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**DEVONPORT CITY COUNCIL**

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29 January 2021

Mr Rodney Russell
225 Steele Street
DEVONPORT TAS 7310

Dear Mr Russell

RESPONSE TO QUESTION WITHOUT NOTICE RAISED MONDAY 25 JANUARY 2021

I write in response to your question without notice, taken on notice at the Council Meeting on Monday, 25 January 2021, as outlined below.

Q Motors car yard on Don Road are parking their cars for sale on the bark landscaping fronting on to Don Road. Is this allowed as part of the Planning Scheme conditions?

Response

The bark garden to which you refer is part of the car yard title and is privately owned. There are no provisions within the planning scheme which regulate where cars can be parked within the site boundary.

Yours sincerely

Matthew Atkins
GENERAL MANAGER

*The City with Spirit*

QUESTIONS ON NOTICE Council Meeting 22 Feb Christopher Mills**52 Caroline St. Devonport.****1.**

Mr Atkins has stated that quote : “*The Council has staff with the necessary qualifications and experience necessary to undertake the work they have done on that piece of land next to Mr Mills’ property*”

I am aware that the General Manager is “comfortable” with these qualifications. But surely any reasonable person whose home has knowingly been put at risk of landslip by the current Management, , would be anxious to know , what exactly are the ”*necessary qualifications*” held by these Staff who assessed the risk of landslip “*on that piece of land next to Mr Mills’ property?*”

2 I have the evidence in my possession, that the Mayor, the Councillors & “Relevant Staff” are not permitted to answer questions put by Christopher Mills without the explicit approval of Mr Atkins (General Manager)

However..what the Elected members & “Relevant Staff“ may not be aware ofis that Devonport Council on 25 January 2021, may have resorted to acting unlawfully ... in a further attempt to withhold information from Christopher Mills .

Q. Has Devonport Council acted unlawfully by directly discriminating against Christopher Mills, contrary to Section 14 (1) of the Anti-Discrimination Act (TAS) 1998 ?

CsoN RBV – P Place Legal costs and new lease SWD 22 Feb 2021 send

FROM- BOB VELLACOTT – RATEPAYER
11 COCKER PLACE DEVONPORT 7310

TO - MAYOR AND COUNCILLORS - DEVONPORT CITY COUNCIL
COUNCIL CHAMBERS
ROOKE ST DEVONPORT 7310

Subject – Questions on Notice for DCC meeting 22nd Feb. 2021 re Legal costs and lease agreement for tenancy 5 (SWD)

Question 1 -

Mayor, I refer to your response, as per the DCC ordinary meeting minutes 25th Jan 2021, to my question without notice asked at the 25th Jan 2021 meeting.

Q3 - Do any of you know, or have any idea how much has been expended on the legal advice to sort out the problems pertaining to the initial lease and other leases or matters in regard to the Southern Wild Distillery tenancy which I note is listed as tenancy 5 in the closed session agenda for tonight, and I wonder what that is all about it?

Response *“The Mayor said that again she was taking that as commentary, but the response is yes we have been kept up to date with costs right through the process.”*

Mayor -the response given by you appears to be an outright contradiction of the general manager’s response (ref Agenda item 3.2.2 of 25th Jan 2021 to my questions on notice) that – *“Legal expenses are not captured or reported to the detail you request”*

I ask ,seeing as you have publically implied ,or can I say , admitted that indeed you know how much of ratepayers funds have been expended on Legal advice /services relevant to my question, will you please now inform what is the total amount expended **to sort out the problems pertaining to the initial lease and other leases or matters in regard to the Southern Wild Distillery tenancy** ,as at the date of my Question on Notice - i.e.25th Jan 2021 ?

Question 2 – Mayor if you are not willing to provide the information regarding the legal expenses, as requested, will you please provide the evidence that prohibits you from doing so?

Question 3 - I note in the Minutes of the closed session of the DCC meeting 25 Jan 2021 ITEM 8- 5.2 – Lease agreement-Tenancy 5 -13-17 Oldaker Street (which I presume is where Southern Wild Distillery is situated) that the outcome of council’s, secret, deliberations was – *“General Manager authorised to execute lease agreement “*

a) Is it a fact then that since the cancellation of the replacement head lease agreement, in December 2019, that Southern Wild Distillery has been in possession and operating without a legally binding agreement with council ?

b) Has Southern Wild Distillery been paying a commercial rental amount each month since Council took over management of Providore Place, including tenants, on 1 January 2020? And

c) Why has it been necessary for such a long delay in sorting out and or finalising this affair?

Question 4 –Noting that Council, in adhering to its policy of openness and transparency, released details of the lease agreement pertaining to Drysdale TAFE and the Redline tenancies: **/2**

Page 2

Will council now release details of the lease agreement with Southern Wild Distillery once they have been executed by the General Manager, and become a legally binding agreement?

Question 5- If council is not able to disclose details as requested in question 4; will Council provide Information as to what will prevent you from doing so?

Question 6- Will the General Manager confirm that the said agreement, assumed entered into with Southern Wild Distillery, will guarantee the rent return and remove Council's exposure to financial risk?

Please Include all above and the answers in the agenda for the DCC meeting f 22nd Feb.2021

R.B. Vellacott

11th February 2021

Devonport City Council
137 Rooke Street
DEVONPORT TAS 7310

Malcolm Gardam
4 Beaumont Drive
MIANDETTA TAS 7310
(Mobile No: 0417 355 813)

ATTENTION: MR. MATTHEW ATKINS – GENERAL MANAGER (MAYOR & COUNCILLORS)

RE: GOVERNANCE QUESTIONS ON NOTICE

Dear Sir,

The following is submitted as questions on notice to the Ordinary Meeting of Council scheduled for Monday 22nd February 2021.

Waterfront Park Redevelopment

Q1. The progress on the Waterfront Park Redevelopment appears to be stalled as a result of the hotel construction encroachment on the parkland site; accordingly, will council please respond separately to each of the following as separate questions relating to the Waterfront Park Redevelopment construction contract:

- a)** What was the tendered Date for Practical Completion?
- b)** What was the Date for Practical Completion at tender award?
- c)** Are there Separable Portions in the contract?
- d)** What is the date that Vos Construction (Vos) will assume control of the area currently occupied by Fairbrother Pty Ltd (Fairbrother) to enable it to productively complete construction of the Service Road, Elevated Walkway and parklands proper?
- e)** Has any extension(s) of time been approved for the Waterfront Parkland Redevelopment contract since tender award?
- f)** Has any extension(s) of time been approved for the Waterfront Parkland Redevelopment contract due to delays stemming from hotel construction delays?
- g)** If hotel construction delays have contributed to parkland construction delays then what is the extent of those delays on the Waterfront Parkland contract in weeks or months?

Q2. It was previously asked if the Hotel Developer was reimbursing Council for use of the new parkland area currently occupied to facilitate the hotel construction (estimated at about 40% of the area of the new parkland bordered by Formby Road and Rooke Street) to which Council responded that it was not; accordingly, will council please respond separately to each of the following as separate questions relating to the hotel developer's use of the sizeable area of the Waterfront Parkland Redevelopment site as a hotel construction laydown area and to house site amenities:

- a) Does Council deny that the requirement for the Waterfront Parkland contractor (Vos) to programme works around the hotel construction intrusion onto the parkland site, and effectively add considerable time, at least in the order of 6 months to the parkland construction contract period, has added cost to the parklands price?
- b) Do Councillors know what the protracted contract period in the initial Waterfront Parkland Redevelopment programme, to reduce the hotel construction costs by making part of the parkland site available, has cost ratepayers in the awarded waterfront park contract price?

- Q3.** Noting the General Manager was reported in The Advocate on the 11/3/20 that *"By the end of 2021, we should have the waterfront park built and the hotel completed by Fairbrother,....."* will the General Manager confirm the current Waterfront Parkland Development contract Date for Practical Completion (or Adjusted Date for Practical Completion if applicable)
- Q4.** Noting the General Manager was reported in The Advocate on the 11/3/20 that *"Work on the next part of the park starts next month which is the playspace, barbeque and toilet area and involves reclaiming part of the river."* and that was almost 12 months ago, does Council concede this is an indication that a delay to the elevated walkway has affected productive completion of the above referenced works on the eastern side of Formby Road?
- Q5.** Will the General Manager please advise as to where the latest "For Construction" drawings for the Elevated Walkway can be viewed?
- Q6.** Will the General Manager please advise where the latest "For Construction" general layout drawings for the waterfront parklands can be viewed as currently displayed information does not appear to be the latest versions?

Waterfront Hotel Development

- Q7.** Worksites shared between head contractors (such as is the case with Council affording Fairbrother access to about 40% of the parkland site bordered by Formby Road and Rooke Street) has historically led to contractual EOI's (extensions of time) and delay costs where the Principal (DCC) is responsible for the delays – in this instance any delay caused by the hotel development that delays completion of the new waterfront parkland contract would be a DCC caused delay and a valid delay cost claim by Vos; accordingly, **will the General Manager confirm the existence of a legally binding agreement with the hotel developer and/or Fairbrother for reimbursement of delay costs incurred by Vos resulting from Fairbrother's occupation of the area of the new parkland site and thereby protecting ratepayers from funding those costs?**
- Q8.** Early in the development application stage it was indicated that the new hotel would utilise the Rooke Street bus interchange for tourist buses and the like servicing the hotel; **will Council confirm precisely how buses specifically servicing the hotel have been addressed in the final design?** (i.e. use the public bus interchange, alternate on-street parking or own off-street parking?)

Please acknowledge receipt and ensure inclusion in full in the February meeting Agenda.

Yours sincerely,

Malcolm Gardam
CC: Mayor & Councillors

QoN RBV Bus terminal for 22 Feb 2021 send

From - ROBERT .B. VELLACOTT – Ratepayer
11 COCKER PLACE
DEVONPORT 7310

TO -THE MAYOR AND COUNCILLORS
DEVONPORT CITY COUNCIL
ROOKE ST DEVONPORT 7310

QUESTIONS ON NOTICE FOR DCC MEETING 22nd FEB 2021

Question 1

a) You Mayor were reported as saying *"The council would like to see a bus transit centre in Devonport and understand that without one, there is no assistance for the vulnerable passengers, such as the elderly or the young."*(Ref Adv. Jan. 26) and (ref Adv. Feb 13) *"Obviously if it's a possibility we would welcome (a transit centre) but I don't know where it would be."*

And on the same day the Minister for Transport stated *"...there is a transit hub at the modern paranapple centre in Rooke St, Devonport,...."* so with what appears to be confusion if Devonport has a bus transit centre or not - then when did discussions between council and the Minister for Transport commence to utilize the paranapple centre and the visitors information centre as a transit centre? (Ref the "Devonport Interchange Improvements" advertisement in The Advocate 13th Feb 2021)

And

b) In addition to what you Mayor was reported as saying above in The Advocate of the 26th January 2021 in that you said council supports keeping the city's bus transit centre in Devonport you were also reported as saying *"We would encourage the State Government and Redline Coaches in continuing to support the Devonport Transit Centre....."* Indicating you were referring to a Redline transit centre and - accordingly were you referring to the continuance of the now closed Redline Transit Centre in Providore Place and are you and all councillors still of that opinion ?

Q2

a) - Has council approached the Minster for Transport and/or State Growth about reopening and funding the Redline passenger centre in Providore Place? And -

b) - If Council has made an approach regarding reopening the Redline passenger centre in Providore Place then when was that?

Please include all of above and answers in the Agenda for the DCC meeting 22nd February 2021

R. B. Vellacott (13 Feb 2021)

DEV-P2.0 Particular Purpose Zone – Waterfront Complex

DEV-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone – Waterfront Complex is:

- DEV-P2.1.1 To provide for a mix of use and activities that are compatible with Visitor Accommodation and Residential uses.
- DEV-P2.1.2 To provide for use and development that does not interfere with the function of the established cycling and pedestrian network.

DEV-P2.2 Local Area Objectives

Reference Number	Area Description	Local Area Objective
DEV-P2.2.1	Mixed Use Precinct - shown on an overlay map as DEV-P2.2.1	<p>The local area objectives for the Mixed Use Precinct are:</p> <ul style="list-style-type: none"> (a) to reuse and adapt the existing building for visitor accommodation or business activities; (b) to use the car parking and landscaped area on the northern side of the existing building for a market or similar activity that does not interfere with the internal driveway servicing the other precincts; (c) to provide for use and development that services and supports residents or visitors to the area; (d) to provide for limited opportunities for Business and Professional Services and General Retail and Hire uses to establish in the precinct; (e) to allow medium density residential development and visitor accommodation that does not exceed the capacity of infrastructure such as water and sewerage; (f) to mitigate impacts from noise, light, or other emissions from non-residential uses; and (g) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.2	Accommodation Precinct – shown on an overlay map as DEV-P2.2.2	<p>The local area objective for the Accommodation Precinct is:</p> <ul style="list-style-type: none"> (a) to limit use and development to residential or visitor accommodation; and

		(b) to support the continued use of the cycling and pedestrian network.
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DEV-P2.3 Definition of Terms

DEV-P2.3.1 In this particular purpose zone, unless the contrary intention appears:

Term	Definition
Mixed Use Precinct	means the area of the zone identified in Figure DEV-P2.3.1.
Accommodation Precinct	means the area of the zone identified in Figure DEV-P2.3.1.
Mersey River	means the body of water identified in Figure DEV-P2.3.1.
Existing building	means a lawfully approved building that was existing on the effective date.

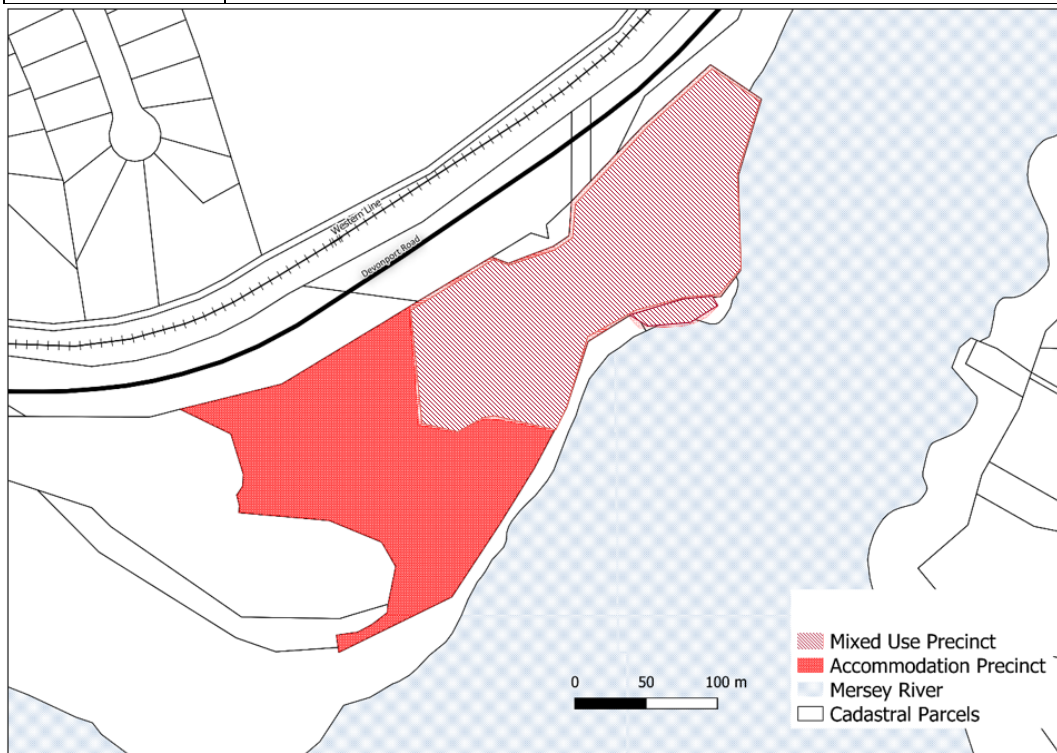


Figure DEV-P2.3.1: Precincts as referred to in clause DEV-P2.3.1

DEV-P2.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	

Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Community Meeting and Entertainment	If within the Mixed Use Precinct and for: (a) a function centre; or (b) a market.
Food Services	If within the Mixed Use Precinct and not for: (a) a drive-through facility; or (b) a take-away food shop.
Residential	If within the Accommodation Precinct.
Sports and Recreation	If within the Mixed Use Precinct and for: (a) outdoor recreation; or (b) indoor recreation in an existing building.
Visitor Accommodation	If not for camping and caravan park or overnight camping area.
Discretionary	
Business and Professional Services	If within the Mixed Use Precinct and for: (a) a consulting room; or (b) a veterinary centre.
Community Meeting and Entertainment	If within the Mixed Use Precinct and for: (a) a public art gallery; or (b) a place of worship.
General Retail and Hire	If within the Mixed Use Precinct and for: (a) a market; (b) a commercial art gallery; or (c) a shop only for the specific purpose of bike hire.
Residential	
Sports and Recreation	If within the Mixed Use Precinct and not listed as Permitted.
Tourist Operation	If within the Mixed Use Precinct.

Utilities	If not listed as No Permit Required.
Visitor Accommodation	If within the Accommodation Precinct and not listed as Permitted.
Prohibited	
All other uses	

DEV-2.5 Use Standards

DEV-P2.5.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to visitor accommodation or residential use.	
Acceptable Solutions		Performance Criteria
A1 Hours of operation for a use, excluding Residential and Visitor Accommodation, must be within the hours of 7.00am to 6.00pm.		P1 Hours of operation for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to Residential or Visitor Accommodation uses, having regard to: <ul style="list-style-type: none"> (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.
A2 External lighting for a use, excluding Residential and Visitor Accommodation: <ul style="list-style-type: none"> (a) must not operate within the hours of midnight to 6.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property or sensitive uses within the site 		P2 External lighting for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to sensitive uses within the zone or on adjacent land, having regard to: <ul style="list-style-type: none"> (a) the number of proposed light sources; (b) the location of the proposed light sources; (c) the type of illumination and duration of lighting; (d) the proximity of the proposed light sources to nearby sensitive uses.

<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use excluding Residential and Visitor Accommodation, must be within the hours of:</p> <p>(a) 7.00am to 7.00pm Monday to Saturday; and (b) 9.00am to 4.00pm Sunday and public holidays.</p>	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Residential and Visitor Accommodation, must not cause unreasonable loss of amenity to sensitive uses having regard to:</p> <p>a) the time and duration of commercial vehicle movements; b) the number and frequency of commercial vehicle movements; c) the nature of the proposed use; d) existing levels of amenity; and e) any existing or proposed noise mitigation measures between the vehicle movement areas and Residential or Visitor Accommodation uses.</p>
<p>A4</p> <p>Air conditioning, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation, must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by Residential or Visitor Accommodation uses in the zone.</p>	<p>P4</p> <p>Air conditioning, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation must not cause unreasonable loss of amenity to Residential or Visitor Accommodation uses, having regard to:</p> <p>(a) the time and duration of emissions generated from plant and equipment; (b) the nature of the proposed use; (c) existing levels of amenity; (d) the landscaping of the site; and (e) any existing or proposed noise mitigation measures between the vehicle movement areas and Residential or Visitor Accommodation uses.</p>

DEV-P2.5.2 Uses in the Mixed Use Precinct

Objective:	That the scale and proportion of business and retail activities, excluding Residential and Visitor Accommodation uses, that can establish in the zone be limited	
Acceptable Solutions		Performance Criteria
A1	Business and Professional Services, Community Meeting and Entertainment, Food Services, General	P1 Business and Professional Services, Community Meeting and Entertainment, Food Services, General

<p>Retail and Hire, Sports and Recreation and Visitor Accommodation uses in the Mixed Use Precinct must:</p> <p>(a) be in an existing building; and</p> <p>(b) be for a single tenancy.</p>	<p>Retail and Hire, Sports and Recreation and Visitor Accommodation uses in the Mixed Use Precinct must not compromise the established character of the zone, having regard to:</p> <p>(a) the local area objectives;</p> <p>(b) the characteristics the site; and</p> <p>(c) the size, scale or permanency of the proposed use.</p>
<p>A2</p> <p>Business and Professional Services and General Retail and Hire uses in the Mixed Use Precinct must have a combined gross floor area of not more than 250m² in the Precinct.</p>	<p>P2</p> <p>No Performance Criterion.</p>

DEV-P2.6 Development Standards for Buildings and Works

DEV-P2.6.1 Building Height and Setbacks

Objective:	<p>The height and setback of buildings is to:</p> <p>(a) minimise the visual prominence of buildings and structures when viewed from the Bass Highway, Devonport Road or the Mersey River;</p> <p>(b) not cause unreasonable loss of sunlight to a habitable room of Residential or Visitor Accommodation uses;</p> <p>(c) minimise the impact on the pedestrian network and on adjoining land parallel to the banks of the Mersey River;</p> <p>(d) provide consistency in the apparent scale, bulk, massing and proportion of buildings; and</p> <p>(e) provide reasonable access to sunlight for existing solar energy installations.</p>
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Building height must be not more than 8.5m.</p>	<p>P1</p> <p>Building height must be compatible with existing buildings and not cause unreasonable loss of amenity having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the bulk and form of existing and proposed buildings; (c) the apparent height of proposed buildings when viewed from the Bass Highway, Devonport Road, and other public places; and (d) overshadowing of public places; (e) overshadowing and reduction in sunlight to habitable rooms and private open space of sensitive uses or Visitor Accommodation..
<p>A2</p> <p>Buildings must have a setback from the frontage of Devonport Road of:</p> <ul style="list-style-type: none"> (a) not less than 5m; or (b) not less than the setback of a building existing on the site . 	<p>P2</p> <p>Buildings must have a setback from the frontage of Devonport Road that is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the topography ; (b) the setback of existing buildings within the site; (c) the height, bulk and form of existing and proposed buildings; and (d) the safety and impact on the internal driveway and the pedestrian and cycle network.
<p>A3</p> <p>Buildings, fences and freestanding walls must not be constructed within 30m of the mean high water mark of the Mersey River.</p>	<p>P3</p> <p>No Performance Criterion.</p>

DEV-P2.6.2 Private open space for all dwellings

Objective:	<p>That dwellings are compatible with the amenity and character of the site and provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
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<p>A1</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(a) orientated to take advantage of sunlight.</p>
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DEV-P2.6.3 Separation of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to enter private open space for dwellings.	
<p>A1</p> <p>A multiple dwelling that is to the north of the private open space of another dwelling, must be setback a distance of 3m from the northern edge of private open space.</p>	<p>P1</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space of another dwelling on the same site.</p>	
<p>A2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or</p>	<p>P2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>	

(iii) has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.	
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DEV-P2.6.4 Waste Disposal for Multiple Dwellings

Objective:	That the storage of waste and recycling bins for multiple dwellings be provided.
A1 A dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m ² per dwelling and is within: <ul style="list-style-type: none"> (a) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from a dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area. 	P2 A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the proposed dwellings; (b) screened from the frontage and dwellings; and (c) in a location that can be accessed by a waste collection service.

DEV-P2.6.5 Outdoor Storage

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.
Acceptable Solutions	Performance Criteria
A1 Outdoor storage areas must not be visible from any road, public open space or pedestrian network in or adjoining the zone.	P1 Outdoor storage areas excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

DEV-P2.7 Development Standards for Subdivision**DEV-P2.7.1 Lot Design**

Objective:	That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone;
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	<p>(b) is provided with appropriate access to a road; and</p> <p>(c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards.</p>
<p>A1</p> <p>No Acceptable Solution</p>	<p>P1</p> <p>Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of:</p> <p>(a) slope, shape, orientation and topography of the site;</p> <p>(b) any established pattern of use and development;</p> <p>(c) connection to the road network;</p> <p>(d) availability of or likely requirements for utilities;</p> <p>(e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</p> <p>(f) presence of any natural hazards.</p>
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P2</p> <p>Each lot, or proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic;</p> <p>(d) the anticipated nature of vehicles likely to access the site; and</p> <p>(e) the ability for emergency services to access the site.</p>

DEV-P2.7.2 Services

Objective:	That the subdivision of land provides services for future use and development of land.
<p>A1</p> <p>Each lot must have a connection to a full water supply service.</p>	<p>P1</p> <p>Each lot excluding for a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to:</p> <p>(a) flow rates;</p> <p>(b) the quality of potable water;</p> <p>(c) any existing or proposed infrastructure to provide the water service and its location;</p> <p>(d) the topography of the site; and</p> <p>(e) (e) any advice from a regulated entity.</p>

<p>A2</p> <p>Each lot must have a connection to a reticulated sewerage system.</p>	<p>P2</p> <p>No Performance Criterion</p>
<p>A3</p> <p>Each lot must be capable of connecting to:</p> <ul style="list-style-type: none"> (a) a public stormwater system; or (b) existing stormwater system without increasing the rate of discharge to a waterway. 	<p>P3</p> <p>A lot proposed in a plan of subdivision must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> (a) the size of a lot; (b) topography of the zone; (c) the flow and rate of discharge to a waterway; (d) any existing buildings in the zone; (e) any area of the zone covered by impervious surfaces; and (f) water sensitive design measures proposed.

DEV-P1.8 Tables

This sub-clause is not used in this particular purpose zone.



Amendment of the Devonport Local Provisions Schedule



17 Devonport Road, Devonport & Crown Land

Planning Submission



Date	December 2020
Project Number	17.032
Project Name	Combined Rezoning and Planning Permit Application, Waterfront Complex Devonport
Author	Heidi Goess
Document	37 & 40T Planning Submission

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Place.

Glossary of Terms	
CCRLUS	Cradle Coast Regional Land Use Strategy 2010-2030
EMZ	23.0 Environmental Management Zone
DevLPS	Devonport Local Provisions Schedule, 18 November 2020
Former Act	The reference is referring to the former provisions of the Land Use Planning and Approvals Act 1993 that was in force before 16 December 2015 as per the transitional arrangements provided by Schedule 6 of the Land Use Planning and Approvals Act 1993 before the Devonport Local Provisions Schedule was made on 18 November 2020.
RecZ	28.0 Recreation Zone
PPZ	Particular Purpose Zone
PPZ WC	The proposed Particular Purpose Zone – Waterfront Complex
Site	The site is the Waterfront Complex, 17 Devonport Road, Devonport (CT42522/4) and 590m ² of Crown land, PID 1962391.
SPPs	State Planning Provisions
The Act	<i>Land Use Planning and Approvals Act 1993</i>
TPC	Tasmanian Planning Commission
TPS	Tasmanian Planning Scheme
Guideline 1	<i>Guideline No 1 – Local Provisions Schedule (LPS) - zone and code application.</i> The TPC has issued this under section 8A of the Land Use Planning and Approvals Act 1993.

1 Introduction

The application, under s.37 of the *Land Use Planning and Approvals Act 1993* (the Act), requests the planning authority, the Devonport City Council (the Council), amend the Devonport Local Provisions Schedule 2020 (DevLPS). Additionally, under s.40T of the Act, the application requires a permit for a change of use to the Waterfront Function Centre from 'Community Meeting and Entertainment' to Visitor Accommodation. A permit for a change of use to Visitor Accommodation cannot be granted by the Devonport Council without an amendment to the DevLPS.

The Planning Submission, prepared by Plan Place Pty Ltd (Place) on behalf of Rynmarc Pty Ltd, concerns the Waterfront Complex at 17 Devonport Road, Devonport and adjoining Crown land (refer to Figure 1). Rynmarc Pty Ltd, as the property owner, has given consent for Plan Place Pty Ltd to lodge this application. The Crown has also given consent for the property PID 1962391. The consents are per the requirements of section 37 (3)(a) (refer to Appendix A). The completed application forms are also in Appendix A.



Figure 1: Aerial photograph of the property boundaries (including Crown land) subject to this application (aerial photograph source: theLISTmap)

This Planning Submission is prepared to:

- provide the rationale for the spatial application of a Particular Purpose Zone;
- demonstrate compliance with the requirements of the Act; and
- provide the information required for the proposed change of use concerning the existing function centre.

Place.

1.1 Background

Place, on behalf of Rynmarc, applied on 21st August to the Council to amend the Devonport Interim Planning Scheme 2015 and seek a planning permit (as per above). The application was made, under section 43A of the former *Land Use Planning and Approvals Act 1993*, soon after receiving the consents from the Crown, as part-owner of the site. Place could not make the application to Council without consents from all property owners.

The Council, under section 43E of the former *Land Use Planning and Approvals Act 1993*, requested further information (RFI) on 30th September 2020. The statutory timeframe associated with the application does not run while the RFI is not satisfied.

The RFI is mostly concerned with the written document of the proposed Particular Purpose Zone - Waterfront Complex (PPZ WC). Consequently, after discussions with the staff of the Council, Place amended the PPZ WC written document.

The Devonport Local Provisions Schedule (DevLPS) as part of the Tasmanian Planning Scheme came into effect on 18th November 2020. The Devonport Interim Planning Scheme 2015 ceased to exist.

The application for a combined amendment to the Devonport Interim Planning Scheme (Interim Scheme) and the planning permit was not initiated and certified by the Council before 18th November 2020. Therefore, the application for an amendment and planning permit cannot continue the assessment detailed under the former *Land Use Planning and Approvals Act 1993* as per the *Schedule 6 – Savings and Transitional Arrangements of the Act*. Instead, the Council must consider the combined application as per s.37 and s.40T of the Act.

Therefore, the Planning Submission is re-written to reflect the requirements of s.37 and s.40T of the Act.

Advice obtained by the staff of the Council has confirmed that it is unnecessary to seek a new consent from the Crown concerning the application set out in this Planning Submission. The application is valid, and the Council can proceed with the assessment.

2 Combined Amendment and Planning Permit

The application seeks for the planning authority to:

- 1. Insert the Particular Purpose Zone – Waterfront Complex into the written document of the Devonport Local Provisions Schedule (refer to Appendix B);***
- 2. Spatially apply the Particular Purpose Zone – Waterfront Complex to the site at 17 Devonport Road and adjoining Crown land in the Devonport Local Provisions Schedule Zones; and***
- 3. Grant a planning permit for a change of use of the Waterfront Function Centre from 'Community Meeting and Entertainment' to 'Visitor Accommodation'.***

2.1 Particular Purpose Zone – Waterfront Complex



Figure 2: The application proposes to apply the Particular Purpose Zone - The Cove (red shaded area) to the site and the Crown land (source: 6ty)

The amendment proposes to insert the PPZ WC into the written document of the DevLPS (refer to Appendix B) and spatially apply this zone to the site, as shown in Figure 2. The site includes 590m² of the adjoining Crown land.

The lease area (DPIPWE Ref: 076344) approved on 6th March 2020) can accurately define the proposed zone boundary for the portion of Crown land.

The spatial application of the PPZ WC, if approved, will replace the EMZ and the RecZ as shown on Zone Map 8 of 10 in the DevLPS (refer to Figure 3). Additionally, the PPZ WC will provide tailored provisions for the site in the DevLPS written document.

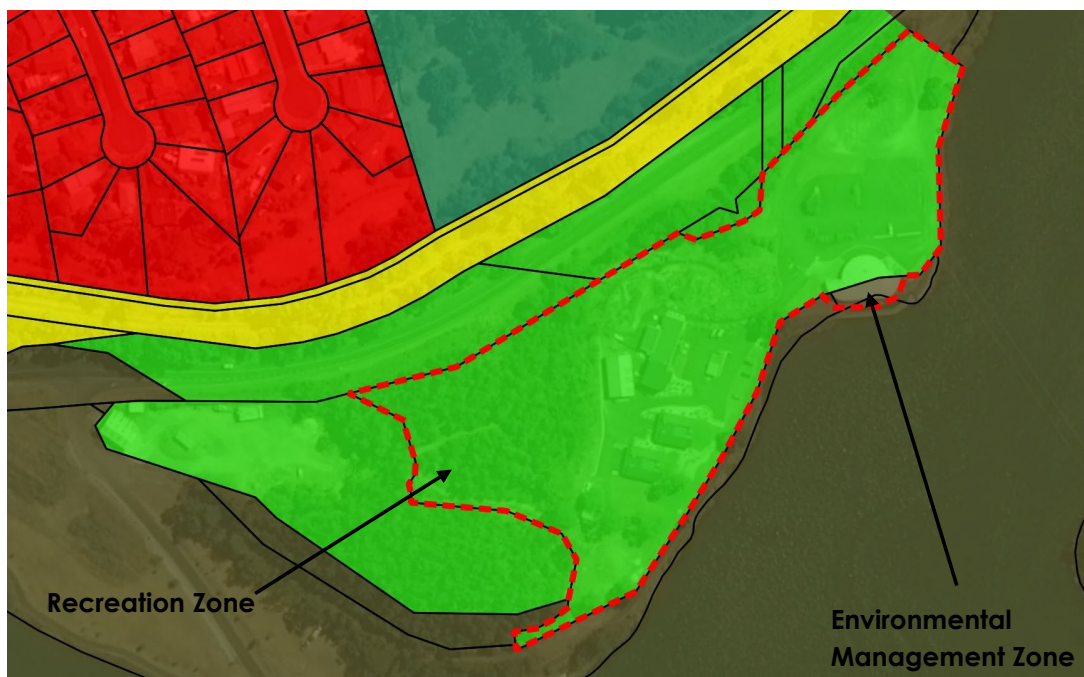


Figure 3: Excerpt of the zone map, Devonport Local Provisions Schedule: Zones, Excerpt from Map 8 of 10. Red dashed lined shows the spatial application of the PPZ over the current zones (source: theLISTmap)

2.2 Planning Permit - Change of Use

The application proposes a change of use for the existing Waterfront Function Centre (refer to Figure 2) to the use class 'Visitor Accommodation'.


This change of use involves the reconfiguration of the internal floor space of the existing building to create four rooms for accommodation. The reconfiguration of the interior floor space will require the removal of windows from sections of the external building façade to facilitate this change as per the proposal plans prepared by Tas Laughlin. Section 9 of this submission considers the application for a planning permit in further detail.

The use class *Visitor Accommodation* is listed as discretionary at 28.2 Use Table in the SPPs. However, due to the qualification, this use class is limited to camping and caravan park or overnight camping area. The proposed change of use is, therefore prohibited, and there is no permit pathway for the application under *the Act*, and a rezoning of the site is necessary.

While the function centre building on the site projects over two zones, *Clause 7.7 Buildings Projecting onto Land in a Different Zone* in the SPPs does not provide an alternative avenue for a planning permit pathway for the change of use.

3 Property Overview

Table 1 provides an overview of the site.

Table 1: Overview of the Site																				
3.1 Site Overview and Surrounding Uses																				
Site	<p>The site is the Waterfront Complex, 17 Devonport Road, Devonport (CT42522/4) and 590m² of Crown land, PID 1962391 (refer to Figure 4).</p> <div></div> <p>Figure 4: The site, 17 Devonport Road and adjoining Crown land (source: 6ty Pty Ltd)</p>																			
Owners	<p>The property owners are the Crown and Rynmarc Pty Ltd. Appendix A contains the required consents.</p>																			
Certificates of Title and Area (Appendix C)	<table><tr><th>Certificates of Title</th><th>PID</th><th>Area</th><th>Address</th></tr><tr><td>42522/4</td><td>7703892</td><td>31170 m²</td><td>17 Devonport Road, Devonport</td></tr><tr><td>N/A</td><td>1962391</td><td>590m²</td><td>Crown land -No address</td></tr><tr><td>Total Area</td><td></td><td>±31760 m²</td><td></td></tr></table>	Certificates of Title	PID	Area	Address	42522/4	7703892	31170 m ²	17 Devonport Road, Devonport	N/A	1962391	590m ²	Crown land -No address	Total Area		±31760 m ²				
Certificates of Title	PID	Area	Address																	
42522/4	7703892	31170 m ²	17 Devonport Road, Devonport																	
N/A	1962391	590m ²	Crown land -No address																	
Total Area		±31760 m ²																		
Frontage	<p>CT: 42522/4 has approximately 350m+/- linear frontage to Devonport Road. PID 1962391 does not have frontage to a road.</p>																			

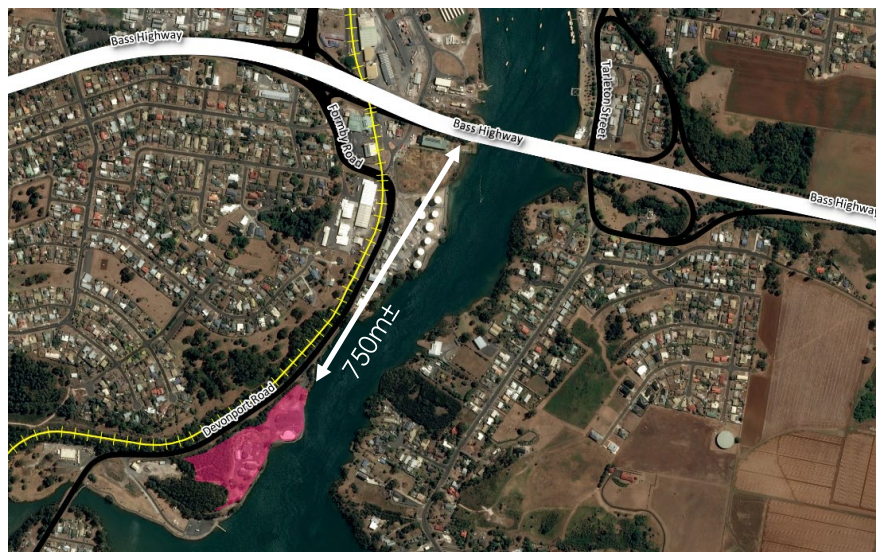
**Site
Description**

Figure 5: The site and the spatial relationship to the Bass Highway (source: theLISTmap)

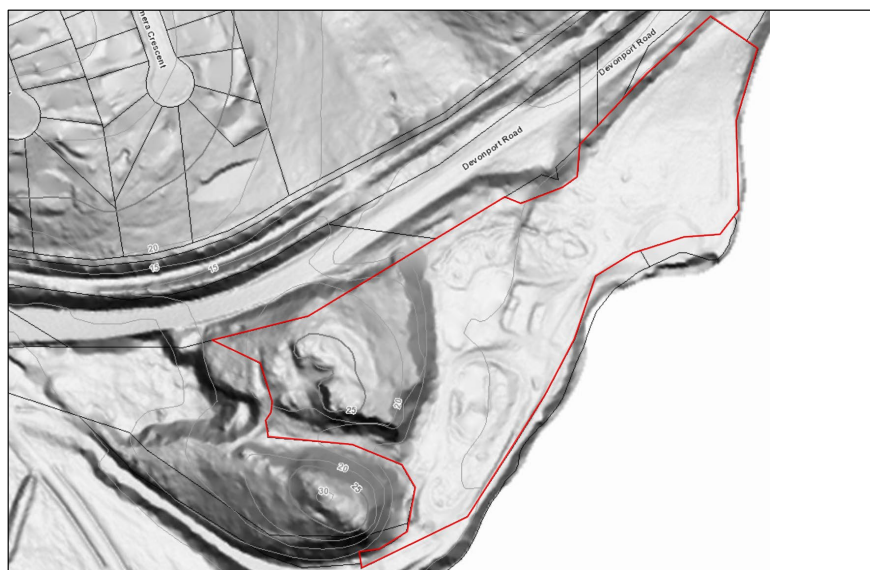


Figure 6: Hillshade Basemap showing the topography of the site and its elevation (source: theLISTmap)

The site, located to the south of the Bass Highway, is flanked between Devonport Road and the Mersey River. The State Railway Network (Western Line) runs parallel to the site on the north-western side of Devonport Road (refer to Figure 5).

The site, located between the rocky outcrop and the Mersey River (refer to Figure 6), is flat and open. The site has direct views of development along the eastern bank of the river and residential

development of Ambleside. The internal driveway provides access to the top of the elevated portion of the site.





Figure 7: Composition of uses on the site (source: Bing Aerial and theLISTmap)



Figure 8: Approved visitor accommodation for the site as per Planning Permit 2014.0173. Both Unit Block Type 1 have been constructed (source:6ty)

The site contains (refer to Figures 7 and 8):

- A function centre and associated car parking area (excess 80 spaces);
- Manager's residence: and
- A mini-golf course, BBQ shelter, storage shed and café;
Self-contained apartments (four apartments in two constructed buildings).

Site Coverage	 <p>Figure 9: Location of the buildings across the site</p> <table border="1"> <thead> <tr> <th>Building</th><th>Floor Area</th></tr> </thead> <tbody> <tr> <td>1</td><td>Waterfront Function Centre</td></tr> <tr> <td>2</td><td>Café</td></tr> <tr> <td>3</td><td>Managers Residence</td></tr> <tr> <td>4</td><td>Visitor Accommodation (Constructed)</td></tr> <tr> <td>5</td><td>Storage Shed</td></tr> <tr> <td>6</td><td>BBQ Shelter</td></tr> <tr> <td>7</td><td>Other sheds</td></tr> <tr> <td>Site Coverage</td><td>±5% (±10%)¹</td></tr> </tbody> </table> <p>Note: measurements are an estimate only, derived from theLISTmap in addition to scaling of plans previously prepared for the site. Calculated site coverage is for roofed buildings only.</p>	Building	Floor Area	1	Waterfront Function Centre	2	Café	3	Managers Residence	4	Visitor Accommodation (Constructed)	5	Storage Shed	6	BBQ Shelter	7	Other sheds	Site Coverage	±5% (±10%) ¹
Building	Floor Area																		
1	Waterfront Function Centre																		
2	Café																		
3	Managers Residence																		
4	Visitor Accommodation (Constructed)																		
5	Storage Shed																		
6	BBQ Shelter																		
7	Other sheds																		
Site Coverage	±5% (±10%) ¹																		
Land Use Composition	 <p>Figure 10: Composition of uses on the site (source: Bing Aerial and theLISTmap)</p>																		

¹ Site coverage will increase to ±10% if remaining approved buildings as per PA2014.0173 are constructed.

Place.

	Use		Estimated Site Area (%)
	Waterfront Function Centre, Associated Structures & Car Park		±27% (8575m ²) (±7% Function Centre building)
	Visitor Accommodation		±49% (15560 m ²) (area approved for visitor accommodation as per PA2014.0173)
	Managers Residence, Mini Golf Course, Café, Storage Shed		±24% (7620m ²)
	Note: measurements are an estimate only and were derived from theLISTmap using map tools in addition to scaling off plans prepared for the site previously		
Planning Permits – History (Post 1999)	Planning Permit	Use/Development	
	PA990217	Function Centre	Constructed
	SA2007.0019	Two Lot Subdivision	Permit Lapsed
	PA2011.093	Café	Constructed
	PA2011.0127	Motel	Superseded by Apartments
	PA2014.0131	Manager's Residence	Constructed
	PA2014.0173	Waterfront Villa Apartments	Two buildings constructed (refer to Appendix D)
Amended Planning Permit PA2014.0173	The Council granted a minor amendment to Planning Permit PA2014.0173 under s56 of the Act. The amendment modified the approved visitor accommodation on the lower levels of the site, reducing the number of apartments and building height (refer to Appendix E).		
Function Centre Building	<p>The Waterfront Function Centre building, constructed in 2001, is located on land identified in CT 42522/4 and Crown land (refer to Figure 10). The appropriate approvals were granted by the Council (PA990217) and the Crown (Lease No. 076344 and File Reference M426566) before the construction of the building.</p> <p>A new lease was approved on 6th of March 2020 for ten (10) years. The property owner could not obtain a lease for a more extended period. Rynmarc Pty Ltd is unable to purchase the land subject to the Crown lease.</p>		

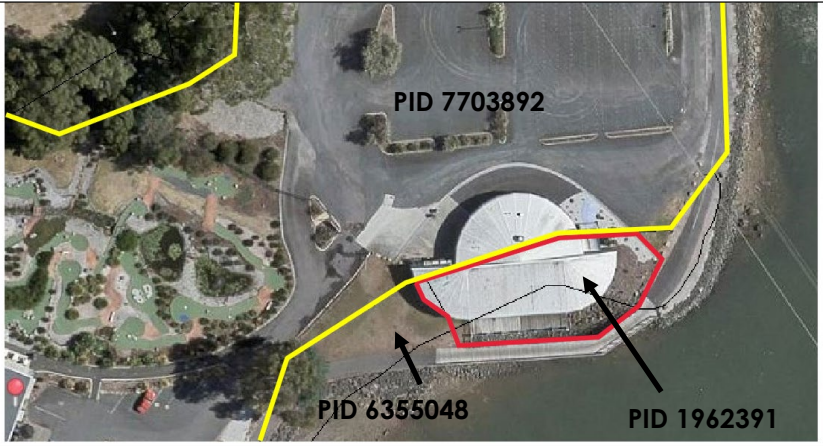

Lease Area	 <p>PLAN IS FOR ILLUSTRATION PURPOSES ONLY</p> <ul style="list-style-type: none"> Lease Area Freehold Property CT 42522/4 → Locality Point <p>File Number: 076344 PID: 1962391 Area Estimate: ± 590 m²</p> <p style="text-align: center;">Locality Plan</p>  <p><i>Figure 11: Lease Area over Crown Land</i></p>
3.2 Infrastructure and Services	
Stormwater	<p>The site is not connected to the reticulated stormwater system. Stormwater is managed and drained to the Mersey River. Water sensitive urban design principles are utilised on-site to slow surface water run-off. There are no concentrated flows to the Mersey River.</p>
Reticulated sewerage system and mains water	<p>The site is serviced by reticulated sewerage system and mains water (refer to Figures 11 and 12).</p> <p>An internal private sewer line traverses the property to connect to the TasWater pump station, approximately 300m north-east of the site. The private sewer line can service the thirty-six (36) approved apartments (Planning Permit PA2014.0173).</p>



Figure 12: Reticulated Mains Water and Sewerage System (source: theLISTmap).

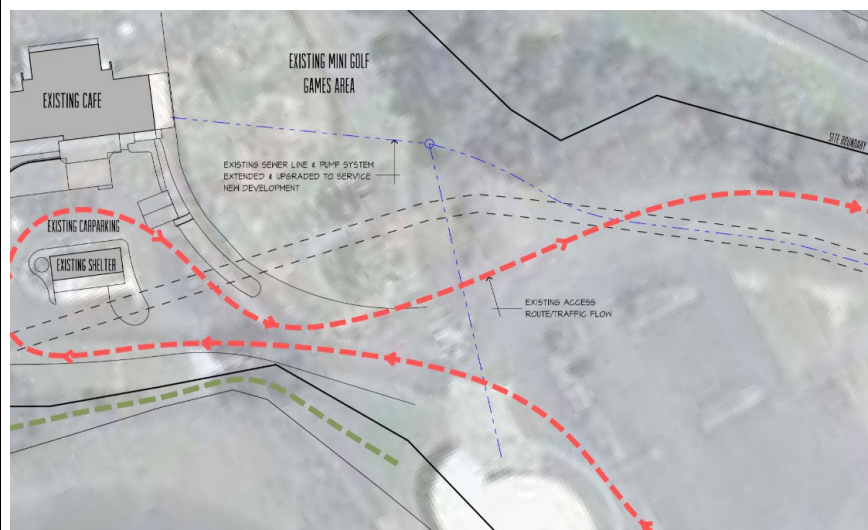


Figure 13: Internal Private Sewer Line traverses the proposed PPZ (source: 6tyo)

Access

Devonport Road is the main connector road between the Devonport CBD and Spreyton (refer to Figure 13). Devonport Road is a sealed road with 4m lanes (nominal 1m sealed shoulders).

Vehicle access is obtained from the north-western corner of the site from Devonport Road and connects with an internal driveway. The existing access is a sealed driveway, widening with auxiliary lanes to facilitate left and right turns into the site.

The speed limit is 60 km/hr along this section of Devonport Road. The Road Authority (City of Devonport) was consulted for the proposed change of use. There were no specific requirements raised with respect to access.

Please note that at the time the Planning Permit PA2014.0173 was approved, the speed limit of Devonport Road in this location was 80km/hr.

General vehicle use as stated within the Traffic Impact Assessment:

- 90 vehicle trips per day from the proposed accommodation (thirty-six apartments); and
- 300 vehicle trips per day café/function centre.

Traffic Impact Assessment provided as part of planning permit PA2014/0173 is attached for information only in Appendix F.

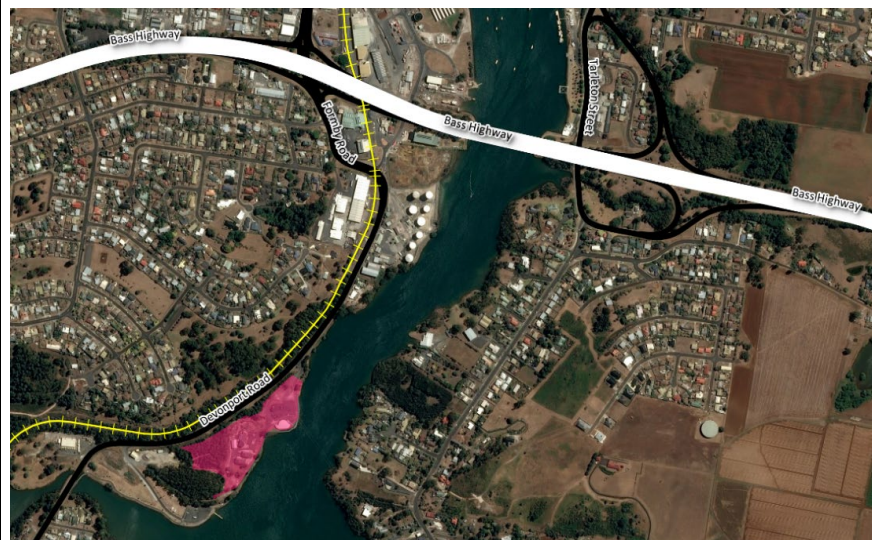


Figure 14: Road Network showing the Bass Highway and Devonport Road in relation to the proposed rezoning (source: theLISTmap)

3.3 Natural Hazards

Landslide Hazard

Rockfall susceptibility (refer to Figure 14) is a risk on the site. GeoTon Pty Ltd in 2014 undertook a landslide risk assessment as part of Planning Permit PA2014/0173 (refer to Appendix G). The assessment by GeoTon Pty Ltd formed part of the endorsed plans and documents.

The assessment demonstrated that the approved use and development achieved a tolerable level of risk. The recommendations made in the report have been actioned.

The Waterfront Function Centre building is outside of the area of the site subject to landslide risk.

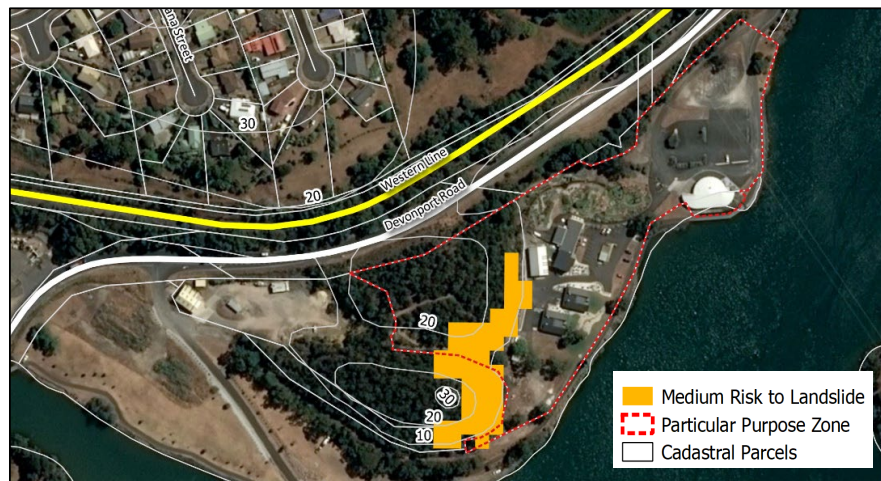


Figure 15: Landslide Planning Map (source: Hazard Band Series, Dept. Premier and Cabinet, theLISTmap)

Coastal Inundation & Flooding

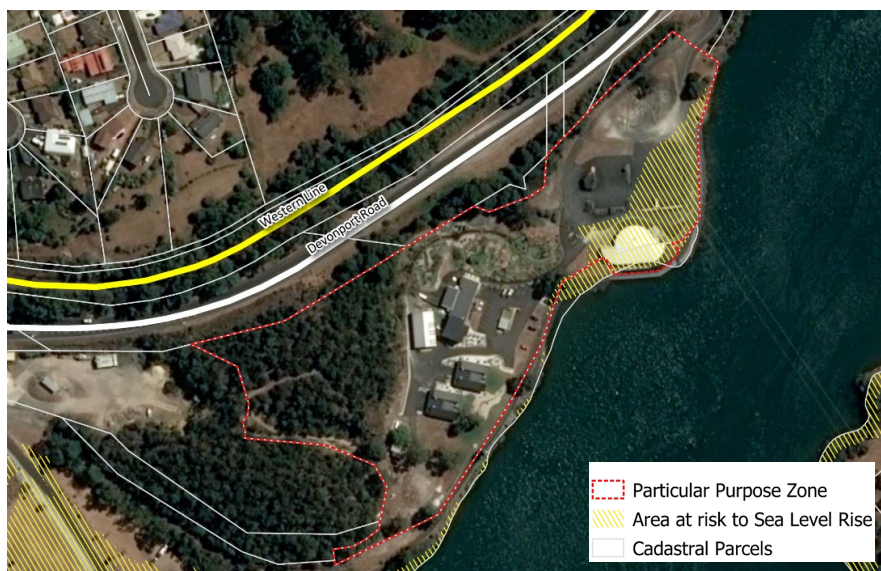


Figure 16: Coastal inundation risk concerning the site (source: theLISTmap)

The Coastal Inundation Mapping for Tasmania prepared for the Department of Premier and Cabinet in June 2016 indicates that the site is subject to coastal inundation and flooding.

Verbal advice from the Council confirms that flooding of the Mersey River in recent years did not impact on the site. All buildings were unaffected. The proposed Coastal Inundation Hazard Code Overlay in the DevLPS (effective from 18th November 2020) was modified from

the abovementioned mapping to remove the site from this overlay map.

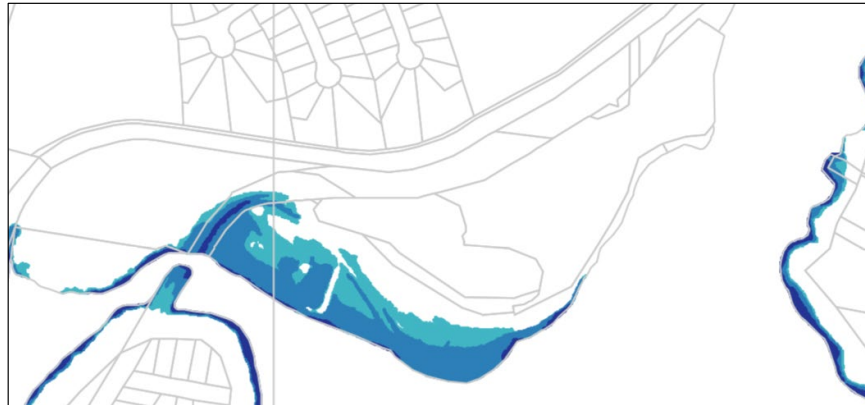


Figure 17: Coastal Inundation Hazard Code Overlay, Map 6 of 7 DevLPS. The site is outside of the hazard bands (areas shaded in blue).

Bushfire Management

The site is in a bushfire-prone area. A Bushfire Hazard Management Plan is in place for the visitor accommodation approved by Planning Permit PA2014/0173 (refer to Appendix H) is attached for information.

3.4 Native Vegetation

TasVeg

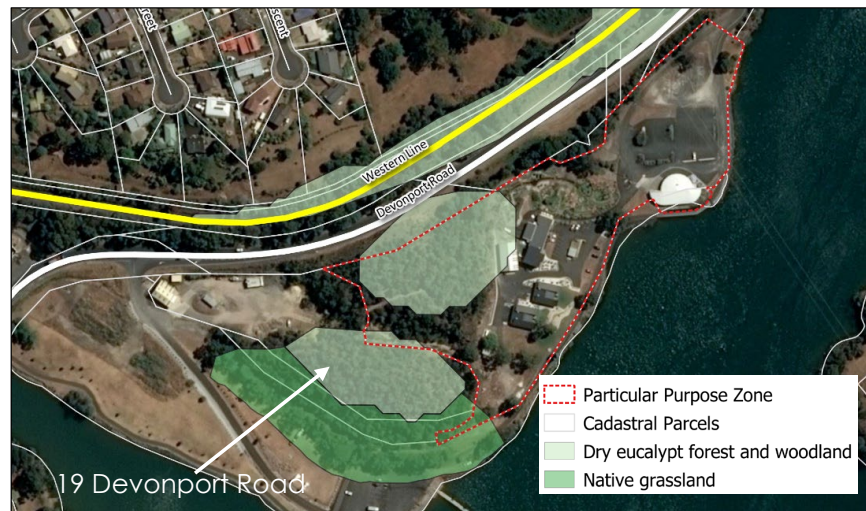
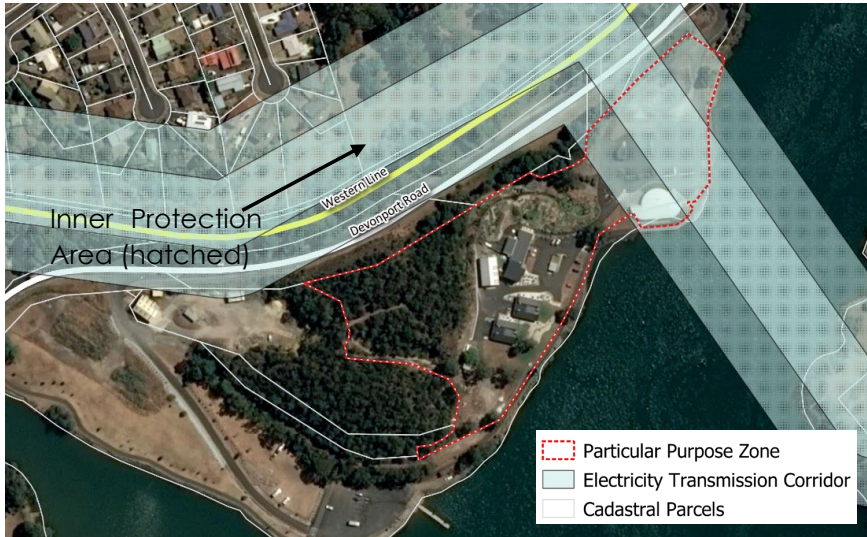



Figure 18: TasVeg 3.0 for the site (source: theLISTmap)

There is a dense stand of vegetation (dry eucalypt forest and woodland) contained on the rocky outcrop of the site which continues in a linear formation of trees along the frontage of the site (partially within the road reserve of Devonport Road). The vegetation on the site also extends into the adjoining property to the south-west at 19 Devonport Road (refer to Figure 17).

	The existing vegetation along the frontage obscures the visibility of the development from adjacent residential development at Miandetta and passing motorists travelling along Devonport Road.
3.5 Other Site Restrictions	
Electricity Transmission Corridor (±25% of the site)	<p>The Electricity Transmission Corridor Protection Area (Figure 18) occupies approximately 25% of the site. Proposed new use and development in this portion of the site triggers assessment against the Electricity Transmission Infrastructure Protection Code in the SPPs.</p>  <p>Figure 19: Electricity Transmission Corridor (source: TasNetworks, theLISTmap)</p>
3.6 Surrounding Land Uses	
	 <p>Figure 20 (a): Overlooking Devonport from Ambleside, fuel tanks are prominent in the urban landscape</p> <p>A mix of commercial, industrial and residential development is established along Devonport Road, between the Bass Highway and site. The buildings and structures most notable along this section of</p>

road is the warehouse at 4 Formby Road and the white fuel tanks at 2 Westpoint Road.

The cluster of white-painted fuel tanks (refer to Figures 19(a)) along the western banks of the Mersey River are a dominant feature in the urban landscape and river environment when viewed from upstream or from the adjacent high points of Ambleside or the Bass Highway.

The rail infrastructure divides the site from residential development at Miandetta and the public open space. The residential uses at Miandetta are characterised predominately by single, and two-storey detached dwellings on traditional urban sized lots, intermixed with some multiple dwellings.



Figure 19b: Site viewed from the residential area of Ambleside



Figure 19c: Bike Riding and cycling and walking pathway located on the site forming part of the Great Foreshore Ride.

The land immediately adjoining the southern side of the site, identified on Certificate of Title 149487/2 at 19 Devonport Road has over recent years been utilised for the inspection of large public vehicles. The

Place.

	<p>topography of this adjoining land ensures that this activity is isolated from the existing development of 17 Devonport Road.</p> <p>The land at 19A Devonport Road is the Horsehead Creek Boat Ramp (Crown land) associated public car park (refer to Figure 19(b)). Vehicle access to the boat ramp is from Devonport Road.</p> <p>The TasWater treatment plant is located to the west of the site. The natural features of the locality, including the existing road and rail network, separates the site from adjoining residential development at Miandetta.</p>
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4 The Rationale for a Particular Purpose Zone

The following section of this report builds the rationale for applying a PPZ to the site. The proceeding discussion considers the:

- EMZ and the RecZ of the SPPs in the TPS;
- alternative zones available in the SPPs ;
- established hierarchy of centres within the municipal area; and
- function and purpose of the spatial application of the PZWC will serve.

4.1 Vision and Objectives for the Site

The vision for the site seeks to develop a vibrant and dynamic location, comprising a mix of use and development. Tailored use and development controls that instil flexibility for building reuse are critical to achieving a vibrant site and creating a welcoming destination in Devonport.

The strategic goals articulated by the Council's local strategies are consistent with the desired vision and objectives of the site.

The vision for the site is as follows:

- | | |
|---|---|
| 1 | <i>To create a safe, secure, vibrant waterfront environment connected to the business centre of Devonport through a walking and cycling network that is enjoyed by residents and visitors, strengthening the recreational and leisure experiences offered in Devonport;</i> |
| 2 | <i>To support the site as a regional attractor for the north-west of Tasmania and the visitor economy; and</i> |
| 3 | <i>To facilitate economic and employment growth in Devonport and the region.</i> |

The objectives are:

- | | |
|-----|---|
| (a) | <i>To provide the opportunity for infill development, comprising a mix of residential, visitor accommodation, small scale commercial development and limited retail activities;</i> |
|-----|---|

(b)	<i>To create an open landscaped waterfront that forms a seamless extension between private property and public open space;</i>
(c)	<i>To facilitate building renewal, reuse and adaptation;</i>
(d)	<i>To retain the public's access to the waterfront of the Mersey River adjacent to the site;</i>
(e)	<i>To diversify experiences and create a public open space that is welcoming, vibrant and lively, offering a safe, secure site that appeals to riders, pedestrians and visitors to Devonport; and</i>
(f)	<i>To be a riding destination as part of the Great Foreshore Ride, increasing the patronage of this network by recreational and commuter riders and pedestrians alike through providing a mix of uses, including small scale commercial activity on the site.</i>

4.2 Historical Zoning of the Site

The DevLPS spatially applies the EMZ and RecZ of the State Planning Provisions (SPPs), as shown in Figure 20.

The spatial application of a recreation zone in the planning schemes has applied to 17 Devonport Road since the former *Devonport and Environs Planning Scheme 1984 (Scheme 1984)*.

Due to the application of a 'like for like' translation between the Devonport Interim Planning Scheme (*Scheme 2013*) and the former *Devonport and Environs Planning Scheme 1984 (Scheme 1984)*, the site was zoned from Recreation (Special) to 18.0 Recreation Zone in the Scheme (2015). The 18.0 Recreation Zone also applied to the adjoining property at 19 Devonport Road as well as the adjoining road reserves (refer to Figure 20).

The Environmental Management Zone applied in the Scheme 2013 to all public land in the coastal zone of the municipal area (although there are some exceptions to this rule).

6ty Pty Ltd made representation on behalf of the property owner in 2012 while the Interim draft Scheme was on public exhibition. The Council did not support the request through the Scheme 2013 process although it acknowledged that proposed zoning was not entirely suited to the site.

The DevLPS has applied a similar rationale to the zoning of the site, applying the most equivalent zone available under the SPPs of the TPS.

Place made a representation in 2019 on behalf of the property owner during the public exhibition period of the DevLPS. The Council considered the representation as part of the DevLPS process, but no modification to the zoning occurred.

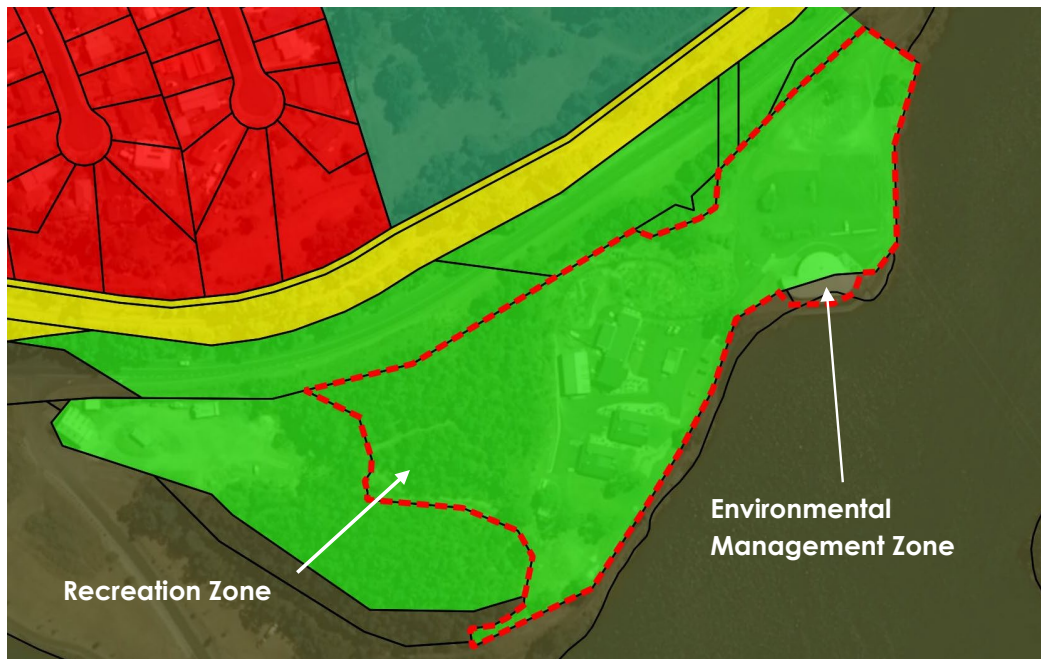


Figure 21: Zone Map, Devonport Interim Planning Scheme 2013 showing the current zoning of the site (source: theLISTmap)

4.2.1 Recreation Zone

Table 2 lists the properties in the RecZ.

Table 2: Titles within Recreation Zone at Devonport Road		
CT	Address	Ownership
42522/4	17A Devonport Road	Private
149487/2	19 Devonport Road	Private
32702/1	Road	Public
32702/2	Road	Public
42884/1 (part)	Road	Public
No identifier	Road	Public

The application does not propose to modify the zoning of the adjoining properties. The zoning of the adjoining property at 19 Devonport Road and the road reserve of Devonport Road is a matter for consideration by Council separate to this process.

The Planning Submission does not comment on the merits of the RecZ that applies to the property at 19 Devonport Road.

The zoning of the road reserves is a matter for the Council to determine. The zones applied to the road reserves should be as per Guideline 1 or the same approach adopted in the DevLPS.

The purpose of the RecZ as expressed by clause 28.1 Zone Purpose is:

- 28.1.1** *To provide for active and organised recreational use and development ranging from small community facilities to major sporting facilities”.*
- 28.1.2** *To provide for complementary uses that do not impact adversely on the recreational use of the land.*
- 28.1.3** *To ensure that new major sporting facilities do not cause unreasonable impacts on adjacent sensitive uses.*

The key words underpinning clause 28.1.1 is 'recreational use and development', 'complementary uses' in clause 28.1.2 and 'unreasonable impacts on adjacent sensitive uses' in clause 28.1.3.

The terms 'recreational' and 'complementary' are not defined by the Scheme, and therefore, the common and natural meaning of these words are applied.

The Macquarie Concise Dictionary defines 'recreational' to mean, "relating to, or used for recreation". 'Recreation' is defined as "refreshment by means of some pastime, agreeable exercise or the like" or "a pastime, diversion, exercise or other resource affording relaxation and enjoyment".

'Complementary' is defined as "combining in such a way as to enhance or emphasise the qualities of each other or another". The word 'emphasise' means to 'make more clearly defined' with 'enhance' meaning to 'intensify, increase, or further improve the quality, value, or extent of'. These meanings imply that the 'complementary uses' are there to support and strengthen the function and role of land for recreational use.

There are no local area objectives articulated to further inform or aid the interpretation of the Zone Purpose.

The Zone Purpose does not imply that all use and development is limited to major sporting facilities but can also include small community facilities.

It is extrapolated from the Zone Purpose that a mix of recreational facilities serving different roles and functions is appropriate.

There are no specific local area objectives to further define the meaning of 'complementary uses', although the 28.2 Use Table provides guidance in this regard. The Use Table allows consideration of a range of use classes and these are listed as either 'No Permit Required', 'Permitted' or 'Discretionary'.

The use class 'Sport and Recreation' is defined in Table 6.2 of the TSP as -

"use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, children's play centre, swimming pool, race course, sports ground, and major sporting facility."

'Sport and Recreation' is listed as a No Permit Required use in Table 28.2 along with the use class Passive Recreation and reflects the underlying intention of the Zone Purpose. Additionally, 'Motor Racing Facility' and 'Pleasure Boat Facility' are taken to be associated with a recreational use as per the definitions in Table 6.2 in the TSP and are anticipated in the RecZ. The use classes 'General Retail and Hire' and 'Visitor Accommodation' are qualified and means that these are prohibited for the site.

The question then arises to the nature and composition of use and development on CT 42522/4. The proceeding discussion establishes *if* the uses conducted on the land are undertaken in conjunction with the use class 'Sport and Recreation'; or if the established uses are conducted independently to the 'sport and recreation' use class.

Additionally, a comparison of land areas zoned Recreation is also considered as this gives context with respect to the underlying characteristics of the spatial application of this zone across the municipal area.

4.2.1.1 Use Composition

The nature of use and development on CT 42522/4 can be broadly divided into three main precincts (refer to Figure 21):

1. Business (Function Centre and car park);
2. Mixed Use (Mini-Golf and Cafe (green outline); and
3. Visitor Accommodation (blue outline).

Precinct 1: Business

Precinct 1 contains the Waterfront Function Centre building and associated car park and occupies nearly a third of the site. The internal driveway which extends from the carriageway of Devonport Road into Precinct 1 is the point of access and egress servicing the entire site.

The building located on the waterfront of Precinct 1 is operated as a separate business entity to any other use on CT 42522/4. The building and car park are only actively used if there is a booked function; otherwise, it sits dormant for the remainder of the time.

The bookings of the function centre are of a varied nature and range from weddings, birthday parties, government event or similar and are not directly associated with the use class 'sport and recreation' conducted on the site. At present the bookings have diminished, particularly since the establishment of other function centres in the municipal area.

The bicycle and pedestrian path forming part of the Great Foreshore Ride is also contained within Precinct 1 and follows the title boundary of CT42522/4 before continuing on the adjoining Crown land. This infrastructure was established in 2011.



Figure 22: Use Composition of the Site, showing three distinct pre (source: theLISTmap)

Precinct 1 does not contain major recreational facilities such as a golf course, sporting facilities or the like. Additionally, there are no facilities within Precinct 1 that support any water based activities that may be undertaken on the Mersey River. The bicycle and pedestrian path do not fall within the definition of 'Sport and Recreation' as this is considered to be in the use class 'Passive Recreation'.

Other than access, Precinct 1 stands alone and is not reliant on any other established uses on the site for its patronage. The Waterfront Function Centre does not impede in any way on the operation of the café or mini-golf course and is provided with independent car parking. The current purpose of the function centre is not associated with any 'active and organised recreational use and development' of the site.

The proposed change of use of the function centre building to accommodation will also not be associated with a 'Sport and Recreation' use class. Currently, the proposed change of use is prohibited in the RecZ.

Precinct 2: Mixed Use

Precinct 2 occupies an estimated 24% of the site and contains:

- a café, operating Monday to Sunday generally between business hours;
- an 18 hole mini-golf course, operating Monday to Sunday in conjunction with the café;
- a manager's residence (occupied);
- a storage shed;
- a BBQ shelter; and
- car park.

The 18 hole mini-golf course comprises an estimated area of 3000m² or approximately 9.4% of the site. The mini-golf course was one of the first activities to establish on CT42522/4 after the amusement park Serendipity closed in the 1980s. This facility is categorised to be within the use class 'Sport and Recreation'. The café and manager's residence are contained within a single building and are approved to operate in conjunction with the mini-golf course.

The mini-golf course attracts visitors to the site beyond the local population catchment of Devonport, drawing on the sub-regional and regional catchment. While the mini-golf is deemed to be an organised physical activity, it is primarily undertaken for leisure and entertainment rather than any organised sporting events or competitions.

Even though, it can be comfortably concluded that the use does not draw spectators to the site for any organised competition or event, the mini-golf course development falls within the meaning 'recreational use and development' consistent with the Zone Purpose. The café and manager's residence are complementary uses that also support the continued operation of the mini-golf course.

Precinct 2 is considered to be aligned with the Zone Purpose. However, it is not deemed to be a major sport and recreational facility in the municipal area.

Precinct 3: Residential and Visitor Accommodation

Precinct 3 occupies approximately 49 percent of the site (although not all of this area is useable due to the cliff face) and is approved for visitor accommodation.

The visitor accommodation, of which four apartments are constructed (two buildings), is not an integral part of the café, manager's residence, mini-golf development. Although, it is acknowledged that the visitor accommodation is complemented and supported by development within Precinct 2 in conjunction with the pedestrian/bicycle pathway. These uses add to the visitor experience, and the site generally provides providing an opportunity for relaxation and exercise.

The visitor accommodation was not constructed specifically to support the mini-golf course or café and can operate and function independently to the 'Sport and Recreation' use class contained in Precinct 2.

4.2.1.2 Recreation Zone within the Municipal Area of Devonport

A review of all land areas zoned Recreation has revealed that (refer to Figure 22) the majority of these land areas contain activities that can be categorised as 'Sport and Recreation' and that in most instances the primary purpose of these land areas is completely aligned with the Zone Purpose.

The land areas zoned Recreation contain facilities that are generally of a scale and nature that:

1. serve the broader community within the municipal area; and
2. are most likely to draw participants and spectators to the site beyond the boundary of the municipal area.

All of the current sites zoned Recreation (other than CT42522) are scattered across the municipal area and provide high-level sporting and recreation facilities, including (refer to Figure 22):

- soccer centre;
- hockey centre;
- baseball diamond;
- BMX track;
- netball centre;
- golf club;

- racecourse;
- tennis centre;
- Olympic sized swimming pool;
- showground;
- croquet centre;
- recreation grounds; and
- indoor recreation centres.

The RecZ does not implicitly imply that the land area zoned for this purpose must be occupied entirely by the use class 'Sport and Recreation'. Nor does it imply that facilities must be of a specific scale or size to be zoned for this purpose.

The Zone Purpose, however, does infer that the dominant land use is for an activity that supports a recreational use, with secondary uses being allowed where these do not interfere with the continuation of the land for the stated purpose.

The use composition of CT42522/2 is, therefore, is not aligned with the purpose of the RecZ for the following reasons:

- the active and organised recreation use is confined to Precinct 2 and does not extend to either Precincts 1 or 3;
- the use class 'Sport and Recreation' is not the primary purpose or intent of the title with only an estimated 24% of the land area utilised for this purpose;
- the title does not support any activity associated with water-based sports or activities;
- the established uses within Precincts 1 and 3 are not dependent on any organised or active recreation use established on the site; and
- the bicycle and pedestrian path form an extension of public open space falls within the use class 'passive recreation'.

While the Use Table enables consideration of a range of uses, with desired uses for the site being qualified in the zone. The Use Table of the RecZ circumvents the vision and objectives for the site as articulated in section 4.1 of this report.

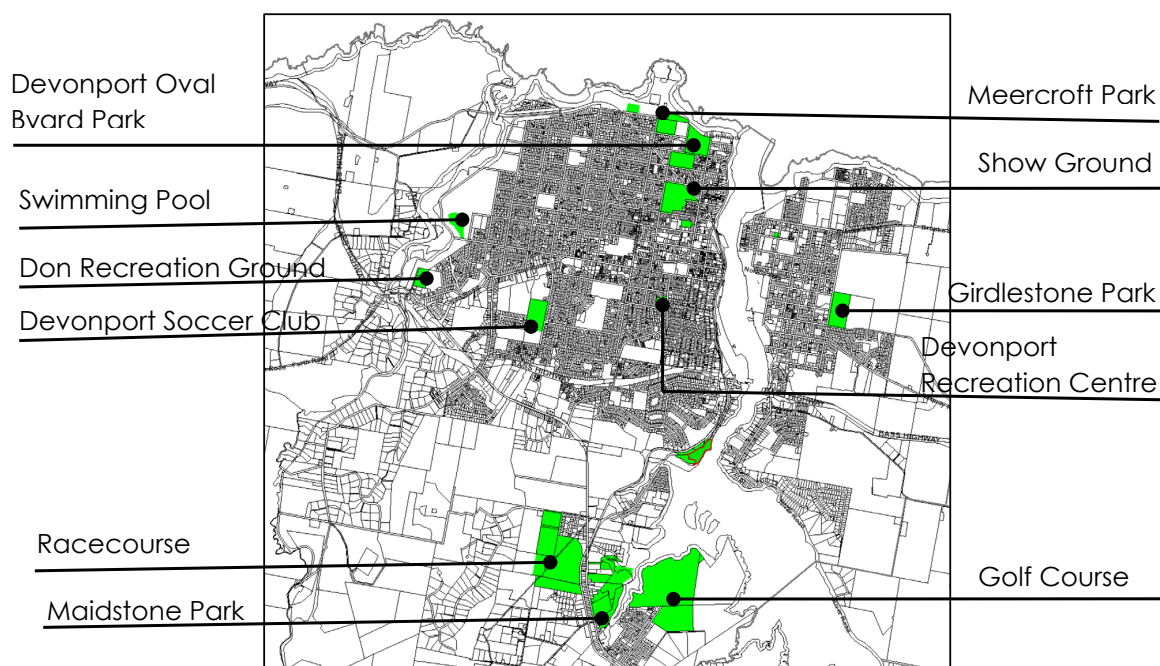


Figure 23: Recreation Zone, Devonport Interim Planning Scheme (source: theLISTmap).

The title is a unique property with access to the waterfront of the Mersey River. It is in a standalone location that is not contiguous with any adjoining properties due to topography. The established road and rail infrastructure severs any connection with the residential area of Miandetta to the west.

Although visitor accommodation is approved as a discretionary use, the objectives and vision of the title are not intended to be focussed on providing active and organised recreational uses in this location.

The objectives and vision for the site strive for a broader mix of use and development beyond that which is currently allowed and is contrary to the purpose of the Recreation Zone. Therefore an alternative zone for this title is warranted.

4.2.2 23.0 Environmental Management Zone (EMZ)

The purpose of the EMZ as expressed by clauses 23.1.1 is, "To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value." In addition, clause 23.1.2 'allows for compatible use or development where it is consistent with the protection, conservation and management'.

The portion of Crown land zoned Environmental Management is privately developed with an existing building. The building was constructed over



this land with consent from the Crown. Initially, a 20 year lease was granted. This lease is now superseded by the current lease which applies for a period of 10 years.

The natural landform is significantly modified, and its protection of any natural aesthetic value is significantly diminished.

The use and development controls under the EMZ provides for a mix of uses. However, the underlying intent and purpose vary to the use and development established on this portion of the site. The vision and objectives of the site are not consistent with the planning outcomes sought by the EMZ. It is advisable that a single zone be applied to the existing building.

4.3 Application of Other Standard Zones

To facilitate use and development of the site as per the vision and objectives (refer to Section 4.1), the spatial application of other standard zones currently available in the SPPs of the TPS are considered in Table 4. The comments provided in Table 4 are in context of clause 3.4 in Guideline. Clause 3.4 is reproduced below -

The primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible. Reference may also be made to the 'allowable minimum lot size' in the Acceptable Solution, unless there is a Performance Criterion that specifies an absolute minimum, in the subdivision standards for the zone to understand the density that is allowable.

Table 3: Consideration of Alternative Zones		
Zone		Comment
8.0	General Residential	Refer to 4.3.1
9.0	Inner Residential	The Zone Purpose is to provide a variety of residential use and development that accommodates a range of dwelling types. Residential use is not the dominant or underlying use of the site.
10.0	Low Density Residential	The Zone Purpose is for residential use and development where there are infrastructure or environmental constraints. The limitations of the land area, topography, the Mersey River, access and natural hazards impede

Place.

		the site from being developed as per the Low Density Residential Zone.
11.0	Rural Living	<p>The Zone Purpose is for residential use and development on lots where there is limited infrastructure or existing natural and landscape values.</p> <p>The site is within the urban area of Devonport and is not suited to rural living or lower-order agricultural pursuits.</p>
12.0	Village	The site is within the urban area of Devonport and is not a small rural centre.
13.0	Urban Mixed Use	Refer to 4.3.2
14.0	Local Business	<p>The Zone Purpose is to provide business, commercial, administrative, professional or community and entertainment functions which meets the needs of the local area.</p> <p>The site draws and serves more than the local needs of the area as it is also geared towards the visitor economy.</p>
15.0	General Business Zone	The site is not within a main suburban centre as defined in the CCRLUS.
16.0	Central Business Zone	The site is not within the Devonport CBD and is appropriate for inclusion in this zone.
17.0	Commercial Zone	The site is <u>not</u> suited to large floor area retailing, service industry or warehousing. The Zone Purpose is contrary to the established uses on the site.
18.0	Light Industrial	The site does not contain any light industrial activities.
19.0	General Industrial	The site does not contain any general industrial activities. The Zone Purpose is contrary to the vision and objectives of the site.
20.0	Rural Resource	The site is within the urban area of Devonport.

Place.

21.0	Agriculture Zone	The site is within the urban area of Devonport.
22.0	Landscape Conservation Zone	The site is highly modified and contains a mix of uses. The Zone Purpose is contrary to the vision and objectives of the site.
23.0	Environmental Management Zone	Refer to 4.2.2
24.0	Major Tourism Zone	The site comprises a mix of uses but does not include any tourist operation. The commercial or retail uses on the site are not intended to support a range be focussed on purely the visitor economy.
25.0	Port and Marine Zone	The site is not part of any port and marine activity.
26.0	Utilities Zone	The site is not for infrastructure or major utilities.
27.0	Community Purpose Zone	The site does not contain any key community facilities such as schools, medical centres, emergency services or large community hall.
28.0	Recreation Zone	Refer to 4.2.1
29.0	Open Space	Only a small area of the site is set aside for open space.
32.0	Particular Purpose Zone – Elimatta Hotel	The zone applies to a specific land area in Devonport.

4.3.1 General Residential Zone

The purpose of the General Residential Zone is to provide for both residential use and non-residential uses that primarily serve the local community.

While this zone can facilitate residential and non-residential uses, the 'Residential' use class, is likely to be confined to Precincts 2 and 3. While the opportunity for 'Residential' use is considered appropriate for inclusion, it is not the underlying dominant land use of the site.

The site is separated from the residential areas of Quoiba and Miandetta. The closest points of these residential areas are not within 500m walking distance. The connectivity to the residential area of Miandetta is also lost due to the established infrastructure of the railway line and Devonport Road. The site is not conducive to providing services that primarily serve the day-to-day needs of the local population. Additionally, there are already established businesses in the surrounding area to service local needs.

Accordingly, the spatial application of this zone is not considered appropriate.

4.3.2 Urban Mixed Use Zone

The purpose of the Urban Mixed Use zone is, "to provide for integration of residential, retail, community services and commercial activities in urban locations".

The zone can comprise an unstructured mix of activity for living, employment, retail and community purposes. It can contain land use activities and services that attract a broader catchment area and not simply limiting it to activities that primarily serve the local residential population.

While this zone provides for a mix of uses where no particular use dominates, there is potential to give rise to activity (such as a service industry) that is not desired and could conflict with existing uses on the site.

The zoning is also intended to apply to areas where it is adjacent or incorporates high frequency public transport corridors, which is not the case for the site.

The Urban Mixed Use Zone is not considered appropriate for the spatial application of the site

Summary

From these findings the conclusion is reached that there is no standard zone that can be spatially applied to the site that achieves the intended outcomes of any of the standard zones or the articulated vision and objectives for the site. Therefore, a tailored approach is required to resolve the zoning of the site.

4.4 Role and Function of a PPZ

In the absence of a standard zone, a PPZ provides a tailored approach which can limit and guide use and development on the site. This means that commercial development and retail development can be sufficiently controlled to not only achieve the intended land use outcomes but also provides for the role and function in accordance with the centre hierarchy for the municipal area. The following discussion considers the role and function of a PPZ

4.4.1 Repurposing of the Function Centre Building

The Waterfront Function Centre building since its construction has been utilised for a restaurant before it became a function centre.

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Over the last year, the number of events at the function centre has been slowly declining. This is attributed to the changing urban setting in Devonport with the opening of the convention centre within the CBD. It is anticipated that redevelopment of the Devonport Golf Course facilities is also likely to reduce demand for the existing venue.

While the planning system does not manage impact of a new commercial use on the viability of another existing commercial use, the provision of new venues in Devonport requires the site to evolve and introduce use and development controls that assist with repurposing the existing building.

The uses available for adaptive reuse of the building limited, particularly if the use class residential can be considered on the site. Therefore, the repurposing of the building for certain use classes must consider the impact on sensitive uses. A PPZ provides scope for limiting and controlling the potential for land use conflicts internally on the site.

Additionally, the repurposing of the building is potentially impeded by the established reticulated services on the site. Although generally it is possible to overcome any challenges with sufficient investment.

Irrespective of the zoning and servicing capacity, the opportunity for new development is substantially reduced in this location due to the Electricity Transmission Corridor (ETC) which traverses the site. Opportunity for new development is essentially limited to the area shown in Figure 23.

A PPZ can control and tailor the scope of uses for the existing building and can guarantee that the zoning will not give rise to undesirable commercial and retail activities on the site.



Figure 24: Re-development potential of the site (shown as yellow hatched area)

4.4.2 Scope for New Development

The opportunity for new development is shown by the hatched area in Figure 23. New development on the site is most likely to occur in:
Precinct 2, the mini-golf course; and
Precinct 3, visitor accommodation.

A PPZ enables specific controls to be imposed to guide use and development in Precincts 2 and 3. Examples of opportunities are briefly discussed below.

4.4.2.1 Precinct 2, Mini-Golf Course

The mini-golf course area presents an opportunity for redevelopment once it reaches its end of life. This comprises an area of approximately 3000m² and could be redeveloped for additional visitor accommodation (if demand is established) or medium-density residential use.

The area is outside of the Electricity Transmission Corridor, and new development in this location can achieve a 50m setback from the railway line. Shared access via the internal driveway could also serve this location.

4.4.2.2 Precinct 3, Visitor Accommodation

In 2014 a planning permit PA2014.0173 was granted by Council for visitor accommodation. This permit has substantially commenced with the construction of two of the approved buildings on the lower levels of the site, and new buildings are planned for construction in the coming twelve months.

The elevated portion of the site, if not developed for visitor accommodation is most likely to be utilised for a residential use given its scenic outlook from this elevated position. Commercial and retail activities are not likely on this portion of the site due to the limited access and elevated position.

4.5 PPZ WC and Centre Hierarchy

The PPZ WC broadens the scope for business activities to occur on the site, such as 'General Retail and Hire', 'Food Services', 'Business and Professional Services' and 'General Retail and Hire' are an essential ingredient for developing vitality and vibrancy with the intention to draw people consistently to the site.

Table 4: Zones and Centre Hierarchy	
Zone	Centre Hierarchy
Central Business Zone	The major centre serving the region and the sub-region.
Commercial Zone	Zone to provide for large floor area retailing and may serve the region and sub-region as well as the local population.
Local Business Zone	Small to medium centres serving the local population base.
Urban Mixed Use Zone	The zone is applied to self-contained urban activity centre which provides for a mix of uses. Within the Devonport municipal area, this acts as a supporting zone to the land area zoned Central Business.
General Residential	Usually allows for a small number of businesses clustered together providing convenience goods and services serving the day-to-day of the local residential population.

The DevLPS, through the use of the above-mentioned zones in Table 4, implements a strategic model setting a hierarchy for activity centres across the municipal area.

The zoning focusses activities in strategic locations, each serving a particular role and function. The use and development controls embedded in each zone then further regulate the type, size and the



nature of commercial and retail activities that can establish in a particular location.

The hierarchy of activity centres can be generally defined by four main zones in the DevLPS (refer to Table 5).

The General Residential Zone is also acknowledged in Table 4. While residential use is intended to be dominant in this zone, it also provides for a limited range of small scale commercial and retail activities.

The Central Business zone is the largest single zoned location where retail and commercial activities are permissible with the intent of clustering a range of services to meet the needs of the wider population within and outside of the municipal area. The remaining three zones serve different roles and are of a lower order than the Central Business zone.

With this in mind, the site is intended to contain a mix of use and development with not one use being dominant over the other. The draft amendment proposes to open the scope of commercial and retail activities, but there are carefully controlled not to compromise the centre hierarchy.

The advantage of introducing the proposed PPZ WC for the site means that there is the capacity to allow a broader scope of the aforementioned use classes not that dissimilar from the scale and size allowable in the General Residential Zone.

The proposed PPZ WC integrates appropriate limitations and can be comfortably inserted in the DevLPS without compromising the centre hierarchy or detracting away from the Central Business zone of the municipal area.

5 Local Strategic Context

This section of the report considers if the vision and objectives of the site (refer to section 4.1 of this report) and if this is aligned with the applicable local strategies.

The Devonport Strategic Plan 2011-2030 (DSP) is the overarching strategic document of the municipal area and is further underpinned by a series of local strategies. Aside from the DSP, the strategies most applicable to this amendment are as follows:

- Bike Riding Strategy 2015-2020;
- Pedestrian Strategy 2016-2021;
- Open Space Strategy;
- Retail Strategy 2018-2023; and
- Tourism Development Strategy 2009-2019.

The proceeding discussion considers the vision and objectives of the site in context of the aforementioned local strategies.

5.1 Devonport Strategy 2009-2030

The DSP was adopted by the Council in 2009, reviewed in 2013-14 with the new version endorsed by the Council in 2014.

The DSP is focussed on achieving a city that is *"strong, thriving and welcoming place to live, which is balanced with living lightly by the river and sea"*. Table 5 outlines the applicable goals and objectives of the DSP and considers if the vision and objectives of the site are aligned.

Table 5: Assessment of the Devonport Strategic Plan	
Goal 1: Living lightly on the environment	
Outcome 1.3 "Living lightly" is promoted and encouraged	
1.3.1	Identify and implement initiatives to educate and encourage our community on opportunities to "live lightly."
Comment <p>The investment in 2011 into Devonport's bike riding and pedestrian network resulted in the extension of the Great Foreshore Ride infrastructure to include the site and adjoining Crown land.</p> <p>The construction of the pathway has resulted in a pivotal change in the relationship between private property and public open space of the waterfront. Donation of private land facilitated the pathway.</p> <p>The vision and objectives articulated in section 4.1 support the cycling community by committing to maintaining an open, safe and pleasant waterfront environment. The intent of objectives (a), (b), (c), (e) and (f) (refer to section 4.1) is to encourage walking, commuter and recreational riding. The objectives of the site potentially reduce the reliance on passenger vehicles to access the site and have the potential to reduce car trips and thereby lowers emissions. The vision and objectives of the site are consistent with Outcome 1.3.</p>	
Outcome 1.4 Our energy use is reduced	
1.4.1	Promote reduction, re-use and recycling options to minimise waste materials within Council, the community and businesses.
Comment <p>Objective (c) (refer to Section 4.1) focuses on building adaptation and renewal, opening an opportunity for repurposing buildings to respond to the changing economic climate and changing land use patterns in the urban environment.</p>	

Place.

<p>The objective seeks to apply use and development controls that provide an alternative compatible use for existing buildings on the site. The underlying principle of this objective is to enable reinvestment, reducing the risk of a building becoming vacant and eventually deteriorating resulting in its demolition and consequently generating waste materials.</p> <p>The draft amendment promotes building adaptation and potential waste minimisation, which is consistent with Outcome 1.4.</p>	
Goal 2: Building a Unique City	
Outcome 2.1 Council's Planning Scheme facilitates appropriate property use and development	
2.1.1	Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use.
2.1.3	Work in partnership with neighbouring councils, State Government and other key stakeholders on regional planning and development issues
<p>Comment</p> <p>The draft amendment is made in recognition that the spatial application of the current RecZ and EMZ and the associated controls are misaligned with the established land use pattern of the site.</p> <p>The integration of the objectives (refer to Section 4.1) through a tailored approach to zoning over the site ensures that it delivers an open waterfront environment with an appropriate mix of land use that does not result in any conflicts or detract from the Devonport CBD (refer to section 4.4.3). The draft amendment is consistent with Outcome 2.1.</p>	
Outcome 2.3 Infrastructure priorities support well planned, managed and appropriately funded development within our unique City	
2.3.5	Provide and maintain sustainable park, gardens and open spaces to appropriate standards
<p>Comment</p> <p>The objectives promote private investment into the public open space of the waterfront environment consistent with Outcome 2.3 and associated strategy.</p>	
Outcome 2.4 Promote the development of the CBD in a manner which achieves the Living City Principles Plan	
2.4.1	Implement initiatives from the LIVING CITY Master Plan
2.4.3	Implement initiatives to encourage private investment aligned with the outcomes of the LIVING CITY Master Plan
<p>Comment</p> <p>The Living City Master Plan is an urban renewal project concerning new tourism opportunities, food experiences and business prospects. Its goal is to revitalise Devonport's CBD to consolidate services and bring new life to the city. 17 Devonport Road has connectivity with the CBD area and as such, can be a satellite space to be used to support its growth.</p>	

Place.

The site has connectivity along the waterfront and can form part of the "enhanced public realm and park" with paths and cycleway already connected.

The objectives strive to build and strengthen the relationship of the site with the CBD through the Great Foreshore Ride network.

Limited commercial activity is considered an essential ingredient to support this network and intends to facilitate an increase in riding and walking by the local population. Drawing the visitation of the site by the local population is a sustainable approach to retaining a level of activity that would perhaps cease when tourism declines in the quieter months of the year.

Several infrastructure constraints impede the redevelopment of the site. These constraints in conjunction with use and development controls of the proposed PPZ WC (refer to section 6) ensures that commercial activities are of a scale and nature which is compatible with the hierarchy of centres within the municipal area. The draft amendment is consistent with Objective 2.4.

Goal 3: Growing a Vibrant Economy

Outcome 3.2 Devonport's visitor industry is developed around its natural assets, history and location

3.2.1	Support tourism through the provision of well designed and managed infrastructure and facilities.
3.2.3	Facilitate a pro-active approach by business to embrace tourism opportunities.
3.2.4	Promote our natural environment and assets to underpin tourism opportunities.

Comment

The site bears a close relationship with the Mersey River and is ideally situated to promote tourism to Devonport. Visitor accommodation is contained on the site and is supported by a café, mini-golf course and the Great Foreshore Ride infrastructure.

The PPZ WC proposes a tailored approach to stimulate the local economy and provide for continued investment into the site. The proposed method enables a healthy mix of activity, creating a vibrant place that appeals to visitors to Devonport. The composition of the combination of uses supports tourism and the visitor economy.

The objectives (refer to Section 5.1) of the site is consistent with Outcome 3.2.

3.3 Access in to, out of, and around the City is well planned and managed

3.3.1	Improve the City's physical access and connectivity focusing on linkages to and from key access points
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Comment

Open spaces (both public and private) that are accessible, provide good facilities, are free, and well connected are vital to achieving Outcome 3.3.

Place.

<p>The construction of the Great Foreshore Ride infrastructure over private property is an integral part of providing access through walking and riding. The objectives seek to protect this infrastructure and intend to maintain access via walking and bike riding, continuing to retain and improve physical access and connectivity to the site</p> <p>The amendment will assist with managing physical access to the site in line with Outcome 3.3.</p>	
3.4 Our economic progress continuously improves	
3.4.1	Work in partnership with industry and government to identify needs of business and industry to pursue opportunities, which fosters economic development in the area.
3.4.2	Promote, encourage and develop initiatives that support the local economy
<p>Comment</p> <p>The current zoning may result in inactivity on the site as it did when the Serendipity Fun Park ceased in the late 1980s if there is not any capacity to respond to changing land use patterns.</p> <p>The issue of an underutilised or vacant building in and around Devonport has in the past only been too common. To foster economic development, the objectives (refer to Section 4.1) seek to modify the zoning to provide limited opportunity for commercial use and development.</p> <p>The mix of uses is critical and tries to strike a balance to ensure that the site is not solely dependent on the visitor economy for its survival. A mix of uses generates economic activity, stimulates the local economy as the visitor economy can fluctuate. This is consistent with Outcome 3.4 and associated strategies.</p>	
Goal 4: Building Quality of Life	
4.1 Sport and recreation facilities and programs are well planned to meet community need	
4.1.3	Promote passive recreational usage including walking, bike paths, trails, parks and play spaces.
<p>Comment</p> <p>The objectives continue to support the passive recreational usage of the Great Foreshore Ride by retaining an open and pleasant attractive environment.</p> <p>Improved walking and cycling routes and other activities and facilities encourage active community participation which is consistent with Outcome 4.1 and associated strategy.</p>	
4.7 An engaged community promotes and values diversity and equity	
4.7.2	Encourage opportunities for active participation in community life
Comment	

Place.

The objectives (refer to Section 5.1) of the site are intended to stimulate activity, promote reinvestment into buildings and infrastructure, which in turn support community participation.

While an element of the site is targeted at the visitor economy, the mix of activities, facilities and infrastructure provided on the site are there for the enjoyment of the permanent residential population as well as visitors to Devonport.

A vibrant site encourages walking and cycling, adds to the experience of visitors to Devonport and increases active participation by the community. This provides for incidental social interaction and increased community engagement.

5.2 Bike Riding Strategy 2015-2020

The Devonport Bike Riding Strategy 2015-2020 (BRS) is focussed on providing safe and well-connected bike riding routes for Devonport with the intention of making bike riding more accessible and improving safety. This strategy not only targets recreational riders but also seeks to increase commuter cycling to local destinations.

The Great Foreshore Ride is an extensive bike riding route which starts from Don River and extends along the entire length of the foreshore and concludes presently at Quioba (refer to Figure 24). While only a small section of the Great Foreshore Ride traverses the site, it is integral to forming a continuous route (mostly off-road) as it moves towards Horsehead Creek Boat Ramp.

The site is ideally positioned to take advantage of the unique setting and zoning requires tailored controls to uphold the intent of the BRS that would otherwise not be achieved through standardised zoning.

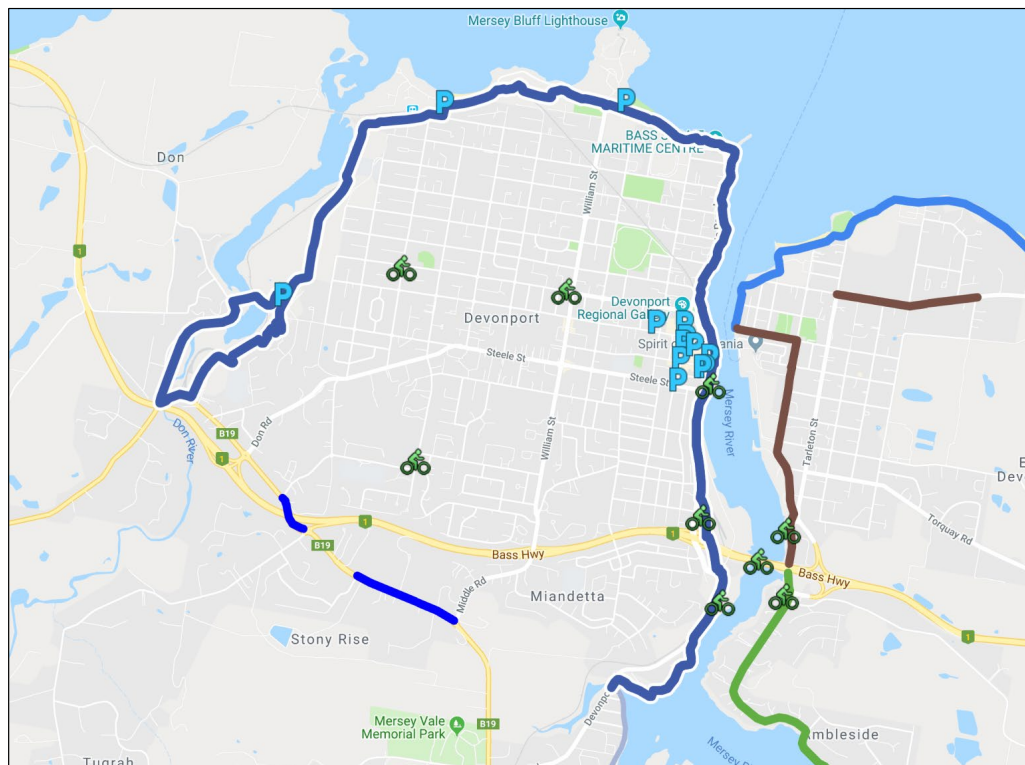


Figure 24: The Great Foreshore Ride shown by a dark blue line (source: City of Devonport website)

Commercial use and development on the site are seen to be a critical element to increasing the site's population catchment and appeal, generating human activity and in turn stimulating a high visitation rate to the site.

Activity is integral to supporting this infrastructure and becomes another riding/walking destination in the same way that the playground, surf club and restaurants attract cyclists and walkers to the Mersey Bluff.

The vision and objectives, integrated as part of the use and development controls, further the desired outcomes of the BRS.

5.3 Pedestrian Strategy 2016-2021

The Pedestrian Strategy 2016-2021 (Pedestrian Strategy) seeks to: 'make walking in Devonport safe and convenient and to enable and encourage walking as a mode of transport'.

Pedestrian Strategy seeks to provide infrastructure and signage to supports a safe and convenient walking environment.

The shared bicycle and pedestrian network traversing the site and adjoining Crown land facilitates this desired outcome.

Place.

The objectives seek to retain this shared pathway consistent with the Pedestrian Strategy, and the rezoning proposes use and development controls that seek to protect this key attribute of the site.

5.4 Open Space Strategy

The proposed amendment supports the Open Space Strategy (OSS) of the Council which was endorsed in January 2015.

The OSS defines public open space or 'open space' is all parks, gardens, Reserves, road reserves and other parcels of land owned and or managed by Council, which is accessible to the public and serves an open space purpose. This includes spaces provided for passive, active, formal and informal recreation as well as for conservation purposes".

The section of the path bicycle and pedestrian path is contained on private land and therefore is not defined as 'public open space' or 'open space'. This small section of the pathway on private land provides the opportunity for off-road infrastructure for cycling and walking.

The Pedestrian Network Strategy, Bike Riding Strategy are aligned with the vision and objectives of the site.

5.5 Devonport Retail Strategy 2018-2023

The Devonport Retail Strategy was endorsed by the Council in June 2018 and sets the direction for commercial and retail activities until 2023.

The DRS focusses on growth in downtown retailing in the CBD as well as becoming the service hub of the North West Coast.

The objectives of the DRS are as follows:

- Increase visitation to CBD;
- Strengthen the retail experience;
- Build the capacity of retailers;
- Strengthen communication between Council and retailers.

The proposed PPZ and the vision of the site works in conjunction with these objectives and does not propose in any way to compromise the role and function of the CBD (refer to section 4.4.3).

5.6 Devonport Tourism Strategy 2009-2019

The Devonport Tourism Strategy (DTS), January 2010, is most likely set for an upcoming review. However, the DTS remains relevant to this amendment.

The DTS recognises that visitors seek experiences and adventures. Welcoming public spaces form an integral part in the experience of a visitor to Devonport.



The amendment provides flexibility and range of uses that has the capacity to stimulate investment, improve the landscape environment and retain activity on the site.

A vibrant and dynamic site draws visitors to the location and is more likely to add to the experience of the waterfront environment than a location that is empty and underutilised.



6 Particular Purpose Zone

The PPZ – Waterfront Complex provides a tailored set of controls to regulate future use and development in the zone that cannot be achieved by the spatial application of the zones in State Planning Provisions (refer to section 4 of this report).

Table 8 examines the components of the PPZ WC, providing a rationale for the drafting of the specific controls to be inserted into the written document of the DevLPS. The codes of the SPPs will also be applied to the assessment of future use and development. The proposed provisions of the PPZ WC will not conflict with the provisions in the codes.

Table 8: Particular Purpose Zone – Waterfront Complex	
DEV-P2.1	Plan Purpose
The purpose of the Particular Purpose Zone – Waterfront Complex is:	
DEV-P2.1.1	To provide for a mix of use and activities that are compatible with Visitor Accommodation and Residential use.
DEV-P2.1.2	To provide for use and development that does not interfere with the function of the established cycling and pedestrian network.
<p>The PPZ – Waterfront Complex purpose considers the private and public land aspects of the zone adjacent to the Mersey River. The zone intends to facilitate future use and development whilst retaining a seamless transition between private land and public open space. The zone seeks continuation of a mix of uses, creating a dynamic and desirable place to live and visit in Devonport.</p> <p>The Plan Purpose focusses on the opportunity to develop visitor accommodation and residential uses. Non-residential uses in the zone are equally essential to stimulate vibrancy and activity during weekdays, ensuring that the zone is frequently visited. Sites with high visitation rates provide surveillance, fostering a safe and appealing riding/walking destination. The Plan Purpose is consistent with the endorsed local strategies discussed in section 5 of this report in that it encourages the patronage of the Great Foreshore Ride network south of the business centre of Devonport.</p>	

Place.

DEV-P2.2 Local Area Objectives		
Reference Number	Area Description	Local Area Objective
DEV-P2.2.1	Business Precinct - shown on the overlay maps as DEV-P2.2.1	<p>The local area objectives for the Business Precinct are:</p> <ul style="list-style-type: none"> (a) to reuse and adapt the existing building for visitor accommodation or business activities; (b) to use the car parking and landscaped area on the northern side of the existing building for a market or similar activity that does not interfere with the internal driveway servicing the other precincts; and (c) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.2	Mixed Use Precinct – shown on the overlay maps as DEV-P2.2.2	<p>The local area objective for the Mixed Use Precinct is:</p> <ul style="list-style-type: none"> (a) to provide for use and development that services and supports residents or visitors to the area; (b) to provide for limited opportunities for Business and Professional Services and General Retail and Hire uses to establish in the precinct; (c) to allow medium density residential development and visitor accommodation that does not exceed the capacity of infrastructures such as water and sewerage; (d) to mitigate impacts from noise, light or other emissions from non-residential uses; and (e) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.3	Accommodation Precinct – shown on the overlay maps as DEV-P2.2.3	<p>The local area objective for the Accommodation Precinct is:</p> <ul style="list-style-type: none"> (a) to limit use and development to residential or visitor accommodation; and (b) to support the continued use of the cycling and pedestrian network.

DEV-P2.3 Definition of Terms

DEV-P2.3.1 In this particular purpose zone, unless the contrary intention appears:

Term	Definition
Business Precinct	means the area of the zone identified in Figure DEV-P2.3.
Mixed Use Precinct	means the area of the zone identified in Figure DEV-P2.3.
Accommodation Precinct	means the area of the zone identified in Figure DEV-P2.3.
Mersey River	means the body of water identified in Figure DEV-P2.3.

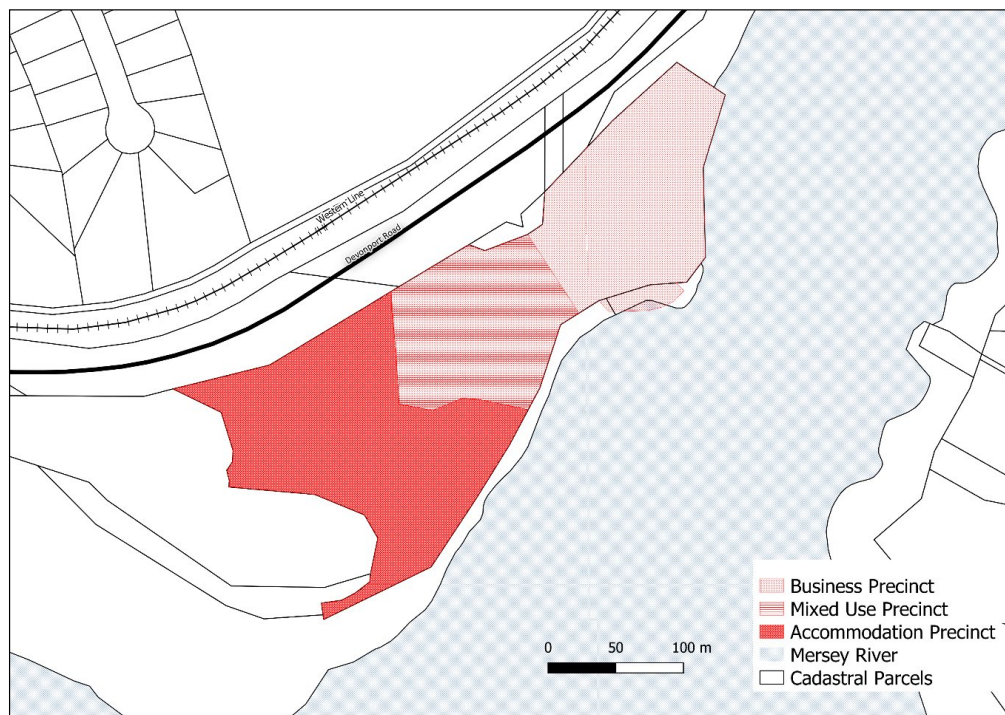


Figure DEV-P2.3.1: Precincts as referred to in clause DEV-P2.3.1

Comment

The local area objectives articulate the earlier expressed vision of the site in section 4 of this report, providing direction for use and development. The PPZ – Waterfront Complex is not commercially focussed or intended to provide for activities that will serve the day-to-day needs of the local population. Instead, it seeks to support the passive recreation use adjacent to the river environment along with stimulating business and residential development to attract people to the zone.

The local area objectives strive to maintain the hierarchy of centres within Devonport, not giving rise to sizeable commercial or retail development in the zone. Future business and retail activities are further controlled by the precincts, articulating clearly where non-residential uses are appropriate. The application of precincts gives certainty for use and development. The precincts are defined at DEV-P2.3.1 to aid with the interpretation and meaning of the local area objectives and the provisions in the zone. The local area objectives are consistent with the land use planning outcomes sought by section 5 of this report.

As the Living City Masterplan takes shape, the proposed rezoning allows a supporting role to the business centre of Devonport, providing flexibility to enable the zone to respond to the changing land use patterns of the urban area of Devonport.

DEV-P2.5.1 Use Table – Business Precinct

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
Permitted	
Business and Professional Services	If (a) for a consulting room; or (b) for a veterinary centre.
Community Meeting and Entertainment	If for a public art gallery.
Food Services	If: (a) not for a drive-through facility; or (b) not for a take-away food shop.
General Retail and Hire	If: (a) for a private art gallery; (b) for a shop for selling or hiring goods; or (c) for a market.
Sport and recreation	If (a) for outdoor recreation; or (b) for indoor recreation in an existing building.

Place.

Visitor accommodation	If not for camping and caravan park or overnight camping area.
Discretionary	
Community Meeting and Entertainment	If: (a) for a function centre; or (b) place for worship.
General Retail and Hire	If for a market.
Sport and recreation	
Tourist Operation	
Utilities	
Prohibited	
All other uses	

DEV-P2.5.2 Use Table – Mixed Use Precinct

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
Permitted	
Business and Professional Services	If: (c) for a consulting room; or (d) for a veterinary centre.
Community Meeting and Entertainment	If for a public art gallery.
Food Services	If: (c) not for a drive-through facility; or (d) not for a take-away food shop.
General Retail and Hire	If for a shop for selling or hiring goods;
Sport and recreation	If for outdoor recreation.
Visitor accommodation	If not for camping and caravan park or overnight camping area.

Place.

Discretionary	
General Retail and Hire	If not listed as Permitted.
Residential	
Tourist Operation	
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	
DEV-P2.5.3 Use Table – Accommodation Precinct	
Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
Permitted	
Residential	If for a single dwelling
Visitor Accommodation	
Discretionary	
Residential	
Utilities	
Prohibited	
All other uses	
Comment	
<p>The Use Tables DEV – P2.5.1, P2.5.2 and P2.5.3 set out the use classes that can be considered by a planning authority for each precinct. Commercial and retail type use classes are limited to the Business Precinct and the Mixed Use Precinct.</p> <p>The use class Visitor Accommodation is listed as permitted in all three precincts and only is prohibited if an application proposes 'camping and caravan park or overnight camping area'. The use class 'Residential' is limited to the Visitor Accommodation Precinct and the Mixed Use Precinct.</p>	

Place.

Non-residential use classes such as 'Business and Professional Services', 'Community Meeting and Entertainment', 'Food Services', 'General Retail and Hire' and 'Sport and Recreation' are listed as permitted or discretionary for the 'Business Precinct' and the 'Mixed Use Precinct'. The use classes listed as permitted are qualified to limit the range of use and development that can be considered. The qualifications are deliberate as it is acknowledged that the definition of each use class is wide ranging and could attract inappropriate development if parameters are not set.

DEV-P2.6 Use Standards

DEV-P2.6.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to visitor accommodation or residential use.	
Acceptable Solutions		Performance Criteria
A1 Hours of operation for a use, excluding Residential and Visitor Accommodation in the zone, must be within the hours of 7:00am to 6pm.		P1 Hours of operation for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to Residential or Visitor Accommodation uses in the zone, having regard to: <ul style="list-style-type: none"> (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.
A2 External lighting for a use, excluding Residential and Visitor Accommodation: <ul style="list-style-type: none"> (a) must not operate within the hours of midnight to 6.00am, excluding any security lighting; and (b) security lighting, be baffled to prevent direct light does not extend into adjoining property. 		P2 External lighting for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to sensitive uses within the zone or adjacent land, having regard to: <ul style="list-style-type: none"> (a) the number of proposed light sources; (b) the location of the proposed light sources; (c) the type of illumination and duration of lighting; (d) the proximity of the proposed light sources to nearby sensitive uses.

Place.

<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use excluding, Residential and Visitor Accommodation, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Saturday; and</p> <p>(b) 9:00 to 4pm Sunday and public holidays.</p>	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Residential and Visitor Accommodation, must not cause unreasonable loss of amenity to sensitive uses having regard to:</p> <p>a) the time and duration of commercial vehicle movements;</p> <p>b) the number and frequency of commercial vehicle movements;</p> <p>c) the nature of the proposed use;</p> <p>d) existing levels of amenity; and</p> <p>e) any existing or proposed noise mitigation measures the vehicle movement areas and Residential or Visitor Accommodation uses.</p>
<p>A4</p> <p>Air conditioning, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation, must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by Residential or Visitor Accommodation uses in the zone.</p>	<p>P4</p> <p>Air condition, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation must not cause unreasonable loss of amenity to Residential or Visitor Accommodation uses in the zone, having regard to:</p> <p>(a) the time and duration of emissions generated from plant and equipment;</p> <p>(b) the nature of the proposed use;</p> <p>(c) existing levels of amenity;</p> <p>(d) the landscaping of the site; and</p> <p>(e) any existing or proposed noise mitigation measures the vehicle movement areas and Residential or Visitor Accommodation uses.</p>
<p>Comment</p> <p>The use standards are focussed on minimising land use conflict by assessing the potential impacts and emissions an application for non-residential uses will have on residential uses and visitor accommodation.</p> <p>The objective of the standard, the acceptable solutions and the performance criteria are tests applied to the assessment of an application to protect residential amenity.</p>	
<p>DEV-P2.6.2 Uses in the Business Precinct and Mixed Use Precinct</p>	
<p>Objective:</p>	<p>That uses, excluding Residential and Visitor Accommodation uses, in the Business Precinct and Mixed Use Precinct limit the scale and proportion of business and retail activities that can establish in the zone.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

Place.

<p>A1</p> <p>Business and Professional Services, Community Meeting and Entertainment, Food Services, General Retail and Hire, Sports and Recreation and Visitor Accommodation uses, in the Business Precinct must:</p> <p>(a) be in the existing building; and</p> <p>(b) be for a single tenancy.</p>	<p>P1</p> <p>Business and Professional Services, Community Meeting and Entertainment, Food Services, General Retail and Hire, Sports and Recreation and Visitor Accommodation uses, in the Business Precinct must not compromise the established character of the zone, having regard to:</p> <p>(a) the local area objectives;</p> <p>(b) the characteristics the site; and</p> <p>(c) the size, scale or permanency of the proposed use.</p>				
<p>A2</p> <p>Business and Professional Services and General Retail and Hire uses in the Mixed Use Precinct must have a combined gross floor area of not more than 250m² in the Precinct.</p>	<p>P2</p> <p>No performance criterion.</p>				
<p>Comment</p> <p>This proposed clause is focussed on limiting 'Business and Professional Services' and 'General Retail and Hire' uses. The imposed controls for non-residential uses within the zone, ensuring that commercial activities are not dominant and do not distort the main business centre of Devonport.</p> <p>The acceptable solution A1 limits a range of non-residential uses in the Business Precinct to the existing building, which is at present the Waterfront Function Centre building. The corresponding performance criteria P1 is triggered if an application proposes more than one tenancy within the existing building or an outdoor market. Future new development within the Business Precinct is severely restricted by the Electricity Transmission Corridor and new uses will be restricted to the established building.</p> <p>The acceptable solution A2 of the standard DEV-P2.6.2 limits 'Business and Professional Services' and 'General Retail and Hire' uses to 250m² in the Mixed Use Precinct, or in other words, these uses can occupy a combined estimated area of 3.3% in the precinct.</p>					
<p>DEV-P2.6.3 Outdoor Storage</p> <table border="1"> <tr> <td data-bbox="261 1845 432 1917">Objective:</td><td data-bbox="432 1845 1337 1917">That outdoor storage areas do not detract from the appearance of the zone or adjacent properties.</td></tr> <tr> <td data-bbox="261 1917 791 1973">Acceptable Solutions</td><td data-bbox="791 1917 1337 1973">Performance Criteria</td></tr> </table>		Objective:	That outdoor storage areas do not detract from the appearance of the zone or adjacent properties.	Acceptable Solutions	Performance Criteria
Objective:	That outdoor storage areas do not detract from the appearance of the zone or adjacent properties.				
Acceptable Solutions	Performance Criteria				

Place.

A1 Outdoor storage areas must not be visible from any road, public open space or pedestrian network in or adjoining the zone.	P1 Outdoor storage areas excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
Comment This clause is concerned with the appearance of outdoor storage. As the zone forms part of the public realm, outdoor storage should not be visible from public open spaces	
DEV-P2.7.1 Building Height and Setbacks	
Objective:	The height and setback of buildings is to: (a) minimise the visual prominence of buildings and structure when viewed from the Bass Highway, Devonport Road or the Mersey River; (b) not cause unreasonable loss of sunlight to a habitable room of Residential or Visitor Accommodation uses; and (a) minimise the impact on the pedestrian network on adjoining land and parallel to the banks of the Mersey River. (b) provides consistency in the apparent scale, bulk, massing and proportion of established buildings; (c) provides reasonable access to sunlight for existing solar energy installations.
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 8.5m.	P1 Building height must be compatible with existing buildings and not cause unreasonable loss of amenity having regard to: (a) the topography of the zone; (b) the bulk and form of existing and proposed buildings; (c) the apparent height of proposed buildings when viewed from the Bass Highway, Devonport Road, and other public places; and (d) overshadowing of public places; (e) overshadowing and reduction in sunlight to habitable rooms and private open space of sensitive uses or Visitor Accommodation uses in the zone.

Place.

<p>A2</p> <p>Buildings must have a setback from the frontage of Devonport Road of:</p> <p>(a) not less than 5m; or</p> <p>(a) not less than the setback of a building existing in the zone.</p>	<p>P2</p> <p>Buildings must have a setback from the frontage of Devonport Road that is compatible with the streetscape, having regard to:</p> <p>(a) the topography of the zone;</p> <p>(b) the setback of existing buildings within the zone;</p> <p>(c) the height, bulk and form of existing and proposed buildings; and</p> <p>(d) the safety and impact on the internal driveway, pedestrian and cycle network in the zone or on adjoining land.</p>		
<p>A3</p> <p>Buildings, fences, freestanding walls must not be constructed within 30m of the mean high water mark of the Mersey River.</p>	<p>P3</p> <p>No Performance Criterion.</p>		
<p>Comment</p> <p>The approved visitor accommodation has a maximum height of 8m.</p> <p>A setback of 5m from the frontage of Devonport Road was applied as this is consistent with approved development within the zone. The perceived setback from Devonport Road will be more than 20m due to the existing width of the road reserve.</p> <p>Building and fences cannot be constructed within 30m of the high water mark to retain open view lines and strong visual connection with the Mersey River.</p>			
<p>DEV-P2.7.2 Private open space for all dwellings</p> <table border="1"> <tr> <td data-bbox="261 1406 434 1538">Objective:</td><td data-bbox="434 1406 1337 1538"> <p>That dwellings are compatible with the amenity and character of the site and provide:</p> <p>(a) for outdoor recreation and the operational needs of the residents;</p> <p>(b) opportunities for the planting of gardens and landscaping; and</p> <p>(c) private open space that is conveniently located and has access to sunlight.</p> </td></tr> </table>		Objective:	<p>That dwellings are compatible with the amenity and character of the site and provide:</p> <p>(a) for outdoor recreation and the operational needs of the residents;</p> <p>(b) opportunities for the planting of gardens and landscaping; and</p> <p>(c) private open space that is conveniently located and has access to sunlight.</p>
Objective:	<p>That dwellings are compatible with the amenity and character of the site and provide:</p> <p>(a) for outdoor recreation and the operational needs of the residents;</p> <p>(b) opportunities for the planting of gardens and landscaping; and</p> <p>(c) private open space that is conveniently located and has access to sunlight.</p>		

Place.

<p>A1</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(a) orientated to take advantage of sunlight.</p>
<p>Comment</p> <p>This clause requires that each residential use (dwelling) is provided with private open space.</p>	
<p>DEV-P2.7.3 Separation of multiple dwellings</p>	
<p>Objective:</p>	<p>That the separation between multiple dwellings provides reasonable opportunity for sunlight to enter private open space for dwellings in the zone.</p>
<p>A1</p> <p>A multiple dwelling that is to the north of the private open space of another dwelling, must be setback a distance of 3m from the northern edge of private open space.</p>	<p>P2</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling in the same zone.</p>
<p>A2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>i. it is separated by a screen of not less than 1.7m in height; or</p> <p>ii. the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or</p>	<p>P2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

Place.

iii. has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.					
Comment These development standards are concerned with protecting privacy.					
<table border="1"> <tr> <td data-bbox="263 813 434 880">Objective:</td><td data-bbox="434 813 1343 880">That the storage of waste and recycling bins for multiple dwellings be provided.</td></tr> <tr> <td data-bbox="263 880 794 1328"> A1 A dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within (a) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from a dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area. </td><td data-bbox="794 880 1343 1328"> P2 A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the proposed dwellings; (b) screened from the frontage and dwellings; and (c) in a location that can be accessed by a waste collection service. </td></tr> </table>		Objective:	That the storage of waste and recycling bins for multiple dwellings be provided.	A1 A dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m ² per dwelling and is within (a) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from a dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area. 	P2 A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the proposed dwellings; (b) screened from the frontage and dwellings; and (c) in a location that can be accessed by a waste collection service.
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Comment This development standard is to enforce waste storage area for multiple dwellings.					
DEV-P2.7.5 Lot Design					
<table border="1"> <tr> <td data-bbox="263 1597 434 1765">Objective:</td><td data-bbox="434 1597 1343 1765"> That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards. </td></tr> <tr> <td data-bbox="263 1765 794 1980"> A1 No Acceptable Solution </td><td data-bbox="794 1765 1343 1980"> P1 Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of: </td></tr> </table>		Objective:	That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards. 	A1 No Acceptable Solution	P1 Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of:
Objective:	That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards. 				
A1 No Acceptable Solution	P1 Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of:				

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	<ul style="list-style-type: none"> a) slope, shape, orientation and topography of the site; b) any established pattern of use and development; c) connection to the road network; d) availability of or likely requirements for utilities; e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and f) presence of any natural hazards.
A2 Each lot, or a lot proposed in a plan of subdivision, must be provided with vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	P2 Each lot, or proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; the anticipated nature of vehicles likely to access the site; and (d) the ability for emergency services to access the site.
DEV-P2.7.5 Services	
Objective:	That the subdivision of land provides services for future use and development of land.
A1 Each lot, or lot proposed in a plan of subdivision, must have a connection to a full water supply service.	P1 Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of: <ul style="list-style-type: none"> (a) slope, shape, orientation and topography of a lot; (b) any established pattern of use and development; (c) connection to the road network; (d) availability of or likely requirements for utilities; (e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and (g) any natural hazards.
A2 Each lot, or a lot proposed in a plan of subdivision, must have a connection to a reticulated sewerage system.	P2 No Performance Criterion
A3 Each lot, or lot proposed in a plan of subdivision, must be capable of connecting to: <ul style="list-style-type: none"> (a) a public stormwater system; or (b) existing stormwater system in the zone without increasing the rate of discharge to a waterway. 	P3 A lot proposed in a plan of subdivision must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, have regard to: <ul style="list-style-type: none"> (a) the size of a lot; (b) topography of the zone; (c) the flow and rate of discharge to a waterway;

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	<ul style="list-style-type: none">(d) any existing buildings in the zone;(e) any area of the zone covered by impervious surfaces; and(f) water sensitive design measures proposed.
<p>Comment</p> <p>Provisions for provides for an opportunity for subdivision and ensuring that lots are appropriately serviced.</p>	

7 Cradle Coast Regional Land Use Strategy

The amendment must be as far as practical to be consistent with the Cradle Coast Regional Land Use Strategy 2010-20130 (CCRLUS).

In short, the CCRLUS provides overall direction on future use and development for the Cradle Coast Region. As required by the Act, this proposed rezoning must be consistent with the CCRLUS. There are no prescribed tests or criteria, however, to determine whether an amendment is consistent with the CCRLUS or what is meant by 'practicable'.

Nevertheless, the spatial application of the proposed PPZ over the site is examined and considered against the relevant strategies, and land use policies. The assessment of the strategies is considered as a collective, with not all land use policies being relevant or applicable to the draft amendment. The assessment has considered the draft amendment in the context of the strategies and the land use planning policies categorised under the following headings:

- Implementation;
- Wise Use of Resources;
- Support for Economic Activity;
- Places for People; and
- Planned Provision of Infrastructure.

In the assessment, the strategies and land use policies have been considered in relation to each other. Where a land use policy potentially conflicts with another, the collective position is adopted as reading each strategy or policy in isolation of the other can lead to incoherent or opposing outcomes. The approach is aligned with the following statement,

"The Strategy does not provide definitive actions for how to deliver the intended result – rather it expresses the principles and policies against which all future proposals for processes and prescriptions for land use planning are to be considered. The Strategy may be applied as a series of questions or reference points to be addressed when contemplating and making land use policy and regulatory requirements" (page 117, CCRLUS).

The assessment of the amendment against the CCRLUS is outlined in Table 7.

Table 7: Applicable Strategies and Land Use Policies considered	
Section	Response
Implementation	
The Cradle Coast Regional Land Use Strategy –	
<ul style="list-style-type: none"> • Promotes regional land use policies that respect the natural environment, facilitate a robust and successful regional economy, provide liveable 	

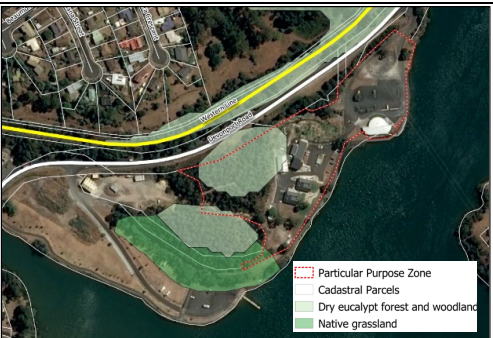
<p>communities and a sustainable pattern of settlement, and guide new use and development toward a secure and prosperous future</p> <ul style="list-style-type: none"> Consolidates and aligns land use planning with related strategies for economic, social, environmental, conservation and resource management applying for the Cradle Coast Region and places them into an overall context of an integrated regional land use strategy Provides a basis for the coordination of future actions and initiatives related to the growth and development of the Region and promotes arrangements which optimise benefit for regional communities Initiates a regional land use planning process to provide a strategic regional perspective and a coordinate framework for consistent regulatory action 		
<p>The amendment advocates a tailored approach for future use and development and is consistent with the intended principles and policies of the CCRLUS. The draft amendment strives to facilitate and promote a robust and thriving regional economy and continues to build a liveable community and drive sustainable development patterns as desired by the CCRLUS.</p> <p>The draft amendment, through the process provided by the Act, will be considered and implemented in a coordinated fashion across State and Local governments and the private sector. The process also provides for community consultation.</p>		
Wise Use of Resources		
Use and development of natural and cultural resources in the Cradle Coast Region		
<p>–</p> <ul style="list-style-type: none"> safeguards the life supporting properties of air, water and land maintains and enhances the health and security of biodiversity and ecological processes provides sustainable access to natural resources and assets in support of human activity and economic prosperity recognises and respects natural and cultural heritage promotes the optimum use of land and resources 		
2.3 Changing climate		
a	Promote outcomes which reduce carbon emissions and increase energy efficiency in a manner consistent with and appropriate to furthering declared Commonwealth and State policies and targets	The draft amendment seeks to strengthen the site as a riding destination in Devonport along with the Great Foreshore Ride network. The purpose of the PPZ WC focusses on continued support to retaining an open bicycle and pedestrian path to the public in an inviting and

Place.

		<p>welcoming setting, encouraging passive recreation and healthy activity. The draft amendment promotes a reduction in carbon emissions by encouraging commuter and recreational riding, providing an alternative mode of transport and reducing car trips.</p> <p>The draft amendment intends to achieve adaptation and reuse of existing buildings on the site, providing an opportunity to respond to a changing economic climate.</p> <p>Continued investment by the property owner will be stimulated by allowing adaptation and reuse of existing buildings. Economic activity assists with maintenance and continued upkeep of the site, ensuring it does not fall in a state of disrepair. The zone provisions provide flexibility for existing buildings, potentially extending their lifecycle. Opportunity for building reuse reduces the potential demolition and in turn, reduces waste generation going to landfill.</p>
b	<p>Promote compact and contained settlement centres which allow reduced dependency on private vehicle use and the length of daily journeys by providing communities with ready local access to daily needs for employment, education, healthcare, retail and personal services and social and recreation facilities, including</p> <ol style="list-style-type: none"> a greater mix and less dispersal or segregation in the nature and distribution of land use improvement in the level of internal connectedness and convenience for pedestrian, cycle and public transport options 	<p>The draft amendment opens an opportunity for infill development. It supports growth and development for housing and local employment through a careful intensification of a mix of uses within the established urban boundary of Devonport.</p> <p>The site is accessible by Devonport Road and the Great Foreshore Ride network. The bicycle and pedestrian pathway provides connectedness and convenience for pedestrian and cycle options, encouraging alternative modes of transport and strengthening its links with the CBD and in time with Spreyton. The amendment continues to retain an open waterfront environment through the</p>

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	<ul style="list-style-type: none"> iii. increase in urban densities for residential and commercial use iv. minimise expansion at the urban fringe and creation of rural residential clusters in remote or poorly connected locations 	<p>development controls, not to impede this network.</p> <p>The area open to the redevelopment of the site limited. However, the controls will assist with facilitating appropriate infill development for residential and business activities. The maximising the efficient use of developed land mitigates the cost of providing additional infrastructure services and amenities.</p>
2.4 Water Management		
b	Identify the surface water and ground water features, hydrological function, and natural features and areas necessary for the ecological and hydrological integrity of catchments	<p>Water sensitive design principles have been adopted on the site to minimise the concentration of water surface run-off from development.</p> <p>The Tasmanian Planning Scheme assesses the impact of surface water and ground water features from use and development through the relevant Codes.</p>
c	<p>Require catchments, natural water courses and water bodies be adequately buffered against likelihood for resource development, economic activity, utilities and settlement to have adverse effect on –</p> <ul style="list-style-type: none"> i. existing and known likely drinking water supplies ii. surface water, ground water, and water bodies susceptible to impact due to iii. extraction of water or the addition of nutrients, sediments and pollutants iv. hydrological function of water, including its chemical and physical properties, v. and its biological interaction with the environment 	<p>The site provides an opportunity for redevelopment. Although the natural and infrastructure constraints on the site will limit redevelopment of the site.</p> <p>Buildings, walls, fences and structures will be setback 30m from the mean high water mark, retaining a suitable buffer.</p> <p>The C7.0 the Natural Assets Code imposes a 10m buffer where a Class 1 watercourse adjoins a Particular Purpose Zone.</p> <p>The C7.0 Natural Assets Code at Clause C7.6.1 triggers a discretion if a new stormwater discharge point within a waterway and coastal protection area proposed as part of a planning permit application in the zone.</p>
d	Limit modification of natural drainage systems, including change in channel	The draft amendment does not propose to modify any natural

	alignment and in the nature of the stream beds and flow rates	drainage system or realign any channel.
e	Impact on water quality by runoff from adjacent use or development	The draft amendment does not include any new water discharge points. Any use and development is required to comply with the relevant legislation to protect water quality.
2.4 e	Require retention and rehabilitation of native vegetation within riparian and foreshore areas	 <p>Figure 25: TasVeg 3.0 for the site (source: theLISTmap)</p> <p>The PPZ WC is mostly urbanised land with a long history of various uses. A dense stand of vegetation (dry eucalypt forest and woodland) remains on the rocky outcrop of the zone. Native vegetation within the foreshore area has not been in existence for some time due to the various iterations of development that have occurred both on private property and Crown land.</p> <p>The valid Planning Permit 2014.0173 allows further removal of vegetation to construct the approved Waterfront Apartments at the top of the rocky outcrop. An application for a new planning permit requiring the removal of native vegetation will trigger an assessment against the relevant codes of the TPS.</p>
2.f	Require urban and rural land use or development incorporate measures to manage diffuse and point source pollution from storm water and wastewater discharge in accordance with the Tasmanian	The draft amendment does not include any new water discharge points. These policies are integrated with C7.0 Natural Assets Code of the TSP and

Place.

	State Policy on Water Quality Management 1997 and the Tasmanian State Stormwater Strategy 2010	therefore will require an assessment of development proposing new point discharge sources.
2.5 Land		
a	Recognise land is an irreplaceable and exhaustible resource.	The draft amendment represents a developed site and facilitates infill and redevelopment within the urban area of Devonport. The PPZ WC seeks to maximise efficiencies concerning the use of land.
b	Ensure the sustainable use or development of land in accordance with capability to provide the greatest economic and social for the region's communities benefit at least cost to natural values	<p>The draft amendment promotes sustainable use and development, allowing intensification of development where the natural values are already modified.</p> <p>The PPZ WC provides economic and social benefits to Devonport and the region by delivering provisions to facilitate reuse of existing buildings and infrastructure.</p> <p>The public open space containing the pedestrian and cycle network will benefit from the zone provisions by facilitating investment in this location.</p> <p>The proposed zone is within the established urban area of Devonport is beneficial to residents and visitors at least cost to natural values.</p>
c	Identify land for: <ul style="list-style-type: none"> i. protection and conservation ii. primary production; iii. economic activity; iv. settlement v. community, transport and utility infrastructure vi. tourism and recreation 	<p>The DevLPS applies the zones of the SPPs to the municipal area of Devonport. The LPS zone maps identify land in the municipal area for conservation, primary production, economic activity, settlement, infrastructure and tourism and recreation.</p> <p>The proposed zone is isolated from adjoining uses due to the topography, river and the Western Line railway. Due to the separation of the proposed PPZ</p>

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		<p>WC, it is highly is suited to a mix of uses, taking advantage of this unique setting in the urban area of Devonport.</p> <p>The inclusion of Crown land into the zone will provide consistency to development on the site.</p> <p>This will not impact on the protection and conservation of the tidal river environment.</p> <p>The proposed PPZ WC identify the land for a mix of uses through the proposed provisions. This is consistent with clause 2.5(c)</p>
2.6 Air		
a-c	<p>Land use planning processes recognise the importance of clean air to climatic and biological health and –</p> <ol style="list-style-type: none"> Maintain standards for natural air quality within the Region Promote development which satisfies or exceeds applicable regulatory standards for air quality Buffer development with potential to create adverse effects by nuisance and pollutant emissions from settlement areas 	<p>Codes as part of the SPPs form part of the TPS. The codes, through use and development controls, achieves the objective of Clause 2.6 a-c.</p> <p>The draft amendment will not provide uses that are likely to result in pollutant air emissions.</p>
2.7 Conservation		
b	<p>Recognise land is declared under the legislation of the Commonwealth and of the State of Tasmania for</p> <ol style="list-style-type: none"> comprehensive, adequate and representative natural areas are given long term protection in formal reserves for the maintenance of biological diversity, ecological process and geological feature 	<p>The proposed zone is not declared to be within a conservation area or identified as having significant environmental values. The portion of Crown land on the site is developed and has consequently modified the natural values.</p> <p>The draft amendment will not:</p> <ul style="list-style-type: none"> impede the continued access to the waterfront; and

Place.

	<p>i. areas outside formal reserves which compliment, link or enhance areas of</p> <p>r. conservation status, regional identity or local character are managed to retain natural values and function</p> <p>r. settlement and development on land adjacent to areas of conservation value</p> <p>i. is sited and managed to avoid adverse effect on natural values and processes</p>	<ul style="list-style-type: none"> compromise conservation values of land adjoining the proposed Zone. <p>Clause 2.7(b) is satisfied.</p>
e	Promote settlement and land use decisions which integrate with the Cradle Coast Natural Resource Management Strategy	The TPS considers natural values and resource management as part of the individual applicable codes part of the SPPs, which will be applied during the assessment of an application.
f	Require settlement development and growth has regard to likely adverse effect on areas of natural conservation value, including remnant vegetation, waterways and water bodies, and coastal systems	The Mersey River adjoins a portion of the proposed Zone. The codes part of the SPPs manages the natural conservation values of the Zone through the planning permit process.
g	Restrict land clearing and disturbance of intact natural habitat and vegetation areas, including areas of forest and non-forest vegetation communities declared under the <i>Nature Conservation Act</i> , coastal wetlands, and remnant and appropriate cultural vegetation within settlement areas.	The proposed Zone includes native vegetation. The native vegetation contained is not declared under the <i>Nature Conservation Act</i> .
2.8 Coastal Management		
a	Place limits on the expansion of urban and residential use and development within the coastal zone to avoid linear settlement patterns and encroachment onto areas of intact coastal environment	<p>'Intact' is not a word defined within the CCRLUS, and therefore the natural and ordinary meaning is applied. The Macquarie Dictionary defines 'intact; as:</p> <p><i>Remaining uninjured, unaltered, sound or whole; unimpaired.</i></p> <p>The proposed PPZ WC is not an intact coastal environment as the banks of the Mersey River, north of the site, are</p>

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		<p>developed for commercial or port facilities.</p> <p>The location is within the urban area and will not result in a new expansion of urban and residential use within the coastal zone.</p>
c	Minimise or avoid use or development in areas subject to high levels of coastal hazard	The DevLPS does not include the site in the coastal inundation overlay. A small area outside of the proposed PPZ WC is within an investigation area for coastal erosion.
e	Require intensification and redevelopment within established settlements ensure continued and undiminished physical and visual public access to beaches, headland and waterways	The site is within the urban area of Devonport.
2.9 Cultural and Historic Heritage		
a – f	The site is significantly modified from its natural form. There are no known cultural or heritage values associated with the site.	
Wise Use of Resources – Overall Comment		
<p>The draft amendment involves a site that has been significantly altered from its natural state. The controls sought by this draft amendment seek to provide optimum use of land within the urban settlement of Devonport.</p> <p>The TPS will provide an assessment process that will duly consider any impacts of natural resources and values such as native vegetation, impact on water quality of development on the Mersey River and heritage.</p>		
Economic Activity		
<p><i>Prosperity and liveability of the Cradle Coast Region is achieved through economically, socially and environmentally sustainable development. Land use planning –</i></p> <ul style="list-style-type: none"><i>facilitates regional business through arrangements for the allocation, disposition and regulation of land use which promote diversification, innovation and entrepreneurship and avoid unnecessary restraint on competition and cost for compliance</i><i>promotes use and development which maximises the Region's economic potential in key sectors with deep capacity and potential for sustained growth and economic return or a clear strategic advantage</i>		

Place.

<ul style="list-style-type: none"> <i>improves the social and environmental sustainability of the State and regional economy by allowing economic development and employment opportunities in a range of locations while respecting the link between a healthy environment and a healthy economy</i> <i>supports and grows liveable regional communities through coordinate action aligned with State and regional economic development plans specific to the issues, challenges and opportunities of the Region</i> 		
a	Facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential locations	<p>Employment land "are locations designated for clusters of industry, business or other economic activity, including but not limited to manufacturing, processing, transport, storage, business and retail, institutions and tourism" (page 49, CCRLUS).</p> <p>The site is a hub of mixed use activity and has supported commercial activity over the last 19 years and has provided local employment.</p> <p>The draft amendment allows a broader range of commercial activities which facilitates new employment opportunities.</p>
c	Ensure locations for employment use accommodate new forms and changing patterns of economic activity	<p>The investment of new infrastructure and buildings within the Devonport CBD as part of the Living City Master Plan is stimulating economic activity and revitalising the heart of the City.</p> <p>The demand for the retention of the existing building in Precinct 1 as a function centre is diminishing with new facilities establishing in the municipal area.</p> <p>The draft amendment provides an opportunity for repurposing existing buildings and in turn, allows capacity to respond to the changing economic activity within the municipal area.</p>
d	Promote provision of employment land in locations where	The site is strategically located within the urban settlement and is separated from other land uses by way of topography, infrastructure or other natural features.
i.	land is physically capable of development	

Place.

	<p>ii. transport access and utilities can be provided at reasonable economic, social and environmental cost</p> <p>iii. there is access to resource, energy, communication, and workforce</p> <p>iv. sufficient separation can be provided to buffer impact on natural values, economic resources and adjoining settlement</p>	<p>The relaxation of use and development controls increases the opportunity for local employment in an area that:</p> <ul style="list-style-type: none"> • is serviced by road infrastructure and the bicycle network; • is adjacent to residential areas providing a potential workforce; and • will have minimal impact on natural resource.
e	Protect designated economic activity and employment lands against intrusion by alternate forms of development	<p>Visitor accommodation and other commercial activities including business and professional services on the site contribute to the local and regional economy.</p> <p>The offers employment opportunities at a location with both connectivity and access to walking and cycling.</p> <p>The new function centres within the Devonport area will undoubtedly impact on the economic viability and continuation of the function centre on the site. The proposal is paramount as the use and development controls will allow consideration by the planning authority for building reuse and adaptation.</p> <p>This will facilitate the opportunity to convert the function centre to an office which in turn will provide continued employment and boost the economic viability of the site.</p> <p>Limited capacity for new development on the site ensures that commercial activities are small scale in type and nature.</p>
f	Indicate necessary infrastructure must be planned or available and protected to support current and forecast employment needs	The draft amendment is in a location that can be supported by existing infrastructure.
3.3.2 Natural Bio-Resource Production		

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a.-e.	Not Applicable. The site is not identified as land significant for bio-resource use	
3.3.3 Agriculture Production		
a-v	Not Applicable. The site is converted land within the urban area of Devonport.	
3.3.4 Minerals, Construction Aggregate and Stone resources extraction		
(a-b)	Not Applicable. The site is converted land within the urban area of Devonport.	
3.35 Sustainable Tourism		
a	facilitate tourism operations and facilities in locates that <ul style="list-style-type: none">i. leverage attraction and uniqueness of authentic experience in natural and wild places, including iconic destinationsii. integrate with other economic activity, including agriculture and miningiii. capitalise on natural and cultural heritage and landscapesiv. provide choice and diversity in character, distribution and scale	<p>The site is a unique mix of development that serves to function the visitor economy as well as the local and regional population base.</p> <p>The draft amendment will continue to support tourism.</p> <p>The reuse of the existing function centre for a professional office is compatible with the established uses on the site and diversifies the economic activity in this location.</p>
f	integrate tourist experience and infrastructure into settlement centres to support and reinforce economic function	The draft amendment assists with facilitating continued investment into the site, which in turn provides infrastructure and services that support the visitor economy.
g	void alienation and displacement of local communities and significant change in local character, function and identity	The draft amendment promotes an integrated mix of uses avoiding displacement of local communities by retention of an open waterfront environment accessible to the public.
h	ensure regulatory requirements and approval processes do not unduly direct or restrain the location, nature and flexibility of tourism operations and visitor accommodation.	The draft amendment will retain the opportunity for visitor accommodation on the site.
3.3.6 Visitor Accommodation		
	<ul style="list-style-type: none">a. facilitate a range of visitor accommodation optionsb. locate high capacity accommodation in major settlement centres and key tourist locationsc. designate sites for camping	The draft amendment continues to provide for self-contained accommodation on the site that is distinctly different from traditional motel and hotel accommodation offered within the CBD.

Place.

	d. restrict permanent settlement within designated tourist sites and facilities	The site comprises a mix of uses and is not purely a designated tourist site within Devonport, but nevertheless is important to the visitor economy.
3.3.7 Energy Generation		
	Not Applicable. The site is not a site identified for alternative energy generation.	
3.3.8 Manufacturing and Processing		
	Not Applicable. The site is not intended for manufacturing and processing.	
3.3.9 Business and Commercial Activity		
a	facilitate convenient access in each settlement area to food and convenience goods retailers and services	The settlement areas are serviced by food and convenience goods by supermarkets and local stores located at Spreyton, Quoiba, Miandetta and Best Street. There is no intention for the site to provide services that meet the day-to-day needs of the local population.
b	promote the distribution of higher order retail goods and services throughout the Region in a manner consistent with recognised settlement patterns and at a scale, type and frequency of occurrence appropriate to settlement size, local consumer demand, and relationship to the wider regional market.	The draft amendment restricts the use classes 'General Retail and Hire' and 'Business and Professional Services' in the zone, ensuring the centre hierarchy for the municipal area continues to be implemented and upheld (refer to Section 4.4.3).
e	maintain the integrity, viability and vitality of established centres by locating new business and commercial development onto land within or immediately contiguous with existing town centres and commercial zones	<p>The precincts reflect the established land use pattern on the site.</p> <p>The draft amendment allows consideration of the use classes 'General Retail and Hire' and 'Business and Professional Services'. The use classes are tightly regulated and controlled in the zone to maintain the integrity, viability of the Devonport CBD.</p> <p>The draft amendment seeks to facilitate the reuse of existing buildings and infrastructure.</p>
f	promote increased mix of land use, including for housing, within	The site is not within the CBD of Devonport. Although the draft

Place.

	accessible business centres to encourage viability and vitality	amendment provides an opportunity for housing in a location within 2.5km of the CBD.
g	prevent linear commercial development	The site will not exacerbate any linear commercial development along Devonport Road. Buildings are clustered together and are not individually accessible from Devonport Road.
h	prevent leakage of commercial and retail activities from preferred locations by restricting retail sales in other land use areas	The use and development controls imposed restrict 'General Retail and Hire' to a floor area of 200m². The floor area is of a size and scale for non-residential uses allowed within residential areas.
h (i)	provide designated locations for bulky goods and large format retailing, including for vehicle, building and trade supply, and home improvement goods	The Use Table does not allow consideration of bulky goods or large format retailing on the site.
j	restrict sale of food, clothing and carry away consumables through bulky goods and large format retail outlets located outside town centres	Refer to (h) and (h)(i).
k	require proposals for major business or commercial development outside designated town centres be supported by need, absence of suitable alternative sites and of potential for immediate, incremental or cumulative adverse affect on established town centres and the regional pattern of retail and service provision	The controls imposed by the draft amendment provides for reuse of an existing building and other commercial activities at an appropriate scale and size for the location.
3.3.10 Micro enterprises		
	Not Applicable.	
Overall Comment - Economic Activity		
The draft amendment allows consideration of future commercial activities on the site. The controls are tightly regulated for 'general retail and hire' and 'business and professional services'. The opportunity for these use classes on the site are small and do not in any way compromise or draw activity away from the CBD of Devonport.		
4 Places for People		
Regional settlements provide liveable and sustainable communities where		

Place.

<ul style="list-style-type: none">• <i>the growth and development of centres is contained to create functional places which optimise use of land and infrastructure services and minimise adverse impact on resources of identified economic, natural or cultural value</i>• <i>the pattern of settlement provides a network of compact, well connected and separate centres each with individual character and identity</i>• <i>land supply is matched to need and there is a balance of infill and expansion</i>• <i>there is coordinated and equitable access to provision of regional level services</i>• <i>each settlement provides an appropriate level of local development and infrastructure facilities to meet locally specific daily requirements in employment, education, health care, retail, and social and recreation activity for its resident population</i>• <i>each settlement provide a healthy, pleasant and safe place in which to live, work and visit there is diversity and choice in affordable and accessible housing</i>• <i>people and property are not exposed to unacceptable levels of risk</i>• <i>transport, utility and human service infrastructure is planned and available to meet local and regional need</i>• <i>energy and resource efficiency is incorporated into the design, construction and operation of all activities</i>		
4.3.1 Urban Settlement Areas		
b & c	<p>Promote established settlement areas as the focus for growth and development.</p> <p>Promote optimum use of land capability and the capacity of available and planned infrastructure service</p>	<p>The draft amendment will ensure that use and development are appropriate for inclusion within the urban area of Devonport.</p> <p>Future uses allowed by the PPZ WC matches the capabilities of the site and the available infrastructure.</p>
4.3.2 Rural Land		
a-e	The amendment does not concern rural land.	
4.4 Protecting People and Property		
b	<p>Establish the priority for risk management is to protect the lives of people, the economic value of buildings, the functional capacity of infrastructure, and the integrity of natural systems.</p>	<p>The main natural hazard is that the site is subject to landslide risk and is in a bushfire prone area.</p> <p>The TPS implements appropriate codes to manage the risks of the site through the assessment process.</p> <p>The previous investigations undertaken demonstrate that hazards can be appropriately managed to minimise risk to lives and property.</p>
4.5 Facilitating access to business and community services		

Place.

A & b	<p>Require each settlement area facilitate a mix of use and development of a nature and scale sufficient to meet for basic levels of education, health care, retail, personal services and social and economic activity and for local employment opportunities for the convenience of the local resident and catchment population.</p> <p>Locate business and community service activity reliant for operational efficiency on a regional scale population or on a single or limited number of sites at Burnie or Devonport, and at Latrobe, Ulverstone, Sheffield, Wynyard, Smithton, Currie and Queenstown</p>	The draft amendment provides for mix uses in a controlled setting. The established uses and the conversation of the function centre will provide services and local employment opportunities.
4.7 Housing Land – places to live		
b	Facilitate choice and diversity in location, form and type of housing to meet the economic social, health and well-being requirements and preferences of all people;	<p>The site has the potential to increase housing choice and diversity, although this is limited to proposed Precinct 2 and Precinct 3.</p> <p>Traditionally the residential areas of Miandetta are characterised by single detached dwellings on traditional sized lots. If the visitor accommodation should become superfluous, the proposed zone provides for the conversion of buildings for this purpose to residential use.</p> <p>The conversion of these buildings can be achieved through the adaptation of existing buildings.</p>
4.8 Healthy and Educated Communities		
c	Facilitate local development of community service facilities in locations accessible and convenient to the population they serve	<p>The draft amendment will not remove recreational facilities from the site.</p> <p>The site does not offer any major sporting facility. The proposed rezoning will not impact on the adjoining pedestrian network.</p>
4.9 Active Communities		

Place.

a	<p>a. Assist implementation of the Tasmanian Open Space Policy and Planning Framework 2010 and the Cradle Coast Regional Open Space Strategy 2009 and other related sport and recreation plans and strategies endorsed by government agencies and planning authorities</p> <p>b. Recognise recreation, leisure and wellbeing opportunities are integrated with settlement activity and do not always require a discrete land allocation, such as urban trails and walkways as detailed in the North West Coastal Pathway project.</p>	The draft amendment will continue to integrate the Great Foreshore Ride infrastructure with future use and development on the site.
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Overall Comment – Places for People

The draft amendment facilitates a mix of uses. The use class 'Residential' is introduced to the Use Table to allow consideration of medium density housing within the assigned precincts on a site that is well connected to the CBD by a bicycle/walking network.

Hazards can be appropriately managed for the site, as demonstrated by previous investigations undertaken.

The balance of community infrastructure, businesses, visitor accommodation and residential use, provides for infill development within the urban area of Devonport and creates a point of interest to both visitors and the local population.

5 Planned Provision of Infrastructure

Economic prosperity, liveable settlement and environmental health is underpinned by integrated land use and infrastructure planning to facilitate provision of adequate, appropriate and reliable infrastructure in a manner that –

- ensures infrastructure is planned and available commensurate with the use and development of land***
- prioritises optimum use of existing infrastructure over provision of new or expanded services***
- protects the function, capacity and security of existing and planned infrastructure corridors, facilities and sites***

Transport Systems - 5.4.4 Road Transport

5.4.2 Sea Transport

The draft amendment does not impact or impede the Devonport port.

5.4.3 Air Transport

The draft amendment does not impede on the Devonport Airport. The TPS manages the impacts of land on the operation of the airport.

Place.

5.4.4 Road Transport		
	Require local road networks provide a high level of accessibility and connectedness to local destinations, including for pedestrian, cycle and public transport	The draft amendment will not modify the existing access arrangements to Devonport Road.
5.4.5 Rail Transport		
	Recognise the strategic significance for Tasmanian import and export trade of the regional rail links to Western Junction and Melba for freight movement.	The draft amendment is separated by the road reserve of Devonport Road from the railway. The TPS manages impacts of sensitive uses on the railway.
5.4.6 Active Transport		
	Recognise policies for improved pedestrian, cycle and public transport forms as an alternative to personal car travel contained in the Tasmanian Walking and Cycling Active Transport Strategy.	This proposed draft amendment seeks to reduce the number of short car trips with by promoting walking and cycling. Car dependency is reduced by providing higher density mixed use areas with improved levels of connections.
5.5 Energy – generation, distribution and supply		
The amendment will not impact on energy supply or systems.		
5.6 Water Supply		
The amendment allows for development that has the capacity to be serviced by a mains water supply.		
5.7 Information Technology		
The amendment will not impact on information technology infrastructure.		
5.8 Waste Management – solid and liquid waste		
	Seeks a coordinated approach to solid waste reduction, disposal and recovery action	The amendment seeks to repurpose existing buildings to ensure investment and continued upkeep with the intention of increasing the life cycle of the existing buildings.
5.9 Community Services		
	Facilitate community service activity and facilities in locations for housing and business	The amendment continues to support the Great Foreshore Ride infrastructure.
Overall Comment – Planned Provision of Infrastructure		
The amendment seeks to create a site that forms a seamless extension with the waterfront. The bike riding and pedestrian network in conjunction with a limited mix of commercial uses creates a riding/walking destination in Devonport.		

8 Statutory Requirements

The Act is the applicable legislation regulating the process and requirements for an amendment to the DevLPS as part of the Tasmanian Planning Scheme.

Under section 38(1), the planning authority, the Council, before deciding to prepare a draft amendment of an LPS, the Council must be satisfied that such an amendment will meet the LPS criteria. The LPS criteria are set out at section 34 of the Act, and section 34(2) is reproduced below.

- (2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*
- (a) *contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) *is in accordance with [section 32](#); and*
 - (c) *furtheres the objectives set out in [Schedule 1](#); and*
 - (d) *is consistent with each State policy; and*
 - (da) *Satisfies the relevant criteria in relation to the TPP's (Tasmanian Planning Policies); and*
 - (e) *as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) *has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#), that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) *as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) *has regard to the safety requirements set out in the standards prescribed under the [Gas Pipelines Act 2000](#).*

to initiate an amendment an amendment to the DevLPS is a strategic consideration. A decision on whether to approve and implement an amendment is made by the Tasmanian Planning Commission (the Commission).

Place.

The following section addresses the requirements of the Act and demonstrates that section 32 of the Act is satisfied.

8.1 SPPs

The comments that follow are offered in support of this submission to demonstrate that the proposal furthers the Objectives of the Resource Management and Planning System as set out in Parts 1 and 2 of Schedule 1 of the Act.

8.2 Section 32

Section 32 of the Act sets out the contents of the LPSs. Section 32(3) provides that a particular purpose zone can be inserted in an LPS if permitted to do so by the SPPs.

An LPS can only include a particular purpose zone in relation to an area if it can satisfy Section 32(4) (a) or (b). Section 32(4) (a) and (b) is reproduced below.

An LPS may only include a provision referred to in subsection(3) in relation to an area of land if –

- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
- (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

PPZ 1 in Guideline 1 states that:

A Particular Purpose Zone (PPZ) may be applied to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more State Planning Provision zones. It may be applied to land that provides major facilities or sites which require a unique or tailored approach to both use and development standards, such as a university campus, or major hospital site.

Section 4 of the report has demonstrated that the planning outcomes cannot be achieved by the application of one or more SPPs zones. Accordingly, the proposed PPZ WC is warranted. Table 8 below addresses section 32(4).

Table 8: PPZ WC - Compliance with s32(4) of the Act

S32(4)(a) A use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area

Place.

Social

The Great Foreshore Ride network provides a significant social benefit to the City of Devonport and is a benefit enjoyed by both residents and visitors to the town. The PPZ WC protects a seamless transition between public and private open space, creating an enjoyable and safe space to visit. The proposed mix of activities will provide natural surveillance over the site, which will be beneficial to the community frequenting the walking and cycling trail.

The diversification of uses creates a vibrant site which then in turn also provide benefit to the community.

Economic

Devonport is in part reliant upon the visitor economy. Devonport is often regarded as the Gate Way to Tasmania as the Spirit of Tasmania departs from East Devonport. Capturing the visitor economy market is vital, and providing a broad range of accommodation choices can attract visitors to Devonport.

The site is ideal for visitor accommodation being isolated and separated from the main residential areas of Miandetta and Quoiba. The investment in recent years in visitor accommodation is substantial and has provided employment.

The proposed PPZ WC lifts the restrictions on new visitor accommodation on the site and allows the repurposing of an existing building. The repurposing of the existing building will generate income for the site and stimulate further economic activity.

8.3 Objectives of the Resource Management and Planning System of Tasmania

The comments that follow are offered in support of this submission to demonstrate that the proposal furthers the Objectives of the Resource Management and Planning System as set out in Parts 1 and 2 of Schedule 1 of the Act.

8.3.1 Furthering the Objectives of Schedule 1 of the Act

<i>(a) promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.</i>

Response

The draft amendment involves a highly modified and developed site that is uniquely located to take advantage of the views of the Mersey River.
--

Place.

<p>The impediments on the site, as discussed in this report, limits future use and development. The assessment against the applicable codes ensures that the natural and physical resources are duly considered in any application for future use and development on the site.</p> <p>The proposed use and development controls provide planning permit pathway for new and modification to established uses on the site. The site holds a valid permit for further development.</p> <p>The draft amendment will not compromise the natural and physical resources and the maintenance of ecological processes and genetic diversity.</p>
<p><i>(b) To provide for the fair, orderly and sustainable use and development of air, land and water.</i></p>
<p>Response</p> <p>The draft amendment provides for infill development opportunity within the urban area of Devonport. Any future redevelopment of the site will utilise the existing infrastructure. The proposed controls strengthen consideration for building reuse and adaptation to facilitate the evolution of the site.</p> <p>The draft amendment is considered to be fair, orderly and sustainable use of land, consistent with the objective.</p>
<p><i>(c) To encourage public involvement in resource management and planning.</i></p>
<p>Response</p> <p>Public involvement will be achieved through the exhibition process of the amendment and associated planning permit application.</p>
<p><i>(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c).</i></p>
<p>Response</p> <p>The draft amendment facilitates economic development as it provides for a permit pathway for use and development on the site that is prohibited in the current zones. The provisions provide for a broader range of compatible uses and improve the capacity of repurposing buildings and allows consideration of visitor accommodation currently prohibited. The draft amendment facilitates economic development.</p> <p>Specific development controls imposed in the SPPs will consider the impact on the natural values of the site.</p>
<p><i>(e) To promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i></p>
<p>Response</p>

Place.

The responsibility for resource management and planning will have been shared between the City of Devonport and the Tasmanian Planning Commission, the community and industry.

8.3.2 Objectives under Part 2 of Schedule 1 (of The Act).

(a) to require sound strategic planning and co-ordinated action by state and local Government.

Response

The draft amendment is in accordance with the state policies, the CCRLUS and endorsed local strategies as discussed throughout this report. The proposed modification represents an approach consistent that is aligned with the strategic direction of the Council and State government.

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.

Response

By consideration of this submission, the DevLPS can be modified, providing a tailored approach consistent with the strategic context.

The draft amendment provides detailed use and development controls in conjunction with existing codes in the TPS. The amendment to the DevLPS sets the direction for use and development on the site that is consistent with the strategic goals and objectives as considered in sections 5 and 7 in this report.

(c) To ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

Response

The draft amendment is to facilitate further economic development in a serviced area of Devonport. This enables facilitating a mix uses on the site that facilitates the social infrastructure of the pedestrian and bicycle network. Creating a vibrant and dynamic site with safe and secure spaces is intended to encourage walking and riding by the population. This is considered to provide considerable benefits to the community as desired by the Council's local endorsed strategies.

(d) To require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional, and municipal levels.

Response

Place.

The inclusion of the site into the PPZ WC will allow broader and more efficient use of existing infrastructure (roads and services). The opportunity for further development on the site is consistent with the strategies and objectives advocated at a State, regional and municipal levels.
<i>(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.</i>
Response The draft amendment provides an opportunity to consider the change of use of the function centre together rather than through two individual processes.
<i>(f) To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania.</i>
Response Inclusion of land through the proposed zoning will help facilitate the integration of compatible and complementary land use activities that will not have an adverse impact on adjoining development.
<i>(g) To conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.</i>
There are no buildings on the site that are of conservation value.
<i>(h) To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.</i>
The site is located within a serviced area of Devonport.
<i>i) To provide a planning framework which fully considers land capability.</i>
The site is located within the urban area of Devonport. This objective is not considered to be relevant to this submission.

8.4 State Policies

The following State Policies are made under the *State Policies and Projects Act 1993*:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

Place.

The National Environmental Protection Measures are automatically adopted as State Policies under the State Policies and Projects Act 1993.

The following section examines the State Policies as they apply to this amendment.

8.4.1 State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 (PAL Policy) is to 'conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land'.

The site is within the established urban area of Devonport and does not impact on any agricultural land. This policy is not applicable to the amendment.

8.4.2 Tasmanian State Coastal Policy 1996

The State Coastal Policy 1996 (revised 16 April 2003) places significant emphasis on the 'precautionary principle' when making decisions concerning use and development within coastal areas.

Accordingly, the relevant principles and outcomes of the State Coastal Policy as they apply to the site are assessed in the context of the draft amendment. The applicable principles and outcome for consideration of this draft amendment are outlined in Table 9.

Table 9: Relevant principles and outcomes of the State Coastal Policy	
Principle	Outcome
1	Protection of Natural and Cultural Values of the Coastal Zone
1.1	Natural Resources and Ecosystems
1.1.2	<p>The coastal zone will be managed to protect ecological, geomorphologic and geological coastal features and aquatic environments of conservation value.</p> <p>Response The site is adjacent to inland tidal waters. The array of land uses that have occupied the site over time has resulted in the modification of the natural landform. The TPS assesses any use and development that is within 30m of the Mersey River. New development within 30m (other than that already approved) of the waterway is unlikely given the restrictions associated with the site.</p>
1.1.3	The coastal zone will be managed to conserve the diversity of all native flora and fauna and their habitats, including seagrass and seaweed beds, spawning and breeding areas. Appropriate

Place.

Table 9: Relevant principles and outcomes of the State Coastal Policy	
Principle	Outcome
	conservation measures will be adopted for the protection of migratory species and the protection and recovery of rare, vulnerable and endangered species in accordance with this Policy and other relevant Acts and policies.
	Response The site is highly modified and is approved for the construction of visitor accommodation.
1.1.5	Water quality in the coastal zone will be improved, protected and enhanced to maintain coastal and marine ecosystems, and to support other values and uses, such as contact recreation, fishing and aquaculture in designated areas.
	Response Use and development within the proposed PPZ WC will have the capacity to connect to reticulated sewer and water. New stormwater discharges will be appropriately assessed against the relevant codes of the TPS.
1.4	Coastal Hazards
1.4.1	Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.
	Response Mapping, as part of the Hazard Band series prepared by the Department of Premier and Cabinet, has identified a risk of coastal inundation and erosion and landslip hazard. Anecdotal evidence suggests that flooding of the Mersey River that has occurred in recent years did not impact on the site. All buildings were unaffected. This has been verbally advised by the Council. Previous assessment of the landslip has demonstrated that the risk can be managed.
2	Sustainable Development of Coastal Areas and Resources
2.1	Coastal uses and Development

Place.

Table 9: Relevant principles and outcomes of the State Coastal Policy	
Principle	Outcome
2.1.2	<p>Development proposals will be subject to environmental impact assessment as and where required by State legislation, including the Environmental Management and Pollution Control Act 1994.</p> <p>Response The use and development of the site will be appropriately managed in accordance with the TPS. The draft amendment does not provide for any use or development that will require assessment against the <i>Environmental Management and Pollution Control Act 1994</i>.</p>
2.1.5	<p>The precautionary principle will be applied to development which may pose serious or irreversible environmental damage to ensure that environmental degradation can be avoided, remedied or mitigated. Development proposals shall include strategies to avoid or mitigate potential adverse environmental effects.</p> <p>Response Use and development will be assessed against the requirements of the TPS. The site is highly modified from its natural state. The amendment will not give rise to any new development (other than already approved) within 30m of the waterway.</p>
2.1.6	<p>In determining decisions on use and development in the coastal zone, priority will be given to those which are dependent on a coastal location for spatial, social, economic, cultural or environmental reasons.</p> <p>Response The amendment concerns land area within the urban boundary of Devonport.</p>
2.4	Urban and Residential Development
2.4.2	<p>Urban and residential development in the coastal zone will be based on existing towns and townships. Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon development and unrelated cluster developments along the coast.</p> <p>Response The draft amendment will not result in any further ribbon development along Devonport Road.</p>
2.4.3	Any urban and residential development in the coastal zone, future and existing, will be identified through the designation of areas in planning schemes consistent with the objectives, principles and outcomes of this Policy.

Place.

Table 9: Relevant principles and outcomes of the State Coastal Policy	
Principle	Outcome
	Response The draft amendment will appropriately identify use and development compatible with the site.

The proposed rezoning of the site is aligned with the intended outcomes of this Policy.

8.4.3 State Policy on Water Quality Management 1997

The State Policy on Water Quality Management is concerned with achieving 'sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System'.

The management of surface water is appropriately managed through the current provisions within the TPS. The existing provisions are aligned with this State Policy.

New use and development will be appropriately managed through the assessment process pursuant to section 57 or section 58 of the Land Use Planning and Approvals Act 1993.

8.5 Tasmanian Planning Policies

8.6 Cradle Coast Regional Land Use Strategy

Section 7 of this report demonstrates that the draft amendment is consistent with the Cradle Coast Regional Land Use Strategy.

8.7 Section 66 of the Local Government Act 1993

Section 5 of this report considers the endorsed local strategy and demonstrates that the draft amendment is consistent with the local context.

8.8 Land Use Conflict

The topography, river, road and rail infrastructure separates the site from adjacent residential and recreational areas as demonstrated throughout this report. The draft amendment will not give rise to land use conflicts with development permissible under the DevLPS applying to the adjacent area.

Place.

8.9 Use and Development of the Region

The draft amendment intends to:

- protect the social infrastructure established on the site which has a significant benefit to the community and visitors alike;
- stimulate economic development by providing the opportunity for controlled commercial and retail activities to support the adaptation and reuse of existing buildings in the long term;
- continue to provide local employment opportunities through small scale commercial development; and
- create a safe and attractive site that forms a seamless extension of the public realm supporting incidental community interactions.

The draft amendment also provides for use and development, which will result in the careful management of natural values, hazards and water management.

The various sections of this report have discussed the impacts that the use and development permissible under the draft amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

8.10 Gas Pipelines Act 2000

The infrastructure corridor containing the gas pipeline is not located in the vicinity of the site.

Place.

9 Proposed Change of Use

9.1 Proposal

The application seeks a planning permit to convert the Waterfront Function Centre building located within the Business Precinct, from the use class 'Community Meeting and Entertainment' to 'Visitor Accommodation' (refer to Appendix I).

Visitor Accommodation is defined in Table 6.2 in the SPPs as:

use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.

The application proposes to reconfigure the internal space of the building to create four self-contained accommodation units, each with their own kitchen and bathroom facilities. The proposal will remove existing windows to accommodate the partitioned spaces (refer to Figure 26).

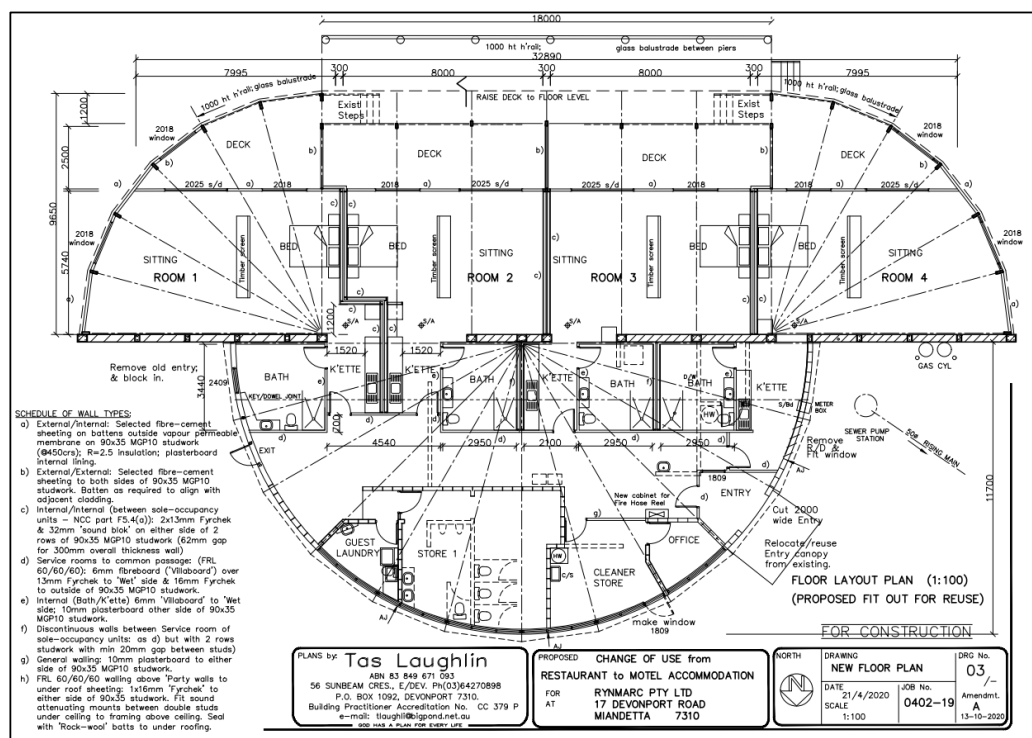


Figure 26: Proposed layout of the existing building for the use class Visitor Accommodation

The proposed accommodation will:

- operate seven days per week;



- be serviced by the existing car parking to the northern side of the building;
- not require new services or create an additional stormwater discharge point to the Mersey River;
- not alter the access from Devonport Road at the north-western corner of the site.

The application is assessed as if the amendment to the DevLPS is approved. The following assessment considers the proposal against the provisions of the proposed PPZ WC and the applicable codes.

The change of use is in an existing building located within the Business Precinct. The use class Visitor Accommodation is listed in Table Dev-P2.5.1 as permitted. The application cannot comply with all the applicable acceptable solutions and therefore relies on the following performance criteria:

9.2 Particular Purpose Zone – Waterfront Complex

Reference Number	Area Description	Local Area Objective
DEV-P2.2.1	Business Precinct - shown on the overlay maps as DEV-P2.2.1	<p>The local area objectives for the Business Precinct are:</p> <ul style="list-style-type: none"> (a) to reuse and adapt the existing building for visitor accommodation or business activities; (b) to use the car parking and landscaped area on the northern side of the existing building for a market or similar activity that does not interfere with the internal driveway servicing the other precincts; and (c) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.2	Mixed Use Precinct – shown on the overlay maps as DEV-P2.2.2	<p>The local area objective for the Mixed Use Precinct is:</p> <ul style="list-style-type: none"> (a) to provide for use and development that services and supports residents or visitors to the area; (b) to provide for limited opportunities for Business and Professional Services and General Retail and Hire uses to establish in the precinct; (c) to allow medium density residential development and visitor accommodation that does not exceed the capacity of infrastructure such as water and sewerage;

Place.

		(d) to mitigate impacts from noise, light or other emissions from non-residential uses; and (e) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.3	Accommodation Precinct – shown on the overlay maps as DEV-P2.2.3	The local area objective for the Accommodation Precinct is: (a) to limit use and development to residential or visitor accommodation; and (b) to support the continued use of the cycling and pedestrian network.

Response**The proposal is consistent with the Business Precinct Local Area Objectives.**

The application proposes the reuse of an existing building which is currently not utilised as a function centre. The proposal does not increase the building footprint. It is consistent with the Business Precinct Local Area Objectives (a) and (c). Subclause (b) is not applicable in this instance as an outdoor market is not proposed.

DEV-P2.6.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to visitor accommodation or residential use.	
Acceptable Solutions		Performance Criteria
A1 Hours of operation for a use, excluding Residential and Visitor Accommodation in the zone, must be within the hours of 7:00am to 6pm.		P1 Hours of operation for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to Residential or Visitor Accommodation uses in the zone, having regard to: (e) the timing, duration or extent of vehicle movements; and (f) noise, lighting or other emissions.
A2 External lighting for a use, excluding Residential and Visitor Accommodation: (a) must not operate within the hours of midnight to 6.00am, excluding any security lighting; and		P2 External lighting for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to sensitive uses within the zone or adjacent land, having regard to:

Place.

(b) security lighting, be baffled to prevent direct light does not extend into adjoining property.	(a) the number of proposed light sources; (b) the location of the proposed light sources; (c) the type of illumination and duration of lighting; (d) the proximity of the proposed light sources to nearby sensitive uses.
<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use excluding, Residential and Visitor Accommodation, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Saturday; and</p> <p>(b) 9:00 to 4pm Sunday and public holidays.</p>	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Residential and Visitor Accommodation, must not cause unreasonable loss of amenity to sensitive uses having regard to:</p> <p>a) the time and duration of commercial vehicle movements;</p> <p>b) the number and frequency of commercial vehicle movements;</p> <p>c) the nature of the proposed use;</p> <p>d) existing levels of amenity; and</p> <p>e) any existing or proposed noise mitigation measures the vehicle movement areas and Residential or Visitor Accommodation uses.</p>
<p>A4</p> <p>Air conditioning, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation, must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by Residential or Visitor Accommodation uses in the zone.</p>	<p>P4</p> <p>Air condition, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation must not cause unreasonable loss of amenity to Residential or Visitor Accommodation uses in the zone, having regard to:</p> <p>(a) the time and duration of emissions generated from plant and equipment;</p> <p>(b) the nature of the proposed use;</p> <p>(c) existing levels of amenity;</p> <p>(d) the landscaping of the site; and</p> <p>(e) any existing or proposed noise mitigation measures the vehicle movement areas and Residential or Visitor Accommodation uses.</p>

Response:

The Acceptable Solutions A1 to A4 are not applicable.

Place.

The proposal is categorised as Visitor Accommodation, and therefore the acceptable solutions of DEV-P2.6.1 do not apply.

DEV-P2.6.2 Uses in the Business Precinct and Mixed Use Precinct

Objective:	That uses, excluding Residential and Visitor Accommodation uses, in the Business Precinct and Mixed Use Precinct limit the scale and proportion of business and retail activities that can establish in the zone.	
Acceptable Solutions	Performance Criteria	
A1 Business and Professional Services, Community Meeting and Entertainment, Food Services, General Retail and Hire, Sports and Recreation and Visitor Accommodation uses, in the Business Precinct must: (a) be in the existing building; and (b) be for a single tenancy.	P1 Business and Professional Services, Community Meeting and Entertainment, Food Services, General Retail and Hire, Sports and Recreation and Visitor Accommodation uses, in the Business Precinct must not compromise the established character of the zone, having regard to: (a) the local area objectives; (b) the characteristics the site; and (c) the size, scale or permanency of the proposed use.	
A2 Business and Professional Services and General Retail and Hire uses in the Mixed Use Precinct must have a combined gross floor area of not more than 250m ² in the Precinct.	P2 No performance criterion.	

Response:

Complies with the Acceptable Solution A1

Acceptable Solution A2 is not applicable.

A1 The proposal is categorised as Visitor Accommodation and is in the Business Precinct. The accommodation will be within the existing building previously known as the Waterfront Function Centre.

Acceptable Solution A2 is not applicable as use and development is not proposed within the Mixed Use Precinct.

Place.

DEV-P2.6.3 Outdoor Storage

Objective:	That outdoor storage areas do not detract from the appearance of the zone or adjacent properties.	
Acceptable Solutions		Performance Criteria
A1 Outdoor storage areas must not be visible from any road, public open space or pedestrian network in or adjoining the zone.		P1 Outdoor storage areas excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

Response:

The Acceptable Solution A1 is not applicable.

A1 The proposal does not include any outdoor storage areas.

DEV-P2.7 Development Standards for Buildings and Works

DEV-P2.7.1 Building Height and Setbacks

Objective:	The height and setback of buildings are to: (a) minimise the visual prominence of buildings and structure when viewed from the Bass Highway, Devonport Road or the Mersey River; (b) not cause unreasonable loss of sunlight to a habitable room of Residential or Visitor Accommodation uses; and (c) minimise the impact on the pedestrian network on adjoining land and parallel to the banks of the Mersey River. (d) provides consistency in the apparent scale, bulk, massing and proportion of established buildings; (e) provides reasonable access to sunlight for existing solar energy installations.	
Acceptable Solutions		Performance Criteria

Place.

<p>A1</p> <p>Building height must be not more than 8.5m.</p>	<p>P1</p> <p>Building height must be compatible with existing buildings and not cause unreasonable loss of amenity having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the zone; (b) the bulk and form of existing and proposed buildings; (c) the apparent height of proposed buildings when viewed from the Bass Highway, Devonport Road, and other public places; and (d) overshadowing of public places; (e) overshadowing and reduction in sunlight to habitable rooms and private open space of sensitive uses or Visitor Accommodation uses in the zone.
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Response:

The Acceptable Solution A1 is not applicable.

A1 - The proposal does not modify the height of the existing building.

<p>A2</p> <p>Buildings must have a setback from the frontage of Devonport Road of:</p> <ul style="list-style-type: none"> (a) not less than 5m; or (b) not less than the setback of a building existing in the zone. 	<p>P2</p> <p>Buildings must have a setback from the frontage of Devonport Road that is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the zone; (b) the setback of existing buildings within the zone; (c) the height, bulk and form of existing and proposed buildings; and (d) the safety and impact on the internal driveway, pedestrian and cycle network in the zone or on adjoining land.
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Response:

The Acceptable Solution A2 is not applicable.

A2 - The proposal does not modify the existing setbacks to Devonport Road.

<p>A3</p> <p>Buildings, fences, freestanding walls must not be constructed within 30m of the mean high water mark of the Mersey River.</p>	<p>P3</p> <p>No Performance Criterion.</p>
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**Response:**

The Acceptable Solution A3 is not applicable.

A3 - The proposal is for the alteration of the existing building established within 30m of the mean high water mark of the Mersey River.

DEV-P2.7.2 Private open space for all dwellings

Objective:	That dwellings are compatible with the amenity and character of the site and provide: (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
A1 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m ² ; or (ii) 12m ² , if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (g) is orientated between 30 degrees west of true north and 30 degrees east of true north; and (h) has a gradient not steeper than 1 in 10.	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (b) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

Response:

The Acceptable Solution A1 is not applicable as the application does not propose a dwelling.

DEV-P2.7.3 Separation of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to enter private open space for dwellings in the zone.
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<p>A1</p> <p>A multiple dwelling that is to the north of the private open space of another dwelling, must be setback a distance of 3m from the northern edge of private open space.</p>	<p>P1</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling in the same zone.</p>
<p>A2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <ol style="list-style-type: none"> it is separated by a screen of not less than 1.7m in height; or the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 	<p>P2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

Response:

The Acceptable Solutions A1 and A2 are not applicable as the application does not propose multiple dwellings.

DEV-P2.7.4 Waste Disposal for Multiple Dwellings

Objective:	That the storage of waste and recycling bins for multiple dwellings be provided.	
<p>A1</p> <p>A dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within</p> <p>(b) a common storage area with an impervious surface that:</p> <ol style="list-style-type: none"> has a setback of not less than 5m from a frontage; is not less than 5.5m from any dwelling; and is screened from a dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area. 	<p>P2</p> <p>A multiple dwelling must have storage for waste and recycling bins that is:</p> <ol style="list-style-type: none"> capable of storing the number of bins required for the proposed dwellings; screened from the frontage and dwellings; and in a location that can be accessed by a waste collection service. 	

Place.

Response:

The Acceptable Solution A1 is not applicable as the application does not propose multiple dwellings.

DEV-P1.8 Development Standards for Subdivision

The proposal does not propose subdivision and therefore DEV-P1.8 is not applicable.

9.3 Codes

Table 8 assesses the proposed use and development against the applicable codes. Further assessment is conducted below against the provisions of the codes applying to the proposed use and development.

Table 10: Codes		
C1.0	Signs Code	<p>Signage is established at the entrance of the site. The proposal does not include new signage.</p> <p>The code is not applicable.</p>
C2.0	Parking and Sustainable Transport Code	<p>The code applies to all use and development as there are no special provisions contained in the proposed PPZ WC concerning car parking.</p> <p>Please note the following:</p> <ul style="list-style-type: none"> • The use class Visitor Accommodation is excluded from the list at sub-clause C2.2.2. Therefore Clause 2.5.3 does not apply to this application; • The use class Visitor Accommodation excluded from the list at sub-clause C2.2.3. Therefore Clause 2.5.4 does not apply to this application; and • The use class Visitor Accommodation excluded from the list at sub-clause C2.2.4. Therefore Clause 2.5.5 does not apply to this application. <p>The code is applicable (refer to 9.3.1).</p>

Place.

C3.0	Road and Railway Assets Code	<p>The proposal will not increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using the existing vehicle crossing.</p> <p>There is no subdivision or a sensitive use within a road or railway attenuation area proposed.</p> <p>The code is not applicable</p>
C4.0	Electricity Transmission Corridor	<p>The code applies to the use and development of land within the electricity transmission corridor. The proposed use and development involves modification to the internal configuration of the building, which will also result in the removal of windows from the external building façade. The works will not increase site coverage by more than 140m² and therefore is exempt as per C4.4.1 (a)(i).</p> <p>The works will not be within the inner protection area and will not modify the gross floor area of the existing building.</p> <p>The code is not applicable.</p>
C5.0	Telecommunication Code	<p>The application does not propose telecommunication facilities.</p> <p>The code is not applicable.</p>
C6.0	Local Historic Heritage Code	<p>The application does concern the use and development of the land of:</p> <ul style="list-style-type: none"> • a local heritage place; • a local heritage precinct; • a local heritage historic landscape precinct; and • a place or a precinct of archaeological potential. <p>The code is not applicable.</p>
C7.0	Natural Assets Code	<p>The site is zoned PPZ WC and is in the waterway and coastal protection area and priority vegetation area.</p>

Place.

		<p>The proposal is for a change of use. The building footprint will not be altered. There will be no clearance of vegetation.</p> <p>The site is not in a future coastal refugia area.</p> <p>The Mersey River is Class 1 Watercourse as it is named on the 1:100000 topographical series maps. As the site is zoned Particular Purpose, the required buffer is 10m instead of 40m as per Table C7.3. While the building footprint will not be increased, the proposal will result in works in the water and coastal protection area.</p> <p>The code is applicable (refer to 9.3.2)</p>
C8.0	Scenic Protection Code	<p>The site is zoned PPZ WC. The zone is not listed at clause C8.2.1.</p> <p>The code is not applicable.</p>
C9.0	Attenuation Code	<p>The proposal does not include sensitive use and does not have any activity described in C9.1 or C9.2.</p> <p>TasWater infrastructure is located at 2 Devonport Road, Miandetta (CT:149487/1). The land area does not include any lagoons associated with sewerage treatment, as described in Table C9.2.</p> <p>The code is not applicable.</p>
C10.0	Coastal Erosion Hazard Code	<p>The site is not in a coastal erosion hazard area.</p> <p>The code is not applicable.</p>
C11.0	Coastal Inundation Hazard Code	<p>The site is not in a coastal inundation hazard area.</p> <p>The code is not applicable.</p>
C12.0	Flood-Prone Areas Hazard Code	<p>The site is in a flood-prone hazard area.</p> <p>The code is not applicable.</p>
C13.0	Bushfire-Prone Areas Code	<p>The application is not a hazardous use, a vulnerable use or subdivision.</p>

Place.

		The code is not applicable.
C14.0	Potentially Contaminated Land Code	<p>The land is not shown on the overlay maps as being potentially contaminated.</p> <p>The code is not applicable.</p>
C15.0	Landslip Hazard Code	<p>The application proposes alterations to an existing building. The building is outside of land subject to a landslip hazard area.</p> <p>The code is not applicable.</p>
C16.0	Safeguarding of Airports Code	<p>The site is in the airport noise exposure area and in the obstacle limitation area. The AHD height is specified to be 140m. The alterations to an existing building will not increase the building height. The building height is not more than the specified AHD height. Clause C16.4.1 exempts the proposed use and development from the code.</p> <p>The code is not applicable.</p>

9.3.1 C2.0 Parking and Sustainable Transport Code

This code is assessed to apply, as identified in Table 8. An assessment against the relevant provisions of the code is provided below. The road authority has confirmed that the proposed change of use did not present any issue concerning traffic generation or safety of the road network.

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective:	That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria	
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: <ul style="list-style-type: none"> (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p> 	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (g) the effect on streetscape; and (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development. P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area. 	

Place.

Response:**Complies with the Acceptable Solution A1(d)(i).**

The function centre building is supported by a substantial car park on its northern side, as shown on the Site Location Plan submitted with this application (refer to Appendix 1).

Table C2.1 requires that the use class Visitor Accommodation provide *1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater*. There are four single bedroom units proposed. Therefore 4 spaces are required. More than 4 spaces will be provided.

The existing use class is 'Community Meeting and Entertainment'. A function centre requires 1 space per 15m² of floor area, or 1 space per 3 seats, whichever is greater. The function centre has an area of around 600m². The previous use would require 40 spaces.

Subclauses (a), (b), (c) and (d)(ii) are not applicable.

No additional on-site parking spaces are required as per subclause (d)(i).

C2.5.2 Bicycle parking numbers

Objective:	That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions		Performance Criteria
A1 Bicycle parking spaces must: <ul style="list-style-type: none"> (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1. 		P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

Response**Complies with the Acceptable Solution**

Table C2.1 does not prescribe any bicycle parking spaces for the use class Visitor Accommodation.

Place.

C2.5.3 Motorcycle parking numbers

Objective:	That the appropriate level of motorcycle parking is provided to meet the needs of the use.
Acceptable Solutions	Performance Criteria
A1 The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained. 	P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.

Response**Not Applicable see Table 8.**

C2.5.4 Loading Bays

Objective:	That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.
Acceptable Solutions	Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: <ul style="list-style-type: none"> (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.

Response

Place.

Not Applicable see Table 8.**C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone**

Objective:	To: (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.	
Acceptable Solutions		Performance Criteria
A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.		P1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to: (a) car parking demand generated by the proposed use during its proposed hours of operation; (b) the availability of on-street and public car parking in the surrounding area; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any relevant parking plan for the area adopted by council; (i) any existing on-street car parking restrictions; and (j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.

Place.

Response**Not Applicable see Table 8.**

Table 11 responds to the Development Standards for Buildings and Works

C2.6 Development Standards for Buildings and Works

Table 11: Development Standard		
C2.6.1	Construction of parking areas	Not applicable. The parking area is existing and there are no changes proposed.
C2.6.2	Design and layout of parking areas	Not applicable. The proposal will not modify the parking and manoeuvring areas on the site.
C2.6.3	Number of accesses for vehicles	Not applicable. Single access to the site from Devonport Road is provided. The access is existing, and there is no change proposed.
C2.6.4	Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable. The site is zoned Particular Purpose.
C2.6.5	Pedestrian access	Not applicable. The use does not require more than 10 parking spaces.
C2.6.6	Loading bays	Not applicable. There is no requirement for a loading bay.
C2.6.7	Bicycle parking and storage facilities within the General Business Zone and Central Business Zone.	Not applicable. The site is zoned Particular Purpose
C2.6.8	Siting of parking and turning areas.	Not applicable. The site is zoned Particular Purpose
C2.7	Parking Precinct Plan	Not applicable

9.3.2 C7.0 Natural Assets Code

This code is assessed to apply, as identified in Table 8. Accordingly, the proposal is assessed against the relevant provisions of the code.

Place.

C7.6 Development Standards for Buildings and Works

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective:	That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property; (m) the environmental best practice guidelines in the

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	<p><i>Wetlands and Waterways Works Manual</i>; and</p> <p>(n) the guidelines in the <i>Tasmanian Coastal Works Manual</i>.</p> <p>P1.2</p> <p>Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; or (f) provisions of open space or for marine-related educational, research, or recreational facilities.
<p>A2</p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2.1</p> <p>Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas; (b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation; (c) allowing the coastal processes of sand deposition or erosion to continue to occur; (d) the need to group new facilities with existing facilities, where reasonably practical; (e) the impacts on native vegetation; (f) minimising cut and fill; (g) building design that responds to the particular size, shape, contours or slope of the land; (h) the impacts of sea-level rise on natural coastal

Place.

	<p>processes and coastal habitat;</p> <p>(i) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i>; and</p> <p>(j) the guidelines in the <i>Tasmanian Coastal Works Manual</i>.</p> <p>P2.2</p> <p>Buildings and works within a future coastal refugia area must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; and</p> <p>(f) provision of open space or for marine-related educational, research, or recreational facilities.</p>
<p>A3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) the need to minimise impacts on water quality; and</p> <p>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</p>
<p>A4</p> <p>Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P4.1</p> <p>Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must minimise adverse impacts on natural coastal processes and natural assets, having regard to:</p> <p>(a) impacts caused by erosion, siltation,</p>

Place.

	<p>sedimentation and runoff;</p> <p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) the need to avoid land filling of wetlands;</p> <p>(d) impacts on sand movement and wave action; and</p> <p>(e) the potential for increased risk to inundation of adjacent land.</p> <p>P4.2</p> <p>Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary:</p> <p>(a) to continue an existing use or development on adjacent land; or</p> <p>(b) for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(i) the need to access a specific resource in a coastal location;</p> <p>(ii) the need to operate a marine farming shore facility;</p> <p>(iii) the need to access infrastructure available in a coastal location;</p> <p>(iv) the need to service a marine or coastal related activity;</p> <p>(v) provision of essential utility or marine infrastructure; and</p> <p>(vi) provision of open space or for marine-related educational, research, or recreational facilities.</p>
<p>A5</p> <p>Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P5</p> <p>Coastal protection works or watercourse erosion or inundation protection works within a waterway and coastal protection area or a future coastal refugia area must be designed by a suitably qualified person and minimise adverse impacts on natural coastal processes, having regard to:</p> <p>(a) impacts on sand movement and wave action; and</p> <p>(b) the potential for increased risk of inundation to adjacent land.</p>

Response**Relies on the Performance Criteria P1.1 and P1.2**

Place.

The proposal is in the waterway and coastal protection area and cannot comply with subclauses (a), (b) and (c).

The proposed works and development will involve alterations of the external building façade and interior modifications. These will not result in any further impact on the natural assets as the building footprint will not be increased, and no additional stormwater discharge points to the Mersey River will be created. There will be no external impacts on the waterway and coastal protection area.

The proposal is for the adaptation and reuse of the existing building.

The application satisfies the Performance Criteria P1.1 and P1.2

Acceptable Solution A2 is not applicable

A2 - The proposal is in not in a future coastal refugia area.

Complies with the Acceptable Solution A3

A3 - The proposal will not result in a new discharge point to the Mersey River.

Complies with the Acceptable Solution A4

A4 – Dredging or reclamation will not occur on the site.

Complies with the Acceptable Solution A5

A5 – There are no coastal protection works proposed or watercourse erosion or inundation protection works proposed.

Place.

10 Conclusion

Based on the assessment within the Planning Submission, seeks to apply the proposed PPZ WC to the site, known as the Waterfront Complex, at 17 Devonport Road, Devonport, and the adjoining Crown land.

This Planning Submission has demonstrated that the:

- current zoning in the DevLPS is not consistent with the purpose of the RecZ or EMZ;
- site is unique, and warrants a tailored approach to use and development, strengthening flexibility for building reuse and stimulate site investment;
- change of use of the function centre building will provide for reuse and desired investment consistent with the vision and objectives of the site;
- the proposed PPZ WC facilitates appropriate business and retail activities on the site;
- public open space for the continued enjoyment by the public is provided across private and public land; and
- statutory requirements of the Act including the LPS criteria are satisfied,

For these reasons, the draft amendment and combined planning permit can be supported.



Appendix A – Application Form and Owner Consents

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: 17 Devonport Road and PID 6355048Certificate of Title Reference No.: CT 42522/4 , PID 1962391 (Crown Land)**Applicant's Details**Full Name/Company Name: Plan Place Pty LtdPostal Address: PO Box 7710, Launceston, TAS 7250Telephone: 0438 155 035Email: heidi@planplace.com.au**Owner's Details (if more than one owner, all names must be provided)**Full Name/Company Name: Rynmarc Pty LtdPostal Address: 13 Longview Crescent, Devonport, TAS 7310Telephone: Matthew Smith 0408 515 772Email: matthew@waterfrontcomplex.com.au

OWNER: The Crown

A section of Crown land PID 1962391, adjoining 17 Devonport Road, Devonport, managed by Department of Primary Industries, Parks, Water & Environment:

SIGNED:


Hon Roger Jaensch MP**Minister for Environment and Parks**

DATE:

11/8/20

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?:

Section 43a application under the former *Land Use Planning and Approvals Act 1993* requesting:

- A rezoning land from Recreation and Environmental Management to Particular Purpose Zone - 'the Cove' under the Devonport Interim Planning Scheme; and
- Change of use of the existing function centre building to visitor accommodation.

Description of how the use will operate:

Conversion of the existing function centre to visitor accommodation. Please see attached documentation.

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	

Minister for Housing
Minister for Environment and Parks
Minister for Human Services
Minister for Aboriginal Affairs
Minister for Planning

Level 9 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7670
Email: ministerjaensch@dpac.tas.gov.au



Ms Heidi Goess
Director
Plan Place Pty Ltd
PO Box 7710
LAUNCESTON TAS 7250

Email: heidi@planplace.com.au
matthew@waterfrontcomplex.com.au

Dear Ms Goess

APPLICATION: SECTION 43A COMBINED PLANNING SCHEME AMENDMENT AND DEVELOPMENT APPLICATION
APPLICANT: PLAN PLACE PTY LTD OBO RYNMARC PTY LTD
LOCATION: 17 DEVONPORT ROAD, DEVONPORT, AND AN ADJOINING SECTION OF CROWN LAND

This letter is issued pursuant to section 43D(1)(b) of the *Land Use Planning and Approvals Act 1993* (LUPAA). It confirms that Plan Place Pty Ltd, obo Rynmarc Pty Ltd, has Crown consent to the making of this Application with the Devonport City Council for the enclosed Scheme Amendment and Development Application under section 43A of LUPAA.

The Crown consent is for the proposal listed below (as detailed in the enclosed application and supporting documents):

Scheme Amendment: Rezone Land from Environmental Management and Recreation to Particular Purpose – The Cove.

Development Application: Change of Use to Visitor Accommodation.

In accordance with section 43D(1)(a) of LUPAA, enclosed is the signed application for a planning permit. This Crown consent is only given to the lodgement of this application. Any variation will require further consent from the Crown.

This letter does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the *Crown Lands Act 1976* have been granted. If planning approval is given for the

Insert CM reference

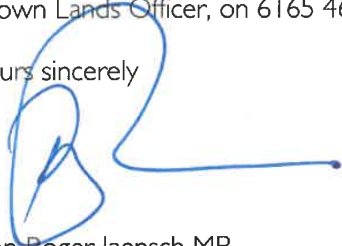
2

proposed development, your client will be required to obtain separate and distinct consent from the Crown before commencing any works on Crown land.

Your client would be able to use the building as visitor accommodation in the event that planning approval is obtained and a new Crown agreement is in place authorising the use and occupation of the Crown land.

If you require any further information regarding the above, please contact Ms Anne Maginnity, PWS Crown Lands Officer, on 6165 4684 or propertyservices@parks.tas.gov.au

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a horizontal line.

Hon Roger Jaensch MP
Minister for Environment and Parks

TASMANIAN PLANNING COMMISSION

Form No. 1

Owners' consent

Accompanying draft planning scheme amendment requests under section 33(1), including combined permit applications under section 43A of the *Land Use Planning and Approvals Act 1993*.

Requests for draft amendments or combined permit applications require owners' consent. This form must be completed if the person making the request is not the owner, or the sole owner.

The person making the request must clearly demonstrate that all owners have consented.

Please read the notes below to assist with filling in this form.

1. Request made by:

Name(s):

Marcus and Deborah Higgs
Rynmarc Pty. Ltd.

Address:

13 Longview Crescent
Devonport, 7310

Email address:

matthew@waterfrontcomplex.com.au

Contact number:

0408 515 772

2. Site address:

Address:

17 Devonport Road
Devonport, 7310

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).

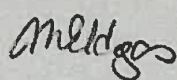
Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner :

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable): {}111U:::f

Signature:



Date:

31/11/20

Registered owner (please print):

(C1 N111.1111 C 1.1111

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable):

Signature:



Date:

21/5/20

Registered owner (please print):

R11111111 C 1.1111

Property Identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

A portion of Crown land (PID1962391) adjoining 17 Devonport Road, Devonport

Position (if applicable): Hon Roger Jaensch MP, Minister for Environment and Parks

Signature:



Date:

11/8/20

Registered Owner (please print): Department of Primary Industries, Parks, Water and Environment.

NOTES:**a. Who can sign as owner?**

Where an owner is a natural person they must generally sign the owner's consent form personally.

Where an owner is not a natural person then the signatory must be a person with legal authority to sign, for example company director or company secretary.

If the person is acting on behalf of the owner under a legal authority, then they must identify their position, for example trustee or under a power of attorney. Documentary evidence of that authority must also be given, such as a full copy of the relevant Trust Deed, Power of Attorney, Grant of Probate; Grant of Letters of Administration; Delegation etc.

Please attach additional pages or separate written authority as required.

b. Strata title lots

Permission must be provided for any affected lot owner and for common property for land under a strata title under the *Strata Titles Act 1998*. For common property, permission can be provided in one of the following ways:

- i. a letter affixed with the body corporate's common seal, witnessed by at least two members of the body corporate (unless there is only one member, in which case the seal must be witnessed by that member) and which cites the date on which the body corporate or its committee of management met and resolved to give its consent to the application; or,
- ii. the consent of each owner of each lot on the strata plan.

c. Companies

If the land is owned by a company then consent must be signed in accordance with the *Corporations Act 2001* (Cwth) as follows:

- i. one company director and company secretary; or
- ii. two company directors; or
- iii. if a sole director/sole shareholder who is also the sole secretary, the sole director; or,
- iv. a company with a common seal may execute a document if the seal is fixed to the document and witnessed by two directors; or one director and a company secretary, or for a proprietary company that has a sole director who is also the sole company secretary, that director.

The ABN or ACN, the names and positions of those signing the consent, and a current ASIC company extract (www.asic.gov.au) must be provided.

d. Associations

If the land is owned by an incorporated association then the document must be signed in accordance with the rules of the association by, for example being:

- i. sealed and witnessed in accordance with the association's rules; or,
- ii. signed by a person authorised in accordance with the association's rules.

The ABN, the names and positions of those signing the consent, and copy of the association's rules must be provided.

e. Council or the Crown

If the land is owned by a council or the Crown then consent must be signed by a person authorised by the relevant council or, for Crown land, by the Minister responsible for the Crown land, or a duly authorised delegate.

The name and positions of those signing must be provided.

Effective Date: 30 March 2020

¹ References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.



**Appendix B – Particular Purpose Zone – Waterfront
Complex Written Documentation for
inclusion in the Devonport Local Provisions
Schedule**

DEV-P2.0 Particular Purpose Zone – Waterfront Complex

DEV-P2.1 Plan Purpose

The purpose of the Particular Purpose Zone – Waterfront Complex is:

DEV-P2.1.1 To provide for a mix of use and activities that are compatible with Visitor Accommodation and Residential use.

DEV-P2.1.2 To provide for use and development that does not interfere with the function of the established cycling and pedestrian network.

DEV-P2.2 Local Area Objectives

Reference Number	Area Description	Local Area Objective
DEV-P2.2.1	Business Precinct - shown on the overlay maps as DEV-P2.2.1	<p>The local area objectives for the Business Precinct are:</p> <ul style="list-style-type: none"> (a) to reuse and adapt the existing building for visitor accommodation or business activities; (b) to use the car parking and landscaped area on the northern side of the existing building for a market or similar activity that does not interfere with the internal driveway servicing the other precincts; and (c) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.2	Mixed Use Precinct – shown on the overlay maps as DEV-P2.2.2	<p>The local area objective for the Mixed Use Precinct is:</p> <ul style="list-style-type: none"> (a) to provide for use and development that services and supports residents or visitors to the area; (b) to provide for limited opportunities for Business and Professional Services and General Retail and Hire uses to establish in the precinct; (c) to allow medium density residential development and visitor accommodation that does not exceed the capacity of infrastructure such as water and sewerage; (d) to mitigate impacts from noise, light, or other emissions from non-residential uses; and (e) to support the continued use of the cycling and pedestrian network.
DEV-P2.2.3	Accommodation Precinct – shown on the overlay maps as DEV-P2.2.3	<p>The local area objective for the Accommodation Precinct is:</p>

		<p>(a) to limit use and development to residential or visitor accommodation; and</p> <p>(b) to support the continued use of the cycling and pedestrian network.</p>
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DEV-P2.3 Definition of Terms

DEV-P2.3.1 In this particular purpose zone, unless the contrary intention appears:

Term	Definition
Business Precinct	means the area of the zone identified in Figure DEV-P2.3.
Mixed Use Precinct	means the area of the zone identified in Figure DEV-P2.3.
Accommodation Precinct	means the area of the zone identified in Figure DEV-P2.3.
Mersey River	means the body of water identified in Figure DEV-P2.3.

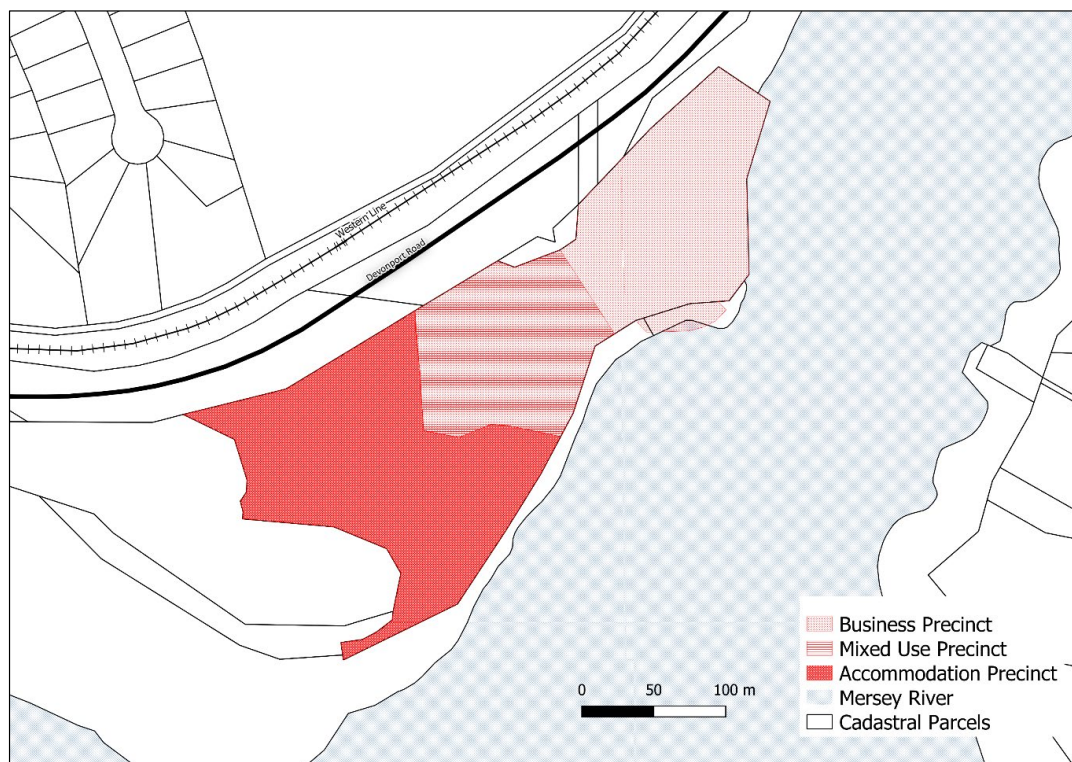


Figure DEV-P2.3.1: Precincts as referred to in clause DEV-P2.3.1

DEV-P2.5 Use Table

DEV-P2.5.1 Use Table – Business Precinct

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
Permitted	
Business and Professional Services	If (a) for a consulting room; or (b) for a veterinary centre.
Community Meeting and Entertainment	If for a public art gallery.
Food Services	If: (a) not for a drive-through facility; or (b) not for a take-away food shop.
General Retail and Hire	If: (a) for a private art gallery; (b) for a shop for selling or hiring goods; or (c) for a market.
Sport and Recreation	If (a) for outdoor recreation; or (b) for indoor recreation in an existing building.
Visitor accommodation	If not for camping and caravan park or overnight camping area.
Discretionary	
Community Meeting and Entertainment	If: (a) for a function centre; or (b) place for worship.
General Retail and Hire	If for a market.
Visitor Accommodation	
Sport and recreation	
Tourist Operation	
Utilities	
Prohibited	
All other uses	

DEV-P2.5.2 Use Table – Mixed Use Precinct

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
Permitted	
Business and Professional Services	If: (c) for a consulting room; or (d) for a veterinary centre.
Community Meeting and Entertainment	If for a public art gallery.
Food Services	If: (c) not for a drive-through facility; or (d) not for a take-away food shop.
General Retail and Hire	If for a shop for selling or hiring goods;
Sport and recreation	If for outdoor recreation.
Visitor accommodation	If not for camping and caravan park or overnight camping area.
Discretionary	
General Retail and Hire	If not listed as Permitted.
Residential	
Tourist Operation	
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

DEV-P2.5.3 Use Table – Accommodation Precinct

Use Class	Qualification
No Permit Required	

Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
Permitted	
Residential	If for a single dwelling
Visitor Accommodation	
Discretionary	
Residential	
Utilities	
Prohibited	
All other uses	

DEV-P2.6 Use Standards

DEV-P2.6.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to visitor accommodation or residential use.	
Acceptable Solutions		Performance Criteria
A1 Hours of operation for a use, excluding Residential and Visitor Accommodation in the zone, must be within the hours of 7:00am to 6pm.		P1 Hours of operation for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to Residential or Visitor Accommodation uses in the zone, having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.
A2 External lighting for a use, excluding Residential and Visitor Accommodation: (a) must not operate within the hours of midnight to 6.00am, excluding any security lighting; and (b) security lighting, be baffled to prevent direct light does not extend into adjoining property.		P2 External lighting for a use, excluding Residential and Visitor Accommodation must not cause an unreasonable loss of amenity to sensitive uses within the zone or adjacent land, having regard to: (a) the number of proposed light sources; (b) the location of the proposed light sources; (c) the type of illumination and duration of lighting;

	(d) the proximity of the proposed light sources to nearby sensitive uses.
<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use excluding Residential and Visitor Accommodation, must be within the hours of:</p> <p>(a) 7:00am to 7:00pm Monday to Saturday; and (b) 9:00 to 4pm Sunday and public holidays.</p>	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Residential and Visitor Accommodation, must not cause unreasonable loss of amenity to sensitive uses having regard to:</p> <p>a) the time and duration of commercial vehicle movements; b) the number and frequency of commercial vehicle movements; c) the nature of the proposed use; d) existing levels of amenity; and e) any existing or proposed noise mitigation measures the vehicle movement areas and Residential or Visitor Accommodation uses.</p>
<p>A4</p> <p>Air conditioning, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation, must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by Residential or Visitor Accommodation uses in the zone.</p>	<p>P4</p> <p>Air condition, air extraction, heating or refrigeration systems or compressors for a use, excluding Residential and Visitor Accommodation must not cause unreasonable loss of amenity to Residential or Visitor Accommodation uses in the zone, having regard to:</p> <p>(a) the time and duration of emissions generated from plant and equipment; (b) the nature of the proposed use; (c) existing levels of amenity; (d) the landscaping of the site; and (e) any existing or proposed noise mitigation measures the vehicle movement areas and Residential or Visitor Accommodation uses.</p>

DEV-P2.6.2 Uses in the Business Precinct and Mixed Use Precinct

Objective:	That uses, excluding Residential and Visitor Accommodation uses, in the Business Precinct and Mixed Use Precinct limit the scale and proportion of business and retail activities that can establish in the zone.
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Business and Professional Services, Community Meeting and Entertainment, Food Services, General Retail and Hire, Sports and Recreation and Visitor Accommodation uses, in the Business Precinct must:</p> <p>(a) be in the existing building; and</p> <p>(b) be for a single tenancy.</p>	<p>P1</p> <p>Business and Professional Services, Community Meeting and Entertainment, Food Services, General Retail and Hire, Sports and Recreation and Visitor Accommodation uses, in the Business Precinct must not compromise the established character of the zone, having regard to:</p> <p>(a) the local area objectives;</p> <p>(b) the characteristics the site; and</p> <p>(c) the size, scale or permanency of the proposed use.</p>
<p>A2</p> <p>Business and Professional Services and General Retail and Hire uses in the Mixed Use Precinct must have a combined gross floor area of not more than 250m² in the Precinct.</p>	<p>P2</p> <p>No performance criterion.</p>

DEV-P2.6.3 Outdoor Storage

Objective:	That outdoor storage areas do not detract from the appearance of the zone or adjacent properties.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Outdoor storage areas must not be visible from any road, public open space or pedestrian network in or adjoining the zone.</p>	<p>P1</p> <p>Outdoor storage areas excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>

DEV-P2.7 Development Standards for Buildings and Works

DEV-P2.7.1 Building Height and Setbacks

Objective:	<p>The height and setback of buildings is to:</p> <p>(a) minimise the visual prominence of buildings and structure when viewed from the Bass Highway, Devonport Road or the Mersey River;</p>
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	<ul style="list-style-type: none"> (b) not cause unreasonable loss of sunlight to a habitable room of Residential or Visitor Accommodation uses; and (a) minimise the impact on the pedestrian network on adjoining land and parallel to the banks of the Mersey River. (b) provides consistency in the apparent scale, bulk, massing and proportion of established buildings; (c) provides reasonable access to sunlight for existing solar energy installations.
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 8.5m.	P1 Building height must be compatible with existing buildings and not cause unreasonable loss of amenity having regard to: <ul style="list-style-type: none"> (a) the topography of the zone; (b) the bulk and form of existing and proposed buildings; (c) the apparent height of proposed buildings when viewed from the Bass Highway, Devonport Road, and other public places; and (d) overshadowing of public places; (e) overshadowing and reduction in sunlight to habitable rooms and private open space of sensitive uses or Visitor Accommodation uses in the zone.
A2 Buildings must have a setback from the frontage of Devonport Road of: <ul style="list-style-type: none"> (a) not less than 5m; or (a) not less than the setback of a building existing in the zone. 	P2 Buildings must have a setback from the frontage of Devonport Road that is compatible with the streetscape, having regard to: <ul style="list-style-type: none"> (a) the topography of the zone; (b) the setback of existing buildings within the zone; (c) the height, bulk and form of existing and proposed buildings; and (d) the safety and impact on the internal driveway, pedestrian and cycle network in the zone or on adjoining land.
A3 Buildings, fences, freestanding walls must not be constructed within 30m of the mean high water mark of the Mersey River.	P3 No Performance Criterion.

DEV-P2.7.2 Private open space for all dwellings

Objective:	That dwellings are compatible with the amenity and character of the site and provide: <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
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<p>A1</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); <p>(b) has a minimum horizontal dimension of:</p> <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); <p>(c) is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(a) orientated to take advantage of sunlight.</p>
---	--

DEV-P2.7.3 Separation of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to enter private open space for dwellings in the zone.
<p>A1</p> <p>A multiple dwelling that is to the north of the private open space of another dwelling, must be setback a distance of 3m from the northern edge of private open space.</p>	<p>P1</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling in the same zone.</p>
<p>A2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <ul style="list-style-type: none"> i. it is separated by a screen of not less than 1.7m in height; or ii. the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or iii. has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 	<p>P2</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

DEV-P2.7.4 Waste Disposal for Multiple Dwellings

Objective:	That the storage of waste and recycling bins for multiple dwellings be provided.	
A1	<p>A dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within</p> <p>(a) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from a dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area.</p>	<p>P2</p> <p>A multiple dwelling must have storage for waste and recycling bins that is:</p> <p>(a) capable of storing the number of bins required for the proposed dwellings;</p> <p>(b) screened from the frontage and dwellings; and</p> <p>(c) in a location that can be accessed by a waste collection service.</p>

DEV-P1.8 Development Standards for Subdivision

DEV-P2.7.5 Lot Design

Objective:	<p>That each lot:</p> <p>(a) has an area and dimensions appropriate for use and development in the zone;</p> <p>(b) is provided with appropriate access to a road; and</p> <p>(c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards.</p>	
A1	No Acceptable Solution	<p>P1</p> <p>Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of:</p> <p>a) slope, shape, orientation and topography of the site;</p> <p>b) any established pattern of use and development;</p> <p>c) connection to the road network;</p> <p>d) availability of or likely requirements for utilities;</p> <p>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</p> <p>f) presence of any natural hazards.</p>
A2	<p>Each lot, or a lot proposed in a plan of subdivision, must be provided with vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P2</p> <p>Each lot, or proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic; the anticipated nature of vehicles likely to access the site; and</p>

	(d) the ability for emergency services to access the site.
--	--

DEV-P2.7.5 Services

Objective:	That the subdivision of land provides services for future use and development of land.
A1 Each lot, or lot proposed in a plan of subdivision, must have a connection to a full water supply service.	P1 Each lot or a lot proposed on a plan of subdivision must be suitable for use and development that is consistent with the purpose of the zone, having regard to the combination of: (a) slope, shape, orientation and topography of a lot; (b) any established pattern of use and development; (c) connection to the road network; (d) availability of or likely requirements for utilities; (e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and (g) any natural hazards.
A2 Each lot, or a lot proposed in a plan of subdivision, must be have a connection to a reticulated sewerage system.	P2 No Performance Criterion
A3 Each lot, or lot proposed in a plan of subdivision, must be capable of connecting to: (a) a public stormwater system; or (b) existing stormwater system in the zone without increasing the rate of discharge to a waterway.	P3 A lot proposed in a plan of subdivision must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, have regard to: (a) the size of a lot; (b) topography of the zone; (c) the flow and rate of discharge to a waterway; (d) any existing buildings in the zone; (e) any area of the zone covered by impervious surfaces; and (f) water sensitive design measures proposed.

DEV-P1.9 Tables

This sub-clause is not used in this particular purpose zone.



Appendix C – Certificate of Title

**RESULT OF SEARCH**

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980**SEARCH OF TORRENS TITLE**

VOLUME 42522	FOLIO 4
EDITION 2	DATE OF ISSUE 13-Jan-2012

SEARCH DATE : 28-Feb-2019

SEARCH TIME : 10.35 AM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 4 on Sealed Plan 42522

Derivation : Whole of Lot 40984, 40985 and 40986 Gtd. to
Rynmarc Pty Ltd and Part of 500 Acres Gtd. to J. Thomas

Prior CT 4770/79

SCHEDULE 1

B427410 TRANSFER to RYNMARC PROPRIETARY LIMITED

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

348/47 CROWN GRANT: Land is limited to depth to 15 metres
excludes minerals and is subject to reservations
relating to drains sewers and waterways in favour of
the Crown

348/47 EASEMENTS in Grant

SP 42522 EASEMENTS in Schedule of Easements

C904578 BURDENING EASEMENT: a right of carriageway in favour
of Devonport City Council over the land marked Right
of Way marked ABC, Right of Way marked DEFG and Right
of Way marked HIJK on Sealed Plan 42522 Registered
13-Jan-2012 at noonB427411 MORTGAGE to Westpac Banking Corporation Registered
08-May-1991 at 12.03 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

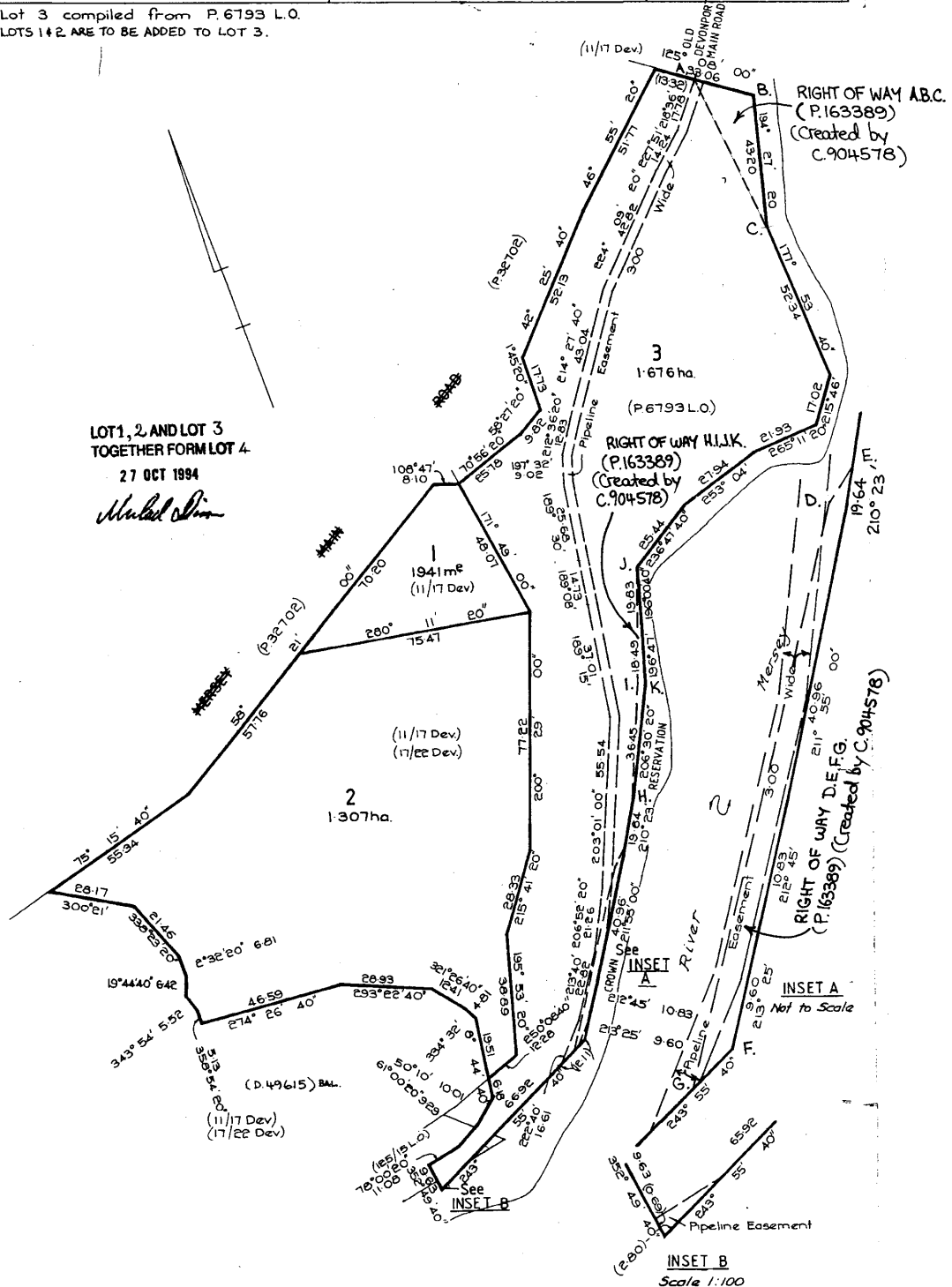
FOLIO PLAN

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Owner: Port of Devonport Authority	PLAN OF SURVEY by Surveyor MR. E. P. FRANKS of of land situated in the LESTER, FRANKS & CO. PTY. LTD. CITY OF DEVONPORT	Registered Number: SP42522 Approved Effective from: 5 - MAY 1991 <i>Michael Oliver</i> Recorder of Titles
Title Reference: CT 4602/63, CT 4602/64 & CT 4767/51	SCALE 1: 1000. MEASUREMENTS IN METRES	
Grantee: Part of Lot 278, 500 Acs, Jocelyn Thomas, pur. WISOLE OF LOT 40984, 1.660 ha LOT 40985, 134m ² & LOT 40986 27.0m ² STD TO RANMAR PROPRIETARY LIMITED.		

Lot 3 compiled from P.6793 L.O.
 LOTS 1 & 2 ARE TO BE ADDED TO LOT 3.



SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

PLAN NO.

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

SP42522

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

- (1) such rights of drainage over the drainage easements shewn 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 à prendre described hereunder.

Each lot on the plan is subject to:—

- (1) such rights of drainage over the drainage easements shewn 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 à prendre described hereunder.

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

EASEMENTS

Lot 3 on the plan is SUBJECT TO the full free and uninterrupted right and liberty from time to time at all times hereafter at the will and pleasure of the Mayor Aldermen and Electors of the City of Devonport to lay relay inspect maintain repair renew remove and cleanse a line or lines of water mains and water pipes on and under the surface of the strip of land marked "Pipeline Easement 3.00 wide" hereon together with all such sluice and other valves manholes inspection openings stopcocks and other fittings of whatever nature as may be necessary or expedient and for that purpose full free and uninterrupted right and liberty to go pass and repass over and along the said strip of land TOGETHER WITH the right to enter upon and under the said strip of land with or without inspectors workmen servants agents or other persons authorised by the Mayor Aldermen and Electors of the City of Devonport and for the purposes aforesaid to open and break up the soil of the said strip of land and remove such materials machinery and things in the said strip of land as the Mayor Aldermen and Electors of the City of Devonport shall in its discretion think fit doing as little damage as possible but without being responsible or held liable for any inconvenience to the owner or owners his or their successors heirs and assigns or occupiers for the time being of the said strip of land the Mayor Aldermen and Electors of the City of Devonport repairing maintaining and keeping in good order the said line or lines of water pipe and water mains and all fixtures and fittings therein and at all times hereafter making good any disturbance to the soil.

SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

- 2 -

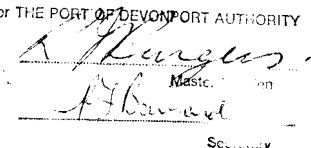
COVENANTS

The Owner of each Lot on the plan covenants with each of the others of the said owners and the owners of the balance land to the intent that the burden of this covenant may run with and bind the covenantor's lot and every part thereof and that the benefit thereof may be annexed to and devolved with each and every part of the other Lots on the plan and the balance land not to construct an access or to use any access to or from the said Lot onto the Mersey Main Road other than by means of the existing access at the date hereof without the previous agreement of the Mayor Aldermen and Electors of the City of Devonport, the Owner of the balance land and the Department of Main Roads.

"The balance land" shall mean the balance land comprised in Certificate of Title Volume 3198 Folio 48 and Volume 3199 Folio 5 after excluding Lots 1 and 2 on the Plan.

THE COMMON SEAL OF THE)
PORT OF DEVONPORT AUTHORITY)
THE REGISTERED PROPRIETOR)
OF THE LAND COMPRISED IN)
FOLIOS OF THE REGISTER)
VOLUME 3198 FOLIO 48 AND)
VOLUME 3199 FOLIO 5 WAS)
HEREUNTO AFFIXED IN THE)
PRESENCE OF:)

For THE PORT OF DEVONPORT AUTHORITY



Master

Secretary

REF: 0297w CKC:LY

**SCHEDULE OF EASEMENTS**

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

42522

This is the schedule of easements attached to the plan of
(Insert Subdivider's Full Name)

..... affecting land in

.....
(Insert Title Reference)

Sealed by Devonport City Council on 11th December 1989

Solicitor's Reference
.....
Council Clerk/Town Clerk

OSK 3134



Appendix D – Endorsed Plans, Planning Permit 2014.0173

Project: **PROPOSED WATERFRONT VILLAS**

At: **17 DEVONPORT ROAD,
DEVONPORT**

For: **RYNMARC PTY LTD**

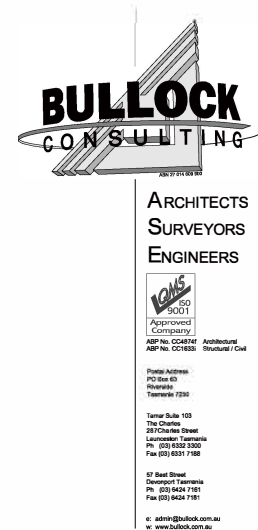
Project: 13.276

Drawings:

Ap01	TITLE BOUNDARY PLAN
Ap02	SITE PLAN
Ap03	UNIT TYPE 1 PLANS & ELEVATIONS
Ap04	UNIT TYPE 2 PLANS & ELEVATIONS

PLANNING APPROVAL

Issue date: 07-10-14

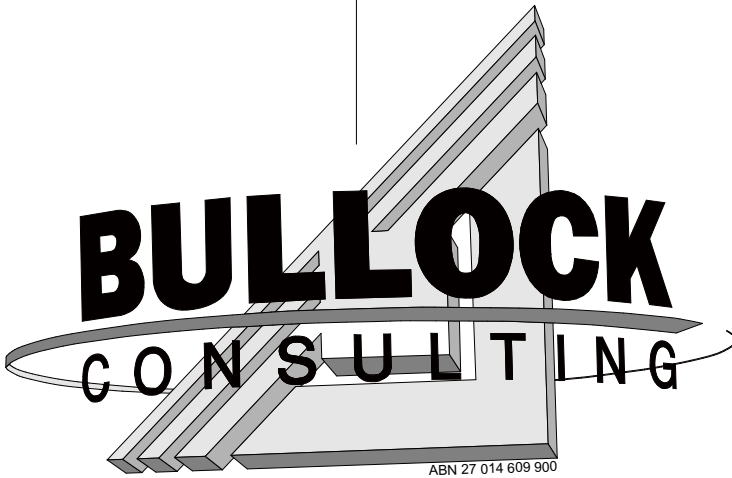








SITE PLAN
SCALE 1:500



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SURVEYORS
ENGINEERS



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w: www.bullock.com.au

PLANNING DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
01	07.10.14	PLANNING APPROVAL	-
02	25.09.19	D.A. MINOR AMENDMENT	A



DIMENSIONS ARE IN MILLIMETRES. DO NOT SCALE. CHECK AND VERIFY ALL DIMENSIONS ON SITE. REFER DISCREPANCIES TO THE SUPERINTENDENT. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH BUILDING CODE OF AUSTRALIA, APPLICABLE AUSTRALIAN STANDARDS & LOCAL AUTHORITY REQUIREMENTS.

PROJECT: PROPOSED
WATERFRONT VILLAS
AT: 17 DEVONPORT ROAD,
DEVONPORT
FOR: RYNMARC PTY LTD
DRAWING: SITE PLAN

DESIGNED: DVG DRAWN: MJB CHECKED:
SCALES: 1:500 AT A1 SIZE DRAWING SHEET

PROJECT No. 13.276 DRAWING No. Ap02 REV. -



57 Best Street
Devonport Tasmania
Ph (03) 6424 7181
Fax (03) 6424 7181

DOCUME

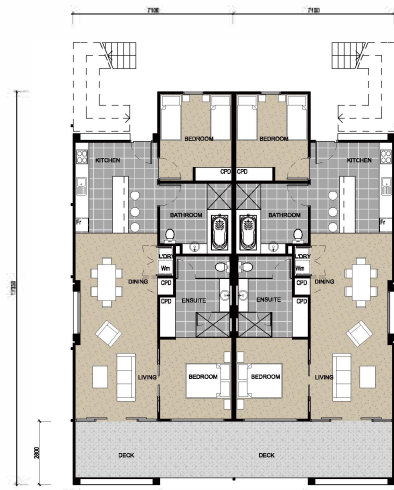
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01	07.10.14	PLANNING APPROVAL	



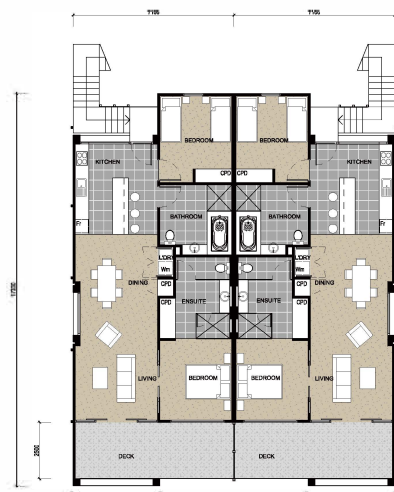
PROJEC: PROPOSED
WATERFRONT VILLAS
REF: 17 DEVONPORT ROAD,
DEVONPORT
FIRM: RYNMARC PTY LTD

DESIGNED BY: **DVG** DRAWN BY: **MJB** CHECKED BY: **---**
 SCALE: **1:100** AT A4 SIZE DRAWING SHEET

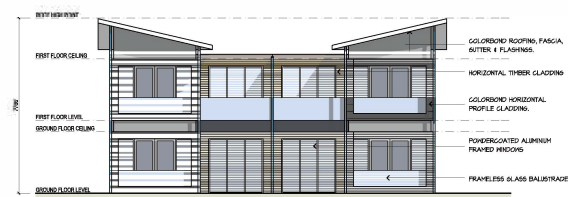
PROJECT No. 13.276 DRAWING No. Ap03 REV -



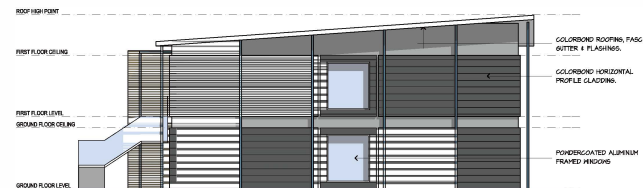
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SCALE 1:100



FIRST FLOOR PLAN
SCALE 1:100



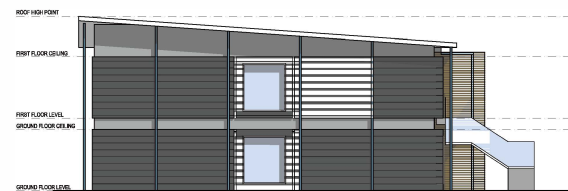
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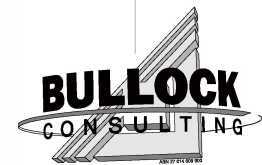
ELEVATION 2
SCALE 1:100



ELEVATION 3
SCALE 1:100



ELEVATION 4
SCALE 1:100



**ARCHITECTS
SURVEYORS
ENGINEERS**

**Approved
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ASP No. CC1633 Structural / Civil

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PLANNING DOCUMENT

REV	DATE	ISSUED FOR	REV
01	07.10.14	PLANNING APPROVAL	



TRUE NORTH



PROJECT NORTH

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PROJECT: PROPOSED

WATERFRONT VILLAS

17 DEVONPORT ROAD,

DEVONPORT

RYNMARC PTY LTD

DRAWING: UNIT TYPE 2 PLANS &

ELEVATIONS

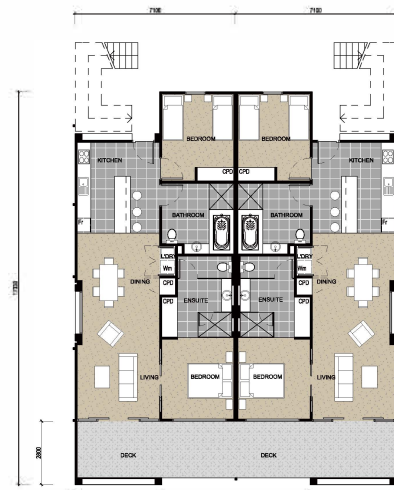
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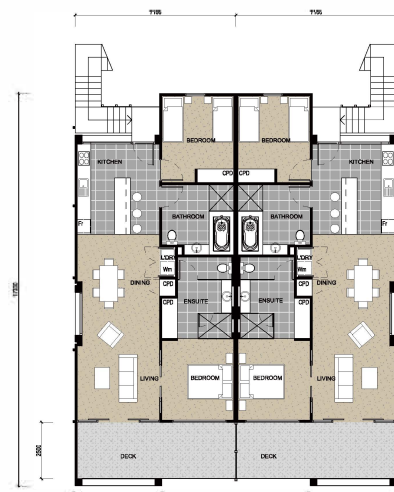
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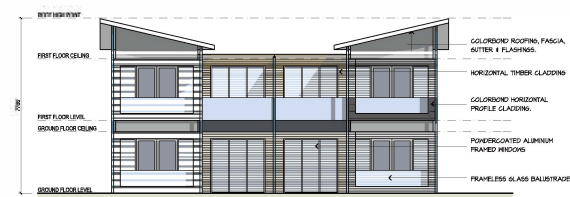
Appendix E - Endorsed Plans of Minor Amendment, Planning Permit PA2014.0173



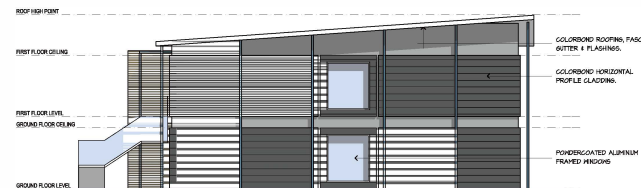
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SCALE 1:100



FIRST FLOOR PLAN
SCALE 1:100



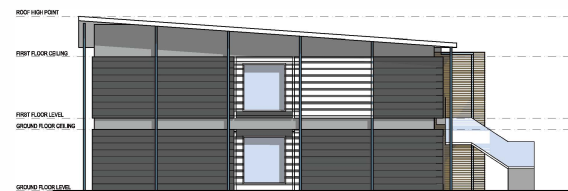
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SCALE 1:100



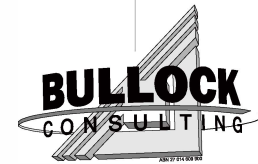
ELEVATION 2
SCALE 1:100



ELEVATION 3
SCALE 1:100



ELEVATION 4
SCALE 1:100



**ARCHITECTS
SURVEYORS
ENGINEERS**

APPROVED
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ASP No. CC16333 Structural / Civil

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PLANNING DOCUMENT

REV	DATE	ISSUED FOR	REV
01	07.10.14	PLANNING APPROVAL	



TRUE NORTH



PROJECT NORTH

DIMENSIONS ARE IN MILLIMETRES. DO NOT SCALE. CHECK AND VERIFY ALL DIMENSIONS ON SITE. RESEEK DISCREPANCIES TO THE SUPERINTENDENT. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH BUILDING CODE OF AUSTRALIA, APPLICABLE AUSTRALIAN STANDARDS & LOCAL AUTHORITY REQUIREMENTS.

PROJECT: **PROPOSED
WATERFRONT VILLAS
17 DEVONPORT ROAD,
DEVONPORT**

CLIENT: **RYNMARC PTY LTD**

DRAWING: **UNIT TYPE 2 PLANS &
ELEVATIONS**

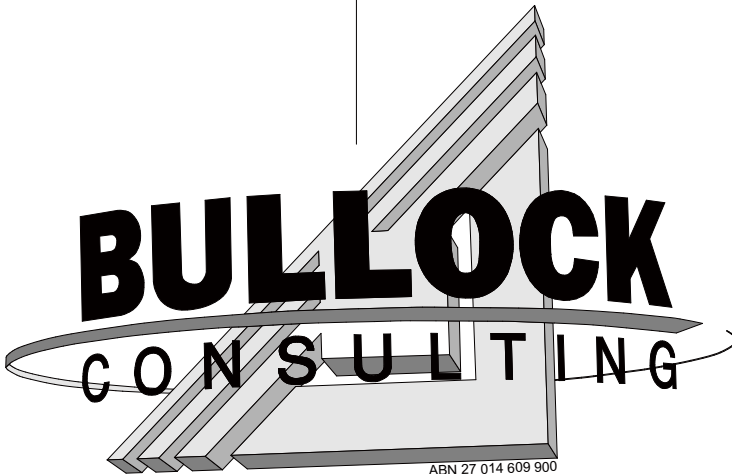
DESIGNED BY: **DVG** DRAWN BY: **MJB** CHECKED BY: **DVG**

SCALE: **1:100** AT 1/1000 DRAWING SHEET

PROJECT NO: **13.276** DRAWING NO: **Ap04** REV: **-**



SITE PLAN
SCALE 1:500



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PLANNING DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
01	07.10.14	PLANNING APPROVAL	-
02	25.09.19	D.A. MINOR AMENDMENT	A



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PROJECT: **PROPOSED WATERFRONT VILLAS**
AT: **17 DEVONPORT ROAD, DEVONPORT**
FOR: **RYNMARC PTY LTD**
DRAWING: **SITE PLAN**

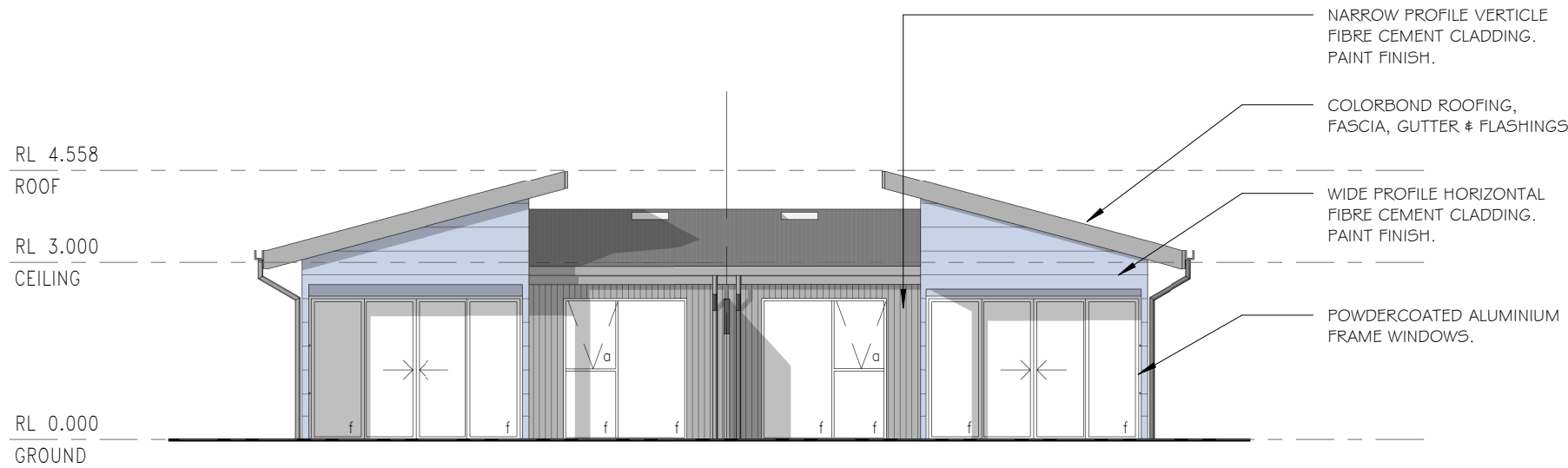
DESIGNED: **DVG** DRAWN: **MJB** CHECKED:
SCALES: **1:500** AT A1 SIZE DRAWING SHEET

PROJECT No: **13.276** DRAWING No: **Ap02** REV: **-**



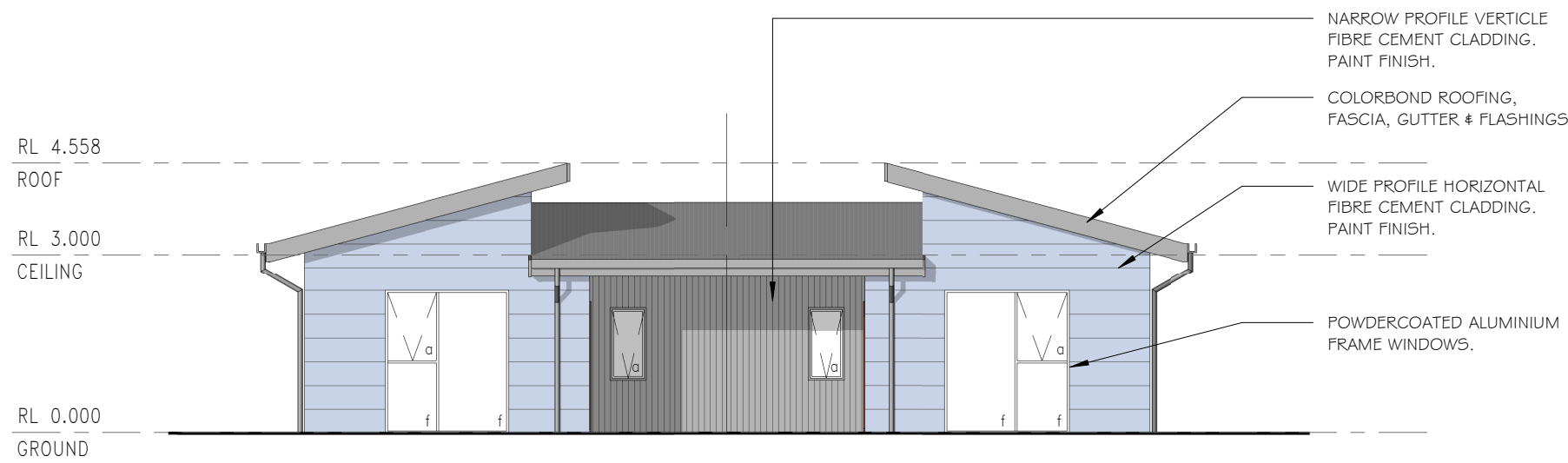
FLOOR PLAN

SCALE 1 : 100



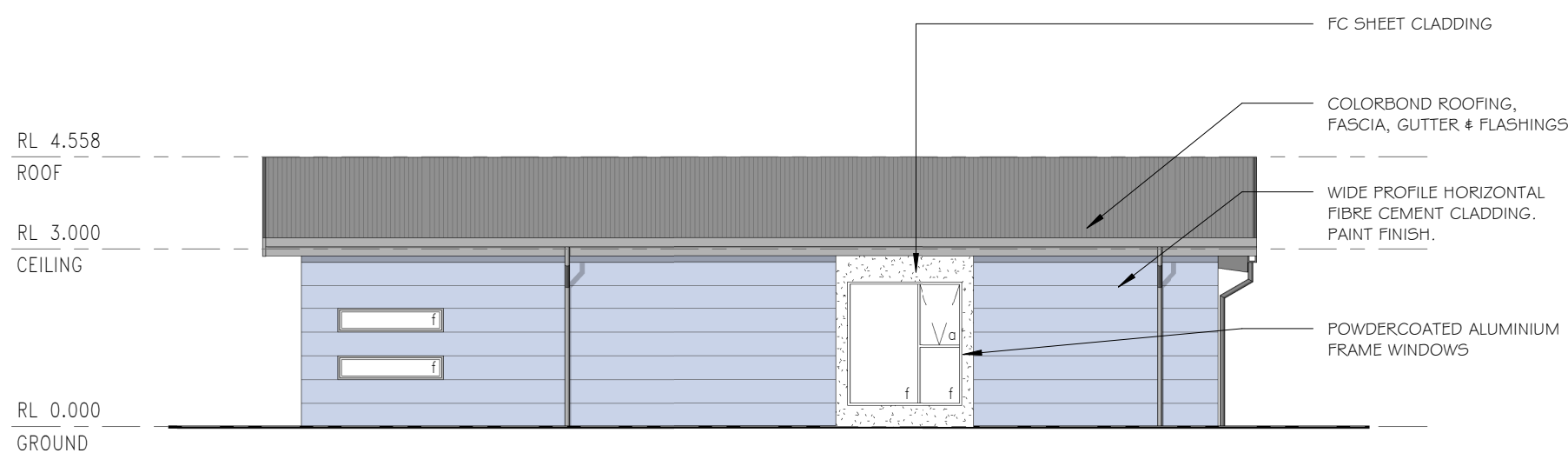
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SCALE 1 : 100



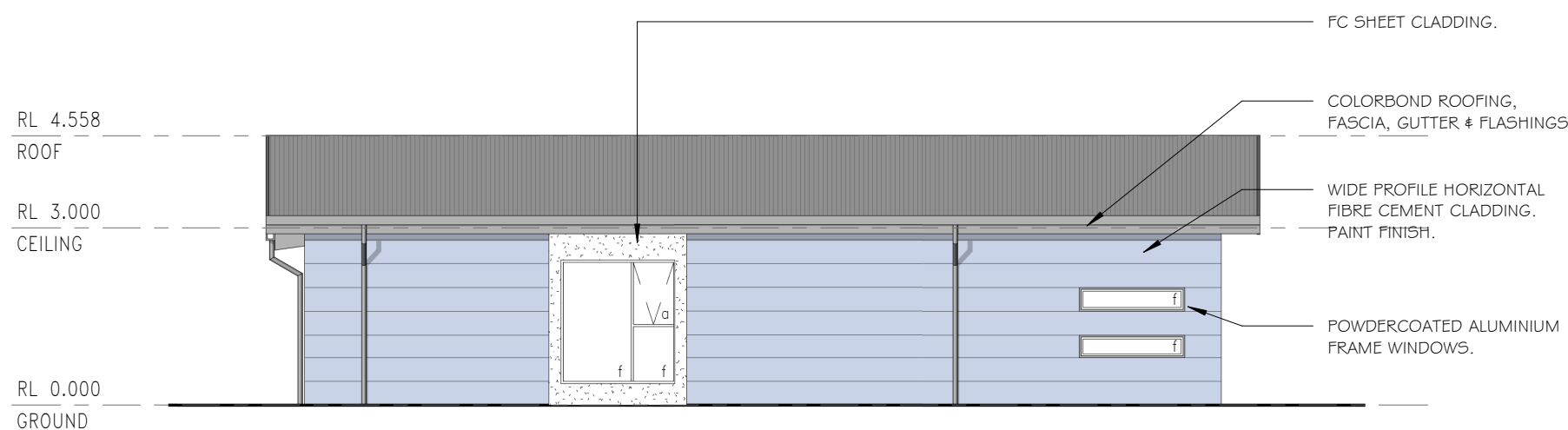
NORTH ELEVATION

SCALE 1 : 100



EAST ELEVATION

SCALE 1 : 100



WEST ELEVATION

SCALE 1 : 100

6ty°

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6ty Pty Ltd
ABN 27 014 609 900

Architectural
ABP No. CC4874f
Structural / Civil
ABP No. CC1633i

APPROVED
COMPANY
ISO 9001
Quality
Management Systems
QMS

PLANNING DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
1	16.09.19	D.A MINOR AMENDMENT	1



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PROJECT: PROPOSED WATERFRONT VILLAS
AT: 17 DEVONPORT RD, DEVONPORT
FOR: RYNMARC PTY LTD
DRAWING: UNIT TYPE 3, PLANS & ELEVATIONS

DESIGNED: MJB DRAWN: CCH CHECKED: MJB

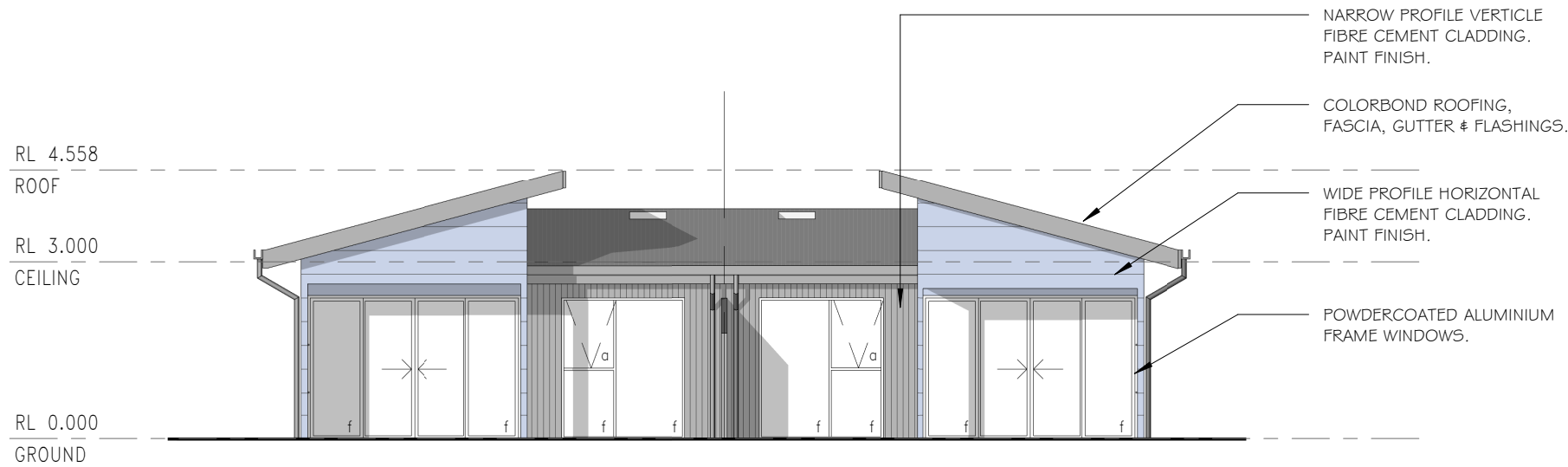
SCALES: 1 : 100 AT A1 SIZE DRAWING SHEET

PROJECT No. 13.276 DRAWING No. Ap05 REV. 1



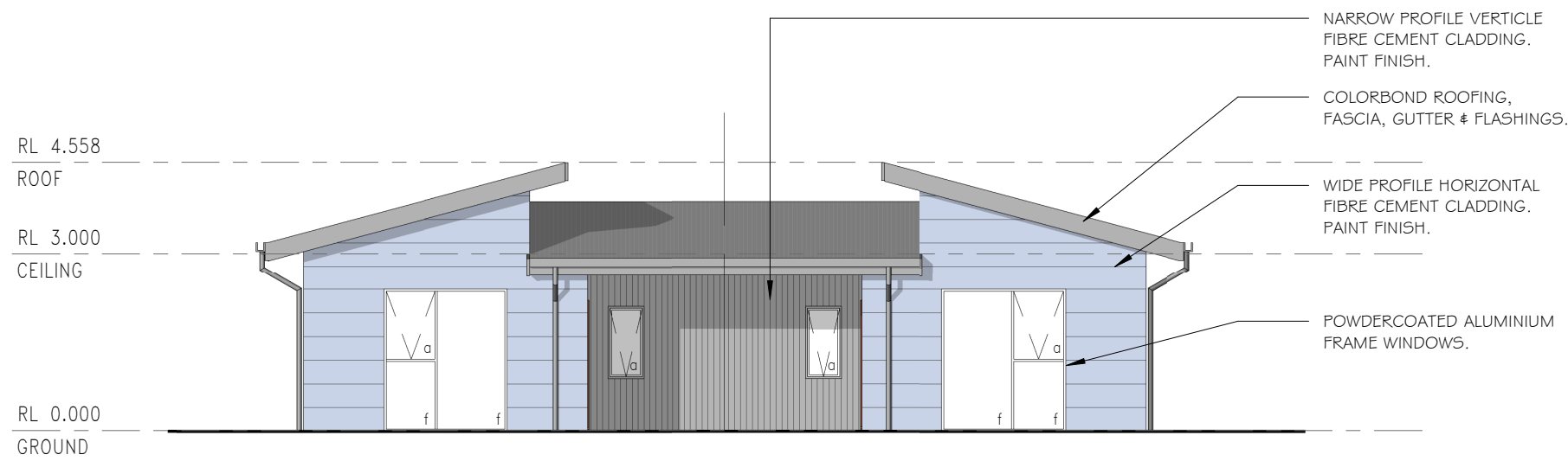
FLOOR PLAN

SCALE 1 : 100



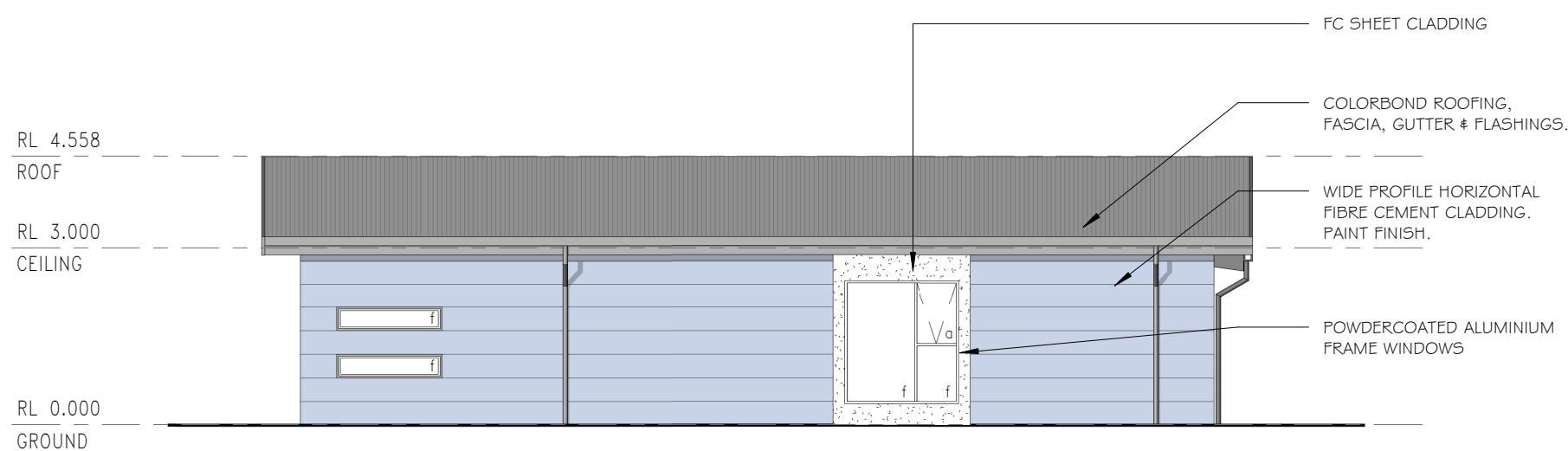
SOUTH ELEVATION

SCALE 1 : 100



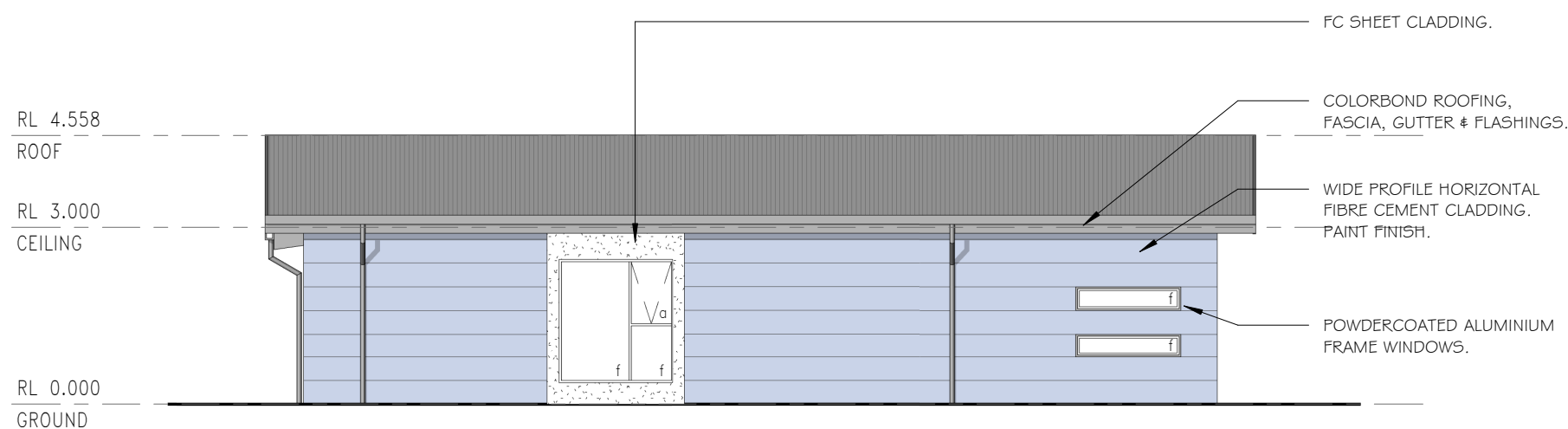
NORTH ELEVATION

SCALE 1 : 100



EAST ELEVATION

SCALE 1 : 100



WEST ELEVATION

SCALE 1 : 100

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COMPANY
ISO 9001
Quality
Management Systems
QMS

PLANNING DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
1	16.09.19	D.A MINOR AMENDMENT	1



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PROJECT: PROPOSED WATERFRONT VILLAS
AT: 17 DEVONPORT RD, DEVONPORT
FOR: RYNMARC PTY LTD
DRAWING: UNIT TYPE 3, PLANS & ELEVATIONS

DESIGNED: MJB DRAWN: CCH CHECKED: MJB

SCALES: 1 : 100 AT A1 SIZE DRAWING SHEET

PROJECT No. 13.276 DRAWING No. Ap05 REV. 1



Appendix F – Traffic Impact Assessment, Planning Permit PA2014.0173

Rynmarc Pty Ltd Waterfront Villas Development Assessment of Existing Access

transport | community | industrial & mining | carbon & energy



Prepared for:

Rynmarc Pty Ltd

Client representative:

Marc Higgs

Date:

**25 September 2014
Rev00**

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4.	Available Sight Distance	4
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7.	Conclusion	9

Appendix A	IPWEA Standard Drawings TSD-RF01-v1
Appendix B	Site Plan Provided by the Developer
Appendix C	Figure 4.9 taken from Austroads Guidelines
Appendix D	Traffic Crash Data

Prepared by:



 Phil Bowen

Date: 25 September 2014

Reviewed by:



 Andrew Van Tatenhove

Date: 25 September 2014

Authorised by:



 Phil Bowen

Date: 25 September 2014

Report Revision History					
Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
00	Waterfront Villas Development - Assessment of Existing Access	P Bowen	A Van Tatenhove	P Bowen	25/09/14

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1. Introduction

Rynmarc Pty Ltd is proposing a waterfront villas development at 17 Devonport Road, Devonport. The development is to be located adjacent to the Mersey River at a site already used by complimentary facilities, namely a Waterfront Function Centre, Cafe and a “Mini” Golf games area. The existing vehicular access onto Devonport Road is already well developed and appears to have been developed with significant traffic volumes in mind, possibly when the facility was operating as an amusement park.

Devonport City Council (DCC) has requested that a Traffic Impact Assessment (TIA) be presented to accompany a development application. This is to establish the suitability of the existing access for the proposed use. This report addresses that request.

A TIA was previously developed for a proposed motel development which did not go ahead. This report is based on that report and modified accordingly to take into consideration the proposed development.



Figure 1 – Locality Plan (source Google Maps)

2. Surrounding Road Network

Devonport Road is a main connector road between the centre of Devonport and the southern areas of Devonport. This section of Devonport Road is also a designated B-Double Route (HPV). It is formed up as a sealed road with 4m lanes and nominally 1m sealed shoulders. The existing access itself incorporates additional sealed widening and auxiliary lanes to facilitate left and right turns into the site.

The indicated speed limit on Devonport Road is 60 km/hr. The practical speed environment is considered the same as the existing road width and alignment is suitable for such speeds.

In assessing the access as being suitable for the proposed development, traffic volumes for Devonport Road have been sourced from DCC. Although the dates and locations of the counts vary, they provide a good indication of the existing traffic volumes for Devonport Road. (Refer figure 2)

Advice from DCC indicates that this section of Devonport Road experiences peak hourly traffic equivalent to a rural road. As such, peak hourly traffic is approximated by taking 11% of the Average Daily Traffic (ADT).

From the information given the South of the Port access is considered the most applicable.

Location	Date	Average Daily Traffic ADT	Assumed Peak Hourly Traffic
Mersey – Durkins	Jul 1999	7436	820
South of Port Access	Sep 2001	6138	675
South of Horsehead Creek	Sep 2003	5659	622
South of Horsehead Creek	Nov 2001	5194	571

Figure 2 – Indicative traffic volumes for Devonport Road

The existing and proposed development currently accesses Devonport Road at an existing access as shown in figure 3 below.

3. Proposed Access Site of the Development

As previously indicated, as part of the development it is proposed to utilise the existing access onto Devonport Road. This is for a variety of reasons but primarily because it is well developed and suitably located for visibility both north and south of the access. A sketch of the proposed development site provided by the developer has been included in Appendix B of this report. Figure 3 below shows the existing access, looking northward from the exit lane of the access.

The existing access is currently configured with an auxiliary turning lane (AUL) for southbound traffic. For northbound traffic turning the intersection currently has a basic right turn treatment (BAR). Such a configuration is suitable for rural and urban fringe unsignalised intersections for a range of traffic volumes and turning movements.

The suitability of this access for the proposed development is discussed in section 5.



Figure 3 – Existing access into the development site, looking north

4. Available Sight Distance

Specific requirements for new or existing accesses have not been given by DCC. However, the developers have been requested to provide a TIA addressing the proposed development, utilising the existing access. To assist in undertaking this assessment recognised standards have been utilised in its assessment.

During the preparation of the previous report pertaining to the earlier development application, Phillip Bowen of **pitt&sherry** undertook a site visit to determine the available sight distances for the existing access. This investigation was undertaken in accordance with the *Austrroads Guideline to Traffic Engineering Practice – Part 5: Intersections at Grade*.

vehicle Speed (km/h)	Safe Intersection Site Dist. (m)	
	60 km/hr or less	Greater than 60 km/hr
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

Figure 4 – Safe Intersection Site Distance

Figure 4 above has been taken from the *IPWEA/LGAT Standard Drawing for Intersection Site Distance Requirements – TSD-RF01-v1*. For reference purposes, copies have also been included in Appendix A of this report. This drawing also outlines the requirements and methodology for determining the available sight distance for the access.

The sight distances were assessed using a setback of 5m from the centre of the south bound lane, assuming a sight line (driver to object vehicle) between points 1.25m above the road and access surface at the respective vehicle positions. This reference height is in accordance with the relevant standard drawing.

The posted speed limit for Devonport Road in the vicinity of the access is 60km/h. The proposed access is located in the middle of a very slight change in horizontal and vertical alignments that do not negatively impact on the available site distances.

Following several drive-throughs past the proposed developments site, it is considered that it is reasonable to use the posted speed as the prevailing speed environment for approaching vehicles from either north or south and this has been adopted for this assessment.

Given the reasonably intensive nature of the proposed development, it is considered appropriate to assess this access as a rural road intersection, rather than as a private access. For design speeds of 60km/h, the required sight distance is therefore 105m (refer Figure 4 above).



Figure 5 – Looking north from the existing access point maximum visibility at around 300m



Figure 6 – Looking south from the existing access point maximum visibility at around 250m

The available sight distances were measured as per the guidelines and are set out in the table provided in figure 7 below.

Direction	Maximum	Useful
North	300	250
South	250	200

Figure 7 – Measured sight distances

As can be seen the available sight distance, both north and south, exceed the requirements of the recognised standards for both rural and urban environments at the prevailing 60 km/hr vehicular approach speeds. The limiting factor for clear sight distance in both directions is more to do with driver awareness of the approaching intersection rather than limitations of road geometry. This is illustrated in figure 8 and 9 below and hence the indication of a 'useful' distances in the above table.



Figure 8 – Sight distance looking from the northern approach with the access far off in the distance of over 300m



Figure 9 – Sight distance looking from the northern approach with the access more readily visible at 250m

5. Generated Vehicle Use

pitt&sherry generally use the guidelines for traffic generation issued by the Roads and Traffic Authority of New South Wales.

Figure 10 below summarises the expected level of activity that would be generated by the uses nominated by the developer. There are no values given for Cafes, however, it has been assessed as generating similar values to the function centre and restaurant with consideration being given for the traffic generally being generated during the day rather than mornings and evenings. In this way the overall traffic generated can be considered as being spread at a reasonably consistent rate during the day

Land Use	Vehicle Trips/day	Peak Hour
Motels/Casual Units	3/unit	0.4/unit
Restaurants	60/100sq.m floor	5/100sq.m floor

Figure 10 – Typical Land Use Traffic Generation

pitt&sherry understand that the development comprises 30 small single bedroom units whilst the existing café and function centre is around 500 sq.m. This results in around 90 vehicle trips per day for the accommodation and 300 vehicle trips per day being generated by the existing cafe/function centre. Peak traffic volumes per hour are 12 and 25 respectively.

However, due to the nature of the two facilities involved it is considered that the two peak volumes should not be necessarily be considered as acting concurrently. The function centre typically holds functions in either the afternoon or evening whilst the proposed Motel would normally experience peak traffic mid morning due to the usual practice of 10am check out. Accordingly peak traffic volumes of around 30 v/hr, have been assumed to coincide with the peak traffic volume of 675 v/hr for this section of Devonport Road (Refer Figure 2).

Given the location of the access relative to the centre of Devonport and the Bass Highway north of the site, two thirds of the vehicle movements are assumed to be either heading from or to the facility from that direction. It has therefore been assumed that 20 v/hr enter from/to the north (a left turn in/right turn out) whilst 10 v/hour enter or leave to the south (a right turn in/left turn out).

Under the Austroads Guide to Road Design Part 4A – Unsignalised and Signalised Intersections, warrants are indicated for unsignalised intersections. These act as guidelines for the installation of appropriate intersection treatments. From the above, information relevant to the warrants can be summarised as follows:

- Main Road Vehicular Speed - 60 km/hr
- Road environment – Rural
- Peak Traffic Volume – 742 v/hour (10% allowance for growth)
- Traffic Volume for Left Turn into the site – 20 v/hr (Q_L)
- Traffic Volume for Right Turn – 10 v/hr (Q_R)
- $Q_{T1} = Q_{T2} = 371$ v/hour (individual lane through traffic)

In accordance with Figure 4.9b taken from the Ausroads guide the maximum permissible lane traffic volume (Q_{T2}) for an intersection configured with a basic left turn configuration (BAL) is approximately 300 v/hour. A channelised left turn lane (CHL) is recommended for lane traffic volumes greater than 750 v/hour. Therefore, for the above prevailing peak lane traffic volumes of 371 v/hour (Q_{T2}) the existing auxiliary left turn lane (AUL) is considered suitable for the proposed use and furthermore should be suitable for a considerable time even allowing for future growth in traffic volumes.

Figure 4.9b works similar for right hand turn movements, however, in this case the relevant peak hourly traffic volume is the combination of both lanes and the left turning traffic volumes ie. 762 v/hour. The use of a standard channelised right turn lane (CHR) would be required at around 1000 v/hour. Whilst the basic right turn treatment (BAR) is considered adequate for 400 v/hour or less. For the range of traffic volumes between, a short version of the channelised right turn (CHR(S)) is recommended. Such arrangements can typically be achieved by adjusting linemarking if there is sufficient width of seal.

For reference the relevant chart (Figure 4.9b) and generic intersection arrangements are included in Appendix C. Figure 4.9b has been marked up to show the assumed intercept of the prevailing traffic volumes discussed above.

6. Historical Traffic Crash Data

Historical traffic crash data available from the state road authority has been included in appendix D.

There was no recorded data available for the actual location of the access. Slightly further to the south there has been a history of incidents that appear to be related to the previous speed limit of 80 km/hour and the loss of control at changes in the road alignment when the road surface condition is wet.

Based on the available information, there does not appear to be any ongoing safety concerns at the access location.

7. Conclusion

After inspecting the site and reviewing the proposed development plan, it is considered that utilising the existing access provides the best option for access to the proposed development. The existing access can either be utilised as is or possibly modified as discussed below, depending on the requirements of the planning authority.

For south bound traffic the existing left turn arrangement is considered adequate.

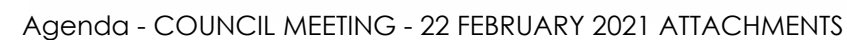
For north bound traffic the current configuration may not be suitable as a long term arrangement, and subject to further investigation, it may be possible to adjust the existing linemarking to achieve a channelised right turn lane for right turning traffic into the site. This will enable ongoing use of the intersection, for a greater range of turning and main road peak traffic volumes.

It was noted during the earlier inspection three years ago that vegetation had been allowed to encroach onto the gravel shoulder along the western side of Devonport Road. It is understood that this vegetation has subsequently been removed which has allowed full use of the existing sealed width and adjacent gravel verge.

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Appendix A

IPWEA Standard Drawings TSD-RF01-v1



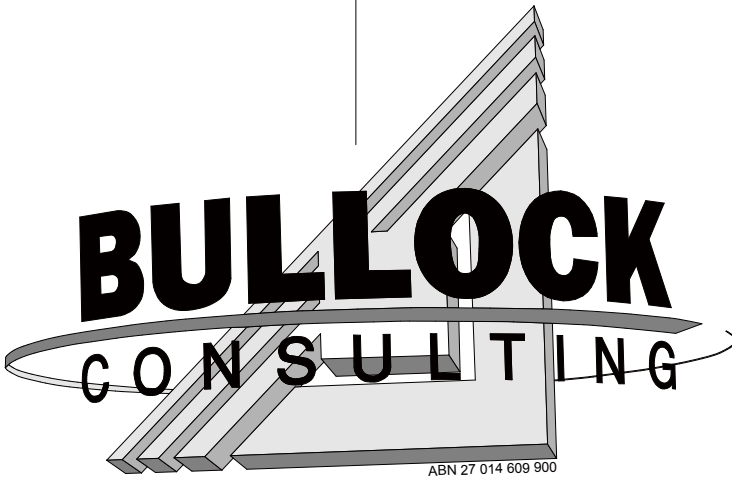
Appendix B

Site Plan Provided by the Developer





SITE PLAN
SCALE 1:500



ARCHITECTS
SURVEYORS
ENGINEERS



ABP No. CC48741 Architectural
ABP No. CC16331 Structural / Civil

Postal Address
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Riverside
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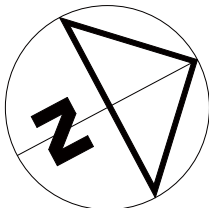
Tamar Suite 103
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287 Charles Street
Launceston Tasmania
Ph (03) 6332 3300
Fax (03) 6331 7188

57 Best Street
Devonport Tasmania
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Fax (03) 6424 7181

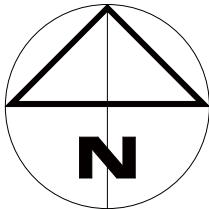
e: admin@bullock.com.au
w: www.bullock.com.au

PRELIMINARY - NOT FOR CONSTRUCTION

ISSUE	DATE	ISSUED FOR	REV
01	29.04.14	INFORMATION	-
02	05.06.14	INFORMATION	-
03	17.06.14	INFORMATION	-
04	27.06.14	INFORMATION	-
05	27.08.14	INFORMATION	-



TRUE NORTH



PROJECT NORTH

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PROJECT:	PROPOSED WATERFRONT VILLAS
AT:	17 DEVONPORT ROAD, DEVONPORT
FOR:	RYNMARC PTY LTD
DRAWING:	SITE PLAN

DESIGNED:	DVG	DRAWN:	MJB	CHECKED:	
SCALES:	1:500	AT A1 SIZE DRAWING SHEET			

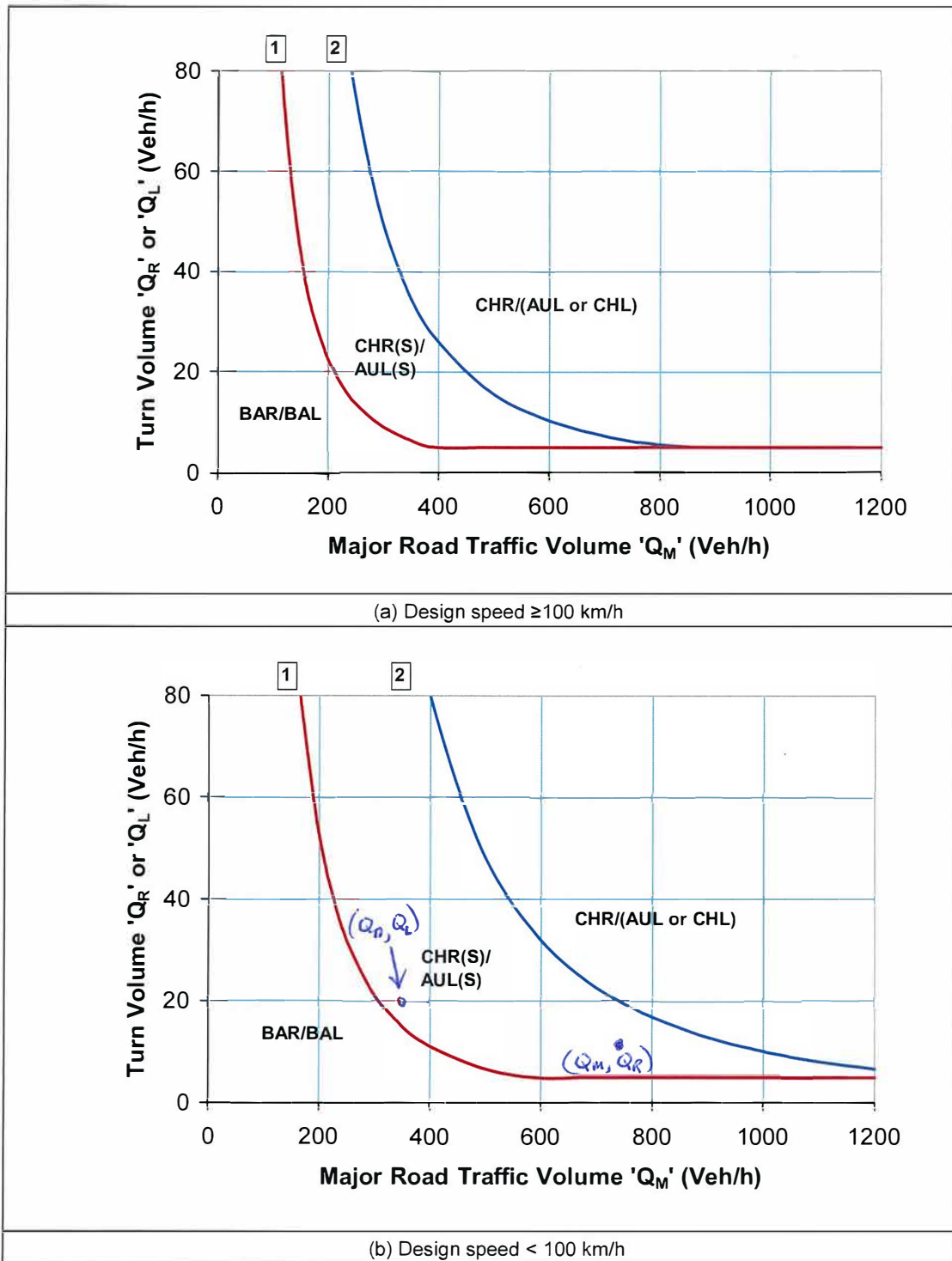
PROJECT No.	13.276	DRAWING No.	As00	REV.	-
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Appendix C

Figure 4.9 taken from Austroads Guidelines



Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Source: Arndt and Troutbeck (2006).

Figure 4.9: Warrants for turn treatments on the major road at unsignalised intersections

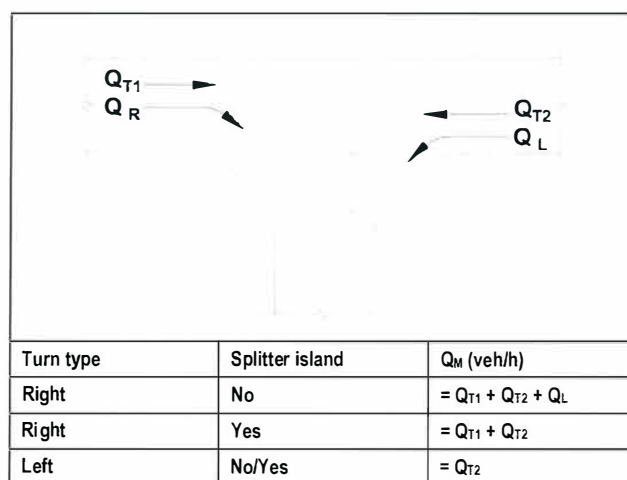
Austroads 2010

— 46 —

 Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections

In applying the warrants in Figure 4.9 designers should note that:

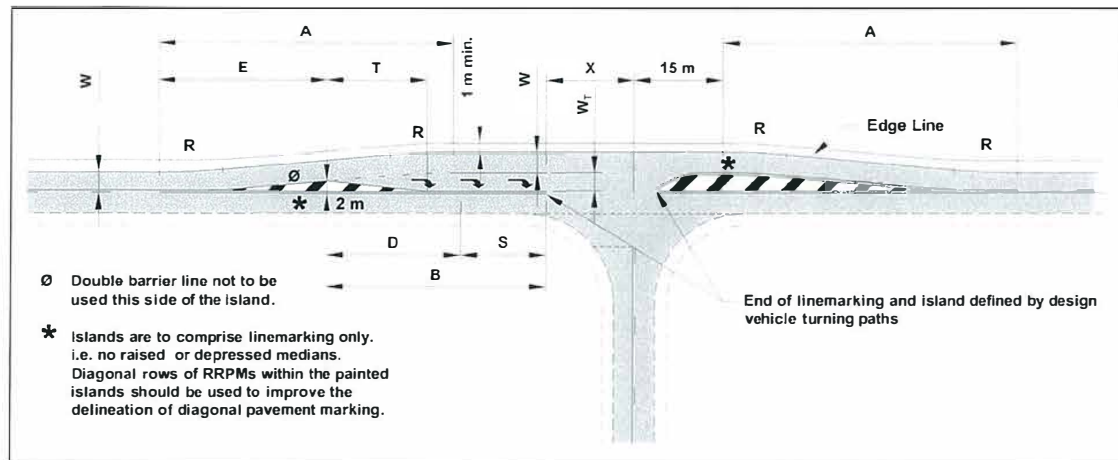
- Curve 1 represents the boundary between a BAR and a CHR(S) turn treatment and between a BAL and an AUL(S) turn treatment.
- Curve 2 represents the boundary between a CHR(S) and a CHR turn treatment and between an AUL(S) and an AUL or CHL turn treatment. The choice of CHL over an AUL will depend on factors such as the need to change the give way rule in favour of other manoeuvres at the intersection and the need to define more appropriately the driving path by reducing the area of bitumen surfacing.
- The warrants apply to turning movements from the major road only (the road with priority).
- Figure 4.10 is to be used to calculate the value of the major road traffic volume parameter (Q_M).
- Traffic flows applicable to the warrants are peak hour flows, with each vehicle counted as one unit (i.e. do not use equivalent passenger car units [pcus]). Where peak hour volumes or peak hour percentages are not available, assume that the design peak hour volume equals 8% to 10% of the AADT for urban situations and that the design hour volume equals 11% to 16% of AADT for rural situations.
- If more than 50% of the traffic approaching on a major road leg turns left or right, consideration needs to be given to possible realignment of the intersection to suit the major traffic movement. However, route continuity issues must also be considered (for example, realigning a highway to suit the major traffic movement into and out of a side road would be unlikely to meet driver expectation).
- If a turn is associated with other geometric minima, consideration should be given to the adoption of a turn treatment of a higher order than that indicated by the warrants.
- Some road authorities may consider that the CHR(S) treatment is not a suitable arrangement in all instances. Where this occurs, the Main Roads Western Australia AUR treatment may be used as an alternative. However the CHR(S) treatment is considered to be preferable for general use on major roads.
- Where the major road has four lanes (e.g. two in each direction) the value used for Q_M is the volume in the closest through lane to the turning movement.



Source: Arndt and Troutbeck (2006).

Figure 4.10: Calculation of the major road traffic volume parameter Q_M

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Note: The dimensions of the treatment are defined below and values of A, D, R and T are shown in Table 7.1:

W = Nominal through lane width (m) (including widening for curves). For a new intersection on an existing road, the width is to be in accordance with the current link strategy.

W_T = Nominal width of turn lane (m), including widening for curves based on the design turning vehicle = 3.0 m minimum.

B = Total length of auxiliary lane including taper, diverge/deceleration and storage (m).

E = Distance from start of taper to 2.0 m width (m) and is given by:

$$E = 2 \left(\frac{A}{W_T} \right)$$

T = Taper length (m) and is given by:

$$T = \frac{0.33xVxW_T}{3.6}$$

S = Storage length to cater for one design turning vehicle (m).

V = Design speed of major road approach (km/h).

X = Distance based on design vehicle turning path, typically 10–15 m.

Source: QDMR (2006).

Figure 7.6: Channelised right-turn treatment with a short turn slot [CHR(S)] two-lane rural road

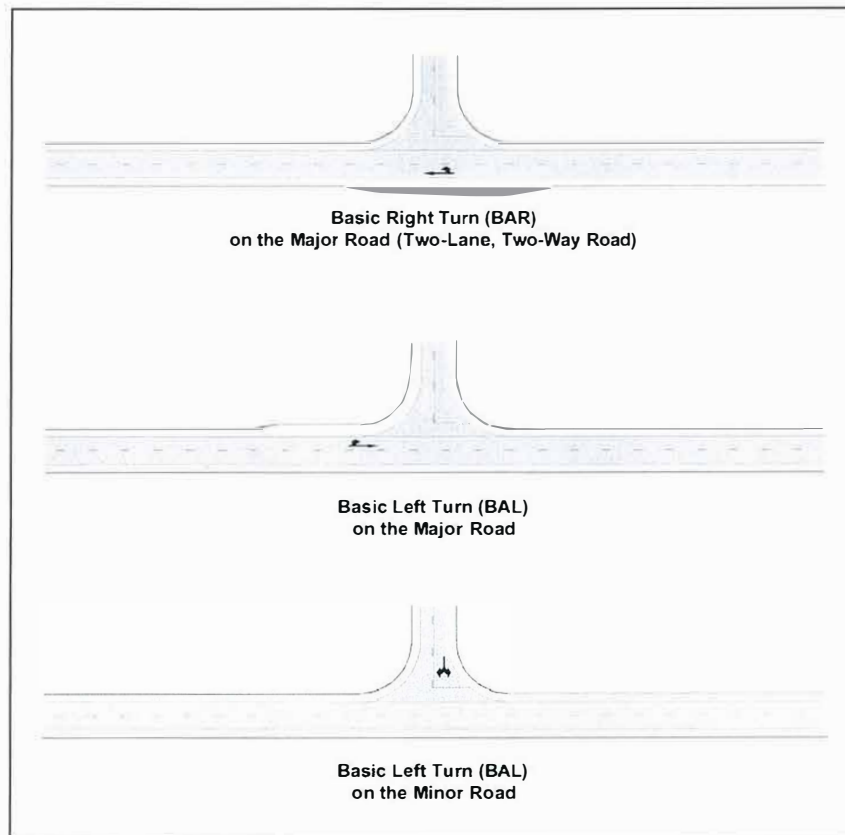
7.5.3 Rural Channelised T-junction – Full Length (CHR)

For this layout, all traffic is required to deviate and therefore the road alignment for the through movement must be designed to suit the operating speed. This deviation requires the pavement to be widened to provide a full-length right-turn lane as shown in Figure 7.7.

The minimum lengths of deceleration (D) for different design speeds are shown in Table 5.2 and should be based on the comfortable deceleration rate of 2.5 m/s². The storage length (S) is usually determined through the use of computer programs such as aaSIDRA.

Details of the departure end of the right-turn lane should be determined using turning path templates (minimum radius 15.0 m). This will depend on the width and the angle of intersection of the road that the turning vehicle is entering.

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Note: Arrows indicate movements relevant to the turn type. They do not represent actual pavement markings.

Source: QDMR (2006).

Figure 4.1: Rural basic BA turn treatments

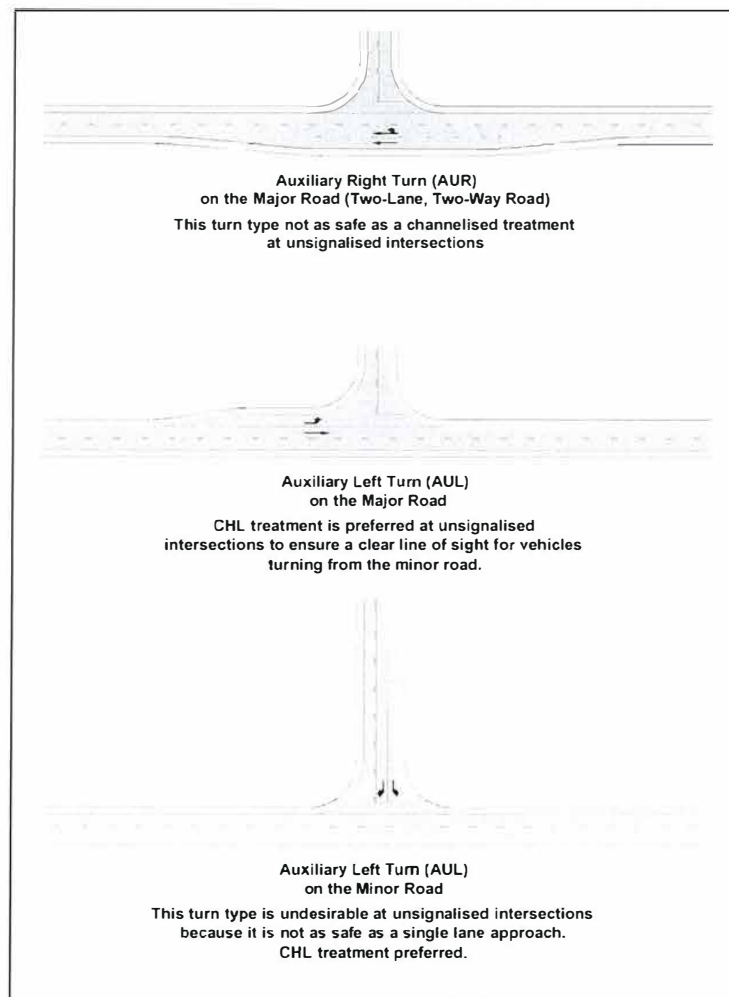
Figure 4.1 shows only basic T-intersection treatments because unsignalised and signalised crossroads should not be provided because of road safety risk in high speed situations (e.g. > 80 km/h) unless treated with channelisation (e.g. roundabout, wide median treatment) and/or traffic management devices. However, CHR treatments may be applied to existing crossroads where there is a need to shelter turning vehicles on the major road and the risk associated with crossing traffic is considered to be low (e.g. no crashes recorded, very low approach speeds, negligible traffic crossing). This treatment is implemented under extended design domain principles (Appendix A and the *Guide to Road Design – Part 2: Design Considerations*, (Austroads 2006c).

4.5.2 Urban Basic (BA) Turn Treatments

Figure 4.2 shows the features of urban BA turn treatments. It can be seen that:

- the basic right-turn treatment and basic left-turn treatments are achieved by resuming parking space at and near the intersection
- a bicycle lane on the major road may be incorporated into the treatment and should always be continued through unsignalised intersections.

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Notes:

1. Arrows indicate movements relevant to the turn type. They do not represent actual pavement markings.
2. Not used by the Queensland Department of Main Roads or the New Zealand Transport Agency.

Source: Based on QDMR (2006).

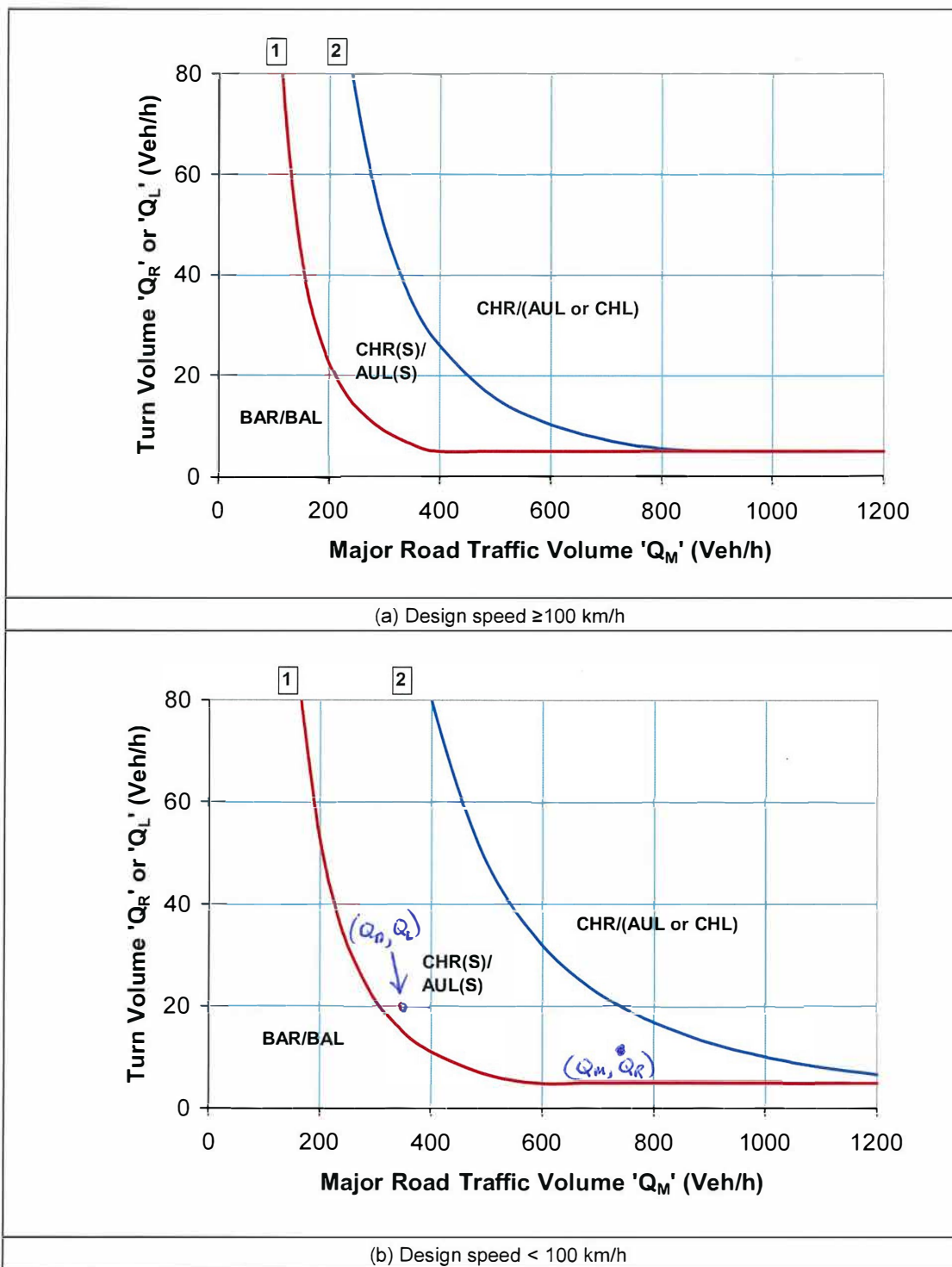
Figure 4.5: Rural auxiliary lane (AU) turn treatments

4.6.2 Urban Auxiliary Lane (AU) Turn Treatments

Figure 4.6 shows the features of urban AU turn treatments at T-intersections, namely:

- AUR turn treatment is created by the addition of a short section of traffic lane with standard painted stripes
- AUL turn treatment on the major road may be a normal indented turn lane or be shielded by a parking lane, depending on the situation
- AUL turn treatment in the minor road may also be a normal indented turn lane or be shielded by parked cars, depending on the situation.

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Source: Arndt and Troutbeck (2006).

Figure 4.9: Warrants for turn treatments on the major road at unsignalised intersections

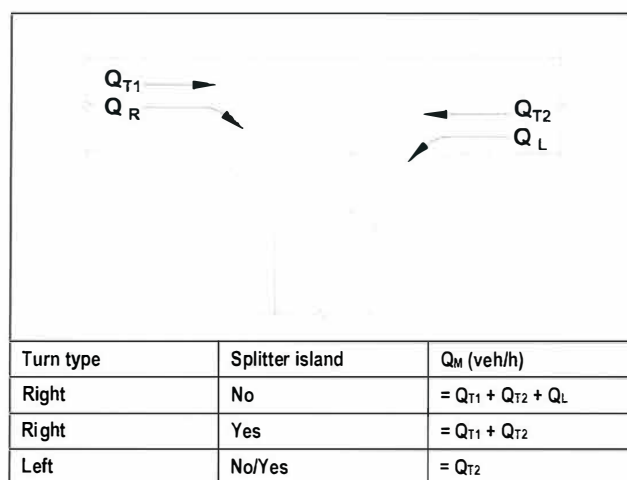
Austroads 2010

— 46 —

 Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections

In applying the warrants in Figure 4.9 designers should note that:

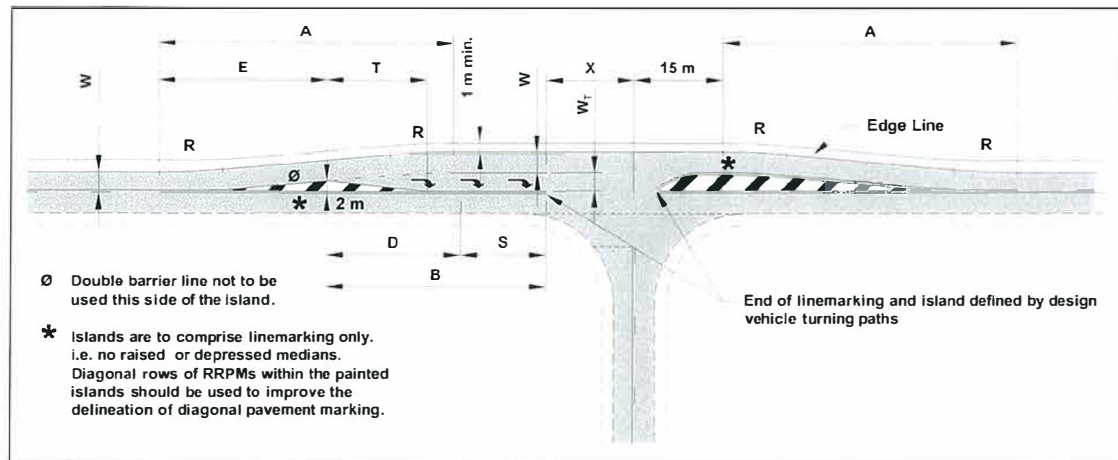
- Curve 1 represents the boundary between a BAR and a CHR(S) turn treatment and between a BAL and an AUL(S) turn treatment.
- Curve 2 represents the boundary between a CHR(S) and a CHR turn treatment and between an AUL(S) and an AUL or CHL turn treatment. The choice of CHL over an AUL will depend on factors such as the need to change the give way rule in favour of other manoeuvres at the intersection and the need to define more appropriately the driving path by reducing the area of bitumen surfacing.
- The warrants apply to turning movements from the major road only (the road with priority).
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- If more than 50% of the traffic approaching on a major road leg turns left or right, consideration needs to be given to possible realignment of the intersection to suit the major traffic movement. However, route continuity issues must also be considered (for example, realigning a highway to suit the major traffic movement into and out of a side road would be unlikely to meet driver expectation).
- If a turn is associated with other geometric minima, consideration should be given to the adoption of a turn treatment of a higher order than that indicated by the warrants.
- Some road authorities may consider that the CHR(S) treatment is not a suitable arrangement in all instances. Where this occurs, the Main Roads Western Australia AUR treatment may be used as an alternative. However the CHR(S) treatment is considered to be preferable for general use on major roads.
- Where the major road has four lanes (e.g. two in each direction) the value used for Q_M is the volume in the closest through lane to the turning movement.



Source: Arndt and Troutbeck (2006).

Figure 4.10: Calculation of the major road traffic volume parameter Q_M

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Note: The dimensions of the treatment are defined below and values of A, D, R and T are shown in Table 7.1:

W = Nominal through lane width (m) (including widening for curves). For a new intersection on an existing road, the width is to be in accordance with the current link strategy.

W_t = Nominal width of turn lane (m), including widening for curves based on the design turning vehicle = 3.0 m minimum.

B = Total length of auxiliary lane including taper, diverge/deceleration and storage (m).

E = Distance from start of taper to 2.0 m width (m) and is given by:

$$E = 2 \left(\frac{A}{W_t} \right)$$

T = Taper length (m) and is given by:

$$T = \frac{0.33xVxW_t}{3.6}$$

S = Storage length to cater for one design turning vehicle (m).

V = Design speed of major road approach (km/h).

X = Distance based on design vehicle turning path, typically 10–15 m.

Source: QDMR (2006).

Figure 7.6: Channelised right-turn treatment with a short turn slot [CHR(S)] two-lane rural road

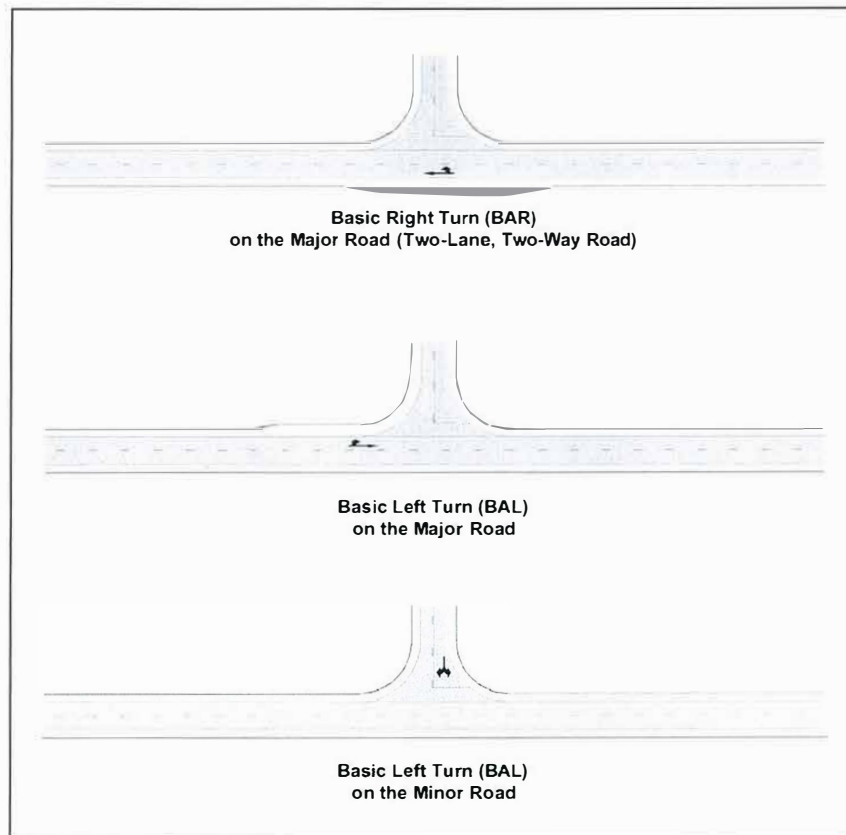
7.5.3 Rural Channelised T-junction – Full Length (CHR)

For this layout, all traffic is required to deviate and therefore the road alignment for the through movement must be designed to suit the operating speed. This deviation requires the pavement to be widened to provide a full-length right-turn lane as shown in Figure 7.7.

The minimum lengths of deceleration (D) for different design speeds are shown in Table 5.2 and should be based on the comfortable deceleration rate of 2.5 m/s². The storage length (S) is usually determined through the use of computer programs such as aaSIDRA.

Details of the departure end of the right-turn lane should be determined using turning path templates (minimum radius 15.0 m). This will depend on the width and the angle of intersection of the road that the turning vehicle is entering.

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Note: Arrows indicate movements relevant to the turn type. They do not represent actual pavement markings.

Source: QDMR (2006).

Figure 4.1: Rural basic BA turn treatments

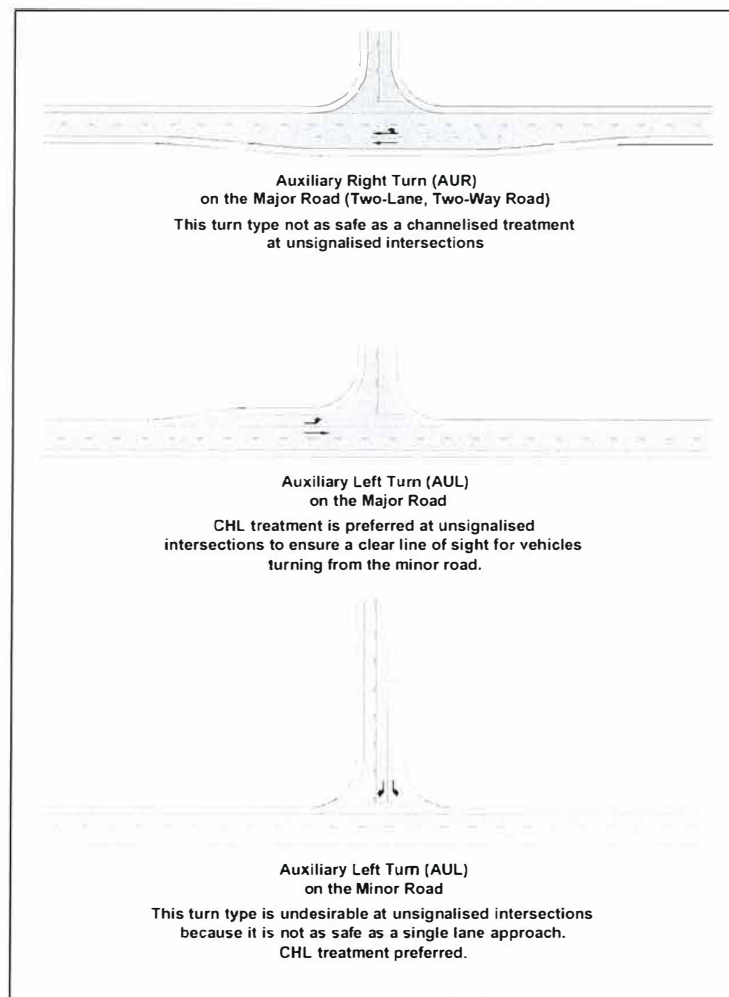
Figure 4.1 shows only basic T-intersection treatments because unsignalised and signalised crossroads should not be provided because of road safety risk in high speed situations (e.g. > 80 km/h) unless treated with channelisation (e.g. roundabout, wide median treatment) and/or traffic management devices. However, CHR treatments may be applied to existing crossroads where there is a need to shelter turning vehicles on the major road and the risk associated with crossing traffic is considered to be low (e.g. no crashes recorded, very low approach speeds, negligible traffic crossing). This treatment is implemented under extended design domain principles (Appendix A and the *Guide to Road Design – Part 2: Design Considerations*, (Austroads 2006c).

4.5.2 Urban Basic (BA) Turn Treatments

Figure 4.2 shows the features of urban BA turn treatments. It can be seen that:

- the basic right-turn treatment and basic left-turn treatments are achieved by resuming parking space at and near the intersection
- a bicycle lane on the major road may be incorporated into the treatment and should always be continued through unsignalised intersections.

Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections



Notes:

1. Arrows indicate movements relevant to the turn type. They do not represent actual pavement markings.
2. Not used by the Queensland Department of Main Roads or the New Zealand Transport Agency.

Source: Based on QDMR (2006).

Figure 4.5: Rural auxiliary lane (AU) turn treatments

4.6.2 Urban Auxiliary Lane (AU) Turn Treatments

Figure 4.6 shows the features of urban AU turn treatments at T-intersections, namely:

- AUR turn treatment is created by the addition of a short section of traffic lane with standard painted stripes
- AUL turn treatment on the major road may be a normal indented turn lane or be shielded by a parking lane, depending on the situation
- AUL turn treatment in the minor road may also be a normal indented turn lane or be shielded by parked cars, depending on the situation.

Appendix D

Traffic Crash Data



Crash ID	Crash Date	Crash Time	Severity	DCA Code	Speed Limit at crash	Location Description	Surface Condition
30004581	7/08/2006	20:05	Property Damage Only	181 Off right bend into object/parked vehicle	80	Devonport Road, Miandetta, Devonport	Wet
30004863	14/04/2006	22:30	Property Damage Only	183 Off left bend into object/parked vehicle	80	Devonport Road, Miandetta, Devonport	Dry
30011380	28/01/2006	18:50	Property Damage Only	171 Left off carriageway into object or parked vehicle	80	Devonport Road, Miandetta, Devonport	Wet
30028885	20/01/2007	22:15	Property Damage Only	180 Off carriageway right bend	80	Devonport Road, Miandetta, Devonport	Wet
30064663	31/07/2008	16:36	Property Damage Only	120 Wrong side/other head on (not overtaking)	80	Devonport Road, Miandetta, Devonport	Wet
30074600	26/11/2009	20:19	Property Damage Only	184 Out of control on carriageway	80	Devonport Road, Miandetta, Devonport	Wet
30086958	28/05/2010	10:20	Property Damage Only	181 Off right bend into object/parked vehicle	80	Devonport Road, Miandetta, Devonport	Wet
30103549	22/11/2009	10:24	Property Damage Only	181 Off right bend into object/parked vehicle	80	Devonport Road, Miandetta, Devonport	Wet
30103783	24/11/2010	11:20	Property Damage Only	183 Off left bend into object/parked vehicle	80	Devonport Road, Miandetta, Devonport	Wet

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Appendix G – Landslide Risk Assessment, Planning Permit 2014.0173



LANDSLIDE RISK ASSESSMENT

Bullock Consulting

Proposed Unit Development
17 Devonport Road, Devonport

GL14147Ab
16 September 2014

GEOTON Pty Ltd
Geotechnical Consultants

Geoton Pty Ltd ABN 69 315 541 003
PO Box 522 Prospect TAS 7250
Office 3 Level 1 Images Centre
2 Trotters Lane Prospect TAS
T (03) 6343 1900 F (03) 6343 1906
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16 September 2014

Reference No: GL14147Ab

Bullock Consulting
PO Box 63
RIVERSIDE TAS 7250

Attention: Ms Heidi Goess

Dear Madam

**RE: Landslide Risk Assessment
Proposed Unit Development
17 Devonport Road, Devonport**

We have pleasure in submitting herein our report detailing the results of the landslide risk assessment conducted at the above site.

Should you require clarification of any aspect of this report, please contact Tony Barriera on 03 6343 1900.

For and on behalf of

Geoton Pty Ltd



Tony Barriera

Director

Landslide Risk Assessment

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2.2	Landslide Susceptibility	1
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Limitations of Report

Landslide Risk Assessment

Figures

Figure 1: Landslide Hazard Map

Figure 2: Site Plan

Appendices

Appendix A: Site Photographs

Appendix B: Kinematic analysis

Appendix C: Qualitative Terminology for Use in Assessing Risk to Property

Appendix D: Some Guidelines for Hillside Construction

Appendix E: Certificate forms

Geotechnical Investigation

1 INTRODUCTION

A Landslide Risk Assessment has been conducted for Bullock Consulting on rock cuttings situated within a proposed unit development at 17 Devonport Road, Devonport.

The purpose of the assessment is to conduct a rock mapping exercise in order to carry out the risk assessment in relation to rockfall hazards at the site. The rock mapping exercise is to determine the dip and dip direction of the rock joints and assess if these will create unfavourable rock slope stability conditions.

A site plan showing the location of the proposed units was provided (prepared by Bullock Consulting, Project No.13.276, Drawing No. As00).

The landslide risk assessment has been completed in accordance with E6 Hazard Management Code of the Devonport Interim Planning Scheme, 2013.

2 BACKGROUND

2.1 Geology

The Mineral Resources Tasmania (MRT) Landslide Map Series, Devonport – Geology Map, 1:25,000 Scale, indicates that the site is underlain by Jurassic aged dolerite, with this being confirmed by the field data.

2.2 Landslide Susceptibility

Examination of the MRT Tasmanian Landslide Map Series, Devonport – Landslide Inventory Map, 1:25,000 scale, indicates that the proposed development is not located within a known past landslide feature.

Examination of the MRT Tasmanian Landslide Map Series, Burnie – Rockfall Susceptibility Map, indicates that the area within the vicinity of the rock cuttings at the site are mapped as a susceptibility source and runout area for rockfalls. An extract of the rockfall susceptibility map from the LIST has been provided as Figure 1.

Examination of the MRT Tasmanian Landslide Map Series, Devonport – Shallow Slide and Flow Susceptibility Map, indicates that the proposed development is not within a susceptibility source area for shallow landslides.

Examination of the MRT Tasmanian Landslide Map Series, Devonport – Deep Seated Landslide Susceptibility Map, indicates that the proposed development is not within a susceptibility source area for deep seated failures.

3 FIELD INVESTIGATION

The field investigation was conducted on 12 September 2014 and involved the following:

- An examination of site conditions and surrounding landforms;
- Rock face mapping including joint orientation mapping; and

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- Identifying loose or potentially unstable cobbles, boulders and rock blocks that are required to be removed from the rock face (scaled).

Photos of the rock face identifying rocks that are required to be removed are provided as Plates 1 to 8, with their corresponding location provided on Figure 2.

4 SITE CONDITIONS

The site is located alongside the Mersey River within the grounds of an old dolerite quarry. The proposed development consists of ten units, five of the proposed units are located on the relatively level ground alongside the Mersey River while the other five are located on a small rocky hill feature above the former rock quarry cut faces.

Past quarry workings of the rocky hill has created a rock cut face that is approximately 120m long predominantly facing towards the east and south (see Figure 2). The rock face is a maximum of about 15m high in the south east corner and slowly tapers off towards the north and west. The rock face comprises numerous smaller steps and slopes ranging from near vertical to 45° and has an average slope of approximately 60°.

The rock face typically consists of well exposed jointed dolerite rock with a soil profile that ranged from nil up to approximately 1m thick along the rock face crest (Plates 1 to 8).

The upper soil profile was typically loose and displayed evidence of past erosion and small localised failures. In addition, two small headscarps were identified within the upper soil profile along the crest of the eastern face (see Figure 2).

The dip direction of the rock face was varied with several joint orientations identified. The joints were typically discontinuous and closed. Along the rock face numerous loose cobbles, boulders and rock blocks were identified (Plates 1 to 8). There was evidence of past failures with minor deposits of rock talus along the toe of the rock face (particularly the southern face).

The ground surface on top of the rocky hill had numerous outcrops of insitu dolerite rock (Plate 11). In addition, a test pit had been excavated identifying shallow topsoil overlying insitu dolerite rock (Plate 12).

On the neighbouring block to the south there is a steep dolerite hill with evidence of past rock toppling failures (Plate 13). A wire mesh catch fence with rock fall warning signs is located along this southern boundary. The wire mesh fence has successfully contained large cobbles/boulders of dolerite in several areas (Plate 14).

A soil berm/mound is also located along the toe of the steep dolerite hill slope, at the southern end of the site there.

5 LANDSLIDE RISK ASSESSMENT

5.1 Background

Based on the observations of the rock jointing it is considered that the likely mode of rock slope failure would involve planar sliding, wedge failures and direct toppling.

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Wedge sliding is the failure mode that occurs when a block slides along the intersection of two planar discontinuities. The chance of failure depends on the dip of the line of interception, the shear strength of the planes and the geometry of the wedge (Hoek & Bray, 1974).

Planar sliding is a specific type of wedge failure and occurs when a failure surface striking parallel or almost parallel to the slope face and daylight out of the slope face. The dip of the failure plane must be significantly greater than the angle friction at the joint plane for failure to occur.

Direct block toppling generally occurs when blocks of hard rock are divided by widely spaced orthogonal joints. The short blocks at the toe are pushed forward by the loads from the longer overturning blocks behind allowing further toppling to occur higher up.

Undercutting of the toe of the rock blocks by primary weathering or erosion will cause sliding or physical break down of the rock causing secondary toppling of the rock blocks above.

Flexural toppling is a specific toppling process that may take place when a series of steeply dipping parallel discontinuities form cantilever rock columns and bend under their self-weight. Flexural toppling will generally occur when the tensile stress in the rock exceeds the rocks tensile strength.

5.2 Rock Fall Analyses

A kinematic analysis was conducted to assess the stability of the former quarry rock face. All of the above modes of failure were assessed. The quarry was divided into two sections to accommodate for the changing direction of the rock face. The kinematic analysis indicated four potential failure modes at the site and these are shown as Plates X1 to X4.

Wedge failure is represented on a stereonet when pole intersections lie inside the plane friction cone and outside the slope plane (pink shaded area). The kinematic analysis found wedge failure may occur on the east facing section when the quarry face dips at greater than 40° (Plate X1).

Planar sliding is represented on a stereonet when a pole of a discontinuity lies inside the daylight envelope and outside the friction cone (pink shaded area). The kinematic analysis found planar sliding may occur on the south facing section when the quarry face dips at greater than 76° (Plate X2).

Direct toppling is represented on a stereonet when pole intersections lie within the lateral limits and within either the slope plane (pink shaded area) or the oblique toppling zone (yellow shaded area). The kinematic analysis found direct toppling failure may occur on the east facing section at all dipping angles if the friction angle of the joints is greater than 17° (Plate X3). However toppling is considered rare as there was limited distinct orthogonal joint sets observed at the face to create potential blocks to topple and develop the force required to push the rock out from the face.

Flexural toppling is represented on a stereonet when a pole lies between the slip limit plane, the stereonet perimeter and the lateral limits (pink shaded area). The kinematic analysis found flexural toppling will not occur on either face and is consistent with the visual assessment of the jointing within the existing rock cut slope.

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5.3 Landslide Risk Assessment

The qualitative likelihood, consequence and risk terms used in this report for risk to property are given in Appendix C. The risk terms are defined by a matrix that brings together different combinations of likelihood and consequence. Risk matrices help to communicate the results of risk assessment, rank risks, set priorities and develop transparent approaches to decision making. The notes attached to the tables and terms and the comments on response to risk in Appendix C are intended to help explain the risk assessment and management process.

LOW risk is usually acceptable to regulators and MODERATE risk may be tolerated in certain circumstances but requires the planning and implementation of treatment options to reduce the risk to LOW.

5.4 Rock Failures

Based on the site observations, analyses, geometry of the rock cut faces and the presence of loose blocks of rock, it is considered that likelihood of rock failures are LIKELY. However the location of the proposed units are located some distance from the toe of the rock cut slope and therefore the likelihood of potential of rock failures impacting on the proposed units are considered POSSIBLE with the consequences assessed as MEDIUM. Therefore the corresponding risk from rock failures is assessed as MODERATE.

In this case the discussion and recommendations below recommend that all identified loose rock blocks be scaled (removed) from the rock face and a catch fence be provided set off the slope toe therefore reducing the likelihood of rock falls to UNLIKELY and the likelihood of rock falls impacting on proposed building structures to RARE and therefore the landslide risk to LOW.

It is also considered that vehicles using or parked on the road have a MODERATE risk of being damaged, however the proposed remedial measures presented herein and **restricting the parking of vehicles on the road** will likewise reduce the risk to LOW.

5.5 Shallow Soil Failures

It is considered that likelihood of shallow soil failure of the soil cover materials on top of the rock cuts are LIKELY however the likelihood of these failures impacting on the proposed units located on top of the slope as RARE and the proposed units located downhill of the cut slopes as BARELY CREDIBLE. The consequences is assessed as being MEDIUM with the corresponding risk assessed as LOW and VERY LOW, respectively.

6 DISCUSSION AND RECOMMENDATIONS

Based on the findings of the investigation and the above landslide risk assessment, we consider that the proposed unit development would not adversely impact on the site and immediate surroundings nor significantly increase its current assessed landslide risk, provided the development adheres to the principles of good hillside practice, and the recommendations below. In particular to reduce the current assessed landslide risk of rock falls from MEDIUM to LOW. An information sheet entitled "Some Guidelines for Hillside Construction" adapted from

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the Journal of the Australian Geomechanics Society, volume 42, Number 1, dated March 2007, is presented in Appendix D.

6.1 Quarry Rock Face

We recommend that:

- The soil profile exposed in the rock face is required to be battered back to 1 Vertical to 3 Horizontal (1V:3H). The areas requiring battering back are shown on Plates 1 to 8;
- Any loose or potentially unstable cobbles, boulders or rock blocks that may be a risk to persons below should be removed (scaled). Identified loose cobbles, boulders and rock blocks are shown on Plates 1 to 8; and
- After the removal of all potentially unstable cobbles, boulders or rock blocks and the battering back of the soil profile has been completed, an inspection is required from an appropriately qualified geotechnical engineer to determine if any further work is required. If suspect rock fractures are observed rock bolting may be required to ensure the stability of the rock mass.

6.2 Drainage

We recommend that:

- A cut off drain should be provided above the rock face to minimize surface water run off over the rock face; and
- Roof stormwater and runoff from paved surfaces such as driveways should be collected and piped to the council stormwater and/or street drainage system if possible, or alternatively piped to discharge away from the toe of the rock face.

6.3 Catch Fence

We recommend that:

- A catch fence should be constructed along the base of the rock face to prevent any cobbles or rock boulders that may detach from running out onto the road in the long term. The catch fence should be located as far as possible and/or a minimum of 2m from the toe of the rock face with the area between the fence and the rock face infilled with an arrester material (gravel, mulch or equivalent);
- The catch fences shall be maintained; and
- The existing soil berm in front of the proposed unit at the southern end can act as a check dam to contain potential rock falls. Alternatively, if removed, a catch fence should be provided.

6.4 Buildings

We recommend that:

- The proposed units located above the rock face are required to be founded into insitu rock; and

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- The proposed units located above the rock face are required to set back at least 5m from the crest of the rock face.

6.5 Proposed Development Review

It is recommended that the drawings of the proposed development be reviewed by an experienced geotechnical practitioner to ensure that it is in keeping with good hillside practices and recommendations provided within.

As part of the review, the location of the proposed units above the rock face should be pegged to ensure that appropriate setbacks from the crest of the rock face have been provided.

6.6 Limitations

The findings contained within the report are the result of discrete/specific sampling methodologies used in accordance with normal practices and standards, with some variations as indicated in the report. To the best of our knowledge, they represent a reasonable interpretation of the general condition of the site. Under no circumstances, however, can it be considered that these findings represent the actual state of the site at all points.

7 REFERENCES

AS 1726 - 1993 Geotechnical site investigation

Hoek, E & Bray, J. W. – Rock Slope Engineering, 1974

Australian Geomechanics Society (2007) – Practice Note Guidelines For Landslide Risk Management 2007, Australian Geomechanics Journal, Vol 42, No. 1



Geotechnical Consultants - Limitations of report

These notes have been prepared to assist in the interpretation and understanding of the limitations of this report.

Project specific criteria

The report has been developed on the basis of unique project specific requirements as understood by Geoton and applies only to the site investigated. Project criteria are typically identified in the Client brief and the associated proposal prepared by Geoton and may include risk factors arising from limitations on scope imposed by the Client. The report should not be used without further consultation if significant changes to the project occur. No responsibility for problems that might occur due to changed factors will be accepted without consultation.

Subsurface variations with time

Because a report is based on conditions which existed at the time of subsurface exploration, decisions should not be based on a report whose adequacy may have been affected by time. For example, water levels can vary with time, fill may be placed on a site and pollutants may migrate with time. In the event of significant delays in the commencement of a project, further advice should be sought.

Interpretation of factual data

Site assessment identifies actual subsurface conditions only at those points where samples are taken and at the time they are taken. All available data is interpreted by professionals to provide an opinion about overall site conditions, their likely impact on the proposed development and recommended actions. Actual conditions may differ from those inferred to exist, as it is virtually impossible to provide a definitive subsurface profile which includes all the possible variabilities inherent in soil and rock masses.

Report Recommendations

The report is based on the assumption that the site conditions as revealed through selective point sampling are indicative of actual conditions throughout an area. This assumption cannot be substantiated until earthworks and/or foundation construction is almost complete and therefore the report recommendations can only be regarded as preliminary. Where variations in conditions are encountered, further advice should be sought.

Specific purposes

This report should not be applied to any project other than that originally specified at the time the report was issued.

Interpretation by others

Geoton will not be responsible for interpretations of site data or the report findings by others involved in the design and construction process. Where any confusion exists, clarification should be sought from Geoton.

Report integrity

The report as a whole presents the findings of the site assessment and the report should not be copied in part or altered in any way.

Geoenvironmental issues

This report does not cover issues of site contamination unless specifically required to do so by the client. In the absence of such a request, Geoton take no responsibility for such issues.

Figures



Hazard Bands



Low

Rockfall Susceptibility Runout Area - Travel angle 30°. This area has no known active landslides, however it has been identified as being susceptible to landslide by Minreal Resources Tasmania (MRT).



Medium

Rockfall Susceptibility Source and Runout Area - Travel angle 34°. This area has known landslide features, or is within a landslide susceptibility zone, or has legislated controls to limit disturbance of the adjacent unstable areas.

MAP EXTRACT FROM theLIST:
LANDSLIDE PLANNING - HAZARD BANDS

Approximate Scale (m)



<div>GEOTON</div> <div>Pty Ltd</div>				client: BULLOCK CONSULTING	
				project: 17 DEVONPORT ROAD DEVONPORT	
date	16/09/14	drawn	MS		
scale	As Shown	approved	TB	title: LANDSLIDE HAZARD MAP	
original size	A4	rev		project no: GL14147A	figure no. 1



Appendix A

Photographs



Plate 1



Plate 2

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. Plates 1 & 2
date:	12/09/14	original size	A4			



Plate 3



Plate 4

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. Plates 3 & 4
date:	12/09/14	original size	A4			



Plate 5



Plate 6

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Plate 7



Plate 8

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. Plates 7 & 8
date:	12/09/14	original size	A4			

**Plate 9****Plate 10**

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. Plates 9 & 10
date:	12/09/14	original size	A4			



Plate 11 - Outcrop of insitu rock (dolerite)



Plate 12 - Shallow test pit displaying cobbles and soil underlain by insitu rock (dolerite)

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. Plates 11 & 12
date:	12/09/14	original size	A4			



Plate 13 - Southern slope on neighbouring block. Catch fence and signage along the boundary



Plate 14 - Large boulder caught by boundary fence

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. Plates 13 & 14
date:	12/09/14	original size	A4			

Appendix B

Kinematic Analysis

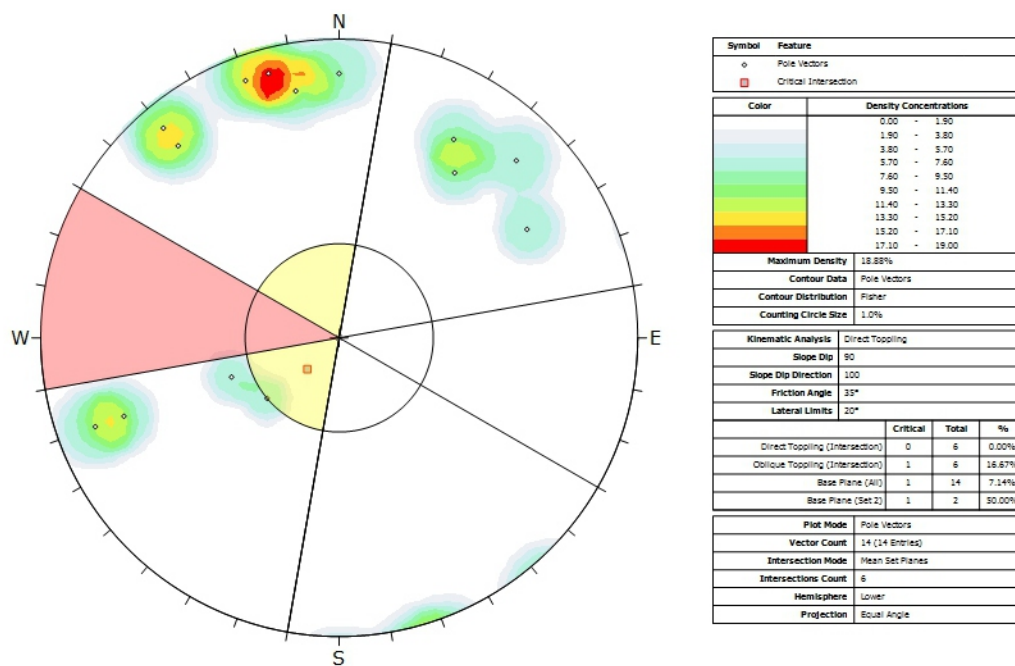


Plate X3 - Direct toppling failure kinematic analysis of the east facing rock face section

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	LANDSLIDE RISK ASSESSMENT 17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. PLATE X3
date:	16/09/14	original size	A4			

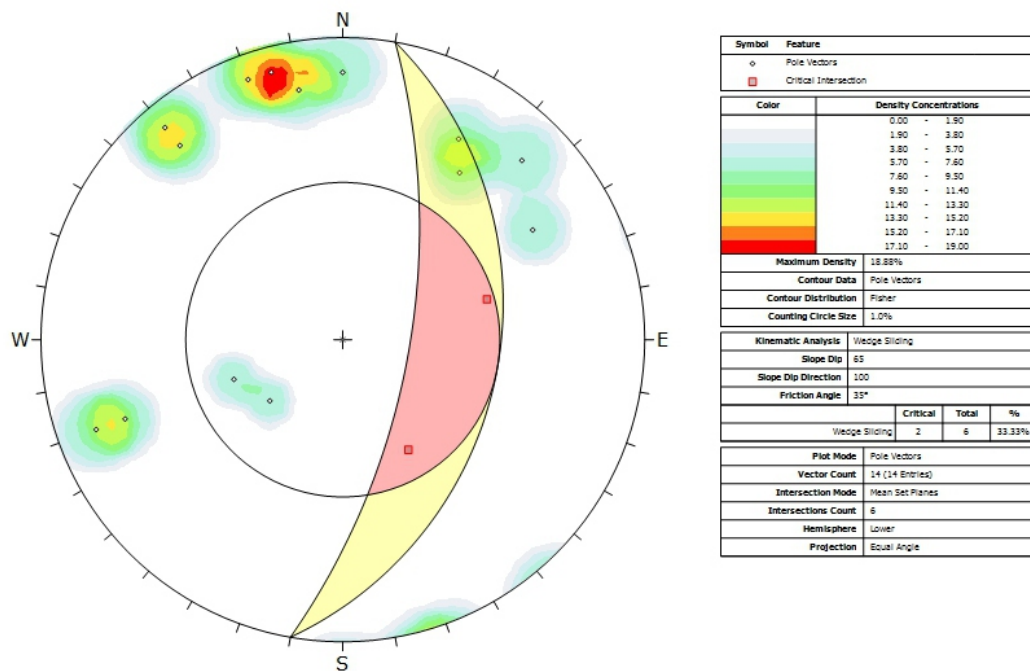


Plate X1 - Wedge failure kinematic analysis of the east facing rock face section

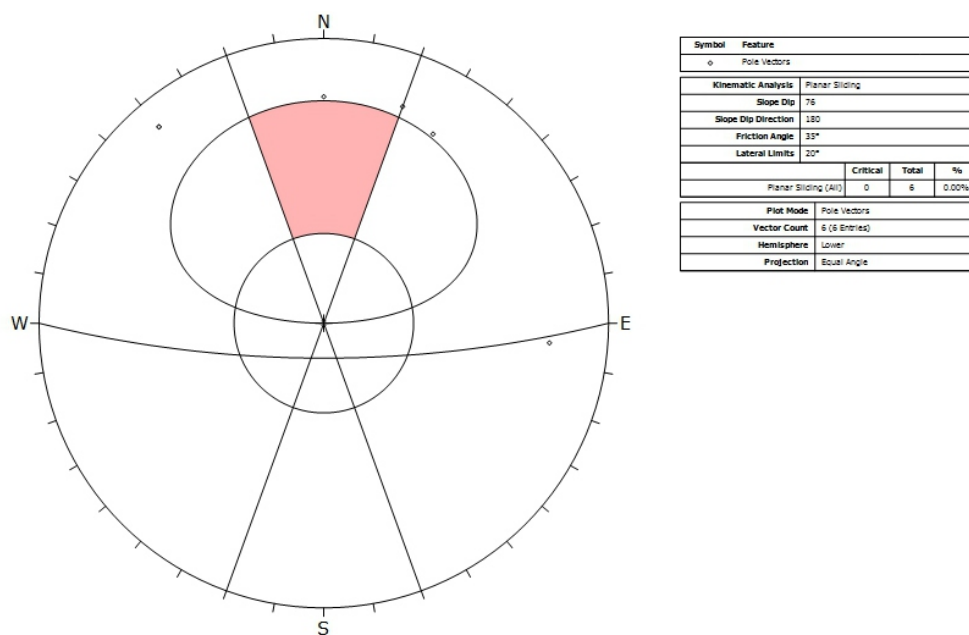


Plate X2 - Planar sliding kinematic analysis of the south facing rock face section

GEO TON Pty Ltd				client:	BULLOCK CONSULTING	
				project:	LANDSLIDE RISK ASSESSMENT 17 DEVONPORT ROAD DEVONPORT	
title: PHOTOGRAPH				project no:	GL14147A	figure no. PLATES X1 & X2
date:	16/09/14	original size	A4			

Appendix C

Qualitative Terminology for Use in Assessing Risk to Property

QUALITATIVE TERMINOLOGY FOR USE IN ASSESSING RISK TO PROPERTY

QUALITATIVE MEASURES OF LIKELIHOOD

Approximate Annual Probability		Implied Indicative Landslide Recurrence Interval		Description	Descriptor	Level
Indicative Value	Notional Boundary					
10 ⁻¹	5x10 ⁻²	10 years	20 years	The event is expected to occur over the design life.	ALMOST CERTAIN	A
10 ⁻²		100 years		The event will probably occur under adverse conditions over the design life.	LIKELY	B
10 ⁻³	5x10 ⁻³	1000 years	200 years	The event could occur under adverse conditions over the design life.	POSSIBLE	C
10 ⁻⁴	5x10 ⁻⁴	10,000 years	2000 years	The event might occur under very adverse circumstances over the design life.	UNLIKELY	D
10 ⁻⁵	5x10 ⁻⁵	100,000 years	20,000 years	The event is conceivable but only under exceptional circumstances over the design life.	RARE	E
10 ⁻⁶	5x10 ⁻⁶	1,000,000 years	200,000 years	The event is inconceivable or fanciful over the design life.	BARELY CREDIBLE	F

Note: (1) The table should be used from left to right; use Approximate Annual Probability or Description to assign Descriptor, not *vice versa*.

QUALITATIVE MEASURES OF CONSEQUENCES TO PROPERTY

Approximate Cost of Damage		Description	Descriptor	Level
Indicative Value	Notional Boundary			
200%	100%	Structure(s) completely destroyed and/or large scale damage requiring major engineering works for stabilisation. Could cause at least one adjacent property major consequence damage.	CATASTROPHIC	1
60%		Extensive damage to most of structure, and/or extending beyond site boundaries requiring significant stabilisation works. Could cause at least one adjacent property medium consequence damage.	MAJOR	2
20%	40%	Moderate damage to some of structure, and/or significant part of site requiring large stabilisation works. Could cause at least one adjacent property minor consequence damage.	MEDIUM	3
5%	10%	Limited damage to part of structure, and/or part of site requiring some reinstatement stabilisation works.	MINOR	4
0.5%	1%	Little damage. (Note for high probability event (Almost Certain), this category may be subdivided at a notional boundary of 0.1%. See Risk Matrix.)	INSIGNIFICANT	5

- Notes:**
- (2) The Approximate Cost of Damage is expressed as a percentage of market value, being the cost of the improved value of the unaffected property which includes the land plus the unaffected structures.
 - (3) The Approximate Cost is to be an estimate of the direct cost of the damage, such as the cost of reinstatement of the damaged portion of the property (land plus structures), stabilization works required to render the site to tolerable risk level for the landslide which has occurred and professional design fees, and consequential costs such as legal fees, temporary accommodation. It does not include additional stabilisation works to address other landslides which may affect the property.
 - (4) The table should be used from left to right; use Approximate Cost of Damage or Description to assign Descriptor, not *vice versa*

Geoton Pty Ltd (adapted from Australian Geomechanics Vol 42 No 1 March 2007)

1

QUALITATIVE TERMINOLOGY FOR USE IN ASSESSING RISK TO PROPERTY (CONTINUED)

QUALITATIVE RISK ANALYSIS MATRIX – LEVEL OF RISK TO PROPERTY

LIKELIHOOD		CONSEQUENCES TO PROPERTY (With Indicative Approximate Cost of Damage)				
	Indicative Value of Approximate Annual Probability	1: CATASTROPHIC 200%	2: MAJOR 60%	3: MEDIUM 20%	4: MINOR 5%	5: INSIGNIFICANT 0.5%
A – ALMOST CERTAIN	10 ⁻¹	VH	VH	VH	H	M or L (5)
B - LIKELY	10 ⁻²	VH	VH	H	M	L
C - POSSIBLE	10 ⁻³	VH	H	M	M	VL
D - UNLIKELY	10 ⁻⁴	H	M	L	L	VL
E - RARE	10 ⁻⁵	M	L	L	VL	VL
F - BARELY CREDIBLE	10 ⁻⁶	L	VL	VL	VL	VL

- Notes:**
- (5) For Cell A5, may be subdivided such that a consequence of less than 0.1% is Low Risk.
 - (6) When considering a risk assessment it must be clearly stated whether it is for existing conditions or with risk control measures which may not be implemented at the current time.

RISK LEVEL IMPLICATIONS

Risk Level		Example Implications (7)
VH	VERY HIGH RISK	Unacceptable without treatment. Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to Low; may be too expensive and not practical. Work likely to cost more than value of the property.
H	HIGH RISK	Unacceptable without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to Low. Work would cost a substantial sum in relation to the value of the property.
M	MODERATE RISK	May be tolerated in certain circumstances (subject to regulator's approval) but requires investigation, planning and implementation of treatment options to reduce the risk to Low. Treatment options to reduce to Low risk should be implemented as soon as practicable.
L	LOW RISK	Usually acceptable to regulators. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required.
VL	VERY LOW RISK	Acceptable. Manage by normal slope maintenance procedures.

- Note:**
- (7) The implications for a particular situation are to be determined by all parties to the risk assessment and may depend on the nature of the property at risk; these are only given as a general guide

Appendix D

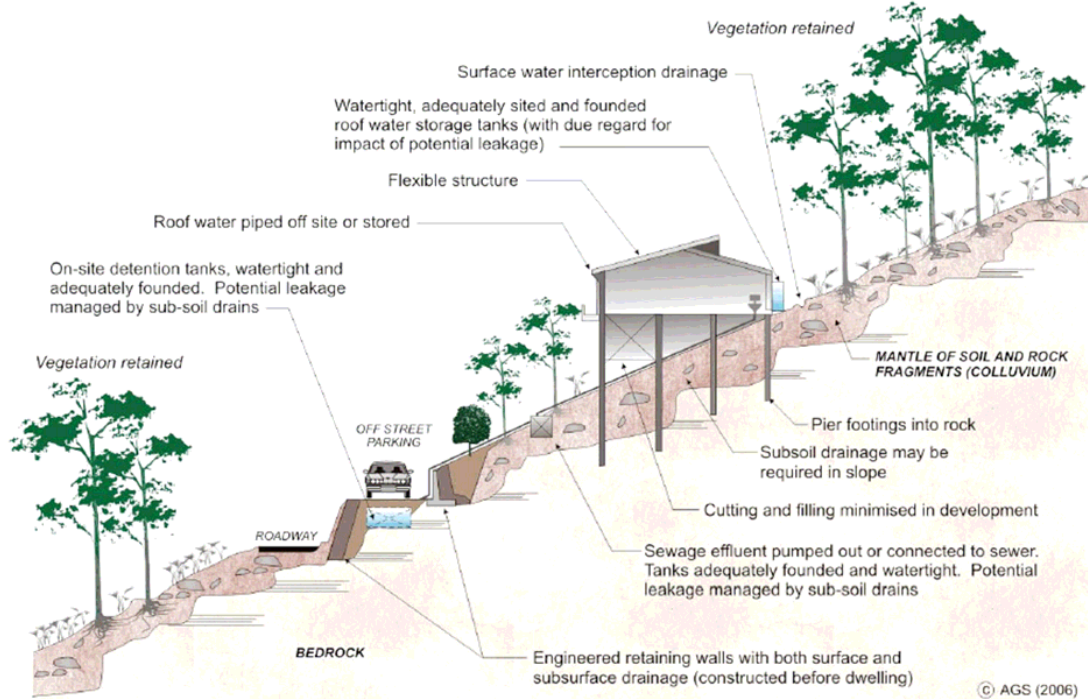
Some Guidelines for Hillside Construction

PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007**APPENDIX - SOME GUIDELINES FOR HILLSIDE CONSTRUCTION**

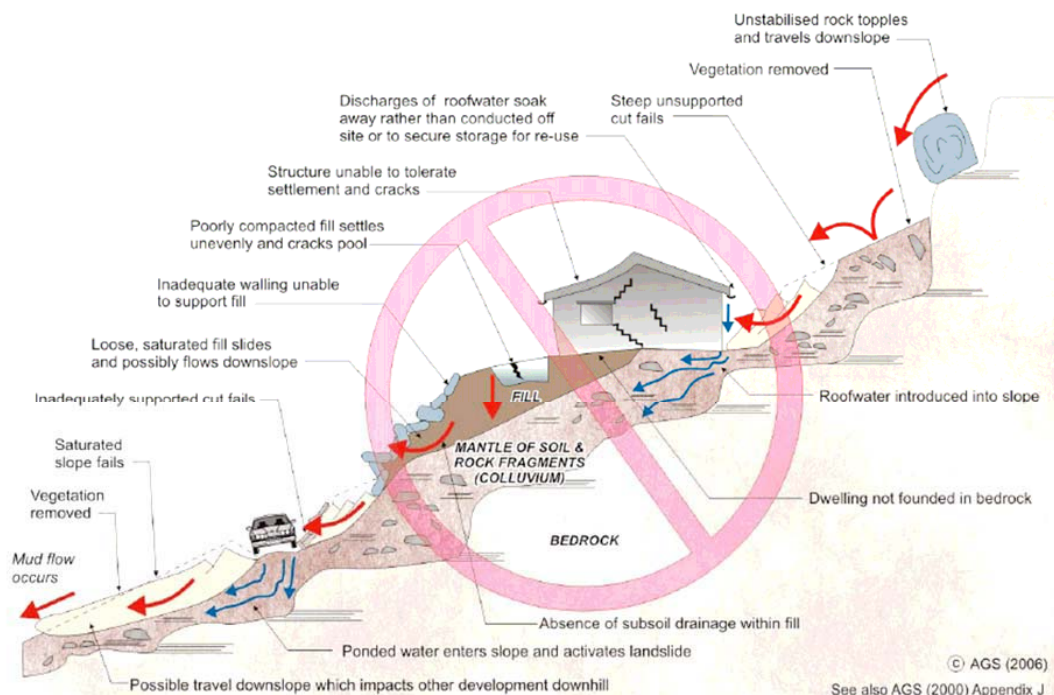
ADVICE	GOOD ENGINEERING PRACTICE	POOR ENGINEERING PRACTICE
GEOTECHNICAL ASSESSMENT	Obtain advice from a qualified, experienced geotechnical practitioner at early stage of planning and before site works.	Prepare detailed plan and start site works before geotechnical advice.
PLANNING		
SITE PLANNING	Having obtained geotechnical advice, plan the development with the risk arising from the identified hazards and consequences in mind.	Plan development without regard for the Risk.
DESIGN AND CONSTRUCTION		
HOUSE DESIGN	Use flexible structures which incorporate properly designed brickwork, timber or steel frames, timber or panel cladding. Consider use of split levels. Use decks for recreational areas where appropriate.	Floor plans which require extensive cutting and filling. Movement intolerant structures.
SITE CLEARING	Retain natural vegetation wherever practicable.	Indiscriminately clear the site.
EARTHWORKS	Retain natural contours wherever possible.	Indiscriminatory bulk earthworks.
CUTS	Minimise depth. Support with engineered retaining walls or batter to appropriate slope. Provide drainage measures and erosion control.	Large scale cuts and benching. Unsupported cuts. Ignore drainage requirements
FILLS	Minimise height. Strip vegetation and topsoil and key into natural slopes prior to filling. Use clean fill materials and compact to engineering standards. Batter to appropriate slope or support with engineered retaining wall. Provide surface drainage and appropriate subsurface drainage.	Loose or poorly compacted fill, which if it fails, may flow a considerable distance including onto property below. Block natural drainage lines. Fill over existing vegetation and topsoil. Include stumps, trees, vegetation, topsoil, boulders, building rubble etc in fill.
ROCK OUTCROPS & BOULDERS	Remove or stabilise boulders which may have unacceptable risk. Support rock faces where necessary.	Disturb or undercut detached blocks or boulders.
RETAINING WALLS	Found on rock where practicable. Provide subsurface drainage within wall backfill and surface drainage on slope above. Construct wall as soon as possible after cut/fill operation.	Construct a structurally inadequate wall such as sandstone flagging, brick or unreinforced blockwork. Lack of subsurface drains and weepholes.
FOOTINGS	Found within rock where practicable. Use rows of piers or strip footings oriented up and down slope. Design for lateral creep pressures if necessary. Backfill footing excavations to exclude ingress of surface water.	Found on topsoil, loose fill, detached boulders or undercut cliffs.
SWIMMING POOLS	Engineer designed. Support on piers to rock where practicable. Provide with under-drainage and gravity drain outlet where practicable. Design for high soil pressures which may develop on uphill side whilst there may be little or no lateral support on downhill side.	
DRAINAGE	Provide at tops of cut and fill slopes. Discharge to street drainage or natural water courses. Provide general falls to prevent blockage by siltation and incorporate silt traps. Line to minimise infiltration and make flexible where possible. Special structures to dissipate energy at changes of slope and/or direction.	Discharge at top of fills and cuts. Allow water to pond on bench areas.
SURFACE	Provide filter around subsurface drain. Provide drain behind retaining walls. Use flexible pipelines with access for maintenance. Prevent inflow of surface water.	Discharge roof runoff into absorption trenches.
SUBSURFACE		
SEPTIC & SULLAGE	Usually requires pump-out or mains sewer systems; absorption trenches may be possible in some areas if risk is acceptable. Storage tanks should be water-tight and adequately founded.	Discharge sullage directly onto and into slopes. Use absorption trenches without consideration of landslide risk.
EROSION CONTROL & LANDSCAPING	Control erosion as this may lead to instability. Revegetate cleared area.	Failure to observe earthworks and drainage recommendations when landscaping.
DRAWINGS AND SITE VISITS DURING CONSTRUCTION		
DRAWINGS	Building Application drawings should be viewed by geotechnical consultant	
SITE VISITS	Site Visits by consultant may be appropriate during construction/	
INSPECTION AND MAINTENANCE BY OWNER		
OWNER'S RESPONSIBILITY	Clean drainage systems; repair broken joints in drains and leaks in supply pipes. Where structural distress is evident see advice. If seepage observed, determine causes or seek advice on consequences.	

PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

EXAMPLES OF **GOOD** HILLSIDE PRACTICE



EXAMPLES OF **POOR** HILLSIDE PRACTICE



Appendix E

Certificate Forms



Engineering Certificate

To: Bullock Consulting		Owner /Agent
PO Box 63		Address
RIVERSIDE TAS	7250	Suburb/postcode

Certifier details:	
From: Geoton Pty Ltd	
Address: PO Box 522	Phone No: (03) 6343 1900
Prospect	Fax No: (03) 6343 1906
7250	
Accreditation No: (if applicable)	Email address: tbarriera@geoton.com.au
Or qualifications and Insurance details:	Tony Barriera - Chartered Professional Engineer NPR3 - Civil, Geotechnical Lloyds of London (description from Column 4 of the Director of Building Control's determination)
Speciality area of expertise:	Geotechnical Engineering Landslide Risk Assessments (description from Column 5 of the Director of Building Control's determination)

Details of work:	
Address: 17 Devonport Road	Lot No:
Devonport	Certificate of title No:
7310	
The work related to this certificate:	Landslide Risk Appraisal (description of the work or part work being certified)

Certificate details:	
Certificate type: Geotechnical	(description from Column 2 of the Director of Building Control's determination)

In issuing this certificate the following matters are relevant –

Documents:	Geoton Pty Ltd, Report Reference No. GL14147Ab, dated 16/09/2014.
Relevant calculations:	Refer to report
References:	Australian Geomechanics Society – Practice Note Guidelines for Landslide Risk Management, 2007



Substance of Certificate:

Findings and recommendations of report (Report Reference No. GL14147Ab).

From the Devonport Interim Planning Scheme (2013) areas within the site are within a rockfall susceptibility source and runout area (Hazard and Landslip Map No.49). As such, a landslide risk assessment is required to determine if the level of risk from exposure to the landslide hazard is to be tolerable for the type, form scale and duration of the development.

The landslide risk assessment was conducted in accordance with Australian Geomechanics Society (AGS) – Practice Note Guidelines For Landslide Risk Management, 2007. Our report concluded that the qualitative landslide risk for the site is at worst a LOW risk provided the development of the site is in accordance with the recommendations within our report. In our experience, regulating authorities allow developments to proceed with VERY LOW to LOW risk.

Therefore, provided the development of the site is in accordance with the recommendations within our report, then we consider that a tolerable level of risk can be achieved for the development of the site in accordance with section E6.6.2 (Development on land exposed to a natural hazard) of the Hazard Management Code of the Devonport Interim Planning Scheme 2013. That is, the level of likely risk from exposure to the natural hazard (landslide) is considered to be tolerable for the proposed unit development.


Scope or Limitations

The report provides a qualitative landslide risk assessment which identifies the landslide risks at the site and provides recommendations to maintain, improve and possibly reduce the risk of landslides so as not cause or contribute to the risk of landslides on the site and lands in the locality.

The site is within an area of inherent doubtful slope stability and landslides are a natural ongoing geological process. There will be always some level of landslide risk within an area of inherent doubtful slope stability. The recommendations of the report are provided to maintain, improve and possibly reduce the risk of landslides on the site and lands in the locality.

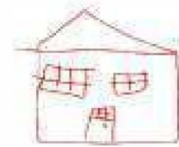
The recommendations for the design of the proposed works are in accordance with prevailing geological conditions described in the report for the site, assessed landslide risks and recommended good hillside practices.

I certify the matters described in this certificate.

	<i>Signed:</i>	<i>Date:</i>	<i>Certificate No.</i>
Certifier:		16/09/14	GL14147Ab



Appendix H – Bushfire Hazard Management Plan



Tammy Smith Energy

Bushfire Report

17 Devonport Road, Devonport

Prepared for Rynmarc Pty. Ltd

By: Tammy Smith

Date: 20th December 2016

Report No: B1617-034



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Attachment 01	Bushfire Hazard Management Site Plan
Attachment 02	Bushfire Hazard Management Advice
Attachment 03	Fire Resisting Garden Plants

Introduction

This Bushfire Attack Level (BAL) assessment report has been prepared for the construction of a 2 new units at **17 Devonport Road, Devonport**. The need for the BAL assessment report is required as the proposed new dwelling is to be built on bushfire prone land which is defined as:

- a) Land that is within the boundary of a bushfire-prone area shown on an overlay of a planning scheme map; and
- b) Where there is no overlay on a planning scheme map, or where the land is outside the boundary of a bushfire-prone area shown on an overlay on such a map, land that is within 100 metres of an area of bushfire-prone vegetation equal to, or greater than one hectare. (Building Regulations Version 1 (Tas) 2014)

In this instance the proposed new dwelling is to be situated on, and surrounded by land that is classified as bushfire prone vegetation, and is within 100 m of bushfire-prone vegetation equal to or greater than one hectare.

Aim

This assessment report has been provided to assist the owner with identifying the relevant requirements for the proposed dwelling described in Australian standard AS 3959-2009.

The purpose of this Bushfire Assessment Report is to provide knowledge to the public/ individual/ landholder the need to protect their property from bushfire. And to reduce the occurrence of, and minimise the impact of bushfires, thereby reducing the risk to human life, property, the environment, and the cost to the community caused by bushfires.

To provide for sufficient separation of building areas from bushfire-prone vegetation and to reduce the radiant heat levels, direct flame attack and ember attack at the building site;

The inspection has been undertaken and the report provided is on the understanding that;

- 1) This report assesses the site with respect to Interim Planning Directive No.1 Bushfire-Prone Areas Code. All other statutory assessments are outside the scope of this report unless specifically included.
- 2) The report only identifies the size, volume and status of the vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development or where the vegetation separation distance established in this report has changed.

This assessment is based on an inspection of the site 29th November 2016
The proposed building site has existing buildings present that have been assessed independent of this report.

Property Details:

Property Address:	17 Devonport Road, Devonport
Certificate of Title:	7703892
Land Area:	3 hectares (approx)
Type Of Building/Construction:	2 new villas
NCC Classification:	Class 1
Zoning:	Recreation
Planning Scheme:	Devonport Interim Planning Scheme



Approx. Location of proposed new units



Location of closest fire hydrants

Description of the Area

Climate The climate in the Devonport area is cool/temperate; the growing season for vegetation is during April/May (autumn) & October/November (spring). The Devonport area has an average rainfall of 700 to 900 mm per year. In general the fire season is in the dryer months during January through to the end of March, with winds predominately prevailing from the West. Due to the topography of the land the land, these new builds are likely to be sheltered from the prevailing Westerly weather

Land Topography: Vegetation/Contours

TOPOGRAPHY: The gradient of the land the proposed new buildings are to be built on is flat. In a western direction the land has a steep cliff face. Located upslope from these new builds. This was determined by a site inspection made on the 29th November, and a site plan provided by Mathew Smith.

Reference to Tasmanian Vegetation Monitoring & Mapping Program (TASVEG) indicates the vegetation immediately surrounding the new builds is maintained gardens and lawns, also cleared carpark area. The vegetation located on top of the cliff face is currently unmanaged, and consist of scrub vegetation. The site these buildings are proposed constructed on is cleared of any tall vegetation, with the exception of sparse native eucalypts.

Devonport Planning Scheme



Recreation



Environmental Management



Open Space

Tas Veg 3.0



(FUM) Extra-urban miscellaneous



DSC - Dry eucalypt forest and woodland



OAQ - Water & Sea



General Site description: - Villa 1

This is a large Recreation allotment, located on the outskirts of Devonport. This allotment currently contains existing buildings consisting of a Café, Managers residence, storage facility and a mini golf course. This Villa is located on the eastern side of a steep rocky outcrop. Villa 1 faces the Mersey River to the South. The construction materials are fibro clad on the external walls, a colourbond roof, constructed on a reinforced concrete slab

NORTH Villa 1 is located approx 95.0 metres from the Northern boundary. An existing storage shed, and manager residence is located in this direction, further North East is a maintained mini golf course. Sparse woodland vegetation is located parallel to Devonport Road. This vegetation is located **85.0 metres** from this villa, at the closest point (North West) and is contiguous with vegetation located further to the West.

WEST A cleared area of vegetation is located to the west of villa 1. This area provides an area for car parking, also road access to Villa 2. A very steep rocky embankment is located 30.0 metres from this villa. The Cliff face has sparse vegetation, this vegetation continues to the apex. The apex of this cliff is 10.0 metres high. The vegetation located on the apex of this steep embankment is native scrub vegetation consisting of leptospermum, and varieties of Acacia. This vegetation located on the top of this cliff is **40.0 metres** from this villa.

SOUTH Villa 2 is located 5.43 metres from this southern elevation of Villa 1. The vegetation located in a Southern direction is maintained, and will continue to be maintained as this site developed further. The Mersey River and a walking/cycle track is parallel to this boundary. Sparse mature eucalyptus trees, form part of the maintained vegetation.

EAST The maintained vegetation continues from the South in this direction. The Mersey River, and footpath also form part of this Eastern boundary. The immediate vegetation is maintained. The distance this new villa is located from this boundary is 12.70 metres.

PHOTOS of SITE and VEGETATION – Villa 1



NORTH View from the building site showing the existing storage shed, and manager's residence from the western elevation of Villa 1, The vegetation behind the storage shed is parallel to Devonport Road, and located 85 metres from villa 1.



WEST View showing Villa 1, Scrub vegetation is located at the apex of a steep outcrop further to the west.



SOUTH WEST View from villa 1 showing a car parking area, also an access road to villa 2.



EAST View The Mersey River is parallel to this boundary.

Villa 01**Fire Danger Index (FDI) of 50 (1090) for Tasmania**

	North West		West		South		East	
Vegetation Classification								
Group A - Forest								
Group B - Woodland	X							
Group C - Shrubland								
Group D - Scrub			X					
Group E - Mallee/Mulga								
Group F - Rainforest								
Group G - Grassland								
Exclusions (refer pg. 14)					(f)		(f)	
Distance to Classified Vegetation	85.0 metres		40.0 metres					
Effective Slope under classified vegetation	Upslope							
	0 degrees	X	0 degrees	X	0 degrees		0 degrees	
	Downslope							
	> 0 to 5		> 0 to 5		>0 to 5		> 0 to 5	
	> 5 to 10		> 5 to 10		> 5 to 10		> 5 to 10	
	> 10 to 15		> 10 to 15		> 10 to 15		> 10 to 15	
	> 15 to 20		> 15 to 20		> 15 to 20		> 15 to 20	
	BAL 12.5		BAL 12.5		BAL LOW		BAL LOW	

Determination of Bushfire Attack Level: BAL 12.5

Description of predicted bushfire attack and levels of BAL 12.5 is primarily concerned with protection from ember attack and radiant heat up to and including 12.5 kW/m² where the site is less than 100 m from the source of bushfire attack

In this assessment the BAL applicable to the new dwelling is BAL 12.5 to the North West and West direction, and as such no further BAL can occur.



General Site description: - Villa 2

This is a large Recreation allotment, located on the outskirts of Devonport. This allotment currently contains existing buildings consisting of a Café, Managers residence, storage facility, 1 Villa and a mini golf course. This Villa is located on the Eastern side of a steep rocky outcrop. Villa 2 faces the Mersey River to the South. The construction materials are fibro clad on the external walls, a colourbond roof, constructed on a reinforced concrete slab

NORTH Villa 2 is located approx 110.0 metres from the Northern boundary. Mature eucalyptus trees are located parallel to Devonport Road. This vegetation is located 110.0 metres from this villa. An existing storage shed, and manager residence is located in this direction, further North is a maintained mini golf course. Villa 1 is located 5.43 metres South East of this villa.

WEST A cleared area of vegetation is located to the west of villa 2. This area provides an area for car parking, also road access to future developments. A very steep rocky embankment is located 18.0 metres from this villa. The Cliff face has sparse vegetation, this vegetation continues to the apex. The vegetation located on the apex of this steep embankment is sparse native scrub vegetation consisting of leptospermum, and varieties of Acacia. This cliff face is approximately 10.0 metres in height. The vegetation located on the apex of this cliff is **28.0 metres** from this villa.

SOUTH/SOUTH WEST The vegetation located in a South Western direction is located **51.9 metres** from this villa. This vegetation consists of mature eucalyptus trees, with an unmaintained understorey. This vegetation is contiguous with vegetation located to the West, and is under the direction of others. An access road continues in this direction to the boundary. At present relocatable site office is located in this direction. Mersey River and a walking/cycle track is parallel to the Southern boundary. Sparse mature eucalyptus trees, form part of the immediate maintained vegetation.

EAST The maintained vegetation continues from the South in this direction. The Mersey River and footpath also form part of this Eastern boundary. The immediate vegetation is maintained. This villa is located 19.5 metres from this boundary.

PHOTOS of SITE and VEGETATION – Villa 2

NORTH View Villa 1, and numerous outbuildings are located in this direction the tall vegetation located to the rear of the storage shed is located 110 metres from this villa.



WEST view this shows sparse scrub vegetation located on a steep embankment, Villa 2 is located to the right of this picture. The vegetation at the apex of this embankment is scrub located 28 metres from this villa.



SOUTH View from villa 2 showing maintained vegetation to the boundary. Forest vegetation is located 51.9 metres from this villa. The Mersey River is located in a Southern direction.



EAST View the Mersey River is located Parallel to this boundary

Villa 02**Fire Danger Index (FDI) of 50 (1090) for Tasmania**

	North		West		South West		East	
Vegetation Classification								
Group A - Forest					X			
Group B - Woodland	X							
Group C - Shrubland								
Group D - Scrub			X					
Group E - Mallee/Mulga								
Group F - Rainforest								
Group G - Grassland								
Exclusions (refer pg. 14)							(f)	
Distance to Classified Vegetation	110.0 metres		28.0 metres		51.9 metres			
Effective Slope under classified vegetation	Upslope							
	0 degrees	X	0 degrees	X	0 degrees	X	0 degrees	
	Downslope							
	> 0 to 5		> 0 to 5		>0 to 5		> 0 to 5	
	> 5 to 10		> 5 to 10		> 5 to 10		> 5 to 10	
	> 10 to 15		> 10 to 15		> 10 to 15		> 10 to 15	
	> 15 to 20		> 15 to 20		> 15 to 20		> 15 to 20	
BAL Rating for each orientation on the site	BAL LOW		BAL 12.5		BAL 12.5		BAL LOW	

Determination of Bushfire Attack Level: BAL 12.5

Description of predicted bushfire attack and levels of BAL 12.5 is primarily concerned with protection from ember attack and radiant heat up to and including 12.5 kW/m² where the site is less than 100 m from the source of bushfire attack

In this assessment the BAL applicable to villa 2 is BAL 12.5 in two directions and as such no further BAL can occur.

The bushfire Attack level shall be classified BAL-LOW where the vegetation is one or a combination of any of the following:

- (a) Vegetation of any type that is more than 100 m of other areas of vegetation being classified.
- (b) Single areas of vegetation less than 1 ha in area and not with 100 metres of other areas of vegetation being classified.
- (c) Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other.
- (d) Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified.
- (e) Non-vegetated areas, including waterways, roads, footpaths, buildings, and rocky outcrops
- (f) Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks.

NOTE: minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to nominal height of 100mm)

Property Access

This property has a driveway access/egress to the North East, (Devonport Road) of the property. Devonport Road is a major public sealed road, and travels in a North-East/North-West direction, and is adequate width allowing the safe passing of emergency vehicles. This road is compliant with Table E3: of IPD1 *"Standards for Roads"*

The driveway access is multi-purpose, and services the restaurant, mini golf complex, and associated buildings. Two large sealed carparks are located within this complex. These carparks have adequate width to provide a turning, and parking area for emergency vehicles.

Access to these two villas is through these established carparks. Access to both villa 1 and 2 is less than 30 metres in length, from the large car parking area, this driveway is less than 30.0 metres in length, and therefore no specific design and construction is required as the access complies with Table E4 *"Standards for Property Access"* (IPD1)



Water Supply

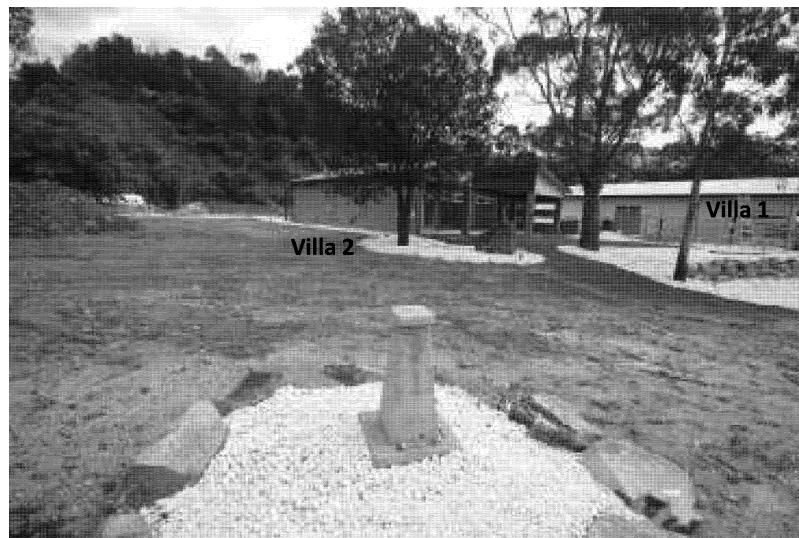
Reticulated water supply is available to this allotment.

The location of the nearest fire hydrants is shown on page 4 of this document.

Three fire hydrants are located within the complex. Two Fire Hydrants are within 120.0 metres hose lay to these new villas, and are in compliance with IPD1 table E6 "Reticulated Water Supply for firefighting" Requirements, and as such no static water supply for firefighting will be required to be installed on this allotment.

One of the compliant fire hydrants is located within a car park. This fire hydrant would be inaccessible to emergency vehicles should a car be parked over this hydrant.

It is suggested a no parking area be defined over this fire hydrant.



Location of closest fire hydrant

Location of fire hydrant located in the carpark, this hydrant is within 120 metres hose lay to the new villas, but maybe inaccessible for a fire vehicle should a vehicle be parked over this fire plug.

Summary & Recommendations

This is a large property zoned recreation within the town boundaries of Devonport. The site is currently being utilised as a mini golf course, a restaurant, and function centre.

Devonport Road is parallel to the Northern boundary. The Mersey River is parallel to the South & Eastern boundaries.

A rocky outcrop is located to the Western corner of this allotment. This outcrop covers the majority of West, and North western corner of this lot. This rocky out crop has sparse vegetation on the face, and more dense native scrub vegetation on the apex. This vegetation is approximately 8000m² in total.

To the South West this allotment abuts a parcel of land also zoned recreation. The topography of this land is a continuation of the rocky out crop. The vegetation located on this neighbouring land is dense, and unmanaged, and approx. 9000m² in total. This neighbouring property is approx. 1.5 hectares.

As the vegetation located on this property is contiguous with the neighbouring vegetation totalling in excess of a hectare in total, and as such must be classified.

The vegetation located on the cliffs of the rocky out crop immediately to the West, North West of these new villas is sparse. The vegetation located on the apex is continuous with vegetation located on the neighbouring property.

The winds generally prevail from a Westerly direction, and due to the proximity of these new villas, to this vegetation, the wind may fuel a fire ignited in this vegetation towards these new villas. Should this occur there is an increased possibility of an ember attack on these villas.

Access/egress to these villas is adequate, and falls within the requirements of IPD1.

The availability of reticulated water is also within the IPD1 requirements, It is strongly recommended that the fire hydrant located in the car park be kept clear of any parked vehicles

The assessment of the proposed site, and plans provided by Mathew Smith, has identified that the Bushfire Attack Level (BAL) for the new villas is BAL 12.5.

The construction requirements are detailed in sections 3 and 5 of AS3959-2009

This BAL rating has been determined given the knowledge that the owner/caretaker will maintain this vegetation surrounding these villas in a minimum fuel condition. (*refer Bushfire Hazard management site plan, attachment 01*) It is a requirement the attached 'Bushfire Hazard Management Site Plan' be adhered to.

In establishment of the landscaping, minimum fuel condition should be achieved for a distance surrounding the dwelling. (*see attachment Fire Resisting Garden Plants*). To be provided consistent with clause 2.2.3.2 of AS 3959). This allows the planting of trees with a discontinuous canopy and no understorey.

Statement:

I have taken all reasonable steps to ensure that the information provided in this assessment is accurate and reflects the conditions on and around the site and allotment on the date of this assessment.



Tammy Smith
Bush Fire Assessor
Accreditation 126

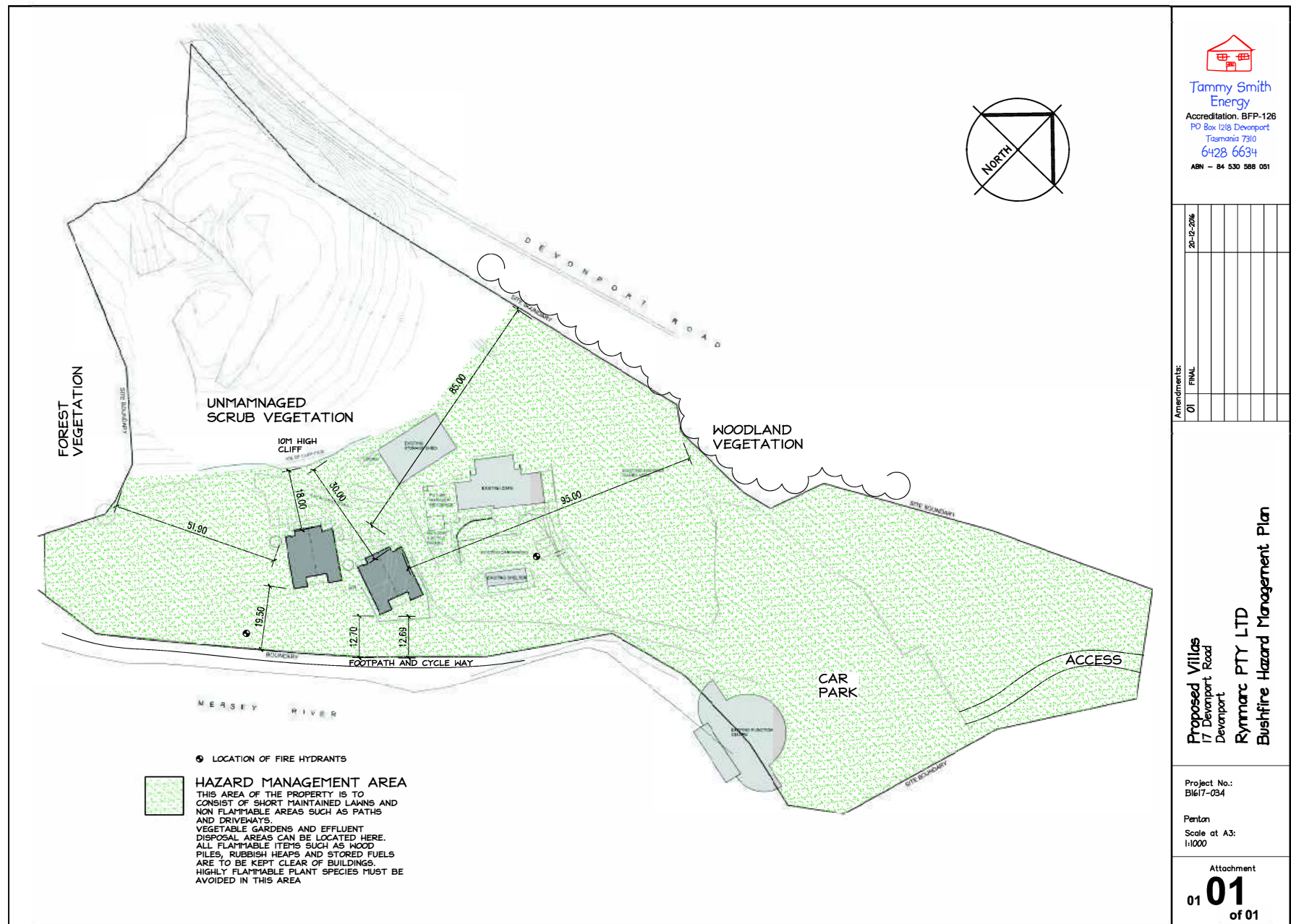
Date: 20th December 2016

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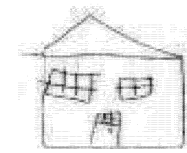
The measures contained in this report cannot guarantee that a building will survive a bushfire event on every occasion. This is due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and weather conditions.

References

- . Architectural site plan by 6ty
- . Devonport Council- Interim Planning Scheme 2013
- . Australian Standards; AS 3959-2009 (Including amendment No. 3) – Constructions of Buildings in Bushfire-prone areas.
- . Resource Management & Conservation Division of the Department Primary Industry & Water September 2006, TASVEG
- . Interim Planning Directive No. 1 Bushfire-Prone Areas Code
- . Tasmanian Government, Land-Information-Systems-Tasmania.
www.thelist.tas.gov.au
- . Fire resisting Garden Plants - Tas Fire Service/Alan Grey
- . National Construction Code (BCA 2016)



Attachment 02



Tammy Smith Energy

Bushfire Hazard Management Advice

Prepared for Rynmarc Pty Ltd

17 Devonport Road, Devonport

This Bushfire Hazard Management is in relation to 2 new villas located at 17 Devonport Road, Devonport.

This bushfire Hazard Management Advice is to be read in conjunction with the Bushfire Hazard Management Plan (attachment 01), and the Bushfire Report for this new building work.

Implementation of the Bushfire Hazard Management Plan is the responsibility of the owner or occupier of the land.

It is important to recognise that, particularly in extreme and major bushfires, no single option is likely to provide sufficient protection from bushfires. A range of options need to be implemented to reduce the bushfire risk to an acceptable level. While hazard reduction will reduce the severity of a bushfire and therefore improve the chance of survival; people, houses, and other assets. The owners/occupiers may have a better chance of survival from a bushfire if preventative measures have been implemented to make their dwellings less vulnerable to bushfire attack.

The following is recommended:

- 1) Continually maintain your dwelling and other assets in a minimal fuel condition
- 2) Locate flammable fuels away from the residence, and separate from each other
- 3) Road access to the property is to be maintained as an all-weather road, ensuring the height and width of vegetation remains cleared providing clear access for emergency vehicles (in accordance with current BCA)
- 4) Minimise flammable materials around the home.
- 5) Regularly clean vegetation and debris from gutters.
- 6) Develop a household bush fire/evacuation plan and have available the necessary basic bush firefighting equipment.
- 7) Continually check screens on windows and doors are in good condition without breaks or holes in the flyscreen material, and frames are well fitting into sills and window frames. When replacing existing flyscreens, replace with metal flyscreen mesh.
- 8) Ensure painted surfaces are in good condition with decaying timbers given particular attention to prevent the lodging of embers within the gaps

Hazard Management Area:

To be read in conjunction with Bushfire Hazard Management Plan (attachment 01)

A Hazard Management Area within the existing boundaries of the new dwelling and is required, to ensure that potential fuel surrounding this dwelling is minimised. (*Minimal Fuel Condition*)

This area is located within the boundaries of this allotment, ensuring there is little or no material available to burn around the dwelling when bushfires approach.

The Hazard Management Area is achieved by:

- 1) Use non-flammable mulch; do not use woodchips or bark
- 2) Include non-flammable areas such as path, driveways and short cropped lawns
- 3) Locating dams, orchards, vegetable gardens and effluent disposal areas (if possible) on the fire prone side of the building
- 4) Using radiation shields and windbreaks such as non-combustible fences and hedgerows, avoiding highly flammable plants (refer fire resistant garden plants)
- 5) Selectively removing small trees and shrubs to create clumps, rather than a continuous wall separated by open areas
- 6) Removing fire hazards such as wood piles rubbish heaps and stored fuels.
- 7) Replacing highly flammable plants with low flammable species.
- 8) Active weed management – removing the fuel on the ground, around the base of the tree canopy and to a height of at least 2 metres (prune lower branches)
- 9) Allow clear space from the dwelling of at least 4 times the mature height of any shrubs planted – no vegetation should be able to fall on the building.

There is no need to remove all trees as they can be beneficial in trapping embers and reducing wind speeds and may not be involved in a bushfire once the fuels below (understorey) have been modified. Individual trees rarely cause houses to burn in bushfires.



Tammy Smith
BAL Assessor
Accreditation BFP-126

Date: 20th December 2016

Fire Resisting Garden Plants

For the Urban Fringe and Rural Areas



Tammy Smith Energy

Introduction

All vegetation will burn in a bushfire and pose a hazard to people and their homes. However not all vegetation has the same flammability and there is great potential for people living in bushfire prone areas to reduce their fire hazard by changing the plants in their gardens.

Flammability Groups

In the following list:

E denotes an exotic plant.

TN a plant native to Tasmania,

AN a plant native to mainland Australia and

X a known environmental weed.

High Flammability

These plants have been shown to be highly flammable and should not be planted or allowed to remain inside your dwelling's Hazard Management Area. They should also be avoided in the Fuel Modified Zone. Move these plants away from your house and replace them with less flammable plants.

Acacia dealbata	TN	Silver Wattle
Acacia stricta	TN	Hop Wattle
Acacia verticillata	TN	Prickly Moses
Acer palmatum	E	Japanese Maple
Acmena smithii	AN	Lilly Pilly
Aesculus hippocastanum	E	Common Horse Chestnut
Allocasuarina cunninghamiana	AN	River Sheoak
Angophora floribunda	E	Rough-barked Apple
Bambusa vulgaris	E	Bamboo
Banksia integrifolia	AN	Coast Banksia
Banksia marginate	TN	Honeysuckle
Betula pendula	E	Silver birch
Buddleia davidii	E	Butterfly Bush
Callistemon citrinus	AN	Common Red Bottlebrush
Callitris rhomboidea	TF	Oyster Bay Pine
Cassia javanica	E	Pink Cassia
Chanaecyparis lawsoniana	E	Lawson Cypress
Cinnamomum camphora	E	Camphor Laurel
Citrus limon	E	Lemon
Cortaderia argentea	EX	Pampus Grass
Corymbia maculata	AN	Spotted Gum
Cupressus funebris	E	Morning Cypress
Dodonaea viscosa	TN	Native Hop
Elaeocarpus reticulatus	TN	Blueberry Ash
Eucalyptus amygdalina	TN	Black Peppermint

Moderate Flammability

These plants should be avoided in the Hazard Management Area. They should not be allowed to dominate your garden and should be well maintained, being especially careful to remove dead material before it accumulates

Acacia baileyana	AN X	Cootamundra Wattle
Acacia decurrens	AN	Green Wattle
Acacia mearnsii	TN	Black Wattle
Acacia melanoxylon	TN	Blackwood
Acacia podalyrifolia	AN	Mt. Morgan Wattle
Actinidia chinensis	E	Kiwi Fruit
Araucaria heterophylla	AN	Norfolk Island Pine
Atherosperma moschatum	TN	Sassafras
Bedfordia salicina	TN	Blanket Bush
Beyeria viscosa	TN	Pinkwood
Brachychiton acerifolius	AN	Illawarra Flame Tree
Brachychiton discolor	AN	Lacebark
Brachychiton rupestris	AN	Bottle Tree
Calodendrum capense	E	Cape Chestnut
Canna indica	E	Canna Lily
Cassia floribunda	E	Smooth Cassia
Ceanothus papillosus	E	Pacific Blue
Chaenomeles japonica	E	Flowering Quince
Chrysanthemum indicum	E	Chrysanthemum
Citrus nobilis	E	Mandarin
Coleonema pulchrum	E	Diosma
Cotoneaster glaucophyllus	E X	Cotoneaster
Cucurbita maxima	E	Pumpkin
Cymbopogon citratus	E	Lemon Grass
Cyphomandra betacea	E	Tamarillo
Delonix regia	E	Poinciana
Dicksonia antarctica	T N	Man Fern
Diospyros sp.	E	Persimmon
Eriobotrya japonica	E	Loquat
Escallonia macrantha	E	Escallonia
Euryops pectinatus	E	Yellow Daisy Bush
Genista monspessulana	E X	Montpellier Broom
Koeleruteria paniculata	E	Golden Rain Tree
Lantana vernalis	E	Lantana
Ligustrum lucidum	E	Large-leaved Privet
Liquidambar styraciflua	E	Liquidambar
Magnolia grandiflora	E	Magnolia
Morus sp.	E	Mulberry
Myoporum insulare	AN	Boobyalla
Nerium oleander	E	Oleander
Olearia argophylla	TN	Musk
Photinia glabra var. rubens	E	Chinese Fire Bush or Red-leafed photinia
Pittosporum bicolor	TN	Cheesewood
Pteridium esculentum	TN	Bracken Fern
Rhododendron sp	E	Rhododendron
Rosa sp	E X	Roses, Briars
Salix babylonica	E	Weeping Willow
Salix chilensis	E	Pencil Willow
Sorbus aucuparia	E	Rowan
Spathodea campanulata	E	African Tulip Tree
Syringa vulgaris	E	Lilac
Weigela florida	E	Fairy Trumpets
Zieria arborescens	TN	Stinkwood

Low Flammability

These plants are acceptable in the Hazard Management Area and will be valuable replacements for more flammable plants.



Acacia melanoxylon	TN	Blackwood
Acacia terminalis	TN	Southern Wattle
Allocasuarina monilifera	TN	necklace sheoak
Artemisia sp	E	Wormwood or Angels Hair
Amperea xiphoclada	TN	Broom Spurge
Banksia marginate	TN	Silver Banksia
Camellia sp	E	Camellias
Capsicum annum var.	E	Chilli
Carpobrotus rossii	TN	Native Pigface
Correa blackhouseana	TN	Coast correa
Coprosma hirtella	TN	Coffee berry
Daviesia latifolia	TN	Hop bitter-pea
Diplarrena moraea	TN	White Flag Iris
Gazania hybrid	E	Treasure Flower
Goodenia ovata	TN	Parrots foot
Goodia lotifolia	TN	Smooth goldtip
Grevillea Australis	TN	Southern grevillea
Hakea nodosa	TN	Yellow needlebush
Hebe speciosa	E	Veronica
Hemerocallis aurantiaca	E	Day Lilly
Hydrangea macrophylla	E	Hydrangea
Hymenocallis littoralis	E	Spider Lily or Spider Flower
Hymenosporum flavum	AN	Native Frangipanni
Kennedia prostrate	TN	Running postman
Lomandra longifolia	TN	Sagg
Lomatia tinctoria	TN	Guitar Plant
Lampranthus aurantiacus	E	Pigface or Iceplant
Lavendula angustifolia	E	English Lavender
Myoporum parvifolium	TN	Creeping boobialla
Micrantheum hexandrum	TN	River tridentbush
Notelaea ligustrina	TN	Native Olive
Oxylobium ellipticum	TN	Golden rosemary
Perlargonium austral	TN	Southern storksbill
Passiflora herbertiana	AN	Native Passionfruit
Pelargonium peltatum	E	Geranium
Platylobium obtusangulum	TN	Common flat-pea
Pomaderris apetala	TN	Dogwood
Pomaderris elliptica	TN	Yellow dogwood
Prunus sp	E	Plum
Solanum melongera	E	Eggplant
Veronica formisa	TN	Speedwell bush

Why Plant Flammability is Important?

During a bushfire, the type and arrangement of vegetation is critically important for the survival of your house. The fuel for bushfires is the main danger factor that people can control. Hazard reduction activities such as clearing and fuel reduction burning, aim to lower the vegetation hazard to a safe level. Because some plants have a higher resistance to burning than others, we can use low flammability plants for added protection in addition to normal maintenance and hazard reduction activities. The influence of plant shape is a lot more subjective; low growing plants and ground covers are better than shrubs; plants with dense foliage are better than those with open airy crowns; plants which don't retain dead material are better than those which hold up lots of fuel. Fire retardant plants can absorb more of the heat of an approaching bushfire without burning (than the more flammable plants). They can trap burning embers and sparks, and reduce wind speeds near your house if correctly positioned and, maintained.

When choosing fire retardant plants other attributes should be taken into consideration such as their aesthetic appeal, growth rate, resistance to drought and frost, and possibly their ability to regenerate following fire.

Environmental Weeds; some plants are not wanted in the bush even if they are valued in the garden. Unfortunately there are many ornamental plants which can multiply when they get into the bush they choke out our natives, like blackberries, or become a fire hazard like gorse. Known environmental weeds should be avoided, these are noted on the plant flammability List.

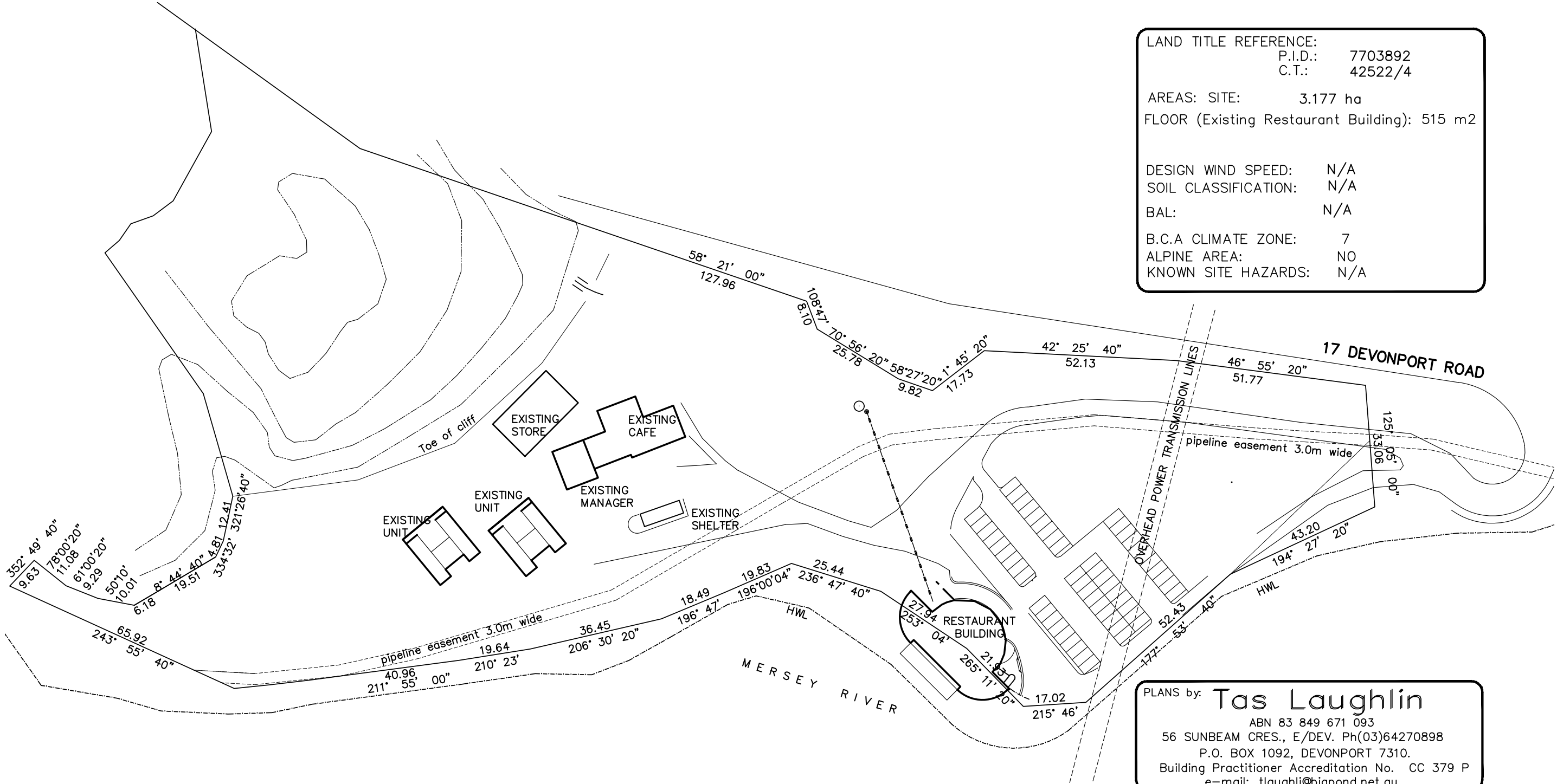
Replacement planting with low flammability plants is not sufficient protection on its own. People living on the urban fringe and in rural areas need to be aware of the risk of bushfires and prepare themselves and their homes for when the fire comes.

For fire safety advice and other information contact Tasmanian Fire Service

References Fire resistant Garden Plants – Tas fire service
 Alan Gray -



Appendix I – Planning Permit Application



LAND TITLE REFERENCE:		
P.I.D.:	7703892	
C.T.:	42522/4	
AREAS: SITE:	3.177 ha	
FLOOR (Existing Restaurant Building):	515 m2	
DESIGN WIND SPEED:	N/A	
SOIL CLASSIFICATION:	N/A	
BAL:	N/A	
B.C.A CLIMATE ZONE:	7	
ALPINE AREA:	NO	
KNOWN SITE HAZARDS:	N/A	

- DRAWING SCHEDULE:
- 01 SITE PLAN
 - 02 PLAN as EXISTING (Demolition)
 - 03 FLOOR PLAN
 - 04 DRAINAGE PLAN
 - 05 ELEVATIONS (1)
 - 06 ELEVATIONS (2)
 - 07 SECTIONS & DETAILS

FOR CONSTRUCTION

PLANS by:

Tas Laughlin

ABN 83 849 671 093
 56 SUNBEAM CRES., E/DEV. Ph(03)64270898
 P.O. BOX 1092, DEVONPORT 7310.
 Building Practitioner Accreditation No. CC 379 P
 e-mail: tlaughli@bigpond.net.au
GOD HAS A PLAN FOR EVERY LIFE

PROPOSED

CHANGE OF USE from
 RESTAURANT to MOTEL ACCOMMODATION

FOR

RYNMARC PTY LTD
 17 DEVONPORT ROAD
 MIANDETTA 7310

AT

RYNMARC PTY LTD
 17 DEVONPORT ROAD
 MIANDETTA 7310

NORTH

DRAWING

SITE LOCATION PLAN

 DATE

21/4/2020

 SCALE

1:1000

JOB No.

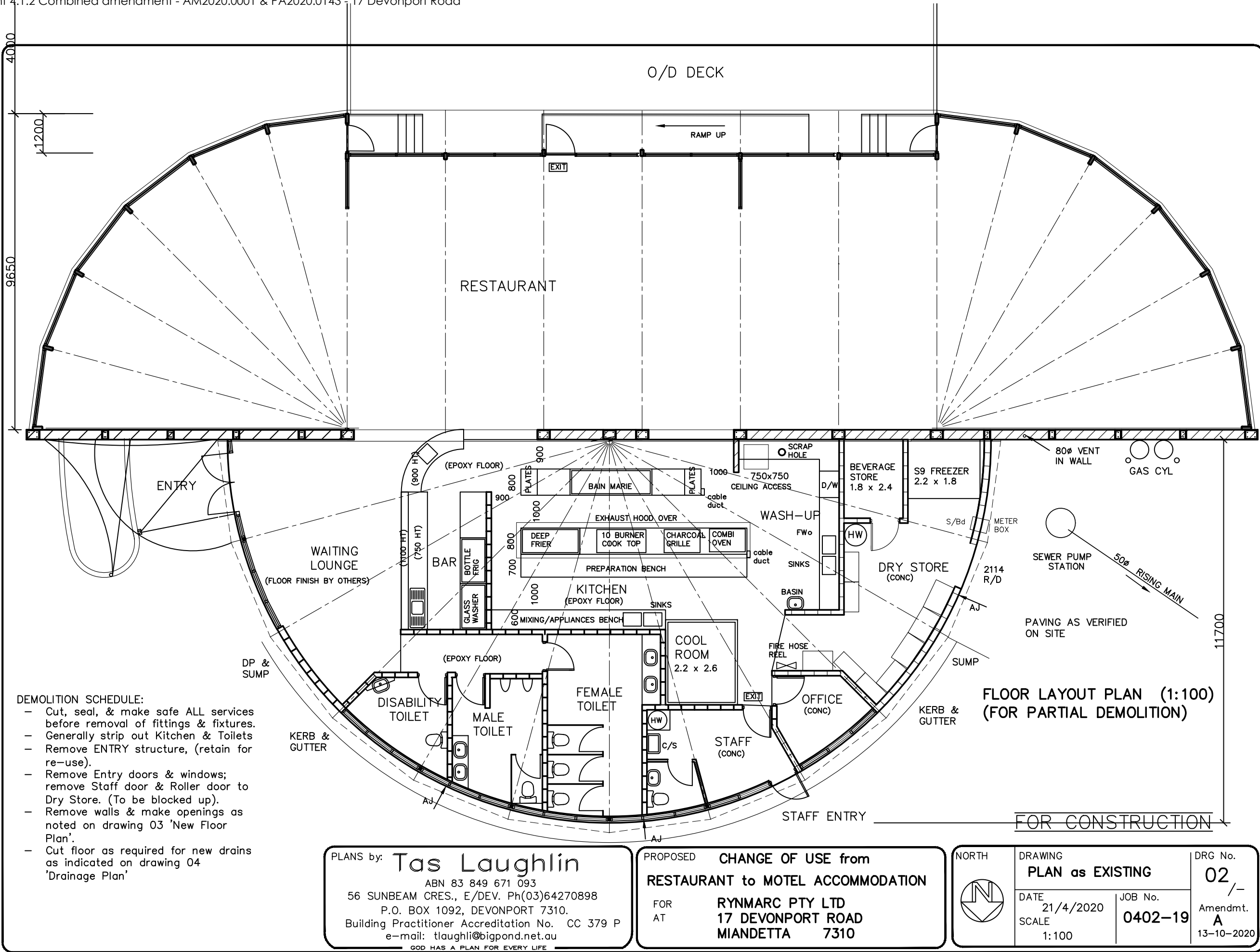
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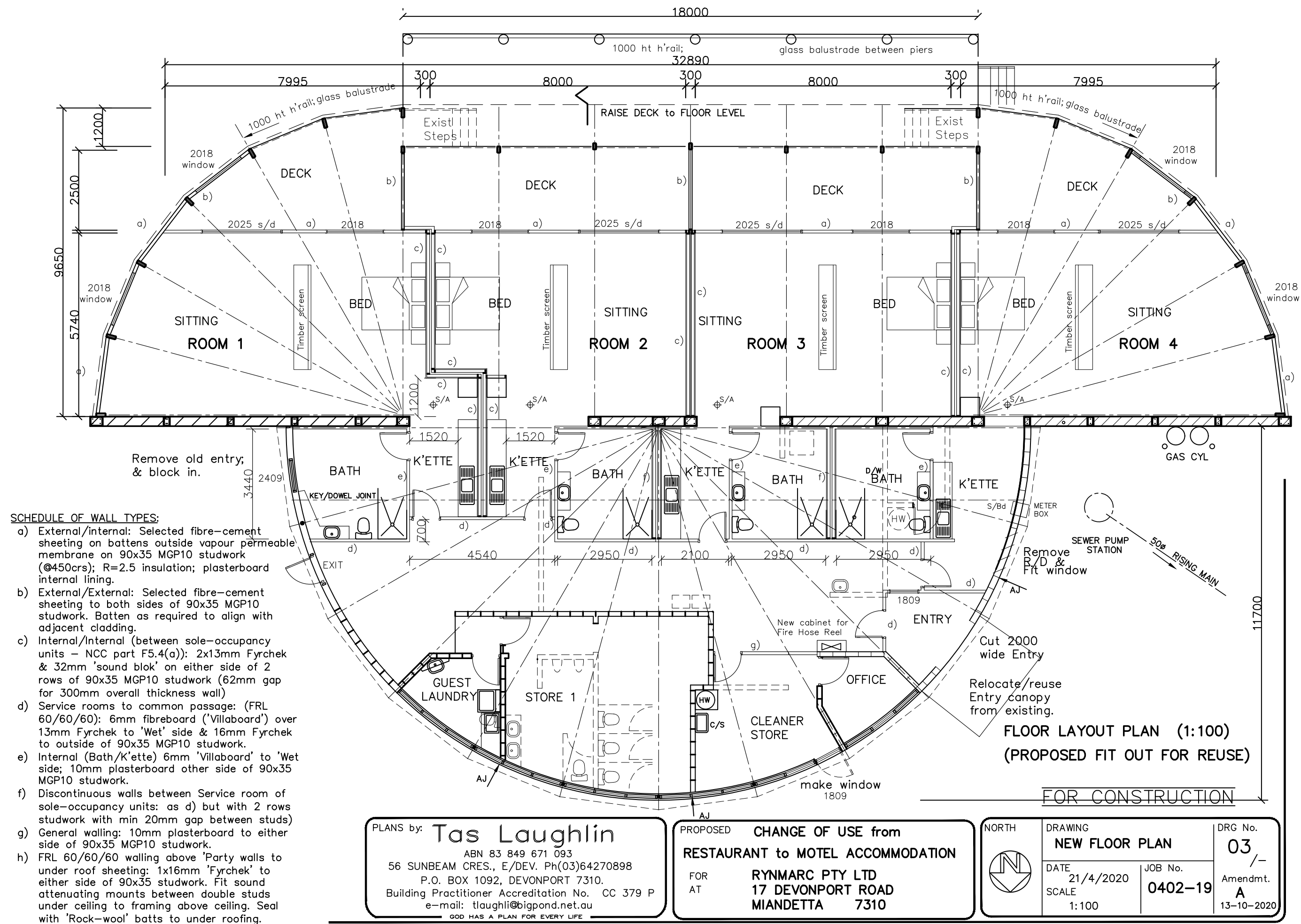
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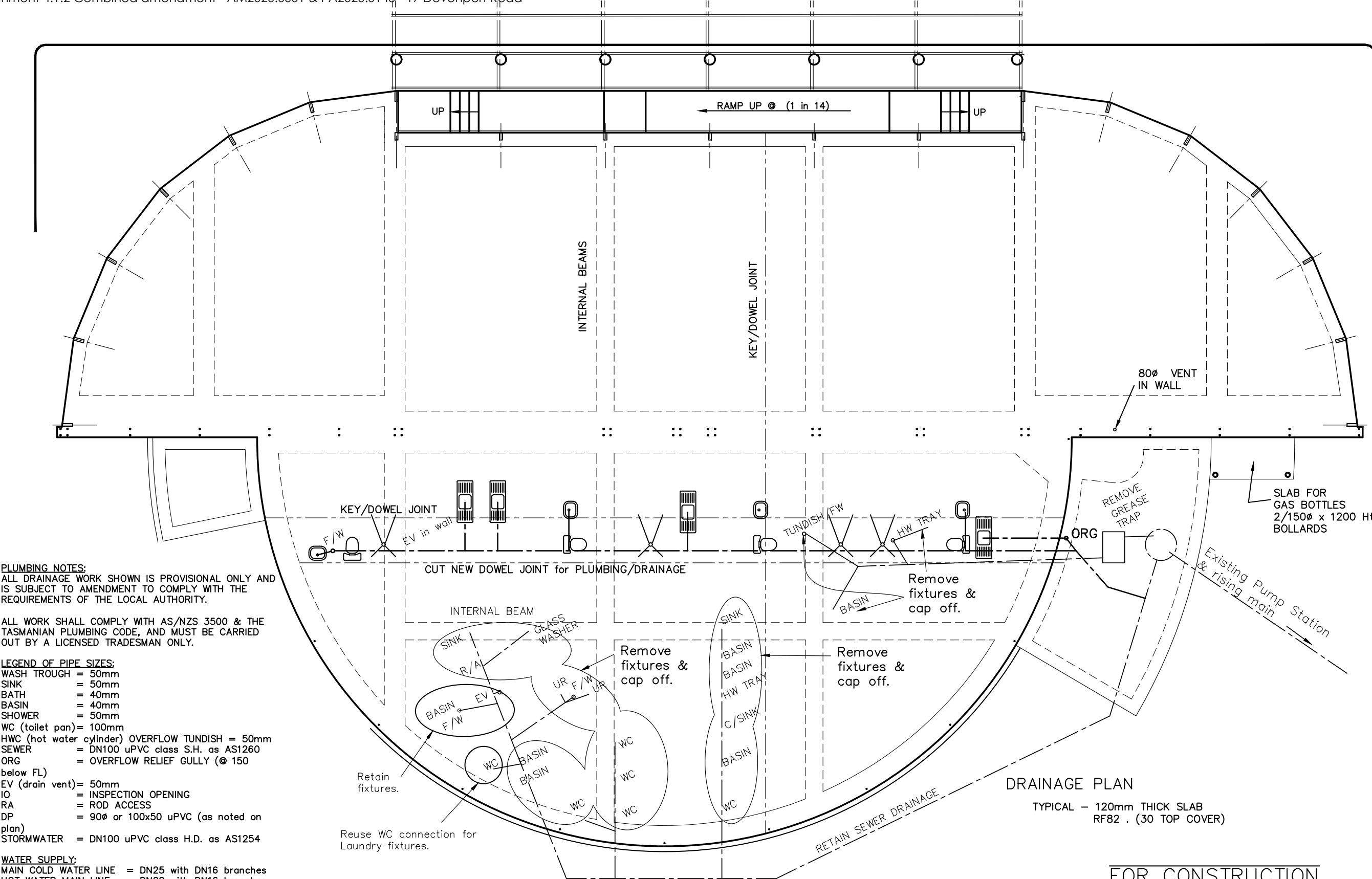
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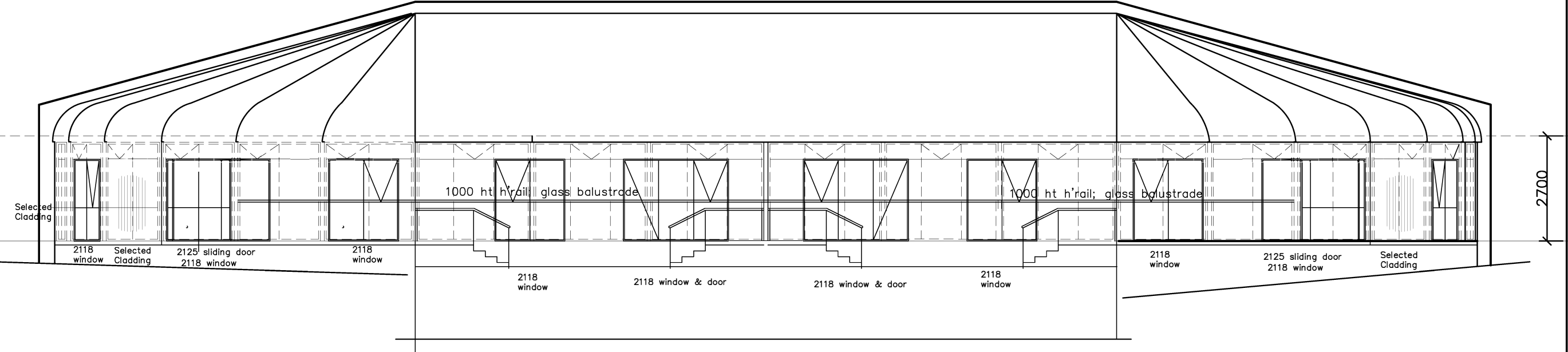
PLUMBING NOTES:
ALL DRAINAGE WORK SHOWN IS PROVISIONAL ONLY AND IS SUBJECT TO AMENDMENT TO COMPLY WITH THE REQUIREMENTS OF THE LOCAL AUTHORITY.

ALL WORK SHALL COMPLY WITH AS/NZS 3500 & THE TASMANIAN PLUMBING CODE, AND MUST BE CARRIED OUT BY A LICENSED TRADESMAN ONLY.

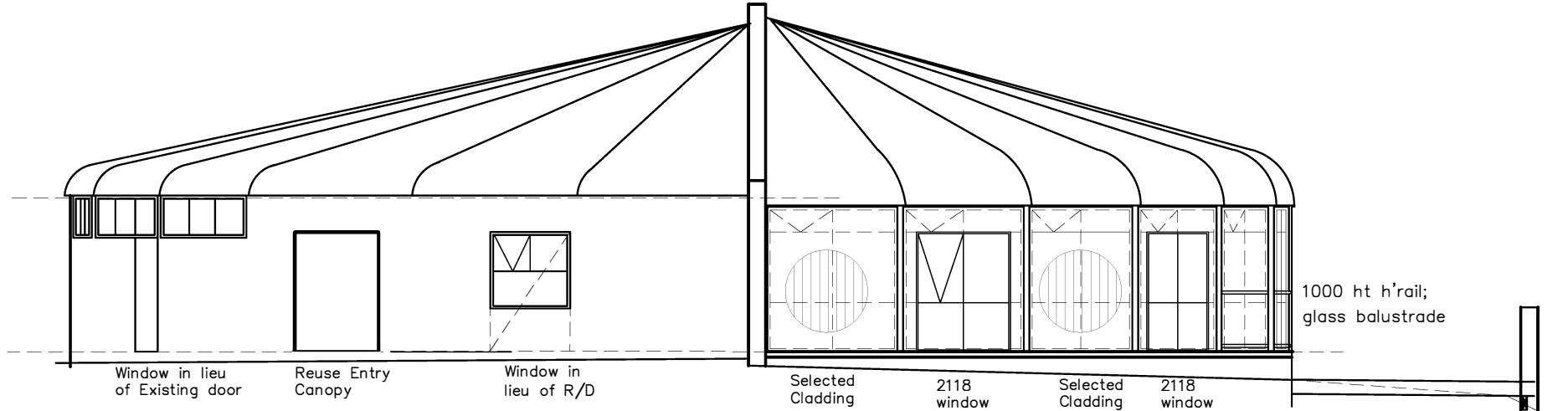
LEGEND OF PIPE SIZES:
WASH TROUGH = 50mm
SINK = 50mm
BATH = 40mm
BASIN = 40mm
SHOWER = 50mm
WC (toilet pan) = 100mm
HWC (hot water cylinder) OVERFLOW TUNDISH = 50mm
SEWER = DN100 uPVC class S.H. as AS1260
ORG = OVERFLOW RELIEF GULLY @ 150 below FL)
EV (drain vent) = 50mm
IO = INSPECTION OPENING
RA = ROD ACCESS
DP = 90° or 100x50 uPVC (as noted on plan)
STORMWATER = DN100 uPVC class H.D. as AS1254

WATER SUPPLY:
MAIN COLD WATER LINE = DN25 with DN16 branches
HOT WATER MAIN LINE = DN20 with DN16 branches to comply with AS/NZS 3500.5.2000 & AS/NZS 3500.1.2003.
Main hot water line to be insulated with 19mm Armaflex to requirement of NCC part 3.12.5.
Hot water cylinder shall have a 500kPa pressure limiting valve (rated at 80°C) installed at exit from cylinder, and the installation shall deliver hot water to ALL SANITARY FIXTURES for personal hygiene at 50°C.
KITCHEN SINK & LAUNDRY shall be at 60°C as required by AS/NZS3500.5.2000 section 3.4

PLANS by: Tas Laughlin ABN 83 849 671 093 56 SUNBEAM CRES., E/DEV. Ph(03)64270898 P.O. BOX 1092, DEVONPORT 7310. Building Practitioner Accreditation No. CC 379 P e-mail: tlaughli@bigpond.net.au <small>GOD HAS A PLAN FOR EVERY LIFE</small>	PROPOSED CHANGE OF USE from RESTAURANT to MOTEL ACCOMMODATION FOR AT RYNMARC PTY LTD 17 DEVONPORT ROAD MIANDETTA 7310	NORTH 	DRAWING DRAINAGE PLAN		DRG No. 04 /- Amendmt. A 13-10-2020
			DATE 21/4/2020 SCALE 1:100	JOB No. 0402-19	



SOUTH ELEVATION (TO MERSEY RIVER)
(Deck omitted for clarity)



WEST END ELEVATION

PRELIMINARY

PLANS by: **Tas Laughlin**
ABN 83 849 671 093
56 SUNBEAM CRES., E/DEV. Ph(03)64270898
P.O. BOX 1092, DEVONPORT 7310.
Building Practitioner Accreditation No. CC 379 P
e-mail: tlaughlin@bigpond.net.au
GOD HAS A PLAN FOR EVERY LIFE

PROPOSED **CHANGE OF USE from**
RESTAURANT to MOTEL ACCOMMODATION
FOR
AT **RYNMARC PTY LTD**
17 DEVONPORT ROAD
MIANDETTA 7310

NORTH	DRAWING ELEVATIONS (1)		DRG No. 05 /- Amendmt. -
	DATE 21/4/2020	JOB No. 0402-19	
	SCALE 1:100		



Devonport City Council Planning Permit

Permit Number: PA2020.0143

Permit Type Section 58 *Land Use Planning and Approvals Act 1993*

Development Address: 17 Devonport Road, Miandetta and Crown Lease area
(DPIPWE Ref: 076344)

Applicant Details: Plan Place Pty Ltd
PO Box 7710
LAUNCESTON TAS 7250

This Permit allows for: Change of use to Visitor Accommodation

The following conditions apply to this permit:

- 1. The Use is to proceed generally in accordance with the submitted plans referenced as Change of Use from Restaurant to Motel Accommodation, Job No. 0402-19, Drg No. 01-04, Amendment A, dated 13-10-2020 and Drg 05, dated 21/4/2020 by Tas Laughlin, copies of which are attached and endorsed as documents forming part of this Planning Permit.**
- 2. The developer is to comply with the conditions specified 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*. A copy of this notice is attached.**

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to 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.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

If the accommodation service will provide food to/prepare food for guests, the operator must contact Council to confirm their requirements under the *Food Act 2003*.

Signed

Dated

In regard to condition 2 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

Enquiries regarding other conditions or notes can be directed to Council's Development Services Department – Ph 6424 0511.


DRAFT

Signed

Dated

WHAT HAS BEEN DECIDED?
<p>The Planning Authority has issued a planning permit. This notice sets out on the reverse side what the permit allows and what conditions must be met. Please check with a Building Surveyor to determine the category of Building Work.</p>
WHEN DOES A PERMIT BEGIN?
<p>A permit takes effect on the last date provided by the following:</p> <ul style="list-style-type: none"> a. where there is no right of appeal - on the day on which it is granted; or b. where there is a right of appeal - fourteen days after this notice is served; or c. where an appeal has been lodged - when the appeal is determined or abandoned; or d. when any other approvals under any Act have been granted. <p>If you are unsure whether a right of appeal exists please check with a Planning Officer.</p>
WHEN DOES A PERMIT EXPIRE?
<p>A permit lapses two years from the date on which it was granted if the use or development has not substantially commenced.</p>
WHAT ABOUT APPEALS?
<ul style="list-style-type: none"> • The applicant may appeal against any condition in the permit within 14 days after the day on which this notice was served on the applicant. • Any person who has made a representation concerning the application may appeal against the decision to grant the permit within 14 days after the day on which notice of this permit was served on that person. • An appeal must be lodged with the <ul style="list-style-type: none"> Resource Management & Planning Appeal Tribunal Address: G.P.O. Box 2036, HOBART TAS 7001 or 144-148 Macquarie Street, Hobart Web: www.rmpat.tas.gov.au Email: rmpat@justice.tas.gov.au Telephone: 03 6165 6794 • Appeal forms can be obtained at the planning counter or directly from the Tribunal. • A fee is payable when making an appeal. Please check with a Planning Officer or the Tribunal for details.

DRAFT

	<h2 style="text-align: center;">PLANNING AUTHORITY COMMITTEE POLICY</h2>			
POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Executive Coordinator	General Manager	TBC	TBC
PURPOSE	To provide guidance in relation to the operation of Council's Planning Authority Committee, established by Council in accordance with Section 23 of the <i>Local Government Act 1993</i> (the Act).			
SCOPE	This Policy applies to the Planning Authority Committee.			
POLICY	<ol style="list-style-type: none"> 1. Meeting Schedule Planning Authority Committee meetings are held on an as required basis, when planning authority matters are unable to be presented to an Ordinary Council meeting. 2. Membership of the Committee The Planning Authority Committee comprises 6 Councillors. Membership of the committee is determined at the first meeting of Council following a local government election. In accordance with Section 23 of the Act, a Councillor who is not a member of the Committee may fill a vacancy for a meeting at the request of the Council Committee. 3. Committee Functions <ul style="list-style-type: none"> • Statutory Planning Authority responsibilities; • Consideration of Development Applications • Subdivision Approvals • Planning Scheme Amendments • Legal matters related to Statutory Planning • Planning Appeals 4. Delegations Pursuant to Section 22 (1) of the Act, Council delegates the following powers and functions to the Planning Authority Committee: <ol style="list-style-type: none"> a) To exercise all of Council's functions and powers as a Planning Authority under the <i>Land Use Planning and Approvals Act 1993</i>, including all functions and powers contained in any planning scheme and special planning orders. b) To exercise all of Council's functions and powers as a Planning Authority under the <i>Historic Cultural Heritage Act 1995</i>. c) To exercise all of Council's functions and powers under Part 3 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>. 			

	<p>d) To exercise all of Council's powers to determine all matters brought before the Committee in compliance with the scope of matters as determined by this Policy.</p> <p>5. Planning Authority Meeting Guidelines</p> <p>5.1 The Planning Authority Committee will operate under the provisions of the <i>Local Government (Meeting Procedures) Regulations 2015</i>. In accordance with Section 37 of those Regulations, a Councillor may speak up to three times during debate on a matter listed on the agenda.</p> <p>5.2 A quorum for the Committee is the simple majority of such numbers of Councillors who are members of the Committee.</p> <p>5.3 Membership of the Committee shall be in accordance with this Policy.</p> <p>5.4 Councillors who are not members of the Committee are able to attend any Committee meeting with the right to speak in accordance with the <i>Local Government (Meeting Procedures) Regulations 2015</i> and this Policy but will not have voting rights.</p> <p>5.5 In relation to appointment to the Committee, Councillors will be given the opportunity to formally indicate their interest in sitting on the Committee. If there is an excess of Councillors selecting to be members of the Committee, the matter will be determined by Council by formal vote.</p> <p>5.6 The appointment of the Committee Chair will be the responsibility of Council. Where more than one Councillor nominates for the position, then a ballot of all Councillors will be conducted.</p> <p>5.7 In circumstances where the Chair is absent from a Committee meeting, either the Mayor or Deputy Mayor (if they are members of the Committee) will assume the role of the Chair for that meeting. If they Mayor or Deputy Mayor are not members of that Committee, the members of the Committee will appoint a member as Acting Chair for the meeting.</p> <p>5.8 A scheduled Committee meeting may be postponed, rescheduled/cancelled by the General Manager following consultation with the Chair of the Committee.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Local Government (Meeting Procedures) Regulations 2015</i> <i>Historic Cultural Heritage Act 1995</i> <i>Land Use Planning and Approvals Act 1993</i></p>
ATTACHMENTS (IF APPLICABLE)	N/A

STRATEGIC REFERENCE	5.3.4 Ensure effective administration and operation of Council's committees	
MINUTE REFERENCE	TBC	
OFFICE USE ONLY	Update Register	Training/Communication
	Advise Document Controller	Advise HR / MCO
	Management Sign Off: Date:	

DRAFT

Action Plan

Signage Strategy 2017-2022 - Year 4 Status Update

No	Action:	Year Planned					Priority: H, M, L	Status	Outputs – Year 4	Responsible Department
		2017/18	2018/19	2019/20	2020/21	2021/22				
	Objective 1: Improve the consistency, readability, placement, accessibility and connectivity of signage									
1	Develop a program to progressively update signage at all Council owned facilities where required.						High	Complete		Infrastructure & Works
2	Develop and adopt a style guide for signage types detailed in this Strategy.						High	Underway		Community Services/Infrastructure & Works
12	Conduct an audit of the existing signage and develop a program for correcting any identified issues and/or implementation of any required signage						High	Ongoing	Ongoing through service level inspections and responses to public requests	Infrastructure & Works/Community Services
16	Remove redundant signage when identified						Medium	Ongoing	Redundant signage is removed as it is identified.	Infrastructure & Works
19	Develop standard guidelines for signage installation.						High	Underway		Infrastructure & Works
	Objective 2: Improve visitor's experience and enjoyment									
4	Review the current content of 'google maps' for Devonport and request updates when required.						High	Complete		Community Services
6	Audit all 'Guide Signs' from the airport, Spirit of Tasmania Terminal and the Bass Highway into the City						Medium	Complete	Report and actions outlined for budget consideration	Infrastructure & Works
7	Develop and implement a styling for Major Entrance Markers <ul style="list-style-type: none">Bass HighwayMurray StreetDevonport Road						Medium	Underway	Preliminary work on locations completed. Progress dependant on progression of State Vehicle Entry Project	Community Services/Infrastructure & Works
8	Review content of existing tourism information signage at Devonport Airport						High	Complete		Community Services
	Objective 3: Make Devonport Precincts and attractions easier to navigate									
5	Conduct an audit of the existing signage for public amenities and develop a program for implementing any identified improvements.						High	Complete		Infrastructure & Works
10	Install Directional Signs in CBD area and Eastside Villaae						High	Underway		Infrastructure & Works

No	Action:	Year Planned					Priority:	Status	Outputs – Year 4	Responsible Department
11	Identify opportunities to improve 'way finding' to key attractions within the City						High	Ongoing	Partnered with Rotary Club of Devonport South East to seek funds for signage project on East Devonport foreshore and Eastside Village	Community Services
Objective 4: Increase and improve walking/cycling connectivity and make walking/cycling more attractive										
	N/A – delivered by other actions									
Objective 5: Promote Council owned or supported local attractions and facilities										
9	Develop and implement a program for installation of Destination Signage at all Cemeteries in Devonport						Medium	Underway	Signs installed at Mersey Vale Memorial Park	Infrastructure & Works
13	Implement signage for Bass Strait Maritime Centre						High	Complete		Community Services
14	Develop and implement signage for Home Hill						Medium	Complete	Other priorities identified in the landscaping master plan	Community Services
15	Develop a program for designing and implementing interpretive signage						Medium	Underway	Interpretive panel installed on Victoria Parade	Community Services
Objective 6: Prioritise investment and improve efficiencies in managing signage resources										
17	Apply for grant funding where possible to fund priorities of the strategy						Medium	Ongoing	Applied to Healthy Tasmania Fund for signage project in East Devonport	Community Services
18	Promote the use of digital technology for 'way finding'						Medium	Underway	Review of GIS options has commenced	Communications
20	Implement an assessment system to prioritise signage requests						High	Complete		Infrastructure & Works
21	Incorporate signage into existing asset management guidelines						Medium	Underway		Infrastructure & Works

Current & Previous Minutes Resolutions					
Meeting Date	Res No.	Item	Status	Assignees	Action Taken
24/08/2020	20/66	Devonport Surf Life Saving Club - Kiosk proposal	In progress	Governance Officer	Draft licence agreement issued to Club for their review and comment.
23/11/2020	20/134	Tender Report Contract CT0278 Devonport Road Renewal	Completed	Infrastructure & Works Manager	Contract executed.
23/11/2020	20/140	Disposal of Public Land at 116-122 Stony Rise Road Devonport	In progress	General Manager	Valuation has been received and negotiations for sale of land have commenced
21/12/2020	20/166	Use of Land - 260 Steele Street Devonport	In progress	Governance Officer	Crown Land consent for the sub-lease currently being sought.
21/12/2020	20/167	Devonport Motor Show - Partnership Agreement	Completed	Deputy General Manager	Agreement signed by GM week of 18 January and submitted to the Rotary Club for signing.
21/12/2020	20/171	General Manager's Report - December 2020	Completed	Executive Coordinaor	Report noted, Planning Authority Committee Policy drafted and to be presented for consideration at February Council meeting.
25/01/2021	21/1	Confirmation of previous minutes - 21 December 2020	Completed	Executive Coordinaor	Confirmed
25/01/2021	21/2	Responses to Questions Raised at Prior Meetings	Completed	Executive Coordinaor	Noted
25/01/2021	21/3	Questions on Notice from the Public	Completed	Executive Coordinaor	Endorsed
25/01/2021	21/4	PA2020.0212 - 64 Fleetwood Drive Spreyton - Residential (outbuilding)	Completed	Land Use Planning Coordinator	Applicant notified of refusal
25/01/2021	21/5	PA2020.0220 - 16 Beachrock View East Devonport - Residential (single dwelling)	Completed	Land Use Planning Coordinator	Applicant and representor notified of decision
25/01/2021	21/6	Public Lighting Strategy 2021-26	In progress	Infrastructure & Works Manager	Strategy to be published to Website, additional web content to be created.
25/01/2021	21/7	Proposal to rename part of David Street, East Devonport	Completed	Governance Officer	Notified requestor and residents and stakeholder, whom provided feedback as part of consultation process, of outcome
25/01/2021	21/8	'Cold Climate Classic' Touch Football Sponsorship Proposal	Completed	Deputy General Manager	Notified association of Council resolution
25/01/2021	21/9	Tender Report Contract CB0098 Devonport Football Club Changerooms Redevelopment	Completed	Project Officer	Contract documents drafted for signing
25/01/2021	21/10	Mayor's Monthly Report	Completed	Executive Coordinaor	Received and noted
25/01/2021	21/11	General Manager's Report - January 2021	Completed	Executive Coordinaor	Received and noted.
25/01/2021	21/12	Elected Members Expense Report to 31 December 2020	Completed	Executive Coordinaor	Received and noted
25/01/2021	21/13	Annual Plan Progress Report to 31 December 2020	Completed	Executive Coordinaor	Received and noted
25/01/2021	21/14	General Management, People & Finance and Corporate Services Report - November and December 2020	Completed	Executive Coordinaor	Received and noted
25/01/2021	21/15	Community Services Report - November and December 2020	Completed	Executive Coordinaor	Received and noted
25/01/2021	21/16	Convention and Arts Report - November and December 2020	Completed	Executive Coordinaor	Received and noted
25/01/2021	21/17	Minutes of Council's Special Interest Groups and Advisory Boards	Completed	Executive Coordinaor	Received and noted

Capital Works Income & Expenditure Report January 2020													
	Funding 2020/21					Expenditure 2020/21			Balance	Performance Measures			
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Funding Adjustments	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
	\$	\$	\$	\$	\$	\$	\$	\$	\$	Month	Month	Spent	
Summary													
Open Space & Recreation	588,000	1,140,615	1,728,615	736,000	-	428,995	239,715	668,710	1,059,905				-
Buildings & Facilities	120,000	2,769,562	2,889,562	189,000	-	1,311,803	367,503	1,679,306	1,210,257				
Transport	4,831,000	3,090,580	7,921,580	3,621,733	-	1,371,471	1,905,536	3,277,007	4,644,573				
Stormwater	1,196,000	1,194,096	2,390,096	-	-	165,312	18,631	183,943	2,206,153				
Living City	8,000,000	4,935,192	12,935,192	6,000,000	-	3,044,030	18,516	3,062,546	9,872,646				
Plant & Fleet	479,000	183,147	662,147	-	-	169,865	342,398	512,263	149,884				
Other Equipment	345,000	447,212	792,212	53,000	-	297,650	13,585	311,235	480,977				
Total Capital Works	15,559,000	13,760,403	29,319,403	10,599,733	-	6,789,126	2,905,883	9,695,009	19,624,394				
Open Space & Recreation													
CP0129 Don River Rail Trail - land purchase		11,304	11,304			-	-	-	11,304		Mar-21	0.0%	Creation and transfer of titles underway
CP0150 Maidstone Park - Replace Ground Lighting		250,024	250,024			65,893	27,372	93,265	156,758	Sep-20	Feb-21	37.3%	Construction underway
CP0154 Dog Exercise Park - Dog Agility Equipmen		-	-			991	-	991	(991)	Complete	Complete		July expenditure was overheads only
CP0168 Victoria Parade and Mersey Bluff - park		-	-			182	-	182	(182)	Complete	Complete		July expenditure was overheads only
CP0169 Mersey Bluff - Barbeque renewal		-	-			301	-	301	(301)	Complete	Complete		
CP0170 Signage Strategy Actions		-	-			3,696	542	4,238	(4,238)	Complete	Complete		
CP0175 Mersey Bluff - inclusive playground		47,440	47,440			44,225	92	44,317	3,123	Complete	Complete	93.4%	
CP0176 Mersey Bluff - bin compound		4,769	4,769			40	-	40	4,729	Mar-21	May-21	0.8%	to be included with CT0271 and CT0288
CP0179 Reg Hope Park - slab and services for shopfront at Julie Burgess		10,393	10,393			-	-	-	10,393	TBA	TBA	0.0%	dependant on progress by JB operator
CP0180 Bluff Beach - accessible ramp		91,554	91,554			8,022	11,232	19,254	72,300	Mar-21	Mar-21	21.0%	Scope changed. Construction pending
CP0181 Mersey Bluff Caravan Park – accessible amenities		60,949	60,949			18,927	-	18,927	42,021	Complete	Complete	31.1%	
CP0182 Mersey Vale Memorial Park - signage upgrade		14,365	14,365			18,671	5,650	24,321	(9,956)	Nov-20	Feb-21	169.3%	Construction underway
CP0183 Mersey Vale Memorial Garden - ash interment columns		-	-			79	-	79	(79)	Complete	Complete		July expenditure was overheads only
CP0184 Don River Rail Trail - construction		98,413	98,413			2,534	-	2,534	95,879	Apr-21	May-21	2.6%	
CP0186 Girdlestone Park - ground lighting		279,520	279,520			1,008	151,146	152,154	127,366	Oct-20	Mar-21	54.4%	Construction underway
CP0187 Mussel Rock Fishing Area		3,884	3,884			-	-	-	3,884		TBA	0.0%	
CP0188 Don Reserve Pedestrian Rail Crossing upgrades	35,000	-	35,000			38,233	91	38,324	(3,324)	Complete	Complete	109.5%	
CP0189 Bluff Headland - Handrail Replacement and extension	45,000	-	45,000	45,000		32,885	-	32,885	12,115	Complete	Complete	73.1%	
CP0190 Seat Replacements - William Street (Fourways)	20,000	-	20,000			201	-	201	19,799		TBA	1.0%	
CP0191 Netball courts resurfacing and drainage - West end	40,000	-	40,000	40,000		2,729	25,443	28,172	11,828	Dec-20	Feb-21	70.4%	Construction pending
CP0192 Aquatic Centre / Don Reserve -playground renewal/ relocation	90,000	-	90,000	90,000		-	-	-	90,000		TBA	0.0%	Design underway
CP0193 Kiah Place - Playground equipment renewal	78,000	-	78,000	78,000		659	-	659	77,341		TBA	0.8%	Design underway
CP0194 Path renewal Don Reserve – Nicholls St to James St	140,000	-	140,000	140,000		83,286	1,273	84,559	55,441	Complete	Complete	60.4%	
CP0195 Installation of Public Recycling Bins	30,000	-	30,000			82	-	82	29,918		TBA	0.3%	Additional \$8,560 secured
CP0196 Highfield Park new BBQ Shelter	75,000	-	75,000	75,000		247	-	247	74,753		TBA	0.3%	Design underway
CP0197 Mersey Vale Cemetery - ash interment columns for Memorial Garden	35,000	-	35,000			4,630	16,755	21,385	13,615	May-21	May-21	61.1%	Columns ordered
CP0199 Path Renewal Don Reserve - Nicholls to P		130,000	130,000	130,000		99,983	120	100,103	29,897	Complete	Complete	77.0%	
CP0200 Mary Binks Wetlands path upgrade - stage 2		55,000	55,000	55,000		1,488	-	1,488	53,512		TBA	2.7%	Construction pending
CP0202 Seat replacements - Valley Road		8,000	8,000	8,000		-	-	-	8,000		TBA	0.0%	LRCI Funding - phase 1
TBA Highfield Park nature play area		75,000	75,000	75,000		-	-	-	75,000		TBA	0.0%	Commencement subject to project approval
Total Open Space & Recreation	588,000	1,140,615	1,728,615	736,000	-	428,995	239,715	668,710	1,059,905			38.7%	

	Funding 2020/21					Expenditure 2020/21			Balance	Performance Measures			
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Funding Adjustments	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
	\$	\$	\$	\$	\$	\$	\$	\$	\$	Month	Month	Spent	
Buildings & Facilities													
CB0094 Council contribution to Sports Club Grants (Level the Playing Field)		50,000	50,000			-	-	-	50,000			0.0%	Carry forward not required
CB0095 Works Depot - Covered plant storage shed		-	-			147	-	147	(147)	Complete	Complete		July expenditure was overheads only
CB0096 Mandetta Park - New toilet block		-	-			5,974	-	5,974	(5,974)	Complete	Complete		
CB0097 Meercroft Park - facilities upgrade		1,396,295	1,396,295			917,366	189,729	1,107,095	289,199		Feb-21	79.3%	Construction underway
CB0098 Devonport Football Club - new change rooms		812,435	812,435			42,769	-	42,769	769,666	TBA	TBA	5.3%	Construction pending
CB0099 East Devonport Football Club - new change rooms		422,060	422,060			325,070	164,235	489,304	(67,244)	Nov-20	Mar-21	115.9%	Construction underway
CB0100 CB0100 WTS E Waste Shelter		19,773	19,773			16,412	676	17,087	2,685	Complete	Complete	86.4%	
CB0101 Maidstone ticket box renewal	25,000	-	25,000	25,000		-	12,864	12,864	12,136	Dec-20	Feb-20	51.5%	Construction pending
CB0102 Horsehead Creek - New toilet block & link path	95,000	-	95,000	95,000		4,065	-	4,065	90,935	TBA	TBA	4.3%	Design underway
CB0103 Spreyton Hall - heater renewal		10,000	10,000	10,000		-	-	-	10,000	Mar-21	Apr-21	0.0%	
TBA PAC Theatre Door upgrade		14,000	14,000	14,000		-	-	-	14,000	TBA	TBA	0.0%	External funding approved in October
TBA BSMC Door upgrade		15,000	15,000	15,000		-	-	-	15,000	TBA	Dec-21	0.0%	Commencement subject to project approval
TBA LCRI Grant balance		30,000	30,000	30,000		-	-	-	30,000	TBA	Dec-21	0.0%	Commencement subject to project approval
Total Facilities	120,000	2,769,562	2,889,562	189,000	-	1,311,803	367,503	1,679,306	1,210,257			58.1%	
Transport													
CT0169 Formby Road & Best Street intersection safety improvements		91,351	91,351			-	36,364	36,364	54,987	TBA	TBA	39.8%	Work scheduled after completion of waterfront hotel
CT0217 CBD Footpath - Pavers Only		-	-			(11,800)	-	(11,800)	11,800				Cost re-allocated
CT0230 Transport Minor Works		20,000	20,000			-	-	-	20,000	TBA	TBA	0.0%	
CT0245 New bus stop infrastructure		56,553	56,553			7,575	12,633	20,208	36,345	Complete	Complete	35.7%	
CT0247 Street light provision		22,268	22,268			440	-	440	21,828	TBA	TBA	2.0%	Design underway
CT0257 Road traffic device renewal		24,872	24,872			-	-	-	24,872	TBA	TBA	0.0%	Design underway
CT0259 Parking infrastructure renewal		57,473	57,473			53,637	1,382	55,019	2,454	Complete	Complete	95.7%	
CT0260 Victory Avenue kerb renewal		-	-			75	-	75	(75)	Complete	Complete		
CT0263 Oldaker Street footpath renewal - west of Rooke, south side		150,309	150,309			17,570	1,350	18,920	131,389	Complete	Complete	12.6%	
CT0264 Victoria Street Renewal - Northern End		-	-			75	-	75	(75)	Complete	Complete		
CT0265 Holyman Street renewal		-	-			75	-	75	(75)	Complete	Complete		
CT0270 Northern Rooke Street renewal		998,000	998,000			-	-	-	998,000			0.0%	Construction Underway
CT0271 Mersey Bluff Precinct – traffic, pedestrian, and parking improvements – stage 2		171,055	171,055			266,731	52,757	319,488	(148,433)	Nov-20	May-21	186.8%	Construction Underway
CT0272 Coastal Pathway contribution - part 1		371,840	371,840			285,738	584	286,321	85,519		Dec-21	77.0%	Construction underway
CT0273 Southern Rooke Street - street scape enhancement		-	-			-	-	-	-				project not proceeding
CT0274 Electric Vehicle Charging Station	50,000	45,126	95,126			50,199	-	50,199	44,927	Complete	Complete	52.8%	pending invoices
CT0275 CT0275 State Vehicle Entry Point	500,000	-	500,000	500,000		34,688	-	34,688	465,312	TBA	TBA	6.9%	
CT0277 Reseal Program 2020-2021	700,000	-	700,000			8,404	647,489	655,893	44,107	Aug-20	Feb-21	93.7%	Construction underway
CT0278 Devonport Road Renewal Stage 1	1,100,000	(104,633)	995,367	538,000		35,640	7,289	42,928	952,439	Feb-21	May-21	4.3%	Construction pending
CT0279 Bridge Road Pavement Renewal - Stage 1	374,000	-	374,000			25,869	13,915	39,783	334,217	Jan-21	Mar-21	10.6%	Construction underway
CT0280 Wright Street Renewal - Tarleton to John	400,000	104,633	504,633			430,392	70,743	501,134	3,499	Complete	Complete	99.3%	
CT0281 Street light provision	25,000	-	25,000			5,242	4,405	9,647	15,353	TBA	TBA	38.6%	Construction underway
CT0282 Melrose Road - Morris Road intersection improvements	75,000	-	75,000	75,000		6,367	-	6,367	68,633	Feb-21	Mar-21	8.5%	Construction underway
CT0283 Steele and Percy Street Intersection Improvements	70,000	-	70,000	35,000		74,937	900	75,837	(5,837)	Complete	Complete	108.3%	
CT0284 Mersey Main Road safety improvements - Spreyton Primary School	104,000	-	104,000	104,000		8,615	13,716	22,331	81,669	Jan-21	Feb-21	21.5%	Construction underway
CT0285 Mersey Main Road safety improvements - Maidstone Park	68,000	-	68,000	68,000		2,820	36,624	39,444	28,556	Jan-21	Feb-21	58.0%	Construction underway
CT0286 Don Road, Lovett Street and Sorell Street safety improvements	40,000	-	40,000	40,000		766	-	766	39,234	Dec-21	Feb-21	1.9%	Design underway
CT0287 Transport minor works	25,000	-	25,000			23,683	-	23,683	1,317	Jul-20	Jun-21	94.7%	Minor works ongoing throughout the year
CT0288 Mersey Bluff Precinct – traffic, pedestrian, and parking improvements – stage 3	300,000	-	300,000	300,000		11,132	-	11,132	288,868	Nov-20	Mar-21	3.7%	Construction Underway
CT0289 Coastal Pathway contribution - part 2	1,000,000		1,000,000	880,000		-	1,000,000	1,000,000	-	TBA	TBA	100.0%	Design underway
CT0290 Greenway Avenue Traffic Calming		82,733	82,733	82,733		2,862	-	2,862	79,871	TBA	TBA	3.5%	Design underway
CT0291 Ronald Street new footpath - Oldaker to Parker		44,000	44,000	44,000		18,648	5,387	24,035	19,965	Jan-21	Feb-21	54.6%	Construction underway
CT0292 Pioneer Park - improved access from Thomas Street		50,000	50,000	50,000		3,582	-	3,582	46,418	TBA	TBA	7.2%	
CT0293 Foreshore Path Link - Drew Street		25,000	25,000	25,000		1,677	-	1,677	23,323	TBA	TBA	6.7%	Design underway
TBA		880,000	880,000	880,000		-	-	-	880,000	TBA	TBA	0.0%	
Total Transport	4,831,000	3,090,580	7,921,580	3,621,733	-	1,371,471	1,905,536	3,277,007	4,644,573			41.4%	

	Funding 2020/21					Expenditure 2020/21			Balance	Performance Measures			
	Annual Budget	Additional Funds Carried forward & adjustments	Total Budget Available	External Funding	Funding Adjustments	Actual	Commitments	Total Expenditure	Remaining Funds	Works Start	Works Completion	% Budget	Comments
	\$	\$	\$	\$	\$	\$	\$	\$	\$	Month	Month	Spent	
Stormwater													
CS0081 John Stormwater Catchment Stage 1		196,096	196,096			149	-	149	195,947	TBA	TBA	0.1%	Scope to be assessed after Sports Master Plan
CS0085 Oldaker (East) stormwater catchment upgrade – stage 1		998,000	998,000			955	-	955	997,045			0.1%	Construction underway
CS0091 Minor Stormwater Works	60,000	-	60,000			68,564	4,702	73,266	(13,266)	Complete	Complete	122.1%	
CS0092 Stormwater outfall risk management	25,000	-	25,000			-	-	-	25,000	TBA	TBA	0.0%	
CS0093 Hiller and Smith stormwater improvements	25,000	-	25,000			2,762	-	2,762	22,238	TBA	TBA	11.0%	Construction pending
CS0094 Stormwater improvements 200 Steele St	58,000	-	58,000			64,982	-	64,982	(6,982)	Complete	Complete	112.0%	
CS0095 298 Bellamy road stormwater culvert	18,000	-	18,000			4,467	197	4,664	13,336	Feb-21	Mar-21	25.9%	Construction pending
CS0096 Oldaker (East) Catchment upgrade - stage 2	550,000	-	550,000			19,450	12,303	31,753	518,247	Mar-21	May-21	5.8%	Construction pending
CS0097 Church street stormwater improvements	350,000	-	350,000			2,559	-	2,559	347,441	TBA	TBA	0.7%	Design underway
CS0098 Pit replacements	50,000	-	50,000			461	1,429	1,889	48,111	TBA	TBA	3.8%	
CS0099 Pipe renewal - 23 Steele St	60,000	-	60,000			963	-	963	59,037	TBA	TBA	1.6%	Design underway
Total Stormwater	1,196,000	1,194,096	2,390,096	-	-	165,312	18,631	183,943	2,206,153			7.7%	
Plant & Fleet													
CF0025 Fleet replacement program 19/20		176,092	176,092			85,176	-	85,176	90,916			48.4%	Actual expenditure is less trade in values
CF0027 Non-Hire Plant Replacement Plan 19/20 (including disposal proceeds)		7,055	7,055			49	-	49	7,006			0.7%	July expenditure was overheads only (task 4112)
CF0028 Fleet replacement program 20/21	85,000	-	85,000			-	54,192	54,192	30,808			63.8%	
CF0029 Hire Plant Replacement Plan 20/21 (including disposal proceeds)	394,000	-	394,000			84,640	288,206	372,846	21,154			94.6%	Actual expenditure is less trade in values
Total Plant & Fleet	479,000	183,147	662,147	-	-	169,865	342,398	512,263	149,884			77.4%	
Other Equipment													
CE0010 Office & Equipment 2019-20		219,334	219,334			-	-	-	219,334				
CE0011 Office Equipment 20-21	70,000	53,000	123,000	53,000		128,129	5,750	133,879	(10,879)			108.8%	Purchases underway
CC0014 Information Technology 2019-20		208,445	208,445			123,779	7,835	131,614	76,831				
CC0015 Information Technology - Renewals & upgrades	180,000	-	180,000			28,343	-	28,343	151,657			15.7%	
Total Other Equipment	345,000	447,212	792,212	53,000	-	297,650	13,585	311,235	480,977			39.3%	
TOTAL CAPITAL EXPENDITURE - EXCLUDING LIVING CITY	7,559,000	8,825,211	16,384,211	4,599,733	-	3,745,096	2,887,367	6,632,463	9,751,748			40.5%	
Living City													
Total Living City	8,000,000	4,935,192	12,935,192	6,000,000	-	3,044,030	18,516	3,062,546	9,872,646			23.7%	
TOTAL CAPITAL EXPENDITURE - INCLUDING LIVING CITY	15,559,000	13,760,403	29,319,403		-	6,789,126	2,905,883	9,695,009	19,624,394			33.1%	

**Minutes of the Planning Authority Committee of the Devonport City Council
held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport
on Monday 8 February 2021 commencing at 5:15 PM**

Present Cr A Rockliff (Mayor) in the Chair
Cr J Alexiou
Cr P Hollister
Cr S Milbourne
Cr L Murphy
Cr L Perry

Councillors in Attendance Cr A Jarman
Cr L Laycock

Council Officers: General Manager, M Atkins
Deputy General Manager, J Griffith
Development Services Manager, K Lunson
Land Use Planning Coordinator, A Mountney

Audio Recording: All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Digital Recording Policy. The meeting was live streamed via YouTube.

1 APOLOGIES

There were no apologies.

2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No	Reason
Cr Murphy	4.1	Pecuniary Interest
Cr Alexiou	4.1	Neighbouring property owner

3 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

PAC21/1 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Perry

That the list of delegated approvals be received.

FOR: Cr Alexiou, Cr Hollister, Cr Milbourne, Cr Murphy, Cr Perry, Cr Rockliff
AGAINST: nil

CARRIED 6 / 0

4 DEVELOPMENT REPORTS

4.1 PA2020.0210 - 94 WINSPEARS ROAD EAST DEVONPORT - SUBDIVISION - EXCISION OF EXISTING DWELLING

Cr Alexiou left the meeting at 5:17pm.
Cr Murphy left the meeting at 5:17pm.

PAC21/2 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Perry

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2020.0210 and grant a Permit to subdivide land identified as 94 Winspears Road, East Devonport for the following purposes:

- Subdivision - excision of existing dwelling

Subject to the following conditions:

1. The subdivision is to proceed generally in accordance with the submitted plan referenced as Plan of Subdivision - Excision of Omeo House, Winspears Road, Devonport – Job No. 44269-1, dated 11th June 2020 by PDA Surveyors, a copy of which is attached and endorsed as documents forming part of this Planning Permit.
- At the time of sealing the Final Plan the subdivider is to submit a Part 5 Agreement as per Section 71 of the *Land Use Planning & Approvals Act 1993*. The agreement is to exist between Council and the lot owners. The scope of the Agreement is to:

- Prohibit any form of residential use or development occurring on the balance lot (lot 2); and
- Ensure a suitable vegetation buffer is provided and maintained on lot 1 as per the approved subdivision plan.

Note: The following is provided for information purposes.

In regard to condition 2:

- The Part 5 Agreement is required on the balance lot to satisfy the Agriculture Zone development standard - 21.5.1 P1(c)(ii) as prescribed by the Tasmanian Planning Scheme; and
- The vegetation species chosen for the vegetation buffer is to be endorsed by an accredited bushfire assessor. This information is to be provided to Council's Development Services Manager in writing prior to any vegetation planting.

Enquiries regarding this permit can be directed to Council's Development Services Department - Ph 6424 0511.

FOR: Cr Hollister, Cr Milbourne, Cr Perry, Cr Rockliff
AGAINST: nil

CARRIED 4 / 0

Cr Alexiou returned to the meeting at 5:25pm.
Cr Murphy returned to the meeting at 5:25pm.

5 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 5:25pm.

Confirmed

Chairperson