigger and bigger and destroy a beautiful part of Tasmania.

We are stating our OBJECTION to this Planning Application because it is not the correct place for it and it will destroy what a beautiful sight we have now and the feedback from Tourists as they drive along the Coast needs to be kept Pristine it is to be treasured not treated like this, if the Robinson Family needs to have something like this the move it further inward where their old property was there is land everywhere it could go that would not distract from our BEAUTIFUL TASMANIA we definitely do not want what AMERICA does here.

MATTHEWS, EDWARDS & LEARY FAMILIES TASMANIA, VICTORIA & SOUTH AUSTRALIA.

From: Perviz Marker <perviz.marker@utas.edu.au>
Sent: Monday, 18 February 2019 12:03 PM
To: Devonport City Council
Subject: Lillico proposal DA PA2019.0008 comments
Attachments: BirdLife Tasmania DA PA2019.0008.pdf; PMST_95DFBC.pdf

Dear General Manager,
Please find attached comments from BirdLife Tasmania with regard to the proposed Lillico development.

Regards,
Dr Perviz Marker
Researcher BirdLife Tasmania

University of Tasmania Electronic Communications Policy (December, 2014).

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15 Feb 2019

DA PA2019.0008
Community Meeting and Entertainment (function centre) and Visitor
Accommodation, 10363 Bass Highway, Lillico

Dear Sir,

BirdLife Tasmania wishes to raise a number of concerns about the proposed development.

Over the last 15 years, we have had the opportunity to undertake surveys of the Little Penguin and Short-tailed Shearwater breeding populations on the Robertson property.

We note with great concern that there is no mention of these two protected bird species in any of the documentation associated with the DA. Indeed, there appears to be an absence of any flora and fauna assessment associated with the proposal.

Has any Environmental Assessment been carried out re the presence of Little Penguins or Short-tailed Shearwaters in the footprint of the proposed development and buffer zones? Has any thought been given to management practices re visitors and the impacts to these birds?

A simple search for threatened species within a 5km buffer of the site (attached), shows 2 EPBC-listed Threatened Ecological Communities, 53 EPBC-Listed Threatened Species, and 36 EPBC-Listed Migratory Species. These are all protected under Federal legislation, and it is likely that additional species and communities are present on site that are protected under Tasmanian legislation.

There are some serious issues that must be addressed in any coastal development adjacent to penguin or shearwater colonies, such as the use of red rather than white light, control of dogs and people at night to minimise disturbance to the birds, etc

While the visitor centre will not be visible to the Lillico penguin viewing platform, it will be visible to the penguins that inhabit the coastal strip in front of the proposed development. The proximity of the pods to the coastal area is also of concern. We believe there is the potential for disturbance to nesting birds arising from the construction and operations associated with this development.

BIRDLIFE TASMANIA
GPO BOX 68
HOBART
TASMANIA 7001

tasmania@birdlife.org.au
birdlife.org.au

ABN 75 149 124 774

birds are in our nature



The orange zone on the map on page 2 of the DA borders on breeding populations of Little Penguins and Short-tailed Shearwaters that were surveyed in 2008. That survey established the breeding populations for Short-tailed Shearwaters and Little Penguins to be between 400 – 600 and between 250 – 400 breeding pairs, respectively (Woehler 2008).

These represent significant populations for the species, and we have advised the Marine Conservation Branch of DPIWE and the EPBC Assessments staff in Canberra of the proposal.

We believe that a contemporary assessment of the breeding populations for both species is necessary before any approval is given, and that extensive management practices to protect all protected species on site must be identified, implemented and enforced to maximise protection of the population of these values.

A full ecological assessment is required in light of the Federally-listed species and communities identified adjacent to the property to ensure Council and PWS/DPIWE can identify further values present that require ongoing management and conservation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'E. Woehler'.

Dr Eric J Woehler, Convenor

A handwritten signature in black ink, appearing to read 'Perviz Marker'.

Dr Perviz Marker

birds are in our nature



Australian Government
Department of the Environment and Energy

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 15/02/19 15:59:18

[Summary](#)

[Details](#)

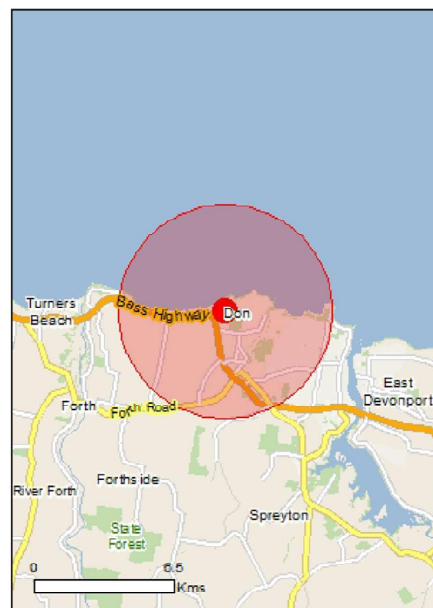
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)



This map may contain data which are
©Commonwealth of Australia
(Geoscience Australia), ©PSMA 2010

[Coordinates](#)

Buffer: 5.0Km



Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance:	None
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	2
Listed Threatened Species:	53
Listed Migratory Species:	36

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	2
Commonwealth Heritage Places:	1
Listed Marine Species:	66
Whales and Other Cetaceans:	10
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	2
Regional Forest Agreements:	1
Invasive Species:	25
Nationally Important Wetlands:	None
Key Ecological Features (Marine)	None

Details

Matters of National Environmental Significance

Listed Threatened Ecological Communities

[Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Giant Kelp Marine Forests of South East Australia	Endangered	Community may occur within area
Subtropical and Temperate Coastal Saltmarsh	Vulnerable	Community likely to occur within area

Listed Threatened Species

[Resource Information]

Name	Status	Type of Presence
Birds		
Aquila audax fleayi Tasmanian Wedge-tailed Eagle, Wedge-tailed Eagle (Tasmanian) [64435]	Endangered	Breeding likely to occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Ceyx azureus diemenensis Tasmanian Azure Kingfisher [25977]	Endangered	Species or species habitat known to occur within area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea antipodensis gibsoni Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Fregetta grallaria grallaria White-bellied Storm-Petrel (Tasman Sea), White-	Vulnerable	Species or species

Name	Status	Type of Presence
bellied Storm-Petrel (Australasian) [64438]		habitat likely to occur within area
Halobaena caerulea Blue Petrel [1059]	Vulnerable	Species or species habitat may occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Breeding known to occur within area
Limosa lapponica baueri Bar-tailed Godwit (baueri), Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat may occur within area
Limosa lapponica menzbieri Northern Siberian Bar-tailed Godwit, Bar-tailed Godwit (menzbieri) [86432]	Critically Endangered	Species or species habitat may occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
Pachyptila turtur subantarctica Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat likely to occur within area
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Pterodroma leucoptera leucoptera Gould's Petrel, Australian Gould's Petrel [26033]	Endangered	Species or species habitat may occur within area
Sternula nereis nereis Australian Fairy Tern [82950]	Vulnerable	Breeding likely to occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche bulleri platei Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area
Thalassarche cauta cauta Shy Albatross, Tasmanian Shy Albatross [82345]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche cauta steadi White-capped Albatross [82344]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area

Name	Status	Type of Presence
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thinornis rubricollis rubricollis Hooded Plover (eastern) [66726]	Vulnerable	Species or species habitat likely to occur within area
Tyto novaehollandiae castanops (Tasmanian population) Masked Owl (Tasmanian) [67051]	Vulnerable	Species or species habitat known to occur within area
Crustaceans		
Astacopsis gouldi Giant Freshwater Crayfish, Tasmanian Giant Freshwater Lobster [64415]	Vulnerable	Species or species habitat known to occur within area
Engaeus granulatus Central North Burrowing Crayfish [78959]	Endangered	Species or species habitat known to occur within area
Fish		
Prototroctes maraena Australian Grayling [26179]	Vulnerable	Species or species habitat known to occur within area
Frogs		
Litoria raniformis Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog [1828]	Vulnerable	Species or species habitat likely to occur within area
Mammals		
Balaenoptera musculus Blue Whale [36]	Endangered	Species or species habitat likely to occur within area
Dasyurus maculatus maculatus (Tasmanian population) Spotted-tail Quoll, Spot-tailed Quoll, Tiger Quoll (Tasmanian population) [75183]	Vulnerable	Species or species habitat known to occur within area
Dasyurus viverrinus Eastern Quoll, Luaner [333]	Endangered	Species or species habitat known to occur within area
Eubalaena australis Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Megaptera novaeangliae Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
Perameles gunnii gunnii Eastern Barred Bandicoot (Tasmania) [66651]	Vulnerable	Species or species habitat known to occur within area
Sarcophilus harrisii Tasmanian Devil [299]	Endangered	Species or species habitat likely to occur within area
Plants		
Caladenia caudata Tailed Spider-orchid [17067]	Vulnerable	Species or species habitat likely to occur within area
Epacris exserta South Esk Heath [19879]	Endangered	Species or species habitat may occur within area
Glycine latrobeana Clover Glycine, Purple Clover [13910]	Vulnerable	Species or species habitat likely to occur within area

Name	Status	Type of Presence
Lepidium hyssopifolium Basalt Pepper-cress, Peppergrass, Rubble Pepper-cress, Pepperweed [16542]	Endangered	Species or species habitat may occur within area
Prasophyllum apoxychilum Tapered Leek-orchid [64947]	Endangered	Species or species habitat may occur within area
Pterostylis ziegeleri Grassland Greenhood, Cape Portland Greenhood [64971]	Vulnerable	Species or species habitat may occur within area
Thelymitra jonesii Sky-blue Sun-orchid [76352]	Endangered	Species or species habitat may occur within area
Xerochrysum palustre Swamp Everlasting, Swamp Paper Daisy [76215]	Vulnerable	Species or species habitat may occur within area
Reptiles		
Chelonia mydas Green Turtle [1765]	Vulnerable	Breeding likely to occur within area
Sharks		
Carcharodon carcharias White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area
Listed Migratory Species		[Resource Information]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
Migratory Marine Birds		
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardenna carneipes Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Species or species habitat likely to occur within area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Sternula albifrons Little Tern [82849]		Species or species

Name	Threatened	Type of Presence
		habitat may occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche cauta Tasmanian Shy Albatross [89224]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche steadi White-capped Albatross [64462]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
Migratory Marine Species		
Balaena glacialis australis Southern Right Whale [75529]	Endangered*	Species or species habitat known to occur within area
Balaenoptera musculus Blue Whale [36]	Endangered	Species or species habitat likely to occur within area
Caperea marginata Pygmy Right Whale [39]		Foraging, feeding or related behaviour may occur within area
Carcharodon carcharias White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area
Chelonia mydas Green Turtle [1765]	Vulnerable	Breeding likely to occur within area
Lagenorhynchus obscurus Dusky Dolphin [43]		Species or species habitat may occur within area
Lamna nasus Porbeagle, Mackerel Shark [83288]		Species or species habitat likely to occur within area
Megaptera novaeangliae Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
Migratory Terrestrial Species		
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat likely to occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Breeding known to occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species

Name	Threatened	Type of Presence
Calidris acuminata Sharp-tailed Sandpiper [874]		habitat may occur within area Species or species habitat may occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat may occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area

Other Matters Protected by the EPBC Act

Commonwealth Land [\[Resource Information \]](#)

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Name
Commonwealth Land - Defence - DEVONPORT TRAINING DEPOT

Commonwealth Heritage Places [\[Resource Information \]](#)

Name	State	Status
Historic		
Mersey Bluff Lighthouse	TAS	Listed place

Listed Marine Species [\[Resource Information \]](#)

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardea alba Great Egret, White Egret [59541]		Species or species habitat known to occur within area
Ardea ibis Cattle Egret [59542]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Catharacta skua Great Skua [59472]		Species or species habitat may occur within area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea gibsoni Gibson's Albatross [64466]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
Halobaena caerulea Blue Petrel [1059]	Vulnerable	Species or species habitat may occur within area
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat likely to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Breeding known to occur within area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat may occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Breeding known to occur

Name	Threatened	Type of Presence
<i>Numenius madagascariensis</i> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	within area Species or species habitat likely to occur within area
<i>Pachyptila turtur</i> Fairy Prion [1066]		Species or species habitat likely to occur within area
<i>Phoebastria fusca</i> Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
<i>Puffinus carneipes</i> Flesh-footed Shearwater, Flesh-footed Shearwater [1043]		Species or species habitat likely to occur within area
<i>Sterna albifrons</i> Little Tern [813]		Species or species habitat may occur within area
<i>Thalassarche bulleri</i> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
<i>Thalassarche cauta</i> Tasmanian Shy Albatross [89224]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<i>Thalassarche chrysostoma</i> Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
<i>Thalassarche impavida</i> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<i>Thalassarche melanophrys</i> Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<i>Thalassarche salvini</i> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<i>Thalassarche sp. nov.</i> Pacific Albatross [66511]	Vulnerable*	Species or species habitat may occur within area
<i>Thalassarche steadi</i> White-capped Albatross [64462]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<i>Thinornis rubricollis</i> Hooded Plover [59510]		Species or species habitat likely to occur within area
<i>Thinornis rubricollis rubricollis</i> Hooded Plover (eastern) [66726]	Vulnerable	Species or species habitat likely to occur within area
<i>Tringa nebularia</i> Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area
Fish		
<i>Heraldia nocturna</i> Upside-down Pipefish, Eastern Upside-down Pipefish, Eastern Upside-down Pipefish [66227]		Species or species habitat may occur within area
<i>Hippocampus abdominalis</i> Big-belly Seahorse, Eastern Potbelly Seahorse, New Zealand Potbelly Seahorse [66233]		Species or species habitat may occur within

Name	Threatened	Type of Presence area
Hippocampus breviceps Short-head Seahorse, Short-snouted Seahorse [66235]		Species or species habitat may occur within area
Histiogamphelus briggsii Crested Pipefish, Briggs' Crested Pipefish, Briggs' Pipefish [66242]		Species or species habitat may occur within area
Histiogamphelus cristatus Rhino Pipefish, Macleay's Crested Pipefish, Ring-back Pipefish [66243]		Species or species habitat may occur within area
Hypsognathus rostratus Knifesnout Pipefish, Knife-snouted Pipefish [66245]		Species or species habitat may occur within area
Kaupus costatus Deepbody Pipefish, Deep-bodied Pipefish [66246]		Species or species habitat may occur within area
Kimblaeus bassensis Trawl Pipefish, Bass Strait Pipefish [66247]		Species or species habitat may occur within area
Lissocampus caudalis Australian Smooth Pipefish, Smooth Pipefish [66249]		Species or species habitat may occur within area
Lissocampus runa Javelin Pipefish [66251]		Species or species habitat may occur within area
Maroubra perserrata Sawtooth Pipefish [66252]		Species or species habitat may occur within area
Mitotichthys semistriatus Halfbanded Pipefish [66261]		Species or species habitat may occur within area
Mitotichthys tuckeri Tucker's Pipefish [66262]		Species or species habitat may occur within area
Notiocampus ruber Red Pipefish [66265]		Species or species habitat may occur within area
Phyllopteryx taeniolatus Common Seadragon, Weedy Seadragon [66268]		Species or species habitat may occur within area
Pugnaso curtirostris Pugnose Pipefish, Pug-nosed Pipefish [66269]		Species or species habitat may occur within area
Solegnathus robustus Robust Pipehorse, Robust Spiny Pipehorse [66274]		Species or species habitat may occur within area
Solegnathus spinosissimus Spiny Pipehorse, Australian Spiny Pipehorse [66275]		Species or species habitat may occur within area
Stigmatopora argus Spotted Pipefish, Gulf Pipefish, Peacock Pipefish [66276]		Species or species habitat may occur within area
Stigmatopora nigra Widebody Pipefish, Wide-bodied Pipefish, Black Pipefish [66277]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
Stipecampus cristatus Ringback Pipefish, Ring-backed Pipefish [66278]		Species or species habitat may occur within area
Urocampus carinirostris Hairy Pipefish [66282]		Species or species habitat may occur within area
Vanacampus phillipi Port Phillip Pipefish [66284]		Species or species habitat may occur within area
Vanacampus poecilolaemus Longsnout Pipefish, Australian Long-snout Pipefish, Long-snouted Pipefish [66285]		Species or species habitat may occur within area
Mammals		
Arctocephalus forsteri Long-nosed Fur-seal, New Zealand Fur-seal [20]		Species or species habitat may occur within area
Arctocephalus pusillus Australian Fur-seal, Australo-African Fur-seal [21]		Species or species habitat may occur within area
Reptiles		
Chelonia mydas Green Turtle [1765]	Vulnerable	Breeding likely to occur within area
Whales and other Cetaceans		
		[Resource Information]
Name	Status	Type of Presence
Mammals		
Balaenoptera acutorostrata Minke Whale [33]		Species or species habitat may occur within area
Balaenoptera musculus Blue Whale [36]	Endangered	Species or species habitat likely to occur within area
Caperea marginata Pygmy Right Whale [39]		Foraging, feeding or related behaviour may occur within area
Delphinus delphis Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area
Eubalaena australis Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Globicephala macrorhynchus Short-finned Pilot Whale [62]		Species or species habitat may occur within area
Grampus griseus Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area
Lagenorhynchus obscurus Dusky Dolphin [43]		Species or species habitat may occur within area
Megaptera novaeangliae Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
Tursiops truncatus s. str. Bottlenose Dolphin [68417]		Species or species habitat may occur within area

Extra Information

State and Territory Reserves [Resource Information]

Name	State
Don Heads	TAS
Mersey Bluff	TAS

Regional Forest Agreements [Resource Information]

Note that all areas with completed RFAs have been included.

Name	State
Tasmania RFA	Tasmania

Invasive Species [Resource Information]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.

Name	Status	Type of Presence
Birds		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area
Alauda arvensis Skylark [656]		Species or species habitat likely to occur within area
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Carduelis chloris European Greenfinch [404]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species

Name	Status	Type of Presence
Turdus merula Common Blackbird, Eurasian Blackbird [596]		habitat likely to occur within area Species or species habitat likely to occur within area
Mammals		
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
Plants		
Asparagus asparagoides Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]		Species or species habitat likely to occur within area
Chrysanthemoides monilifera Bitou Bush, Boneseed [18983]		Species or species habitat may occur within area
Chrysanthemoides monilifera subsp. monilifera Boneseed [16905]		Species or species habitat likely to occur within area
Cytisus scoparius Broom, English Broom, Scotch Broom, Common Broom, Scottish Broom, Spanish Broom [5934]		Species or species habitat likely to occur within area
Genista monspessulana Montpellier Broom, Cape Broom, Canary Broom, Common Broom, French Broom, Soft Broom [20126]		Species or species habitat likely to occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Ulex europaeus Gorse, Furze [7693]		Species or species habitat likely to occur within area

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-41.16071 146.31136

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [Office of Environment and Heritage, New South Wales](#)
- [Department of Environment and Primary Industries, Victoria](#)
- [Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [Department of Environment, Water and Natural Resources, South Australia](#)
- [Department of Land and Resource Management, Northern Territory](#)
- [Department of Environmental and Heritage Protection, Queensland](#)
- [Department of Parks and Wildlife, Western Australia](#)
- [Environment and Planning Directorate, ACT](#)
- [Birdlife Australia](#)
- [Australian Bird and Bat Banding Scheme](#)
- [Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [Museum Victoria](#)
- [Australian Museum](#)
- [South Australian Museum](#)
- [Queensland Museum](#)
- [Online Zoological Collections of Australian Museums](#)
- [Queensland Herbarium](#)
- [National Herbarium of NSW](#)
- [Royal Botanic Gardens and National Herbarium of Victoria](#)
- [Tasmanian Herbarium](#)
- [State Herbarium of South Australia](#)
- [Northern Territory Herbarium](#)
- [Western Australian Herbarium](#)
- [Australian National Herbarium, Canberra](#)
- [University of New England](#)
- [Ocean Biogeographic Information System](#)
- [Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [Geoscience Australia](#)
- [CSIRO](#)
- [Australian Tropical Herbarium, Cairns](#)
- [eBird Australia](#)
- [Australian Government – Australian Antarctic Data Centre](#)
- [Museum and Art Gallery of the Northern Territory](#)
- [Australian Government National Environmental Science Program](#)
- [Australian Institute of Marine Science](#)
- [Reef Life Survey Australia](#)
- [American Museum of Natural History](#)
- [Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

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From: R Flanagan <rflanagan@y7mail.com>
Sent: Monday, 18 February 2019 1:14 PM
To: Devonport City Council
Subject: PA2019.0008 - 10363 Bass Highway, Lillico

To the General Manager, Devonport City Council

Re: PA2019.0008 - 10363 Bass Highway, Lillico

Community Meeting and Entertainment (function centre) & Visitor Accommodation

10363 Bass Highway, Lillico 02/02/2019

I have the following objections about this proposed development.

The proposed development is inconsistent with the primary purpose of the Rural Resource Zone.

The proposal provides significant traffic management issues in relation to accessing the property from the Bass Highway. When approaching the property from Devonport, in relation to large gatherings, the turning point at Lillico would be inadequate for the large volume of traffic.

The carpark at the Lillico Penguin viewing platform might be utilised when large events exceed the thirty four carparks available for guests and staff, potentially disrupting use of the penguin viewing platform.

The proposed development is inconsistent with the neighbouring Lillico wildlife reserve, in particular the penguin colony. While the proposal states that the development is not seen from the penguin viewing platform, it will be seen from Bass Strait. The carpark and function centre lights may interfere with the penguins.

Yours sincerely,

Rebecca Flanagan, 185 Beach Rd., Leith. Tel. 0411840310

From: Aboriginal (Heritage) <aboriginal@heritage.tas.gov.au>
Sent: Monday, 18 February 2019 2:32 PM
To: Devonport City Council
Cc: Schlitz, Matthew (Heritage)
Subject: Application for a Planning Permit - 10363 Bass Highway, Lillico (PA2019.0008)

Good afternoon,

I am contacting you in regards to the Application for a Planning Permit for 10363 Bass Highway, Lillico (PA2019.0008), currently advertised on the Devonport City Council website.

Aboriginal Heritage Tasmania (AHT) can advise that there are several Aboriginal heritage sites recorded very near to or within the proposed development area (consisting of an shell middens, artefact scatters and isolated artefacts). The surrounding landscape moreover, is considered to be conducive to further Aboriginal heritage.

It is therefore recommend that the applicant contact AHT in regards to the project as an assessment may be required.

Please feel free to contact AHT if you have any questions.

Kind Regards,

Claire Keating

Aboriginal Heritage Tasmania
Department of Primary Industries, Parks, Water and Environment
3rd Floor, Lands Building, 134 Macquarie Street, Hobart
GPO Box 44, Hobart, TAS, 7001

p 03 6165 3152
e aboriginal@heritage.tas.gov.au

www.aboriginalheritage.tas.gov.au



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5.0 CLOSURE

There being no further business the Chairperson declared the meeting closed at pm.