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DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport

Telephone 03 6424 0511

Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

2 July 2021

Mr Christopher Mills
52 Caroline Street
EAST DEVONPORT TAS 7310

Dear Mr Mills

RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 28 JUNE 2021

I write in response to your questions without notice, taken on notice at the Council Meeting on Monday, 28 June 2021, as outlined below.

Q2 I think I am right in saying that it is the Executive Coordinator and the General Manager who provide the responses to Questions On Notice. These responses are then unanimously endorsed by the Elected Councillors.

The response to my Question 3 On Notice for this Meeting 28 June was " Responses are provided in the method considered most appropriate at the time and was in accordance with Council's Policy and legislative requirements ".

Then to clarify for the Elected Members and myself, what specific Council Policy and Legislative requirements are the Executive Coordinator and the General Manager referring to? That is the question.

Response

The principal Council policy relating to public questions is Council's Public Question Time Policy. In regard to legislation the primary legislation under which Council operates is the *Local Government Act 1993*, however there are numerous other acts and legislative requirements which apply to Council under various circumstances.

Yours sincerely

Matthew Atkins
GENERAL MANAGER



The City with Spirit



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5 July 2021

Mr Rodney Russell
225 Steele Street
DEVONPORT TAS 7310

Dear Mr Russell

RESPONSE TO QUESTION WITHOUT NOTICE RAISED MONDAY 28 JUNE 2021

I write in response to your question without notice, taken on notice at the Council Meeting on Monday, 28 June 2021, as outlined below.

Q1. The road surface of Victory Avenue is breaking up in places. Is the repair covered by a warranty with the contractor?

Response

Yes, the contractor is waiting on warmer weather which is more favourable for the required rectification work.

Q3. Queen Mary Rest Park. It's good to see the security fence has been removed. I see you have now extended the footpath on the corner and some of the stones have been removed which performed the border. Will you be replacing these stones or removing the rest of the stones which are still there?

Response

There are no plans to replace the stone border, which has been incomplete on the south-eastern corner since at least 2008.

Yours sincerely

Matthew Atkins
GENERAL MANAGER



The City with Spirit

Questions **On Notice**

Council Meeting **26 JULY**.....from Christopher Mills. 52 Caroline St. E.Devonport.

One **photo please.....**

On 6 June 2021.....7 Council employees were spent most of the day cutting down more trees and continuing to destabilize the landslip zone at 54 Caroline St. .. These trees were then piled up on Mr Brown's adjacent block. At least 6 Council vehicles and 7 employees then assembled on Mr Brown's block in order to clean the trees up (**see photo : Council vehicles 6 June 2021**).

In a letter dated 24 December 2019 the General Manager confirmed that Mr Brown: “ *provided access across his property*”. On that occasion (20 November 2019) a Council Employee gifted 9 tree logs cut from the Landslip Hazard Zone. to Mr Brown. .

This time ...6 June 2021was permission sought by Mr Atkins for Council workers to access Mr Brown's private property ...and were the tree trunks again gifted to Mr Brown?



Photo: Council vehicles 6 June 2021

QsoN RBV for 26 July 2021 Best St loss of Parking and Financial info Send

ROBERT B VELLACOTT
11 COCKER PLACE
DEVONPORT 73310

TO GENERAL MANAGER MAYOR AND COUNCILLORS
DEVONPORT CITY COUNCIL
ROOKE ST DEVONPORT

SUBJECT – LIVING CITY QUESTIONS ON NOTICE FOR DCC MEETING 26 JULY 2021

Question 1 Pertains to the hoarding erected on the northern side of Best St necessary for the deconstruction, demolition of existing infrastructure and for the construction of the hotel.

- a) – How many parking spaces have been made inoperative?
- b) – What arrangements, if any, has been made with the contractor or property owner to recompense council for the revenue lost?
- c) What is the approximate date that the hoarding will be removed and the roadway and pathway reinstated and returned for public use?

Question 2

Burnie Mayor Steve Kons in his endeavour to be transparent and accountable about the financial situation of the council's arts and function centre ,gallery and museum has informed ratepayers that "The combined operations were delivering annual operational losses of around\$1.7 million to \$1.8 million each year" and stated this was unsustainable. He also informed that the arts and function centre accounted for about \$1million of the losses each year even with relatively high "space bookings"

Given the example of good stewardship by the Burnie Mayor, will you Mayor Rockliff do likewise and inform ratepayers what the annual operational loses, if any, are for the comparable facilities in Devonport?

I would appreciate if the above and answers to my questions are included in the 26 July 2021 Agenda

R. B. Vellacott

(16 July 2021)

18th July 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 are submitted as questions on notice to the Ordinary Meeting of Council scheduled for Monday 26th July 2021. As always, I request that the questions and sub-questions be treated separately and answered separately, albeit council rarely does so instead opting to provide a summary response that frequently ignores many of the specific questions asked.

Monthly Providore Place Twilight Market and Street Eats Event

- Q1.** On Friday 9th July I took the opportunity to visit the Twilight Market at Providore Place. While extremely well patronised I would stop short of saying thousands in attendance. While having seen no Covid-19 check-in QR Codes outside it was available at the entrance to Market Place but there appeared at the time to be no attempt to enforce its use. Outside at the food vans it could best be described as a “prolonged shoulder-to-shoulder crowd crush” and I for one, being a supporter of social distancing, could not get out quick enough; accordingly, and knowing that Council were so strict on applying the full extent of Covid-19 restrictions to its monthly meetings and the AGM, I now ask the following separate questions of Council
- a) As the site owner and host of the event, will Council confirm that the Twilight Market and Street Eats event of the 9th July, both in Market Place and Market Square, met all government imposed Covid-19 requirements for running such an event?
 - b) The Public Health Direction on the management of premises, among other requirements, states at item (f) that *“In relation to all premises other than residential premises, a person who owns or operates the premises must ensure that*
 - (i) each condition specified in Schedule 2 that is relevant to the premises is complied with; and*
 - (ii) where practicable, each person on the premises maintains a distance of not less than 1.5 metres between the person and any other person; and*
 - (iii) where practicable, persons on the premises are sufficiently separated from other persons”* - and

“a person must not organise a gathering held on premises other than residential premises if the gathering is organised, or conducted, in such a manner as to mean that the premises where the gathering is held does not comply with the requirements of paragraph (f) as they apply to the premises;....” ; accordingly and specifically, did Council attempt to ensure crowd compliance with applicable Covid-19 social distancing requirements, both within Market Place and Market Square, to minimise any legal liability should Covid-19 community transmissions have resulted from the event?

- Q2.** As the Twilight Market and Street Eats was advertised as being hosted by Devonport City Council, will Council disclose the total cost to ratepayers in staging this event including but not limited to staff time, advertising, entertainment, utilities usage and consumables costs?

2021-22 Annual Budget Questions

- Q3.** What is the 2021-22 Council budget allowance specific to Providore Place for staging events, including the monthly Twilight Market and Street Eats?
- Q4.** What is the 2021-22 Council budget allowance specific to supporting the weekly Don Market?
- Q5.** What is the 2021-22 Council budget allowance specific to supporting the fortnightly Farmers Market at the showgrounds?

Julie Burgess berthing infrastructure maintenance

- Q6.** Observation is that the Council owned pontoon and associated structures at the Julie Burgess berthing facility have been removed for maintenance; accordingly, will Council advise as to the following
- a) Is Council fully or in part funding these works?
 - b) Was it the intention of the Julie Burgess Deed of Gift and/or Financial Support Agreement Julie Burgess Inc. 2021-2025 terms that the ratepayers' \$40,000 annual contribution to Julie Burgess Incorporated be utilised to pay for these works?
 - c) Following the last \$40,000 annual instalment of the \$210,000 ratepayer contribution to Julie Burgess Incorporated scheduled for 2025, will any further maintenance of the Council owned berthing infrastructure for the Julie Burgess be solely funded by Julie Burgess Incorporated?

Please acknowledge receipt and ensure inclusion in full in the hardcopy of the July meeting Agenda.

Yours sincerely,

Malcolm Gardam

CC: Mayor & Councillors

From -Trevor Smith, Ratepayer,
7 Glen Court,
Devonport 7310.
To -The Mayor and Councillors,
Devonport City Council.

Subject: Questions on Notice for the council meeting 26-7-2021.

Q1 Why was it necessary to dig up the existing footpaths, and to reinstate them to a wider width, from the corner of Steele and Forbes Street, all the way to the corner of Harold and Forbes Street?

Q2 What is the cost to the Ratepayers, for replacing this footpath at the above location, which also included sections of kerb, and guttering, as well as laying hot mix across the entrance to Archer Street?

Q 3 How much further, along Forbes Street, will you be digging up the existing footpaths to make them wider?

Q 4 What is the cost to Ratepayers, for installing new footpaths, from Burrows Crescent, all the way to 74 Forbes Street Devonport?

Q 5 What is the total length of the footpath construction in regards to Question 4?

Q 6 This is my second attempt, to get an answer from you, in response to Question 3, which was asked in correspondence to you, on the 18th of June 2021, and no response was given, in Questions On Notice, for the 28th June 2021 Council Meeting!!
Question 3 asked” Will you ensure, and confirm, that you will record in Councils Safety Hazard Register, that I have brought to your attention, that there remain some dangerous sections of footpath, i.e. raised edges between the slabs, that should be rectified immediately” These raised edges are separate to what you have described to me!!

This is not a too hard a question, to give a simple reply to a Ratepayer of Devonport. **Safety of Ratepayers shouldn't be sidelined as being unimportant!!**

Q 7 What has been the yearly budget which, you have had with advertising notices in the Advocate, in the financial years 2018/19, 2019/20 and the years 2020/21?

Please include all of the above and the answers to my questions in the Agenda for the meeting.

Scheduled for 26 -07-2021

Trevor Smith. 17-7-2021

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

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Tasmanian Planning Scheme - Devonport

Application for Planning Permit

Use or Development Site

Street Address: Devonport City Council
40 - 48 Best Street Car Park

Certificate of Title Reference No.: N/A 176042/1

Applicant's Details

Full Name/Company Name: Claude Neon Media P/L

Postal Address: 7/26 Lampton Avenue
Derwent Park TAS 7009

Telephone: 0414 801 077

Email: ben.kutter@claudgroup.com.au

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

Full Name/Company Name: Devonport City Council

Postal Address: 137 Rooke St.
Devonport TAS 7310

Telephone: 6424 - 0561

Email: jgriffith@devonport.tas.gov.au



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?: *Please see attached.*

Description of how the use will operate: *Please see attached.*

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	\$460 b/c works @ \$20,000	✓
Completed Council application form		✓
Copy of the current certificate of title, including title plan and schedule of easements		
Any written permission and declaration of notification required under s.52 of LUPAA		
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		
• Topography 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 including any known threatened species, and trees and vegetation to be removed		
• The location, capacity and connection point of any existing services and proposed services		
• The location of easements on the site or connected to the site		
• Existing pedestrian and vehicle access to the site		
• The location of existing and proposed buildings on 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, parking areas and footpaths within the site		
• Any proposed open space, common space, or facilities on the site		
• 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		
• Parking space location and layout		
• Major elevations of every building to be erected		
• The relationship of the elevations to existing 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		
Details of any signage proposed		✓

Value of use and/or development

\$ 20,000

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

If land is not in applicant's ownership

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

Applicant's signature: [Signature]

Date: 3.6.21

If the application involves land owned or administered by the Devonport City Council
Devonport City Council consents to the making of this permit application.

General Manager's signature: [Signature]

Date: 9/6/21

If the application involves land owned or administered by the Crown
Crown consent must be included with the application.

Signature

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

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

PUBLIC ACCESS TO PLANNING DOCUMENTS - DISCRETIONARY PLANNING APPLICATIONS (s.57 of LUPAA)
I understand that all documentation included with a discretionary application will be made available for inspection by the public.

Applicant's signature: [Signature]

Date: 3.6.21.

PRIVACY ACT

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

Fee & payment options

DD

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



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



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



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

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 176042	FOLIO 1
EDITION 4	DATE OF ISSUE 31-May-2021

SEARCH DATE : 09-Jun-2021

SEARCH TIME : 10.09 AM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 1 on Sealed Plan 176042

Derivation : Part of Lot 1 (Sec.E) 1A-1R-0P Gtd. to Martin Edwards, Part of Lot 2 (Sec.E) 1A-1R-0P Gtd. to William Bryant Jnr., Part of Lot 5 (Sec.E) 1A-0R-0.9/10P Gtd. to The Warden Councillors & Electors of the Municipality of Devonport & Part of Lot 6 (Sec.E) 1 Acre Gtd. to Alfred Frederick Rooke
Prior CTs 173810/1, 172540/1, 214571/1, 209646/5, 145137/1 and 171841/1

SCHEDULE 1

A395372, C386370, E64030, E45537 & M644624 TRANSFER to
DEVONPORT CITY COUNCIL

SCHEDULE 2

D4224, E45537, M644621 & M644624 Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown

SP176042 EASEMENTS in Schedule of Easements

SP176042 FENCING COVENANT in Schedule of Easements

D4224 & E45537 FENCING PROVISION in Transfer

M644624 FENCING PROVISION in Transfer

E46589 LEASE to THE CROWN of a leasehold estate for the term of 10 years from 17-Aug-2018 (of that part of the said land within described as Lot 1 166m2 on the plan attached to the said lease) Registered 05-Nov-2019 at noon

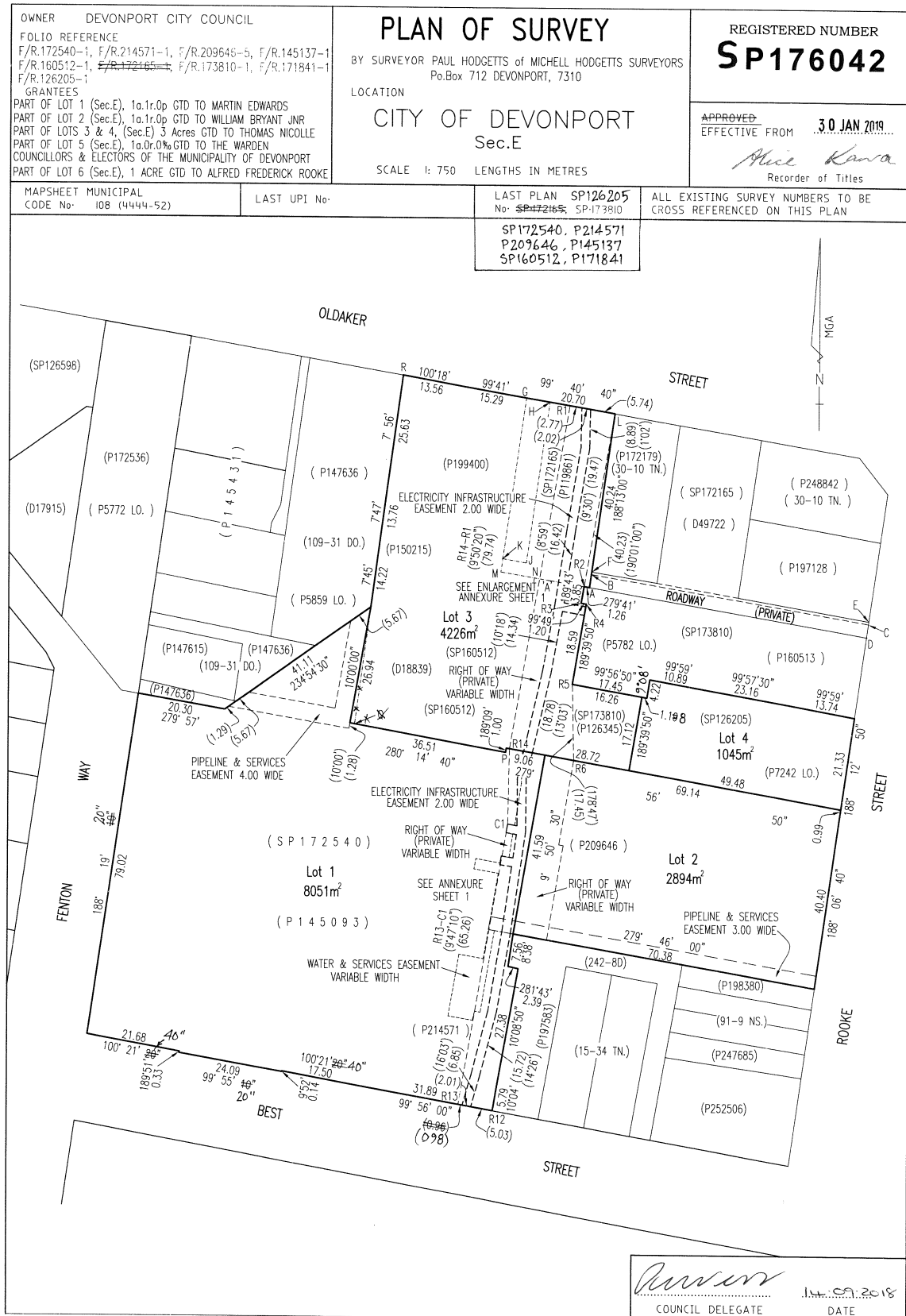
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

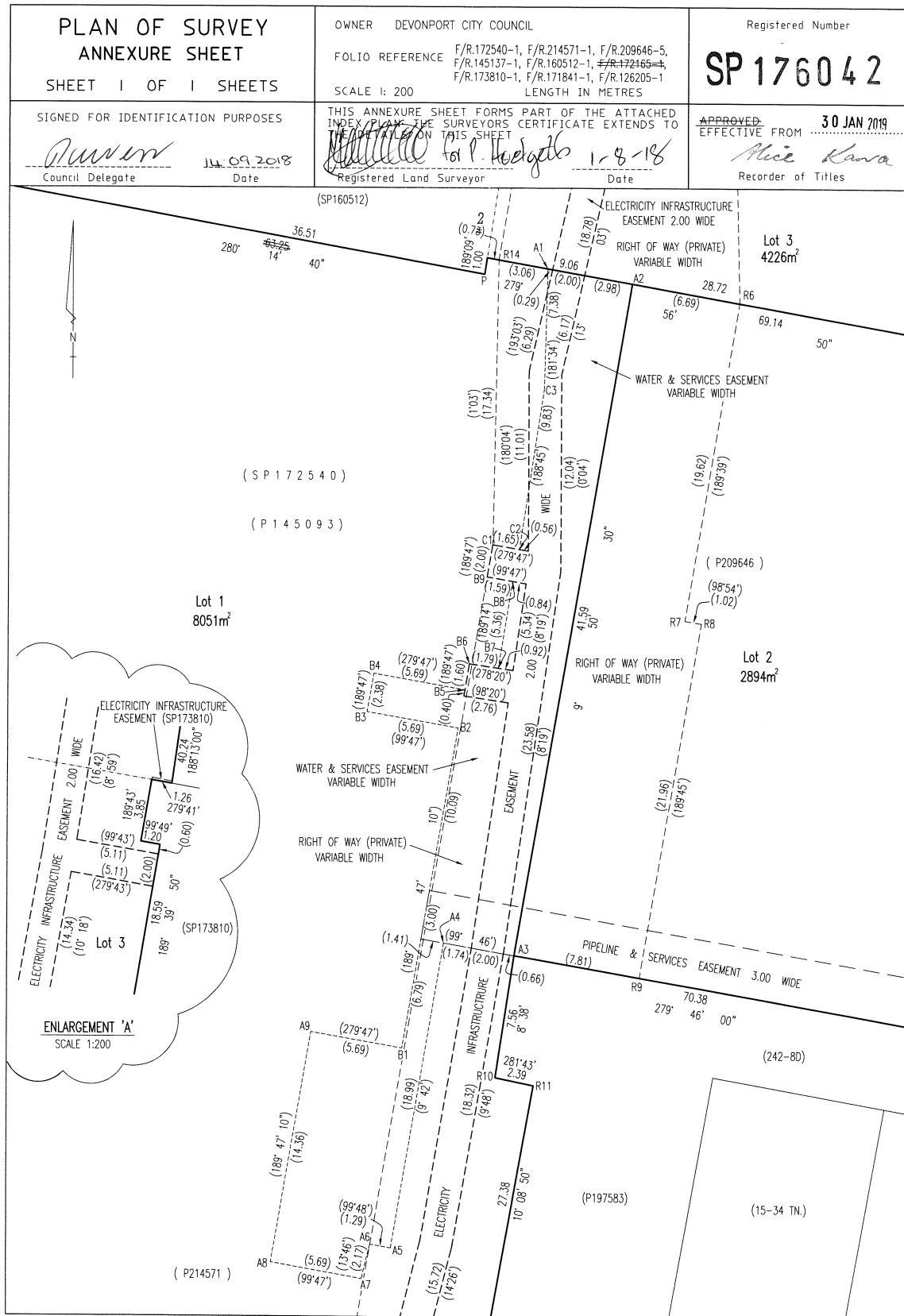
Issued Pursuant to the Land Titles Act 1980



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Assessment of an Application for a Use or Development

Background

1. In December 2020, Claude Neon Media Pty Limited ("Claude Neon Media") submitted a response to the Devonport City Council's ("DCC") Request for Quote AU 949401 – Advertising for local businesses and other organisations ("RFQ").
2. This RFQ related to the provision of signage at the DCC owned and managed Best Street Car Park ("Car Park").
3. Key drivers of the RFQ and Claude Neon's Media's response were the:
 - a. provision of a regulated and sensible signage package that allowed local Devonport businesses to advertise in a cost efficient manner and therefore to drive the local economy; and
 - b. payment of a material licence fee to DCC.
4. Claude Neon Media's response to the RFQ included a mock up of proposed sign locations for the signage.
5. Claude Neon Media and DCC executed an agreement for the provision of this signage and associated advertising services in the Car Park in February 2021.
6. Claude Neon Media then worked with DCC to agree the final locations of these signs.
7. As part of its final checks prior to installation, Claude Neon Media was advised that a planning permit is required for the location of these signs (as required by the planning scheme).

What is proposed?

1. Claude Neon Media has prepared a sign location schedule which it has been using with DCC to agree locations.
2. The internal locations are exempt from requiring a permit under the planning scheme. The four locations shown at Appendix A are not exempt and therefore require a planning permit. Claude Neon Media and DCC has been advise that the DCC Planning Department requires a discretionary planning application for these four locations



3. At each of these four locations, Claude Neon Media and DCC are proposing to locate a single, non-illuminated advertising signs (noting that one location is exclusively for council use). Please refer Appendix A.
4. We note that in broad terms that any signage needs to provide for appropriate advertising and display of information for business and community activity, to provide for well-designed signs that are compatible with the visual amenity of the surrounding area and to ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.
5. Claude Neon Media confirms that each of the proposed signs meets these criteria. Its signs are: entirely appropriate, have been approved in principle by DCC and are compatible with the visual amenity of the surrounding CBD streetscape and market square. In all cases the signage does not disrupt or compromise the safety and efficiency of vehicles or pedestrians. This is consistent with the purpose of the Tasmanian Planning Scheme – Devonport C1.0 Signs Code ("Signs Code") C1.1 – Code Purpose.

Proposed signage developmentThe below table provides some general particulars of the proposed signage development. For ease of reference, please again see Appendix A.

Appendix A Site Reference	Type of Sign	Size	Illumination	Additional Notes
Site 2B	Static sign	3m x 1.5m	No	Site has been requested by DCC and is for DCC use only to promote its own events. This is a community information sign and is exempt.
Site 8	Static sign	5.8m x 2m	No	
Site 9	Static sign	4.5m x 2m	No	
Site 11	Static sign	5.95m x 2.95m	No	Site was proposed by DCC.

Rationale to support the application addressing the signs compliance with the Signs Code contained with the Tasmanian Planning Scheme

Sign Standards – Table C1.6

Claude Neon Media confirms that the proposed signage development appropriately satisfies the sign standards for a billboard sign as required by Table C1.6 of the signs code. Specifically the signs: the signs are:

1. are proposed to be located in a central business zone – i.e. are within an applicable zone pursuant to C1.6 of the Signs Code;
2. have a maximum vertical dimension less than 3m;
3. have a maximum horizontal dimension of less than 6m; and
4. do not extend vertically or horizontally from the surface to which they are attached.

C1.6.1 Design and siting of signs – Objective

Claude Neon Media confirms that the signage:

1. is well designed and sited (see Appendix A); and
2. does not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.

Two of the signs (2B and 11) are located in positions where they are only visible to visitors to the market square and are entirely in keeping with the look and feel of the area.

Signs 8 and 9 are located within a well established business area, which features a range of existing signage development. They are neat, well made, their content is regulated by DCC and they do not contribute to visual clutter or loss of visual amenity when the surrounding area is business premises which have their own advertisements.

C1.6.1 Design and siting of signs – Performance Criteria
--

P1.1 – Comply - Claude Neon Media confirm that each of the signs the subject of this application are:

1. located within the central business zone as required by C1.6; and
2. are compatible with the streetscape and landscape, having regard to:
 - a. the size and dimensions of the signs – the signs are small and entirely compatible with the streetscape;
 - b. the size and scale of the Car Park is three stories tall covering the majority of a city block and the scale and proportion of the signs is in keeping with the scale of the Car Park;
 - c. the amenity of the surrounding properties is not affected by the signs – two of the signs are visible only in the market area – and the other two signs are located in the central business district which features a range of signage development. The Claude Neon Media signs are safe, maintained and DCC has complete control over their content;
 - d. the signs are static and the messages do not move or repeat messages or information;
 - e. the addition of the signs to the streetscape in the central business district would not be out of place at all and would not impact negatively based on the number or density of signs on adjacent properties. The number of signs proposed at the Car Park are minimal and appropriate and generate revenue for DCC and provide local businesses with the opportunity to advertise and grow their businesses;
 - f. the signs have no impact on pedestrian movements at all and they are wall mounted. The signs are of a type that are extremely common world wide. Their locations have been selected to have no negative impact on the movement of vehicles.

P1.2 Comply - Claude Neon Media confirms for the abovementioned reasons that all Performance Criteria for P1.2 are also met.

P2 Comply - This is not applicable as the signs are not less than 2m from the boundary of any lot in the listed zones.

P3 Comply - This is not applicable as Claude Neon Media is not proposing more than one sign per road frontage on the Car Park.

C1.6.3 Third party sign - Objective

The table below provides information in relation to how each site is compatible with the natural and built environment of the surrounding area, having regard to each specific Objective statements required under C1.6.3:

Site Reference – see Appendix A	Objective (a) Compatibility with streetscape and the character of the area in which it is proposed to be located	Objective (b) Manage the cumulative impact of third party signs on the character of an area	Objective (c) Minimise any potential impact of third party signs on road safety
Site 2B	Sign is static and also not illuminated and is completely compatible with the location. It is not on a street and faces a quadrangle where there is a large illuminated digital sign present. The DCC policy for the area also encourages local economic development and commercial vitality.	By entering into the agreement with Claude Neon Media, DCC is limiting the cumulative impact of signs on the area by governing the number of signs and also controlling what can be advertised on the signs. It is expressly and explicitly contracting with a third party to control and manage the impact of third party signage on the character of the area. The	Sign is not visible from a road and has no impact on road safety.

Site Reference – see Appendix A	Objective (a) Compatibility with streetscape and the character of the area in which it is proposed to be located	Objective (b) Manage the cumulative impact of third party signs on the character of an area	Objective (c) Minimise any potential impact of third party signs on road safety
		purpose of the Signs code is to manage not prohibit signage.	
Site 8	Sign is static and also not illuminated. Sign is compatible with the streetscape and character of the area. There is various advertising signage located on businesses near the proposed location. Car park is modern architecture and not a heritage building.	By entering into the agreement with Claude Neon Media, DCC is limiting the cumulative impact of signs on the area by governing the number of signs and also controlling what can be advertised on the signs. It is expressly and explicitly contracting with a third party to control and manage the impact of third party signage on the character of the area. The purpose of the Signs code is to manage not prohibit signage.	The proposed sign is not illuminated, is static and is an extremely common signage medium worldwide with no impact on road safety.
Site 9	Sign is static and also not illuminated. Sign is compatible with the streetscape and character of the area. There is various advertising signage located on businesses near the proposed location. Car park is	By entering into the agreement with Claude Neon Media, DCC is limiting the cumulative impact of signs on the area by governing the number of signs and also controlling what can be advertised on the signs. It is expressly and explicitly	The proposed sign is not illuminated, is static and is an extremely common signage medium worldwide with no impact on road safety.

Site Reference – see Appendix A	Objective (a) Compatibility with streetscape and the character of the area in which it is proposed to be located	Objective (b) Manage the cumulative impact of third party signs on the character of an area	Objective (c) Minimise any potential impact of third party signs on road safety
	modern architecture and not a heritage building.	contracting with a third party to control and manage the impact of third party signage on the character of the area. The purpose of the Signs code is to manage not prohibit signage.	
Site 11	Sign is static and also not illuminated and is completely compatible with the location. It is not on a street and faces a quadrangle where there is a large illuminated digital sign present. The DCC policy for the area also encourages local economic development and commercial vitality.	By entering into the agreement with Claude Neon Media, DCC is limiting the cumulative impact of signs on the area by governing the number of signs and also controlling what can be advertised on the signs. It is expressly and explicitly contracting with a third party to control and manage the impact of third party signage on the character of the area. The purpose of the Signs code is to manage not prohibit signage.	Sign is not visible from a road and has no impact on road safety.

C1.6.3 Response – P1 - Performance Criteria

The table below provides information in relation to how each site is compatible with the natural and built environment of the surrounding area, having regard to each specific performance criteria required under C1.6.3:






Appendix A Site Reference	Result	Performance Criteria – the content of the sign	Performance Criteria – the necessity for the advertisement to be in the location	Performance Criteria – opportunities for alternative locations or other methods to achieve the intended purpose (e.g. eligibility for TVIS signs	Performance Criteria – the likely impact on the operation and safety of a railway, road, footpath or navigable water	Performance Criteria – any advice from a State authority
Site 2B	Comply	The content of the sign will contain only DCC material.	The signs located in Market Square present an opportunity for council messages to be delivered to the community.	Requested by DCC.	There is no likely impact as signs are wall mounted and will have no impact on any of the transport methods listed.	N/A
Site 8	Comply	All material on the sign will be	The signs have been specifically located at	Per RFT and DCC requirements the	There is no likely impact as signs	N/A

		approved by DCC and must be removed immediately if unacceptable.	the Car Park locations as they provide maximum visibility to drive traffic to local businesses, provide a revenue stream to DCC and grow the local economy.	location selected best drives local business and council revenue outcomes.	are wall mounted and will have no impact on any of the transport methods listed.	
Site 9	Comply	All material on the sign will be approved by DCC and must be removed immediately if unacceptable.	The signs have been specifically located at the Car Park locations as they provide maximum visibility to drive traffic to local businesses, provide a revenue stream to DCC and grow the local economy.	Per RFT and DCC requirements the location selected best drives local business and council revenue outcomes.	There is no likely impact as signs are wall mounted and will have no impact on any of the transport methods listed.	N/A
Site 11	Comply	All material on the sign will be approved by DCC and must be removed	The signs have been specifically located at the Car Park locations as they provide maximum visibility to	Per RFT and DCC requirements the location selected best drives local business	There is no likely impact as signs are wall mounted and will have no impact on any of	N/A

		immediately unacceptable.	if	drive traffic to local businesses, provide a revenue stream to DCC and grow the local economy.	and council revenue outcomes.	the transport methods listed.	
--	--	---------------------------	----	--	-------------------------------	-------------------------------	--






Appendix A

Proposal Site
SITE 2B

-  Devonport City Council Car Park
-  STATIC
-  FINISHED SIZE
3000 x 1500mm
-  FORMAT
Landscape
-  ILLUMINATION
NIL








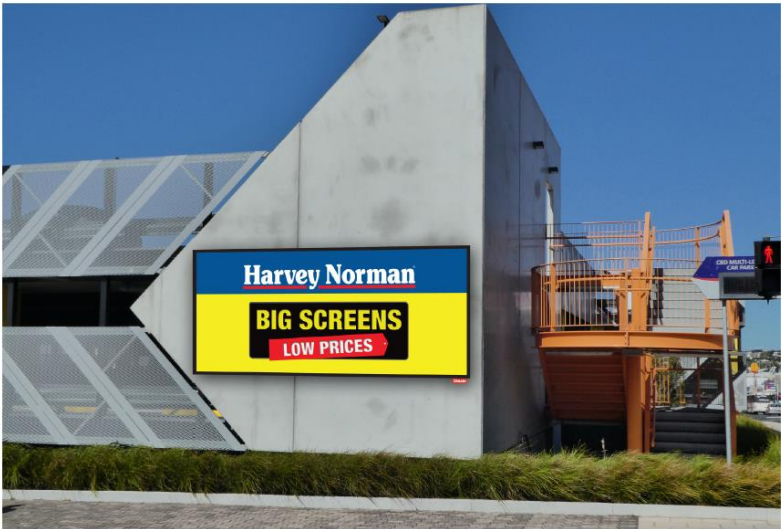
Proposal Site
SITE 8

-  Devonport City Council Car Park
-  STATIC
-  FINISHED SIZE
5800 x 2000mm
-  FORMAT
Landscape
-  ILLUMINATION
NIL








Proposal Site
SITE 9

-  Devonport City Council Car Park
-  STATIC
-  FINISHED SIZE
4500 x 2000mm
-  FORMAT
Landscape
-  ILLUMINATION
NIL



Proposal Site
SITE 11

-  Devonport City Council Car Park
-  STATIC
-  FINISHED SIZE
5950 x 2950mm
-  FORMAT
Landscape
-  ILLUMINATION
NIL



Proposal Site **SITE 2B**



Devonport City
Council Car Park



STATIC



FINISHED SIZE
3000 x 1500mm



FORMAT
Landscape



ILLUMINATION
NIL



Ben Harrison M: 0418 338 355 E: ben.harrison@claudeneon.com.au

Claude Neon Media Unit 7-26 Lampton Ave, Derwent Park, Hobart TAS 7009
claudeneon.com.au/locations/TAS (03) 6234 8488

**Claude
Neon
Media**

Proposal Site **SITE 8**



Devonport City
Council Car Park



STATIC



FINISHED SIZE
5800 x 2000mm



FORMAT
Landscape



ILLUMINATION
NIL



Ben Harrison M: 0418 338 355 E: ben.harrison@claudeneon.com.au

Claude Neon Media Unit 7-26 Lampton Ave, Derwent Park, Hobart TAS 7009
claudeneon.com.au/locations/TAS (03) 6234 8488

**Claude
Neon
Media**

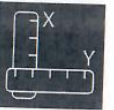
Proposal Site **SITE 9**



Devonport City
Council Car Park



STATIC



FINISHED SIZE
4500 x 2000mm



FORMAT
Landscape



ILLUMINATION
NIL



Ben Harrison M: 0418 338 355 E: ben.harrison@claudeneon.com.au

Claude Neon Media Unit 7-26 Lampton Ave, Derwent Park, Hobart TAS 7009
claudeneon.com.au/locations/TAS (03) 6234 8488

**Claude
Neon
Media**

Proposal Site **SITE 11**



**Devonport City
Council Car Park**



STATIC



FINISHED SIZE
5950 x 2950mm



FORMAT
Landscape



ILLUMINATION
NIL



Ben Harrison M: 0418 338 355 E: ben.harrison@claudeneon.com.au

Claude Neon Media Unit 7-26 Lampton Ave, Derwent Park, Hobart TAS 7009
claudeneon.com.au/locations/TAS (03) 6234 8488

**Claude
Neon
Media**

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

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Tasmanian Planning Scheme - Devonport

Application for Planning Permit

Use or Development Site

Street Address: 6 Matthews Way Devonport

Certificate of Title Reference No.: 15811/26

Applicant's Details

Full Name/Company Name: 6ty° Pty Ltd

Postal Address: PO Box 63 Riverside TAS 7250

Telephone: 0417 921 661

Email: gwalker@6ty.com.au

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

Full Name/Company Name: DELHY PTY LTD

Postal Address: PO Box 1091 Devonport TAS 7310

Telephone: _____

Email: _____



ABN: 47 611 446 016

PO Box 604

137 Rooke Street

Devonport TAS 7310

Telephone 03 6424 0511

www.devonport.tas.gov.au

council@devonport.tas.gov.au

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

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: Construction of a building for use as a private motor repair workshop

Description of how the use will operate: Private motor repair workshop

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 the current certificate of title, including title plan and schedule of easements	
Any written permission and declaration of notification required under s.52 of LUPAA	
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	
• Topography 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 including any known threatened species, and trees and vegetation to be removed	
• The location, capacity and connection point of any existing services and proposed services	
• The location of easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing and proposed buildings on 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, parking areas and footpaths within the site	
• Any proposed open space, common space, or facilities on the site	
• 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	
• Parking space location and layout	
• Major elevations of every building to be erected	
• The relationship of the elevations to existing 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	
Details of any signage proposed	

Value of use and/or development

\$ 300,000.00

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

If land is not in applicant's ownership

I, George Walker obo 6ty° Pty Ltd declare that the owner/s of the land has/have been notified of my intention to make this application.

Applicant's signature: _____ Date: _____

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

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

General Manager's signature: _____ Date: _____

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

Signature

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

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

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

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

Applicant's signature: _____ Date: _____

PRIVACY ACT

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

Fee & payment options

DD

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



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



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



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

Our Ref: 21.063

Measured form and function



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ABN 27 014 609 900

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57 Best Street
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Devonport 7310
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16 June 2021

Matthew Atkins
General Manager
Devonport City Council
By Email: council@devonport.tas.gov.au

Dear Mr Atkins,

DEVELOPMENT APPLICATION – CONSTRUCTION OF SHED – 6 MATTHEWS DRIVE, DEVONPORT

Please find enclosed a development application for construction of a building located at 171-199 Stony Rise Road, Stony Rise ("the site" refer to Figure 1). The development application includes:

1. completed permit application form
2. planning compliance letter detailing the proposed use and development
3. certificate of title for the site
4. architectural drawings

Figure 1 - aerial image showing the boundary of the site.



Source: base image and data from the LIST (www.thelist.tas.gov.au) © State of Tasmania

Our Ref: 21.063

1 Planning Overview

Location	6 Matthews Way, Devonport
Title Information	Certificate of Title Volume 15811 Folio 26
Area	1,620m ²
Planning Instrument	<i>Tasmanian Planning Scheme</i> ("the Scheme")
Zoning	18.0 - Light Industrial
Applicable Codes	C2.0 - Parking and Sustainable Transport C3.0 - Road and Railway Assets
Overlays	Airport Obstacle Limitation Area
Use	Service Industry
Sub-use	Motor Repairs
Development	Construction of Shed
Status	Discretionary

2 Subject Site and Adjacent Land

The site comprises a single lot that has a site area of 620m². It is located on the western side of Matthews way and adjoins lots that contain buildings to the north and south. Adjoining lots to the east also contain buildings. The site and land contained in adjoining and adjacent lots in all directions is zoned Light Industrial with most lots containing industrial buildings.

Stoney Rise Road and the Bass Highway to the west are zoned Utilities and land contained within the General Residential zone is located 50.5m to the north and 218m to the east.

3 Proposed Use and Development

The site is currently vacant. The proposal seeks to construct a building that will be used as a motor repair workshop. It will be constructed to the southern boundary which will allow provision for a 3.5m vehicle accessway along the northern side boundary of the site.

It will have a floor area of 797m², a building height of 6.475m and four roller doors for vehicle access and egress. Two doors will face the frontage and two doors will face the rear boundary. Stormwater will be piped to stormwater disposal infrastructure that is located along the rear boundary.

An existing access will be utilised with the apron between the building and frontage to be concreted.

Our Ref: 21.063

4 Planning Assessment

4.1 Application Status

For the purposes of Clause 6.2 of the Scheme, the proposed use and development is categorised within the Service Industry use class, which is defined as follows in Table 8.2 of the Scheme:

use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.

The proposal meets the motor repairs sub use class for Service Industry. The building will be used to service and repair private vehicles and will not operate on a commercial basis.

Use of land for Service Industry is identified as being 'Permitted' in accordance with Table 18.2 of the Scheme.

The zones, code and specific area plan standards that apply to the proposed use and development are addressed in Sections 4.2 to 4.4 below.

4.2 Light Industrial Zone

18.3 Use Standards			
Clause	Requirement	Assessment	Compliance
18.3.1 All uses			
A1	Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of: <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	The site is located approximately 50.5m from the nearest General Residential zoned land to the north measured from the north-western corner of the site to the rear boundary of 7 Lapthorne Close.	Not applicable.

Our Ref: 21.063

18.3 Use Standards			
Clause	Requirement	Assessment	Compliance
A2	<p>External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must:</p> <ul style="list-style-type: none"> (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones. 	The site is located approximately 50.5m from the nearest General Residential zoned land to the north measured from the north-western corner of the site to the rear boundary of 7 Lapthorne Close.	Not applicable.
A3	<p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	The site is located approximately 50.5m from the nearest General Residential zoned land to the north measured from the north-western corner of the site to the rear boundary of 7 Lapthorne Close.	Not applicable.

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18.4 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
18.4.1 Building height			
A1	Building height must be not more than 10m.	The proposed building will have a height of 6.47m.	Complies with acceptable solution.
A2	Building height: (a) within 10m of a General Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m; or (b) within 10m of an Inner Residential Zone must be not more than 9.5m.	The site is located approximately 50.5m from the nearest General Residential zoned land to the north measured from the north-western corner of the site to the rear boundary of 7 Lapthorne Close. The site is located over 3km from the nearest Inner Residential zoned land (39A North Fenton Street).	Not applicable. Not applicable.
19.4.2 Setback			
A1	Buildings must have setback from a frontage of: (a) not less than 5.5m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	The proposed building will be setback 13.2m from the frontage.	Complies with acceptable solution.
A2	Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than: (a) 4m; or (b) half the wall height of the building,	The site does not adjoin or contain zone boundaries.	Not Applicable.

Our Ref: 21.063

18.4 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
	whichever is the greater.		
A3	Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone.	The site is located approximately 50.5m from the nearest General Residential zoned land to the north measured from the north-western corner of the site to the rear boundary of 7 Lapthorne Close.	Not applicable.
18.4.3 Fencing			
A1	No Acceptable Solution.	No fencing is proposed.	Complies with acceptable solution.
18.4.4 Outdoor storage areas			
A1	Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	Outdoor storage areas will be located to the rear of the building and will not be visible from the public road network.	Complies with acceptable solution.
18.4.5 Landscaping			
A1	If a building is set back from a road, landscaping treatment must be provided along the frontage of the site:		
	(a) to a depth of not less than 5.5m; or	Landscaping will be provided but not to a depth of 5.5m measured from the frontage.	Relies on performance criteria.
	(b) not less than the frontage of an existing building if it is a lesser distance.	The site does not contain an existing building.	Not applicable.

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4.3 Parking and Sustainable Transport Code

The code applies to all use and development in accordance with clause C2.2 of the Scheme.

C2.5 Use Standards			
Clause	Requirement	Assessment	Compliance
C2.5.1 Car parking numbers			
A1	The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:	Table C2.1 requires 1 space per 80m ² of floor area or 2 spaces per 3 employees, whichever is greater. The building will have a gross floor area of 797m ² and the proposed use will not involve employees. Accordingly, 10 car parking spaces are required to be provided. In this instance, the site is capable of accommodating a minimum of 10 car parking spaces within the proposed building and in the outdoor area to the rear and in front of the building.	Complies with acceptable solution.
	(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;	The site is not subject to a parking plan.	Not applicable.
	(b) the site is contained within a parking precinct plan and subject to Clause C2.7;	The site is not contained within a parking precinct plan subject to Clause C2.7.	Not applicable.
	(c) the site is subject to Clause C2.5.5; or	The site is not subject to Clause C2.5.5 which relates to the General Residential and Inner Residential zones and to specific uses within those zones.	Not applicable.

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C2.5 Use Standards			
Clause	Requirement	Assessment	Compliance
	<p>(d) it relates to an intensification of an existing use or development or a change of use where</p> <p>(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</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces</p>	The proposal relates to a new use.	Not applicable.

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C2.5 Use Standards			
Clause	Requirement	Assessment	Compliance
	<p>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>		
C2.5.2 Bicycle parking numbers			
A1	<p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(a) be no less than the number specified in Table C2.1.</p>	<p>Table C2.1 requires 1 bicycle parking space per 5 employee. IN this instance, the proposed use will not operate on a commercial basis and will therefore not involve employees. Accordingly, no bicycle parking spaces are required to be provide under the terms of Table C2.1.</p>	No applicable.
C2.5.3 Motorcycle parking numbers			
A1	<p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be</p>	<p>Clause 2.5.3 does not apply to the Service Industry use class in accordance with clause C2.2.2 of the Scheme.</p>	Not Applicable.

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C2.5 Use Standards			
Clause	Requirement	Assessment	Compliance
	based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.		
C2.5.4 Loading Bays			
A1	A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Clause 2.5.4 does not apply to the Service Industry use class in accordance with clause C2.2.3.	Not applicable.

C2.6 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
C2.6.1 Construction of parking areas			
A1	<p>All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and 	<p>The building, frontage apron, accessway and vehicle parking and circulation area at the rear of the building will be constructed with a concrete surface.</p> <p>All hardstand and roofed surfaces will be drained to the public stormwater system.</p>	Complies with acceptable solution.

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C2.6 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
	(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Aforementioned, the building, frontage apron, accessway and vehicle parking and circulation area at the rear of the building will be constructed with a concrete surface.	
C2.6.2 Design and layout of parking areas			
A1.1	Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with Australian Standard AS 2890 – Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;	All parking, access ways, manoeuvring and circulation spaces will: have a gradient of less than 25% (maximum allowed under AS2890). provide for vehicles to enter and exit the site in a forward direction.	Complies Complies

C2.6 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
	(iii) have an access width not less than the requirements in Table C2.2;	The building will be setback a minimum distance of approximately 13m from the frontage. This distance allows all access points and accessways to have a minimum width of 4.5m for the first 7m from the road and 3m thereafter. At the change of direction at the rear of the northern access laneway, there will be greater than 4.2m in width between the building and rear boundary.	Complies
	(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;	Car parking spaces are capable of having a width of 2.6m and length of 5.4m which are required for 90° parking spaces.	Complies
	(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;	Car parking spaces are capable of being provided with an access and manoeuvring width of greater than 5.8m which is required for 90° car parking spaces.	Complies
	(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and	The car parking spaces will have a vertical minimum clearance of 4.5m which is the height of the roller door. Outdoor parking spaces will have not vertical impediments.	Complies
	(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or	Car parking spaces are capable of being line marked.	Complies

Our Ref: 21.063

C2.6 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
	(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.	Not relied upon.	Not applicable.
A1.2	<p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i></p>	<p>An accessible parking space is capable of being located adjacent to the entrance of the building or within the building.</p> <p>A specific car parking design has not been adopted due to the nature of the proposed use. Notwithstanding, an accessible is capable of being provided in a convenient location relative to the building.</p> <p>An accessible parking space is capable of being constructed in accordance with AS2890.6: 2009.</p>	<p>Complies</p> <p>Complies</p> <p>Complies</p>
C2.6.3 Number of accesses for vehicles			
A1	<p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>The site will utilise an existing rollover kerb which extends for the width of the frontage as a crossover.</p> <p>Not relied upon.</p>	<p>Complies</p> <p>Not applicable.</p>
C2.6.5 Pedestrian access			

Our Ref: 21.063

C2.6 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
A1	<p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p>	A specific car parking design has not been adopted and, as such, dedicated pedestrian access is unlikely to be proposed given the nature of the use.	Relies on performance criteria.
A1.2	In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.	The finished surface of the building and outdoor hardstand areas will not be steeper than 1:14.	Complies
C2.6.6 Loading bays			

Our Ref: 21.063

C2.6 Development Standards for Buildings and Works			
Clause	Requirement	Assessment	Compliance
A1	The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.	The proposal is not required to provide loading bays.	Not applicable.
A2	The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.	The proposal is not required to provide loading bays.	Not applicable.

4.3 Road and Railway Assets Code

Our Ref: 21.063

C3.5 Use Standards			
Clause	Requirement	Assessment	Compliance
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction			
A1.1	For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. 	Matthews Way is not a Category 1 or access road.	Not applicable.
A1.2	For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.	Written consent from Council as the road authority is sought in conjunction with the development application.	Complies
A1.3	For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	The site is not impacted by a rail network.	Not applicable.
A1.4	Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a 	<p>The proposed use will not generate greater than 40 vehicle movements per day.</p> <p>Not relied upon.</p>	<p>Complies</p> <p>Not applicable.</p>

Our Ref: 21.063

Measured form and function



	limited access road.		
A1.5	Vehicular traffic must be able to enter and leave a major road in a forward direction.	Matthews Way is not a major road.	Not applicable.

Our Ref: 21.063

5 Performance Criteria

5.1 Clause 18.4.5 Landscaping – Performance Criteria P1

The objective of the standard is:

That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.

The Performance Criteria require:

If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:

- (a) the width of the setback;*
- (b) the width of the frontage;*
- (c) the topography of the site;*
- (d) existing vegetation on the site;*
- (e) the location, type and growth of the proposed vegetation;*
- (f) any relevant local area objectives contained within the relevant Local Provisions Schedule.*

Performance Criteria Assessment:

In this instance, the lot has a narrow frontage relative to other lots within the street. As such, the width of the frontage limits the ability to provide landscaping in the frontage setback concurrently with reasonable vehicle access. The proposed building will include two roller doors that face the frontage with the façade and vehicular access apron in the frontage occupying approximately 92% of the width of the frontage (in relative terms). Accordingly, there is limited opportunity to provide substantial landscaping in accordance with the requirements of the acceptable solution. Accordingly, it is proposed to provide landscaping along a portion of the southern boundary which will wrap around the southern end of the frontage. Landscaping within this area will assist with softening the appearance of the proposed development within the streetscape.

The proposal satisfies clause 18.4.5 P1.

5.3 Clause C2.6.5 Pedestrian access – Performance Criteria P1

The objective of the standard is:

That pedestrian access within parking areas is provided in a safe and convenient manner.

The Performance Criteria require:

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

Our Ref: 21.063

- (g) the characteristics of the site;*
- (h) the nature of the use;*
- (i) the number of parking spaces;*
- (j) the frequency of vehicle movements;*
- (k) the needs of persons with a disability;*
- (l) the location and number of footpath crossings;*
- (m) vehicle and pedestrian traffic safety;*
- (n) the location of any access ways or parking aisles; and*
- (o) any protective devices proposed for pedestrian safety.*

Performance Criteria Assessment:

Whilst Table C2.1 requires a minimum of 10 car parking spaces for the proposed use, the nature of the use, being a private motor repair workshop, will require substantially less than 10 car parking spaces. Car parking spaces are capable of being provided in the outdoor space within the frontage or at the rear of the building or within the building itself. Due to the expected low vehicle turnover and visitation to the site, dedicated pedestrian circulation areas are not considered necessary. Pedestrians will be able to circulate around parked cars throughout the site in a safe and convenient manner due to the nature of the proposed use.

The proposal satisfies Clause C2.6.5 P1.

Our Ref: 21.063

Measured form and function



6 Conclusion

The proposal seeks planning approval to construct a building for use as a private motor repair workshop at 6 Matthews Way, Devonport. The proposed use is 'Permitted' within the Light Industrial zone in accordance with Table 18.2 of the Scheme. The proposal complies with most applicable acceptable solutions of the Scheme and a 'Discretionary' development application pathway is maintained in accordance with clause 6.8.1(b) of the Scheme and section 57 of the *Land Use Planning and Approvals Act 1993*.

Please do not hesitate to contact me should you have any queries on this application.

Yours faithfully

6ty° Pty Ltd

A handwritten signature in black ink, appearing to read 'G Walker'.

George Walker
Director/Planning Consultant

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 15811	FOLIO 26
EDITION 2	DATE OF ISSUE 20-Jul-2005

SEARCH DATE : 01-Mar-2021

SEARCH TIME : 10.00 AM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 26 on Sealed Plan 15811

Derivation : Part of Lot 3507 Gtd. to J. Fenton, Part of
1A-3R-0Ps. Gtd. to A.O. Priest, Part of Lot 2848 Gtd. to J.

Cartledge and Part of Lot 10795A Gtd. to G. Atkinson

Prior CT 3885/46

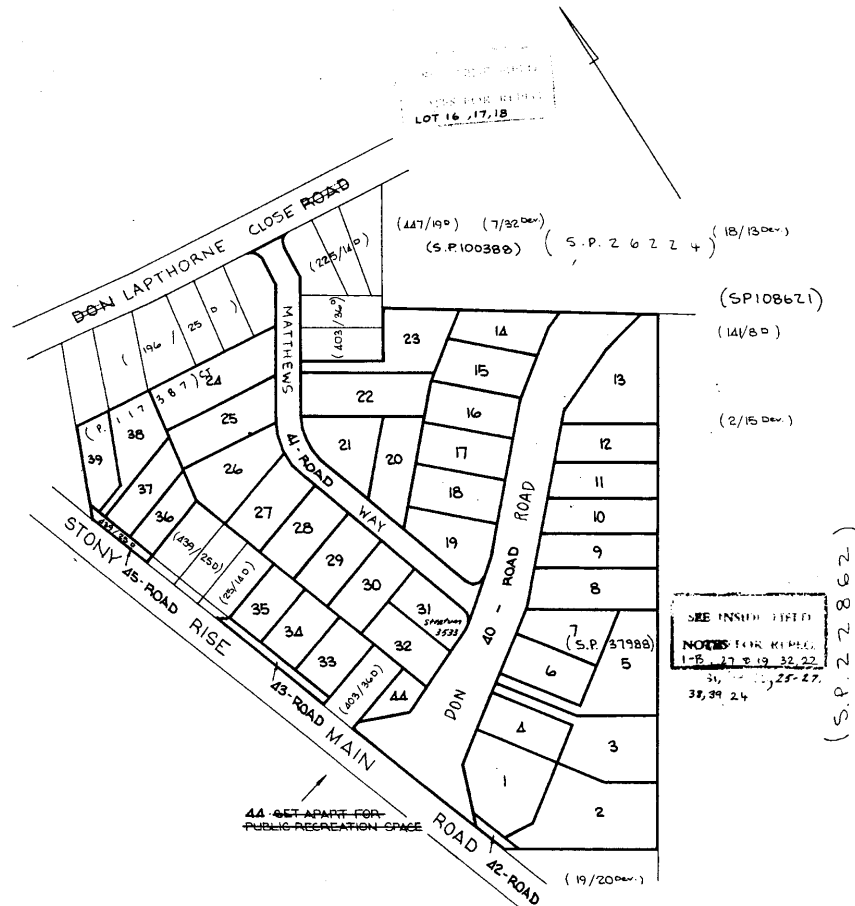
SCHEDULE 1C628579 TRANSFER to DELHY PTY LTD Registered 20-Jul-2005 at
noonSCHEDULE 2Reservations and conditions in the Crown Grant if any
SP 15811 FENCING COVENANT in Schedule of EasementsUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN**RECORDER OF TITLES**

Issued Pursuant to the Land Titles Act 1980

Owner: T.G. Matthews (Hardware) Pty. Ltd.	PLAN OF SURVEY by Surveyor MAE R.P. FRANKS of land situated in the	Registered Number: S.P. 15811
Title Reference: CT 2757-78 Conv. 45/2090	TOWN OF DEVONPORT	Effective from: 2.9. APR. 1981
Grantee: Part of Lot 3507, 50 ^{Ac} James Fenton, pur. Part of 1 st 3 rd 0 th Alice Olivia Priest, pur. Part of Lot 2848, 50 ^{Ac} James Cartledge, pur. & Part of Lot 10795A, George Atkinson, pur.	Scale 1:2000 Measurements in metres	ACTING DEPUTY Recorder of Titles



S. 681458 ADHESION ORDER ADHERING LOT 16, LOT 17, & LOT 18.
S. 817265 ADHESION ORDER ADHERING LOT 24, LOT 38, & LOT 39. (SEE P.117387)

C876973 THE NOTATION "SET APART FOR PUBLIC RECREATION SPACE" HAS BEEN DELETED FROM LOT 44 HEREON PURSUANT TO REQUEST TO AMEND MADE UNDER SECTION 103 OF THE LOCAL GOVERNMENT (BUILDING AND MISCELLANEOUS PROVISIONS) ACT 1993

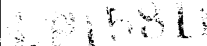
Alice Kawa
RECORDER OF TITLES

17 NOV 2008

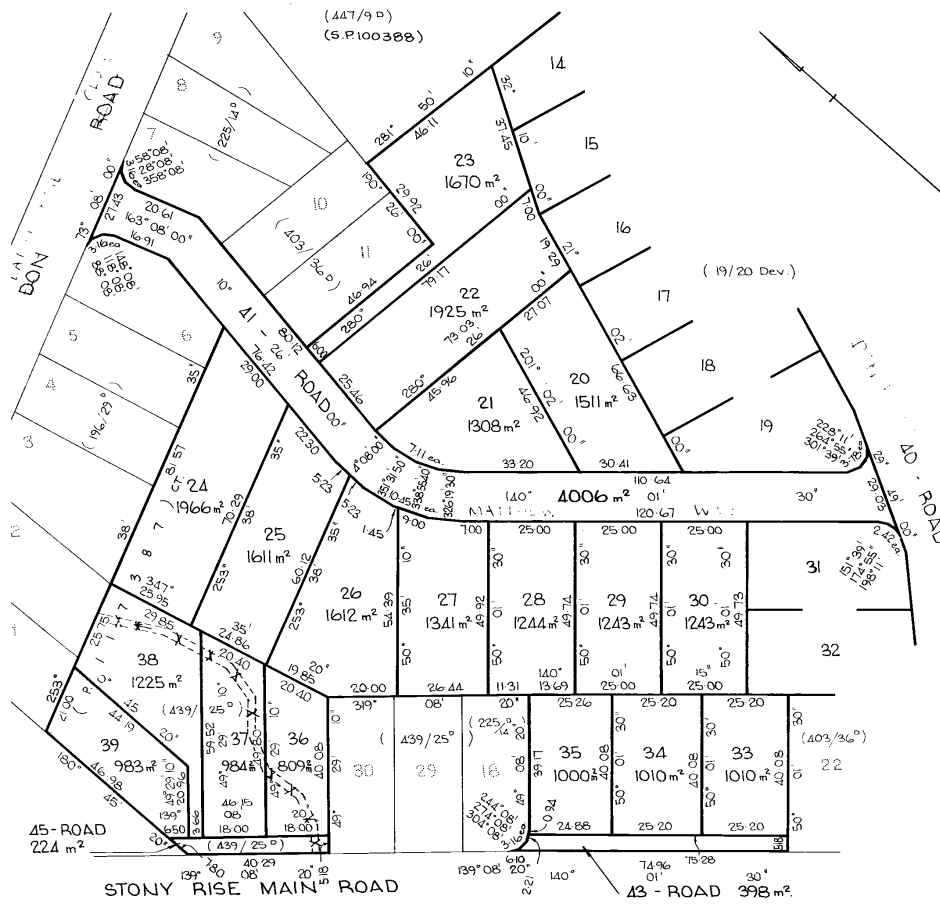
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE SHEET No.1 of 2 annexures to plan by Surveyor	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 22-5-80 and that certificate extends to the detail shown on this sheet.	Registered Number: 
Signed for the purposes of identification Surveyor: MR E.R.P. FRANKS Owner: T.G. Matthews (Hardware) Pty. Ltd. Title Reference: C.T. 2757-78 C.M. 45-2670		

Scale 1:1000 Measurements in metres.



DRAINAGE EASEMENT OVER LOTS 36 TO 38 AND 45
 DELETED BY ME PURSUANT TO A REQUEST TO AMEND
 NO. A. 184167 MADE UNDER SECTION 481 OF THE
 LOCAL GOVERNMENT ACT 1962

ACTING DEPUTY RECORDER OF TITLES

/ / 1982

B. 817265 ADHESION ORDER UNDER SECTION 110
 OF THE LOCAL GOVT. B. & M.P. ACT N° 96 OF 1993
 ADHERING LOT 24, LOT 38 AND LOT 39.

RECORDER OF TITLES 27 04 1995
 DATE

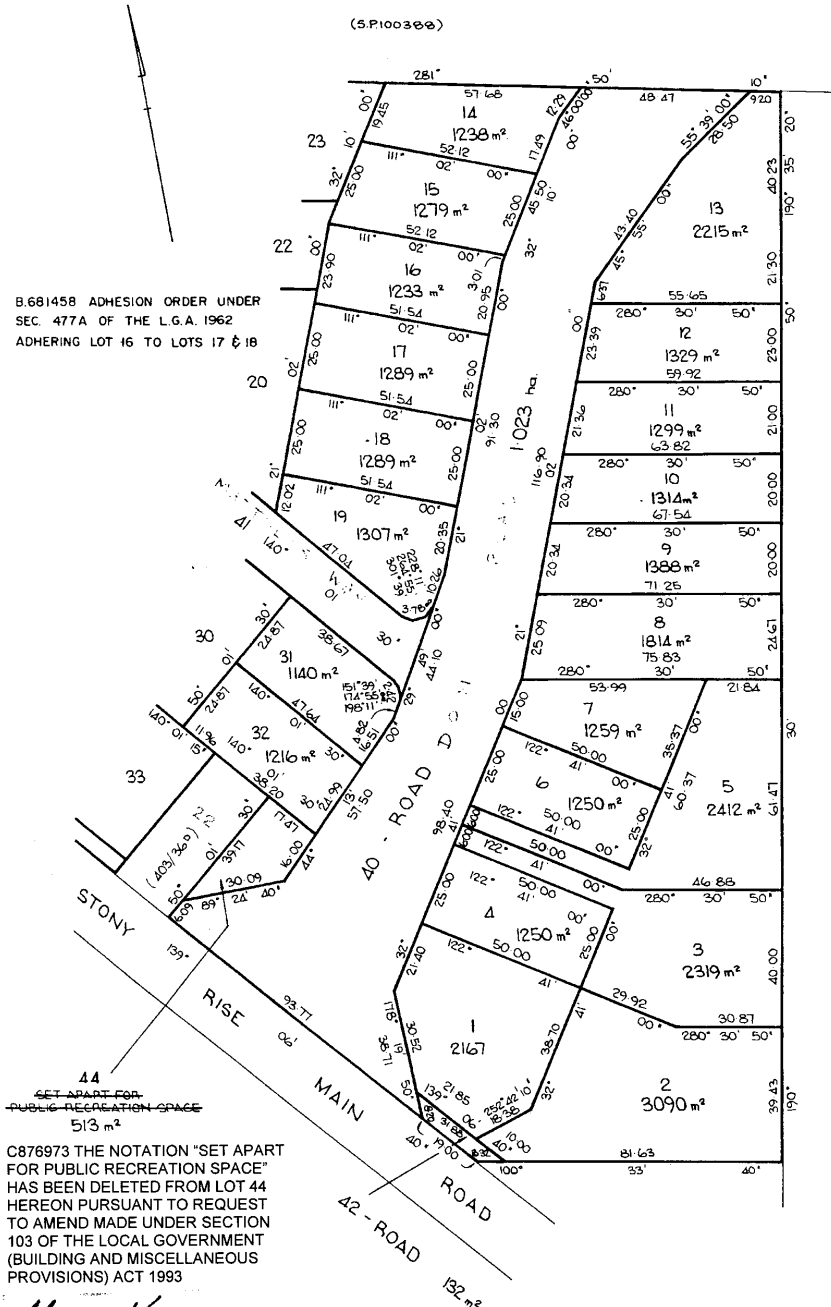
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

<p>ANNEXURE SHEET No. 2</p> <p>(of 2 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 22-5-88 and that certificate extends to the detail shown on this sheet.</p> <p><i>[Signature]</i></p>	<p>Registered Number:</p> <p>S.P.15811</p>
<p>Signed for the purposes of identification</p>	<p>Surveyor: MR. R.P. FRANKS</p> <p>Owner: T.G. Matthews (Hardware) Pty. Ltd.</p> <p>Title Reference: CT 2157 - 7B</p>	

Scale 1:1000 Measurements in metres.



Alice Kawa
RECORDER OF TITLES 17 NOV 2008

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

Plan No.

S.P

15811

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.

PART 1

No ~~profits~~ profits a prendre are created to benefit or burden any lot shown on the plan

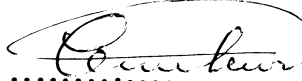
~~Lots 36 to 38 and 45 are each subject to a right of drainage in favour of the Warden Councillors and Electors of the Municipality of Devonport over such portions of the drainage easement shown hereon passing through such lot.~~

PART 2

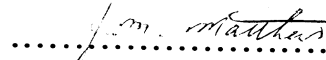
The owner of each lot shown on the plan covenants with the Vendor (T G MATTHEWS PROPERTIES PTY LTD) that the Vendor shall not be required to fence.

The COMMON SEAL of T G MATTHEWS)
PROPERTIES PTY LTD the registered)
 proprietor of the land comprised)
 in Certificate of Title Volume)
 2757 Folio 78 and the Beneficial)
 Owner of the land comprised in)
 Conveyance number 52/5894 was)
 hereunto affixed in the presence)
 of:)






 Director



 Secretary

Reference to Drainage Easement over Lots 36 to 38 and 45 deleted by me pursuant to a Request to Amend No. A784167 made under Section 481 of The Local Government Act 1962.


 Acting Deputy Recorder
 of Titles

19 / 4 / 1982

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

This is the schedule of easements attached to the plan of T G MATTHEWS PROPERTIES PTY LTD
(Insert Subdivider's Full Name)

..... affecting land in

Certificate of Title Volume 2757 Folio 78 and conveyance number 52/5894
(Insert Title Reference)

Sealed by Derwent Municipal Council on 23rd February 1981

35066

Council Clerk/Town Clerk

Project: NEW SHED

At: 6 MATTHEWS WAY DEVONPORT TAS 7310

For: DELHY PTY LTD

Project: 21.063

Drawings:

- Ap00
- COVER SHEET
- Ap01
- SITE PLAN
- Ap02
- PLANS AND ELEVATIONS

PLANNING DOCUMENT

Issue date: 18-06-2021



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E admin@6ty.com.au

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Launceston Tasmania
P (03) 6332 3300

57 Best Street
Devonport Tasmania
P (03) 6424 7161

6ty Pty Ltd
ABN 27 014 609 900
Architectural
ABP No. CC4874f
Structural / Civil
ABP No. CC1633i



QMS Certification Services

PROJECT DETAILS

TITLE REFERENCE:	15811/26
DESIGN WIND SPEED:	N/A
SOIL CLASSIFICATION:	N/A
CLIMATE ZONE:	7
BAL RATING:	N/A
ALPINE AREA:	N/A
CORROSION ENVIRONMENT:	N/A
SITE HAZARDS:	N/A



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ABN 27 014 609 900

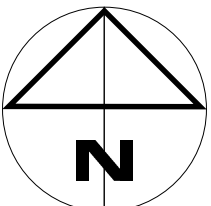
Architectural
ABP No. CC4874f
Structural / Civil
ABP No. CC1633i



QMS Certification Services

PLANNING DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
	04-05-21	PLANNING APPROVAL	-
	06-05-21	PLANNING APPROVAL	A
	12-05-21	PLANNING APPROVAL	B
	18-05-21	PLANNING APPROVAL	C
	16-06-21	PLANNING APPROVAL	D



TRUE NORTH

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: NEW SHED

AT: 6 MATTHEWS WAY
DEVONPORT TAS 7310
FOR: DELHY PTY LTD

DRAWING: SITE PLAN

DESIGNED: DVG DRAWN: BDB CHECKED: -

SCALES: 1 : 200 AT A1 SIZE DRAWING SHEET

PROJECT No. 21.063 DRAWING No. Ap01 REV. D



SITE PLAN
SCALE 1 : 200



Postal Address
PO Box 63
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P (03) 6332 3300

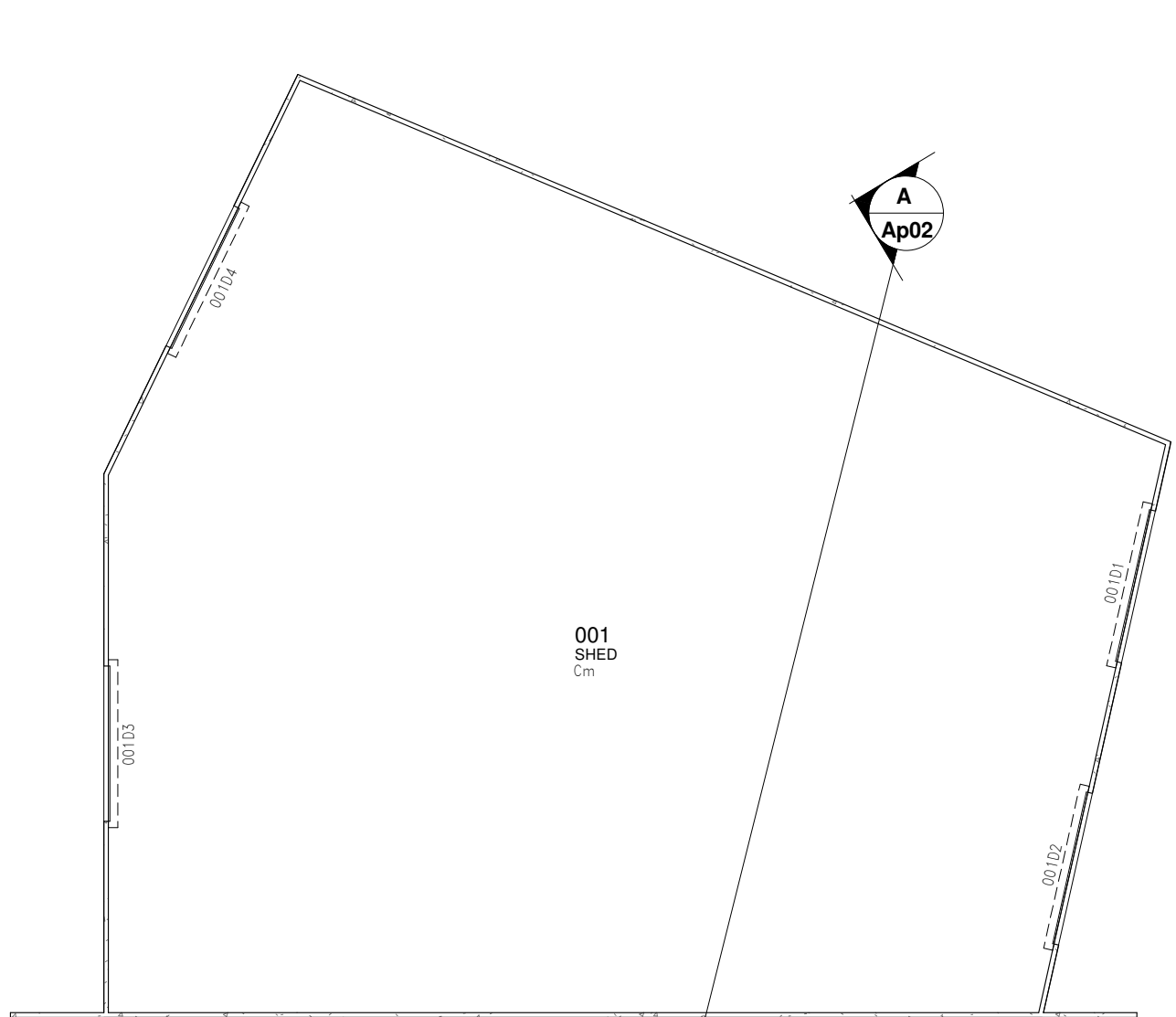
57 Best Street
Devonport Tasmania
P (03) 6424 7161

6ty Pty Ltd
ABN 27 014 609 900

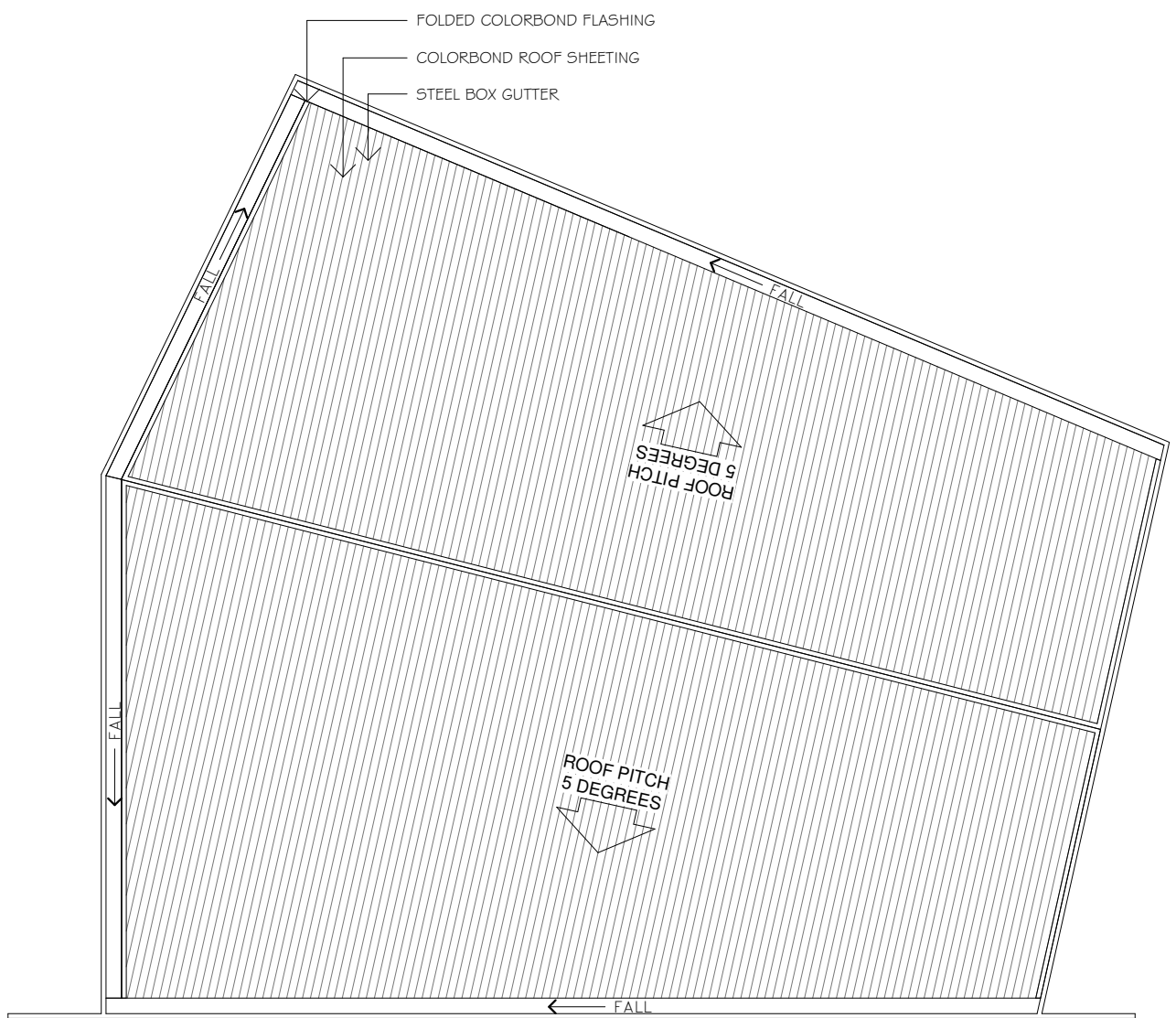
Architectural
ABP No. CC4874f
Structural / Civil
ABP No. CC1633i



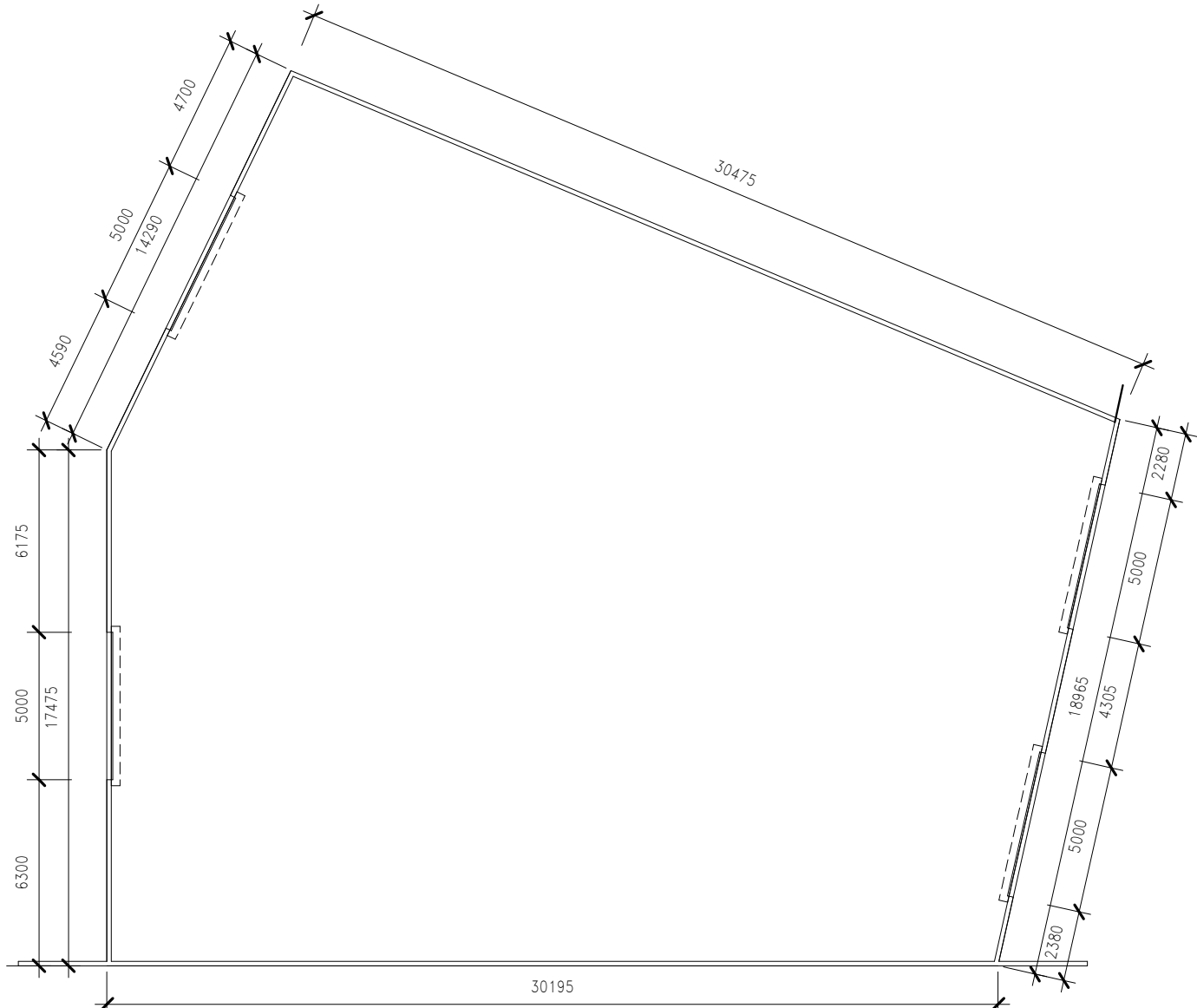
QHS Certification Services



FLOOR PLAN NOTATION
SCALE 1 : 200



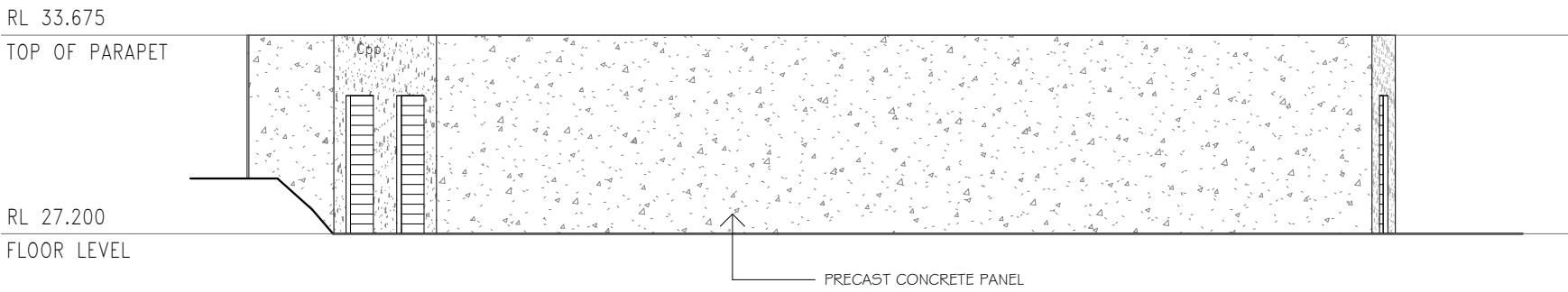
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SCALE 1 : 200



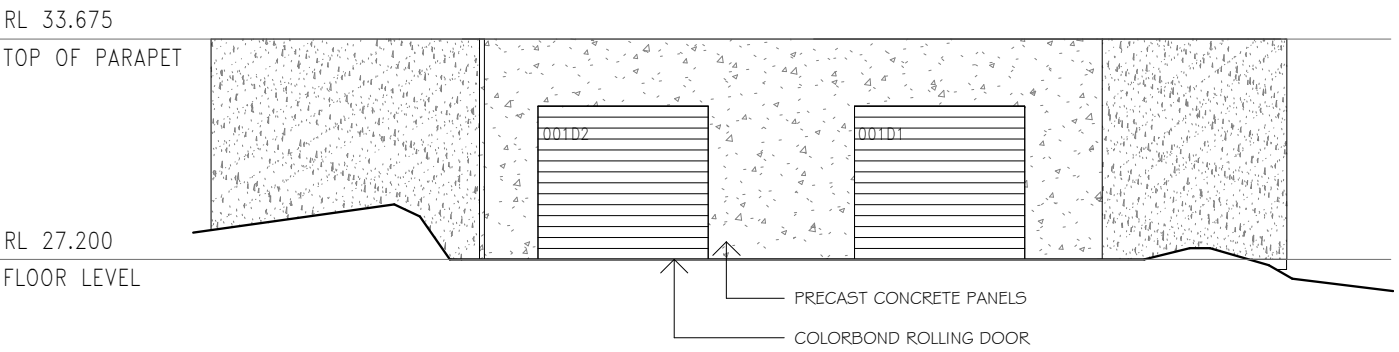
DIMENSION PLAN
SCALE 1 : 200

PLANNING DOCUMENT

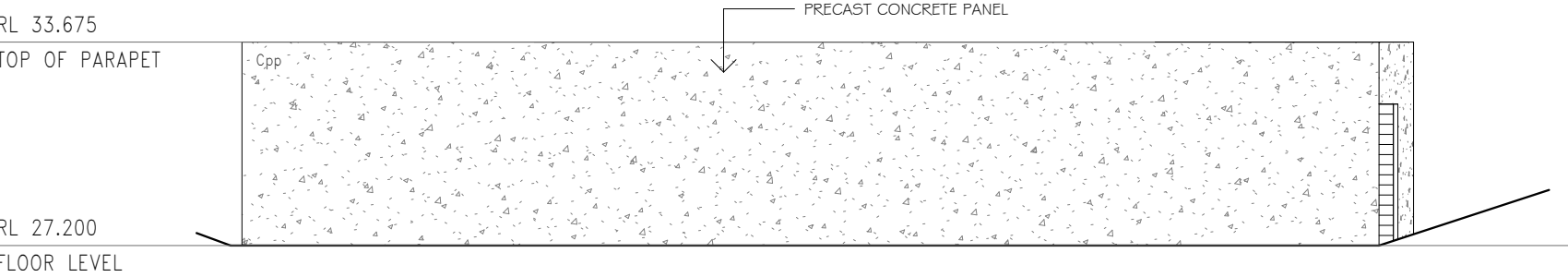
ISSUE	DATE	ISSUED FOR	REV.
	04-05-21	PLANNING APPROVAL	-
	06-05-21	PLANNING APPROVAL	A
	12-05-21	PLANNING APPROVAL	B
	18-05-21	PLANNING APPROVAL	C



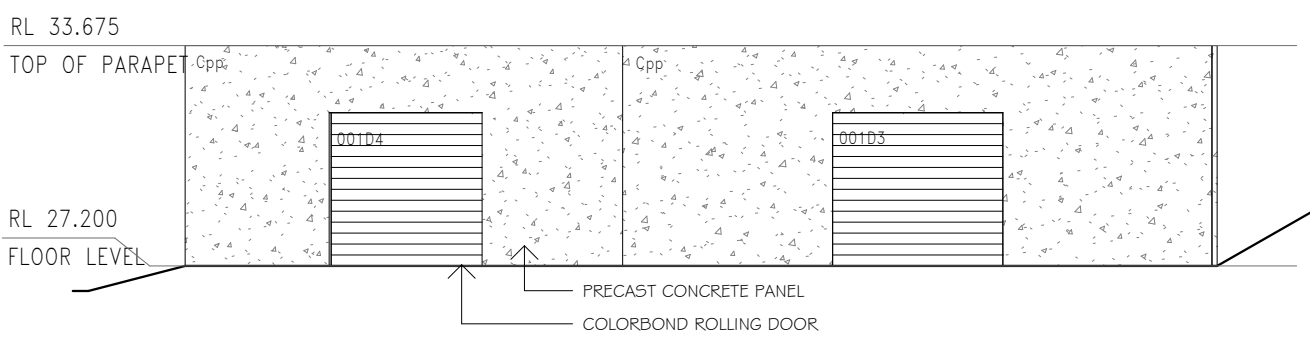
NORTH ELEVATION
SCALE 1 : 200



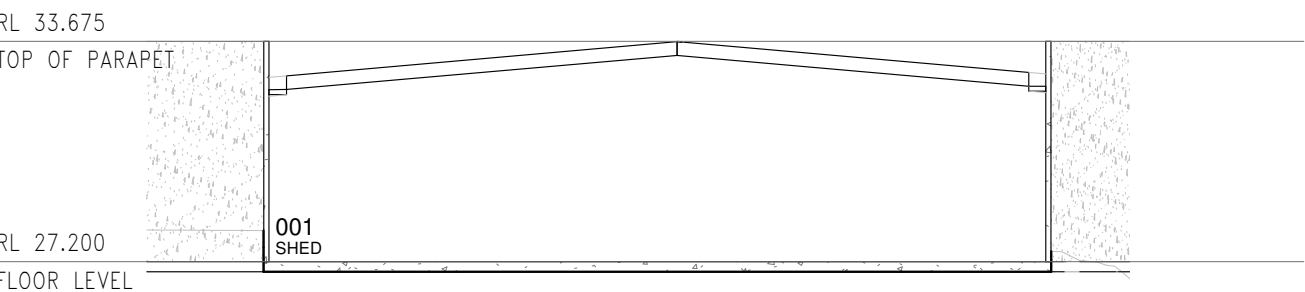
EAST ELEVATION
SCALE 1 : 200



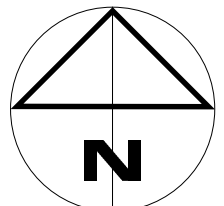
SOUTH ELEVATION
SCALE 1 : 200



WEST ELEVATION
SCALE 1 : 200



SECTION
SCALE 1 : 200



PROJECT NORTH

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 NEW SHED

AT: 6 MATTHEWS WAY
DEVONPORT TAS 7310
FOR: DELHY PTY LTD

DRAWING PLANS AND ELEVATIONS

DESIGNED: DVG DRAWN: BDB CHECKED: -

SCALES: 1 : 200 AT A1 SIZE DRAWING SHEET

PROJECT No. 21.063 DRAWING No. Ap02 REV. C



302774

**Proposed Visitor Accommodation
F & B Hanafin
103 Winspears Road
East Devonport**

May 2021

**DEVELOP
WITH _____
CONFIDENCE™**

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1. SUMMARY

This report is in support of a Development Application in accordance with Section 57 of the Land Use Planning and Approvals Act 1993 for the construction of visitor accommodation facilities and the extension of an existing small-scale equestrian training facility on land at 103 Winspears Road, East Devonport (FR131639/1). The subject site is owned by Brian and Fiona Hanafin and this application is made on behalf and with their consent.

The proposal is for the construction of three self-contained residential buildings to accommodate seasonal fruit workers / visitors as well as the construction of a small covered area used for equestrian training.

Devonport City Council is the assessment authority for the application.

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

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

2. PROPOSAL DESCRIPTION

This submission is in support of an application for a permit to develop and use an accommodation facility for seasonal fruit workers and visitors on land at 103 Winspears Road, East Devonport.

The application also includes development to extend the existing use of a small-scale equestrian training facility on the site.

The development proposed is the construction of three self-contained residential buildings, each with three bedrooms, two bathrooms with toilets, a third stand-alone toilet and an open plan kitchen / dining / sitting area. Each building will have a north facing covered deck. The enclosed drawings by Tas Laughlin illustrate the proposal in detail.

The bedrooms will each accommodate a maximum of four people, making a total of 12 people per building and 36 people for the facility. There will be space provided for up to 24 parked cars, although most guests will not have their own cars, but will rely on buses to travel to and from their work sites. The likely work sites are at East Devonport, approximately 3.5km by road and Wesley Vale, 9-10 km away by road.

The accommodation will be used as a B&B in the off-season when no fruit pickers are required. The impact of the use in these times are expected to be lower as it is assumed that less people will stay at the units (one family / group per unit). The following report assesses the visitor accommodation use by fruit pickers as it is considered to have a greater impact than the use as a B&B for visitors.

The extension of the equestrian training facility will include the placement of three additional shipping containers to form a horseshoe shape with the existing containers. The enclosed area of the horseshoe will be covered to create a small covered arena. This development also includes construction of a DDA toilet and roofed storage area for horse trailers.

The visitor accommodation and the equestrian training will be entirely separate operations. The visitor accommodation will not be used to accommodate patrons of the equestrian training facility.

As the site of the development is outside the area service by Taswater with water and sewage, there will be on-site water storage and on-site waste water disposal.

3. SITE DESCRIPTION

The subject site is described in the following table:

Location	103 Winspears Road East Devonport
Ownership	B.J. and F.M. Hanafin (F/R 131639/1)
Site Area (ha) and Road Frontages	Area included in title: 1.998ha Frontage to Winspears Road: 240.99m
Encumbrances	None
Existing Use	Private dressage arena and horse paddocks
Local Government Authority	Devonport City Council
Surrounding Land	Rural Living to east and west, Bass Highway to north, Agriculture to south
Flora and Fauna	TASVEG 3.0 classifies the site as FAG Agricultural, urban and exotic vegetation. The land capability is mapped as Class 4.
Topography	Bishton Creek runs through the site from south east to north west, generally contained within a man-made ditch. The site slopes gently from the boundaries down to this creek.
Planning Scheme Designations	Tasmanian Planning Scheme - Devonport
Referral requirements	N/A

4. DEVELOPMENT ASSESSMENT

4.1. Tasmanian Planning Scheme 2020

The site is zoned Rural Living under the Tasmanian Planning Scheme (the Scheme). The use classes have been assessed defined and assessed followed by an assessment of the whole development.

4.1.1. Rural Living Zone - Use Assessment

According to 6.2.1 each proposed use or development must be categorised into one of the Use Classes defined within the Scheme. 6.2.5 requires that if there is more than one use or development proposed that each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a Use Class.

Seasonal worker accommodation / B&B

Visitor Accommodation: 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.

According to 11.2 Use Table Visitor Accommodation is permitted without qualification in the Rural Living zone.

The proposed use has been assessed against the provisions of the 11.3.2:

11.3.2 Visitor Accommodation

The Acceptable Solution (AS) A1 requires that guests are accommodated in existing habitable buildings and that the visitor accommodation is not more than 200m² per lot. This development proposes the construction of three new buildings of 144m² each or 432m² in total, so must be assessed against the Performance Criteria (PC) P1, which requires that:

Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:

	Performance Criteria	Proposal Response
(a)	<i>The privacy of adjoining properties;</i>	The established house on the adjoining lot to the east is approximately 400m from the site. The house on the lot to the west is approximately 150m from the site. Both these houses are adjoined on their far sides by other houses. There will be no detriment to their privacy by the proposed use.
(b)	<i>any likely increase in noise to adjoining properties</i>	The distances from the proposed use to residences on adjoining properties are such that they will experience no significant increase in noise.
(c)	<i>the scale of the use and its compatibility with the surrounding character and uses within the area;</i>	The presence of up to 36 seasonal workers for a period each year will be different in scale from the single residences on large blocks that are more typical along Winspears Road. However, the impact of this difference, if any, is mitigated by the physical separation of the proposal site from any residences. Thus, the proposal is considered to not cause unreasonable loss of residential amenity.
(d)	<i>retaining the primary residential function of an area;</i>	The proposal site appears to be the only remaining Rural Living lot in this zone segment that has not been developed for residential purposes. This means that the primary

		residential function of the area is well established and unlikely to be diminished by the proposal.
(e)	<i>the impact on the safety and efficiency of the local road network; and</i>	The proposed use is likely to generate no more than 16 vehicle movements per day of which eight will be buses (two buses making two return trips each day) and eight will be service and support cars. The buses will likely be mid-sized Coaster types that will be no more inconvenient to other users of Winspears Road than the agricultural machinery that uses the road to move between tasks in the adjoining Agricultural zone.
(f)	<i>any impact on the owners and users rights of way.</i>	There are no rights of way affected by this proposal.

Extension of equestrian training facility

The equestrian training facility will be used to allow people to engage with horses to learn about them and use these skills to better their life.

According to 6.2.4 a use or development which does not readily fit any Use Class must be categorized into the most similar use class. Following suitable use classes have been identified:

Domestic Animal Breeding, Boarding or Training: use of land for breeding, boarding or training domestic animals. Examples include an animal pound, cattery and kennel.

Sports and Recreation: 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.

The proposed use does not readily fit either of the above Use classes. The facility will be used by people to allow them to engage with the animals. The activities are done for enjoyment and to better their life. The proposed use is more about the people engaging with the horses rather than the horses getting trained. Therefore, the use classification 'sports and recreation' was chosen as the more appropriate use classification.

According to 11.2 Use Table this use is a discretionary use if for an outdoor recreation facility in the Rural Living zone. The proposed development complies with this qualification. Uses that are discretionary must satisfy the provisions of 11.3.1.

11.3.1 Discretionary uses

	Acceptable Solution	Proposal Response
A1	<i>Hours of operation (...)</i>	The facility will only operate within the hours of 8.00am to 6.00pm Monday to Friday and 9.00am to 12 noon on Saturday.
A2	<i>External lighting (...)</i>	The proposal does not include any external lighting outside the hours of operation.
A3	<i>Commercial vehicle movements (...)</i>	There will be no commercial vehicle movements required as part of this proposal. However, should commercial deliveries be required they will be within the hours of 7.00am to 5.00pm Monday to Friday and 9.00am to 12 noon on Saturday.

4.1.2. Rural Living Zone - Development Assessment

11.4.1 Site Coverage

The 11.4.1 AS A1 requires that site coverage be not more than 400m². As the proposal is for three accommodation buildings with a total roofed area (including the decks) of 496m² and a covered equestrian arena of 336m² (including containers, DDA toilet and deck), the proposal must be assessed against 11.4.1 P1 which requires that:

The site coverage must be consistent with that existing on established properties in the area, having regard to:

	Performance Criteria	Proposal Response
(a)	<i>the topography of the site;</i>	The title is traversed by Bishton Creek. The land slopes gently downwards from the boundaries to the creek. The slopes are such that there will be little excavation of site levelling required to accommodate the development.
(b)	<i>the capacity of the site to absorb runoff;</i>	Run off from the site will be directed to Bishton Creek. Bishton Creek flows out of the property in the north-west corner then runs along the southern boundary of the Bass Highway corridor to eventually reach the Mersey River. It is not proximate to any residences or at risk infrastructure. The existing site area is 19,980m ² . The proposed site coverage of 832m ² represents about 4% of the total site so will not significantly affect the capacity of the site to absorb runoff.
(c)	<i>the size and shape of the site;</i>	The proposed development can be accommodated within the site.
(d)	<i>the existing buildings and any constraints imposed by existing development;</i>	There are two shipping containers on site, which will be used to form the eastern side of the covered arena. There is a small shed in the vicinity of the proposed visitor accommodation that will be removed as part of this development.
(e)	<i>the need to remove vegetation; and</i>	No vegetation will need to be removed.
(f)	<i>the character of development existing on established properties in the area.</i>	This development will cover approximately 4.1% of the site. The approximate site coverage of adjacent established properties along Winspears Road are: No 77: 8.9% No 79: 0.7% No 135*: 2.0% No 149-151*: 3.3% No 163*: 7.6% Average 4.5% (Those properties marked with * have a site coverage of greater than 400m ²) This indicates that the proposed development is consistent with existing development in the area.

11.4.2 Building height, setback and siting

The proposed development complies with the acceptable solution A1 as all proposed buildings will be below 8.5m.

The proposal does not comply with A2 of this clause. The setback from the frontage for the visitor accommodation units will be 13.70m to 14.30m. The setback for the covered dressage arena will be 14.30m, in line with the existing shipping container on the site. Performance Criteria P2 is considered to be complied with as follows:

11.4.2 P2: Buildings must be sited to be compatible with the character of the area, having regard to:

	Performance Criteria	Proposal Response
(a)	<i>the topography of the site;</i>	The visitor accommodation units are required to be sited less than 20m setback from Winspears Road so that there is sufficient land between the units and Bishton Creek to accommodate the on-site waste water management system and satisfy the setback requirements of the Natural Assets Code.
(b)	<i>the setbacks of adjacent buildings;</i>	The house on the property to the west (79 Winspears Road) is approximately 15m setback from the road frontage. The nearest building to the east is a large outbuilding at 135 Winspears Road that is less than 5m from the frontage.
(c)	<i>the height, bulk and form of existing and proposed buildings;</i>	The proposed visitor accommodation units each present a façade of 8.80m to Winspears Road and a maximum height of approximately 3.0m. The units will be 4.50m apart, so will not present a single façade. The bulk of the units will be effectively masked by orientating them so that the narrower side faces the road. The entrance to each unit will be on the northern side in order to leave an uncluttered form facing the road. The proposed covered arena will be an extension of the existing facility. It will have a height range of 2.3m to 3.0. The façade will be dominated by the 12.2m open arena with a container end on each side 2.3m wide and the small DDT toilet building.
(d)	<i>the appearance when viewed from roads and public places; and</i>	Winspears Road serves both the Rural Living zone on the north and the Agriculture zone on the south, this it is appropriate that the covered equestrian facility will be compatible with the appearance of other agricultural buildings when viewed from the road. The visitor accommodation units will be compatible with other residential buildings in the vicinity.
(e)	<i>the retention of vegetation.</i>	No vegetation will be removed

The proposed development incorporates the establishment of a water supply system which will be located within the 10m setback of the side boundary. Therefore, the proposed development requires the assessment against the performance criteria P3.

11.4.2 P3: Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:

	Performance Criteria	Proposal Response
(a)	<i>the topography of the site;</i>	The title is traversed by Bishton Creek which reduces the available area suitable for the water storage tanks as the proximity to the unit development is required.
(b)	<i>the size, shape and orientation of the site;</i>	The location of the water storage tanks has been chosen to reduce the visual impact towards the frontage of the site as the alternative location would have been behind the carparking area.
(c)	<i>the setbacks of surrounding buildings;</i>	The dwelling on the adjoining property is about 100m away from the side boundary.
(d)	<i>the height bulk and form of existing and proposed buildings;</i>	The storage tank height will be below the building height. The storage tanks will be partly shielded from view by existing vegetation along the side boundary.
(e)	<i>the character of the development existing</i>	The approximate closest side setbacks of adjacent

	<i>on established properties in the area; and</i>	<p>established properties along Winspears Road are:</p> <p>No 77: dwelling approx. 6.5m with smaller outbuildings on side boundary</p> <p>No 79: closest side setback about 4.5m (outbuilding)</p> <p>No 135 closest side setback about 21m (outbuilding)</p> <p>No 149-151 closest side setback about 0.7m (outbuilding)</p> <p>No 163 closest side setback about 13.8m (dwelling)</p> <p>It is also noted that there are side setbacks below 1m on the other side of Winspears Road in close vicinity to the subject site however the zoning of that land is Agriculture.</p> <p>Based on the setbacks in particular for existing outbuildings on adjacent sites the proposed development is consistent with the character of existing developments in the area.</p>
(f)	<i>any overshadowing of adjoining properties or public places.</i>	<p>The dwelling on the adjoining property is about 100m away from the side boundary of the subject site. The proposed unit development complies with the side setback of 10m. The encroachment into the side setback is due to the placement of water storage tanks which will be below the building height. It is considered that the development does not cause any overshadowing of adjoining properties or public places.</p>

The proposed visitor accommodation use falls within the criteria for a sensitive use and will be within 200m of the Agriculture zone on the southern side of Winspears Road, so the proposal must satisfy Performance Criteria P4.

11.4.2 P4: Buildings for a sensitive use must be sited so as to not conflict or interfere with uses in the Agriculture Zone or Rural Zone, having regard to:

	Performance Criteria	Proposal Response
(a)	<i>the size, shape and topography of the site;</i>	The entire site is within 200m of the Agriculture zone as are all of the Rural Living zoned properties along Winspears Road. The north western corner of the site is the furthest point at approximately 145m.
(b)	<i>the separation of any existing buildings for sensitive uses on adjoining properties;</i>	All of the existing residences along the northern side of Winspears Road are setback similar distances from the Agriculture zone as is proposed in this application. There can be no additional detriment to the uses in the Agriculture zone as a result of this proposal.
(c)	<i>the existing and potential use of adjoining properties;</i>	The land with the Agriculture zone immediately to the south of the site is Class 4 agricultural land that is not cropped. The Class 2 cropping land is approximately 300m further south and is separated from the site by a residence and outbuildings.
(d)	<i>any proposed attenuation measures; and</i>	N/A
(e)	<i>any buffers created by natural or other features.</i>	N/A

4.1.3. C2.0 Parking and Sustainable Transport Code

The relevant parking requirement for Visitor Accommodation as defined in Table C2.1 is 1 space per 4 beds. The proposal is for three units with 12 beds in each, so the requirement is for 9 parking spaces.

The parking requirement for Sports and Recreation is 50 spaces per facility as none of the defined use classes within Table C2.1 fit the proposed development. As outlined above the chosen Use classification Sport and recreation did not readily fit the proposed development. The alternative use classification is Domestic Animal Breeding, Boarding or Training which requires 1 space per two employees + 2 visitor spaces. There will usually be

one employee on site when the facility is operating, so the requirement would be for three spaces. This amount of car parking spaces better reflects the actual use of the site.

The proposed development allows for up to 24 parking spaces. 9 of these parking spaces are required for the visitor accommodation use. This leaves 13 car parking spaces for the equestrian training facility use. Based on the nature of the use of this land the amount of car parking spaces proposed are more than sufficient.

It is noted that both uses are capable of sharing parking spaces as the visitor accommodation for seasonal workers mainly require parking over night as they are at work during the day while the equestrian training facility operates during the day.

It is also noted that the site is of sufficient size to accommodate more car parking spaces as required by the Scheme however it is considered bad planning to require the construction of car parking spaces to comply with a Planning Scheme although the actual use does not require it.

The proposed car parking spaces are considered to meet the reasonable needs of the use.

The proposed car parking spaces comply with the requirements for construction, design, layout and number of vehicle accesses.

There is no requirement for bicycle parking spaces. Based on the actual parking requirements there are also no motorcycle parking spaces required.

4.1.4. C3.0 Road and Railway Assets Code

The proposed development will increase the number of vehicle movements by approximately 16 daily vehicle movements consistent of eight bus movements (mid-sized Coaster types) and eight service and support car movements.

The proposal utilises the existing vehicle crossing to the site and includes the construction of additional vehicle crossing to Winspears Road.

Winspears Road is a Council maintained road and therefore requires written consent by Council to comply with C3.5.1 A1.2. This consent is requested with this development application and therefore considered to be complied with if the proposal is approved. The proposal also complies with C3.5.1 A1.4 for the existing vehicle crossing as the estimated daily vehicle movements will be below 40 per day.

4.1.5. C7.0 Natural Assets Code

The subject site is within a waterways and coastal protection area as well as a priority vegetation area and therefore requires the assessment against this code.

The proposed visitor accommodation units are not within 30m of Bishton Creek. However, the proposed covered arena is entirely within the 30m buffer so must be assessed against Performance Criteria C7.6.1 P1.1.

C7.6.1 P1.1: Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:

	Performance Criteria	Proposal Response
(a)	<i>impacts caused by erosion, siltation, sedimentation and runoff;</i>	Stormwater from the covered arena will be collected and piped to Bishton Creek. The amount collected will be insignificant compared to the usual flow of the creek so will not cause any significant impact by erosion, siltation, sedimentation and runoff.
(b)	<i>impacts on riparian or littoral vegetation;</i>	No native vegetation will be removed as part of this development.
(c)	<i>maintaining natural streambank and streambed condition, where it exists;</i>	Bishton Creek flows through the site in a man-made ditch.

(d)	<i>impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i>	A site assessment has been undertaken by Scott Livingston (Livingston Natural Resource Services) to determine the natural values of the site and to assess the impact of the proposed development to the natural values. His conclusion is that the proposed development is unlikely to have any impact on the threatened <i>Engaus granulatus</i> present within the drainage channel of Bishton Creek. Please refer to email report attached to this report for further details.
(e)	<i>the need to avoid significantly impeding natural flow and drainage;</i>	There will be no impedance of natural flow or drainage
(f)	<i>the need to maintain fish passage, where known to exist;</i>	There will be no impedance of fish passage if it exists.
(g)	<i>the need to avoid land filling of wetlands;</i>	There will be no filling of wetlands
(h)	<i>the need to group new facilities with existing facilities, where reasonably practical;</i>	The proposed covered arena is an extension of the existing outdoor arena and repurposes the existing container to form one of its walls.
(i)	<i>minimising cut and fill;</i>	There will be no significant cut or fill.
(j)	<i>building design that responds to the particular size, shape, contours or slope of the land;</i>	The proposed structure comprises three containers, a roofed area and a DDA toilet. Its design is in keeping with the agricultural buildings in the vicinity and appropriate for the size, shape and slope of the site.
(k)	<i>minimising impacts on coastal processes, including sand movement and wave action;</i>	The site is not coastal.
(l)	<i>minimising the need for future works for the protection of natural assets, infrastructure and property;</i>	There is no need for future works to protect natural assets, infrastructure and property.
(m)	<i>the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</i>	The relevant Environmental Best Practice Guideline is 2. Construction Practices in Waterways and Wetlands. These practices can be implemented during the construction phase.
(n)	<i>the guidelines in the Tasmanian Coastal Works Manual.</i>	The site is not coastal.

It is also noted that the waste water application area will be within the 30m setback of the watercourse. The waste water system is designed according to existing Australian standards which requires a separation distance to nearest surface water of 17m. The proposed development incorporates a separation distance of 25m to Bishton creek. The risk of water contamination by leakage of waste water is minimal.

The proposed visitor accommodation units and covered arena will discharge stormwater to the creek, so trigger Performance Criteria C7.6.1 P3. Bishton Creek forms the main drainage for the area having a catchment of several hundred hectares. As it passes through this site, it flows in a man-made ditch. The additional discharge from the visitor accommodation units and covered arena will not impact water quality and will not require mitigation of impacts from erosion, sedimentation or runoff.

Clause C7.6.2 Clearing within a priority vegetation area is not applicable as there will be no clearance of native vegetation as result of this development.

4.1.6. C13 Bushfire prone areas code

The site is within a bushfire prone area as shown on the relevant overlay map but, as the application is not for a subdivision and neither the use class Visitor Accommodation nor Sports and Recreation is classified as a vulnerable or hazardous use, this code does not apply.

4.1.7. C16 Safeguarding of Airports Code

The site is partially within the Airport Obstacle Limitation Area with building heights limited to 65m AHD. The site is generally at around 25m AHD and proposed buildings are all single storey (3-4m) so maximum height will not exceed 30m AHD, thus the proposal complies with the acceptable solution C16.6.1 A1.

5. CONCLUSION

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

The proposal is considered to be consistent with the requirements of the *Tasmanian Planning Scheme - Devonport*, in particular the provisions relating to visitor accommodation use class and development within the Rural Living zone.

The proposal will allow for the construction of three self-contained residential buildings to accommodate seasonal fruit workers / visitors as well as the construction of a small covered area to extend the existing equestrian training facility.

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

—
Devonport
100 Best Street
Devonport TAS 7310

T 03 6421 3500
devonport@veris.com.au
veris.com.au

DEVELOP
WITH _____
CONFIDENCE™

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

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Tasmanian Planning Scheme - Devonport

Application for Planning Permit

Use or Development Site

Street Address: 103 Winspears Road, East Devonport TAS 7310

Certificate of Title Reference No.: FR131639/1

Applicant's Details

Full Name/Company Name: Jana Rockliff of Veris Australia Pty Ltd

Postal Address: 100 Best Street, Devonport TAS 7310

Telephone: 0475 886 121

Email: j.rockliff@veris.com.au

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

Full Name/Company Name: Brian and Fiona Hanafin

Postal Address: 11 Monash Court, Devonport TAS 7310

Telephone: 0438 137 604

Email: fionahanafin101@gmail.com



ABN: 47 611 446 016

PO Box 604

137 Rooke Street

Devonport TAS 7310

Telephone 03 6424 0511

www.devonport.tas.gov.au

council@devonport.tas.gov.au

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?: Please refer to submission report for further information

Description of how the use will operate: Please refer to submission report for further information

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 the current certificate of title, including title plan and schedule of easements	✓
Any written permission and declaration of notification required under s.52 of LUPAA	
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	
• Topography 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 including any known threatened species, and trees and vegetation to be removed	
• The location, capacity and connection point of any existing services and proposed services	
• The location of easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing and proposed buildings on 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, parking areas and footpaths within the site	
• Any proposed open space, common space, or facilities on the site	
• 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	
• Parking space location and layout	
• Major elevations of every building to be erected	
• The relationship of the elevations to existing 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	
Details of any signage proposed	

Value of use and/or development

\$ 30,000.00

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

If land is not in applicant's ownership

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

Applicant's signature:  Date: 25/05/2021

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

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

General Manager's signature: _____ Date: _____

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

Signature

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

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

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

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

Applicant's signature:  Date: 25/05/2021

PRIVACY ACT

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

Fee & payment options

DD

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



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



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



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

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 131639	FOLIO 1
EDITION 10	DATE OF ISSUE 10-Jul-2018

SEARCH DATE : 07-Dec-2020

SEARCH TIME : 01.18 PM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 1 on Sealed Plan 131639

Derivation : Part of 150 Acres Gtd to C.Oldaker

Prior CT 116028/1

SCHEDULE 1

M688793 TRANSFER to FIONA MARY HANAFIN and BRIAN JAMES
HANAFIN Registered 10-Jul-2018 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 131639 EASEMENTS in Schedule of Easements

SP 131639 WATER SUPPLY RESTRICTION

SP 131639 SEWERAGE AND/OR DRAINAGE RESTRICTION

E143833 MORTGAGE to Bendigo and Adelaide Bank Limited

Registered 10-Jul-2018 at 12.01 PM

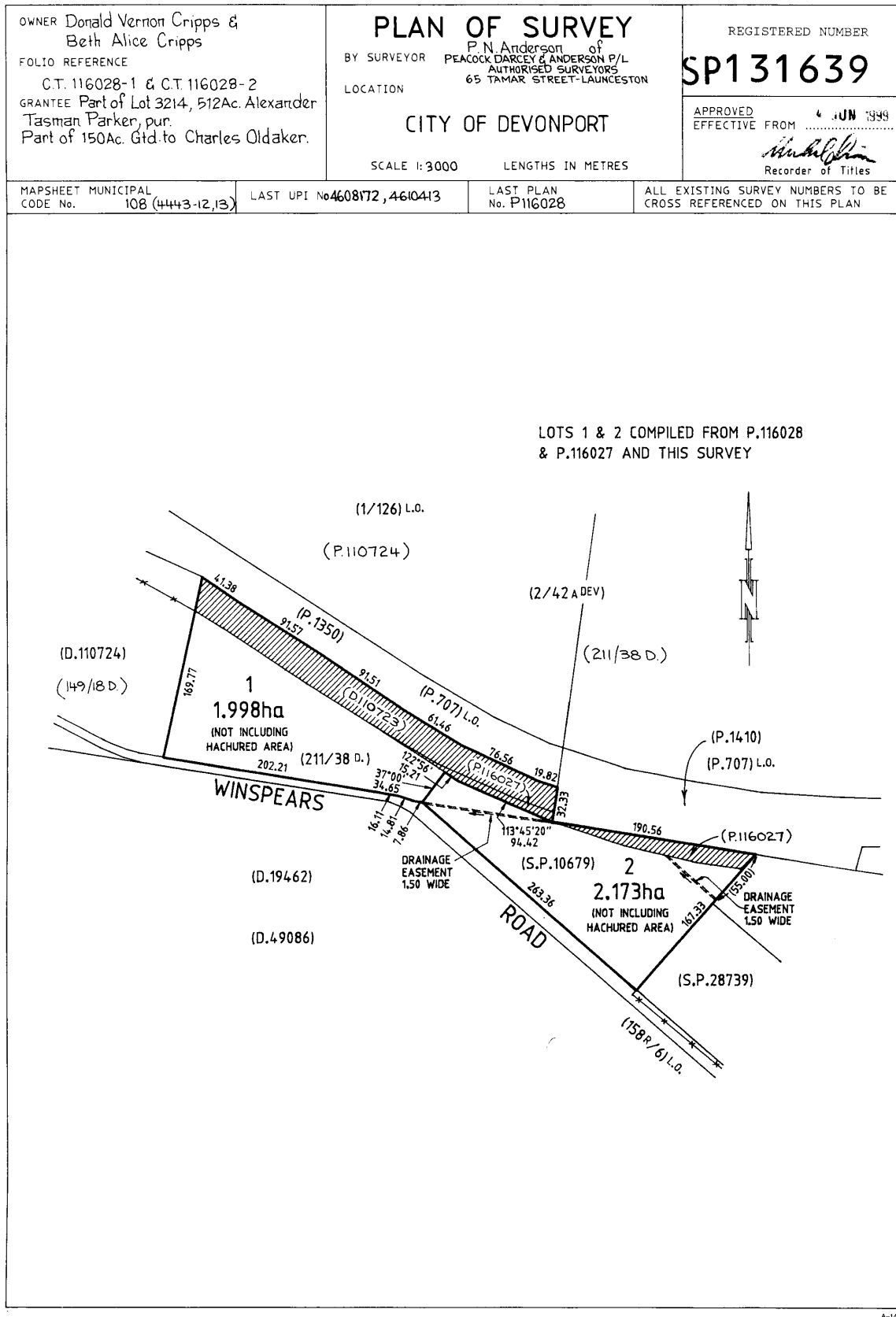
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



A-148

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SCHEDULE OF EASEMENTS	REGISTERED NUMBER SP 131639
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	

PAGE 1 OF 1..... PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

EASEMENTS

Lot 2 together with that part of Lot 2 formerly comprised in Lot 1 being the area ABCA on the attached plan is subject to a right of drainage 1.50 wide on the plan appurtenant to Lots 6 and 7 on Sealed Plan No. 28739 over the lands marked 'Drainage Easement 1.50 Wide' on P. 116028. the plan.

Lot 1 is together with a right of carriageway over the land marked 'Roadway' on P. 197069.

SIGNED by the said DONALD VERNON CRIPPS) x

in the presence of:

Signature of Witness:

Occupation:

Address:

B.M. Garwood
Retired Council Clerk
92 Gernick's Road
Spireyton 7310

SIGNED by the said BETH ALYS CRIPPS in the) x
 presence of:

Signature of Witness:

Occupation:

Address:

Beth Alys Cripps

SIGNED for and on behalf of
 COMMONWEALTH BANK OF AUSTRALIA
 by its duly constituted Attorney

THE COMMON SEAL of the COMMONWEALTH)
 BANK OF AUSTRALIA was hereunto placed
 in the presence of: *GARTH CAMERON SLADE*
under Power of Attorney No. 69/5658

who hereby certifies that he has
 received no notice of revocation
 of the said Power and in the
 presence of:

Re
 C.D. Bank Loans Office

COMMONWEALTH BANK OF AUSTRALIA
 by its Attorney
 as mortgagee under
 mortgage No. B338975

Shane
 SENIOR CONVEYANCING OFFICER

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: D A and B A CRIPPS FOLIO REF: 116028/1 and 116028/2 SOLICITOR & REFERENCE: CROWN SOLICITOR	PLAN SEALED BY: DEVONPORT CITY COUNCIL DATE: <i>15th December 1997</i> <i>14.556</i> REF NO. <i>Council Delegate</i>
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	



SITE AND SOIL EVALUATION SUMMARY

Client

Name Fiona Hanafin
Site Address 103 Winspears Road, East Devonport 7310
Postal Address fionahanafin101@gmail.com

Site and Soil Assessment

Soil Category Cat 5 / 6 Soils – Light / med Clays
Soil Permeability 0.1m/day
DIR Design Irrigation Rate: 3mm/day
Slope/Aspect The disposal area has a 1-2 degrees slope with an open northerly aspect.
Site Factors The predominant factors include the potentially heavy wastewater load as well as the close proximity to Bishton Creek. An AWTS has been proposed to reduce these factors.

Wastewater System Design

This report is to calculate and design a wastewater disposal system that will effectively dispose of the wastewater from a proposed accommodation development at 103 Winspears Road, East Devonport.

The proposal is to construct 3 accommodation buildings, with amenities and laundry with each building capable of housing 12 person.

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

- **3 x accommodation units** (maximum) 12 persons per unit (total maximum capacity of 36 persons), with each person generating up to 150L of wastewater per day.

Therefore the total wastewater loading is based on:

- $36 \times 150\text{L} = 5,400\text{L}$ per day

A total projected maximum wastewater loading of 5,400L per day is be expected

It should be noted that the figure of 5,400L per day would be a maximum occupancy, and, although designed for this figure, the loading should be significantly less for most of the time.

Proposed Wastewater System Design – Aerated Wastewater Treatment System (AWTS). Details over page.



Treatment & Disposal - AWTS with irrigation.

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

The area required for irrigation is calculated using the following:

A = Area required for wastewater disposal

Q = Quantity of wastewater (in litres)

DIR = Design Irrigation Rate (based on Cat 5 soils)

- $A = Q/DIR$
- $A = 5,400/3$
- $A = 1,800m^2$

Collect the wastewater in a new 5000L septic tank then to an AWTS System, pumping the treated wastewater via an indexing valve into 4 new separate irrigation fields totalling 1,800m².

The irrigation area will be divided into 4 areas, each area 450m² to ensure even distribution of the irrigated wastewater.

Disposal Area

Proposed irrigation field.

The proposed irrigation field will be located towards the north of the proposed accommodation buildings (see site plan). Due to the creek running through the property and a 3m setback for any buildings, the disposal area is within this setback and 17m from the creek. The method of irrigation can be either subsurface irrigation into imported sandy loam or surface irrigation into organic mulch and shrubs.

See detailed site plan on page 15 for proposed layout

SEE FULL REPORT FOR FURTHER DETAILS



SITE AND SOIL EVALUATION REPORT

BACKGROUND

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

For further information on site evaluation please consult AS/NZS 1547 – 2012 on-site domestic wastewater management.

REPORT

Municipality	Devonport City Council
Location	103 Winspears Road, East Devonport 7310
Lot Area	Approximately 19,500m ²
Owner	Fiona Hanafin
Site Plan	see attached
Date of inspection	14 th March 2018 & 19 th November 2020
Date of this Site & Soil Evaluation Report	23 rd November 2020
Water Supply	Town water (5,400L /day- MAX)

SITE INFORMATION

Key Features

The wastewater loading is very high and the property has a creek running through it reducing the amount of space for wastewater disposal. Treatment in an AWTS and irrigation will allow flexibility with the disposal area and reduce the required setback distances.

Topography and Drainage

The proposed disposal area has slopes of 1-2 degrees with an open northerly aspect. Drainage is average.

Vegetation

The vegetation within the property consists almost entirely of grassland.

Land Use

Accommodation.



Existing System

Nil.

Climate

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

Soils

Test Hole 1:

0 – 230mm	Pale Grey Loamy Silt (Cat 3).
230 – 460mm	Red Clay Loam (Cat 4)
460 – 780mm+	Pale red - Light Clay (Cat 5)

Test Hole 2:

0 – 150mm	Pale Grey Loamy Silt (Cat 3).
Refusal on cobble	

Test Hole 3:

0 – 250mm	Pale Grey Loamy Silt (Cat 3).
250 – 900mm	Red Clay Loam (Cat 4)
900 – 980mm+	Pale red - Light Clay (Cat 5)

Groundwater

No encountered, not expected to be an issue.

- AS 1547 Soil Category: Category 5
- Modified Emerson Test: Class 8
- Soil permeability (estimated) 0.1m/day
- Design Irrigation Rate (DIR): 3mm/day

Site Stability

Slopes of 1 degrees are throughout the disposal area. No site stability problems are considered likely.



Site Capability Issues for On-site Wastewater Management

Trench 3™ Summary report of Site Capability

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

Site Capability Report

Site & Soil Evaluation - Proposed new dwelling

Assessment for Fiona Hanafin	Assess. Date	23-Nov-20
fionahanafin101@gmail.com	Ref. No.	18021
Assessed site(s) 103 Winspears Road, East Devonport 7310	Site(s) inspected	19-Nov-20
Local authority Devonport City Council	Assessed by	J Wood

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

Alert	Factor	Units	Value	Confid level	Limitation Trench	Amended	Remarks
	Expected design area	sq m	19,500	V. high	Very low		
	Density of disposal systems	/sq km	8	Mod.	Very low		
	Slope angle	degrees	1	V. high	Very low		
	Slope form	Straight simple		V. high	Low		
	Surface drainage	Mod. good		High	Low		
	Flood potential	Site floods 1 in 75-100 yrs		Mod.	Low		
	Heavy rain events	Infrequent		Mod.	Moderate		
	Aspect (Southern hemi.)	Faces N		V. high	Very low		
	Frequency of strong winds	Common		High	Low		
	Wastewater volume	L/day	5,400	Mod.	Very high	Moderate	Other factors lessen impact
	SAR of septic tank effluent		2.3	Mod.	Moderate	Low	Other factors lessen impact
	SAR of sullage		2.5	Mod.	Moderate	No change	
	Soil thickness	m	1.0	High	Low	Moderate	
	Depth to bedrock	m	1.8	Mod.	Low	No change	
	Surface rock outcrop	%	0	V. high	Very low		
	Cobbles in soil	%	1	V. high	Very low		
	Soil pH		7.0	Guess	Very low		Other factors lessen impact
	Soil bulk density	gm/cub. cm	1.5	Guess	Low		
	Soil dispersion	Emerson No.	8	High	Very low		
	Adopted permeability	m/day	0.1	High	Very low		
	Long Term Accept. Rate	L/day/sq m	8	Mod.	Very low	Moderate	Other factors increase impact



Environmental Sensitivity Issues for On-site Wastewater Management

Trench 3™ Summary report of Environmental Sensitivity

Sustainable Environmental Assessment and Management

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

Environmental Sensitivity Report

Site & Soil Evaluation - Proposed new dwelling

Assessment for	Fiona Hanafin	Assess. Date	23-Nov-20
	fionahanafin101@gmail.com	Ref. No.	18021
Assessed site(s)	103 Winspears Road, East Devonport 7310	Site(s) inspected	19-Nov-20
Local authority	Devonport City Council	Assessed by	J Wood

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

Alert	Factor	Units	Value	Confid level	Limitation		Remarks
					Trench	Amended	
A	Cation exchange capacity	mmol/100g	55	Mod.	Moderate	High	Other factors lessen impact
	Phos. adsorp. capacity	kg/cub m	0.8	Mod.	Moderate		
	Annual rainfall excess	mm	291	High	Moderate		
	Min. depth to water table	m	2	High	Low		
	Annual nutrient load	kg	55.7	Guess	Very high	Moderate	
	G/water environ. value	Agric sensit/dom irrig		High	Moderate		
	Min. separation dist. required	m	1	High	Very low	Low	
	Risk to adjacent bores						
A	Surf. water env. value	Agric sensit/dom drink		High	Moderate		Other factors increase impact Factor not assessed
	Dist. to nearest surface water	m	30	High	Very high	High	
	Dist. to nearest other feature	m	100	High	Low		
	Risk of slope instability	Very low		High	Very low		
	Distance to landslip	m	250	High	Very low		

- Cation Exchange Capacity has been noted
- Nearest surface water has been flagged (Bishton Creek) with treatment in an AWTs and a viral dieback distance of only 1m this system will not impact upon the creek.

Photo 1 – Looking north over Bishton Creek





Assessment report for On-site Wastewater Management

Trench 3™ Assessment summary report

Sustainable Environmental Assessment and Management

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

Assessment Report

Site & Soil Evaluation - Proposed new dwelling

Assessment for Fiona Hanafin fionahanafin101@gmail.com	Assess. Date 23-Nov-20 Ref. No. 18021
Assessed site(s) 103 Winspears Road, East Devonport 7310	Site(s) inspected 19-Nov-20
Local authority Devonport City Council	Assessed by J Wood

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

Wastewater Characteristics

Wastewater volume (L/day) used for this assessment = 5,400 (using the 'No. of bedrooms in a dwelling' method)
 Septic tank wastewater volume (L/day) = 1,780
 Sullage volume (L/day) = 3,620
 Total nitrogen (kg/year) generated by wastewater = 38.6
 Total phosphorus (kg/year) generated by wastewater = 17.1

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

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean rainfall (mm)	51	44	53	74	87	100	122	115	95	82	71	68
Adopted rainfall (R, mm)	56	48	58	81	96	110	134	127	105	90	78	75
Retained rain (Rr, mm)	50	43	52	73	86	99	121	114	95	81	70	68
Max. daily temp. (deg. C)	21	21	20	17	14	12	12	12	13	15	17	19
Evapotransp. (ET, mm)	78	65	62	43	40	43	45	45	47	56	61	71
Evapotr. less rain (mm)	28	22	10	-24	-47	-56	-16	-10	-48	-25	-9	3
Annual evapotranspiration less retained rain (mm) =												-231

Soil characteristics

Texture = Light Clay Category = 5 Thick. (m) = 1
 Adopted permeability (m/day) = 0.1 Adopted LTAR (L/sq m/day) = 8 Min depth (m) to water = 2

Proposed disposal and treatment methods

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

Suggested dimensions for on-site secondary treatment system

Total length (m) = 52
 Width (m) = 35
 Depth (m) = 0.2
 Total disposal area (sq m) required = 3600
 comprising a Primary Area (sq m) of: 1,800
 and a Secondary (backup) Area (sq m) of: 1,800

Sufficient area is available on site

See full report for details



**AS1547:2012 – Loading Certificate
103 Winspears Road, East Devonport 7310**

- System capacity (number of persons and daily flow)

The system has been based on up to:

- 36 x 120L = 5,400L per day

A total projected maximum wastewater loading of 5,400L per day is be expected

- Summary of design criteria

This report is to calculate and design a wastewater disposal system that can dispose of all the effluent generated by up to 36 persons for proposed visitor accommodation (including laundries) at **103 Winspears Road, East Devonport 7310**

- The location of and use of the ‘reserve area’

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

- Use of water efficient fittings, fixtures, or appliances

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

- Allowable variation from design flows (peak loading events)

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

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

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

- Consequences of overloading the system

If the system is continuously overloaded (e.g. higher than 5,400L per day for many days) then there is a chance that the disposal area could fail. If this occurs or is expected to occur, the disposal area could be enlarged by an extra 50% if required.



- Consequences of under loading the system

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

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

- Lack of maintenance / monitoring consequences:

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

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

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

- **Other considerations:**

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

J. M. Wood

Building Services Designer Hydraulic Accreditation # CC1984 K

A handwritten signature in dark ink, appearing to read 'J. M. Wood', is written on a light-colored, slightly textured background.



Acceptable Solutions	Performance Criteria	Compliance
A1 Horizontal separation distance from a building to a land application area must comply with one of the following: <ul style="list-style-type: none"> - be no less than 6m; or - be no less than: <ul style="list-style-type: none"> (i) 3m from an upslope building or level building; (ii) If primary treated effluent to be no less than 4m plus 1m for every degree of average gradient from a downslope building; (iii) If secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a downslope building. 	P1 a) The land application area is located so that: <ul style="list-style-type: none"> (i) the risk of wastewater reducing the bearing capacity of a building's foundations is acceptably low; and (ii) is setback a sufficient distance from a downslope excavation around or under a building to prevent inadequately treated wastewater seeping out of that excavation. 	Complies with A1(i) Disposal area is >3m from upslope building.
A2 Horizontal separation distance from downslope surface water to a land application area must comply with (a) or (b) <ul style="list-style-type: none"> (a) be no less than 100m; or (b) be no less than the following: <ul style="list-style-type: none"> (i) if primary treated effluent 15m plus 7m for every degree of average gradient to downslope surface water; or (ii) if secondary treated effluent and subsurface application, 15m plus 2m for every degree of average gradient to down slope surface water. 	P2 Horizontal separation distance from downslope surface water to a land application area must comply with all of the following: <ul style="list-style-type: none"> a) Setbacks must be consistent with AS/NZS 1547 Appendix R; b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that 	Complies with (bii) The nearest surface water is approximately 25m away with the required distance being 17m 15m + 2m x 1 degrees = 17m. Disposal area will be kept a minimum of 17m from Bishton Creek
A3 Horizontal separation distance from a property boundary to a land application area must comply with either of the following: <ul style="list-style-type: none"> (a) be no less than 40m from a property boundary; or (b) be no less than: <ul style="list-style-type: none"> (i) 1.5m from an upslope or level property boundary; and (ii) If primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or (iii) If secondary treated effluent and subsurface application, 1.5m plus 1m for every degree of average gradient from a downslope property boundary. 	P3 Horizontal separation distance from a property boundary to a land application area must comply with all of the following: <ul style="list-style-type: none"> (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable. 	Complies with A3 (bi & biii) Disposal area is >1.5m from the level property boundary & is >2.5m from the downslope boundary 1.5m + 1m x 1 degrees = 2.5m



<p>A4</p> <p>Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must be no less than 50m and not be within the zone of influence of the bore whether up or down gradient.</p>	<p>P4</p> <p>Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must comply with all of the following:</p> <p>(a) Setback must be consistent with AS/NZS 1547 Appendix R; and</p> <p>(b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 demonstrates that the risk is acceptable</p>	<p>Complies with P4</p> <p>There are no bores within 50m of the disposal area.</p> <p>Nearest bore is 200m away and upslope of the disposal area.</p>
<p>A5</p> <p>Vertical separation distance between groundwater and a land application area must be no less than:</p> <p>(a) 1.5m if primary treated effluent; or</p> <p>(b) 0.6m if secondary treated effluent</p>	<p>P5</p> <p>Vertical separation distance between groundwater and a land application area must comply with the following:</p> <p>(a) Setback must be consistent with AS/NZS 1547 Appendix R; and</p> <p>(b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 that demonstrates that the risk is acceptable</p>	<p>Complies with A5(a)</p> <p>There is no ground water within 0.6m (vertical) of the LAA</p>
<p>A6</p> <p>Vertical separation distance between a limiting layer and a land application area must be no less than:</p> <p>(a) 1.5m if primary treated effluent; or</p> <p>(b) 0.5m if secondary treated effluent.</p>	<p>P6</p> <p>Vertical setback must be consistent with AS/NZS1547 Appendix R.</p>	<p>Complies with A6 (b)</p> <p>The disposal area will be <0.5m from the limiting layer (Secondary treated effluent)</p>
<p>A7</p> <p>nil</p>	<p>P7</p> <p>A wastewater treatment unit must be located a sufficient distance from buildings or neighbouring properties so that emissions (odour, noise or aerosols) from the unit do not create an environmental nuisance to the residents of those properties</p> <p><i>Note: Part 6 of the Building Act 2016 specifies requirements for protection work which apply to plumbing work including a wastewater treatment unit.</i></p>	<p>Complies with P7</p>



RECOMMENDED SYSTEM DESIGN(S)

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

The area required for irrigation is calculated using the following:

A = Area required for wastewater disposal

Q = Quantity of wastewater (in litres)

DIR = Design Irrigation Rate (based on Cat 5 soils)

$$A = Q/DIR; A = 5,400/3; A = 1,800\text{m}^2$$

Collect the wastewater in a new 5000L septic tank then to an AWTS Systems, set up in parallel for each system to take half the flow and pump the wastewater into 4 new separate surface irrigation fields totalling 1800m².

The irrigation area will be divided into 4 areas, each area being 450m² to ensure even distribution of the irrigated wastewater. Each area is recommended to be 13m x 110m located 17m from the creek

Specifications:

- 5000L septic tank to provide primary treatment
- **Envirocycle** Treatment Systems with modular tanks for secondary treatment to be installed and set up in parallel with each pumping to separate subsurface irrigation areas of the same size; this way the development can be staged.
- Minimum pump capacity to be 25m head at the highest point of the irrigation line
- Vacuum breaker to be installed. Wastewater to be returned to the wastewater unit
- 120 – 130 micron inline filter or spray heads to be installed
- A surface water cut off drain is to be installed upslope of the irrigation field
- Disposal area to be kept free of vehicular access
- Disposal area to be kept free of animals
- Disposal area to be ripped and dosed with gypsum prior to the installation of the dedicated KISS subsurface irrigation pipes
- The preferred method is subsurface irrigation into a minimum of 100mm of sandy loam and seed with grass
- For surface irrigation is elected, the area is to be covered with 150mm of organic mulch and planted out with water tolerant plants in dedicated shelter belts (see list of suitable plants)

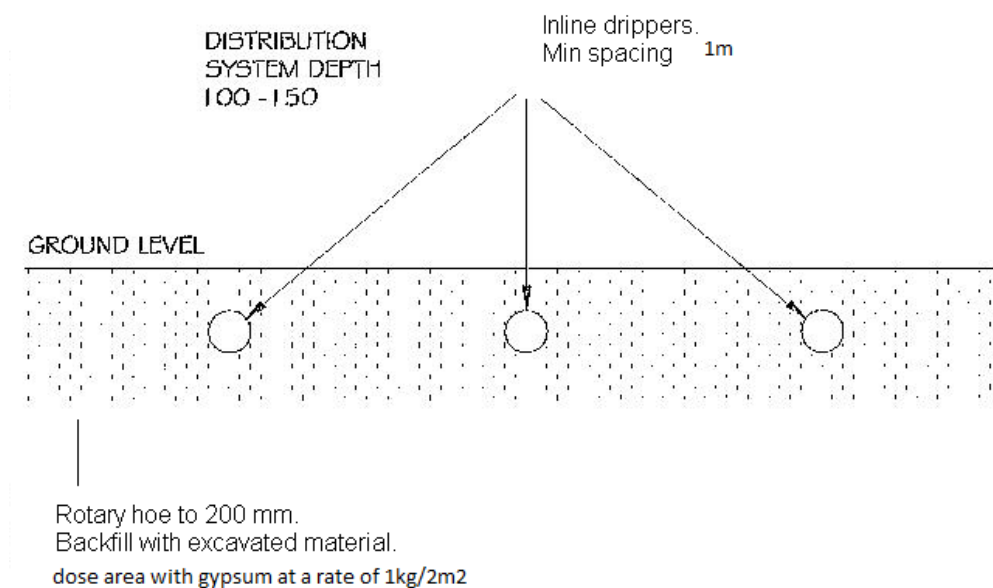
Notes:

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

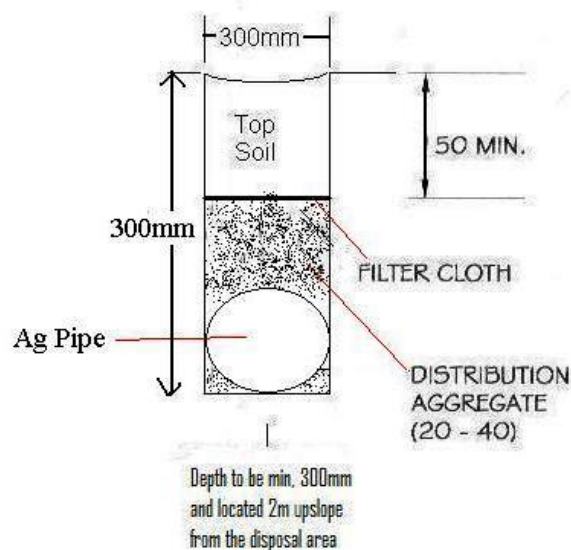
See cross sections over page



Surface Irrigation



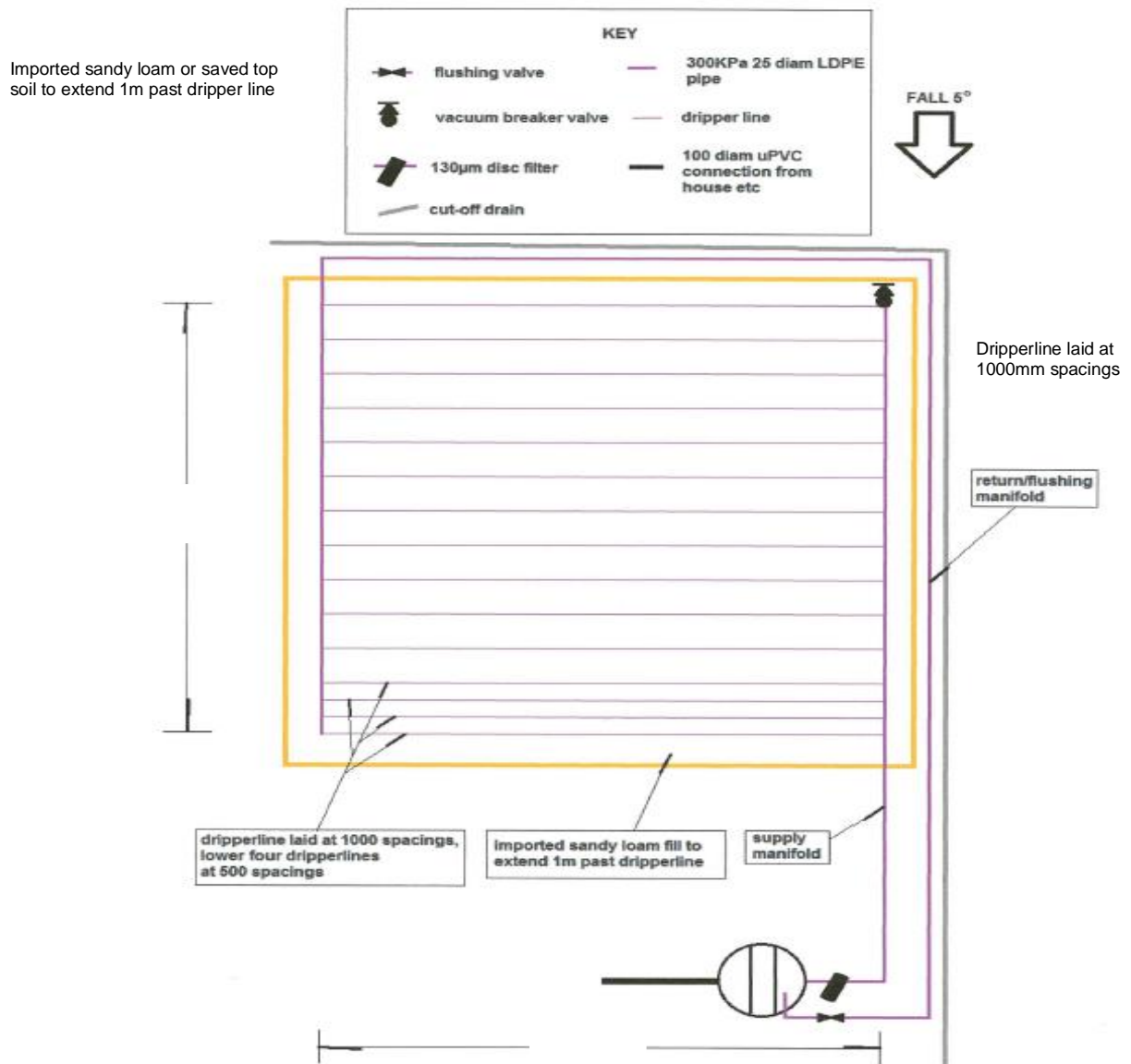
Shallow Sub-Surface Drip Irrigation System



CUT-OFF DRAIN DETAIL



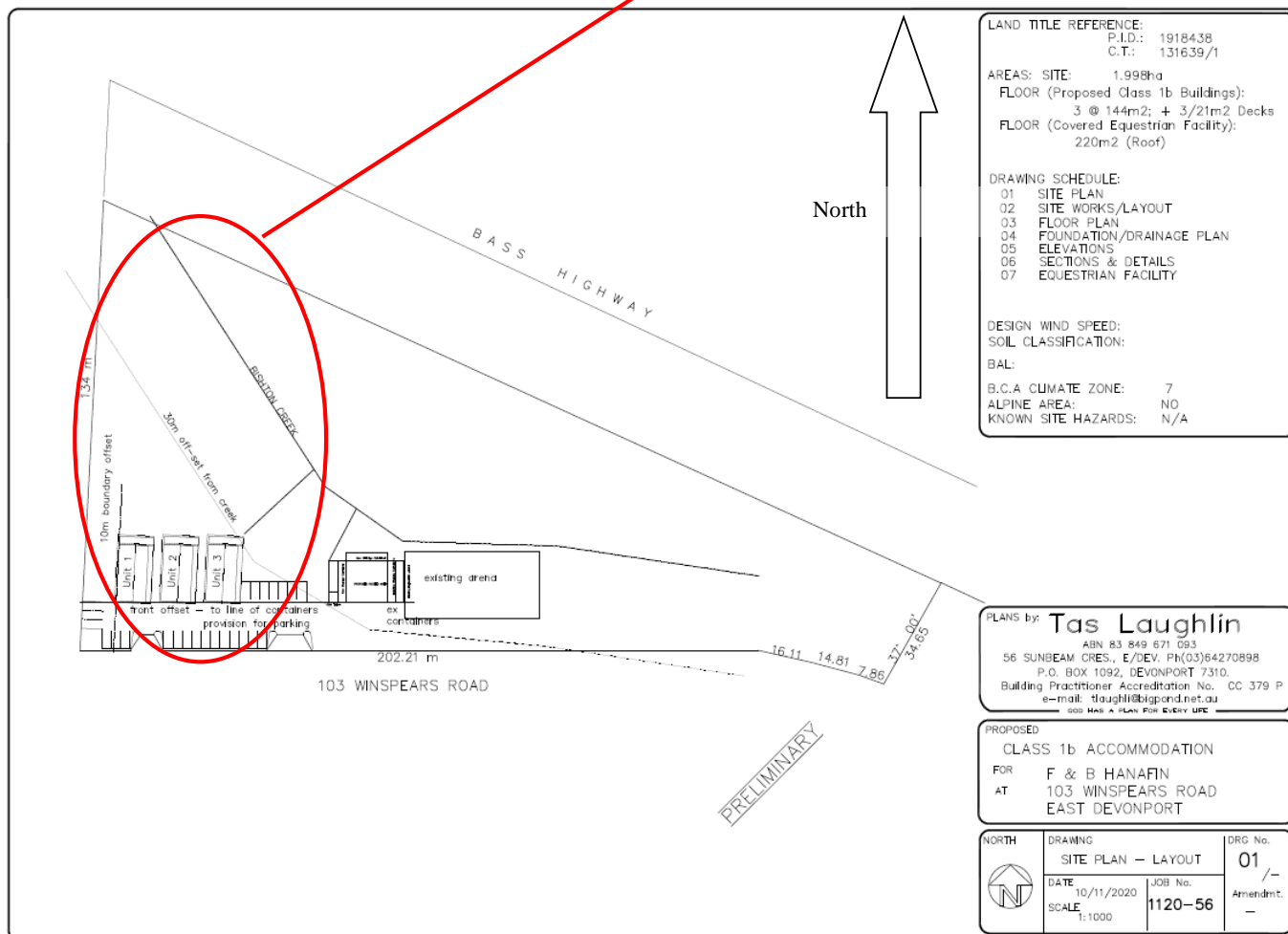
Subsurface Irrigation layout (reference to original plan provided by Sorell Council)
(indicative only) not to scale – see site plan for shape and size of proposed irrigation area.





Overall Site Plan

See detail over page

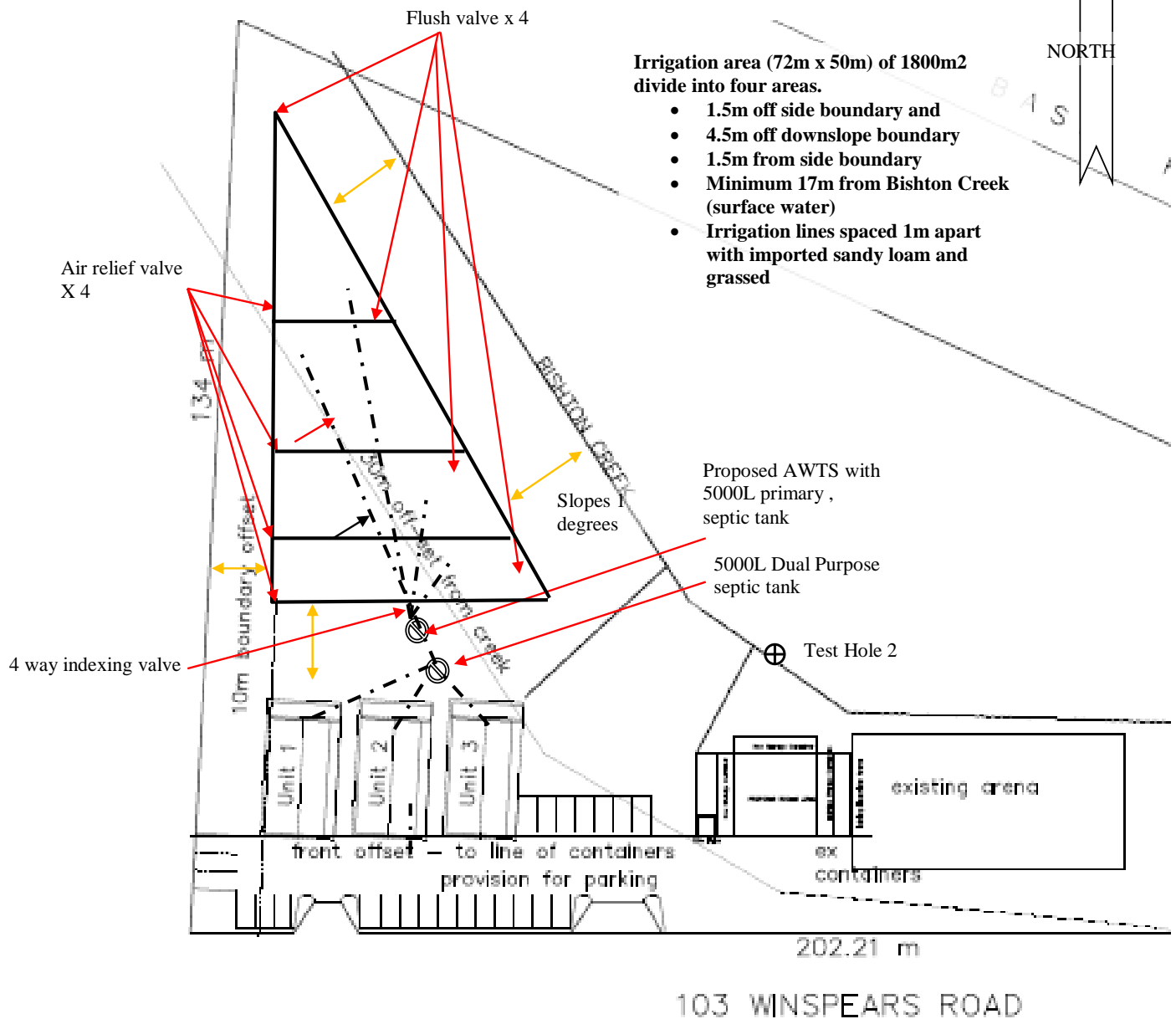




NOTE

All plumbing work to be carried out by a licensed plumber
 All work to be in accordance with the Plumbing Code 2019, Plumbing Regs. 2018 & AS 3500
 Subsurface irrigation areas to be installed in accordance with AS 1547-2012
 The responsibility for the installation rests with the owner and their agent
 An as constructed drawing of system to be provided on completion.
 There are many factors affecting the successful operation of an on-site wastewater system and it is likely that at some time in the future additional work may be required.

Site Plan



Scale Bar (Approx only)

SSE - 103 Winspears Road

#18021

16



Maintenance Schedule of your On Site Wastewater System

Your On Site Wastewater System has been designed to meet the performance requirements of the Australian Standards, AS1547:2012. Correctly operated and maintained, it should give you years of reliable service.

This maintenance guide has been prepared to outline the maintenance required to ensure the maximum operating life of your system. Please keep it in an easily accessible place, ideally attached to a wall, to enable easy reference.

Operating tips for a healthy on-site wastewater system:

- Ⓢ Use a sink strainer, and do not use in sink garbage grinders
- Ⓢ Do not dispose of oils and fats down the sink
- Ⓢ Avoid harsh chemical cleaners such as bleach, which kills bacteria in the septic tank.
- Ⓢ Use cleaners designed for use with on-site wastewater systems. There are some “Probiotic” cleaners available, which provide beneficial bacteria for your septic.
- Ⓢ Use low sodium, low phosphorous detergents.
- Ⓢ Do not dispose of items such as hazardous chemicals and paints, condoms, nappies, tampons or cigarette butts into the sink / toilet
- Ⓢ Reduce water usage where possible, Install water saving devices, and have leakages repaired. Less water means a reduced loading on your septic tank.
- Ⓢ Do not disturb, drive on or build on top of wastewater infrastructure such as septic tanks, grease traps, lint filters, absorption areas and irrigation areas.

Recommended Maintenance

- Ⓢ Septic tanks should be pumped out every 3 – 5 years. This is to prevent the build-up of solids from your tank being carried through to the trenches, which could lead to trench blockages.
- Ⓢ Inspection and cleaning of lint filters and grease traps, if you have them, at least every 3 months. Clean them out, and dispose of waste appropriately.

Date of system Design: 23/11/20

Date of installation:

Date of last pump-out of septic tank:

03 62281600
admin@seam.com.au
www.seam.com.au



I/We authorise the Devonport City Council to make copies of the report for internal office use.
Attached with the report or included with the application are original copies of all required
certifications from suitably qualified persons. The design of this on-site wastewater system is suitable
for the properties referred to in this report and the application.

DESIGNER

Approved by: James Wood

NAME OF ORGANISATION: S.E.A.M.
(Sustainable Environmental Assessment and Management)

ADDRESS:
Office: 160 New Town Road, NEW TOWN 7008
NW: 41c Stewart Street, DEVONPORT 7315

CONTACT DETAILS:
Mob: 0419 330 686
Ph: (03) 6228 1600

A handwritten signature in dark ink, appearing to be "JW", is written over a light blue rectangular background.

SIGNED: _____ Date: 23th November 2020

CERTIFICATE OF THE RESPONSIBLE DESIGNER

Section 94
Section 106
Section 129
Section 155

To: Owner name
 Address
 Suburb/postcode

Form **35**

Designer details:

Name: Category:
 Business name: Phone No:
 Business address:
 Fax No:
 Licence No: Email address:

Details of the proposed work:

Owner/Applicant Designer's project reference No.
Address: Lot No:

Type of work: Building work ☐ Plumbing work ☒ (X all applicable)

Description of work:

(new building / alteration / addition / repair / removal / re-erection / water / sewerage / stormwater / on-site wastewater management system / backflow prevention / other)

Description of the Design Work (Scope, limitations or exclusions): (X all applicable certificates)

Certificate Type:	Certificate	Responsible Practitioner
	<input type="checkbox"/> Building design	Architect or Building Designer
	<input type="checkbox"/> Structural design	Engineer or Civil Designer
	<input type="checkbox"/> Fire Safety design	Fire Engineer
	<input type="checkbox"/> Civil design	Civil Engineer or Civil Designer
	<input checked="" type="checkbox"/> Hydraulic design	Building Services Designer
	<input type="checkbox"/> Fire service design	Building Services Designer
	<input type="checkbox"/> Electrical design	Building Services Designer
	<input type="checkbox"/> Mechanical design	Building Service Designer
	<input checked="" type="checkbox"/> Plumbing design	Plumber-Certifier; Architect, Building Designer or Engineer
	<input type="checkbox"/> Other (specify)	
Deemed-to-Satisfy: <input checked="" type="checkbox"/>		Performance Solution: <input type="checkbox"/> <small>(X the appropriate box)</small>
Other details:		

Design documents provided:

The following documents are provided with this Certificate –

Document description:

Drawing numbers: Site Plan	Prepared by: Provided by owner	Date:
Schedules:	Prepared by: SEAM	Date: 23/11/20
Specifications:	Prepared by: SEAM	Date: 23/11/20
Computations:	Prepared by: SEAM	Date: 23/11/20
Performance solution proposals:	Prepared by: SEAM	Date: 23/11/20
Test reports:	Prepared by: SEAM	Date: 23/11/20

Standards, codes or guidelines relied on in design process:

- AS1547:2012
- Trench 3 TM
- Directors Guidelines for on-site wastewater management systems – Building Act 2016

Any other relevant documentation:

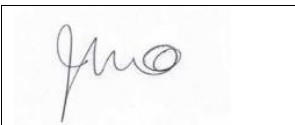
All plumbing work to be carried out by a licensed plumber
 All work to be in accordance with the Plumbing Code 2019, Plumbing Regs. 2018 & AS 3500
 The responsibility for the installation rests with the owner and their agent
 An as constructed drawing of system to be provided on completion.
 There are many factors affecting the successful operation of a stormwater treatment system and it is likely that at some time in the future additional work may be required to maintain the system operational and nuisance free.

Attribution as designer:

I James Wood am responsible for the design of that part of the work as described in this certificate;

The documentation relating to the design includes sufficient information for the assessment of the work in accordance with the *Building Act 2016* and sufficient detail for the builder or plumber to carry out the work in accordance with the documents and the Act;

This certificate confirms compliance and is evidence of suitability of this design with the requirements of the National Construction Code.

	<i>Name: (print)</i>	<i>Signed</i>	<i>Date</i>
Designer:	James Wood		23/11/20
Licence No:	CC1984K		

Assessment of Certifiable Works: (TasWater)

Note: single residential dwellings and outbuildings on a lot with an existing sewer connection are not considered to increase demand and are not certifiable.

If you cannot check ALL of these boxes, LEAVE THIS SECTION BLANK.

TasWater must then be contacted to determine if the proposed works are Certifiable Works.


I confirm that the proposed works are not Certifiable Works, in accordance with the Guidelines for TasWater CCW Assessments, by virtue that all of the following are satisfied:

- ☒ The works will not increase the demand for water supplied by TasWater
- ☒ The works will not increase or decrease the amount of sewage or toxins that is to be removed by, or discharged into, TasWater's sewerage infrastructure
- ☒ The works will not require a new connection, or a modification to an existing connection, to be made to TasWater's infrastructure
- ☒ The works will not damage or interfere with TasWater's works
- ☒ The works will not adversely affect TasWater's operations
- ☒ The work are not within 2m of TasWater's infrastructure and are outside any TasWater easement
- ☒ I have checked the LISTMap to confirm the location of TasWater infrastructure
- ☒ If the property is connected to TasWater's water system, a water meter is in place, or has been applied for to TasWater.

Certification:

I James Wood being responsible for the proposed work, am satisfied that the works described above are not Certifiable Works, as defined within the *Water and Sewerage Industry Act 2008*, that I have answered the above questions with all due diligence and have read and understood the Guidelines for TasWater CCW Assessments.

Note: the Guidelines for TasWater Certification of Certifiable Works Assessments are available at: www.taswater.com.au

	<i>Name: (print)</i>	<i>Signed</i>	<i>Date</i>
Designer:	James Wood		23/11/20

To: Scott Livingston
Subject: RE: Natural value assessment Windspears Rd

From: Scott Livingston <scottlivingston.lnrs@gmail.com>
Sent: Friday, 26 March 2021 10:46 AM
To: Jana Rockliff <j.rockliff@veris.com.au>; Fionahanafin101@gmail.com
Subject: Re: Natural value assessment Windspears Rd

Natural Values 103 Winspears Road East Devonport

I undertook a site inspection at 103 Winspears Road, East Devonport on 25th March 2021 to ascertain the natural values of the site. Primarily this was focused on the presence or potential habitat for burrowing crayfish however, all other natural values were considered.

The site is cleared and predominately pasture and weeds with some native vegetation along Bishton Creek and drainage line along the western boundary. The remnant native vegetation is predominately *Melaleuca ericifolia* (coast paper bark) with a single eucalypt along the creek. Bishtons Creek is a manmade ditch through what originally would have been a broad swampy area with no defined stream channel, its catchment cleared farmland with minimal native vegetation remaining.

Occasional crayfish burrows were found along the watercourse, generally around the midpoint of the bank, these were widely spaced along the length of the watercourse, no burrows were found on the drainage line along the western boundary though dense growth made visibility difficult. The ephemeral flows provide less suitable habitat. No burrows were found outside the formed drain and no areas of pasture appear to have sufficient waterlogging to provide habitat.

While no species identification was undertaken it is assumed that the burrows are *Engaus granulatus* Central North Burrowing Crayfish based on know range, although there are other burrowing crayfish species known within the area. Positive identification would require excavation of burrows with associated damage to habitat. *Engaus granulatus* is listed as endangered under Threatened Species Act 1995 (State) and Environment Protection and Biodiversity Conservation Act 1999 (Federal).

The major threats to the population on the site are drying out of the habitat, lowering of the water table and crushing of burrows. Given the past disturbance and changes to drainage patterns it is considered unlikely that further drainage works will be required, stock is currently excluded from the drain by electric fencing and as long as this remains effective damage is unlikely. The greatest potential impact on site is further excavation of the drainage line to increase depth/ capacity and this should be avoided. Changes in the amount and timing of flows in the creek is totally dependent on upstream land use, noting there are a number of irrigation dams upstream. While water quality can have an impact on the species the high level of upstream agriculture and minimal stream side vegetation is already affecting that, and no significant change is likely.

In summary, the proposed developments on 103 Winspears Road for containers and accommodation units are unlikely to have any impact on the threatened *Engaus granulatus* present within the drainage channel of Bishtons Creek.

It is recommended that exclusion of livestock from the creek is maintained and no excavation works are undertaken on the main creek channel or immediate vicinity of the creek bank. If additional storm water discharge or drainage is required on site it should wherever possible be direct to either of the existing side drains on the southern portion of the property. Provided these recommendations are followed no significant impact on the burrowing crayfish is expected and no requirements under the Threatened Species Act, or EPBC are anticipated. The proposed

development requires no clearing of native vegetation, a portion of the development is with 30m of Bishtons Creek is within the Waterways and Coastal Protection Area and provided there is no disturbance to the stream bank of Bishtons Creek the potential impacts on the natural values of the waterway will be avoided and meet C.6.1 P1 of the Tasmanian Planning Scheme(Devonport).

regards

Scott Livingston

Master of Environmental Management

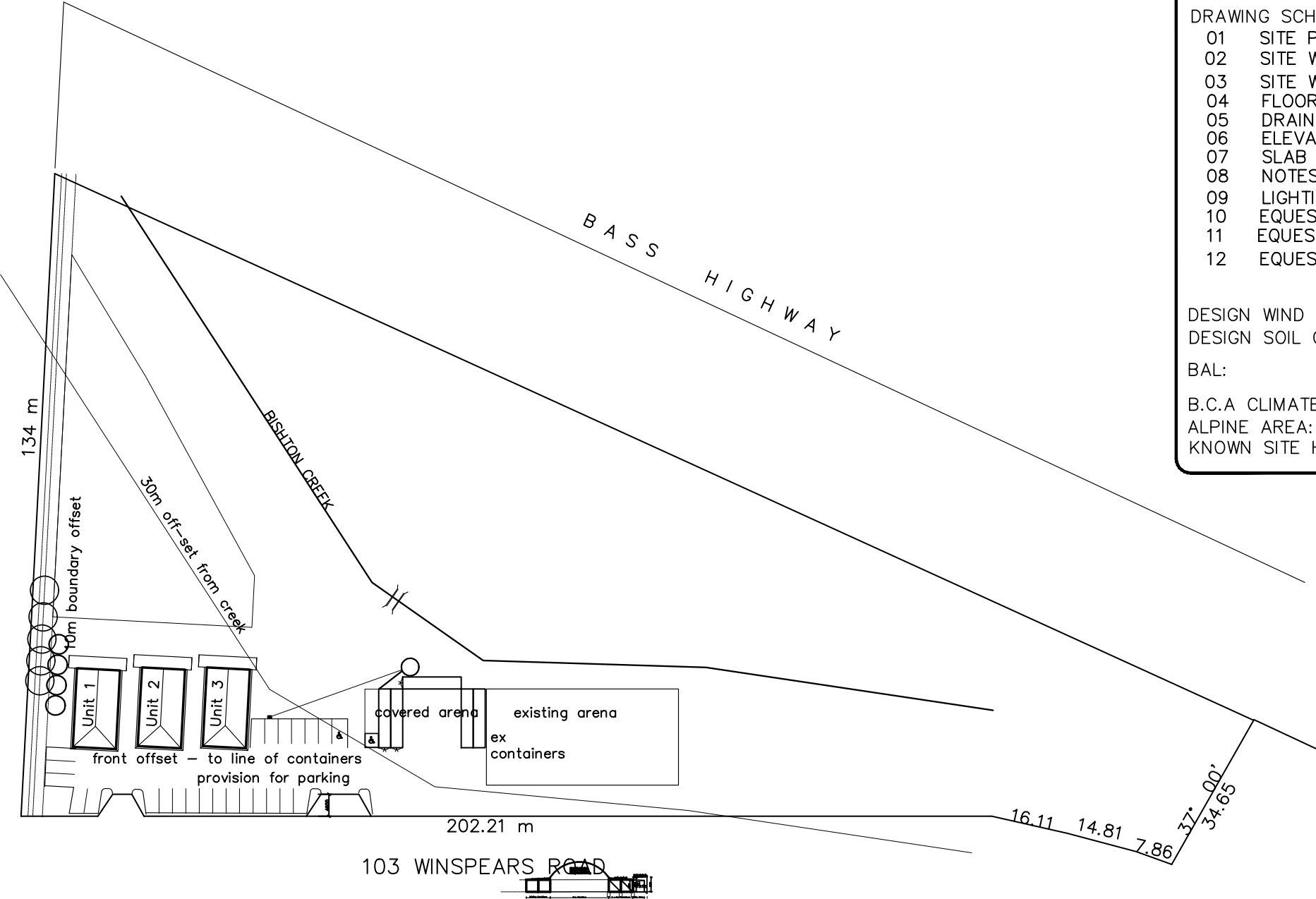
Forest practices Officer (Planning)

Accredited Person under part 4A of the Fire Service Act 1979: BFP-105

Livingston Natural Resource Services

mob 0438 951 021

scottlivingston.lnrs@gmail.com



LAND TITLE REFERENCE:
P.I.D.: 1918438
C.T.: 131639/1

AREAS: SITE: 1.998ha
FLOOR (Proposed Class 1b Buildings):
3 @ 144m²; + 3/21m² Decks
FLOOR (Covered Equestrian Facility):
220m² (Roof)

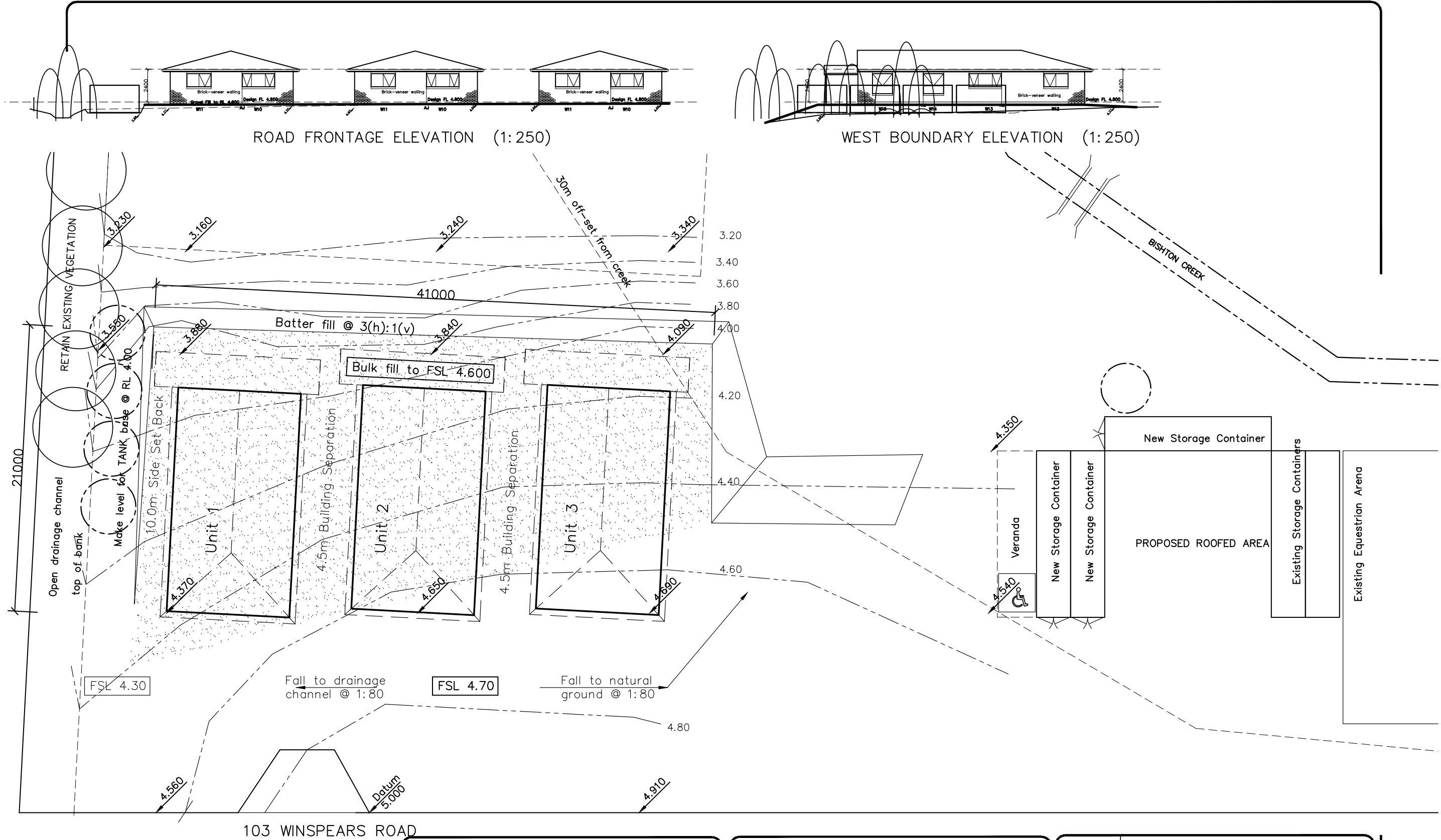
DRAWING SCHEDULE:
01 SITE PLAN
02 SITE WORKS – LAYOUT
03 SITE WORKS – SETOUT
04 FLOOR PLAN
05 DRAINAGE PLAN
06 ELEVATIONS
07 SLAB & DRAINAGE DETAILS
08 NOTES & BRACING
09 LIGHTING
10 EQUESTRIAN AREA – PLAN
11 EQUESTRIAN AREA – FOOTINGS
12 EQUESTRIAN AREA – ELEVATIONS

DESIGN WIND SPEED: N2 (TBC)
DESIGN SOIL CLASSIFICATION: M (TBC)
BAL: 12.5 (TBC)
B.C.A CLIMATE ZONE: 7
ALPINE AREA: NO
KNOWN SITE HAZARDS: N/A

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 **CLASS 1b ACCOMMODATION**
FOR **HANAFIN & KELLY Enterprises (Trustees)**
(c/- Fiona & Brian HANAFIN)
AT 103 WINSPEARS ROAD
EAST DEVONPORT

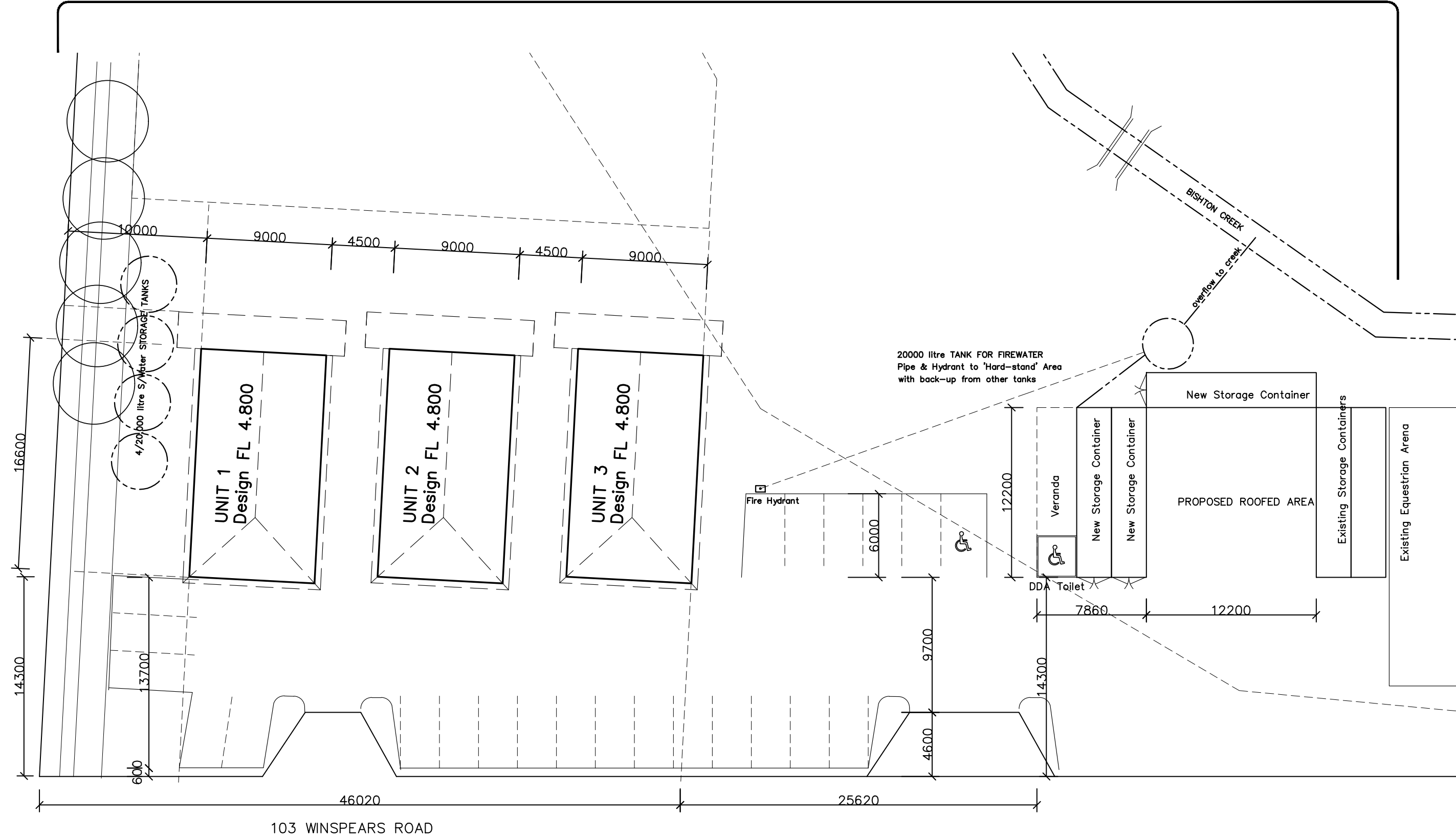
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	DATE 21/4/2021	JOB No. 1120-56	
	SCALE 1:1000	Amendmt. -	



PLANS by: **Tas Laughlin**
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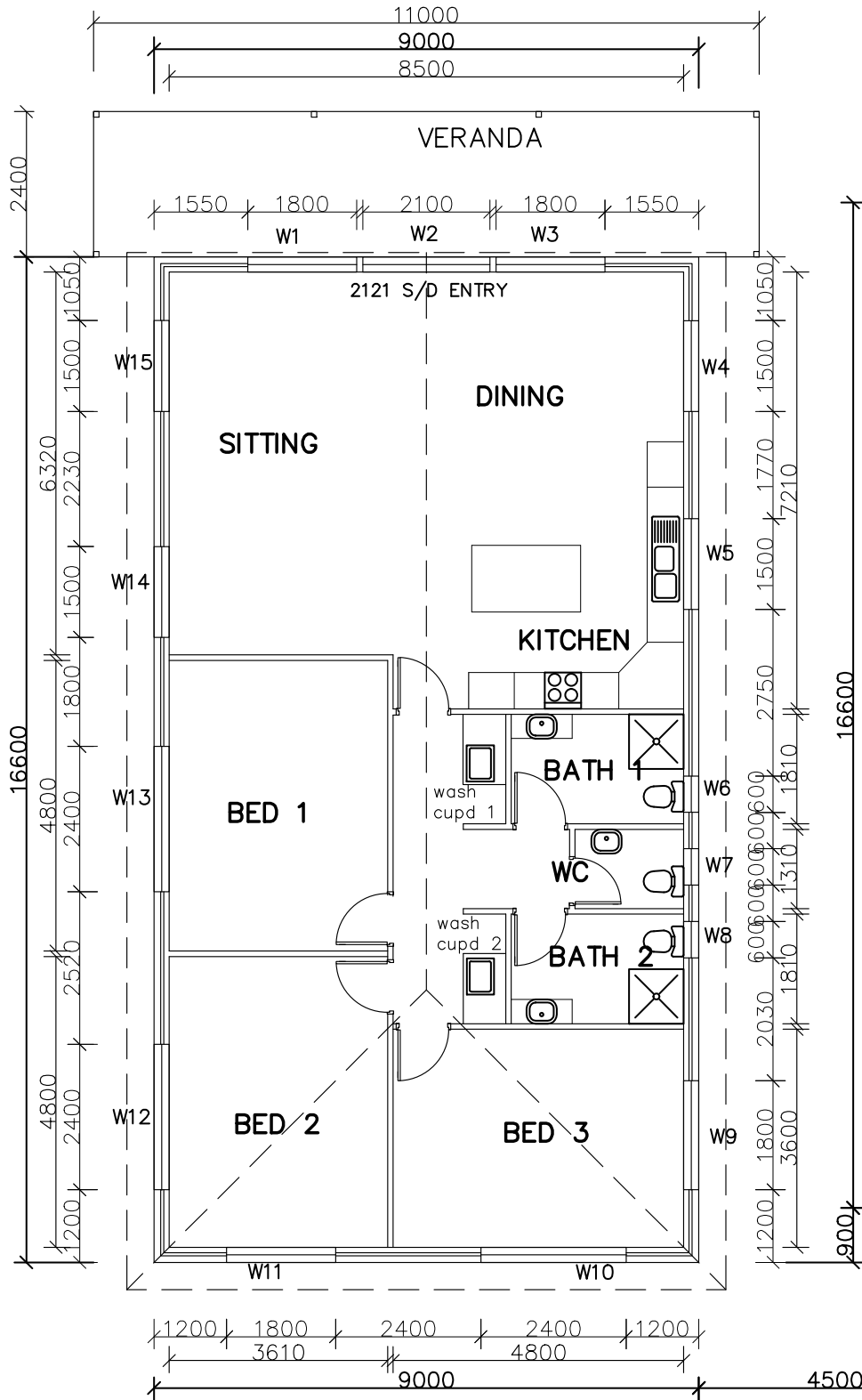
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	DATE 21/4/2021 SCALE 1:250	JOB No. 1120-56	



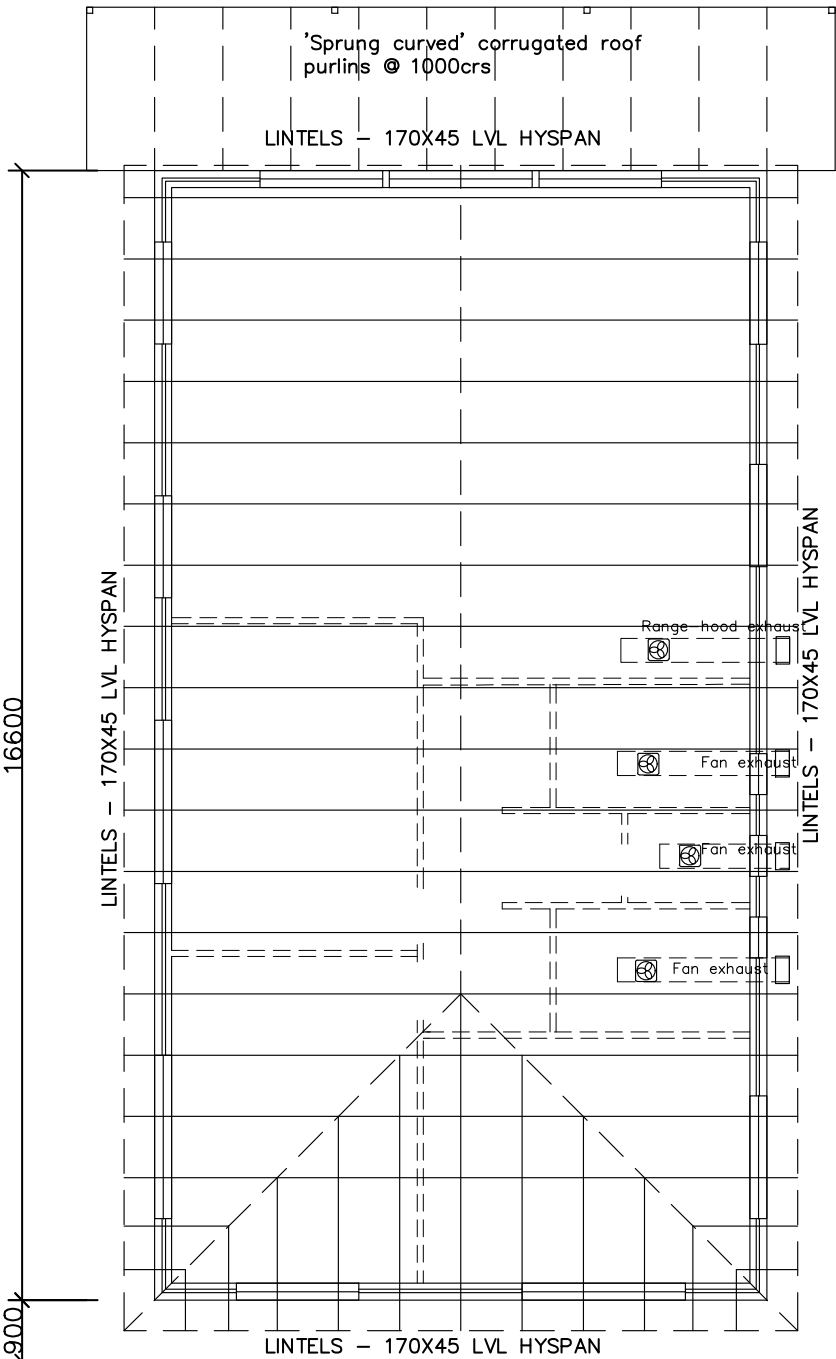
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EAST DEVONPORT

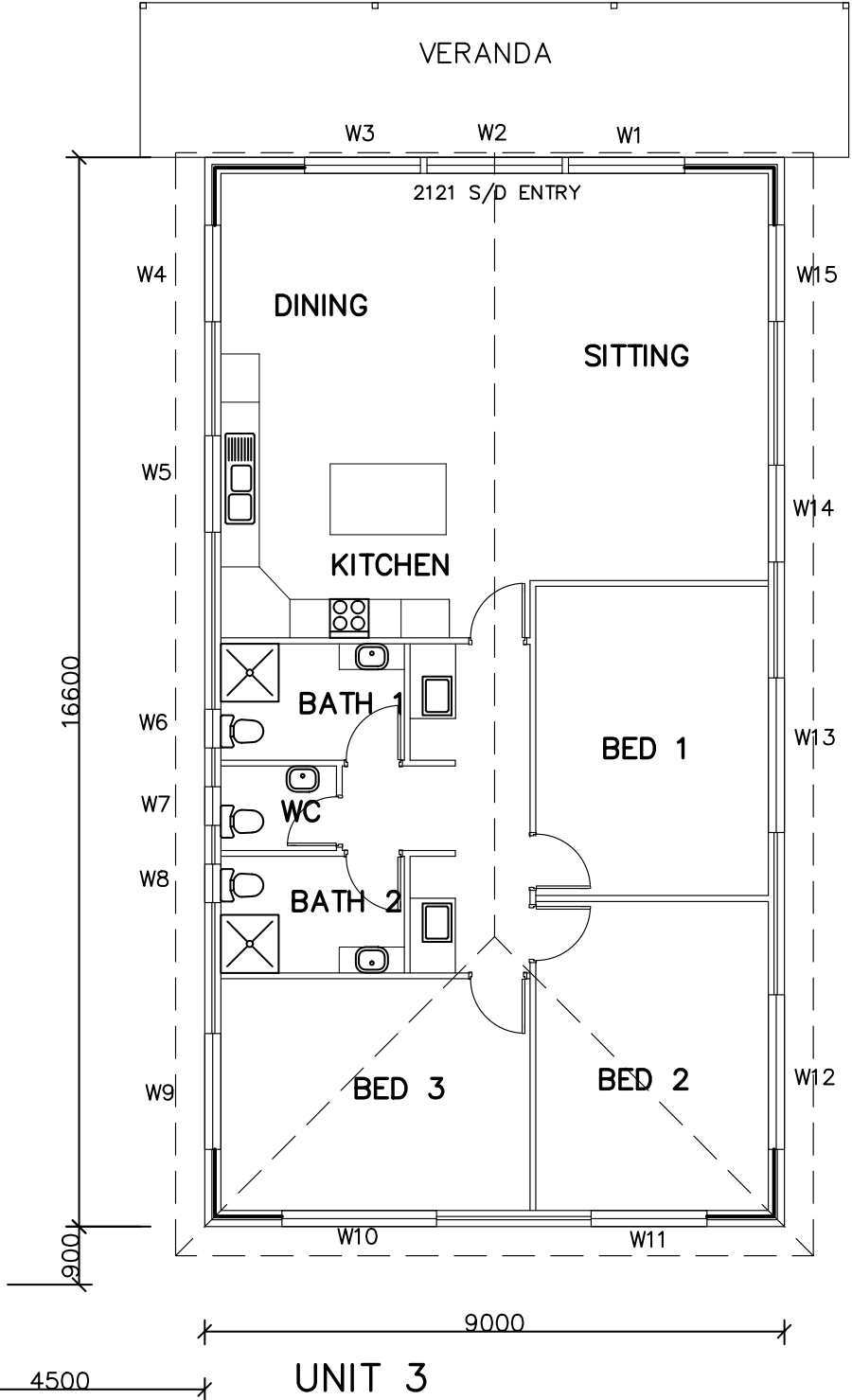
NORTH 	DRAWING SITE PLAN – SET OUT		DRG No. 03 /- Amendmt. -
	DATE 21/4/2021	JOB No. 1120-56	
	SCALE 1:250		



TYPICAL PLAN & DIMENSIONS
UNIT 1



TYPICAL ROOF PLAN
UNIT 2

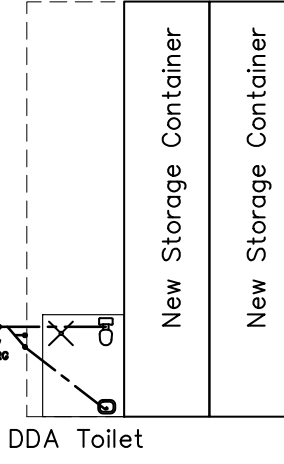
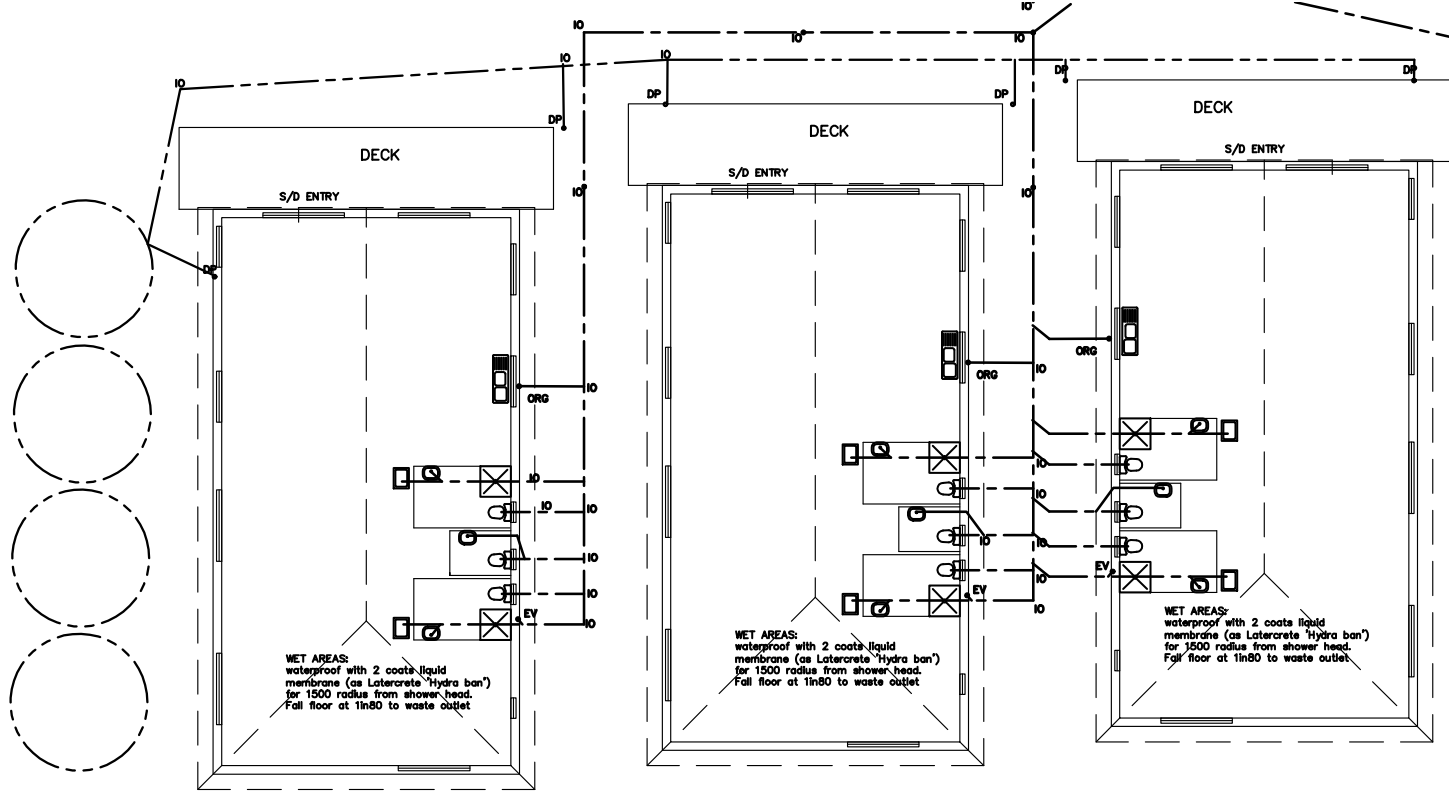
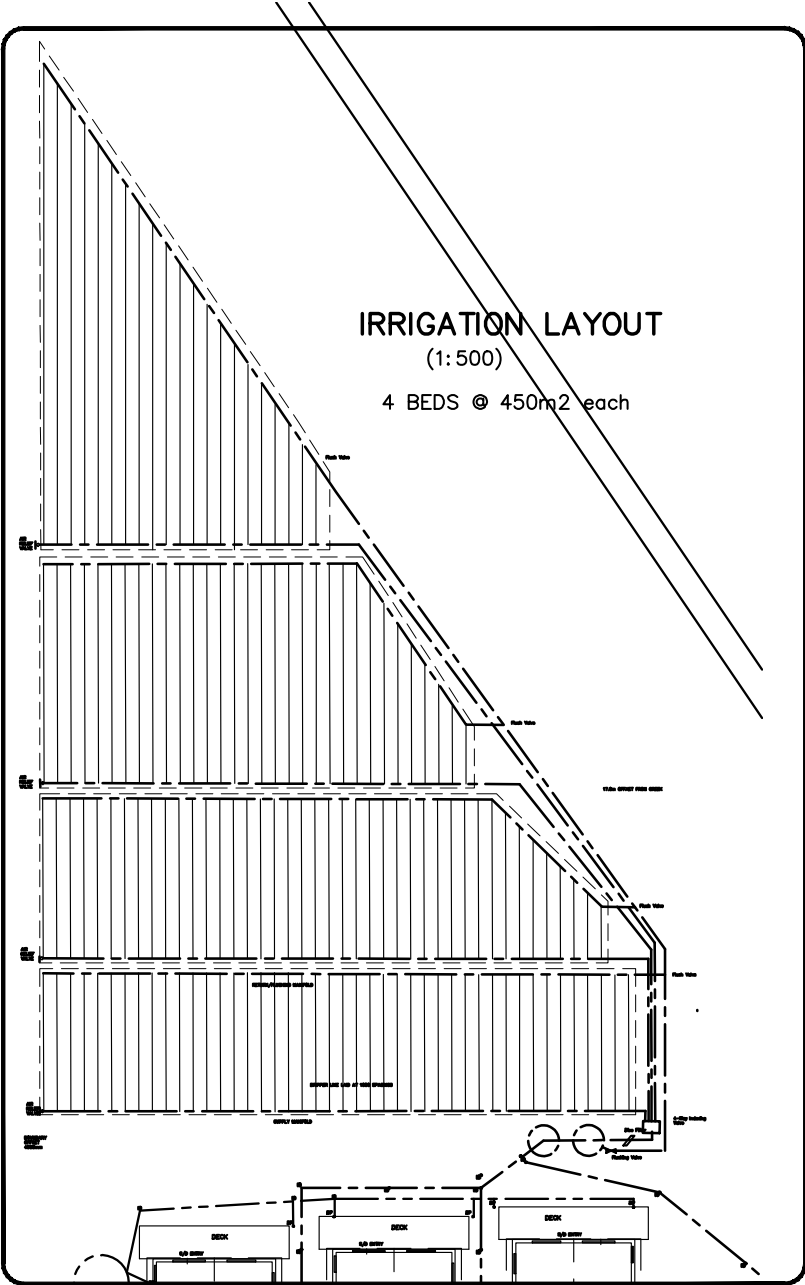
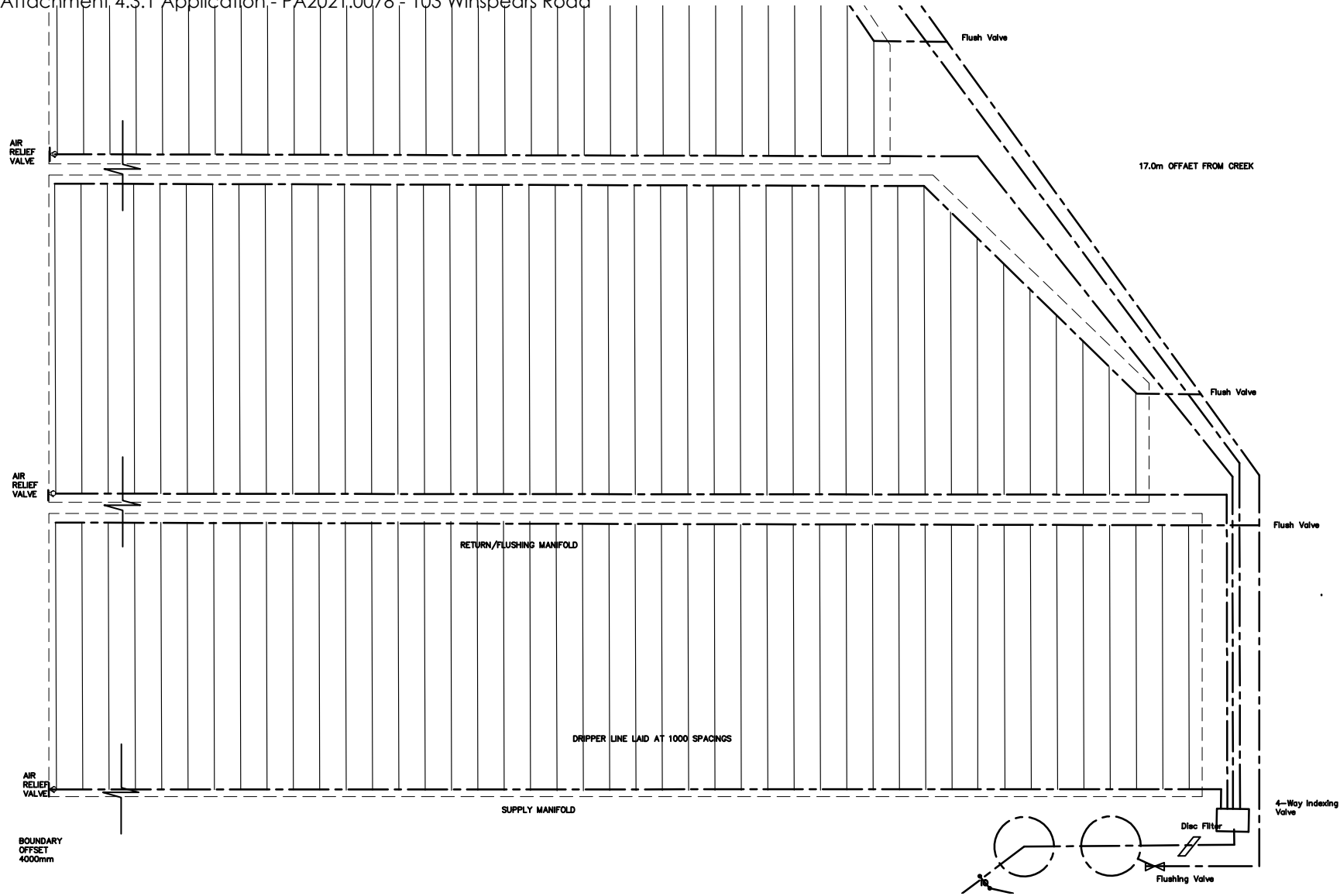


UNIT 3

PLANS by: **Tas Laughlin**
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GOD HAS A PLAN FOR EVERY LIFE

PROPOSED **CLASS 1b ACCOMMODATION**
FOR **HANAFIN & KELLY Enterprises (Trustees)**
(c/- Fiona & Brian HANAFIN)
AT 103 WINSPEARS ROAD
EAST DEVONPORT

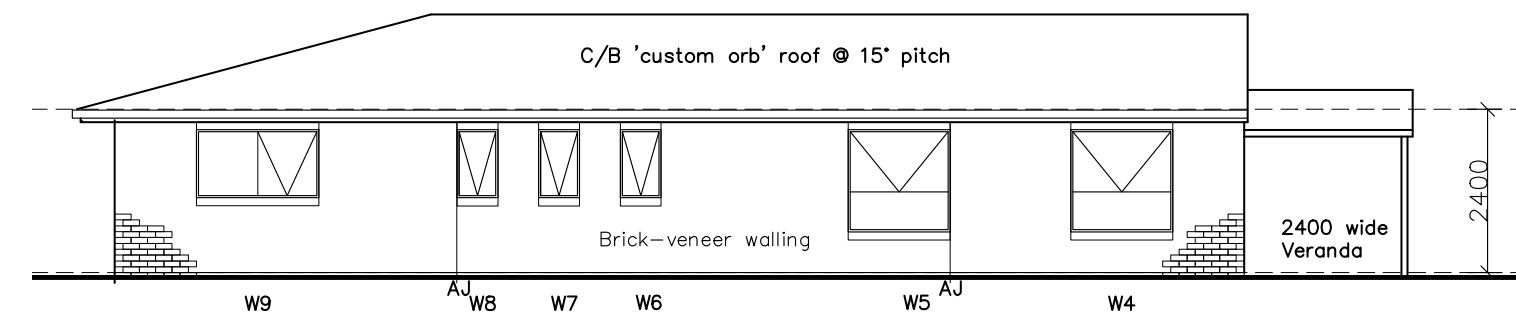
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	DATE 21/4/2021 SCALE 1:100	JOB No. 1120-56	



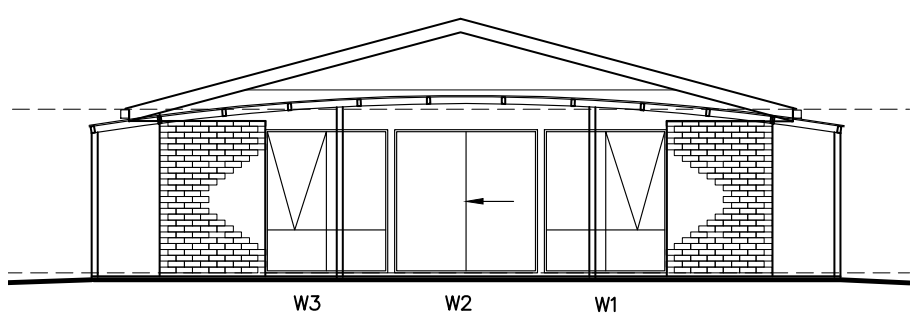
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AT 103 WINSPEARS ROAD
EAST DEVONPORT

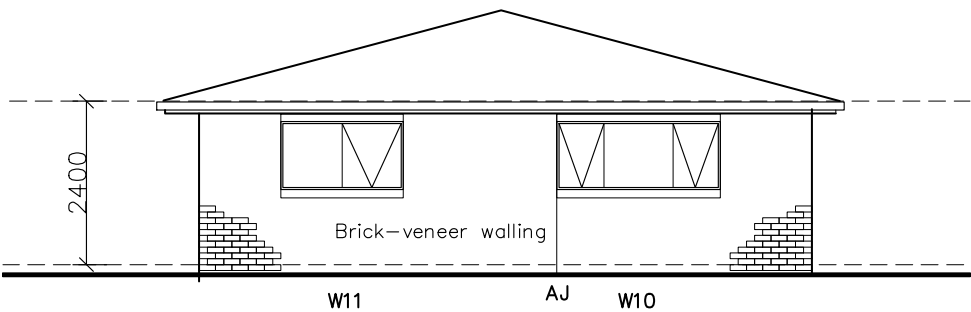
NORTH	DRAWING	DRG No.	05 / -
		Amendmt. -	
		DRAINAGE PLAN	JOB No.
DATE		21/4/2021	1120-56
SCALE		1:200	



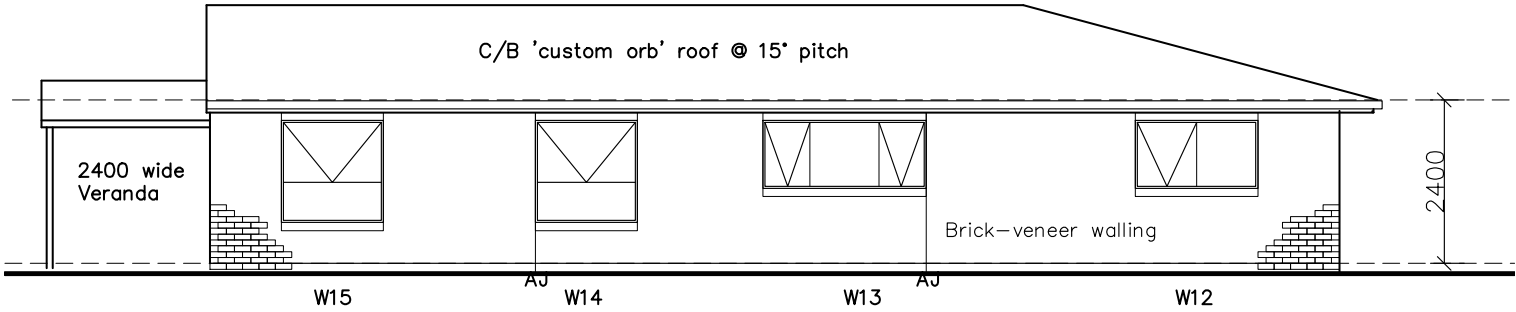
EAST – ELEVATION



NORTH – REAR – ELEVATION



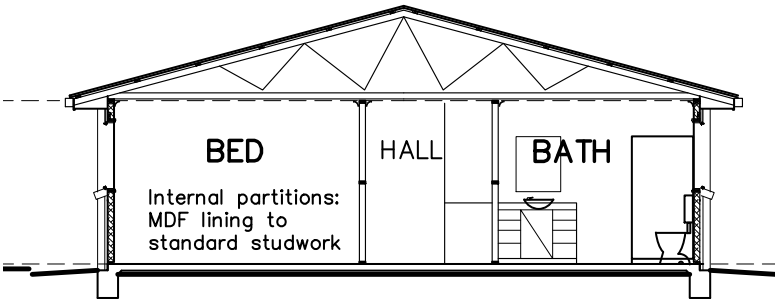
SOUTH – FRONT– ELEVATION



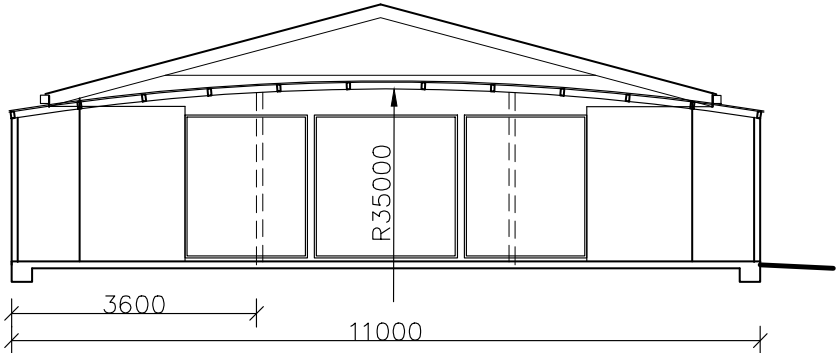
WEST – ELEVATION

WINDOW SCHEDULE:

No		Ht x Wdth	Sash	Area	Elevation	Glass
W1	Sitting	2100x1800	Awn	3.78	North	4/10/4 IGU
W2	Entry	2100x2100	S/Door	4.41	North	6.38 lam safetyA
W3	Dining	2100x1800	Awn	3.78	North	4/10/4 IGU
W4	Dining	1500x1500	Awn	2.25	Side	4/10/4 IGU
W5	Kitchen	1000x1500	Awn	1.50	Side	4/10/4 IGU
W6	Bath	1000x0600	Awn	0.60	Side	4mm obs
W7	WC	1000x0600	Awn	0.60	Side	4mm obs
W8	Bath	1000x0600	Awn	0.60	Side	4mm obs
W9	Bed 3	1000x1800	Awn	1.80	Side	4/10/4 IGU
W10	Bed 3	1000x2400	Awn	2.40	South	4/10/4 IGU
W11	Bed 2	1000x1800	Awn	1.80	South	4/10/4 IGU
W12	Bed 2	1000x2400	Awn	2.40	Side	4/10/4 IGU
W13	Bed 1	1000x2.40	Awn	2.40	Side	4/10/4 IGU
W14	Sitting	1500x1500	Awn	2.25	Side	4/10/4 IGU
W15	Sitting	1500x1500	Awn	2.25	Side	4/10/4 IGU



TYPICAL SECTION



GABLE END/VERANDA:
– Hardies 'EasyLap' panelling above windows & flashing
– 'Sprung-curved' corrugated 'Laserlite' sheeting on 100x50 RHS Duragal frame & purlins @ 35m radius.
– 75x75 SHS Duragal posts @ nom 3.6m crs

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PROPOSED **CLASS 1b ACCOMMODATION**
FOR **HANAFIN & KELLY Enterprises (Trustees)**
(c/- Fiona & Brian HANAFIN)
AT 103 WINSPEARS ROAD
EAST DEVONPORT

NORTH

DRAWING

ELEVATIONS

DATE 21/4/2021
SCALE 1:100

DRG No.

06

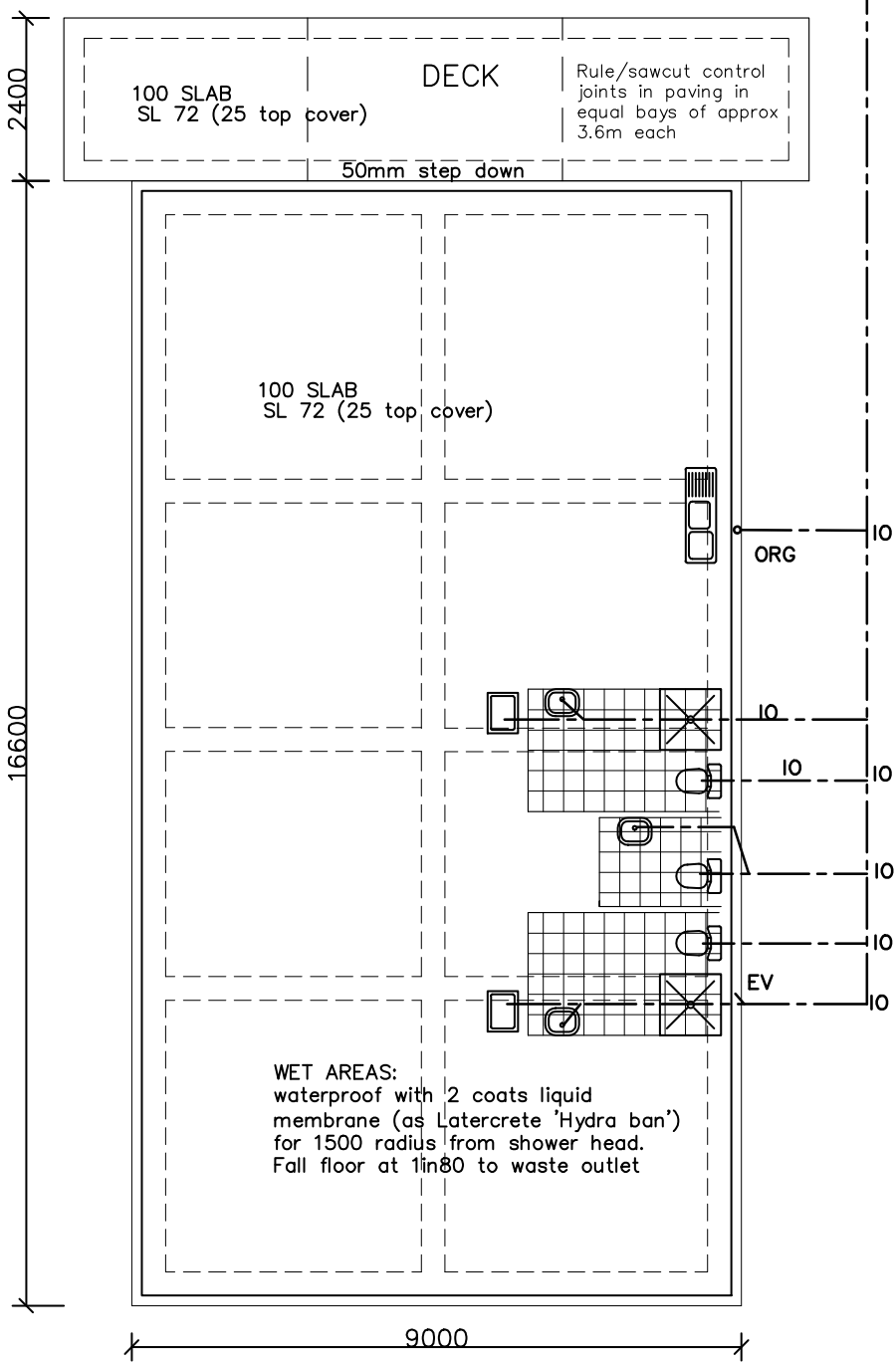
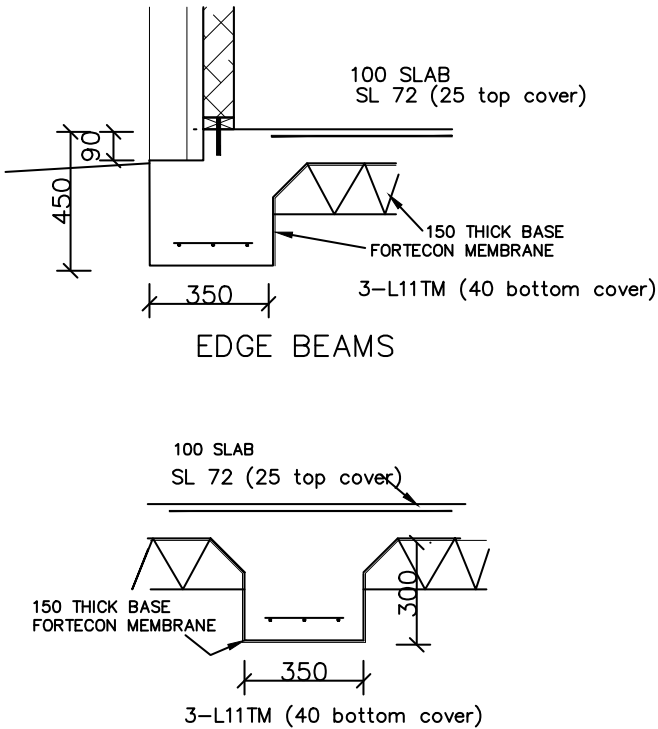
Amendmt. -

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



SLAB AND FOOTING NOTES:
1. SLAB AND FOOTING CONSTRUCTION SHALL COMPLY WITH as 2870
2. ALL RECOMMENDATIONS OF THE GEOTECH REPORT SHALL BE STRICTLY ADHERED TO.
3. ENGINEER OR BUILDING SURVEYOR SHALL INSPECT FOOTINGS PRIOR TO PLACING CONCRETE.
4. GROUND TO BE SHAPED TO FALL AWAY FROM BUILDING @ 50mm OVER 1000mm IN ACCORDANCE WITH NCC part 3.1.2.3
5. CONCRETE SHALL BE f'c 25MPa U.N.O.
6. COVER: 30mm TOP; 45mm SIDES & BOTTOM U.N.O.
7. ALL CONCRETE SHALL BE PLACED WITH A MECHANICAL VIBRATOR

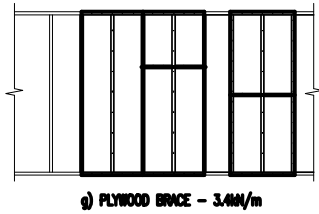
PLANS by: **Tas Laughlin**
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AT 103 WINSPEARS ROAD
EAST DEVONPORT

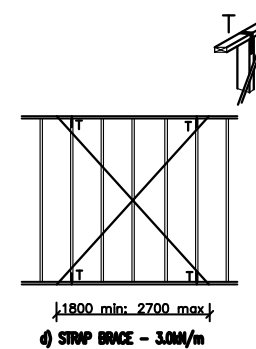
NORTH 	DRAWING FLOOR SLAB & DRAINAGE		DRG No. 07 /- Amendmt. -
	DATE 21/4/2021 SCALE 1:100	JOB No. 1120-56	

BRIEF SPECIFICATION:

- FOOTINGS, SLAB, & WALL BRACING to Engineer's design & certification.
- SITE PREPARATION: To an area to 1.0m outside building line, strip top soil (stock pile for reuse at completion of works); proof-roll sub-base & cut/fill as determined on site; compacted sand/gravel as 'controlled fill' (AS2870 cl 6.4.2)
- FLOOR SLAB: concrete 'raft' slab on compacted fill, placed over membrane.
- EXTERNAL WALLS: 'Insul-Living' C/B clad insulated panels by 'BONDOR', fixed to panel manufacturer's installation manual.
- INTERNAL WALLS: 90 x 35 (MGP10) stud framing @ 450crs (Double stud at corners). nom 12mm MDF internal wall lining; (Expressed joints). Timber cornice & skirting.
- ROOF: Standard timber trusses @ 900crs. for corrugated C/B steel sheeting, designed and fixed in accordance with ABCB protocol for structural design software & to truss manufacturer's installation manual. MDF ceiling lining on battens under trusses. (Expressed joints).
- FASCIA & EAVES: Standard C/B fascia & gutter; fibre-cement eaves lining.
- INSULATION/CONDENSATION CONTROL: (Ref CBOS Designers' Guide to condensation in Buildings)
ROOF: 'Vapour permeable' membrane (as Bradford ProctorWrap HT-R) over trusses & under roof battens.
CEILING: R=4.0 on top of ceiling lining. Ensure min air gap of 25mm between insulation & sarking and sarking & roof. (as fig 18.)
WALLS: (as 150 thick EPS 'BONDOR' panels)
- WINDOWS: Standard domestic powder-coated aluminium frames to suit glazing as scheduled & as required by B.C.A part 3.6 & AS 1288.
- SMOKE ALARMS: To be hard wired to 240v power supply (fitted with battery back-up) and be interconnected where two or more alarms are required by AS3786 & NCC part 3.7.2.2.
- FITOUT: Architraves; Skirting; Doors etc. as directed by Owner.
- WET AREAS: To floor & walls of 'Wet Areas' as defined in B.C.A part 3.8.1, seal/waterproof with min 2 coats liquid membrane (as 'Hydra Ban' by Laticrete) under tiled surfaces.
- SERVICES: Joinery, Electrical & Plumbing to be as directed on site by Owner.
- STEPS & STAIRS: Any step or stair shall have max 190mm riser x min 250 going and be slip resistant to NCC part 3.9.1.3 & 4, and shall not have an opening that would allow a 125ø sphere to pass.



PLY BRACING UNIT – type g) @ 3.4kN/m.
7mm F8; or 6mm F11 structural grade ply minimum 900 wide and fixed with 30x2.8ø galv flathead nails or clouts.
Nail at 150mm centers along top & bottom plates and at 150crs along vertical edges and 300crs along intermediate studs. (Minimum edge distance 7mm)
(Power driven nails of equivalent strength may be used at 100crs along vertical edges and at 200crs on intermediate studs).
Fix wall frame to slab with 1/M10 'Chemset' anchor embedment into concrete @ 1200crs and at each end of each bracing unit.



TENSIONED STRAP BRACING – type d) @ 3.0kN/m.
30 x 0.8mm tensioned galvanised steel straps bent over and nailed to top and bottom plate with 4/30mm x 2.8ø galv flathead nails (or equivalent) each end and with 2 nails to each stud.
Brace pair to be min 1800mm & max 2700mm width
"T" = 30 x 0.8 galv strap looped over plate and fixed to both sides of stud with 4/30mm x 2.8ø galv flathead nails.
Fix wall frame to slab with 1/M12 'Chemset' anchor embedment into concrete @ 1200crs and at end of each bracing unit.

END WALL:
N2; W=9m; gable end
Area = 19.8 m2
pressure @ 0.92 = 18.2kN

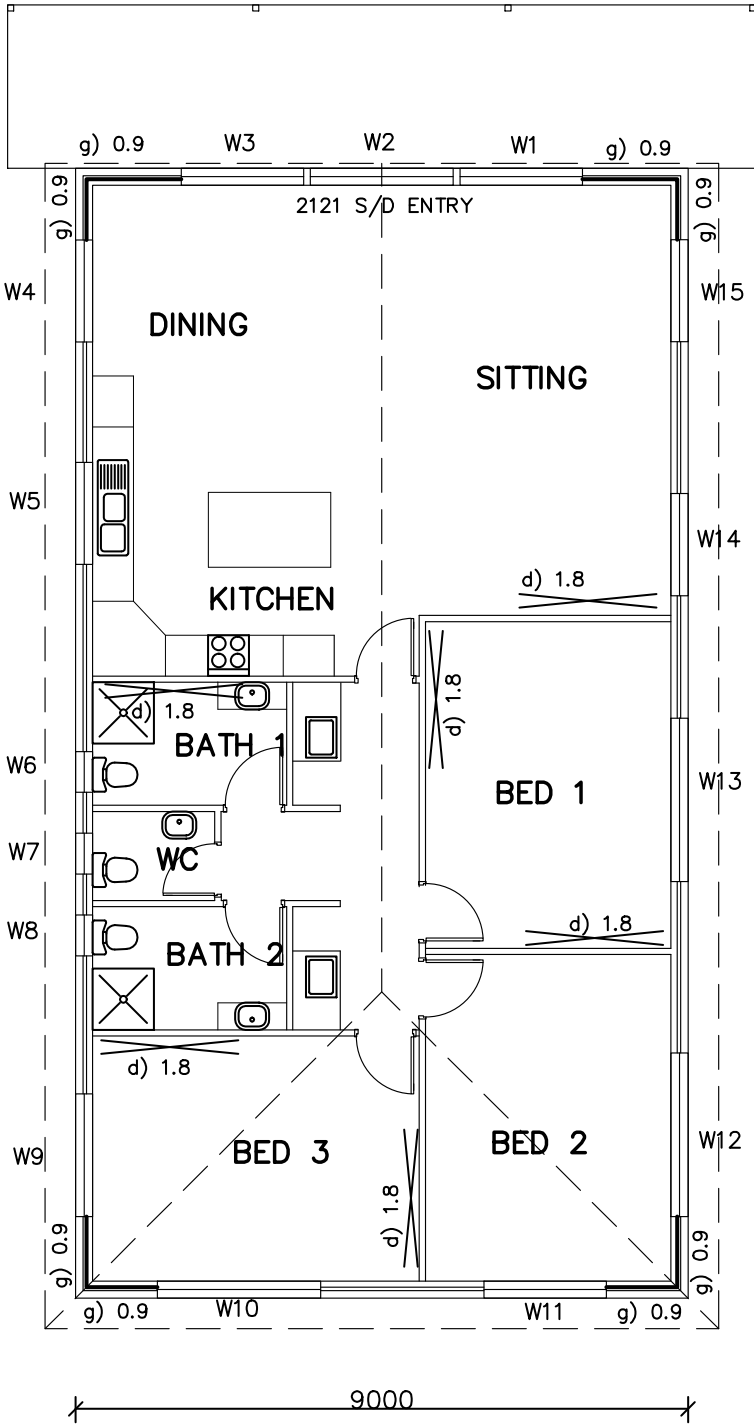
Resistance:
d) 4/1.8 @ 3 = 21.6kN
g) 4/0.9 @ 3.4 = 12.2kN
33.8

SIDE WALL:
N2; W=9m; 15° roof
Area = 42.6 m2
pressure @ 0.49 = 20.8 kN

Resistance:
d) 4/1.8 @ 3 = 21.6 kN
g) 4/0.9 @ 3.4 = 12.2 kN
33.8

ROOF GENERALLY:
Truss layout is indicative only for approval.
Truss design (to ABCB approved design software) and layout to be confirmed by truss manufacturer.
Installation and fixing to be in accordance with the truss design/manufacturer's layout plan.

Roof Ventilation shall be by continuous gap between eave & wall linings. Gaps to be 25mm for roof pitch less than 16°; & 10mm for pitches over 16° to comply with NCC part 3.8.7 & BAL requirements of AS 3959.



TYPICAL BRACING PLAN

PLANS by: **Tas Laughlin**
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P.O. BOX 1092, DEVONPORT 7310.
Building Practitioner Accreditation No. CC 379 P
e-mail: tlaughli@bigpond.net.au

PROPOSED **CLASS 1b ACCOMMODATION**
FOR **HANAFIN & KELLY Enterprises (Trustees)**
(c/- Fiona & Brian HANAFIN)
AT 103 WINSPEARS ROAD
EAST DEVONPORT

NORTH 	DRAWING NOTES & BRACING		DRG No. 08 Amendmt. –
	DATE 21/4/2021	JOB No. 1120-56	
	SCALE 1:100		

CONSTRUCTION NOTES FOR BUSHFIRE ATTACK LEVEL 12.5

Vents and weep holes in external walls shall be screened with a mesh with a maximum aperture size of 2mm, made of corrosion resistant steel, bronze or aluminium. Weep holes in the sills of windows and doors are excluded.

Walls – Exposed components of walls that are less than 400mm from a surface that is less than 18° with a width greater than 110mm shall be of non-combustible material or bush fire resisting timber.

Window assemblies – Where window assemblies are less than 400mm from the ground or adjacent finished surface including sills extending more than 110mm having an angle of less than 18 degrees they shall be made from metal and externally fitted hardware that supports the sash it's function of opening or closing shall be metal.

Screens for windows and doors shall have a mesh or perforated sheet with a maximum aperture of 2mm, made of corrosion resistant steel, bronze or aluminium. Gaps between the perimeter and the building element to which it is fitted shall not exceed 3mm

Where glazing is less than 400mm from the ground or adjacent surface having an angle less than 18 degrees to the horizontal extending more than 110mm in width from the window frame, the glazing shall be toughened glass, minimum 5mm thick glass, or alternatively annealed glass, (if double glazed then only the outer face of the window assembly shall comply)
Glass blocks comply with no frame requirements.

The opening portions of the windows shall be screened internally or externally with screens that comply with item 2 above.
Opening sections of windows screened internally shall be of toughened glass, min 5mm thick

Side hung external doors shall be a solid timber door having a minimum thickness of 35mm for the first 400mm above the threshold. Doors shall be tight fitting to the door frame and to an abutting door if applicable.
Glazed doors are be toughened glass, minimum 5mm thick in an aluminium frame.

Sliding doors shall constructed from aluminium and be fitted with toughened glass, minimum 5mm thick
Sliding doors do not require screens, however any screens that are fitted must comply with item 2 above.

The garage door shall be made of non combustibile material and fitted with a suitable weather strip with a maximum gap of 3mm.
Roller doors shall have guide tracks with a gap no greater than 3mm and shall be fitted with a nylon brush that is in contact with the floor.
Garage doors shall not include ventilation slots.

Sheet roofing shall be fully sarked and not have any gaps greater than 3mm, such as under corrugations and between roof components, sealed at the fascia and at valleys, hips and ridges by a mesh or perforated sheet with a maximum aperture of 2mm, made of corrosion resistant steel, bronze or aluminium. Gaps between the perimeter and the building element to which it is fitted shall not exceed 2mm

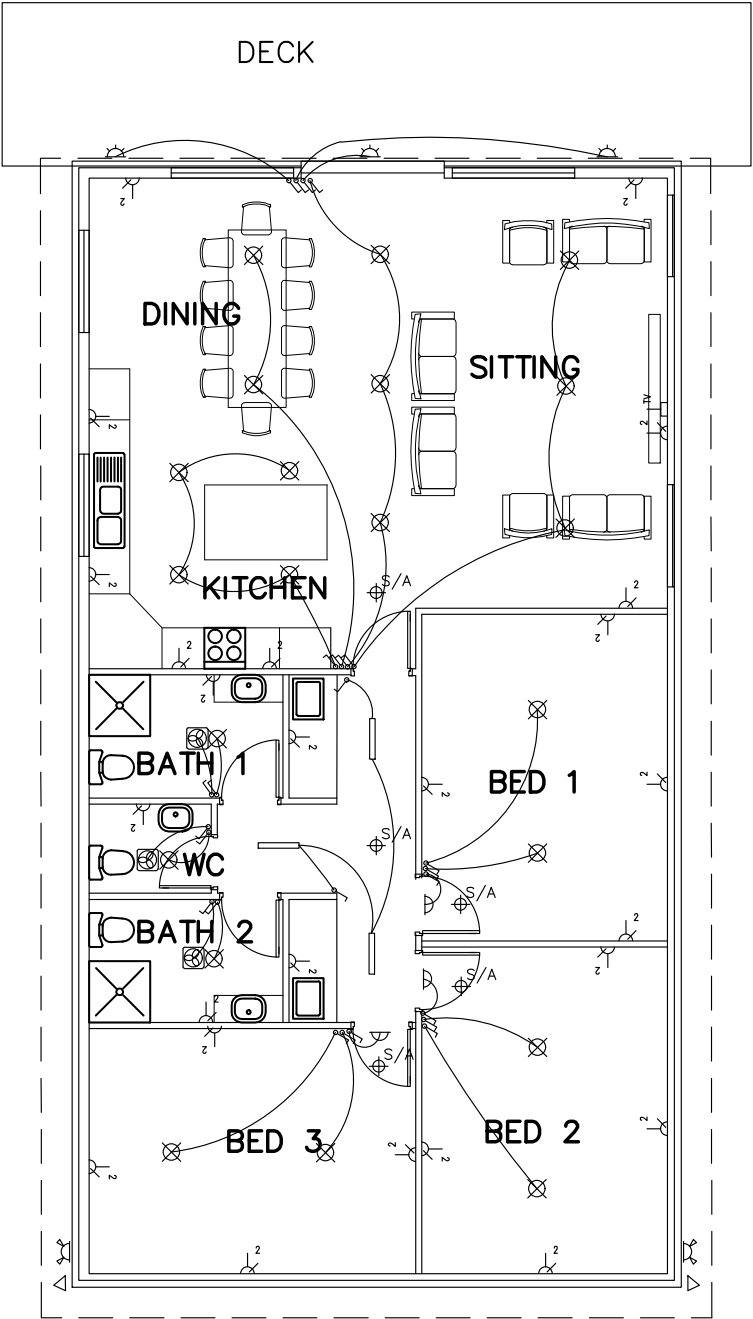
Roof penetrations shall be adequately sealed to prevent gaps greater than 3mm. the material used to seal the penetration shall be non-combustible. Openings in vented roof lights, roof ventilators, or vent pipes shall be fitted with ember guards made from mesh or perforated sheet with a maximum aperture of 2mm, made of corrosion resistant steel, bronze or aluminium. This requirement does not apply to exhaust and heater flues of heating or cooking devices. in the cas of gas appliance flues ember guards shall not be fitted. All overhead glazing shall be Grade A Safety glass complying with AS 1288 Flashing elements of a tubular skylight may be of a fire retardent material, provided integrity is maintained by an under flashing having a flammability index no greater than 5.

Eaves linings, fascias and gables – any opening greater than 3mm shall be fitted with ember guards made of non-combustible material with a maximum aperture of 2mm, made of corrosion-resistant steel, bronze or aluminium. joints in eaves linings, fascias and gables may be sealed with plastic joining strips or timber storm moulds.

Box gutters and flashings shall be non-combustible and fitted with non-combustible leaf guards.

Decking, stair treads and ramps less than 300 from glazed elements that are 400mm from the surface of the deck shall be made from non-combustible material or bush fire resisting timber.

Above ground, exposed water and gas pipes shall be metal.



LIGHTING SCHEDULE:				
ROOM	AREA	IPLrate	FITTING	IPL
Deck/Path	26.4 @ 4 = 105 W		3/15-LED wall	45 W
Living/Kit	57.3 @ 5 = 286 W		12/10-LED DL	120 W
Hall	7.8 @ 5 = 39 W		3/10-LED (BB60)	30 W
Bed 1	17.2 @ 5 = 86 W		1/8-LED wall; 2/8-LED D/L	24 W
Bed 2	17.2 @ 5 = 86 W		1/8-LED wall; 2/8-LED D/L	24 W
Bed 3	17.2 @ 5 = 86 W		1/8-LED wall; 2/8-LED D/L	24 W
Bath 1	5.0 @ 5 = 25 W		1/10W LED DL	10 W
WC	2.3 @ 5 = 12 W		1/8W-LED DL	8 W
Bath 2	5.0 @ 5 = 25 W		1/10W LED DL	10 W
External			2/2x20 LED spot	80 w
Totals:		permitted = 750 W		designed = 375 W

ELECTRICAL LEGEND	
	GPO (double)
	Light & Switch (LED ceiling oyster)
	downlight
	internal wall light
	external wall light
	external spot light
	sensor
	LED surface strip (as BB60)
	Exhaust Fan
	T.V. outlet
	Smoke Detector
IPL Illumination power level (class 1 @ 5W/m2)	

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 **CLASS 1b ACCOMMODATION**
FOR **HANAFIN & KELLY Enterprises (Trustees)**
(c/- Fiona & Brian HANAFIN)
AT 103 WINSPEARS ROAD
EAST DEVONPORT

NORTH

DRAWING

LIGHTING LAYOUT

DATE

21/4/2021

SCALE

1:100

JOB No.

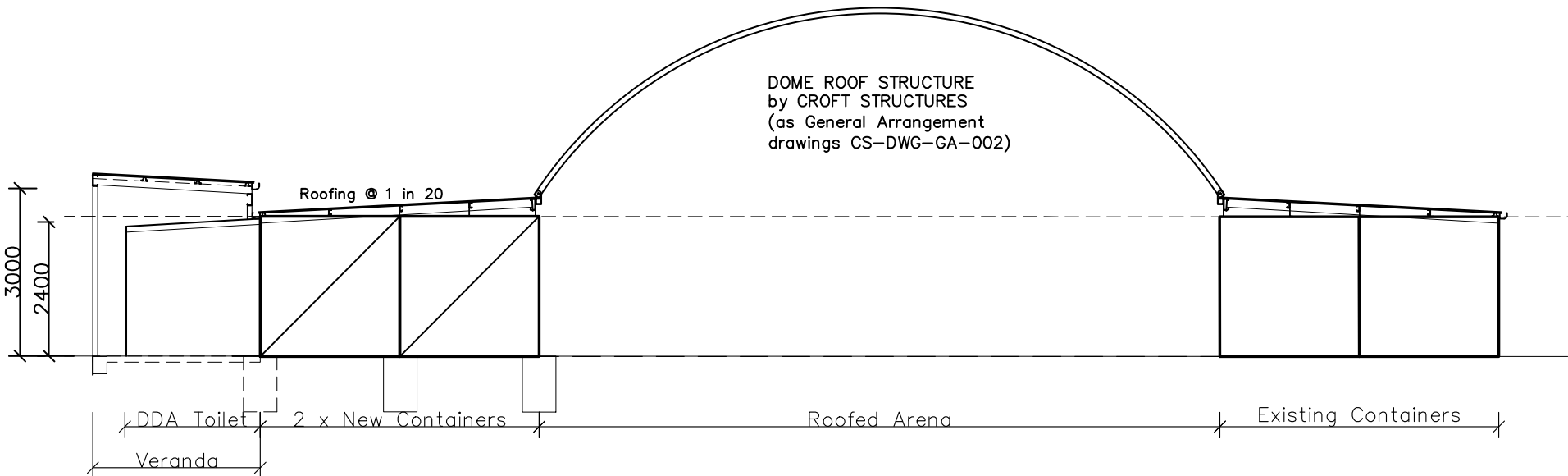
1120-56

DRG No.

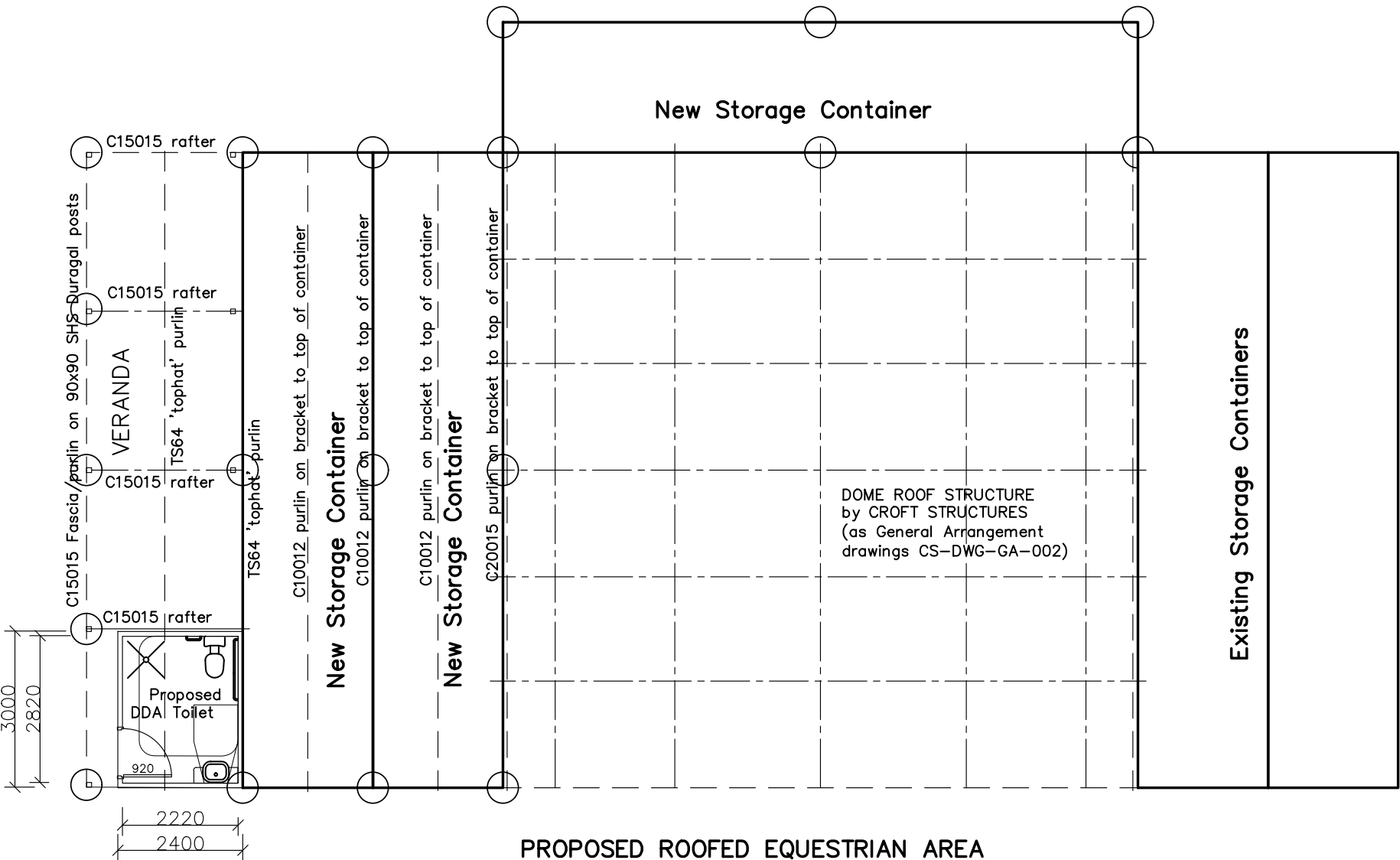
09

Amendmt.

-



ROOFED EQUESTRIAN AREA – SOUTH (FRONT) ELEVATION



PROPOSED ROOFED EQUESTRIAN AREA

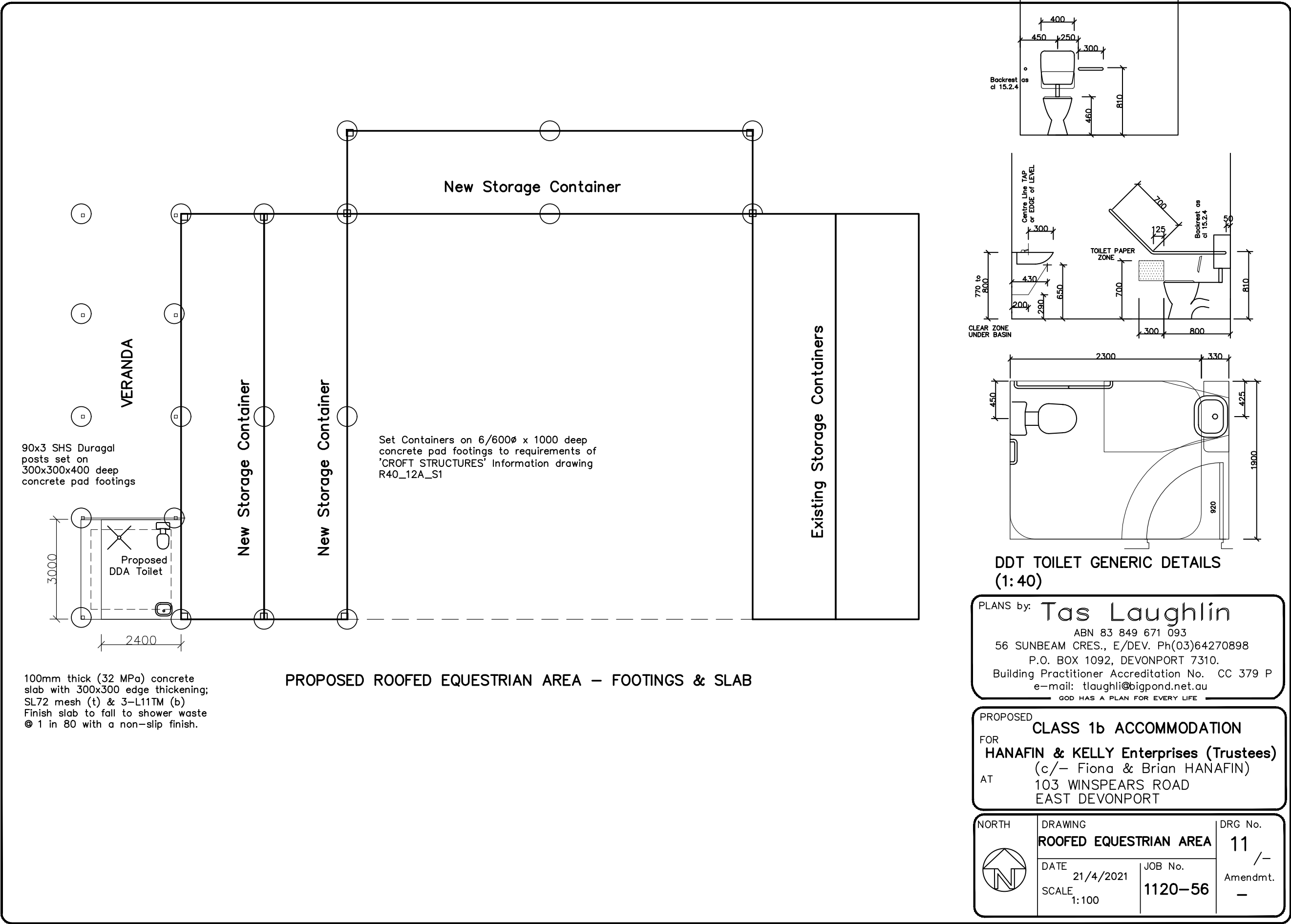
PLANS by: **Tas Laughlin**
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56 SUNBEAM CRES., E/DEV. Ph(03)64270898
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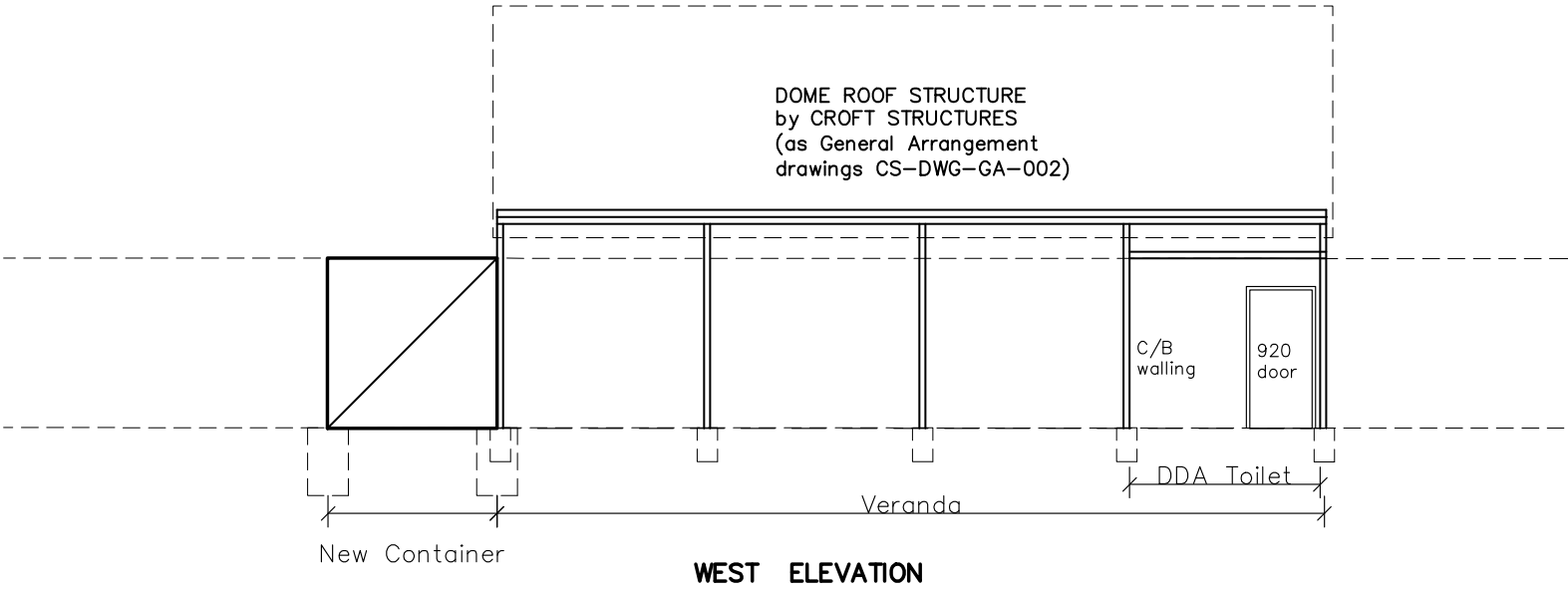
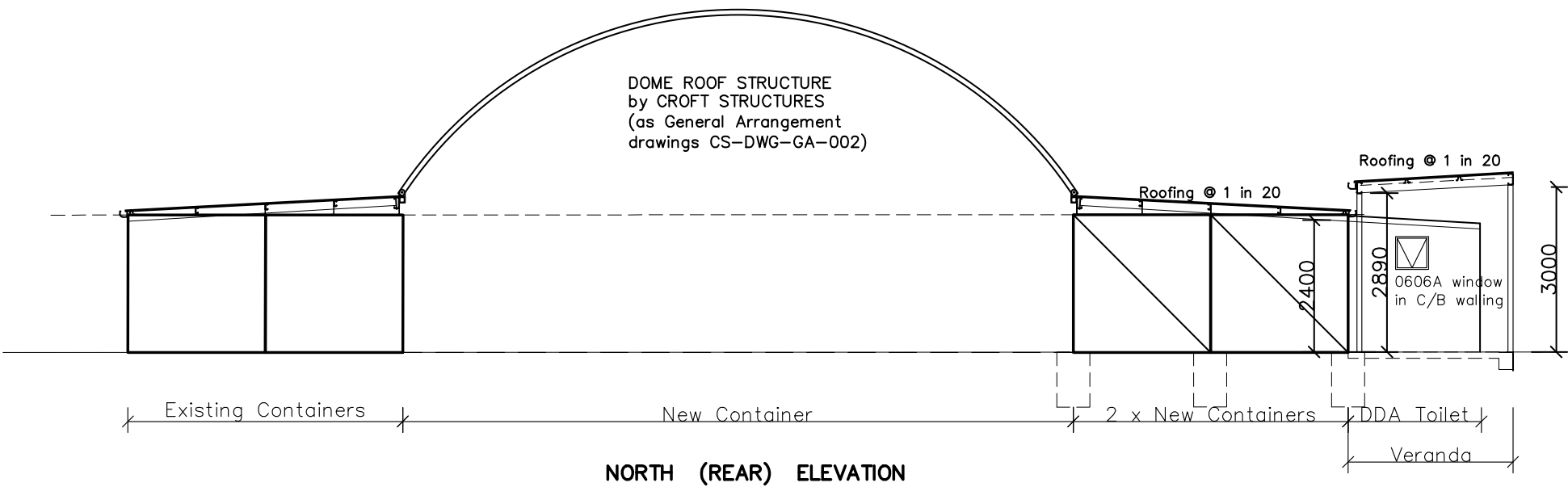
PROPOSED **CLASS 1b ACCOMMODATION**
FOR **HANAFIN & KELLY Enterprises (Trustees)**
(c/- Fiona & Brian HANAFIN)
AT 103 WINSPEARS ROAD
EAST DEVONPORT

NORTH

DRAWING
ROOFED EQUESTRIAN AREA
DATE 21/4/2021
SCALE 1:25; 1:10

DRG No.
10
/-
Amendmt.
-





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
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GOD HAS A PLAN FOR EVERY LIFE

PROPOSED
CLASS 1b ACCOMMODATION
FOR
HANAFIN & KELLY Enterprises (Trustees)
(c/- Fiona & Brian HANAFIN)
AT
103 WINSPEARS ROAD
EAST DEVONPORT

NORTH 	DRAWING ELEVATIONS ROOFED EQUESTRIAN AREA		DRG No. 12 /- Amendmt. -
	DATE 21/4/2021 SCALE 1:100	JOB No. 1120-56	

From: janetwilling <janetwilling@gmail.com>
Sent: Monday, 21 June 2021 8:12 AM
To: Devonport City Council
Subject: Planning Application 2021-0078

The General Manager
Devonport City Council
Rooke Street
Devonport Tas 7310

Dear Sir,

Re: PA 2021-0078 - 103 Winspears Road East Devonport

I am writing to object to the above planning application on the following grounds -

1. The land in question is on a flood plain. I have lived at 171 Winspears Road for 33 years and have seen that area under water on numerous occasions. The land is totally inappropriate for this type of development.
2. The value of the surrounding homes will certainly be affected by the construction of the three accommodation units. The property at present is a mess and I can't see it improving with the addition of these units with their accompanying cars, noise and rubbish. Because the owners of the property are not there every day maintaining a neat and tidy environment will not happen.
3. The run-off of 5400 litres of tank supplied water per day into Bishton Creek is a concern.
4. I have no objection to the equestrian development although driving past each day I look the other way. The property is a mess and I can't see it improving.

Yours faithfully

Jan Willing
171 Winspears Road
East Devonport
0408582291



DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport

Telephone 03 6424 0511

Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

Submission Date

21/06/2021

I/We

Christopher Holwill and Ebony Wisniewski

Of

27 Skyline Drive
East Devonport, Tasmania 7310
Australia

Email Address

ebony.wisniewski@hotmail.com

Phone Number

0419574103

Development Application Number

PA2021.0078

Address of Development

103 Winspears Road
East Devonport 7310
Australia

Details of representation

Our concerns remain the same with the new proposal.

Details of representation

This has the potential to devalue our property prices. We live in a beautiful neighbourhood right now and don't want people coming and going all the time where there's no stability, security and safety in our neighbourhood.

We are also concerned about the number of people who would be living in the house. 12 people per house is considered overcrowding and in fact if this happened in a public housing home they would require those not on the tenancy to leave, even if it meant they were homeless and had no where to go. Public housing would never allow that many people in a three bedroom home. It is not suitable for that many people. If public housing won't even allow that many people to stay in their homes when the alternative is homelessness, why is it safe and okay to do it for fruit pickers? Especially in a small unit.

Additionally, there are also worries about the fact that the wastewater will drain into bishtons creek and then the Mersey river. This affects any animals that might be using this water as a drinking source.

Consent





DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport

Telephone 03 6424 0511

Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

✓ I agree that all the information i have provided is accurate and is truthful.

Privacy Consent

✓ I agree to the privacy policy of the Devonport City Council.

DEVONPORT





F.J & IC March
35 Winspears Road
East Devonport 7310
30/06/21

Devonport Council General Manager.
Regarding the application PA2021.0078 for 103 Winspears Road.

Dear Sir,

At times we have had a few Itinerant workers harvesting cauliflowers and other vegetables on the farms in Winspears Road. At these times we have to constantly clean up fast food containers and other rubbish from along the road and inside our properties that are thrown from their vehicles. Not permanently living in the area they seem to have little regard for others. Many seem to have their own cars and some drive at high speeds along Winspears Road and in recent years there have been accidents, one occurring in front of our house. A large group of these workers housed together will surely create an impact as the road is very narrow and has no footpaths.

We have lived here for many years and can not see how the waste from the proposed dwellings can be treated properly as the land is often saturated, especially in the northwest corner where they want to put the sewage dissipation area. In a wet year this area is often under flowing water. Many people can testify to this.
It worries us that this waste water even though treated to some extent will pollute the creek and the river and have detrimental affect on the animals and aquatic life.

People living near the accommodation housing up to 36 itinerant workers would find it intolerable due to noise and other problems associated with so many young people socialising, especially on weekends, after a weeks work. Loud music, drinking alcohol, and the associated problems that residents in Brooke St. East Devonport have experienced, of which the Council is no doubt aware.

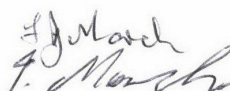
We came here for peace and quiet but this proposal would definitely ruin that if it were allowed to go ahead. Property values would plummet as few people would want to live nearby.

Therefore we strongly object to the proposal.

Yours Sincerely.

F.J. March

I.C. March.

Handwritten signatures of F.J. March and I.C. March. The signature for F.J. March is written above the signature for I.C. March.

From: Graham Kent <gbkent@bigpond.com>
Sent: Friday, 2 July 2021 11:16 AM
To: Devonport City Council
Subject: Planning Application P A 2021.0010

The General Manager,

Devonport City Council

P O Box 604

Devonport Tas. 7310

Reference P A 2021.0078

103 Winspears Road, East Devonport,

Dear Sir

*This representation opposes the development of the site as presented in the application for planning approval, the opinion of the consultant relative to waste and sewerage effluent is noted however, as long term residents on similar land some 600 meters to the East of this property experience has shown that for a period of 4 to 5 months each year the water table on the flat area adjacent to Bishton's Creek is at or above ground level and that the area near the proposed development is partially inundated regularly at time of heavy or continuous rain.

*Furthermore, the location (in part) of the proposed dwellings is on "consolidated" fill that was dumped on the site some years earlier by a previous owner, this alone is indicative of the poor quality of the site for building purposes.

Accordingly, it is difficult to accept that a septic system combined with a treatment plant and ponds can satisfactorily process effluent and waste water from up to 36 persons on a daily basis on soil that is substantially nothing more than heavy reactive clay.

*There appears to be no reference to a domestic water supply unlike the previous application but, is reliant on storage of rain water.

*Bishton's Creek is a breeding location for fish particularly up stream in some of the ponds and although compromised by interference from drainage and an environmentally low summer flow due to the upstream farm water storage's continues to maintain a population of eels and native fish including the odd platypus and other species.

Throughout the environmental report there are references to both the heavy quality of the soil and the expected heavy load of daily waste water with a contingency for extension of the soak age area if needed, it would be to late!

Furthermore the report on the "Natural Values" suggests that any surplus storm or other be directed to the side drains on the Southern boundary.

No indication that these lead directly to Bishton's Creek.

* Contamination downstream from waste water and or effluent would inevitably cause irreparable damage to this activity.

*There is a significant risk that should this development be permitted to proceed that it will have the potential to become a sub standard accommodation facility that further exacerbates the risk to the environment.

The use of containers as the prime structural base for the equestrian center plus little information of the design and construction of the roof do no provide any confidence that this development will enhance the locality of the visual aspect when viewed from the Bass Highway which is the main entry to Devonport from the East.

Yours faithfully

G B and P Kent

165 Winspears Road

East Devonport

02/07/2021

Contact 0418130231

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This email has been checked for viruses by AVG.

<https://www.avg.com>



T.J.Belanich
79, Winspears Road
East Devonport 7310
2nd July 2021.

The General Manager, Devonport City Council.

Regarding Application for planning permit No.
PA2021.0078, No.103 Winspears Road,
East Devonport 7310.

I object to the application submitted by F& B Hanafin.

Having lived at No. 79 Winspears Road for over 30 years i know No. 103 Winspears Road well as it adjoins my property at my eastern boundary.

In a relatively dry period like we have had for the last few years this land may look dry but turns into a lake covering the proposed waste water "Irrigation area" and flowing through my property.

Nothing has been changed in the new proposal to rectify the sewage waste water problem nor can it be in a flood plane.

Everyone I have spoken to that knows No. 103 Winspears Road have been shocked at the proposal to build there.

The SEAM report admits there is a very heavy waste water load, heavy soils, as well as close proximity to the nearby surface water. (Bishtons' Creek.) The report also states the consequences of underloading or overloading the system, lack of maintenance, or neglecting reporting the lack of irrigation area maintenance may result in unacceptable health risks. Cattle drink this water only a short distance away from the proposed saturation area and need clean unpolluted water. When the soil is saturated or in flood the polluted water will flow directly on to my property as the irrigation area is right next to my boundary and the dam overflow trench from the farm on the Southern side of Winspears Road stops short of the creek adding to the flooding in this area.

The report from Scott Livingstone states the creek that flows through No. 103, Bishtons' Creek is a manmade ditch, and this is correct. But on my property, No. 79, it is part of the original creek and as i have previously stated is habitat for many animals and birds. Native hens nest along the creek, also there are wallabies,

This is because the land is totally unsuited for residential purposes. No doubt it would have been built on if it was suitable as it is a sought after area.

The proposal is now to use tank water, this I believe will be a problem as 36 people living in the proposed accommodation will need a lot of water for showers, toilets cooking etc. besides the horses and cattle on the property. The SEAM report states that the long term underloading of the system may also result in vegetation die off in the irrigation area and additional watering may be required. It also estimates a projected waste water loading of 5,400 Litres per day. On the next page it states this waste water will be collected in a new 5,000 Litre tank then to a awts system.

What will happen when the soil is water bound or in flood and cannot dissipate the waste water? There is nowhere for it to go except into the creek and over my land, finishing up in the Mersey river.

In conclusion, no accommodation should be built on 103 Winspears Road until the town sewage system is connected so it can be treated properly.

This application is flawed on many counts and I request that common sense prevail and that it be refused outright.

Regards,

T.J.Belanich.



From: Barbara French <barbfrench27@gmail.com>
Sent: Sunday, 4 July 2021 4:27 PM
To: Devonport City Council
Subject: Application for Planning Permit - 103 Winspears Road, East Devonport (PA2021.0078)

4 July 2021

The General Manager
Devonport City Council
PO Box 604
Devonport TAS 7310

To the General Manager

RE: Application for Planning Permit - [103 Winspears Road, East Devonport](#) (PA2021.0078)

We are writing to you in objection to the planning permit application lodged with council on 19 June, 2021 for 103 Winspears Road (PA2021.0078). Our objection specifically relates to the proposed visitor accommodation units, as we believe this will have a detrimental impact on our quality of living, and that of our neighbourhood.

Firstly, we would like to express concerns regarding the wastewater and effluent the proposed units are expected to generate. According to the plans lodged with council, the units will utilise an irrigation style wastewater system and two septic tanks, which will be located in close proximity to Bishtons Creek, with stormwater being discharged directly into the creek. As this particular block of land is subject to flooding in heavy rain, we do not believe the proposal contains adequate provision to guarantee that wastewater and sewage will not contaminate the creek in the event of flooding. As Bishtons creek is a source of drinking water for livestock and native animals, we believe the proposal will cause significant environmental harm in the event wastewater and sewage should enter the creek. This is particularly concerning as Bishtons creek passes through multiple properties on Winspears road and connects to the Mersey River, which is habitat to the endangered burrowing crayfish. On this basis alone, we believe the proposal should be rejected.

Secondly, we would like to express safety concerns with the increased traffic on Winspears Road as a direct result of the proposed high-density visitor accommodation units. The proposal indicates that the units will be used primarily to house forty seasonal workers, including fruit pickers. The proposal further suggests that there will be up to eight additional movements of at least two buses and an unknown number of other vehicles. Given the nature of the visitors' work, it is likely that some of these movements will be at very early hours in the morning, creating a direct disturbance to residences all along Winspears Road, as the buses and vehicles typically used by seasonal workers are not maintained in good condition and can be very noisy. Further to this, we have significant safety concerns about the use of these vehicles and drivers of the same, as each year they are involved in a number of accidents on our roads. Our safety concerns are increased due to the fact this

particular section of Winspears Road is narrow and passing other vehicles can be tight, which would be difficult for drivers not accustomed to our roads, or their vehicles. For example, in recent years there were seasonal workers staying in an old farmhouse on Winspears Road. One night these particular workers decided to have a few drinks at the pub then drive home. Their vehicle was in poor condition and they were speeding along Winspears Road, causing a noise disturbance and putting the safety of the general public at risk. Close to our house, the driver swerved to avoid a wallaby and ran into the open drain opposite the property. The police were called, the driver was charged, and the vehicle was towed away. However, if the driver swerved in the opposite direction they could have ran into a power pole or caused significant damage to property. Whilst we acknowledge that not all seasonal workers behave in this unsafe manner, as a result of this incident and the general poor driving skills of seasonal workers, we are certainly concerned about our road safety should the proposed high-density accommodation units go ahead. For this reason we believe that council should reject the proposal.

Thirdly, we are concerned about the increase in noise and general disturbance that would come from the proposed high-density accommodation units. Generally, the addition of forty individuals in this type of accommodation, especially along Winspears Road, will create a noise disturbance that currently does not exist. In other high density accommodation sites for seasonal workers, the residents play loud music that can be heard from the surrounding properties. We currently enjoy a quiet living in the area, which we believe would be negatively impacted by the proposed high-density accommodation units.

Lastly, we believe the proposed high-density accommodation units are out of character for the area and will have a detrimental impact on the standard of living for the surrounding properties. In addition, we feel this will have a negative impact on the value of our property, due to the nature, and use of, the high-density accommodation units. Therefore, we believe that [103 Winspears Road](#) is not a suitable location for a development of this nature.

We have no objection to the proposed Equestrian Training Facility on the site.

Yours faithfully,

Barbara French and Family

Rate Payer - [37 Winspears Road, East Devonport](#)

118 River Road,
East Devonport 7310.

4 July 2021.

The General Manager,
Devonport City Council,
Devonport 7310.

Re: PA 2021.0078

I wish to object to the above Planning Application.

There is good reason why this parcel of land has not had any form of dwelling to date as most locals would know.

The area is very low-lying and can become quite soggy in winter and can be a flood plain. Bishtons Creek is subject to flooding, generally caused when dams on farming properties to the east fill to capacity and overflow. The previous owner brought in hundreds of metres of fill to raise the level in one small area for access in the wetter months.

Considerable doubt must be cast on the ability of the soil to absorb the proposed amount of waste water without some run-off into Bishton's Creek. I note that the soil samples were taken on March 14 and November 19, a time when the water table would be substantially lower than in the wetter months. It would seem that this aspect should be further investigated.

This rural living zone consists of a small number of quality single dwellings on acreages that accommodate like-minded families. This proposal is totally at odds with the surrounding properties. The structure of the proposed buildings appears to be completely out of character with all other dwellings in the area. The claim that the accommodation units will be compatible with the residential buildings in the area cannot be justified.

There will be substantially increased vehicle movements on Winspears Road, a narrow road without footpaths, which is a road safety concern.

Peter Stegmann 0427 278 863

From: Richardson, Cassandra <Cassandra.Richardson@allied.com>
Sent: Monday, 5 July 2021 10:16 AM
To: Devonport City Council
Cc: Grant Goodwin
Subject: Objection for Planning application PA 2021.0078
Attachments: SKM_224e21070511140.pdf

Good morning,

Please find attached objection for planning permit PA 2021.0078

On behalf of Grant Goodwin

The information contained in this e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may be privileged and confidential. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please notify the sender by reply e-mail and delete the original message and all copies from your computer. SIRVA has one global Privacy Policy for all persons to whom we provide services, that applies to the entire SIRVA family of companies ("SIRVA"). SIRVA is committed to complying with all local and worldwide privacy laws. Please refer to our Privacy Statement for further details: <https://www.sirva.com/en-au/privacy-policy> We are committed to FIDI's Anti-Bribery and Corruption Charter and Anti Trust Charter <https://www.fidi.org/about-fidi/fidis-commitments>

Application Number PA 2021. 0078

I write to object to the proposal at 103 Winspears Road. The subject lot collects a huge amount of storm water run-off, that finds its way to this property from the adjoining agricultural land and the rain water that flows down Winspears Road.

The proposal to further increase the flow of waters into the creek by pumping the waste water onto the site, beggar's belief. The site is suitable for a standalone dwelling in accordance with all of the properties to the East of 103 Winspears Road. Furthermore, the proposed increase in heavy traffic (i.e., buses) will serve to create a traffic hazard on the already narrow road and to cast the aspersion that the buses will be Toyota Coasters is astonishing. There is zero evidence to back up that assertion and the simple fact is that if Coasters are unavailable and large buses are, then that is what will be used. The stench from the waste water that is proposed to be sprayed onto the property will impact on the residences to the East, as the prevailing south/north westerlies are most common winds. Experience tells me that the Council Environment Department will have little input into the policing of the septic tank system that is proposed if and when it fails.

This application may well be allowable under the Planning Scheme, but common sense needs to be factored into this application and should be rejected in its entirety.



Grant F. Goodwin

19 Cameray Street
East Devonport
Tasmania....7310

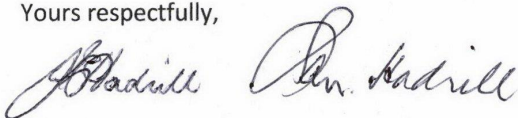
26th June 2021

To: Devonport City Council

Re: Application for planning permit PA2021.0078
Visitor Accommodation (3 x self-contained units)
And Sports and recreation (equestrian training facility)
103 Winspears Road, East Devonport.

In reply to your letter and notification dated 18th June 2021 regarding the above, we again decline the proposal.

Yours respectfully,

The image shows two handwritten signatures in dark ink. The first signature is 'Janet Hadrill' and the second is 'Ian Hadrill'. Both are written in a cursive, flowing style.

Janet and Ian Hadrill.

Devonport Council

Date 23- 06 – 2021

Petition Organiser- Tim Hess


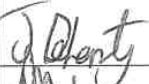

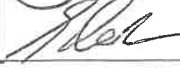




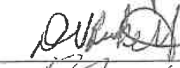
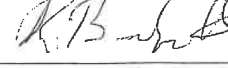

Address- 1 Henderson Place
Spreyton Tasmania 7310

Telephone number – 0418140630

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MERSEY MAIN ROAD AND THE ENTRANCE TO THE DEVONPORT COUNTRY
CLUB.

THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
Tobias Doherty	58 Woodrising Ave	
Jackson Doherty	" "	
Lisa Doherty	" "	
Greg Doherty	" "	
Leonie Smith	56 Woodrising Ave	
MURRAY SMITH	" "	
PHILLIP EMERY	" "	
LEE JOUSINS	UNIT 3 HENDERSON	
Anthony Buckett	UNIT 2 HENDERSON	
Richard Buckett	- - -	
DIANE DOHERTY	Unit 6 HENDERSON PLACE	

J. BUNDY	45 Woodrising Ave	J. Bundy
B NICHOLS	51 WOODRISING	W. Nichols
D. Bundy	45 Woodrising Ave	D Bundy
J. Bundy	45 Woodrising Ave	J. Bundy
N. STARR	47 WOODRISING AVE	N. Starr

Number of signatures: 16

We, the undersigned, petition Council to

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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
Kerry Whittle	39 Woodrising	Kerry Whittle
Terry Jackson	33 Woodrising	Terry Jackson
Ann Jackson	33 Woodrising	Ann Jackson
Jana Kaye	29 Woodrising Ave	Jana Kaye
Dale Frankcombe	27 Woodrising Ave	Dale Frankcombe
Heather Richards	27 Woodrising Ave	Heather Richards
DAVID GRIMBLE	12 WOODRISING AVE	David Grimble
Scott Phillips	37 WOODRISING AVE	Scott Phillips
Sonia Gillan	" " "	Sonia Gillan
Ashley Crack	25 Woodrising Ave	Ashley Crack
Trystan Lehman	25 Woodrising Ave	Trystan Lehman
Nik Gordan	1 Fresh St	Nik Gordan
A. Trinder	1 Swilkin Drive	A. Trinder
A. Clark	21 Woodrising Avenue	A. Clark
L Murfet	15 Woodrising Ave.	L Murfet
S Angsten	15 Woodrising Ave	S Angsten
P Wood's	2 Fraser St	P Wood's
T. Seeers	4 Swilkin Dr	T. Seeers
Number of signatures on page		18

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Devonport Council

Date 23- 06 – 2021

Petition Organiser- Tim Hess


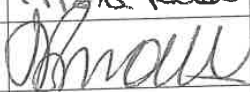
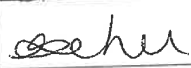


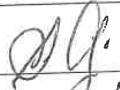
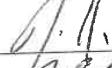




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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
M. TRINDER	1 SWILKIN DRIVE	
J Burrows	3 SWILKIN Drive	
K HUBBLE	6 Swilkin Dr.	
G. Mlyn	8 Swilkin DR	
K. Robinson	8 Swilkin Drive	
S. ATKINS	17 SWILKIN DRIVE	
J HEATHLEY	21 SWILKIN DR	
R Nelson	11 Swilkin DR	
A. Lynch	25 Swilkin Dr	
T. Smith	33 Swilkin DR	
V. Frankcombe	29 Swilkin Dr	

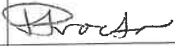
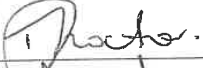

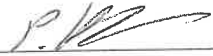
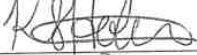










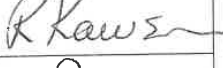

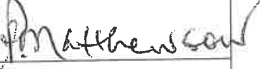
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Julie Guy	14 Leila Ave	AG.
SHANE WALKER	37 SWICKIN DRIVE	S. Walker
Brian Lums	22 Swilkin dr.	B. Lums
Number of signatures on page		14

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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
Hannah Proctor	24 Swilkin Drive	
Tiffany Proctor	24 Swilkin Drive	
Dylan Proctor	24 Swilkin Drive	
Pam - Peter Knowles	26 Swilkin Drive	
Kiara Holden	47 Swilkin Drive	
Stephen Smith	7 FRASER ST	
Leanne Smith	7 Fraser st	
Kara Viney	10 Fraser st	
Gaylene Sheehy	5 Fraser St Spreyton	
Sam Hess	12 RONAN CRT SPREYTON	
Tharakes	2 Swilkin Dr	
Anushka	2, Swilkin Dr	
STEPHEN EITZEN	8 FRASER ST	
Cara Oglesby	8 Fraser St	
Toy Hayhow	4 FRASER ST,	
R Rawson	11 WOODRISING	
L Rawson	11 WOODRISING	
P. MATTHEWSON	9 WOODRISING AVE	
Number of signatures on page		18

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Devonport Council

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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
Shelly Shams	10 Woodrising Av.	
Kimberley Hardy	2 Woodrising Av	
Jason Leary	14 Woodrising Ave	
J. Douglas	18 Woodrising Ave	
J Longey	22 Woodrising Ave	
V Hower	28 Woodrising Ave	
G Luths	30 Woodrising Ave	
M ROSS	34 Woodrising Avenue	
V Quirk	38 Woodrising Ave	
NEIL GRAY	48 Woodrising Ave	
B. CAMERON	34 FORTH RD. DEN	

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DEAN WALKER	MULLIGAN DVE	mulligan
John Hyde	54 Woodrising Ave	JH
Kym WEBB	3/62 Woodrising Av.	K Webb
Number of signatures on page		14

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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
JUDITH MATTHEWSON	9 WOODRISING AVE	J. Matthewson
Barb Gleason	woodrising 32	B. Gleason
KATE DONOHUE	1/50 Woodrising Ave	K. Donohue
Samantha Williams	1/52 Woodrising Ave	S. Williams
Connor Agde	1/52 Woodrising Ave	C. Agde
Julie Lewis	2/52 Woodrising Ave	J. Lewis
Michael Lewis	" " "	M. Lewis
Penny Flowers	64 Woodrising Ave	P. Flowers
Tim Campbell	1/62 Woodrising Ave	T. Campbell
C. Pakobusch	2/62 Woodrising Ave	C. Pakobusch
Wally H	182 South Elm St	W. H
N. Collins	2 Ulinga Ave	N. Collins
Helen Armstrong	9 Swilkin Dr. Spreyton	H. Armstrong
Steven Mooney	3 Henderson Pl. Spreyton	S. Mooney
CHARLES SIELY	1 KERRIE CRT	C. SIELY
Stephen Lunson	2 Kerrie CRT	S. Lunson
Linden Clark	4 Kerrie Court	L. Clark
Norah Iwim	5 Kerrie Court	N. Iwim
Number of signatures on page		18

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Devonport Council

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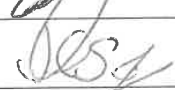

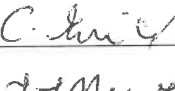
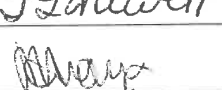
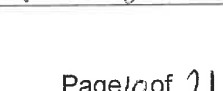
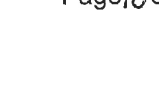
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Name	Address	Signature
Linda Buttenworth	7 woodrising	
Nathan Walker	44 woodrising	
Mikayla Costello	40 woodrising	
Daniel Bowling	1 Roman Court Spreyton	
Alan Johnson	3 Roman Court	
Joshua Gibbons	5 Roman Court	
Doug Johnson	4/10 Roman Court	
Margaret McCall	11 Roman Court	
Carel Enright	15 Roman Court	
Tammy Newell	17 Roman Court	
Lynette Howard	21/18 Roman Court	

Page 1 of 21

David Johnson	1/10 Roman Court	
Marlene Heazlewood	6 Roman Ct	
Geoff Heazlewood	6 Roman Ct	
Number of signatures on page		14

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Name	Address	Signature
BRENTON .	512 WOODRISING AVE	B. Bayley
Katrina B.	4 Rohan Ave Spreyton	K. Bayley
Dianne Ness	1 Henderson Pl Spreyton	D. Ness
TIM HESS	1. HENDERSON PL SPREYTON	T. Hess

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Name	Address	Signature
RITA BERRY	1/13 KERRIE CRT	R. Berry
Aleisha Bonney	8 KERRIE COURT	Aleisha Bonney
Cody Beach	105 MERSEY MAIN RD	Cody Beach
Tyneate Beach	105 Mersey Main Rd	Tyneate Beach
Danielle Lynd	12 Fraser St, Spreyton	Danielle Lynd
Sarah Eastwood	35 Swilkin Dr, Spreyton	Sarah Eastwood
Brodie Eastwood	35 Swilkin Dr, Spreyton	Brodie Eastwood
Cooper Eastwood	35 Swilkin Dr, Spreyton	Cooper Eastwood
KERRY ATKINS	17 SWILKIN DR Spreyton	Kerry Atkins
JUDITH TURNER	31 Swilkin Dr Spreyton	Judith Turner
ADAM CANE	19 SWILKIN DRIVE SPREYTON	Adam Cane
Jenny Stewenson	42 Woodrising Ave	Jenny Stewenson
Danika Hess	12 Ronan Court, Spreyton	Danika Hess
MICHAEL LEEDHAM	4/5 HENDERSON PLACE	Michael Leedham
Gon Bell	4/5 Leila Ave	Gon Bell
Senia Allen	9 Leila Ave	Senia Allen
Scott Johnson	9 Leila Ave	Scott Johnson
Amy Woodhouse	15 Leila Ave	Amy Woodhouse
Number of signatures on page		18

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Devonport Council

Date 23- 06 – 2021

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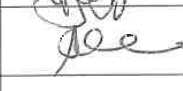
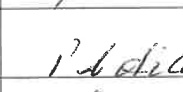
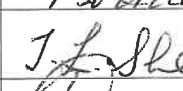
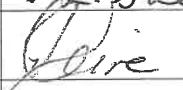
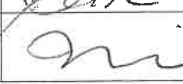
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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
⁰⁴²⁹¹²³⁴⁷⁵ SAM WALTERS	20 Swilkin Drive, Spreyton	
Red Lyons	15 Swilkin Drive Spreyton	
K Lyons	15 Swilkin DR	
A Lyons	15 SWILKIN DR	
S. Jarvis	16 Swilkin Dr, Spreyton	
G Vidler	27 Swilkin Dr Spreyton	
S. Vidler	27 Swilkin Drive	
P AITKEN	1 Leila Avenue	
T. SHEAHAN	18 LEILA AVE	
J. Cune	PO. 175 Dparq.	
J Wheldon	Cornicks Road	

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Janelle Yang	13 Leila Ave Spangon	JO
Craig Yates	13 Leila Ave Spangon	
Emily Males	24 Leila Ave	Emily
Number of signatures on page		14

mm

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THIS WOULD AID IN THE SAFETY OF ALL PEDESTRIANS IN THE AREA

Name	Address	Signature
E CAPELL	122 CASTLE DRIVE	E Capell
GADE DOHERTY	119 Tomarah Crescent	Gade Doherty
TRACY DOHERTY	119 TOMARAH CRESC, DEVONPORT	Tracy Doherty
MICHAEL DOHERTY	PALLOONA 7310	Michael Doherty
CRAIG DONELTY	119 TOMARAH CRESC DEVONPORT	Craig Donelty
Number of signatures on page		5

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Name	Address	Signature
Maryann-Jay Francis	19 Leila Avenue	Jay Francis
Margaret-John Kelly	23 Leila Ave	M Kelly
Michelle	27 Leila Av	CHANN
Remy	26 Leila Ave	RB

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Name	Address	Signature
Lupla Kenny	20 Sawett Street Tarlton TAS 7310	Lupla
Pammy S	Nicholls St. D'Ar.	Pammy
Mark Adams	128 Clayton Drive.	Mark Adams
WARREN FISHER	702 FORTH ROAD, FORTH	Warren Fisher
Cally field	412a Nelson RD Mount Nelson	Cally
Anne Fisher.	702 FORTH Rd, FORTH	Anne Fisher
Hamson Fisher	201 Redwood RD Kingston	Hamson
Rae Fisher	201 Redwood road, Kingston	Rae
Alan Orions	6 Kerrie Court Spreyton	Alan Orions
JOHN FORRE	7 Kerrie Court Spreyton	John Forre
Daniel Richardson	9 Kerrie Court spreyton	Daniel Richardson

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NAL SMITH	11 KERRIE CRT	
Katika Barker	12 Kerrie Court	
Todd Remd	12 KERRIE COURT	
Number of signatures on page		14



RISK MANAGEMENT FRAMEWORK



The City with Spirit

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17.1	<i>Responsible Manager</i>	<u>282730</u>
17.2	<i>Document Controller</i>	<u>282730</u>
18.0	<i>Authorisation</i>	<u>282730</u>
18.1	<i>Adoption of Framework</i>	<u>282730</u>
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REVIEW

SECTION 1 -OVERVIEW

1.0 Executive Summary

Risk is inherent in all aspects of an organisation's activities. *AS/NZS ISO31000:2018 - Risk Management Principles and Guidelines* defines risk as "the effect of uncertainty on objectives". Risk management refers to the coordinated activities to direct and control an organisation with regard to risk.

Devonport City Council's Risk Management Framework is the set of components that articulate the organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation.

Risk management involves establishing a customised Risk Management Framework, a risk aware culture, and applying logical and systematic risk management processes to all stages of the life cycle of any decision, activity, function or operation that includes the potential for risk.

2.0 Introduction

Devonport City Council operates within the framework of local government defined by the *Local Government Act 1993* and provides service, compliance and regulatory functions to the community.

Risk management refers to coordinated activities which direct and control an organisation with regard to risk. A Risk Management Framework (RMF) is defined as the set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout an organisation.

Risk management involves establishing a customised RMF, a risk aware culture, and applying logical and systematic risk management processes to all stages of the life cycle of any decision, activity, function or operation that includes the potential for risk.

Risk Management is critical to Council's ability to achieve the outcomes and strategies contained in its Strategic Plan. The aim of the RMF is not to eliminate risk but, rather to identify and manage-mitigate risk on an ongoing basis, consistently across all council activities, whilst maximising opportunities and minimising adversity. It provides a system for the setting of priorities when there are competing demands on Council's limited resources. Furthermore, the RMF supports the transparency of risk information to all stakeholders and interested parties.

This RMF defines the arrangements for managing risk across the organisation effectively and efficiently.

The RMF illustrates how risk management is embedded in Council's systems to ensure it is integrated at all levels and work contexts. It describes the key principles, elements and processes to guide staff in effectively managing risk, making it part of day-to-day decision-making and business practices.

Risk management is incorporated into strategic, annual and operational planning processes at all levels of Council.

Key objectives of the RMF include providing-ensuring Council with-has the tools required to practice effective risk management. The Framework is designed to:

- Outline the key principles and approach Council will employ to manage risks including appropriate methodologies with respect to the identification, analysis, measurement, management, reporting and monitoring of all risks;
- Identify stakeholders and outline their risk management roles and responsibilities;

- Ensure risk management activities are consistent with Council's strategic objectives and operations including integration within service delivery planning and objectives which satisfy all legal and regulatory obligations;
- Create a sound internal control environment;
- Ensure that reporting of risk exposures and incidents are completed in an accurate and timely manner;
- Align with Council's performance measurement programs; and
- Support change management by increasing the transparency of risks.

Council's success depends upon factors including:

- The health and wellbeing of our people;
- Due care towards our customers and the community;
- The protection of our assets;
- Incorporating legislative requirements into our work processes;
- Sound financial management; and
- Good governance and political decision making.

3.0 2.0 Background

Risk is inherent in all aspects of an organisation's activity. AS ISO 31000:2018 - *Risk Management Guidelines* ('the standard') defines risk as "the effect of uncertainty on objectives".

Council utilises the framework provided by the standard and its successors, to develop and implement its approach to:

- Risk identification;
- Risk analysis;
- Risk evaluation;
- Risk treatment;
- Monitoring and review; and
- Communication and consultation.

Risks can emerge as circumstances change – risk is dynamic and as such the process of risk management is continual. Risk management will form part of how the organisation undertakes work and delivers services to the community on a [day-to-day](#) basis. Responsible risk management activity must be a part of the standard management practices and actions of employees.

4.0 3.0 Council's Vision, Mission, Goals and Outcomes

Risk management is essential for the successful implementation of Council's Corporate Planning Framework and supports the achievement of Council's vision for the future and development of the community through other strategic goals, objectives and actions Council's strategic direction section of the Annual Plan includes:

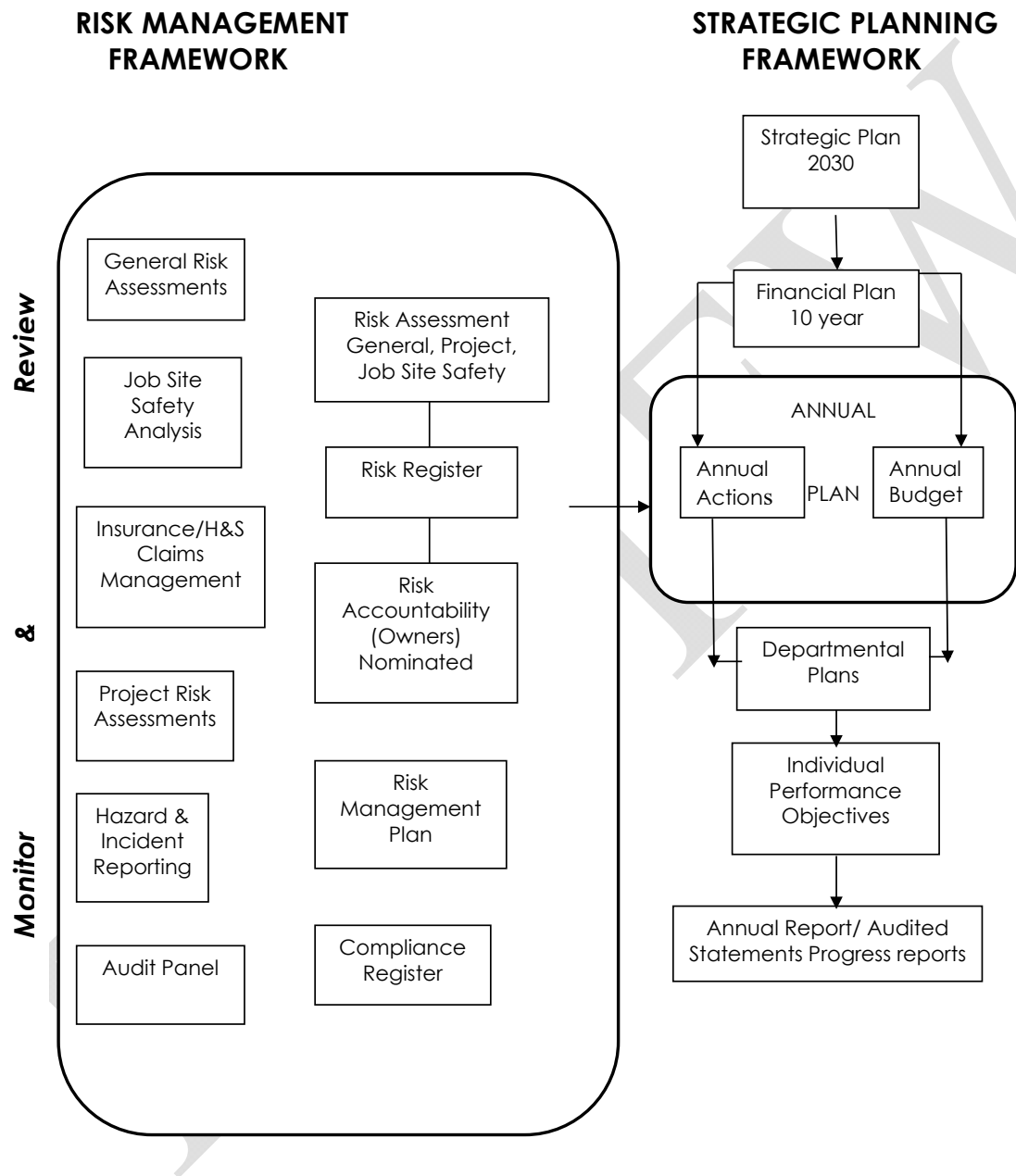
- Living lightly on our environment;
- Building a unique city;
- Growing a vibrant economy;
- Building quality of life; and
- Practicing excellence in Governance.

This RMF builds on objectives and outlines the methodology adopted to identify, assess, manage and report on all risks in the organisation to ensure all parties understand how risk is managed. The RMF integrates the process for managing risk into the organisation's various activities.

Council's Strategic Plan states, "Risk Management is a core organisational focus" and the strategies underpinning this outcome include:

- 5.6.1** Ensure safe work practices through adherence to Work Health and Safety Standards
- 5.6.2** Develop, implement, maintain and comply with Council's Risk Management Framework
- 5.6.3** Integrate risk management principles into all business practices
- 5.6.4** Provide internal and external audit functions to review Council's performance, risk management, financial governance and reporting
- 5.6.5** Ensure compliance with all relevant legislative requirements, standards, policies and procedures

Figure 1 – The relationship between risk management framework and strategic planning framework



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5.0 ~~4.0~~ Policy Statement

Council is committed to:

- implementing a consistent and structured organisation-wide approach to risk management ~~in order to~~ achieve an appropriate balance between realising opportunities for gains and minimising losses; and
- managing risk at both strategic and operational levels to ensure that it makes informed decisions with respect to all activities it undertakes by appropriately considering both risks and opportunities.

Council acknowledges that the adoption of a strategic and formal approach to risk management will likely provide numerous benefits. These benefits include, but are not limited to:

- effective corporate governance;
- compliance with relevant legislation;
- protecting people's safety;
- proactive rather than reactive management;
- more rigorous decision making and planning; the right decisions for our people and our community;
- better identification of our strengths, weaknesses, opportunities and threats;
- more effective allocation and use of resources;
- improving staff confidence;
- maintaining a positive public image;
- more effective asset management;
- limiting exposure to litigation;
- a clear understanding by all employees of their roles, responsibilities and accountabilities for managing risk; and
- the development of a more risk aware organisational culture through enhanced communication, measurement and reporting of risk.

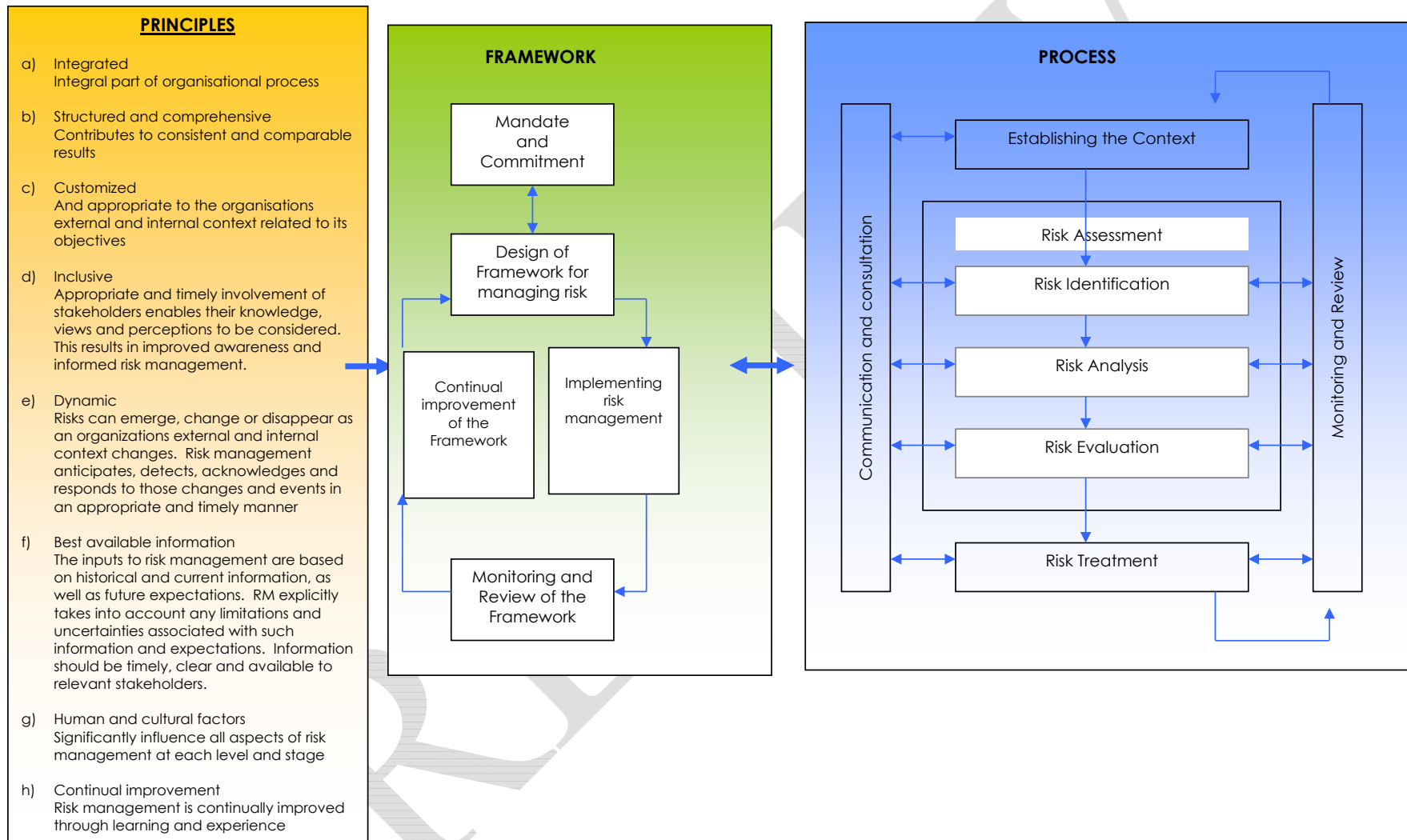
6.0 ~~5.0~~ Scope

A risk event can result from an occurrence or change of a particular set of circumstances. The effect is a deviation from the expected and can be positive and/or negative.

Risk sources within the context of Council's operations include:

- Corporate Risk Register – Strategic Outcomes;
- Workplace Health & Safety;
- Corporate & Business;
- Asset/property Infrastructure;
- Legal compliance;
- Financial/Fraud;
- Information Technology;
- Environmental Sustainability;
- Consultation/communication;
- Risk Management Practices;
- Human Resources;
- Emergency/Business Continuity Management; and
- LIVING CITY

Figure 2 - The relationships between risk management principles, framework and process



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7.0 ~~6.0~~ Risk Appetite Statement

Defining Council's risk appetite provides the strategic guidance necessary for decision making.

Council has a role in managing outcomes for the community which recognises a wide set of values and views of its many stakeholders both current and future. These responsibilities require a high level of prudence in decision making to ensure the needs of many stakeholders are considered in the context of ongoing community development and competing interests.

Council's risk appetite is measured in ~~this~~ the context of community stewardship.

Additionally, Council as a regulatory body, has an obligation to administer services within a prescriptive legislative framework.

However, Council may be forced to take risks beyond its ~~choosing risk appetite~~ to comply with government directives or to satisfy public expectations of improved services.

The risk appetite statement provides direction on the risk parameters within which Council operates. Managing risks in accordance with the risk appetite statement allows Council to commit to excellence in leadership and service, live lightly on our environment, build a unique city, grow a vibrant economy, build quality of life, and practice excellence in governance activities.

Risk appetite is the amount and type of risk Council is willing to pursue or retain in order to achieve its objectives.

Council has a low appetite for risks which may:

- Have a negative impact on Council's long-term sustainability;
- Compromise the safety and wellbeing of staff, ~~aldermen~~ Councillors, contractors and members of the community.

Council has a medium appetite for risks that:

- Maintain and improve levels of service to the community;
- Improve efficiency, reduce costs and/or generate additional sources of income.

8.0 ~~7.0~~ Risk Tolerance

Risk tolerance is Council's readiness to bear any residual risk after any risk treatment.

In determining the level of risk that Council can tolerate, risk assessment tools within the framework are used to measure the probability and potential impact of that risk, using a likelihood and consequence matrix to calculate a risk level of:

- High
- Significant
- Moderate
- Low

SECTION 2 – BUSINESS SYSTEMS

9.0 ~~8.0~~ Business Systems

The RMF is one component of business systems within Council. The RMF aims to build resilience in the planning of service delivery for the Devonport municipal area by highlighting the strengths of current operating practices whilst identifying areas for improvement. The RMF supports existing programs and initiatives undertaken by Council to manage its risk to ensure delivery of its strategic and operational objectives.

The RMF is applicable to all Council operations and functions - including activities carried out under its direction, to public infrastructure it controls and to those situations where employees and contractors are required to work on Council projects.

8.1 Decision Making

The following Risk Management principles shall be a consideration in all Council decision making processes:

- ~~Creates value;~~
- **Integrated** - Integral part of organisational ~~processes~~ activities;
- ~~Explicitly addresses uncertainty;~~
- **Structured and comprehensive** - ~~contributes to consistent and comparable results~~
- ~~Systematic, structured and timely;~~
- ~~Based on the best available information;~~
- ~~Tailored;~~
- **Customized** - ~~and proportionate to the organisation's external and internal context related to its objectives~~
- ~~Takes human and cultural factors into account;~~
- ~~Transparent and inclusive;~~
- **Inclusive** - ~~Appropriate and timely involvement of stakeholders enables their knowledge, views and perceptions to be considered;~~
- **Dynamic** - ~~risks can emerge, change or disappear. Risk management anticipates, detects, acknowledges and responds to changes; and responsive to change;~~
- **Best available information** - ~~takes into account any limitations and uncertainties associated with such information and expectations.~~
- **Human and cultural factors** - ~~significantly influence all aspects of risk management at each level and stage~~
- ~~Facilitates~~ **Continual improvement** - ~~improved through learning and experience; and enhancement of the organisation; and~~
- ~~Financial implications short and long term.~~

In accordance with its common law 'duty of care' statutory responsibilities Council will ensure that resources are allocated to:

- Minimise Council's exposure to loss and litigation;
- Protect and enhance Council's reputation;
- Protect Council's financial and physical assets;
- Maintain employee health and safety
- Ensure continuous improvement in the Risk Management process; and

- Risk implications will be included in all Council reports to aid decision making

89.2 Council Policies & procedures

Council policies and procedures are mandated statements that directly guide Council's decision making. Council policies and procedures help to direct response and organisational direction, and minimise risk through promoting consistency, establishing precedents and expected actions/outcomes, helping to avoid inefficient, inconsistent and ineffective decisions. Council policies and procedures are of direct relevance to ratepayers and the community, and help establish parameters that align with community expectations, ensuring legislative and statutory compliance, and therefore assisting in risk management.

89.3 Continuous Improvement

Council is committed to continuous improvement and the pursuit of excellence in service delivery and business processes. The Framework complements the methodology of continuous improvement by consideration of:

- Consultation and Communication;
- Cost/Quality;
- Effective resource use;
- Financial sustainability; and
- Accountability.

89.4 Business Continuity, Emergency Management and Disaster Recovery

Risk management supports Council's Business Continuity Policy and Plan and Council's Emergency Management and Disaster Recovery Plan by identifying issues and events that may pose a threat to the continuation of business and impact on the community.

89.5 Contract Administration Process

The contract administration process of Council is supported by the Risk Management Framework as effective management of risk aids in the identification of issues and events that may impact contract preparation and implementation phase.

89.6 Asset Management

The RMF operates to enhance Council's asset management system by ensuring that effective processes are in place to manage asset risks.

89.7 Event Planning

Effective risk management processes are crucial to efficient planning and delivery of events that ensure public safety and event success.

89.8 Project Management

Risk management is an integral part of project management. It is imperative that risks are identified at the project development stage so that designs and processes can be adjusted to minimise or eliminate exposure to risk.

89.9 Health & Safety Management

Risk management is effective in assisting with the integration of principles, practices and criteria for implementing best practice health and safety management.

89.10 Fleet Management

The RMF assists Council in ensuring effective processes are in place to manage risks associated with fleet management.

89.11 Organisational Risk Management

The RMF assists Council in embedding sound risk management practices into the organisation, and the creation of a safer community environment, by ensuring policies and procedures reflect risk mitigation relating to public liability matters.

Council's public liability insurer undertakes comprehensive risk assessments on selected potential risk areas. Recommendations from this process will be considered by Council.

89.12 Fraud

Council has a zero tolerance in relation to fraud and corruption. Fraud can erode confidence in the Council, deprive the public of resources, reduce the effectiveness of Council assets and equipment, harm customers, employees or the public and damage staff morale. By utilising tools within the RMF, Council can assess and measure its vulnerability to fraud and implement robust controls for its prevention.

89.13 Service Levels

Council is responsible for the operation and management of its assets including road pavement, kerb and channelling, street furniture, public recreational and open space, buildings and waste management services. The service levels set out the manner in which Council will meet its various obligations and identifies a benchmark level of service to be provided.

89.14 Community Engagement

Council recognises that community engagement and participation processes are a vital part of democracy. Effective engagement is good business practice and is critical in managing reputational risk. Council is committed to engaging with the Devonport community.

An engagement framework provides direction on engagement planning including guidance on when and how council should engage with the community for different situations.

89.15 Audit Panel

While development and implementation of a robust and integrated internal control and risk management framework is Council's responsibility, the Audit Panel has a key role in overseeing and monitoring internal control and risk management programs. As part of its role, the Audit Panel should review whether Council possesses:

- An effective risk management system;
- Adequate internal controls to safeguard Council's financial sustainability and assets; and
- Internal processes for determining and managing material operating risks in the following areas:
 - Potential non-compliance with legislation, regulations and standards and internal Council policies and procedures;
 - Important accounting judgements or estimates that prove to be incorrect;
 - Litigation, claims and complaints made against Council;

- Fraud, theft and other illegal and unethical behaviour; and
- Significant business risks, such as workplace health and safety.

89.16 Procurement

Risk assessments are conducted prior to the procurement of all major contracts, including plant and equipment, to ensure the relevant parties are consulted, any plant and equipment acquired is suitable for its intended purpose and will meet the needs of Council now and into the future.

SECTION 3 -PLANNING

10.0 9.0 Planning and Resourcing

9.10.1 Resource Challenges

The RMF acknowledges that there are and always will be limitations and challenges for Council to resource and deal with risks which arise.

However, identification of risks should not be limited by the possibility that there may be insufficient funds to immediately improve how Council currently manages its risks.

This Framework approaches the understanding and identification of risks faced by Council in the broadest context. The approach to be used is to identify risks without considering possible cost of treatment but how to manage those risks with a view to maximising existing resources.

This approach is based on the philosophy that it is better to be aware of risks (even knowing that only the most critical can be dealt with after application of a prioritisation process), than to be caught unaware when a risk event occurs, suffer loss or failure, and potentially be held accountable.

9.10.2 Links to Council Planning and Budgeting Cycles

The RMF raises issues ranging from the highest strategic level e.g. Council's formal decision making through to the detailed issues of delivery of services to the community and the care of community assets.

The risk management process identifies issues to consider as part of Council's strategic planning and budget processes.

9.10.3 Budget Planning and Prioritisation

The RMF provides an effective and transparent prioritisation tool for decision making when long term and annual financial resource allocations are being considered.

This process contributes to the quality of the longer term financial plans of Council (including capital works and asset management programs) and assists in effective decision making in strategic planning which in part must recognise the future implications of today's decisions.

Safety and risk mitigation projects are identified, as part of Council's five-year capital expenditure program, to address high potential liability issues and reduce Council's exposure to risk.

Through the use of a common framework to assess priorities sound, transparent and defensible financial decisions and recommendations are possible.

9.10.4 Risk Assessments

Risk assessments will be conducted in accordance with Council's risk assessment methodology. Risk data will be stored in the Risk Register.

9.10.5 Hazards and Incidents

Hazard and incident reporting highlights hazards and incidents and allows this information to be integrated into the Risk Register. These risks are then considered.

SECTION 4 - REPORTING**11.0 10.0 Key Performance Indicators**

The following measures have been developed to aid in tracking the implementation and effectiveness of the Risk Management Framework.

- % Staff provided with Risk Management Awareness Training
- Number of Risk Treatments past due date
- Number of risks without owners
- Number of Targeted Risk Appraisals actions past due date
- Number of Potential Claims
- Number of Outstanding Claims.

10.1.1 Reporting Mechanisms

To ensure transparency of risk management information across Council, a series of reports will be produced throughout the year:

Report	Frequency	Prepared by	Audience
Potential Claims Significant Claims Update Claims Summary	Bi-Monthly	Risk & Compliance Coordinator	Management Team
Risk Register Review	Annually	Risk & Compliance Coordinator	Management Team
Detailed Claims Report Fraud, Theft, Probity & Breaches of Law Relevant Business Risks	Quarterly	Executive Manager Organisational Performance	Audit Panel
Risk Register Overview Significant Business risks Risk Department update & Insurance Portfolio	Annually	Risk & Compliance Coordinator	Audit Panel
Detailed Claims Report Potential Claims Risk Register Review Embedded Risk Areas	Monthly	Risk & Compliance Coordinator	Risk Audit & Compliance Committee
Risk Management Activities	Annually	Risk & Compliance Coordinator	Community via Annual Report
Risk & Compliance Activities	Bi-monthly	Risk & Compliance Coordinator	Councillors

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<u>Unscheduled Reports</u> <ul style="list-style-type: none"> Hazards and Incidents/Risk events: report of any risk events / incidents including remedial action New and emerging risks/issues 	Monthly	Risk & Compliance Coordinator	Safety Committee
	Fortnightly	Risk & Compliance Coordinator	Management Team

SECTION 5 - RESPONSIBILITY**12.0 11.0 Roles and Responsibilities**

Risk management responsibilities are incorporated into Council Position Descriptions and success measures developed for staff to form the basis of both formal and informal performance management discussions. The following table outlines the general responsibilities of various stakeholders:

Stakeholder	Roles and Responsibilities
Council	<p>Council will:</p> <ul style="list-style-type: none"> ▪ Be aware of Council's Risk Management Framework, specifically through the provision of an Audit Panel ▪ Consider all risk implications when making decisions ▪ Make funding and resources available to adequately manage risks identified in the Risk Register
General Manager	<p>The General Manager is required to take all reasonable steps to:</p> <ul style="list-style-type: none"> ▪ Provide a safe and healthy work environment, in accordance with the <i>Work Health & Safety Act 2012</i>, its amendments, Regulations, related codes of practice and Australian Standards ▪ Understand the principles of Risk Management ▪ Ensure that Council meets its 'duty of care' to staff and the general public and protects its assets through education, appropriate risk financing and adequate loss control programs and measures ▪ Monitor and evaluate the performance of Managers against their Risk Management responsibilities ▪ Assist Council in the development and maintenance of Councils Corporate Planning Framework ▪ Lead the Management Team in the development and implementation of risk actions plans ▪ Promote Risk Management as a vital business principle ▪ Ensure that Council is provided with adequate risk information to make informed decisions
Managers	<p>Managers are required to take all reasonable steps to:</p> <ul style="list-style-type: none"> ▪ Provide a safe and healthy work environment in accordance with the <i>Work Health & Safety Act 2012</i>, its amendments, Regulations, related codes of practice and Australian Standards ▪ Understand the principles of Risk Management ▪ Monitor and evaluate the performance of Coordinators, Supervisors and Team Leaders against their Risk Management responsibilities ▪ Contribute to the analysis of all potential and actual high loss incidents within their jurisdiction ▪ Develop and implement risk actions plans ▪ Keep staff appropriately informed of all changes relating to registered risks ▪ Identify any risk issues that should be incorporated into the forthcoming annual plan & estimates ▪ Promote Risk Management as a vital business principle

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	<ul style="list-style-type: none"> ▪ Apply the Risk Management processes for the management of risk exposure ▪ Ensure all accidents, incidents, injuries or near misses within the area under their control are reported and investigated ▪ Managers to review with Coordinators and workers all aspects of the risk management program on a regular basis, including workplace inspections and risk management audits
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Development Services Manager/Risk & Compliance Coordinator	<ul style="list-style-type: none"> ▪ Provide advice and assistance to all Council staff in relation to the development and implementation of an effective Risk Management System that observes the principles of AS ISO 31000:2018 Risk Management ▪ Monitor the overall effectiveness of the Risk Management system ▪ Oversee and provide input into the development and maintenance of a Risk Information System integrated with other systems to provide timely, accurate and relevant information of losses, claims, premiums and other risk related information. ▪ Ensure that all documentation maintained and generated within the Risk Management process complies with Council's record management requirements ▪ Make available relevant and wide-ranging information on risk management issues affecting Council. Review insurance held by users of Council facilities ▪ Review contracts and lease agreements ▪ Negotiate & ensure appropriate insurance cover ▪ Oversee the development of a Risk Management training program ▪ Develop a report on Council's achievements over the previous year for inclusion in Council's Annual Report ▪ Maintain risk management manuals and records including the following: <ul style="list-style-type: none"> ▪ claims management manual ▪ legal advice ▪ property and motor vehicle schedules ▪ loss records ▪ management decision on risk ▪ technical information ▪ insurance policies ▪ Assist in the effective operation of the Safety Management System ▪ Ensure adequate fire protection and security arrangements are in place to protect Council's assets ▪ Coordinate public safety issues ▪ Monitor accident reporting and recording procedures. ▪ Liaise with outside organisations/consultants for advice and assistance in areas where the organisation does not have the expertise or resources ▪ Ensure all accidents and incidents reported are fully investigated and the appropriate corrective action has been taken ▪ Review with Managers all aspects of the risks management program on a regular basis, including workplace inspections and safety audits
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	<ul style="list-style-type: none"> Consult with the Health and Safety Committee and Health and Safety representatives where appropriate to resolve health and safety issues and compliance with Risk Management principles Provide regular reports to management on the operation of the Risk Management program
All employees	<ul style="list-style-type: none"> Assist in the provision of a safe and healthy work environment and comply with the <i>Work Health & Safety Act 2012</i>, its amendments, Regulations, related Codes of Practice and Australian Standards Ensure that risk management factors are fully considered when changing or setting up new work sites, work programs or undertaking new projects. Consult with the Health and Safety Committee and Health and Safety representatives where appropriate to resolve risk management issues Ensure ongoing instruction and consultation with workers in the proper use of plant, equipment and materials and enforce safety rules and practices that apply to employees' work Report any risk identified associated with Council asset, work sites or work systems Ensure that risk management factors are fully considered when changing or setting up work sites, work programs or undertaking any contractual tasks Ensure all accidents are reported All contractors must be inducted before Council entering site/s
Risk, Audit & Compliance Committee	<ul style="list-style-type: none"> Reviewing and analysing claims and reported incidents Progress improvements and recommendations of the MAV Service Review Discuss and plan risk management awareness training Populate and enhance the Risk Register Monitor and improve the Compliance Register Implement an audit and inspection process focused on risk management

SECTION 6 -COMMUNICATION STRATEGIES

13.0 ~~12.0~~ Communication Plan

~~12~~13.1 Objectives

Communication is the key to keeping employees informed and engaged with the implementation of the Framework.

Effective communication mechanisms will support the following objectives:

- To keep staff and stakeholders informed and engaged with the Risk Management program development;
- Development of a common language around risk management;
- Promote learning e.g. examples of success will highlight the different applications of risk management;
- Development of a risk aware culture;
- Demonstrate leadership in implementing the Framework; and
- Celebrate the success of the Framework's implementation.

~~12~~13.2 Communication Methods

The following communication mechanisms may be utilised, amongst others:

- Outline of the Framework and risk awareness/hazard and incident analysis training provided to existing employees;
- Provide additional training to Departments upon request or where a need is identified;
- Risk implications part of Council Reporting processes;
- Progress reports to Management and Risk/Safety Team;
- Progress reports to Audit Panel;
- Progress reports to Risk Audit & Compliance Committee;
- Regular updates regarding risk management will be provided to all employees in staff newsletter; and
- Outline of the Framework provided to all new employees during Induction processes.

~~12~~13.3 Progress Reports to Employees

- Quarterly via [staff newsletter](#); [Yammer](#);
- Monthly Report to the Risk Audit & Compliance and Health & Safety Committees;
- Annual statistical report on KPIs/Fortnightly to the Management Team;

After initial stages of risk program implementation

- Comments from participants;
- Recognition of achievement; and
- Sharing of experience and learning from across the organisation.

~~12~~13.4 Progress Reports to Councillors/Audit Panel

- Audit Panel quarterly reports;
- Audit Panel minutes reported to Council; and
- ~~Updates provided through the Section 23 Infrastructure, Works & Development Committee;~~

- [Development Services Department bi-monthly report to Council](#)

1213.5 Progress Reports to Community

- Annually via Annual Report

SECTION 7 - PROCEDURE

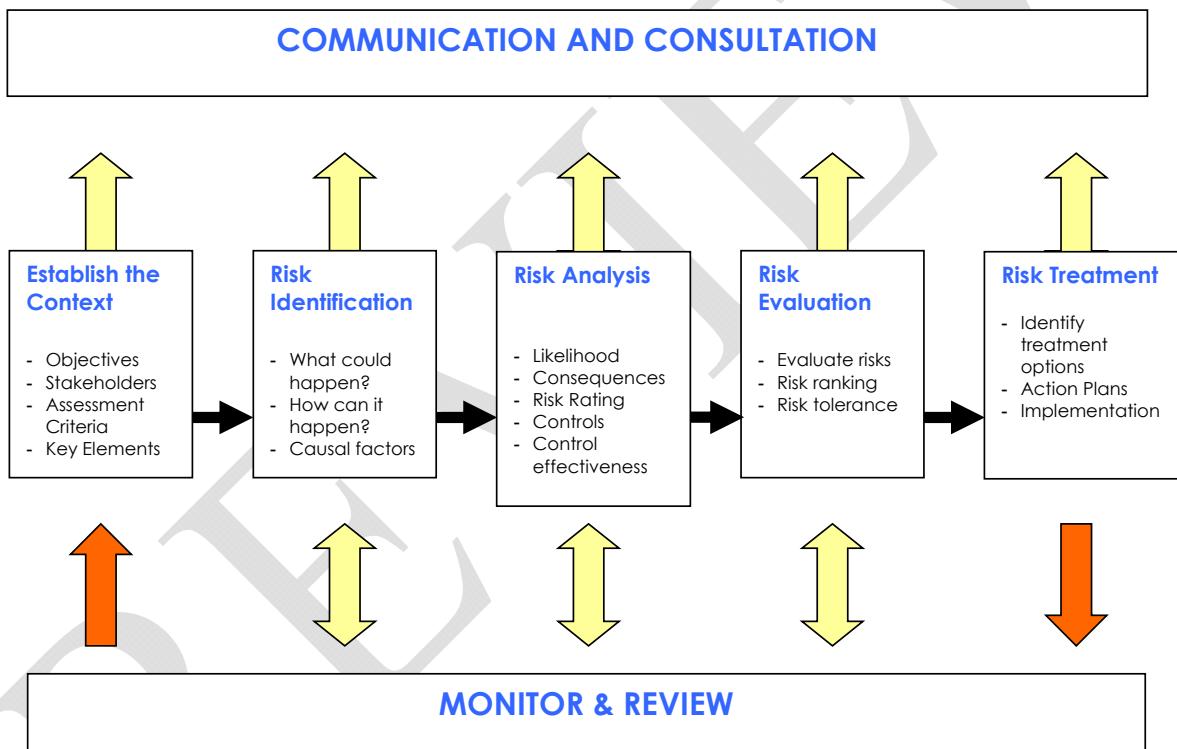
14.0 13.0 Risk Management Process

1314.1 Overview

The risk management process should be:

- An integral part of management
- Embedded in culture and practice, and
- Tailored to the business processes of Devonport City Council

The risk management process adopted as part of this Framework is consistent with the Standard as depicted below:



1314.2 Communication and Consultation

Contact/Involvement – has everyone who needs to know been contacted, involved, informed and kept up to date?

Information Flow/Dialogue with Stakeholders – there should always be dialogue with stakeholders with a focus on consultation.

Feedback – success will be achieved if feedback is given by all involved in the process.

The Communication Plan is outlined in detail in Section 10 of this Framework.

1314.3 Risk Management Context

When identifying, assessing and managing risks, the following external factors should be considered:

- Community impact;
- Environmental implications;
- Political implications (State/Federal);
- Health, Safety and Well Being;
- Economic Impact;
- Media;
- Legal and Regulatory requirements; and
- External stakeholders/key third party service providers.

The following internal factors need to be considered:

- Council's Strategic Plan;
- Long Term Financial Plan;
- Capital and Operational Budgets;
- Annual Plan;
- Departmental Plans;
- Unit Plans;
- Council / Elected Members;
- Health and Safety and Welfare;
- Key Performance Indicators - organisation and individuals;
- Business Continuity and Emergency Management Planning;
- Governance; and
- Business efficiency and productivity.

1314.4 Risk Identification

The aim of risk identification is to develop a comprehensive list of events that may create, enhance, prevent, degrade, accelerate or delay the achievement of objectives. This includes identifying the risks associated with not pursuing an opportunity.

To assist in risk identification, ask the following questions - What can happen?
- How can it happen? Have we considered the causal factors?

Each department/work area is responsible for identifying their risks and undertaking risk assessments.

In identifying risks, Departments/work areas need to consider a broad range of risk sources within the context of Council's strategies and operations. These risk sources were outlined at Section 5 of this Framework.

Forums for identifying operational risk include but are not limited to:

Risk Identification Workshops

The purpose of these workshops is to brainstorm risks with relevant employees from each work area. Senior Managers are accountable for reviewing their area's registered risks formally at least on a half yearly basis, as part of the business planning process, in consultation with relevant employees.

Risk Assessment Workshops/Discussions

The purpose of these discussions is to assess the likelihood and consequence of the risks identified with relevant employees from each work area. As a result of these workshops, risk rating details are captured and documented using Council's risk assessment documentation & tools. Senior Managers are accountable for reviewing their area's registered and assessed risks formally at least on a half yearly basis, as part of the business planning process.

Strategic Projects/Change Management

A risk assessment is to be undertaken as part of any project and/or the Council's documented change management process. Senior Managers are accountable for identifying and assessing any risks emerging as a result of change/improvement/projects. These risks are to be included on the project plan which is reviewed and maintained through the life of the project/change/improvement process.

Review of Audit findings/Loss data/Credible Customer Complaints

Systemic issues/risks can be identified upon review of this data

Strategic and Annual Planning Process

Departments are required to review their risks in the Corporate Risk Register as part of their annual planning and budgeting process. This enables the risk profile and risk control activity to be considered as part of formulating future plans, improvements, business cases and budgets.

Incident/Hazard Reporting

Incidents and Hazards are to be reported using the Incident and Hazard Reporting Process. This information and subsequent analysis may result in the identification of systemic / operational risks. These will be communicated back to relevant stakeholders to be appropriately managed in line with the risk management process.

1314.5 Risk Analysis

Risk analysis involves consideration of the sources of risk, their positive and negative consequences and the likelihood that those consequences may occur. Each category of the consequence scale is based on the types of risks that may potentially impact Council's operations.

Existing controls and their effectiveness and efficiency should also be taken into account. For each identified risk ask "Is there anything currently in place that would effectively lessen the likelihood or impact of the risk?" If there are controls in place, then ask "Are the controls effective? "Can the risk be shared/transferred"? The risk can then be re-evaluated.

A risk rating is determined by combining the likelihood and the consequence ratings.

Risk analysis is about developing an understanding of the risk. It is this analysis which provides input into the decision on whether the risk needs to be controlled and the most appropriate and cost-effective manner of treatment.

The method of analysing risks is undertaken in two parts:

- Risks are measured against established criteria for likelihood; and
- The final risk score (overall risk rating) is calculated as the product of the likelihood and consequence scores.

1314.6 Risk Evaluation

Risk evaluation is done to assist in decision making – the legend below identifies the actions necessary for different risk ratings.

Legend:

H	High Risk: Immediate action to be initiated and implement controls as outlined in Risk Assessment.
S	Significant Risk: Attend to in short term. Implement controls as outlined in Risk Assessment.
M	Moderate Risk: Attend to in medium term. Implement controls as outlined in Risk Assessment.
L	Low Risk: Responsible Managers develop or modify policy, procedure and practices to address the risk and implement controls as outlined in Risk Assessment.

The purpose of risk evaluation is to determine, based on the outcomes of risk analysis, which risks need treatment and priorities. The risk evaluation can also lead to a decision not to treat the risk in any way other than maintaining existing controls.

1314.7 Risk Treatment

Risk treatment involves identifying the range of options for treating risks, assessing these options and the preparation and implementation of treatment plans. By treating the risk the aim is to either:

- Elimination the risk – repair damage/remove risk/or alternative methodology;
- Avoid the risk - by deciding not to continue with the activity;
- Taking the risk - in order to pursue an opportunity or lesser risk alternative;
- Sharing the risk – to minimise likelihood and consequences;
- Isolate the risk – relocate the risk, tag out, lock out, install barriers;
- Engineering – improve the process to remove the risk;
- Administrative – rotate jobs, adequate training, maintenance;
- Personal Protective Equipment (PPE) – use hearing, eye, head, hand, face protection and train staff in its correct use;
- Accept the risk by informed decision - retain the risk.

In order to select the most appropriate treatment action it is necessary to balance the cost of implementing each option against the benefits derived from it. It is also necessary for consideration to be given to all direct and indirect costs and benefits financial or otherwise.

1314.8 Monitor and Review

On-going review of the RMF and its effectiveness is essential to ensure that risks are identified and registered in the Corporate Risk Register; are regularly assessed, including associated treatment options; and that they remain relevant. Factors that affect the likelihood and consequence may change, as may the factors that affect the suitability or cost of treatment options.

The required actions, as outlined in the Risk Evaluation section above outline the monitoring and review actions which are undertaken as part of this Framework:

- This RMF is reviewed every two (2) years.
- Regular reporting to the Audit Panel should include status of risks in the Risk Register, insurance claims and details of relevant audit results.

Any review of the RMF will consider the following:

- Are risk management objectives aligned with Council's strategic intent?
- Do risk management initiatives reflect the realities of the current environment in which Council is operating?
- Are the outcomes of risk management able to be effectively measured?
- Do risk management initiatives generate value for Council?
- Does information provided allow decisions to be made about whether to expand or contract resources and what effort is required in managing risk exposures?
- Is information provided in a clear and concise manner?

Furthermore, an assessment of the effectiveness of the risk management program at Council will be undertaken following implementation of the Framework to ensure that it meets its objectives. This assessment will be undertaken through:

- Survey of stakeholders;
- Implementation and monitoring of key risk indicators;
- Formal assessment of incident and loss data against key risk indicators; and
- Internal audit of the program.

SECTION 8 - DEFINITIONS

15.0 14-Descriptors:

Extracted from *ISO Guide 73:2009* and *Work Health & Safety Act 2012*

— **Risk** - effect of uncertainty on objectives.

Risk Management - coordinated activities to direct and control an organisation with regard to risk.

Risk Management Framework - set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation.

Risk Owner - person with the accountability and authority to manage a risk.

Hazard - a source of potential harm.

Residual Risk - the risk remaining after risk treatment.

Risk Analysis - the process to comprehend the nature of risk and to determine the level of risk.

Risk Evaluation - the process of comparing the results of risk analysis with risk criteria to determine whether the risk and/or its magnitude are acceptable.

Risk Appetite - is the amount and type of risk Council is willing to pursue or retain in order to achieve its objectives.

Risk Tolerance - Risk tolerance is Council's readiness to bear the risk, after risk treatment, in order to achieve its objectives.

Risk Register - record of information about identified risks.

Risk Retention - the acceptance benefit of gain, or burden of loss, from a particular risk.

Risk Treatment - the process to modify risk.

Inherent Risk - Initial risk prior to implementation of control measures.

Stakeholders - employees, Aldermen, Committees, Contractors, general Community, Volunteers, Visitors, Lease Holders, Audit Panel and Interested parties

Worker - A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as –

- an employee; or
- a contractor or subcontractor; or
- an employee of a contractor or subcontractor; or
- an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- an outworker; or
- an apprentice or trainee; or
- a student gaining work experience; or
- a volunteer; or
- a person of a prescribed class.

~~15.16.0~~ Legislation & Related Documents

AS ISO 31000 [2018 Risk Management Guidelines](#)
Work Health & Safety Act 2012
Work Health & Safety Regulations 2012
Local Government Act 1993
Risk Register
DCC Health & Safety Policy
DCC Business Continuity Policy
DCC IT Disaster Recovery Plan
Regional Emergency Management Plan
Art Gallery Annexe Disaster Preparedness Plan

~~16.17.0~~ Responsibility

~~16.17.1~~ Responsible Manager

Development Services Manager

~~16.217.2~~ Document Controller

Risk & Compliance Coordinator

~~17.18.0~~ Authorisation

~~18.1 17.1~~ Adoption of Framework

Adopted by MT September 2012

~~17.218.2~~ Amendments to Framework

Amendments endorsed by Council (Infrastructure Works & Development Committee April 2019)

[Amendments endorsed by Council June?](#)

~~18.19.0~~ Document Review

This framework should be reviewed every two years

~~19.20.0~~ Framework Review

[July 2023](#).

[Trim File Ref: 25870](#)

Department of Premier and Cabinet

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GPO Box 123 HOBART TAS 7001 Australia
Ph: 1300 135 513 Fax: (03) 6233 5685
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Dear Councillor

I am writing to all councillors in the State regarding two very important matters and I am seeking support with regards to each of them. Many of the issues facing local communities today are tackled most effectively when the various public, private and voluntary sector organisations involved work together. No single organisation acting alone has the complete answer - working together provides the best opportunity to maximise our combined effort, avoid duplication and make the greatest impact on our communities.

Confidentiality

As Community Leaders, councillors should uphold the highest values and I am concerned in relation to the volume of complaints my Office has received regarding alleged failures to observe the confidentiality requirements prescribed in the *Local Government Act 1993* (the LG Act).

As you will be aware, the Act makes it an offence to disclose information seen or heard by you during a council meeting, or part of a meeting, that is closed to the public. It is also an offence to disclose information provided to you in your capacity as councillor if that information is given on the condition that it be kept confidential.

Effective council decision-making involves, from time to time, a need to deliberate on certain matters, such as personnel (staff), commercial, security or legal issues, in confidence.

I expect complete adherence to these requirements by all councillors. If councillors cannot be trusted to take their obligations in this regard seriously, the integrity of council decision-making and the operation of the local government sector as a whole will suffer.

On occasion argument is raised that the use of closed council sessions runs contrary to the principles of transparency and accountability. On this issue I remind you that regulation 15(8) of the *Local Government (Meeting Procedures) Regulations 2015* requires a council, when in a closed meeting, to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential.

It should be the case, in accordance with the Regulations, that councils agree to communicate as much as possible from the closed meeting without improperly disclosing specific detail that ought to remain confidential.

Furthermore, I take this opportunity to advise that whenever possible, I intend to prosecute all substantiated breaches of confidentiality. This is consistent with the expectations of the community, that elected members be held to standards befitting of their office.

Safe Workplaces

In my view, for councils to be successful, they must be safe workplaces. A safe workplace should uphold zero tolerance for any form of harassment or discrimination which may be associated with a person's sex, age, race, disability or other attribute.

In line with general community expectations, it is important that I remind councillors of your continuing responsibilities, under a variety of legislation, to treat all persons fairly, and not engage in behaviour which may amount to bullying, harassment or discrimination.

Changes to culture start with everyone concerned accepting there is a need for change. Within my own workplace, that is why the DPAC Executive recently endorsed a Statement of Intent surrounding Workplace Equality and Respect. This Statement of Intent reiterates the commitment we have to create safe, welcoming and inclusive environments for all of our employees and visitors. The Statement of Intent establishes the expectation that gender equality is considered and prioritised in all of our current and future Department planning, policy, service delivery and practice, and commits to:

- having at least an equal representation of women and men in senior leadership positions;
- actively recruiting women to non-traditional fields;
- training all of our staff on how to recognise, respond and refer, in relation to family violence;
- communicating and enforcing the State Service Code of Conduct; and
- actively engaging with the Our Watch Workplace Equality and Respect campaign.

I seek your support for each of your Councils to craft a similar Statement of Intent surrounding Workplace Equity and Respect and hope you will discuss this at your next Council meeting.

From a legislative perspective, the *Work Health and Safety Act 2012* creates specific obligations on the part of a person conducting a business or undertaking, who in the case of a council is the general manager, to provide for a safe working environment. However there are also obligations under that Act on the part of any person at a workplace, including yourself, to take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons.

Additionally, under the *Anti-Discrimination Act 1998*, councils have obligations to ensure that all councillors and employees are aware of what amounts to discrimination or other similarly prohibited conduct, and further ensure that persons within council do not engage in such conduct. A council may be liable under that Act for a failure to take appropriate steps to this effect.

Please be aware that whilst you have limited immunity under section 341 of the LG Act, you may still find yourself personally liable should you breach the provisions of the *Anti-Discrimination Act 1998*.

Covid-19 Vaccination in Tasmania

Finally, I would also like to take this opportunity to emphasise the importance of the COVID-19 vaccination program to Tasmania.

Everyone in Tasmania will have the opportunity to get a free vaccine this year. Ensuring that Tasmanians get the vaccine as soon as it is made available will help reduce the risk of COVID-19, as well as enable us all to live our everyday lives more freely.

I would like to thank all Councils for supporting the Tasmanian and Commonwealth Governments in the vaccination rollout. Councillors have an important role in leading their communities in this respect and I encourage you to continue to support these efforts and build community awareness on this important issue wherever possible.

I also intend to write to all Mayors on this issue to discuss this matter in greater detail.

If you have any concerns in relation to the issues I have raised, feel free to contact my Office at localgovernment@dpac.tas.gov.au or on 6232 7022.

Yours sincerely



Craig Limkin
Director of Local Government

13 July 2021



DEVONPORT CITY COUNCIL

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19 July 2021

Local Government Division
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001

Email: LGAReview@dpac.tas.gov.au

Dear Sir/Madam

Code of Conduct Framework Feedback

Thank you for the opportunity to provide feedback on the proposed legislative reforms relating to the local government code of conduct framework.

Devonport City Council has workshopped the discussion paper and provides comment as noted below under each of the areas of consideration.

Consideration 1 - Further strengthening and clarifying the grounds for the Initial Assessor to dismiss complaints at the initial assessment stage.

Council strongly supports strengthening mechanisms to dismiss minor complaints at the initial assessment stage. The introduction of further criteria involving a public interest test is considered a sensible and necessary addition to assist in eliminating the current use of the framework for less serious complaints which have no relevance or interest to the general public. Allowing a more holistic analysis of the circumstances surrounding each complaint, such as including consideration of previous interaction between the complainant and Council or Councillor/s, should result in a more reasonable interpretation of which complaints proceed to investigation phase.

The increasing unfair public criticism of elected members, along with associated bullying and harassment, has been identified as a barrier preventing people from seeking such positions. Unfortunately, the code of conduct process at times is used as a form of personal attack against Councillors and strengthening the grounds for initial dismissal of complaints should be undertaken in a manner which prevents the use of the code in this way.

Consideration 2 - Removing a perceived conflict of interest for the Code of Conduct Panel Chairperson and providing consistency in relation to the initial assessment process.

Council supports the initial assessment being undertaken by a person with legal experience who does not then form part of the assessment panel. This removes any perceived conflict of interest and should simplify the initial assessment phase.



The City with Spirit

- 2 -

Currently it could be argued that inconsistencies exist in the application of the initial assessment criteria and a change to this being undertaken by a nominated legal representative should improve consistency in the initial assessment.

Consideration 3 - Wherever practicable, improve confidentiality requirements in relation to the Code of Conduct complaints process.

Council agrees the confidentiality requirements relating to complaints needs review and the provisions in the legislation which prevent the "leaking" of findings should be strengthened.

Council also believes the legislation should allow a Councillor/s to be informed of any complaints against them, regardless of whether or not they are dismissed. Currently complainants can publicly declare their intention to lodge a complaint (often through the media), whilst the Councillor remains unaware if the complaint proceeded, and if so, whether the complaint was dismissed.

Consideration 4 – Implementation of council dispute resolution policies

Council would support the introduction of mandatory dispute resolution policies and consider that this may be a more effective means to resolving conduct related grievances, before submitting a Code of Conduct complaint.

However, mechanisms would need to be included to prevent the alternative option simply becoming an additional avenue for disgruntled complainants to use to prosecute a single issue.

Council appreciates the opportunity to provide this feedback and look forward to the implementation of changes which improve the current code of conduct framework.

Yours sincerely



Matthew Atkins
GENERAL MANAGER

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 agreement provided to DSLSC. Club are seeking to have plans drawn up and to secure a grant to assist with the associated costs
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
28/06/2021	21/111	Confirmation of Previous Minutes	Completed	Governance Officer	Previous Minutes confirmed
28/06/2021	21/112	Responses to Questions Raised at Prior Meetings	Completed	Governance Officer	Responses to questions noted
28/06/2021	21/113	Questions on Notice from the Public	Completed	Governance Officer	Responses endorsed and authorised for release
28/06/2021	21/114	Youth Council	Completed	Community Services Manager	Meeting to be held with Cr Milbourne to progress with Terms of Reference and establishment of Youth Council.
28/06/2021	21/115	BIRD Pilot Program	In progress	Executive Coordinator	The BIRD general manager has been invited to attend a future workshop.
28/06/2021	21/116	Tender Report Contract CT0299 River Road Coastal Pathway	Completed	Project Management Officer	Contract documents sent out for signing
28/06/2021	21/117	Cradle Coast Waste Management Group Annual Plan and Budget	Completed	Governance Officer	CCWMG 2021/22 Annual Plan & Budget noted and endorsed
28/06/2021	21/118	Annual Plan and Budget Estimates	Completed	Executive Coordinator	Action taken as per recommendation.
28/06/2021	21/119	Financial Management Strategy 2022-2031	Completed	Governance Officer	Strategy adopted and available on Council's website
28/06/2021	21/120	Don Congregational Cemetery Master Plan 2022	Completed	Executive Coordinator	Master Plan adopted and available on Council's website.
28/06/2021	21/121	Unsolicited Proposals Assessment Framework	Completed	Executive Coordinator	Policy adopted and available on Council's website.
28/06/2021	21/122	Workshops and Briefing Sessions held since the last Council Meeting	Completed	Governance Officer	Received and noted
28/06/2021	21/123	Mayor's Monthly Report	Completed	Governance Officer	Report received and noted
28/06/2021	21/124	General Manager's Report - June 2021	Completed	Governance Officer	Report received and noted
28/06/2021	21/125	Development and Health Services Report	Completed	Governance Officer	Report received and noted
28/06/2021	21/126	Infrastructure and Works Report	Completed	Governance Officer	Report received and noted
28/06/2021	21/127	Cemetery Strategy 2011-2030 - Year Ten Status	Completed	Governance Officer	Report received and action status noted
28/06/2021	21/128	Highfield Park Master Plan 2018-2028 - Year three status update	Completed	Governance Officer	Report received and action status noted

Councillor Expenses

Cumulative figures year to date: June 2021

Councillor Expenses	Mayoral Allowance	Deputy Mayoral Allowance	Councillor's Allowance	Mileage R'ments	IPads	Conference/ Professional Development Attendance	Travel, Accommodation & Meal expenses	Meeting expenses	Mobile Phone	Total
Mayor Cr Rockliff	79,822			4,500		1,663	351	130	605	\$ 87,071
Deputy Mayor Cr Jarman		40,630			536	370	208			\$ 41,744
Cr Alexiou			22,806		536	709				\$ 24,051
Cr Ennis			22,806		536	1,566	453			\$ 25,361
Cr Hollister			22,806		536	1,079	320			\$ 24,741
Cr Laycock			22,806		536	1,148	807			\$ 25,297
Cr Milbourne			22,806		536					\$ 23,342
Cr Murphy			22,806		536					\$ 23,342
Cr Perry			22,806		536	709	402			\$ 24,453
Other Non Attributable										\$ -
TOTAL - YEAR TO DATE	\$ 79,822	\$ 40,630	\$ 159,643	\$ 4,500	\$ 4,286	\$ 7,245	\$ 2,541	\$ 130	\$ 605	\$ 299,403
Budget	79,822	41,000	159,273	4,500	3,960	5,000	3,400	1,000	720	298,675
BALANCE UNSPENT	\$ -	\$ 370	-\$ 370	\$ -	-\$ 326	-\$ 2,245	\$ 859	\$ 870	\$ 115	-\$ 728
% Spent Year to Date	100%	99%	100%	100%	108%	145%	75%	13%	84%	100%

Note: Council provides a motor vehicle for use by the Mayor - the cost of this vehicle is shown in the Mileage column.

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council. Failure to do so may result in a fine of up to 50 penalty units.

Local Government Act 1993

CODE OF CONDUCT PANEL DETERMINATION REPORT

DEVONPORT CITY COUNCIL CODE OF CONDUCT PANEL

Complaint brought by Mr Graeme Nevin against Crs Rockliff, Laycock, and Perry

Code of Conduct Panel

- Lynn Mason (Chairperson),
- Sally Darke (Local Government Member)
- Steve Bishop (Legal Member)

Date of Determination: 14 July 2021

Content Manager Reference: C22110

Summary of the complaint

A code of conduct complaint was submitted by Mr Graeme Nevin to the General Manager Devonport City Council on 30 March 2021.

The Complaint alleged that at the 2020 Annual General Meeting of Devonport City Council (the Council), Councillors (Crs) Rockliff, Laycock and Perry had a conflict of interest in considering a motion calling for an enquiry into, and report on, matters pertaining to Providore Place, and failed to declare that interest in accordance with Part 2 of the Code.

The Code in force at the time of the alleged breaches was adopted by Council in January 2019. The section of the Code which Mr Nevin alleged Crs Rockliff, Laycock, and Perry breached is:

Part 2 - Conflict of interests that are not pecuniary

1. *When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.*
2. *A councillor must act openly and honestly in the public interest.*
3. *A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.*
4. *A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.*
5. *A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.*
6. *A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must: –*
 - a) *declare the conflict of interest and the nature of the interest before discussion of the matter begins; and*
 - b) *act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the Councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.*
7. *This Part does not apply in relation to a pecuniary interest.*

Initial assessment

Mr Nevin's complaint was referred to the Chairperson for initial assessment on 20 April 2021.

Following receipt of the complaint, the Chairperson conducted an initial assessment of the complaint in accordance with the requirements of section 28ZA of the Act. Having assessed the complaint against the provisions of sections 28ZB and 28ZC of the Act, the Chairperson determined that:

- the complainant had made a reasonable effort to resolve the complaint. The Chairperson arrived at this conclusion considering that Mr Nevin had written to the councillors on several occasions seeking to resolve this matter prior to lodging his complaint;
- the complaint [or part of the complaint] substantially related to a contravention of the Devonport City Council's Code of Conduct, namely *Part 2 - Conflict of interests that are not pecuniary*
- the complaint should not be dismissed on the grounds that it was frivolous, vexatious or trivial. The reasons for this conclusion were that Mr Nevin had provided sufficient evidence to warrant further investigation of his complaint;
- there was no relevant direction under section 28ZB(2) or 28ZI of the Act that would apply to the complainant and the complaint.¹

Pursuant to section 28ZA(1)(e) of the *Local Government Act 1993* (the Act), the Chairperson determined on 12 May 2021 that the complaint should be referred to a Panel for investigation.

The complainant, respondent councillors and the General Manager were notified of the outcome of the outcome of the initial assessment by letter dated 12 May 2021.

The Complaint

Cr Rockliff is the Mayor of Devonport City Council. Cr Laycock is a past Mayor and long serving councillor, and Cr Perry has been a councillor since 2009.

The Annual General Meeting (AGM) of the Council was held on 9 November 2020. Mr Nevin moved a motion as follows:

DEVONPORT CITY COUNCIL 2020 ANNUAL GENERAL MEETING

That the Devonport City Council:

- 1. commission an enquiry and report;*
- 2. independent of council;*
- 3. with the report made public (apart from item A below)*

Regarding what has happened with Providore Place including reference to the following:

- A Whether DCC has any potential claim against any person or entity (other than the head lessee) concerning recovery of the Providore Place losses suffered by DCC?;*
- B Whether the 2016 councillors acted in good faith when granting the head lease in relation to Providore Place?;*
- C Why council granted a head lease with clauses protecting council's position absent?;*
- D Why did council not want any legal advice on the head lease?*

The complaint alleged that as Crs Rockliff, Laycock and Perry were all councillors in 2016, they had a conflict of interest in the motion being debated, and should have declared that interest and removed themselves from the room for the duration of the debate on that motion. The motion was given with due notice and was included

¹ Section 28ZB(2) and 28ZI of the Act enable the Chairperson or the Panel (as applicable) to issue a direction to a complainant in prescribed circumstances not to make a further complaint in relation to the same matter unless the complainant provides substantive new information in the further complaint.

in the agenda papers for the meeting; hence the councillors had sufficient time to consider the matter of actual, perceived, or potential conflict of interest prior to the meeting, and to seek advice if they deemed it necessary.

The complaint alleged that the councillors who were on Council in 2016 potentially had something to gain from the outcome of the motion. If the motion were lost, then there would be no possibility of investigation into whether they had acted in good faith in making decisions about Providore Place, or whether as a result of their 2016 decisions, the Council had potential claims against any person or entity in light of the losses subsequently suffered by the Council. Had the investigation taken place, with adverse findings for the 2016 councillors, this had the potential to adversely affect their reputations as councillors and leaders of the community.

All three councillors remained in the room while the motion was debated. Crs Rockliff and Laycock voted against the motion. Cr Perry did not appear to vote. In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, abstention from voting at an ordinary council meeting is counted as a negative vote. Whether the Mayor considered that she could impose those meeting procedures on the AGM or not is not relevant to this Report. By his presence during the debate and failure to vote in favour of the motion, it may be deemed that Cr Perry, along with Crs Rockliff and Laycock, voted against the motion.

Investigation

The Panel met on 24 May 2021. On that day Mr Nevin was informed that no further information was needed from him at that time, and the Respondents were invited to provide their response to the complaint by 31 May 2021. The Panel received very similar or identical responses from all three councillors under cover of Statutory Declarations dated 28 May 2021.

On 1 June 2021 the Panel met to consider the responses and on 2 June 2021 the Panel wrote to Mr Nevin, inviting him to respond to the declarations made by the Respondents. Mr Nevin was also invited to make submission on whether he considered he would be disadvantaged if the Panel were to complete its investigation by written submissions or examination of documentary evidence, or both, without conducting a hearing. Mr Nevin responded, in a Statutory Declaration dated 8 June 2021, and included his submission that he did not consider he would be disadvantaged if a hearing was not held.

Mr Nevin's document of 8 June 2021 was sent to the Respondents. Additionally, the Respondents were asked to make submission on whether or not they considered that a hearing should be held, and also on what penalty, if any, should be imposed on each of them in the event that the Panel upheld part or all of the complaint.

The Panel received very similar or identical responses from Crs Rockliff, Laycock and Perry by Statutory Declarations dated 17 June 2021. These were sent to Mr Nevin on 18 June 2021. None of the Respondents considered that they would be disadvantaged if a hearing was not held. Mr Nevin was informed that the Panel did not consider that the 17 June 2021 submissions from the Respondents added any fresh information to what was already being considered by the Panel, and that therefore, the Panel did not expect any further response from him.

The Panel met on 28 June 2021 to conclude its investigation.

Material considered by the Panel

The Panel's investigation was based on the following documentation:

- The Devonport City Council Model Code of Conduct Policy, January 2019;
- The Complaint by Mr Nevin, 30 March 2021;
- The audio recording and minutes of the Council's Annual General Meeting, held on 9 November 2020;
- The responses to the Complaint provided by Statutory Declarations dated 28 May 2021;
- Statutory Declaration from Mr Nevin, 8 June 2021;
- The report of the Auditor-General No. 1 of 2019-2020, *Procurement in Local Government*; and
- Statutory Declarations from Crs Rockliff, Laycock and Perry, 17 June 2021.

The Respondents submitted that as AGM business generally would relate to Councillor decision making, it is unreasonable and at times (depending on numbers) impossible to apply a conflict of interest expectation.

The Panel disagrees with this view. The Code states the following regarding its application:

This Code of Conduct applies to a councillor whenever he or she:

- *conducts council business, whether at or outside a meeting;*
- *conducts the business of his or her office (which may be that of mayor, deputy mayor or councillor); or*
- *acts as a representative of the Council.*

The Panel finds that the conduct of the AGM is council business, and therefore, the Conflict of Interest provisions of the Code apply in that situation. Crs Laycock and Perry were conducting the business of their office as Councillors at the AGM, and the Mayor was conducting the business of her office as Mayor in chairing the AGM. The Code provisions regarding conflict of interest therefore apply to the AGM.

When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.

The Panel determines that Crs Rockliff, Laycock and Perry had a personal interest in the outcome of the vote on the motion as put. As 2016 councillors any report on the issues surrounding Providore Place and the council decisions which led to those issues could have been damaging to the three councillors. Given the length of service of all three councillors, many of the AGM attendees would have been aware that they had been councillors in 2016, and could be affected by the outcome of any investigation.

Additionally, the question of conflict of interest affecting the 2016 councillors was raised by the Deputy Mayor, who declared an interest in the matter and left the room. There was therefore indisputably the perception by some of those in attendance of conflict of interest by the three Respondents. The Panel determines that in accordance with clause 6 of Part 2 of the Code, the Respondents should have declared the conflict of interest (whether actual, potential, or perceived) and in good faith, removed themselves from the room during the debate and vote.

The Respondents cited the report of the Auditor-General No. 1 of 2019-2020, *Procurement in Local Government*, stating that *the Auditor-General's Office (TAO) found nothing more than a small number of improvement recommendations for Council and the Local Government Division. There was no suggestion by the Auditor-General of any wrong-doing or and decisions made by Councillors that were 'not in good faith'.*

The Panel disagrees with the view that this statement adequately reflects the findings and recommendations in the TAO report that are pertinent to this complaint. The report was primarily investigating the procurement processes used by the Council in the Providore Place project. In its conclusion the report stated that in investigating audit criteria 3 (*Did DCC follow sound commercial and governance processes in entering into the Providore Place head lease?*) it found as follows:

DCC's governance and procurement processes for management of the Living City project were not effective as measured against audit criteria 3 due to DCC failing to follow sound commercial and governance processes before entering into the Providore Place head lease. This included failing to obtain independent legal advice prior to entering into the head lease and not adequately managing the relationship risk between DCC and P+i in entering into the head lease.

The Panel finds that this conclusion by the TAO indicates some concern about the manner in which the 2016 Council made its decisions. The Panel determines that the report's failure to comment on whether or not councillors acted in good faith does not allow the conclusion that therefore, the councillors did act in good faith in their 2016 decision making on Providore Place.

Sanctions

In accordance with section 28ZI (2) of the Act, the Panel may impose one or more sanctions on Cr Rockliff. The starting point is whether the Panel should impose a sanction. Given that Cr Rockliff is the Mayor of the

Council, and that she has had a previous complaint against her upheld by the Panel, the Panel is satisfied that it should. Pursuant to section 28ZI(2)(b), the Panel imposes a reprimand on Cr Rockliff.

In accordance with section 28ZI (2) of the Act, the Panel may impose one or more sanctions on Cr Laycock. The starting point is whether the Panel should impose a sanction. Given that Cr Laycock is a past Mayor of the Council, and has extensive experience in local government, the Panel is satisfied that it should. The Panel takes into consideration that Cr Laycock has had no previous complaints upheld against her. Pursuant to section 28ZI(2)(a), the Panel imposes a caution on Cr Laycock.

In accordance with section 28ZI (2) of the Act, the Panel may impose one or more sanctions on Cr Perry. The starting point is whether the Panel should impose a sanction. Given that Cr Perry is a long-standing elected member of the Council, the Panel is satisfied that it should. The Panel takes into consideration that Cr Perry has had no previous complaints upheld against him. Pursuant to section 28ZI(2)(a), the Panel imposes a caution on Cr Perry.

Pursuant to section 28ZI(2)(d), the Panel requires Cr Rockliff, Cr Laycock, and Cr Perry to undertake training in recognising and dealing with conflict of interest in the local government context. This training is to be undertaken prior to the next Annual General Meeting of the Council.

Right to review

A person aggrieved by the determination of the Code of Conduct Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination



Lynn Mason
Chairperson



Sally Darke
Member



Steve Bishop
Member

DATE : 14 July 2021

**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 12 July 2021 commencing at 5:00 PM**

Present

Cr J Alexiou
Cr P Hollister
Cr L Murphy
Cr L Perry

**Councillors in
Attendance**

Cr L Laycock

Council Officers:

General Manager, M Atkins
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.

APPOINTMENT OF CHAIRPERSON

PAC21/6 RESOLUTION

MOVED: Cr Perry
SECONDED: Cr Alexiou

Appoint Cr L Murphy as Chair for the meeting.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry
AGAINST: nil

CARRIED 4 / 0

1 APOLOGIES

The following apologies were received for the meeting.

Cr A Rockliff
Cr S Milbourne

2 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

PAC21/7 RESOLUTION

MOVED: Cr Perry
SECONDED: Cr Hollister

That the list of delegated approvals be received.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry
AGAINST: nil

CARRIED 4 / 0

4 DEVELOPMENT REPORTS

4.1 PA2021.0075 - 27 LEARY AVENUE STONY RISE - RESIDENTIAL (SINGLE DWELLING)

PAC21/8 RESOLUTION

MOVED: Cr Perry
SECONDED: Cr Alexiou

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 PA2021.0075 and grant a Permit to use and develop land identified as 27 Leary Avenue, Stony Rise for the following purposes:

- Residential (single dwelling)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as 3-Bed Dwelling, Job No. 0321-74, Drg No. 01-10, dated 15/3/2021

by Tas Laughlin, copies of which are attached and endorsed as documents forming part of this Planning Permit.

2. The developer is to direct any stormwater collected from this work into the existing property stormwater pipe in accordance with the *National Construction Code*.
3. The developer is to ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's recommendations "Soil & Water Management on Large Building & Construction Sites" (refer to notes).

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.

In regard to condition 3, large building and construction sites are those with greater than 250m² of ground disturbance – refer to the following link

https://epa.tas.gov.au/Documents/Soil_and%20Water_Management_Fact%20Sheet_1.pdf

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*.

The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath, or other Council infrastructure that is damaged because of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.

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

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry
AGAINST: nil

CARRIED 4 / 0

4.2 PA2021.0066 - 26 TRITON ROAD EAST DEVONPORT - RESIDENTIAL (MULTIPLE DWELLINGS X 2)

PAC21/9 RESOLUTION

MOVED: Cr Alexiou
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 PA2021.0066 and grant a Permit to use and develop land identified as 26 Triton Road, East Devonport for the following purposes:

- Residential (multiple dwellings x2)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as project no. 00421 by Arplan Home Design, sheets SK01-05, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development site being impervious. There is to be no uncontrolled overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted for approval by the City Engineer prior to any subsequent building permit applications.
3. Subject to the above, and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
4. The new driveway works are to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09.
5. All vehicular parking and manoeuvring areas for light vehicles are to be sealed with an impervious surface seal, such as a standard concrete pavement or a sealed granular pavement, to the satisfaction of the Planning Authority.
6. Access & egress for the proposed vehicles in the driveway and onto the roadways are to demonstrate compliance with the standard swept path templates, including 300mm manoeuvring clearances each side of the swept paths. This swept path template, including the 300mm manoeuvring clearances are to be clearly shown on the plans in any subsequent building permit application.
7. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice (TWDA 2021 00890-DCC) 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.

In regard to condition 4 a 'Permit to work within the road reserve' must be sought and granted prior to any works being undertaken. This will ensure that any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.

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*.

The developer is to ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's "Soil & Water Management on Large (greater than 250m² of ground disturbance) Building & Construction Sites" recommendations.

The removal or interference with birds or other wildlife may require permission in accordance with the *Nature Conservation Act 2002* and *Wildlife Regulations 2010*. For further details contact DPIPWE Wildlife Management on Ph 6165 4305.

In regard to conditions 2-6 the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

In regard to condition 7 the developer should contact TasWater – Ph 136992 with any enquiries.

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry
AGAINST: nil

CARRIED 4 / 0

4.3 PA2021.0077 - 2 WOODLAND GROVE TUGRAH - RESIDENTIAL (OUTBUILDING)

PAC21/10 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 PA2021.0077 and grant a Permit to develop land identified as 2 Woodland Grove, Tugrah for the following purposes:

- Residential (outbuilding)

Subject to the following conditions:

1. The development is to proceed generally in accordance with the submitted plans referenced as Project - New Shed, drawing no. SH-1744, dated 01-03-21 by Wood Drafting & Design Services, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is not to position any structures on, over or in a location which may potentially affect the operation of the existing on-site wastewater system.

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.

This addition is to be used as a storage area only, no habitation is to occur. If any activity occurs (such as habitation) which may result in the generation of additional wastewater loadings, the existing on-site wastewater management system must be re-assessed, and a new on-site wastewater report must be completed by a suitably qualified person.

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*.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any such waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

In regard to condition 2 the applicant should contact Council's Environmental Health Services – Ph 6424 0511 with any enquiries.

General enquiries regarding this permit can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Hollister, Cr Murphy, Cr Perry
AGAINST: nil

CARRIED 4 / 0

5 CLOSURE

There being no further business on the agenda the Chair declared the meeting closed at 5:06pm.

Confirmed

Chairperson