



*The City with Spirit*

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## **NOTICE OF MEETING**

Notice is hereby given that a **Special Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, paranaque centre, 137 Rooke Street, Devonport, on Monday 4 March 2019, commencing at 5:30pm.

**The meeting will be open to the public at 5:30pm.**

## **QUALIFIED PERSONS**

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

Paul West  
GENERAL MANAGER

**27 February 2019**

**AGENDA FOR A SPECIAL MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 4 MARCH 2019 IN THE ABERDEEN ROOM, paranaple centre,  
137 ROOKE STREET, DEVONPORT AT 5:30PM**

Item	Page No.
<b>1.0 APOLOGIES</b> .....	<b>1</b>
Cr G Enniss	
<b>2.0 DECLARATIONS OF INTEREST</b> .....	<b>1</b>
<b>3.0 PLANNING AUTHORITY MATTERS</b> .....	<b>2</b>
3.1 PA2019.0005 Multiple Dwellings (One Additional Unit) - 11 Murfet Crescent Devonport ( <b>D568812</b> ).....	3
3.2 PA2018.0175 Passive Recreation (Park) - 2-18 Best Street, 20-26 Best Street, 100 Formby Road, Formby Road and 74 Rooke Street Devonport ( <b>D568820</b> ) .....	9
3.3 PA2018.0186 Residential (multiple dwellings x 19) - 169 Steele Street Devonport ( <b>D568153</b> ) .....	66
<b>4.0 CLOSURE</b> .....	<b>113</b>

special Council meeting Agenda 4 March 2019

Agenda of a special meeting of the Devonport City Council to be held in the Aberdeen Room, paranable centre, 137 Rooke Street, Devonport on Monday, 4 March 2019 commencing at 5:30pm.

**PRESENT**

		<b>Present</b>	<b>Apology</b>
Chair	Cr A Rockliff (Mayor)		
	Cr A Jarman (Deputy Mayor)		
	Cr J Alexiou		
	Cr G Enniss		√
	Cr P Hollister		
	Cr L Laycock		
	Cr S Milbourne		
	Cr L Murphy		
	Cr L Perry		

**ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges and pays respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

**IN ATTENDANCE**

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

**1.0 APOLOGIES**

The following apology was received for the meeting.

Cr Enniss	Apology
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**2.0 DECLARATIONS OF INTEREST**

### **3.0 PLANNING AUTHORITY MATTERS**

**The Mayor will now announce that Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for the consideration of Agenda Items 3.1 to 3.3.**

Council is required by Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015* to deal with items as a Planning Authority under the LUPA 1993 in a sequential manner.

The following items are to be dealt with at the meeting of Council in its capacity as a Planning Authority.

- 3.1 PA2019.0005 Multiple Dwellings (One Additional Unit) - 11 Murfet Crescent Devonport (D568812)
- 3.2 PA2018.0175 Passive Recreation (Park) - 2-18 Best Street, 20-26 Best Street, 100 Formby Road, Formby Road and 74 Rooke Street Devonport (D568820)
- 3.3 PA2018.0186 Residential (multiple dwellings x 19) - 169 Steele Street Devonport (D568153)

### 3.1 PA2019.0005 MULTIPLE DWELLINGS (ONE ADDITIONAL UNIT) - 11 MURFET CRESCENT DEVONPORT

File: 35899 D568812

#### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

#### PURPOSE

The purpose of this report is to enable Council acting as a Planning Authority to make a decision regarding planning application PA2019.0005.

#### BACKGROUND

Planning Instrument:	<i>Devonport Interim Planning Scheme 2013</i>
Applicant:	J & D Group Pty Ltd
Owner:	J & D Group Pty Ltd
Proposal:	Multiple dwellings (one additional unit)
Existing Use:	Residential
Zoning:	General Residential
Decision Due:	04/03/2019

#### SITE DESCRIPTION

Murfet Crescent is an 11-lot urban subdivision developed in the 1950's and is located off the northern side of Nicholls Street between Ronald and Percy Streets. Figure 1 provides an aerial view of the location.

The subject lot is rectangular in shape with an east west axis and an area of 794m<sup>2</sup>. The existing weatherboard house was constructed c.1961.

The land generally falls in a north east to south west direction over the land with a difference in levels of approximately 1.5m.



Figure 1 – Aerial view of location. Photo source: DCC Geocortex December 2015

### APPLICATION DETAILS

The application is for the development of an additional dwelling unit on the lot within the area east of the existing house. The single storey 3-bedroom brick veneer dwelling, including an integrated double garage, entry porch and alfresco area is 215m<sup>2</sup> in area.

### PLANNING ISSUES

The land is zoned General Residential under the *Devonport Interim Planning Scheme 2013* (DIPS). The Use Table for this zone indicates that multiple dwelling development has a permitted use status which can continue along a permitted pathway if the applicable development standards within the zone and codes satisfy the Acceptable Solutions (AS).

The assessment of this application has identified a zone and code standard that cannot comply with the AS and therefore the proposal needs to demonstrate compliance against the relevant Performance Criteria (PC) to advance to a permit.

#### 10.4.2 Setbacks and building envelope for all dwellings

The AS for building envelope does allow for a zero setback to a side boundary but this is dependent on wall length (no greater than 9m) and height (no greater than 3m) being achieved. Any wall longer than 9 metres must be 1.5m from the boundary. In general terms the higher the building the greater the required setback.

This application has a wall length greater than 9m (16.9m) and is 900mm from the eastern boundary but is less than 3m in height.

The PC must demonstrate that this proximity will not cause detriment to adjoining land which may result in a loss of amenity to the habitable rooms or private open space due to overshadowing. There is also a bulk/scale and building separation compatibility test which would usually be a consideration with two storey development proposals.

Figure 1 provides the relationship between the two properties that directly adjoin the development site. The discretion to be considered, that is, will the built form of the

additional dwelling cast a shadow on adjoining lot, can only apply to land due south to determine the shading at its worst during the winter solstice. It is submitted that due to the location and orientation of the subject lot any detriment to the back yard of land to the south at 108 Nicholls Street will be negligible.

#### **E9.5.1 Provision for parking**

This Code requires the additional dwelling unit to have two spaces for vehicle parking spaces and one space for visitor parking. Quite often the development of an additional dwelling on an established site can make it difficult and impractical to integrate a shared visitor parking space that is accessible to the occupants of both dwellings.

The Performance Criteria (PC) discuss the necessity and reasonableness based upon the likely needs of the site users and the scale of the activity. This provides opportunity to consider each application on its merits. It is noted that the existing arrangement to the existing house is not being altered.

It is submitted that it is likely that visitors to the proposed dwelling will park in the dedicated driveway or alternatively against the adjacent road kerb. The relatively low traffic volumes in this street are not anticipated to be adversely affected by an additional dwelling and on this basis the PC are deemed to be satisfied.

#### **COMMUNITY ENGAGEMENT**

On 21/01/2019, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 26/01/2019;
- (b) Making a copy of the proposal available in Council Offices from the 26/01/2019;
- (c) Notifying adjoining property owners by mail on 24/01/2019; and
- (d) Erecting a Site Notice for display from the 25/01/2019.

The period for representations to be received by Council closed on 11/02/2019.

#### **REPRESENTATIONS**

One representation was received within the prescribed 14-day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*.

This is appended to this report as **Attachment 1**.

#### **DISCUSSION**

The representor has used the opportunity extended by the prescribed exhibition period to be the catalyst for Council to consider some streetscaping beautification to Murfet Crescent. These are not specific reasons that are valid in the context of the discretion being considered. Consequently, no planning comments can be included however the submission has been referred to Infrastructure and Works for consideration.

#### **FINANCIAL IMPLICATIONS**

No financial implications are predicted.

#### **RISK IMPLICATIONS**

There is no risk to Council's operations or functionality in providing this recommendation.

## CONCLUSION

The spatial relationship between adjoining sites has been examined and nothing untoward observed that would determine the Performance Criteria unable to be satisfied. This is assisted by the suitability of the design, the orientation of the development site and the 'local road' assignment of Murfet Crescent.

The proposal also pursues the objective of Council's Draft Interim Residential Strategy 2008 which encourages purpose built development on appropriate sites.

## ATTACHMENTS

- [1.](#) Representation - PA2019.0005 - 11 Murfet Crescent

## RECOMMENDATION

That Council, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0005 and grant a Permit to use and develop land identified as 11 Murfet Crescent, Devonport for the following purposes:

- Multiple dwellings (one additional unit)

Subject to the following conditions:

1. The development is to proceed and be located generally in accordance with the submitted plans referenced as Proposed Brick Veneer Unit for J & D Group Pty Ltd dated December 2018, Project No. 17618 by Weeda Drafting & Building Consultants Pty Ltd, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to comply with the conditions contained in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit, pursuant to section 56P(1) of the Water and Sewerage Industry Act 2008.
3. The developer is to take all reasonable steps during demolition and construction to prevent environmental effects occurring that might result in a nuisance. This includes no storage of associated building equipment and materials on public land and the pollutant effects of noise and water as well as air pollution from the result of any burning of waste.
4. Stormwater discharge from the proposed development is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of their design the hydraulic engineer is to limit discharge from the proposed development to that equivalent to only 50% of the existing lot being impervious. Peak discharge is to be limited by utilising suitably designed on-site stormwater detention systems. All design calculations are to be submitted as part of the building and plumbing permit application. The developer is to connect the outflow by gravity to the kerb and channel in Murfet Crescent in accordance with the municipal standards.
5. The developer is to install the vehicular crossover generally in the proposed location in accordance with the IPWEA Tasmanian Standard Drawings. The concrete apron forming the crossover to the proposed new site is to be developed in such a way to

make entry/egress as easy as practicable. It may be necessary to liaise with the user of the adjoining crossovers to make this work effectively.

Note: The following is provided for information purposes.

**THIS IS NOT A BUILDING OR PLUMBING PERMIT.**

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

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

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

In regard to condition 2 the developer should contact TasWater (Ph 136 992) with any enquiries.

In regard to condition 3 this includes ensuring that noise emitted from portable apparatus and hours of operation are within the scope indicated by the Environmental Management and Pollution Control (Noise) Regulations 2016.

In regard to conditions 4 & 5 the applicant should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

A permit to work within the rood reserve must be sought and granted prior to any works being undertaken within the rood reserve. This will ensure that any existing Council infrastructure impacted by the works is reinstated in accordance with the relevant standards.

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

31/01/2019

Reference: Planning Application PA2019.0005

7 Murfet Crescent,  
Devonport,  
Tasmania, 7310,  
Ph 0408 106452.

Attn:- Mr Paul West,  
The General Manager,  
Devonport City Council,  
PO Box 604,  
Devonport, 7310.

Dear Mr West,

We are writing to you to express concerns with regard to the proposed planning application for 11 Murfet Crescent. We believe that a conceptual plan for the beautification of Murfet Crescent along with new development should be a priority and this planning application impacts on this development.

The points we'd like to bring to your attention are;

We notice there is no reference to what landscaping and asset refurbishment is proposed by the developer or what conditions will be applied by Council to this development.

- An amended cross cover will be created for access to this property. There is no mention in the plan as to what extent the footpaths and existing crossover into number 9 and 10 will be upgraded. Both of these crossovers along with the adjoining footpaths are hazardous and an eyesore. The concrete has broken and deteriorated over time and now requires refurbishment.
- The new development plan also states there will be a continuous colour-bond fence running around the northern and western part of the boundary to the existing driveway of number 11. Along with the new crossover this will make that part of our cul-de-sac a concrete colour-bond jungle.
  - We'd request that the developer, along with Council and us as residents, negotiate a tree planting policy to help soften the unnatural consequence. Trees such as Plane trees used in other cities like Melbourne are very effective at creating natural beautification.
  - Murfet Crescent had 15 trees on nature strips when we moved in. It was one of the features which attracted us to the crescent. Now there are 4 trees which are of very poor quality and our cul-de-sac has very little aesthetic appeal to it at all.
    - Nic wrote to Mr Michael Williams late last year asking for a review of the greenery in our cul-de-sac but have not yet heard back from him.

We believe that in this time and age the creating of beautiful "green" development should be as high a priority for developers and council along with residents alike. Aesthetically appealing housing along with surrounding gardens, nature strips and road islands should be as high a focus as the building itself.

Regards,



Nic and Jodee Wilson

CC The Mayor, Annette Rockliff  
The Deputy Mayor, Alison Jarman  
Councillor, Gerard Enniss  
Councillor, Leigh Murphy  
Councillor, Lyn Laycock

### **3.2 PA2018.0175 PASSIVE RECREATION (PARK) - 2-18 BEST STREET, 20-26 BEST STREET, 100 FORMBY ROAD, FORMBY ROAD AND 74 ROOKE STREET DEVONPORT**

File: 35779 D568820

#### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

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

#### **PURPOSE**

The purpose of this report is to enable Council, acting as the Planning Authority, to make a decision regarding planning application PA2018.0175.

#### **BACKGROUND**

Planning Instrument:	<i>Devonport Interim Planning Scheme 2013</i>
Applicant:	Devonport City Council
Owner:	Devonport City Council, Crown
Proposal:	Passive Recreation (Park)
Existing Use:	Passive Recreation, General Retail and Hire, Utilities
Zoning:	Central Business, Open Space, Utilities
Decision Due:	4 March 2019

#### **SITE DESCRIPTION**

The site covers the essentially triangular section of land between Best Street, Rooke Street/Victoria Parade and the Mersey River, aside from the portion to be developed as a hotel on the southern side of the site. The site currently contains parkland, an unused car park, two service industry businesses, a vacant shop (currently being demolished) and road and rail infrastructure. The site falls approximately 5m from west to east and has a total area of approximately 3 hectares. Figure 1 shows an aerial view of the site. It can be seen that the land to the east of Formby Road to the river edge is currently established parkland, as is the area to the south east of the roundabout.



Figure 1 - Aerial view of subject site

**APPLICATION DETAILS**

The applicant is seeking approval for passive recreation in the form of a park and associated infrastructure such as walkways, play equipment and structures for shelter. Demolition of the existing buildings located on the site is required to enable the construction of the park. Figure 2 shows the proposal plan for the park.



Figure 2 – Proposal plan

### PLANNING ISSUES

The land is zoned Central Business, Open Space and Utilities under the *Devonport Interim Planning Scheme 2013* as shown in the following zoning map at Figure 3.

The intent of the Central Business zone is to provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or subregion. Passive Recreation is a discretionary use in the zone.

The intent of the Open Space zone is to provide land for open space purposes including for passive recreation and natural or landscape amenity. No planning permit is required for Passive recreation uses in the Open Space zone.

The intent of the Utilities zone is to provide land for major utilities installations and corridors and to provide for other compatible uses where they do not adversely impact on the utility. Passive recreation is a discretionary use in the zone if for a public park or reserve.

A proposal must comply with the relevant acceptable solutions contained within the planning scheme. Where the acceptable solutions cannot be met the corresponding performance criteria must be satisfied. The relevant sections of the planning scheme are reproduced on the following pages, along with comments.

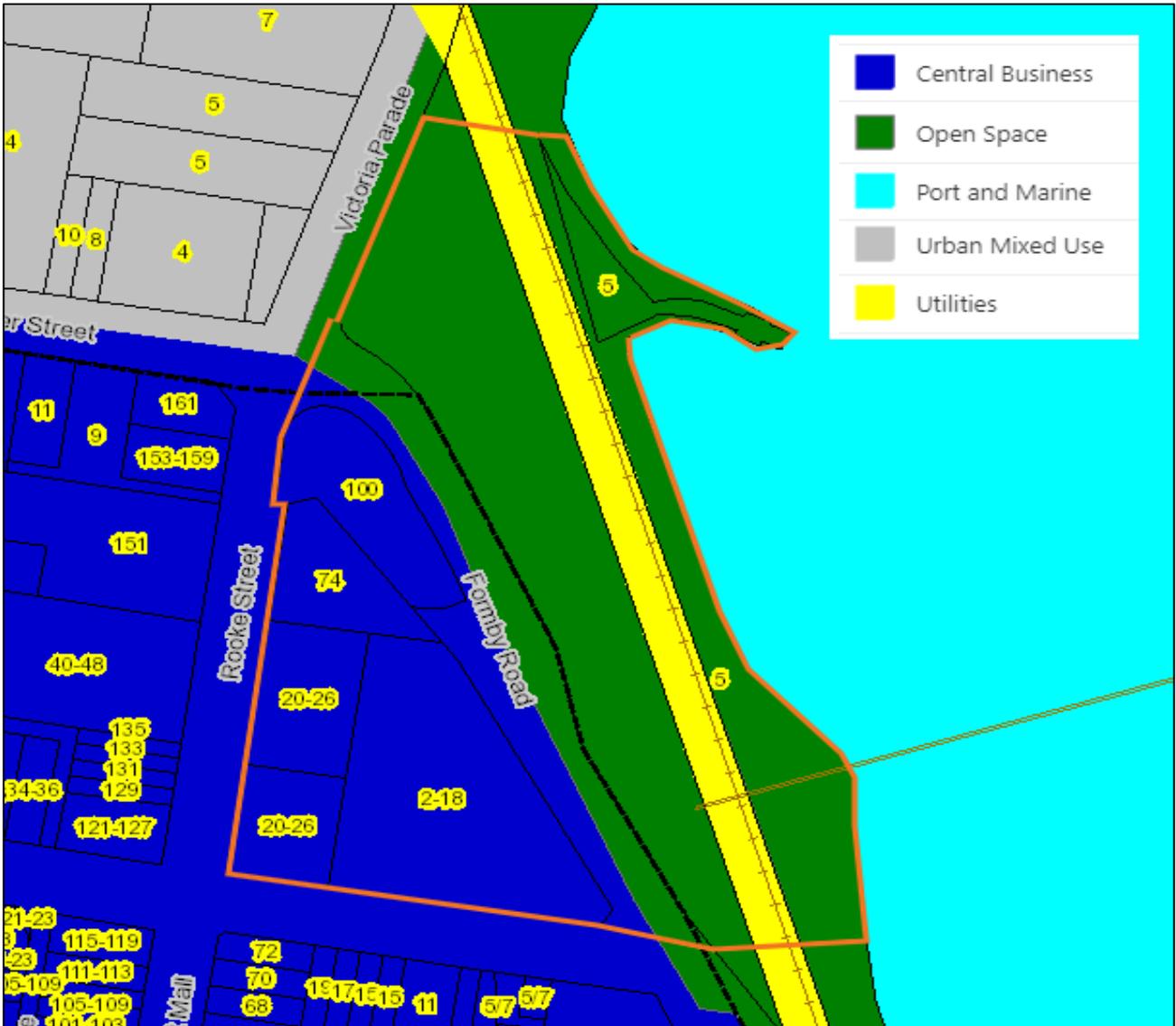


Figure 3 - Zoning map showing approximate boundary of subject site outlined in orange

#### 9.4 Demolition

Demolition does not require separate assessment if approved as part of another development, in accordance with section 9.4.1 of the planning scheme.

**22.0 Central Business Zone**

**22.3 Use Standards**

**22.3.1 Discretionary permit use**

<b>Objective:</b>	
Use in the Central Business zone is to –	
(a) provide for the routine requirements of local residents for grocery and general retailing, personal care, business, professional and refreshment services;	
(b) offer a higher order of complexity and sophistication in business, retail, community; and professional services to residents and visitors of the municipal area and the region;	
(c) provide for office activity as the preferred use on land within Area "A"; and	
(d) complement and enhance the drawing power of core retail and business services to increase attraction, cohesion, viability, and vitality of Devonport as a regional activity centre.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
There is no acceptable solution	Discretionary permit use must –
	(a) be consistent with local area objectives;
	(b) be consistent with any applicable desired future character statement for the zone; and
	(c) be required to service requirements of the local, municipal or regional resident and visitor population

As passive recreation is a discretionary use in the Central Business zone it must be assessed against the above performance criteria. The local area objectives, below, aim to provide areas which cater for local, district, regional and sub-regional populations and visitors through the provision of a range of uses.

**22.1.2 Local Area Objectives**

- (a) Provide a large-scale activity centre offering a comprehensive mix of services of a type and range to meet the routine needs of local residents, and the specialist needs of a local, district, regional or sub-regional population and visitors to the Cradle Coast Region;
- (b) Central business areas make efficient use of land and optimise available infrastructure through a priority for infill and redevelopment and adaptive re-use of existing sites and buildings; and
- (c) Central business areas offer a significantly wider range of general and specialist merchandise and services, including refreshment and entertainment options, civic and cultural functions, and employment opportunities, than are available in a local or district centre

The intent of the proposed park is to provide an area for recreation for both locals and visitors which is in keeping with the local area objectives.

The proposal must also be consistent with the desired future character statements for the zone which are as follows:

**22.1.3 Desired Future Character Statements**

22.1.3.1 Use or development for central business purposes –

- (a) support function as a regional focus for the majority of specialist retail, business, professional, community, personal, entertainment, hospitality, civic, cultural, and visitor service activity;
- (b) provide convenient arrangements for pedestrian and vehicular access and circulation;
- (c) is not required to be comparable with use or development on adjacent land in another zone;
- (d) has a potential to transition abruptly at the boundary with an adjoining zone; and

Report to special Council meeting on 4 March 2019

- (e) is likely to impact on the amenity of use or development on adjacent land through factors associated with the operational characteristics of permitted use, including higher traffic volume, duration and frequency of activity, the type, form and scale of buildings, provision for vehicle parking, the presence and movement of people, extended or intermittent hours of operation, and a readily apparent visual or functional presence within an urban setting

The desired future character statements allow for a wide variety of uses which may impact on nearby properties. The proposal complies with the above.

The proposal also satisfies clause 22.3.1 P1(c) as it caters for the population of Devonport and the municipality, along with visitors from outside the area.

**22.4 Development Standards**

**22.4.1 Suitability of a site or lot for use or development**

<b>Objective:</b>	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) have a site area of not less than 45m<sup>2</sup> excluding any access strip; and</li> <li>(b) if intended for a building, contain a building area of not less than 45m<sup>2</sup> –                             <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefiting other land;</li> <li>(v) not including land required as part of access to the site ;</li> <li>(vi) accessible from a frontage or access strip; and</li> <li>(vii) clear of any area required for the on-site disposal of sewage or stormwater</li> </ul> </li> </ul>	<p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>

The site contained within the Central Business zone has an area of 6,402m<sup>2</sup> which is in excess of the 45m<sup>2</sup> area required. The proposal complies with the acceptable solution.

<b>A2</b>	<b>P2</b>
<p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road -</li> </ul>	<ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided –                             <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> <li>(ii) by an access strip connecting to a frontage, if for an internal lot; or</li> <li>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> </ul> </li> </ul>

Report to special Council meeting on 4 March 2019

<p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 3.6m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(iv) the dimensions of the frontage and any access strip or right-of-way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
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The site has access to a road across a frontage over which no other land has a right of access. The proposal complies with the acceptable solution.

<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P3</b></p> <p>It must be unnecessary to require a water supply</p>
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The site is capable of connecting to a water supply. The proposal complies with the acceptable solution.

<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and waste water to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P4</b></p> <p>It must be unnecessary to require the drainage and disposal of sewage or waste water</p>
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The site is capable of connecting to the reticulated sewerage system. The proposal complies with the acceptable solution.

<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i></p>	<p><b>P5</b></p> <p>It must be unnecessary to require the drainage of stormwater</p>
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The site is capable of connecting to the reticulated stormwater system. The proposal complies with the acceptable solution.

**22.4.2 Location and configuration of development**

<p><b>Objective:</b></p> <p>The location and configuration of development is to –</p> <p>(a) provide for the efficient use of land;</p> <p>(b) provide for buildings, service activity and vehicle parking to accommodate business use;</p> <p>(c) provide for the facade of a building to remain the dominant architectural or visual element to the frontage; and</p> <p>(d) assist to attenuate likely impact on amenity of use on adjacent land</p>
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Report to special Council meeting on 4 March 2019

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must -</p> <p>(a) not be more than 25m; or</p> <p>(b) not be more than 10m on land within Area "A"</p>	<p><b>P1</b></p> <p>Building height must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p> <p>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site</p>

Structures proposed for this section of the park include the bus shelters and elevated walkway. The lifts accessing the walkway will be the highest structure in the zone at 8.015m. No structures proposed for the site will exceed 25m. The proposal complies with the acceptable solutions.

<p><b>A2</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building</p>	<p><b>P2</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must -</p> <p>(a) not dominate the architectural or visual frontage of the site;</p> <p>(b) be consistent with the streetscape;</p> <p>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</p> <p>(d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</p>
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Not applicable. The site is located within the Devonport Local Area Parking Scheme and is exempt from parking requirements.

**22.4.3 Visual and acoustic privacy for residential use**

**Objective:**

The location and configuration of development is to minimise likelihood for overlooking a habitable room, balcony, deck or roof garden in an adjacent dwelling

**Acceptable Solutions**

**Performance Criteria**

<p><b>A1</b></p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport must -</p> <p>(a) be not less than 3.0m from a side boundary and 4.0m from a rear boundary to land in a zone for residential purposes;</p> <p>(b) be not less than 6.0m from any door, window, balcony deck or roof garden in an adjacent dwelling;</p> <p>(c) be off-set by not less than 1.5m from the edge of any door or window in an adjacent dwelling;</p> <p>(d) have a window sill height of not less than 1.8m above finished floor level;</p>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport must be minimised by -</p> <p>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</p> <p>(b) off-set from a door or window to a habitable room in an adjacent dwelling</p> <p>(c) effective use of screening other than vegetation; or</p> <p>(d) effect of topography and natural features</p>
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Report to special Council meeting on 4 March 2019

<p>(e) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.8m above finished floor level; or</p> <p>(f) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</p>	
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Not applicable. No residential uses are proposed.

**22.4.4 Private open space for residential use**

<b>Objective:</b>	
External area is to be available in development for residential use to meet the reasonable private and communal needs of residents for garden, recreation, service and storage purposes.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<p>Each dwelling must provide –</p> <p>(a) external private open space that –</p> <ul style="list-style-type: none"> <li>(i) is accessible from the dwelling;</li> <li>(ii) comprises an area of not less than 25m<sup>2</sup> for each dwelling;</li> <li>(iii) has a gradient of not more than 1 in 10; and</li> <li>(iv) has a minimum dimension of 4.0m; or</li> </ul> <p>(b) private open space provided as a private balcony, deck or terrace –</p> <ul style="list-style-type: none"> <li>(i) of area not less than 25m<sup>2</sup></li> <li>(ii) minimum dimension of 2.0m; and</li> <li>(iii) accessible from the dwelling</li> </ul>	<p>Private open space must –</p> <p>(a) have size and dimension appropriate for the projected requirements of the residents of the dwelling; and</p> <p>(b) be usable taking into account –</p> <ul style="list-style-type: none"> <li>(i) the effect of shape, orientation, and topography of the site;</li> <li>(ii) the availability, accessibility, purpose, and characteristics of –                             <ul style="list-style-type: none"> <li>a. any other recreation and service area within the site;</li> <li>b. any external communal open space area; and</li> <li>c. public open space</li> </ul> </li> </ul>

Not applicable. No residential uses are proposed.

**22.4.5 Setback from zone boundaries**

<b>Objective:</b>	
Use or development of land adjoining land in another zone is to minimise –	
<p>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and sensitive use of land in an adjoining zone; and</p> <p>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<p>Development of land with a boundary to a zone must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown in the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause –</p>	<p>The location of development must –</p> <p>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</p> <p>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</p>

Report to special Council meeting on 4 March 2019

<ul style="list-style-type: none"> <li>(i) a building or work;</li> <li>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage</li> <li>(iii) vehicle loading or parking area;</li> <li>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</li> <li>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</li> <li>(vi) a sign orientated to view from land in another zone; or</li> <li>(vii) external lighting for operational or security purposes; and</li> </ul> <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by -</p> <ul style="list-style-type: none"> <li>(i) the setback distance from the zone boundary as shown in the Table to this Clause; and</li> <li>(ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</li> </ul> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry</p>	
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Table to Clause 22.4.5 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Community Purpose	5.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

Not applicable. There are no zone boundaries with the abovementioned zones other than the Urban Mixed Use zone. The boundary between the Central Business zone and the Urban Mixed Use zone is not within 4m of the proposal.

**19.0 Open Space zone**

Passive recreation does not require a planning permit in the Open Space zone if for a public park or reserve or a building or structure for the local, municipal or regional community. There are no relevant zone standards against which to assess the application.

**28.0 Utilities zone**

The Utilities zone contains the railway line. There will not be any parkland within the rail corridor although there are a number of new and existing pedestrian crossings. In accordance with section 6.2 of the planning scheme upgrades to footpaths and new footpaths are exempt from requiring a planning permit unless within 30m of a watercourse. There will be footpaths within 30m of the Mersey River and therefore assessment against the Water and Waterways Code is required.

Council has been in discussion with TasRail regarding impacts on the railway and the proposed crossings will require TasRail approval.

**E10 Water and Waterways Code**

The Water and Waterways code applies to use or development on land within 30m of the high water mark of tidal waters. As some aspects of the proposal are located within 30m of the Mersey River the code is applicable.

**E10.6 Development Standards**

**E10.6.1 Development in proximity to a water body, watercourse or wetland**

<b>Objective:</b>	
Development within 30m of or located in, over, on or under a water body, water course or wetland is to have minimum impact on –	
(a) the ecological, economic, recreational, cultural significance, water quality, and physical characteristic of a water body, watercourse or wetland;	
(b) the hydraulic capacity and quality of a water body, watercourse or wetland for ecological viability, water supply, flood mitigation, and filtration of pollutants, nutrients and sediments;	
(c) function and capacity of a water body, watercourse or wetland for recreation activity; and	
(d) aesthetic features of a water body, watercourse or wetland in the landscape	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
There is no acceptable solution	Development must –
	(a) minimise risk to the function and values of a water body watercourse or wetland [R37] , including for –
	(i) hydraulic performance;
	(ii) economic value;
	(iii) water based activity;
	(iv) disturbance and change in natural ground level;
	(v) control of sediment and contaminants;
	(vi) public access and use;
	(vii) aesthetic or scenic quality;
	(viii) water quality management arrangements for stormwater and sewage disposal;
	(ix) modification of a natural drainage channel;
	(x) biodiversity and ecological function;
	(xi) level of likely risk from exposure to natural hazards of flooding and inundation; and
	(xii) community risk and public safety; and
	(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –
	(i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and
	(ii) any condition or requirement for protection of the water body, water course or wetland

**Footnotes**

[R37] Regard is to be had to the level of compliance to the methodologies and recommendations of the current edition of Wetlands and Waterways Works Manual DPIPWE 2003

Report to special Council meeting on 4 March 2019

The proposed park and associated infrastructure will not impact negatively on the river itself. The land adjacent to the river is highly modified and is currently used for public recreation. Development will not extend further into the river than the toe of the existing rock batter, except for the elevated walkway which will have a height greater than 5m above the river. As such, risk to hydraulic performance will be minimised.

The port area of the river will not be affected by the proposal and therefore there will be no impact on the economic value of the river nor water based activities.

While changes in ground level are proposed any areas of significant change will require engineered design to minimise risk, prior to construction.

The developer will be required to ensure sediment and contaminants are controlled and do not enter the river. Public access and therefore the ability for the public to use the river will be improved by the proposal.

The aesthetic quality of the area will not be negatively impacted and is already highly modified.

The proposal will not increase risk to water quality arrangements for stormwater and sewerage disposal nor the natural drainage channel.

Biodiversity and ecological function will not be impacted by the proposal and detailed evaluation of risk from exposure to flooding and inundation will be carried out prior to construction. The developer will engage a maritime engineer in this regard.

Risk to the community and public safety will be minimised through regulatory compliance.

Protection of the watercourse will be ensured through compliance with the *Wetlands and Waterways Works Manual*, produced by the Department of Primary Industries, Parks, Water and Environment.

**E4.0 Change in Ground Level Code**

**E4.6 Development Standards**

**E4.6.1 Change in existing ground level or natural ground level**

<b>Objective:</b>	
Change in the existing ground level or the natural ground level by cut or fill is to minimise -	
(a) likely adverse impact on the physical, environmental, cultural, aesthetic, and amenity features of land; and	
(b) risk from a natural hazard	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Cut or fill must -	Cut or fill must -
(a) not be on land within the Environmental Living zone or the Environmental Management zone;	(a) make arrangements for the drainage and disposal of stormwater;
(b) be required to -	(b) make arrangements to stabilise any existing building or to increase the requirements for construction of any potential building on adjacent land;
(i) provide a construction site for buildings and structures;	(c) manage drainage and disposal of intersected ground water;
(ii) facilitate vehicular access;	(d) safeguard the quality of receiving waters;
(iii) mitigate exposure to a natural or environmental hazard;	

Report to special Council meeting on 4 March 2019

<ul style="list-style-type: none"> <li>(iv) facilitate provision of a utility;</li> <li>(v) assist the consolidation or intensification of development; or</li> <li>(vi) assist stormwater management</li> </ul> <p>(c) not result in a modification of surface stormwater water flow to increase –</p> <ul style="list-style-type: none"> <li>(i) surface water drainage onto adjacent land;</li> <li>(ii) pooling of water on the site or on adjacent land; or</li> <li>(iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;</li> </ul> <p>(d) not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land;</p> <p>(e) manage disposal of intersected ground water;</p> <p>(f) safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with <i>Soil and Water Management on Building and Construction Sites 2009</i>;</p> <p>(g) Not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land; and</p> <p>(h) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised –</p> <ul style="list-style-type: none"> <li>(i) it is satisfied the cut or fill will not result in harm to the utility; and</li> <li>(ii) any condition or requirement it determines are appropriate to protect the utility</li> </ul>	<p>(e) not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 Land Use Planning and Approvals Act 1993 registered on the title of adjacent land providing for the level of constraint; and</p> <p>(f) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised –</p> <ul style="list-style-type: none"> <li>(i) it is satisfied the cut or fill will not result in harm to the utility; and</li> <li>(ii) any condition or requirement it determines are appropriate to protect the utility</li> </ul>
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There are a number of instances where ground level will change at a depth greater than 1m, therefore the Change in Ground Level Code must be considered.

The proposal complies with the acceptable solutions as the it does not include land within the Environmental Living or Environmental Management zones and cut and fill will assist with the intensification of development.

The development will not result in changes to stormwater flows that negatively impact the subject site or adjoining land nor will it destabilise any existing buildings or increase requirements for construction on adjacent land. The proposal will also manage the disposal of intersected ground water and minimise erosion and sediment and contaminant transfer through compliance with both *Soil and Water Management on Building and Construction Sites 2009* and the *Wetlands and Waterways Manual*. The groundworks will not result in an area of influence within the boundary of adjacent land and underground utilities will not be impacted.

**COMMUNITY ENGAGEMENT**

On 15 November 2018, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 17/11/2018;

**Report to special Council meeting on 4 March 2019**

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- (b) Making a copy of the proposal available in Council Offices from the 17/11/2018;
- (c) Notifying adjoining property owners by mail on 16/11/2018; and
- (d) Erecting a Site Notice for display from the 16/11/2018.

The period for representations to be received by Council closed on 17/12/2018.

**REPRESENTATIONS**

The minimum public scrutiny period required by the *Land Use Planning and Approvals Act 1993* is 14 days, however, under section 57(5) of the Act this period can be extended to 28 days which is what occurred in this instance.

23 representations were received within the 28 day public scrutiny period.

When determining an application, the planning scheme provides guidance in the form of section 8.10 which is reproduced below. This states that representations must be taken into consideration but only insofar as each matter is relevant to the particular discretion being exercised.

**8.10 Determining Applications**

8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

The representations were received from members of the community and are appended to the report as **Attachment 1**.

The general themes throughout the representations relate to the cost associated with the LIVING CITY project and the associated proposed hotel, pedestrian infrastructure, traffic, public transport and the layout and structures proposed for the park.

Although the issues raised are relevant to the LIVING CITY project they are not relevant to the discretions being exercised and therefore cannot be considered in this report, in accordance with section 8.10 of the planning scheme.

A report listing the issues raised by the representors was the subject of a report tabled at the 25 February 2019 Council meeting. A number of changes were made to the project as a result however none of these changes have any impact on the planning scheme requirements.

**DISCUSSION**

Infrastructure such as pedestrian crossings and footpaths and activities such as planting, clearing and modification of vegetation are exempt from planning consideration and therefore not able to be considered as part of the application.

**FINANCIAL IMPLICATIONS**

No financial implications are predicted.

**CONCLUSION**

The proposal has been assessed by Council's Development Services and City Infrastructure staff, along with TasWater and is recommended for approval with conditions.

## ATTACHMENTS

- 1. Representations - PA2018.0175 - Passive Recreation (Park)
- 2. TasWater conditions - PA2018.0175 - Passive Recreation (Park)

## RECOMMENDATION

That Council, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0175 and grant a Permit to use and develop land identified as 2-18 & 20-26 Best Street, 74 Rooke Street, 100 Formby Road and Formby Road, Devonport for the following purposes:

- Passive Recreation (Park)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as:
  - a. Devonport Waterfront Park, Job No. DL03, sheets A-100, A-101, A-150, A-301, A-302, A-304 & A-305, by Lyons Architects, dated October 2018;
  - b. Devonport Waterfront Park, Landscape Architectural Works, M18035-LA Sheets, 001-002, 101, 151, 201-203, 701-703 & 951, by Aspect Studios; and
  - c. Devonport Living City, Waterfront Precinct, Traffic Impact Assessment, ref DV18044H001 by Pitt & Sherry, dated 4 October 2018

copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Works, including pollution mitigation measures, are to be undertaken in accordance with the *Wetlands and Waterways Manual (DPIPWE)* (refer to notes).
3. Changes in ground level are to be considered before implementation in accordance with the Environment Protection Authority Tasmania's *Soil and Water Management on Building and Construction Sites factsheets* (refer to notes).
4. The proposed development is to have a suitably sized stormwater connection(s) at locations to service the proposed works and generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection are to be designed by a suitably qualified hydraulic engineer and are to be clearly indicated on the "For Construction" plans, as well as any overland flow discharge points for extreme weather events. Detailed design, including relevant calculations for a range of storm events up to 100 year Average Recurrence Interval (ARI), is to be submitted to the city engineer for approval prior to inclusion in any subsequent building permit applications.
5. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P (1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and

Report to special Council meeting on 4 March 2019

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provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

In regard to condition 2 see <https://dpiiwe.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual>

In regard to condition 3 see <https://epa.tas.gov.au/epa/water/stormwater/soil-and-water-management-on-building-sites>

In regard to conditions 2 and 3 it is recommended that the developer includes details of these requirements in any tender documentation.

In regard to condition 5 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to condition 4 the applicant should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

Author:	Carolyn Milnes	Endorsed By:	Kylie Lunson
Position:	Senior Town Planner	Position:	Development Services Manager

188 River Road,  
Ambleside,  
Tas,  
17-12 -18

The General Manager,  
Devonport City Council,  
Rooke Street,  
Devonport.

PA 2018. 0175

Dear Sir,

My Comments regarding the Passive Park.

Council missed an opportunity to develop a first class restaurant area when they built Providore Place hidden away from the river views.

Many towns and cities develop very successful people friendly areas very close to and over water.

I believe the public money used to build the extravagant over head walkway that leads to nowhere, which appears to be part of the proposed hotel could be better spent elsewhere. The proposed structure, with lifts each end, is going to be expensive to maintain and is more in keeping with a very large city with very large numbers of people.

A continuous board walk over the water from the Vic Parade boat ramp or Mussel Rock south would be a far wiser use of funds and benefit many more people on a regular basis. Such a structure would allow the trans Mersey ferry to relocate back, close to it's original departure point, which is more visible, user and operator friendly.

Formby Road between Best and Oldaker streets is at times a very busy road. The sighting of two pedestrian crossings in close proximity appears excessive.

Peter Stegmann.



Mr Paul West,  
General Manager,  
Devonport City Council,  
Rooke St,  
Devonport, Tas 7310

Email [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au)

Dear Mr West,

I am writing to express my concerns regarding the Planning Application for a Parkland PA2018.0175.

It is great that the council is proposing to extend the size of the parkland in this area but I feel the plan has serious design and safety issues such as the siting of the playground beside the river with no fence and the inclusion of two zebra crossing on a major busy road which is used by large trucks and the ambulance and fire services.

The style of architecture is not attractive and unsuitable for Devonport.

Also, I feel that redoing a large part of the area which already has pleasant and functional landscaping is a waste of money and suggest that area to the east of the railway not be altered.

Regards,

  
Shannon Kirkpatrick

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**From:** Netty Drops <nettydrops@gmail.com>  
**Sent:** Friday, 14 December 2018 4:14 PM  
**To:** Devonport City Council  
**Subject:** Fwd: Let's get the riverfront project right

Mr Paul West,  
General Manager,  
Devonport City Council,  
Rooke St,  
Devonport, Tas 7310

Email [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au)

Dear Mr West,

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It is great that the council is proposing to extend the size of the parkland in this area but I feel the plan has serious design and safety issues such as the siting of the playground beside the river with no fence and the inclusion of two zebra crossing on a major busy road which is used by large trucks and the ambulance and fire services.

The style of architecture is not attractive and unsuitable for Devonport.

Also, I feel that redoing a large part of the area which already has pleasant and functional landscaping is a waste of money and suggest that area to the east of the railway not be altered.

Regards,

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**From:** Netty Drops <nettydrops@gmail.com>  
**Sent:** Sunday, 16 December 2018 8:48 AM  
**To:** Devonport City Council  
**Subject:** Plans for Mersey Riverbank development in Living City Project

To the mayor and alderpeople of Devonport

Please do not rush into confirming the plans as illustrated for the Foreshore Development in our city of Devonport. There is a real risk of mistakes which not only waste money but are possibly destructive to what we currently enjoy and maintain. Native gardens are a passion of mine but choosing the right species of tree and plant is vital. Eucalyptus species are bound to cause problems as they grow to unmanageable heights. Rain forest and schleropyl species won't thrive beside a salty river. Our current roses are beautiful and so too is the cluster of pink hawthorn, well established trees, rhododendrons and other shrubs currently thriving near the Oldaker St roundabout. David Richmond and I saved that area years ago when the current roundabout was planned. Zebra crossings X two seem ridiculously dangerous to traffic. The people of this city expect safe access to the river frontage at no cost to their individual pockets and safe playgrounds for children. There is also a very reasonable expectation that an affordable snack may be purchased nearby. Toilet blocks are necessary but should never be obtrusive or detrimental to the beauty of the park. Eg. The one at the river entrance is quite the ugliest I have seen. I beg more discussion, more time for comment and honestly...that great walkway to nowhere and back is crazy. Is it to be a diving board for our youth? A fishing spot? A horrid place to be in our coastal wind dominated town or what? I'm currently in Brisbane and will return on Tuesday 18/12 and hope for further answers from Council after then.  
Jeanette Jackson

Sent from my iPad

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**From:** june hilder <jehilder@gmail.com>  
**Sent:** Saturday, 15 December 2018 5:32 PM  
**To:** Devonport City Council  
**Subject:** Attn: Mr Paul West, General Manager, re Parkland PA2018.0175

Dear Mr West,

I am writing to outline my thoughts regarding the above Planning Application for Parkland in Devonport, PA2018.0175.

I was pleased to learn that the council is proposing to extend parkland area within Devonport and I believe there is no doubt that it will be an advantage to Devonport to beautify the area bounded by Formby Road, Rooke Street and Best Street.

However, after viewing details of the proposal, as a ratepayer of Devonport, I consider PA2018.0175 to be overkill and very expensive for such a small city.

The existing parkland between Formby Road and the river is already beautiful and enjoyed by residents, I feel there is little need to change this.

I can understand, that for safety reasons, there should be an elevated walkway linking the two parkland areas, but the proposed one which extends out over the river seems far too imposing and grandiose, surely a simpler and more affordable alternative could be considered?

I also have concerns about the bus shelters which appear to be over designed and uncomfortable. For instance, their orientation seems to offer little protection against sun and wind.

I was unable to find details of the 'green' areas in the parkland, but I hope this will be 'real' grass and not synthetic turf (what happens to it as it deteriorates over time, it is another source of plastic pollution?) which the council has used in other areas around the city.

I was pleased to read that Tasmanian plants will be used in some parkland areas. I hope experts have been consulted to ensure plants suitable for a coastal environment have been selected?

Kind regards

June Hilder

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**From:** steven thompson <steven.thompson1012@gmail.com>  
**Sent:** Sunday, 16 December 2018 9:21 AM  
**To:** Devonport City Council  
**Cc:** Mayor Rockliff; Ald Jarman; Ald Murphy; lperry@devonort.tas.gov.au; Ald Enniss; Ald Hollister; Ald Alexiou; Ald Laycock; Ald Milbourne  
**Subject:** Parkland PA2018.0175

Mr Paul West,  
General Manager,  
Devonport City Council,  
Rooke St,  
Devonport, Tas 7310

Email [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au)

Dear Mr West,

I am writing to express my concerns regarding the Planning Application for a Parkland PA2018.0175.

It is great that the council is proposing to extend the size of the parkland in this area but I feel the plan has serious design and safety issues such as the siting of the playground beside the river with no fence and the inclusion of two zebra crossing on a major busy road which is used by large trucks and the ambulance and fire services.

The style of architecture of the bus shelters, roundhouse and toilet block is not attractive and not very functional. There is little seating and the way the area is divided may make it too small for our events and leaves no room for future growth. The amphitheatre leaves performers exposed and doesn't provide comfortable seating.

Also, I feel that redoing a large part of the area which already has pleasant and functional landscaping is a waste of money and suggest that area to the east of the railway not be altered.

I urge council to reject this plan and provide a park for Devonport that is functional and beautiful that can be enjoyed by everyone.

Regards,  
Steven Thompson

---

**From:** Malcolm Gardam <mgardam@outlook.com.au>  
**Sent:** Sunday, 16 December 2018 12:53 PM  
**To:** Devonport City Council  
**Subject:** Ratepayer Representation - Application for Planning Permit - No. PA2018.0175 - Passive Recreation (Park)  
**Attachments:** Living City - Stage 3 - M Gardam Submission on Passive Recreation (Park) Planning Application PA2018.0175.pdf

**ATTENTION: Mr Paul West - General Manager Devonport City Council**

Dear Sir,

Attached please find submission in relation to the above advertised Application for Planning Permit.

Please acknowledge receipt.

Regards,

Malcolm Gardam

4 Beaumont Drive  
Miandetta 7310

16<sup>th</sup> December 2018

Devonport City Council  
137 Rooke Street  
**DEVONPORT TAS 7310**  
Email: council@devonport.tas.gov.au

Malcolm Gardam  
4 Beaumont Drive  
**MIANDETTA TAS 7310**

**ATTENTION: MR. PAUL WEST – GENERAL MANAGER**

**RE: RATEPAYER REPRESENTATION - APPLICATION FOR PLANNING PERMIT - No. PA2018.0175  
Passive Recreation (Park) at 2-18 Best Street, 20-26 Best Street, 74 Rooke Street, 100  
Formby Road and Formby Road, Devonport**

Dear Sir,

It is acknowledged from the outset that Council has spent a massive amount of public money (disproportionately funded by Devonport ratepayers) to progress Living City thus far – the budgeted amounts as confirmed by Council for Stage 1 alone (Ref. DCC 21/08/18) were; Multi-purpose building (paranaple centre - \$47.1 million), multi-level carpark (\$14.5 million) and food pavilion (Providore Place - \$9.5 million). This does not include expenditures outside of Stage 1 costings such as earlier property purchases (believed to be up to \$15million), earlier consultant reports and council staff's time etc.

Following previous Council decisions to spend such huge amounts of cash and borrowings, without any certainty of generating new revenue streams, it is understandable that Council is keen to deliver something tangible that Devonport ratepayers can embrace as being for their benefit and Council itself can point to as being a benefit from the funds spent. The initially promoted Stage 3 Waterfront Precinct, now referred to as Stage 2, has been described by some as “the jewel in the crown” so to speak and perhaps with costs to match.

With any new and meaningful commercial returns from Stages 1 and 2 still to flow back to the Council coffers, to pay the loan interest let alone reduce debt as promoted, it is nonetheless accepted that the Waterfront Precinct is past the point of no return in terms of protecting the reputation of previous aldermen and senior council staff if not completed. The question is the degree of prudent assessment to be undertaken as to scope of parkland development against realistic needs in spending further funds wisely or wastefully; notwithstanding the \$10 million Federal Government “election promise” grant money which should be spent to achieve maximum benefit.

**Perhaps Council should consider containing the parkland development costs to the \$10 million Federal Government grant and seriously consider spending the stated extra \$5 million of ratepayer funds on identified projects throughout the municipality that are demonstrably beneficial to the community, if it must spend the money, rather than pay down the current debt.**

### **Overall concept drawings**

What is eventually constructed will always be open to differing opinions as to what is actually needed or desirable. However, in that regard I view the concept drawings as a reasonable discussion starter but implore our decision makers to consider the necessity of individual components based on demonstrated need and value for money. The following aspects should receive particular attention before proceeding with drafting “for construction documentation” and calling of tenders.

### **Open recreation space within the design**

Notwithstanding a theme that appears that all paths lead to the river including an abundance of paved areas within the new zone, it appears on paper that the area may end up “cluttered with features” that only restricts an openness feel and practical use including an ability to stage larger events in the future.

### **Hotel / private apartments development on the proposed Lot 1 subdivision on site**

Further to my submission on Application for Planning Approval – No. PA2018.0174 (2 Lot Subdivision) I question if Council approval of the said subdivision, in order to allow the hotel/private apartments development to proceed, is in the best interests of ratepayers and is not detrimental to delivering a parkland that will truly benefit the community.

On paper the hotel/private apartments development structure appears somewhat “pedestrian” in appearance, creates a “5 storey wall” that will block views of the river and shade areas of both Best Street and the new parkland for considerable periods of the day and significantly reduces what was a relatively small (but very expensive) area of useable new parkland to start with.

It is acknowledged that in reality when designing buildings reliant on private funding for construction then cost must be balanced against viability and financial returns, unlike buildings funded with public monies such as the paranple centre. **What is of concern is that this development will either be the most prominent feature in the area or an ongoing symbol of poor planning which was allowed to proceed not by a successful planning application but by our council determining to make the ratepayer owned site available.**

We are told the proposed hotel/apartments must be built in this location but unfortunately, in my opinion, the location of the conference centre (if in fact even viable) is the result of the multi-purpose building being in an inferior location on an unsuitable site, as evidenced by the abundance of ground-level steps and ramps unbecoming of a brand new building.

The proposed hotel/private apartments development has been described by some as a wonderful development opportunity and why not when it appears that the land is being made available by Council at a price yet to be disclosed and which offers unfettered views that cannot be built out because of the adjacent ratepayer funded parkland.

**Did the previous group of Aldermen formally commit to sell (subdivide the site) and agree a sale price with the developer before the formal process of advertising for public representations as per the planning permit process was undertaken, thereby circumventing (undermining) any meaningful public feedback?**

**Also did the former council make an agreement (verbal or otherwise) with the developer that restricted opportunities for the newly elected Aldermen to influence outcomes in the best interest of ratepayers?**

**I hope that the price and timing of all commercial arrangements are fully disclosed to ratepayers and that it will pass a simple “pub test” once known.**

### **Opening the CBD out to the river**

From the drawings it appears that most ground level businesses, pedestrians and vehicular traffic from the northern end of the Rooke Street Mall up to the intersection with Oldaker Street and the lower section of Best Street will have the view substantially blocked by trees and new structures, including the proposed hotel/private apartments. Are the drawings a reasonably accurate representation and the tree canopy is higher than it looks or is this no longer a priority?

Why is it that only the paraple centre and proposed hotel/apartments development (and in particular the council chambers, conference centre and private apartments are the biggest beneficiaries of the very expensive Living City changes?

### Proposed elevated walkway

The ratepayer funded and maintained "elevated walkway," also hard adjacent the northern side of the hotel/private apartments now delivers little more than an "end of pier experience" for users compared to what was initially envisaged. This also appears to be more about benefiting the hotel/private apartments' usage than parkland; again at ratepayer expense to construct and maintain. Some have mentioned the hotel/private apartments would look better without the elevated walkway and that may be so but I still maintain it is a somewhat bland building, with or without the elevated walkway.

The need and cost for this "attraction" needs to be seriously reconsidered and if deemed necessary then a configuration starting as a Formby Road pedestrian bridge and maximise the parallel experience along the river edge. This is necessary to ensure best use of finite funds and enhance the river view experience; if that is truly what is trying to be achieved. Without delivering some form of "must have experience" it is unlikely to attract the users to warrant what will be a very significant cost in its current configuration.

Is a pedestrian bridge necessary considering there will be four (4) pedestrian crossings within 200m of Formby Road, between Best and Oldaker Streets, including the two (2) proposed new "pedestrian priority" crossings?

Perhaps consideration should be given to reconfiguring the elevated walkway (pedestrian bridge) to alleviate the multiple Formby Road and rail corridor pedestrian crossings to advantage while retaining some form of viewing platform parallel to the river, or even the "end of pier" configuration as shown, if found to be necessary which I seriously doubt. That said my opinion is that pedestrians will use a convenient level crossing instead of a grade separated one unless using as a viewing platform.

If sufficiently supported, and subject to TasPorts approval, would a lower level viewing platform that could double for general use (including fishing and temporary docking of small recreational boats) at the river's edge adjacent the existing pathway be considered?

### Proposed alterations to Formby Road

From the drawings it appears that the proposed changes will negatively impact on vehicular traffic movement for 365 days of the year to cater for a yet to be demonstrated increased peak pedestrian traffic on maybe 10 days a year. According to the Pitt & Sherry "Devonport Living City Waterfront Precinct Traffic Impact Assessment" there are/will be about 10,500 traffic movements daily (or approaching 50% of the daily movements across the Victoria Bridge) **As previously pointed out to council this is a major arterial road in Devonport.**

It has been suggested that studies indicate the proposed inclusion of the raised section of road as a "calming feature" with two (2) "pedestrian priority" zebra crossings will only add 2-3 seconds to vehicle travel time for this section of road, and is absurd.

Clearly, should traffic encounter pedestrians crossing "like Brown's cows" at either crossing, which are only about 38m apart, it will not only cause traffic delays greater than 2-3 seconds but also at peak times create potential traffic build up into the Best Street/Formby Road traffic lights (stated as being at 90% capacity at peak times), the Rooke/Oldaker Street roundabout or even between the new pedestrian crossings. **As a minimum any new crossings must not be unrestricted pedestrian priority.** (pedestrian lights could also prove problematic during peak traffic flows and particularly if two crossings are maintained in the design)

Similar issues may arise from the proposed additional Best Street “pedestrian priority” crossing.

The Pitt & Sherry report does identify potential noncompliance within the current design so Council needs to take expert advice in this area and consider a minimalist approach to new works that will not result in potential for ad hoc and ongoing traffic disruption until the new parkland has demonstrated an increased pedestrian usage. Ratepayers do not need to pay to put something in place and then pay again to make it workable.

### **Redevelopment of existing Roundhouse Park**

The retention of this area as a supported home for events such as Taste the Harvest, Motor Show, Showmen’s Guild Carnival, Carols by Candlelight, New Year’s Eve and the Regatta etc. indicates that Roundhouse Park is not only a preferred location but has been more than serviceable in its current state. It is prudent that Council does not allow the “improvements” to restrict any expansion of current or future events in this location.

The landscaped grassed mounds need to be retained or reinstated as they provide a practical benefit as well as pleasing aesthetics. The last of Devonport’s truly landscaped building surrounds disappeared/will disappear with the demolition of the former council chambers and State Library.

### **Playground and BBQ area**

The choice of location for a new Playground/BBQ area wedged between a live railway line and the river with the inherent issues of train movements and wake from passing ships is baffling to say the least. Of concern is that the planners have still not received approvals required from the Rail Authorities (approval for and configuration of extra rail crossings) or TasPorts (works affecting the shipping lane) after this being pointed out in earlier submissions in February 2017.

With the closest but limited parking in Formby Road it is hard to see users regularly lugging their children and BBQ essentials to this location when more accessible facilities exist at the Bluff Precinct, Coles Beach and the Vietnam Veterans’ Memorial area.

If Council believes there is a shortage of BBQ facilities perhaps it should consider a covered BBQ area with additional seating similar to Coles Beach, or the Bluff, adjacent one of the existing Victoria Parade carparks with a view of the river or even on top of the Bluff itself with a view of the mouth of the river and out towards Wright’s Island. Council could also canvass East Devonport residents as to some additional or improved BBQ facilities on that side of the river.

**I can only ask does Council have any research or specific survey results to indicate that the expenditure on this new BBQ/Playground will be value for money and actually attract sufficient users.**

### **Parkland Maintenance costs**

Considering what is a reasonably small but very expensive additional area of parkland with what appears to be significant landscaping and new structures can council advise as to Council’s estimated additional maintenance costs per annum and how does more grass and less paving/features compare cost wise both initially and for ongoing maintenance?

Page 29 of the Hill PDA report counted 2 new employees against the Waterfront Precinct Parkland so does Council see this as a contribution towards the initially promoted 1100, then 975 and now supposed 830 new full-time CBD job creation?

**Public Representations on the 2 Lot Subdivision and Visitor Accommodation and Residential Applications for Planning Permits**

What is of immediate and serious concern is a premature approval of the other two Applications for Planning Permit - Lot 2 Subdivision as submitted by DCC and the Visitor Accommodation and Residential submitted by Fairbrother.

While a sizeable number of ratepayer concerns over the siting of the proposed hotel/private apartments has been received by council and appear to have not been made public or considered against those applications as planning issues, **I remind all aldermen that approval to subdivide what is council owned property is at the sole discretion of the aldermen and regardless whether the proposed Visitor Accommodation and Residential Application for a Planning Permit is compliant or not is irrelevant.**

**The sale of the proposed Lot 1 site, notwithstanding the arguments that the conference centre needs a new hotel and the hotel can leverage off the conference centre (with no creditable research as to viability), both premised on community support that was never reliably tested, is no different to council wanting to divest a section of Victoria Parade parkland for a hotel development, or even worse, private apartments.**

**The three (3) Applications for Planning Permits are interrelated as are the submissions received for each and should be considered as a whole, noting the approval or otherwise of the 2 Lot Subdivision should not occur until all have been collated and fully considered as views relevant to each permit application.**

To that end, I urge all Aldermen to defer a decision on the 2 Lot Subdivision (PA2018.0174) and Visitor Accommodation and Residential (PA2018.0160) Applications for Planning Permits approval process until all submissions received can be assessed, along with the representations submitted for this the Passive Recreation (Park) Application for Planning Permit, as a whole.

I thank you and all Aldermen (councillors) in anticipation of you undertaking your own due diligence on this matter and for your time in considering my submission prior to making what are extremely important decisions before committing even further ongoing ratepayer funds on the Living City project.

Please acknowledge receipt of this submission.

Yours sincerely,



Malcolm Gardam

(Concerned Ratepayer)

CC: Mayor and all Aldermen

**From:** Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>  
**Sent:** Sunday, 16 December 2018 6:06 PM  
**To:** Devonport City Council  
**Subject:** PA2018-0175 - Living City Development

Thank you for your email dated 16 November 2018 and including a link to the planning application PA2018-0175. I note that there was no letter attached, but as the email stated the link was available for 30 days I assume that means any representations are due to be received by 16 December.

TasRail provided its consent for the Planning Application to be lodged, subject to the plans noting that the location and safety controls for the proposed crossings are yet to be agreed. For public safety reasons, these controls need to extend beyond the new crossings to also include the need to address existing issues along the Formby Road rail corridor including the non-compliant safety fencing, and the rose gardens that currently encroach the danger zone within the rail corridor.

TasRail appreciates the level of co-operation by the Council Officers to progress these matters, but reports that it is not yet in a position to provide a response to the proposal, other than to confirm that discussions are continuing.

In considering the proposal, TasRail therefore asks Council to acknowledge that the proposed crossings remain subject to TasRail approval.

Should you require any additional information, please don't hesitate to contact me.

Kind regards

*Please note that the Property Department will be closed from 5pm on Friday 21 December 2018, re-opening on Monday 7 January 2019. No Permits will be processed during this time. URGENT Access enquiries should be directed to TasRail's Network Access Manager by emailing [garry.cummings@tasrail.com.au](mailto:garry.cummings@tasrail.com.au) or call mobile 0418 131 854.*

Jennifer Jarvis



Manager Group Property & Compliance |  
 Phone: 03 6335 2603 | Mobile: 0428 139 238  
 11 Techno Park Drive, Kings Meadows, Tasmania, 7249  
[Jennifer.Jarvis@tasrail.com.au](mailto:Jennifer.Jarvis@tasrail.com.au)



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**From:** Vanessa Lake <vnessalake@hotmail.com>  
**Sent:** Sunday, 16 December 2018 8:09 PM  
**To:** Devonport City Council  
**Cc:** Mayor Rockliff; Ald Jarman; Ald Murphy; l.perry@devonport.tas.gov.au; Ald Enniss; Ald Hollister; Ald Alexiou; Ald Laycock; Ald Milbourne  
**Subject:** Development proposal for Devonport foreshore  
**Attachments:** Sample letter to council re parkland.docx

Dear Mr West,

Please see attached a letter in response to the development proposal for the Devonport foreshore.

Kind Regards,

Vanessa Lake

Devonport resident.  
Phone: 0448160884.

Mr Paul West,  
General Manager,  
Devonport City Council,  
Rooke St,  
Devonport, Tas 7310

Email [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au)

Dear Mr West,

I am writing to express my concerns regarding the Planning Application for a Parkland PA2018.0175.

It is great that the council is proposing to extend the size of the parkland in this area but I feel the plan has serious design and safety issues such as the siting of the playground beside the river with no fence and the inclusion of two zebra crossing on a major busy road which is used by large trucks and the ambulance and fire services.

The style of architecture of the bus shelters, roundhouse and toilet block is not attractive and not very functional. There is little seating and the way the area is divided may make it too small for our events and leaves no room for future growth. The amphitheatre leaves performers exposed and doesn't provide comfortable seating.

Also, I feel that redoing a large part of the area which already has pleasant and functional landscaping is a waste of money and suggest that area to the east of the railway not be altered.

I urge council to reject this plan and provide a park for Devonport that is functional and beautiful that can be enjoyed by everyone.

Regards,

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**From:** Maxine Stewart <missmax79@hotmail.com>  
**Sent:** Sunday, 16 December 2018 11:28 PM  
**To:** Devonport City Council  
**Cc:** Mayor Rockliff; Ald Jarman; Ald Murphy; lperry@devonort.tas.gov.au; Ald Enniss; Ald Hollister; Ald Alexiou; Ald Laycock; Ald Milbourne  
**Subject:** Parkland Planning Application, Devonport City Council

Dear Mr West

I am writing to express my concerns regarding the Planning Application for a Parkland PA2018.0175.

I feel the plan has serious design and safety issues with the inclusion of two zebra crossings on a major busy road which is used by large trucks and the ambulance and fire services. Emergency vehicle access is of paramount importance.

Also, the style of architecture of the bus shelters does not appear to provide sufficient protection from the weather for those persons waiting for a bus.

I urge council to consider the above points when voting for the Parkland Plan.

Regards  
Maxine Stewart

A Waterfront Precinct Representation Passive Recreation (Park) PA 2018.0175 to send

(Page 1 of 3)

ROBERT VELLACOTT  
11 COCKER PLACE  
DEVONPORT 7310  
Email : [vellacottrobert@yahoo.com.au](mailto:vellacottrobert@yahoo.com.au)

THE GENERAL MANAGER  
DEVONPORT CITY COUNCIL  
PO BOX 604  
DEVONPORT 7310

17<sup>th</sup> December 2018

Dear Sir,

Subject - **DEVELOPMENT APPLICATION – PASSIVE RECREATION (PARK)**  
**Number PA 2018.0175.....**

DEVONPORT CITY COUNCIL LIVING CITY STAGE 2  
2-18 BEST STREET .20 –26 BEST STREET .74 ROOKE STREET DEVONPORT  
COMMUNITY REPRESENTATION and COMMENTS

I wish to make representation and comment pertaining to the above application.

Firstly I contend as stated in my other representations that the three (3) applications that Council will be considering in regard to the Waterfront Precinct i.e. Visitor Accommodation and Residential: (PA2018. 0160) 2 Lot Subdivision 2018 .0174 and this the Passive Recreational (Park) PA2018.0175 should all be discussed/ considered in toto because all are interrelated. Therefore from necessity some of the content of this representation may be somewhat a repeat of what previously was written.

Whilst I acknowledge that the overall subdivision plan and the siting of the proposed Visitor Accommodation , Residential and parking may be in compliance with the building regulations and all town plan zoning requirements **it fails miserably** as far as providing good town streetscape and user friendly planning for the overall precinct . It also significantly reduces the available area purchased by council for additional parkland by about 30% and most arguable detracts from the amenity of the new park land.

I also again state that I consider council's involvement **and the process in arriving at this point has and continues to be very questionable**.

My comments in the representation hereunder I contend will prove this to be so.

It appears apparent that those, in council, responsible so far for the oversight of the actual size of and siting of the allotment for the hotel and apartments have ensured that there will  
/2

be maximum benefit at minimal cost for the financier /developer at the expense of ratepayers.

The actual lot shown that will be for the hotel and apartments is part of a larger parcel of land and buildings which at this point in time **is still held** in trust by council for the ratepayers of Devonport. .

From what is known the bare minimum, i.e. the actual building footprint, is to be subdivided off therefore necessitating the building to be constructed on or near the boundary line of Best and Rooke Streets. As a consequence there is no possibility of having a pleasant streetscape. Thus the overall aesthetics of that part of Best Street is compromised by the building and gives a canyon like effect to the area where as ,if the hotel was sited differently a more or very pleasant outlook could be achieved, thus giving credence to council's great spiel about opening up the view from the CBD to the river.

The real beneficiaries it seems will be from the hotel and private apartments and of course the upper floors of the paranple centre along with a very limited view from the junction of Best St and Rooke Mall. In reality nothing much if anything has been achieved for the rest of the city regarding views to the river. In fact it could be said that when the hotel /apartment block is constructed there will be actually far less.

**Vehicle Parking** – The question must be asked what provision has been made for tourist buses (day and night) and larger vehicles? **Surely parts of the existing car park** could be included as part of the land to be sold to the hotel to increase their parking facilities and in many instances this would reduce the chance of restricting on street sites available for patrons of other nearby businesses and those who may use the parkland including the new riverside BBQ area etc.

The above is another example of ensuring the hotel developer's best interests will take precedence over ratepayers by whoever was responsible in deciding how much land should be designated for the hotel site. As previously stated council because of ownership of the land at this point in time has full control to increase the size of the land to be subdivided and sold to the developers with appropriate covenants applied. Council is also in the position to sell NO land to a developer if it so determines.

**Service Road** - as this appears for the sole use and convenience of the hotel why are the ratepayers going to be responsible for providing the land, the cost of construction and maintenance? Again this should be included in the lot that is to be subdivided off for the hotel property with development and maintenance a developer cost.

**Elevated Walkway** – The heavy weight design leaves much to be desired AN OVERKILL (it appears that X millions of dollars has to spent one way or another) its position is /3

questionable, obviously for the ultimate benefit of the hotel and residential apartments.

If indeed there was a real justification for it then surely a more elegant /graceful designed structure could be chosen. It has been confirmed that this will be constructed and maintained at ratepayers cost. Does the initial cost of many millions of dollars and ongoing cost of many thousands of dollars justify its planned placement and construction?

From the above it can, I believe be shown, that ratepayers **have and will be subsidizing** in many ways what will become a **private investment** property.

The siting of the elevated walkway complicates the situation in regard to what land is proposed for the hotel, if common sense rules that the service road and some part or all of the existing car park becomes part of the enlarged allotment for the hotel – I suggest that this extravagant and costly adjunct with costly ongoing costs be resited.

**Riverside Park:-** East side of between Rooke Street and Formby Road .

Whilst maximising the parkland by allowing the proposed hotel to be built near or on the Best Street boundary what will be predominately an upmarket private apartments development including a 137 room hotel on arguably from a developers perspective, the best site in Devonport and being made available at massive cost to ratepayers to acquire: it will none the less compromise for all others the liveability of that section of Best Street, the access and view to the river.

It is questionable how much this costly parkland west of Formby Road will actually be used. Give the situation and prevailing winds there appears to be very little thought given in regard to making the precinct more user friendly so that it could receive more use / visitations during all seasons of the year . Also **has Council estimated what the ongoing care and maintenance costs will be per annum for the parklands elevated walkway and the lifts?**

**Bus Terminal Shelters:-** Whist this may not be technically part of the parkland it appears nonetheless included in the proposed works and obviously because it is adjacent to should be considered at this point in time . The details shown for the shelters whilst ultra modern and or stylish the question must be asked – does the design, given the location afford reasonable and or adequate protection throughout the year?

**Conclusion :-**

The expenditure required, **apart from all other costs i.e. property purchases**, from what I can ascertain for the elevated walk way, roadwork and parklands etc it will be in excess of some \$15 million – funded by the “pork barrel bribe “Federal grant of \$10million and a further \$5million or more of ratepayers’ money. A very costly exercise indeed for what will actually be achieved.

*R. B. Vellacott*

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**From:** Dave Kelly <davekelly063@gmail.com>  
**Sent:** Monday, 17 December 2018 10:42 AM  
**To:** Devonport City Council  
**Cc:** Mayor Rockliff; Ald Jarman; Ald Murphy; lperry@devonort.tas.gov.au; Ald Enniss; Ald Hollister; Ald Alexiou; Ald Laycock; Ald Milbourne  
**Subject:** Planning Application PA2018.0175 concerns.

Mr Paul West,  
General Manager,  
Devonport City Council.

Dear Mr West,

I have some concerns with regard to Planning application PA2018.0175 for the parkland development next to the proposed new hotel.

1. The application being presented by council in November means that residents are busy with Christmas activities and do not have time to consider the plan which is quite complex. Could the consultation time be extended for another month or more?
2. Two zebra crossings are to be placed on Formby Road between the roundabout and Best St. Is this a workable idea? Is this safe? The traffic assessment in the plan states that it does not meet approval requirements. What will happen to traffic that currently goes through that area including fire engines, ambulances, large delivery trucks and tourist vehicles? Will they start to choose other routes through the town which will bring them more into residential areas thus creating increased noise and congestion?
3. Are the design Features of the plan what will actually be built?. The poles near the toilet block, the style of the Roundhouse shelter and the bus shelters are all designs which raise concerns. All three designs lack pleasing aesthetics and the two shelters raise issues of lack of functionality given the weather conditions here in Devonport near the river.
4. The plan divides the area into sections. Will there be enough room for events such as Carols by Candlelight, the Monster Carnival, New Years Eve etc?
5. The amphitheatre is totally an open space including where the performers are to stand. Is this functional? How often will it be used and who by given the weather conditions we have here.
6. The playground area which is sited between the railway line and the river doesn't include any fences. Is this safe? Will there be fences?
7. The 'Botanical Area' is to include plants from the wilderness including gum trees. Will these plants grow in this area? Will they be safe? Some gum trees can't be grown in parks due

to falling branches. What happens to the existing trees? Which ones are to be retained?

8. There is no provision in the plan for a really functional community space such as the Gnomon Pavilion in Ulverstone. There is no provision for a kiosk. Could these features be incorporated into the plan perhaps in one building which might be on the site of the Roundhouse shelter? This feature would give the community a useful space that, like the hotel and the council offices, would have lovely views of the river. At present the only indoor community space, namely the Providore Market, has no river views. This is despite the fact, that the espoused aim of "Living City" process over the last 15 years has been to connect the community to the most prized feature of Devonport, the river.

I feel that redoing a large part of the area which already has pleasant and functional landscaping is a waste of money and suggest that area to the east of the railway not be altered.

I urge council to reject this plan and provide a park for Devonport that is functional and beautiful that can be enjoyed by everyone.

Regards,  
David Kelly,  
57 Gunn St  
Devonport

To the Mayor and Aldermen(Councillors),

I attach my submission relating to the proposed Waterfront Precinct  
Passive Recreation (Park) PA 2018 .0175

### **Ratepayer contribution**

This is my second submission (in general terms) relating to this DCC initiative. I don't pretend for a moment that anything I have to say will have anything to influence in material terms to what DCC propose to do. I note that in relation to the Living City enterprise that to my mind has there been any contribution or influence by alderman (councillors) on what has been put to them by DCC management that has changed the plan. In other words, it has generally been what is commonly termed a "rubber stamping" exercise. That means, if it is indeed correct that proposals by management have been so outstanding or that that aldermen(councillors) have had little to put forward in alternative proposals.

### **Uniqueness**

Devonport has had significant natural advantages (geological and geographical over most towns of similar size in South Eastern Australia. These are embodied in Mount Roland which sits behind the town when viewed from the sea and sits as a bookend to productive Krasnodem soils of the area which provide the base for the agricultural pursuits of the immediate region.

Its other natural significant natural form is the estuary of the Mersey River. Visitors on the "Big Red Boats" approaching the emerald island of Tasmania are confronted by this vision also bounded by the Dial Ranges to the West and the Asbestos Ranges to the East.

So anything we do to the foreshore of the estuary which is the greeting to visitors to this town and greater than that, to this state, should be in sympathy to this vision. Visitors do not come here to see something which is repeated at Werribee, Warrnambool,

Bendigo, Ballarat, Shepparton and other parts of Victoria which is where most of our tourists come from. even more important, the residents of the town want something which is not repeated in other parts of the town or the greater region.

### **Playgrounds**

We need to determine where the children's playground area for the town is to be located. We already have a large area committed for such a playground at the Bluff area, which is a very natural fit. Some tell me that, although greatly improved over recent years it still does not fit its function well. So within only two kilometres from the proposed Waterfront Precinct(area) why don't we put all our intellectual and financial effort into the Bluff area as a "playground" . The Waterfront Precinct is simply the wrong area for another playground, and right next to a train line! Who on earth came up with this proposal.

### **Outdoor dining**

The same could be said for the casual dining (barbeque/picnic) aspect. Do we really need yet another area set aside for this purpose. We have the Bluff, Coles Beach, Vietnam Veterans areas sets aside for this purpose. Why do we need to develop such a unique area of the town for purposes already substantially already provided for and which has extremely limited parking. The parking aspect alone kills this proposal even if the duplication aspect does not.

### **Parklands**

Devonport is also unique in that it has never had set aside a central parkland area. Instead it has used the land adjacent to the Mersey River to develop for this purpose and rightly so too. DCC has done an excellent job in extending this parkland to Mussel Rock and just beyond. Although this section is subject to the cool breezes which inevitably whistle up the river for nine months of the year, it

remains an attractive area to cycle, walk and look over for twelve months.

### **Parking**

As an venue for entertainment such as car exhibitions Byard Park and Meercroft Park, both have far superior parking facilities compared to the congested area of Formby Road between Best and Oldaker Streets.

Every Visitor Centre I have visited on the mainland has free designated parking for all manner of vehicles e.g. car and caravans, large RV vehicles. Where do these very welcome visitors park when they visit the Devonport Visitor Centre.?

### **Conclusion**

All things considered, the only attributes that the current proposal exits is that it attracts a Federal Government grant . It has all the hallmarks of “we have this pot of money, how can we spend it”. Unfortunately it includes the spending of even more borrowed funds which have to be **repaid**.

**Don Willing**  
**Ratepayer**

**Vanessa Goodwin**

E: [vanessa@tasgoodwin.com](mailto:vanessa@tasgoodwin.com)  
A: 98 North Street, Devonport 7310  
M: 0408 642 821

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13 December 2018

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

Dear Mr West,

**Re: PA2018.0175 - WATERFRONT PARK**

I'm writing to congratulate you and the elected members of the Devonport City Council for progressing the concept design and development application of the Waterfront Park as the next stage of the LIVING CITY master plan.

As you would be aware there is a lot of community support for this project which will no doubt have significant benefit for the economy of Devonport and the north west region.

My work colleagues, friends and family are very excited to see the Waterfront Park development progress to completion, you have our full support.

Sincerely



Vanessa Goodwin  
Devonport Resident

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**From:** Sally O'Wheel <sowheel@gmail.com>  
**Sent:** Friday, 14 December 2018 9:38 AM  
**To:** Devonport City Council  
**Subject:** Planning Application for a Parkland PA2018.0175

Dear Mr West,

I am writing to offer feed back on the Planning application for a Parkland PA2018.0175.

I live in Forth so I live outside the Devonport municipal area but I visit Devonport frequently to shop, to socialise, to worship, to attend meetings and other events. I hope my views are of interest to Council.

I am pleased that the parkland in Devonport is to be extended.

However I do have a few concerns.

Firstly, I hope the existing trees will be saved. When I visit other cities: Sydney, Melbourne, Adelaide as well as regional cities in Victoria and South Australia, I am struck by the beautiful big and mature trees in the streets and in the parks. So often big trees and mature trees in Devonport are removed. Trees are planted and only allowed to live ten or twenty years before they are replaced. Why is that? Please retain the trees already growing in our park lands. Mature trees enhance the human experience in urban environments in so many ways.

Secondly, I am concerned by the design of the bus shelters and the rotunda. The bus shelters look as though they have been designed by a person who never waited for a bus. The seats look uncomfortable. The shelter looks as if it would not protect anyone from the wind, the rain or the midday sun.

What is the purpose of a rotunda? If it is a place for people to gather where are the seats? As the roof is so high it would not protect a gathering of people from the wind or rain. If it is a place for a local band to stand to play music, the wind would whip under that roof and blow away the band's sheet music.

Both the bus shelters and the rotunda are designed on a grand scale, reminiscent of Stalinist Russia or Nazi Germany. They are not designed on a human scale and serve no human purpose. Rather they look pretentious and as if they are designed to impress and not to be functional.

I hope Council will consider my views as it moves on with the Living City project.

Yours sincerely,

Sally O'Wheel

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**From:** Jennie Claire <jennieclairedesign@gmail.com>  
**Sent:** Wednesday, 12 December 2018 9:36 PM  
**To:** Devonport City Council  
**Cc:** Ald Jarman; Ald Milbourne; Ald Perry; Ald Murphy; Ald Enniss; Ald Hollister; Mayor Rockliff; Ald Alexiou; Ald Laycock  
**Subject:** PA2018.0175

Dear Mr West,

I am writing to express my concerns regarding the Planning Application PA2018.0175 for a passive recreation park.

While the idea of developing a parkland in this area is excellent there are several aspects of the plan which are problematic, ill-advised or even dangerous.

1. Two zebra crossings are to be placed on Formby Road between Best St. and the roundabout. The traffic assessment in the planing application itself says this may not meet approval requirements. DIER commissioned a report in 2012 on zebra crossings which concluded that they are dangerous and state government policy is now to remove them. Why would we want to install them on a major arterial road? A road that is currently used by ambulance and fire services and by numerous large trucks making deliveries to the supermarkets and other businesses on Oldaker St. The big trucks have no alternative route. Turning right from Steele St into Fenton, Gunn or Williams Streets is not an option and coming off the highway at William St and entering the city down William St is problematic. Placing zebra crossing on this busy road is highly likely to cause accidents and endanger lives. A proper pedestrian crossing should be put in place of the zebra crossings.

2. The plan divides the area into sections which renders the open space too small for our big events and no room for expansion.

3. The playground shouldn't be sited between the railway line and the river with no fence on the river side. It is dangerous and too far from car parking.

4. The poles near the toilet block, the style of the Roundhouse shelter and the bus shelters are all designs which raise concerns. All three designs lack pleasing aesthetics and the two shelters raise issues of lack of functionality given the cold and windy weather conditions near the river for most of the year.

5. The amphitheatre is a totally open space including where the performers are to stand. Performers need shelter to protect themselves and their intruments. This design is not functional and should be scrapped.

6. The botanical area is to have wilderness plants. Experts do not consider them suitable for this area. More suitable plants should be found.

7. There is no provision in the plan for a really functional community space such as the Gnomon Pavilion in Ulverstone. There is no provision for a kiosk. Could these features be incorporated into the plan perhaps in one building which might be on the site of the Roundhouse shelter? This feature would give the community a useful space that, like the hotel and the council offices, would have lovely views of the river. At present the only indoor community space, namely the Providore Market, has no river views. This is despite the fact that the espoused aim of the "Living City" process over the last 15 or more years has been to connect the community to the most prized feature of Devonport, the river.

8. A large area of this plan is already beautifully landscaped with roses, conifers and a variety of lovely trees. Why go to the expense of redoing what we already have when that money could be so much better spent?

9. The magnificent, 40 year old Hawthorn tree near the roundabout should be retained in the park.

10. The intrusion of the large walkway structure out over the water detracts from the beauty of our most prized asset, the river. Considerable saving could be achieved by removing this from the plan.

In conclusion, I say that we need a plan for the parkland that provides more amenity for the people of Devonport. We need a safe method of crossing the road which is not provided by the Walkway or the zebra crossings. We need a beautiful parkland that will draw people back to the CBD and to the heart of Devonport, our wonderful river. A magical space with excellent play equipment in a safe site, lots of seating, beautiful plants and flowers and functional and beautiful shelters. We could have raised gardens for the disabled, scented gardens for the blind, herb and vegetable gardens for the children, a sound shell for events and more. I urge our aldermen to reject this plan and to seek something much better for the people of Devonport.

Regards,

Jennie Claire  
Ratepayer of Devonport

12/12/18

Gary Vidler  
27 Swilkin Drive  
Spreyton 7310

To the General Manager  
Devonport City Council  
PO Box 604  
Devonport 7310

Re: PA 2018.0175 Passive Recreation (Park)

Dear Sir,

I am writing in support of the planned Water Front Park present as proposed and as designed in its entirety. The concept drawings look fantastic and I believe once completed the area will become a great draw card and enormous asset for the community which will serve the City for many generations to come.

I would like to congratulate the Council and all involved for their forward thinking and for getting us to this point. The design presented shows great foresight and will complement the area well especially alongside the recently completed stage one project and proposed new Hotel. Taking stage one and stage two in account the entire present will provide many opportunities for a broad range of events and activities.

Although not part of this planning application, I would like to see the emergency services moved elsewhere so that access and egress for them is not encumbered in any way. The Roberts site near the Devonport Bridge would be an ideal site for an emergency service complex which would allow fast and easy access to many areas of Devonport during emergencies in my opinion and something worth considering down the track.

This is a very exciting time for Devonport and I look forward to this next stage progressing (*un-watered down*) onto completion.

Regards

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**From:** Tammy Milne <tammymilne64@gmail.com>  
**Sent:** Monday, 10 December 2018 2:42 PM  
**To:** Paul West; Devonport City Council  
**Subject:** RE: bus shelter in new proposed 15 million dollar park

Dear Paul,

As you know I had some concern about the bus shelter in the new park opposite the parnaple centre. I have grave concerns about the proposed shelters actually ability to shelter anyone. There seems to be little consideration to the wind patterns of the area and how the rain it seems invariably gets blown under the shelter. Also again I reintegrate the issue of access. From the plans it looks like one side of the bus shelter has no side at all just a roof, so yes it's accessible but provides no shelter. Imagine a new mum and her baby waiting for a bus in these conditions. It seems that those who are using busses (and we know that in this city those people are generally the most disadvantaged) are being given a shelter with no shelter. In a climate when we are trying to encourage people to utilise public transport should we be giving a maximum effort into making sure that the bus shelter is actually the best it can be; aesthetically pleasing but most importantly functional.

This is a representation for council concerning the park development

Kind regards  
Tammy Milne

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Tammy Milne 0488 385 971 "Sometimes glass glitters more than diamonds because it has more to prove." — Terry Pratchett, The Truth

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**From:** Moira McMurtry <mcmurtry@internode.on.net>  
**Sent:** Monday, 26 November 2018 2:57 PM  
**To:** Devonport City Council  
**Subject:** Representation PA2018.0175 and PA2018.0160 Planning Applications

To General Manager, Devonport City

There are some issues I would like addressed in the following Planning Applications

PA2018.0174 Subdivision 2-18 Best Street, 20-26 Best Street and 74 Rooke Street  
PA2018.0175 Passive Recreation Park 2-18 Best Street, 20-26 Best Street, 74 Rooke Street, 100 Formby Road and Formby Road  
PA2018.0160 Visitor Accommodation and Residential 2-18 & 20-26 Best Street Devonport

I understood that a commercial hotel was to be built for visitor accommodation in the Best Street area. Currently this includes a 12 apartment residential addition on top of the proposed hotel and car parking on this site is primarily for the residents of these apartments.

My concerns are

1. The lack of visitor car parking for hotel requirements and increased traffic in the CBD to move visitor vehicles from hotel to the multi-storey car park and back along with the risk of damage to these vehicles. Check out times would coincide with peak traffic in this area causing traffic flow issues. I know this has been addressed in the report but it is a report about average traffic flow not future traffic flows given the whole project is to encourage tourists to visit Devonport. 92 hotel visitor cars plus 10 residential vehicles plus hotel service vehicles is a significant addition to our single lane CBD roads.
2. This land use is zoned commercial and I wonder why a residential apartment block has been placed on top of the hotel. As a resident of Devonport this current proposal was the first I heard that a block of residential apartments in a public space was to be part of the Living City. What is the precedent for this? I believe it is a misuse of the land.
3. This rendering of the Hotel with Apartment block looks very imposing on the waterfront landscape. Is the building within the existing height restrictions for buildings in the CBD?
4. Zebra crossings are a rare pedestrian crossing facility in Tasmania. I read a report by Midson Traffic on the use of zebra crossings/wombat crossings in a similar instance in Hobart that there is a road safety risk associated with installation of Zebra crossings and they should be considered with a degree of caution and only undertaken after a trial. Placing 2 zebra crossings in close proximity on a major road with emergency services in close proximity would create high public risk when using. There needs to be a better solution.
5. I live on Formby Road and daily have to use the Elizabeth Street/ Formby Road intersection to access my property. Each time I contact the DCC about the safety issue of this intersection, and it has worsened due to high speed police use from Wenvoe St Station, I have been told that Formby Road has been specifically designed to maintain traffic flow. Two weeks ago I witnessed a multi-vehicle crash where the Sunday church parking on Formby Road created a bottle neck. Has DCC changed its stance by placing a traffic calming and zebra crossings on this major arterial road through Devonport? It is a very public high risk change for the Living City projects convenience.
6. I have concerns with the hotel will be utilising public bus stops for the visitor buses. This will cause traffic jams and increased public confusion and risk to public transport users. The hotel needs to have its own visitor bus park.
7. The Waterfront Parkland appears to be in early planning stages, not a finished project. It is poorly connected and everything proposed looks like it was all designed separately and just tossed together and call a development. It offers no benefits that we don't already enjoy in our beautiful waterfront parkland. Living on Formby Road I enjoy riding/walking as many others do along the pathways already in place. There are currently unrestricted views along the river and open green spaces.

At the Public Forum we were introduced to the Manager of the DCC, the Architect and the Property Developer. Where is the Project Manager? Surely a project of this size and importance requires an independent professional to oversee and make this Living City project a gem in the North West.

My concerns are:

- A. The Elevated walkway is going to be a blight on the landscape. From the Spirit of Tasmania, people on the walkway will look like zoo animals given the cage like design. It terminates to nothing, not even a promenade which would lend itself to a useable space. In the design it appears to be accessible only to hotel visitors and not Devonport residents and visitors. It reminds me of the iron ore carriers used to access ships in QLD and is indistinguishable from current wharf facilities. I did ask at the public meeting about its construction and was only told about hard to access wooden planks we'll be walking on. No mention of the concrete pillars/ steel girders it will rest on. Sadly it offers no joy in its design or structure and I have grave concerns for the Mental Health Issues it raises.
- B. The children's playground should be away from the water. Recent news has said how distracted parents are by accessing social media on their phones while in the company of their children. It concerns me that at the public meeting that area has not been fully risk assessed and how it was going to be made safe has not been addressed yet. A better place for the children's playground is opposite the Paranapple building which is in close proximity to toilets and public transport facilities and could ensure improved child safety.
- C. I'm deeply disappointed that no area has been included for our teenagers and young adults. Can there be at least 1 adult size swing preferably swinging out towards the ocean? Lots of great "large children" playgrounds in the world for inspiration. Please give them a thought.
- D. The amphitheater and the round house should include some outdoor heating. Most of the year this area is a ghost town and this design only seems appropriate for the few months that we have warm weather. Maybe a fake coal fire in the round house or in-seat heating in the amphitheater. I'd happily pay to turn on the heat and do some yoga in these areas. I'm concerned that activities in the amphitheater will also be limited due to noise restrictions imposed by its proximity to the hotel. Is this the case?
- E. Devonport has the most unique and beautiful bike/walking track from Pardoe Beach to Coles Beach already in place. Advantage should be taken of the current bike adventures being created in our area and provide some safe cycle paths separate to the walking path not a balustrade stuck in the middle of a path to slow traffic as suggested by the Architect's. Also have bikes available for hire and some bike racks incorporated into the design.
- F. There are limited public toilet facilities and BBQ facilities for the size of the site. Suggesting that there are toilet facilities available at the Paranapple centre and Providore Place doesn't provide for those using the river frontage area. The Paranapple centre is only available in office hours and Providore Place is too far away. I'm not suggesting another concrete toilet block with half doors that are wind tunnels that seem to be the specialty of the Devonport City Council.
- G. The whole project is about getting people to visit Devonport and there is no RV parking in this plan. The RV community is a huge network and it won't be long before they hear that going over the bridge is a waste of time as there is no parking.
- H. There is no provision for food or drink venues in the whole area. The choices will continue to be limited to Harbour Master and McDonalds. I'd love some Brighton type beach huts or even areas designated for the existing food vans in the area along the foreshore.

I recently visited Penguin after their 7 day makeover and it is fun and inviting with great seating areas taking advantage of their beautiful ocean vista. If the Penguin community can create this in 7 days The Living City project with its 15 million dollar budget should be amazing. Instead it shows limited design innovation, minimal public facilities and poorly connected spaces that offer little to the visitor or Devonport residents. We have this incredible budget and a wonderful space to create something amazing. Please take the time to really consider what you can create.

Thank you for listening.

Kind Regards

Moira Weber  
14 Formby Road  
Devonport  
0427 466 472

Douglas Janney,  
23 Watkinson St.,  
Devonport  
TAS 7310  
26<sup>th</sup> November 2018

Devonport City Council  
Rooke St.,  
Devonport.

**PA2018.0175 Passive Recreation (Park)**  
&  
**PA2018.0160 Visitor Accommodation and Residential**

The Park to the north of the proposed Hotel (Visitor Accommodation) creates a dilemma (2equally undesirable alternatives) with the mixture of pedestrians and vehicles but favouring the pedestrians and the hotel operator for the outlook.

The extended hump on the narrowed section of Formby Rd between the 2 zebra crossings serves no purpose. Once a pedestrian steps onto a zebra crossing they have the right of way so the vehicular traffic must give way and stop (in both directions) hence the narrowing of Formby Rd serves no purpose. This is not like a place where pedestrians cross and the road width is narrowed to assist the pedestrian. This section of Formby Rd will as shown on the plans become a crawl way and would have a serious impact on normal travel as well as emergency vehicles going to a callout

As well the road authority in Hobart was not into zebra crossings. Refer to my letter dated 14<sup>th</sup> April 2016 - Budget Considerations. Even now I am only aware of one zebra crossing on public roads and that is in Launceston.

The hump would not be good for heavy vehicles. Talking to a woman from the Architect's office after the presentation on Thursday 22<sup>nd</sup> when questioned she said that heavy vehicle truck drivers had not been talked too about the impact of the hump.

It's all well and good to talk to specialists (Architects and Traffic engineers), however, some common sense on the foregoing matters would appear not to have been applied by others.

Once in place it will there for decades!

NOT A GOOD PLAN.

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**From:** Rowan Larissey <Rowan.Larissey@tasredline.com.au>  
**Sent:** Thursday, 22 November 2018 1:33 PM  
**To:** Devonport City Council  
**Cc:** Dawson, John (StateGrowth) (John.Dawson@stategrowth.tas.gov.au)  
**Subject:** Planning Permit no. PA2018.0175 Passive Recreation (Park)

To the General Manager of the Devonport City Council,

Tasmanian Redline Coaches wishes to put forward its concerns over the "Recreation park" and aspects of it associated towards the newly designed transportation hub, which is directly related to this permit. It is a little disappointing that in our last meeting with the council in regards to the whole change of this precinct that there was no real care for the comments of the bus operators. The council is too overwhelmed with the idea of having a "Melbourne City" designed recreation park and accesses, rather than a safe and efficient transportation hub to help grow passengers into the CBD itself. Also related to our discussions were the shelters proposed for the people to stand under whilst waiting for transport. We have up to 120 people at one time getting on/off one coach, with luggage. People need sheltered access directly next to the kerb of the vehicle to alight down the stairs of a coach without the steps getting wet etc, then disembark to a sizable undercover enclosed area to wait for collection with adequate parking for this to occur.

I would ask that as part of this permit you reconsider the walkway that is proposed to go directly through the busiest bus area in Devonport and instead look at other options. The last thing you want to be dealing with is news headlines about deaths in the bus mall due to pedestrians being impatient and walking in front/behind buses trying to depart from stops. The other items to consider are the amount of bus stops for all operators involved, length of bus stops, amount of shelters, types of shelters, and adequate FREE parking for pick up/drop off of our customers travelling from all over the state into/out of Devonport. I understand the reasoning for the upgrades and we are fully behind the idea and will help wherever we can. But don't lose sight of the practicality and safety aspects of the design when you have to incorporate heavy vehicles into the heart of the CBD.

I look forward to further discussions about the above issues outlined, if you have any questions please let me know.

Thankyou and regards,

Rowan Larissey  
Director  
*Tasmania's own Redline Coaches*  
1300 360 000

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5 Ashburner Street  
DEVONPORT 7310  
24 November 2018

The General Manager  
Devonport City Council  
P.O. Box 604  
DEVONPORT 7310

Dear Mr. West,

**Representation – PA 2018.0160 and PA 2018.0175  
Hotel and Passive Recreation Developments**

The following is a formal representation in respect of the above applications. Whilst acknowledging that two (2) separate developments are being considered by Council (acting as Planning Authority), I have seen fit to address my views in one submission due to comments on one application being partly relevant to the other development.

Firstly, congratulations to the Council for its initiative to foster development and employment within our City. We live in a beautiful part of Tasmania and it is imperative that what we do today will be seen by future generations as admirable decisions and money well spent. It is essential that the Planning Authority's decisions in respect of these applications serve to protect and enhance the natural values and attributes of our city, foster community connections and provide passive recreation areas with appropriate facilities for all of us to enjoy.

Arguably, the subject land is the most important, prominent and visually significant site within our City; as such, development needs to recognise and be sufficiently sensitive to protect this asset and accord with community expectations.

It is understood that Council's long-term objective is to ensure that the commercial component of the subject land is developed in a way that connects the CBD to the river frontage. Having viewed the plans, that objective would seem to be somewhat compromised, noting the absence of any particular connection between the two and the fact that the hotel development turns its back on the CBD.

In respect of the hotel development, I understand that components of the application invoke a discretionary approval process under s57 of the Land Use Planning and Approvals Act 1993 in respect of car parking being provided within a car parking exempt precinct, the development exceeding the maximum height limit for the zone (as imposed by the planning scheme) and the residential use component on the two (2) upper-most floor levels of the building. I will limit my comments to aspects for which I am most concerned.

For a development to exceed the maximum height threshold, there must be valid grounds for waiving that standard. It would seem from the advertised material, the developer has not justified why that height limit is unreasonable or inequitable in this case and what its implications would be to the streetscape. As presented, the exemption from the standard seems to be based on an objective to simply maximise commercial gain. For that standard to be compromised, it needs to be demonstrated that the additional height is justified and there is some community benefit for granting the exemption. The application is devoid of both.

The building has three (3) floor levels of "tourism-type" accommodation above the car parks and two (2) more floor levels of private residential accommodation above that on the upper storeys of the building. Apart from an elevated walkway on the river side of the building (the purpose of which is unclear), the hotel development does not provide for community access or indeed, any form of community benefit. The building only provides access for guests / patrons and private residents. Had the "over-height" portion of the building on that upper-most storey been dedicated as a viewing deck for the community (rather than that obscure elevated platform) an exemption from the height limit standard may have had some merit. A substantial viewing platform and associated bar/restaurant would be the preferred and best use for that top floor.

Moving on to the matter of the elevated walkway / observation deck between the hotel and river edge, the concept and design lacks creativity and the concept has little, if any, community benefit. The structure serves no practical purpose over and above what could be gained from such a link at ground level. The basic form of the structure and its design is founded on a "meat and three veg" engineering solution; it lacks imagination, has no identified lookout point or gathering place and serves no practical function. Despite the walkway being for community use, it arbitrarily links the afore-mentioned private development to the river edge. Its height as presented is insufficient to afford a significant vantage point for viewing the river precinct and it attempts to replicate what already exists in the "derrick-like" viewing platform at the river mouth. Clearly, there is no merit in duplicating infrastructure at this prime and visually-significant location, when it already exists elsewhere.

Viewed from proximity of the Harbour Master Cafe and similarly, from the north, the height of the walkway and its form will dominate the skyline, bisect views, visually intrude into the landscape and detract from the ambience and natural beauty of this fantastic open space setting. The concept of a viewing platform at the top of the hotel development (as mooted above) has significantly more merit. On the basis that the elevated walkway concept serves no valid or practical purpose, has significant negative financial implications to the Council (community), strikes a line through our streetscape / landscape and detracts from one of our most significant natural assets (and entry-point to Tasmania), this component of the development should not be supported.

In respect of the passive recreation area development, the design needs considerable work to respond to community comments and expectations, as expressed at the public forum held on 22 November 2018. It would seem that the plans are a "first cut" and that Council is seeking guidance from the community in this regard.

It is not clear from the plans, how Council envisages the open space area is to be used and indeed, what is its overall purpose. The design depicts various facilities arbitrarily located throughout the site; there is no focal point or feature to the layout and it is not apparent what activity is being catered for. The design of structures such as the rotunda and shelters replicate the anomalies and design faults of the surf club, restaurant and open space areas at the Bluff; the design and orientation of the Bluff facilities failed to take into account Devonport's climatic conditions and mean temperatures. That development is characterised by an absence of solar access to buildings and open space areas and structural features which create a series of undesirable wind tunnels. Amenity there has been lost as a result.

In respect of this application, the concept duplicates those mistakes. The shelters and rotunda are impractical in design providing minimal solar access and weather protection. The design is absent of features which protect users from wind and rain

and as such, the use of the facilities will be limited to the short summer months. Comprehensive community consultation would guide the Council in its endeavours to create a purpose and objective for this area. This would lead to the preparation of a detailed brief. The current concept is arbitrary, lacking creativity and purpose and a redesign is imperative.

Arguably, the decision on these applications will be one of the the most important that the Planning Authority will make in the foreseeable future. It is critically important for the designs to be modified accordingly to respond to community expectations. We can't afford to get this one wrong.

Thank you for the opportunity to provide input.

Yours sincerely,



283 Port Sorell Rd, Wesley Vale 7307 ph(03) 64 277 626 alan@merseylink.com.au

**Date: 28 November 2018**

Paul West,  
General Manager,  
Devonport City Council,  
P.O. Box 604,  
Devonport,  
Tasmania, 7310.

Via email: [Council@devonport.tas.gov.au](mailto:Council@devonport.tas.gov.au);

Dear Paul

**Representation relating to application for Planning Permit: PA2018.0175**

Merseylink would like to make a formal representation relating to the above application for a planning permit in accordance with section 57(5) of the Land Use Planning Approvals Act 1993.

Merseylink have concerns in respect to aspects of future stages of the Living City project. Merseylink link have been open and honest with Council during recent consultation processes in sharing these concerns.

Whilst Merseylink are pro development and applaud the current energy and efforts that have gone into this development in Devonport, we however have major safety concerns regarding the building of a pedestrian crossing through the middle of a busy Bus Interchange.

The Devonport Bus Interchange with the scheduling of 100's of heavy vehicle movements on a daily basis is an extremely busy environment and every effort needs to be made to separate pedestrians and bus movements.

Pedestrians and bus interaction is a major safety concern and pedestrians make up the largest group of bus fatalities in Australia.

Merseylink would recommend the planning of the next stage of Living City is reflective of these concerns and that the pedestrian crossing is removed from future planning processes. Another recommendation would be to also remove all non-public transport vehicle traffic from the Bus Interchange which is common practice in all Bus Interchanges around the world.

Merseylink are happy to further discuss these concerns as we certainly do not believe current plans incorporate world's best practice safety concepts when considering heavy vehicle and pedestrian interaction.

Yours sincerely,

*Alan Pedley*

Alan Pedley  
General Manager

cc Jan Bingley – Merseylink Director



## Submission to Planning Authority Notice

Council Planning Permit No.	PA2018:0175	Council notice date	16/11/2018
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2018/01878-DCC	Date of response	16/01/2019
TasWater Contact	Rachael Spencer	Phone No.	03 6345 6346
<b>Response issued to</b>			
Council name	DEVONPORT COUNCIL		
Contact details	council@devonport.tas.gov.au		
<b>Development details</b>			
Address	FORMBY RD, DEVONPORT	Property ID (PID)	1673805
Description of development	Passive recreation ( park )		
<b>Schedule of drawings/documents</b>			
	Prepared by	Drawing/document No.	Revision No. Date of Issue
6ty°		DL03 A-100 & A150	1 Oct 2018
6ty°		18.212 C99 & C98	11/12/2018
<b>Conditions</b>			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.			
<b>FINAL PLANS, EASEMENTS &amp; ENDORSEMENTS</b>			
4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. <i>Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i>			
5. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.			
<b>56W CONSENT</b>			
6. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be required to make application to TasWater pursuant			



to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must also include a cross sectional view through the footings which clearly shows;

- a. Existing pipe depth and proposed finished surface levels over the pipe;
- b. The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- c. A note on the plan indicating how the pipe location and depth were ascertained.

#### TRADE WASTE

7. Prior to the commencement of operation the developer/property owner must obtain Consent to discharge Trade Waste from TasWater.
8. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to discharge.

The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent.

#### DEVELOPMENT ASSESSMENT FEES

9. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
  - a. \$351.28 for development assessment; and
  - b. \$149.20 for Consent to Register a Legal Document

The payment is required within 30 days of the issue of an invoice by TasWater.

#### Advice

##### General

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

##### Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies



- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

**Trade Waste**

Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate for Certifiable Work (Building and/or Plumbing). The Certificate for Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council.

Documentation must include a floor and site plan with:

Location of all pre-treatment devices i.e. grease arrestor;

Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and

Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

Details of the proposed use of the premises, including the types of food that will be prepared and served; and

The estimated number of patrons and/or meals on a daily basis.

At the time of submitting the Certificate for Certifiable Work (Building and/or Plumbing) a Trade Waste Application form is also required.

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-waste/Commercial>

**Declaration**

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

**Authorised by**

**Jason Taylor**

Development Assessment Manager

**TasWater Contact Details**

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

### **3.3 PA2018.0186 RESIDENTIAL (MULTIPLE DWELLINGS X 19) - 169 STEELE STREET DEVONPORT**

File: 35838 D568153

#### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

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

#### **PURPOSE**

The purpose of this report is to enable the Planning Authority to determine planning application PA2018.0186.

#### **BACKGROUND**

Planning Instrument:	Devonport Interim Planning Scheme 2013
Applicant:	KCB Developments Pty Ltd
Owner:	KCB Developments Pty Ltd
Proposal:	Residential (multiple dwellings x 19)
Existing Use:	Vacant Land
Decision Due:	13/03/2019

#### **SITE DESCRIPTION**

The site is located on the southern side of Steele Street in close proximity to the Steele Street and Percy Street intersection. The site previously encompassed the Devonport Maternity Hospital which was demolished in 2017/18. The site is burdened by a right-of-way carriageway easement along the eastern side boundary and a 3m drainage easement at the rear of the property.

A copy of the property's title is reproduced as Figure 1, Figure 2 is an aerial image of the site taken in 2015 and Figure 3 is a current image of the site.

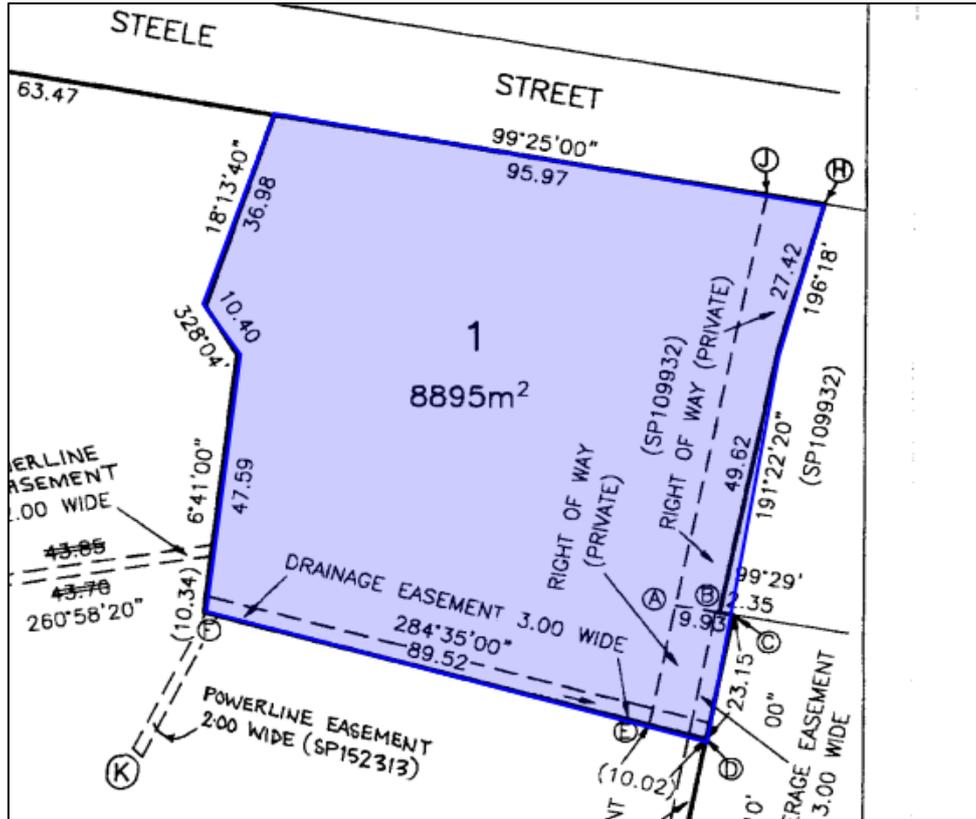


Figure 1 - Title plan of subject site - CT 140368/1 (The List, 2004)



Figure 2 - Aerial image of site showing the previous maternity hospital building (Devonport City Council (DCC), 2015)



Figure 3 - Image taken from the rear of the site looking north towards Steele Street (DCC, 2019)

**APPLICATION DETAILS**

The applicant is seeking approval to construct 19 x multiple dwellings on the site. The multiple dwellings will vary in profile and incorporate one and two storey units constructed of brick and cement clad sheeting with colorbond roofing. Access to the units is proposed from the north-eastern section of the site via the right-of-way easement over the property. A copy of the site plan submitted by the applicant's draftsman is reproduced on the next page as Figure 4. A full copy of the application documentation including all development plans is appended as **Attachment 1**.



Figure 4- Site plan of proposed multiple dwelling development  
(Steven Penton Building Design, 2018)

### PLANNING ISSUES

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

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

*“use of land for self contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, homebased business,*

*hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings."*

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

To determine if the application can be assessed as Permitted, the development is required to satisfy the acceptable solutions within the General Residential zone and any applicable development Code (including exemptions). The Planning Authority must approve a Permitted development, however conditions on the permit can be applied as necessary.

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

The multiple dwelling development has been subject to a thorough assessment against the applicable development standards prescribed within the DIPS. Various discretionary components have been identified as part of this development application. Table 1 below provides an overview of the discretions sought. No further commentary has been included where the development standards are satisfied at the acceptable solutions level, including matters such as car parking requirements and change in ground level.

<b>Development standard that cannot satisfy the acceptable solutions</b>	<b>Reason why acceptable solutions cannot be satisfied</b>
<p>10.4.3 A2 - <i>Site coverage and private open space for all dwellings</i> (General Residential zone)</p> <p>Units that do not satisfy the acceptable solutions: 4,5,6,10, 11, 12, 17 &amp; 18.</p>	<p>Units 4, 5 &amp; 6 do not have an allocated private open space (POS) area of 24m<sup>2</sup> that is accessible from a habitable room (other than a bedroom).</p> <p>Units 10, 11, 12, 17 &amp; 18 POS areas have a south orientation and do not receive satisfactorily sunlight in accordance with 10.4.3 A2(d).</p>
<p>10.4.6 A1 - <i>Privacy for all dwellings</i></p> <p>Only unit 4 fails to satisfy the acceptable solutions of this provision.</p>	<p>The balcony incorporated on the second storey of unit 4 is located approximately 4.3m to a bedroom window on the ground floor of unit 5 which is within the 6m privacy provision.</p>
<p>10.4.12 A1 – <i>Setback of development for sensitive use</i></p> <p>Only unit 5 fails to satisfy the acceptable solutions of this provision.</p>	<p>The site is adjoined by the Commercial zone to the immediate west. A 4m building setback and 3-dimensional building envelope is required between the two zones. In this case, unit 5, falls within the setback and building envelope provision.</p>

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

Report to special Council meeting on 4 March 2019

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

**10.4.3 Site coverage and private open space for all dwellings**

<b>Objective:</b>	
To provide:	
<ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents; and</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is integrated with the living areas of the dwelling; and</li> <li>(d) private open space that has access to sunlight.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is at least: <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</li> <li>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul>	<p><b>P2</b></p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is: <ul style="list-style-type: none"> <li>(i) conveniently located in relation to a living area of the dwelling; and</li> <li>(ii) orientated to take advantage of sunlight.</li> </ul> </li> </ul>

Units 4, 5 & 6 incorporate a second storey balcony that is accessed from their respective dining rooms. Each balcony will provide an area for outdoor relaxation, dining and entertainment for the unit's occupants. In addition, each of the units has over 100m<sup>2</sup> of POS on the ground with a northern orientation. The POS locations of these units comfortably satisfy the performance criteria for 10.4.3 P2.

The POS locations of units 10, 11, 12, 17 & 18 have a south orientation and will be mostly overshadowed during winter months (refer to shadowing plans appended in attachment

Report to special Council meeting on 4 March 2019

1). The POS locations of these units will be accessed from living areas and encompass sufficient areas for outdoor related activities. Furthermore, limited sunlight will be achieved in the POS locations throughout different hours of the day. In summary, the POS locations for units 10, 11, 12, 17 & 18 have merit against the performance criteria for 10.4.3 P2.

**10.4.6 Privacy for all dwellings**

<b>Objective:</b>	
To provide reasonable opportunity for privacy for dwellings.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:	A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:
(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and	(a) a dwelling on an adjoining lot or its private open space; or
(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and	(b) another dwelling on the same site or its private open space; or
(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:	(c) an adjoining vacant residential lot.
(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or	
(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	

The balcony of unit 4 has been designed to minimise overlooking and privacy concerns to unit 5. The second storey balcony will face an ensuite window of unit 5. No habitable room windows are located on the second storey eastern elevation of unit 5. A bedroom window located on the ground floor of unit 5 faces towards the balcony, however the elevated position of the balcony will result in negligible privacy concerns. The balcony location for unit 4 can be supported in accordance with 10.4.6 P1.

**10.4.12 Setback of development for sensitive use**

<b>Objective:</b>	
Development for a sensitive use is to –	
(a) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and	
(b) minimise unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
A building containing a sensitive use must be contained within a building envelope determined by –	The location of a building containing a sensitive use must –
(a) the setback distance from the zone boundary as shown in the Table to this clause; and	(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and
(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the required setback distance from the zone boundary	(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use

Table to Clause 10.4.12 A1

Adjoining Zone	Setback distance (m) <sup>1</sup>
Local Business	4.0
Central Business	4.0
Commercial	4.0
Light Industrial	4.0
General Industrial	4.0
Rural Resource	(a) 50.0; or (b) 4.0 if the site is a lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect
Utilities	10.0
Port and Marine	50.0

The positioning of unit 5 will not interrupt the operation of the established Motors car yard to the property's west. The car yard is elevated above the unit's location and additional excavation works proposed as part of the development will further increase the difference in surface levels between the two properties. The performance criteria can be supported for unit 5's location position in relation to the Commercial zone.

### COMMUNITY ENGAGEMENT

On 30/01/2019, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 2/02/2019;
- (b) Making a copy of the proposal available in Council Offices from the 2/02/19;
- (c) Notifying adjoining property owners by mail on 31/01/2019; and
- (d) Erecting a Site Notice for display from the 31/01/2019.

The period for representations to be received by Council closed on 18/02/2019.

### REPRESENTATIONS

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

The representation received was Ms Anita Dixon on behalf of the owners and occupiers of 8 Saint Anne Place (adjoining property to the development site to the immediate south). A copy of the representation is reproduced from the next page.

The General Manager,  
Devonport City Council.  
PO Box 604,  
DEVONPORT TAS 7310

6<sup>th</sup> Feb 2019

FILE NO 35838  
PA 2018.0186 169 Steele Street Devonport 7310.

I represent the owners of 8 St Anne Place Devonport ZOOSE Pty Ltd and the occupying businesses FITWITZ HEALTH & FITNESS AND DEVONPORT FLOAT CENTRE.

We have several objections to the above development both currently and in the future.

1. Turning into the right of way from either direction off Steele St is dangerous, having to wait behind right turning vehicle there is no where to go hope they stop there have been many near misses and nose to tail, when turning left into the the right of way the entrance is hidden and on a rise so no chance to see any cars or pedestrians at driveway entrance.
2. Leaving the right of way is also dangerous as the view is obstructed both ways by vehicles parked on Steele St., this will become worse as MCC staff and volunteers are forced from vacant block back on to Steele St.,at this date there are upwards of 20 cars, buses and SUVs the MCC vehicles have to park there or in right of way awaiting their daily assignments this is nearly directly next to and opposite to the proposed development exit. There currently would be over 100 traffic movements per day. Fitwitz and Devonport Float have over 150 traffic movements per day using the right of way. That's not counting the foot traffic which includes many school children. Even with MCC only turning left there is congestion at Percy St where they have to turn.  
With 52% of Tasmanians in 2016 owning more than 1 car the 19 units are going to add to the already horrendous amount of traffic in this small precinct.
3. Question how and when is the garbage going to be collected from development ?  
what about visitors, delivery vans, postman etc what will that do to the traffic ?  
When there is a large funeral at Pinegrove that adds to the situation.  
There is also constant number of cars left there for sale.
4. The entrance to the development is so close to Fitwitz gate, people already think we are a public thoroughfare our property will have added pressure,the residents will come in from Tasman and St Anne rather than navigate Steele St entrance people have ignored sign-age we have had security lights damaged our spouting was hit by a truck causing costly repairs. Given the demographic of the proposed occupiers this will happen.  
This is a major concern along with the constant flow of foot traffic.  
We are having to constantly police our carpark we have contacted companies that insist on ignoring our requests not to use. There is a constant flow of pedestrians skateboarders and cyclists.
5. When mowing block recently, dust was blowing into or windows and aircons water should be applied during construction.
6. The foundations of the hospital are still there is that going to cause issues going forward.

Suggestions:

First priority is a traffic survey of traffic using Steele St between Percy and Ronald Streets. Development NOT to be approved until completed and presented to interested parties.

No entry or exit from the development to right away. The original entrance of the old hospital should be used with circuit road in and out . To relieve traffic congestion a clearway on the southern side of Steele St running from Levy Court to Motors.

As there is no provision been made for MCC employees and volunteers (a point which was made when MCC application for redevelopment was made) was dismissed, they will be forced back on to Steele St making an already dangerous situation worse.

Their only alternative Tasman St and St Anne Place this has been tried previously it now has an additional hazard since a home owner has built a high colour bond fence traffic turning right into Fitwitz or Devonport Float Centre can not see up hill traffic from Backpacker and Motors do speed down the hill.

We have disabled people living in St Anne with scooters and they take their life into their hands everytime they cross the street. Speed humps, no standing signs are required.

Developer to construct a sound proof fence along Fitwitz boundary at least 8 feet high with all units to have double glazing, so their lifestyle isn't interrupted and ensures Fitwitz and Devonport Float Centre can conduct their businesses as normal free from trespassing and petty issues. To be erected before construction starts.

(people walk through the back yards of units at 112 Tasman St and climb our fence as a shortcut).

The same will happen at development standard gates and fences can be climbed.

With particular reference to point 4 developer should pay and maintain a boom gate at Fitwitz entrance to be controlled by Fitwitz Devonport Float Centre.

As the developer is responsible for right of way it does need resurfacing and where the trees were cut down it should be suitably landscaped,

The developer is to provide a contact name and number of site manager available 24/7.

No person or representative of developer to enter our property without permission.

The right of way is NOT a street it is not built to carry the traffic now let alone with the additional traffic the development will create.

This development will create major traffic issues, health and safety problems, both for residents and people using the precinct.

No consideration has been given for businesses and surrounding properties, let alone future residents.

Anita Dixon  
Zoose Pty Ltd  
0419237848

The 6 points of objection raised in Ms Dixon's representation are addressed below.

1. Council's engineering staff have assessed the development in relation to potential traffic concerns and no issues have been identified.
2. Same as above.
3. The developer has verbally stated a private garbage contractor will pick up the general waste from the site. Council will explore options with the developer if a private rubbish contractor is not feasible and this will be noted on the permit.
4. The entrance to the units is well within the boundary confines of 169 Steele Street and no further comment is required.
5. A condition regarding this matter will be incorporated as a permit condition.
6. The developer is aware of the remnant building foundations and construction methods will need to be in accordance with the Building Code of Australia requirements and other applicable Australian Standards.

Lastly, the suggestions provided by Ms Dixon are recommended to be noted by the Planning Authority, but the development is not recommended to be altered or any further conditions included.

#### **DISCUSSION**

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

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

#### **FINANCIAL IMPLICATIONS**

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

#### **RISK IMPLICATIONS**

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

#### **CONCLUSION**

The proposed multiple dwelling development at 169 Steele Street has been assessed as appropriately complying with the requirements of the DIPS and the discretions sought thereunder are deemed to have merit and can be supported. The application is recommended for conditional approval.

#### **ATTACHMENTS**

1. Application - PA2018.0186 - 169 Steele Street Devonport
2. TasWater Submission to Planning Authority Notice - PA2018.0186 - 169 Steele Street Devonport

## RECOMMENDATION

That Council, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0186 and grant a Permit to use and develop land identified as 169 Steele Street, Devonport for the following purposes:

- Multiple dwellings x 19

Subject to the following conditions:

### Planning Conditions

1. The development is to proceed and be located generally in accordance with the submitted plans referenced as Proposed Unit Development for KCB Developments (Project No 1819-05, dated 8 November 2018) by Steven Penton Building Design, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. 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 or the *Environmental Management and Pollution Control Act 1994*.

### City Infrastructure Conditions

3. The existing private service connection that runs through to Tasman Street is to be verified by the developer to be serviceable by undertaking a full CCTV of the entire length of pipe to WSA05-2013 v 3.1 and to submit a condition report to the City Engineer for approval.
4. The developer is to engage a suitably qualified hydraulic engineer to determine the capacity of the private stormwater service connection for the purposes of designing their internal stormwater reticulation and on-site detention system that limits stormwater discharge in accordance with the below permit condition.
5. Stormwater discharge from the proposed development is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that capable of being contained within the existing or proposed stormwater service connection(s) to Council's stormwater reticulation mains. There is to be no overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted for approval by the City Engineer prior to commencing construction on site.
6. Any existing redundant driveways and associated infrastructure are to be demolished and reinstated to match adjoining infrastructure and generally in accordance with the relevant Tasmanian Standard Drawings.
7. Any proposed new driveways and internal roadworks are to be generally designed and constructed in accordance with the IPWEA Tasmanian Standard Drawings and to a suitable size and location for the proposed future use of the site.
8. Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

**TasWater Condition**

9. The developer is to comply with the conditions contained in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit, pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*.

Note: The following is provided for information purposes.

**THIS IS NOT A BUILDING OR PLUMBING PERMIT.**

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

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

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

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

<b>Unit Number on Site Plan</b>	<b>Street Address</b>
Unit 01	23/169 Steele Street
Unit 02	21/169 Steele Street
Unit 03	19/169 Steele Street
Unit 04	17/169 Steele Street
Unit 05	15/169 Steele Street
Unit 06	13/169 Steele Street
Unit 07	11/169 Steele Street
Unit 08	9/169 Steele Street
Unit 09	7/169 Steele Street
Unit 10	5/169 Steele Street
Unit 11	3/169 Steele Street
Unit 12	1/169 Steele Street
Unit 13	2/169 Steele Street
Unit 14	4/169 Steele Street
Unit 15	6/169 Steele Street
Unit 16	8/169 Steele Street
Unit 17	10/169 Steele Street
Unit 18	12/169 Steele Street
Unit 19	14/ 169 Steele Street

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

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

The developer will need to discuss the arrangement of garbage bin collection with Council if it is determined a private contractor is not feasible, noting that is not general practice that the Council's garbage vehicles enter private property.

In regard to condition 2 this includes ensuring that noise emitted from portable apparatus and hours of operation are within the scope indicated by the Environmental Management and Pollution Control (Noise) Regulations 2016.

**Report to special Council meeting on 4 March 2019**

---

In regard to conditions 3-8 the applicant should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

In regard to condition 9 the developer should contact TasWater (Ph 136 992) with any enquiries.

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

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



### Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Devonport Interim Planning Scheme 2013

## Application for Planning Permit

#### Use or Development Site

Street Address: 169 STEELE STREET DEVONPORT

#### Certificate of Title Reference No.:

~~157844~~ 0 Lot 1 140368

#### Applicant's Details

Full Name/Company Name: KCB DEVELOPMENTS PTY LTD

Postal Address: P.O BOX 214 DEVONPORT

Telephone: 0418 144 536

Email: KCB@BIGPOND.NET.AU

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

Full Name/Company Name: KCB DEVELOPMENTS PTY LTD.

Postal Address: PO BOX 214 DEVONPORT

Telephone: 64 244011 0418 144 536

Email: KCB@BIGPOND.NET.AU

ABN: 47 611 446 016  
 PO Box 604  
 137 Rooke Street  
 Devonport TAS 7310  
 Telephone 03 6424 0511  
[www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)  
[council@devonport.tas.gov.au](mailto: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?: 19 RESIDENTIAL HOMES

Description of how the use will operate:

GENERAL HOUSING

STRATA TITLE

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:

<b>Application fee</b>
<b>Completed Council application form</b>
<b>Copy of certificate of title, including title plan and schedule of easements</b>
<b>A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:</b>
<ul style="list-style-type: none"> <li>• The existing and proposed use(s) on the site</li> <li>• The boundaries and dimensions of the site</li> <li>• Typography including contours showing AHD levels and major site features</li> <li>• Natural drainage lines, watercourses and wetlands on or adjacent to the site</li> <li>• Soil type</li> <li>• Vegetation types and distribution, and trees and vegetation to be removed</li> <li>• The location and capacity of any existing services or easements on the site or connected to the site</li> <li>• Existing pedestrian and vehicle access to the site</li> <li>• The location of existing adjoining properties, adjacent buildings and their uses</li> <li>• Any natural hazards that may affect use or development on the site</li> <li>• Proposed roads, driveways, car parking areas and footpaths within the site</li> <li>• Any proposed open space, communal space, or facilities on the site</li> <li>• Main utility service connection points and easements</li> <li>• Proposed subdivision lot boundaries, where applicable</li> <li>• Details of any proposed fencing</li> </ul>
<b>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:</b>
<ul style="list-style-type: none"> <li>• Setbacks of buildings to property (title) boundaries</li> <li>• The internal layout of each building on the site</li> <li>• The private open space for each dwelling</li> <li>• External storage spaces</li> <li>• Car parking space location and layout</li> <li>• Elevations of every building to be erected</li> <li>• The relationship of the elevations to natural ground level, showing any proposed cut or fill</li> <li>• 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</li> <li>• Materials and colours to be used on roofs and external walls</li> </ul>
<b>A plan of the proposed landscaping including:</b>
<ul style="list-style-type: none"> <li>• Planting concept</li> <li>• Paving materials and drainage treatments and lighting for vehicle areas and footpaths</li> <li>• Plantings proposed for screening from adjacent sites or public spaces</li> </ul>
<b>Details of any signage proposed</b>

Value of use and/or development

\$ 3000 000

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

If land is not in applicant's ownership

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

Applicant's signature: [Signature]

Date: 6.12.2018

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

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

General Manager's signature: \_\_\_\_\_

Date: \_\_\_\_\_

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

### Signature

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

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

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

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

Applicant's signature: [Signature]

Date: 6.12.2018

### PRIVACY ACT

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

### Fee & payment options

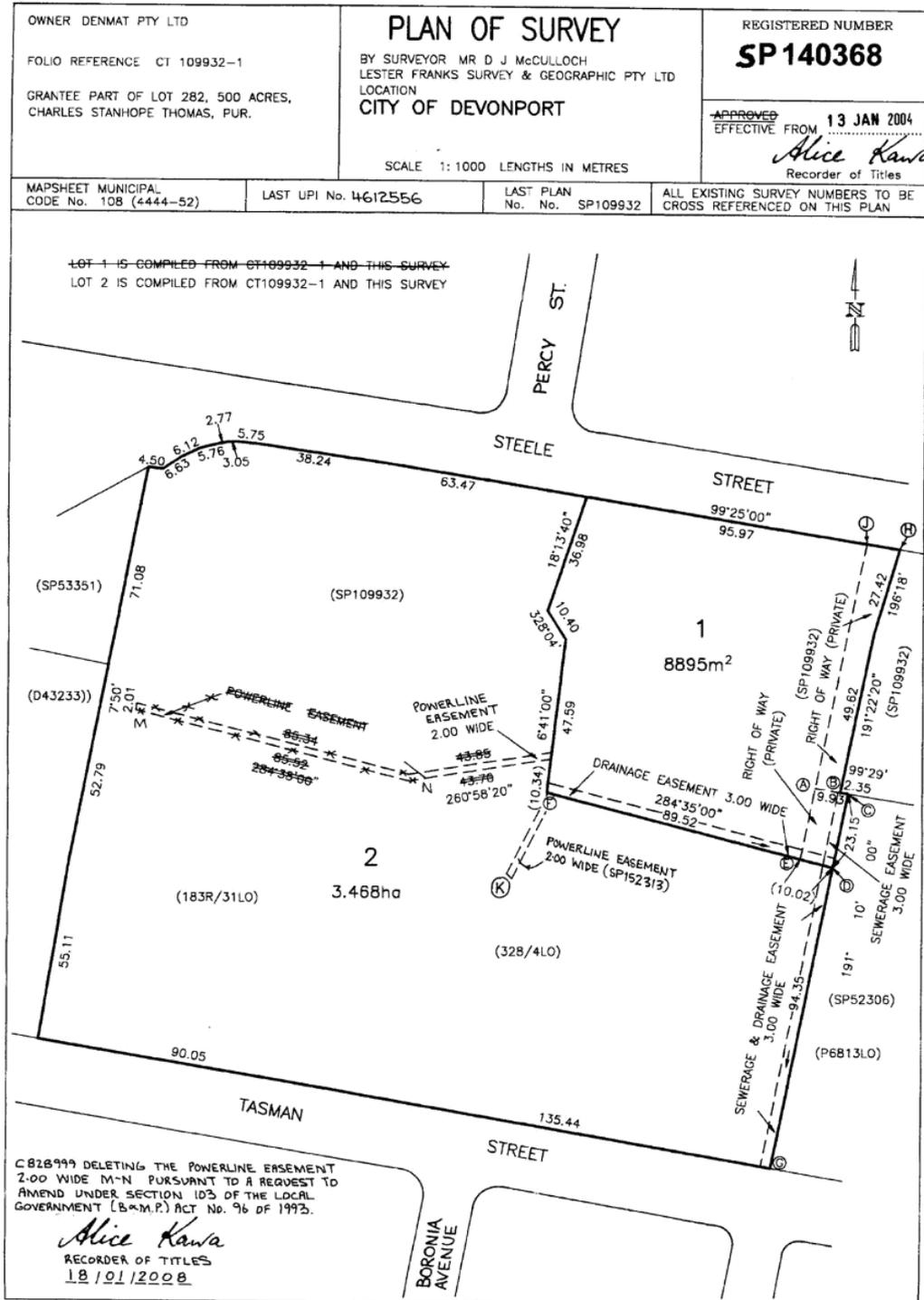
- DD** Pay by Direct Deposit – BSB: 067-402 Account No. 000 000 13 – Please quote your application number.
-  Pay in Person at Service Tasmania – Present this notice to any Service Tasmania Centre, together with your payment. See [www.service.tas.gov.au](http://www.service.tas.gov.au) for opening hours.
-  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.



**FOLIO PLAN**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



8/11/2018 4:20:47 PM

### Architectural Drawings

Project Number 1819-05  
Revision 02 - Pre Planning -08-11-2018

- 01 Cover Sheet
- 02 Site Plan
- 03 1,2,3 Lower Floor Plan
- 04 1,2,3 Upper Floor Plan
- 05 1,2,3 Elevations
- 06 4,5,6 Lower Floor Plan
- 07 4,5,6 Upper Floor Plan
- 08 4,5,6 Elevations
- 09 7,13 Floor Plan
- 10 7,13 Elevations
- 11 8,9 Floor Plan
- 12 8,9 Elevations
- 13 14,15,16 Floor Plan
- 14 14,15,16 Elevations
- 15 11,12,18 Floor Plan
- 16 11,12,18 Elevations
- 17 10,17 Floor Plan
- 18 10,17 Elevations
- 19 19 Floor Plan
- 19 19 Elevations

# Proposed Unit Development 169 Steele Street Devonport

## KCB Developments

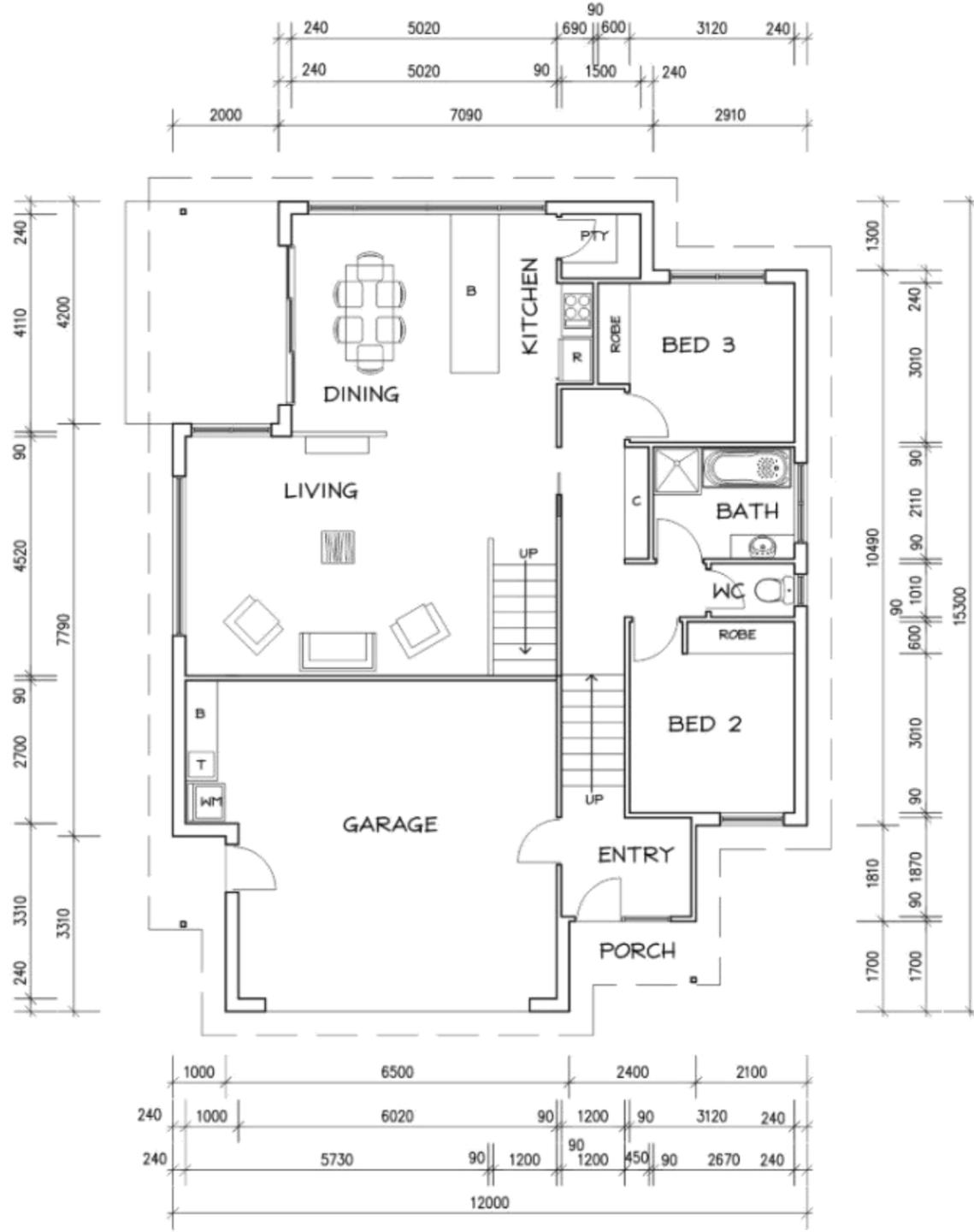
PROJECT INFORMATION	
BUILDING DESIGNER	STEVEN PENTON
ACCREDITATION NUMBER	CC491K
TITLE REFERENCE	PID 2258654 CT 14036/1
DESIGN WIND SPEED	N2
SOIL CLASSIFICATION	To be determined
CLIMATE ZONE	7
BUSHFIRE RATING	LOW
ALPINE AREA	NO
CORROSION ENVIRONMENT	LOW

ITEM 3.3

 <p>ABN - 84 530 588 051</p> <p><b>Tammy Smith Energy</b></p> <p>Thermal performance assessor - VIC/BDAV/12/1448 Bushfire practitioner - BFP-126 PO Box 1218 Devonport Tasmania 7310 <b>6428 6634</b></p>	 <p>ABN - 84 530 588 051</p> <p><b>Steven Penton Building Design</b></p> <p>PO Box 1218 Devonport Tasmania 7310 <b>6428 6634</b> Accreditation CC491K</p>
--	--

8/11/2018 4:20:48 PM

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



**Steven Penton  
Building Design**  
Accreditation: CC491K  
PO Box 1218 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	01	02	03	04	05	06	07	08	09	10
	PRELIMINARY	PRE PLANNING								
	17-09-2016	08-11-2016								

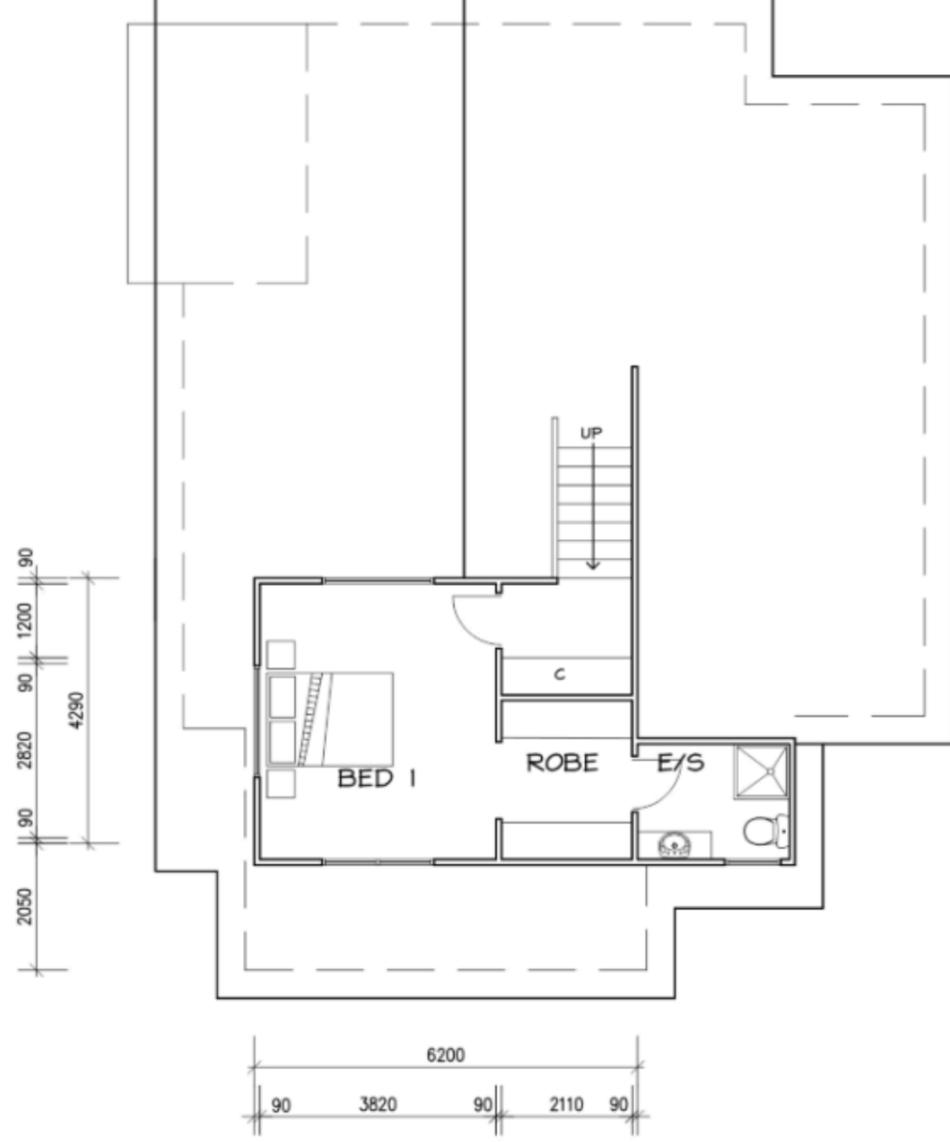
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 1,2,3 Lower Level

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:100

Revision: **02**  
Drawing No.: **03**  
of 20

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Notes:  
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Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Description	Date
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02	PRE PLANNING	08-11-2018

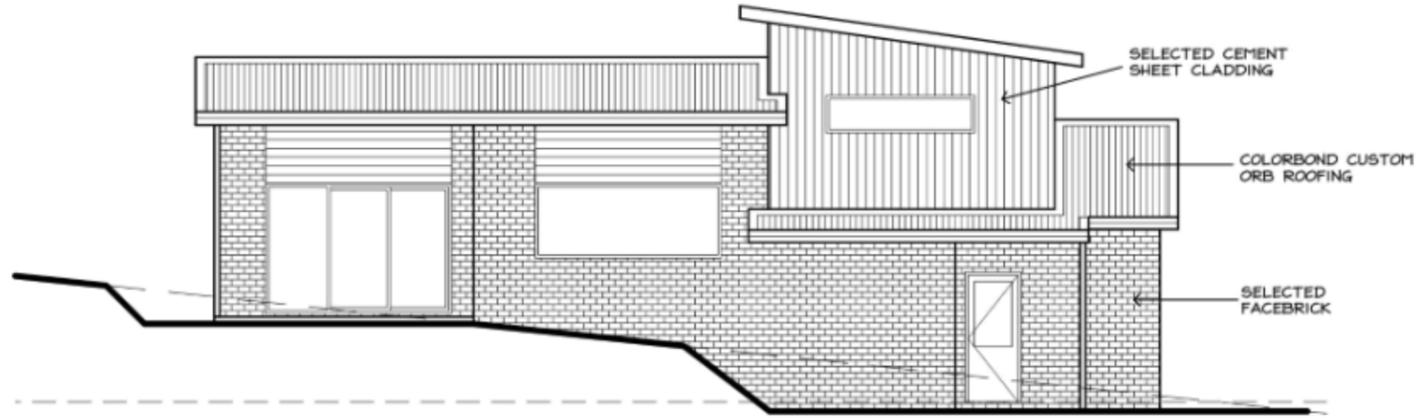
Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Units 1,2,3 Upper Level

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:100

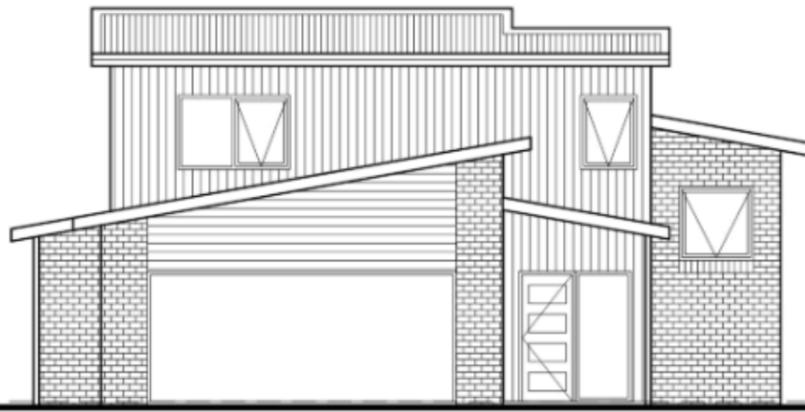
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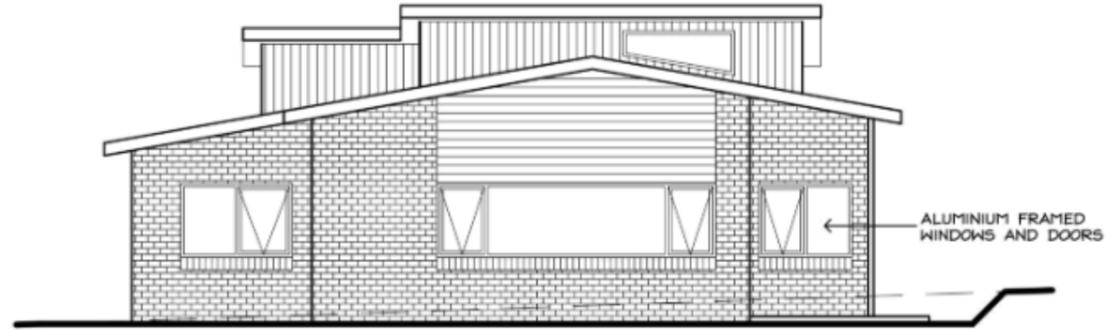
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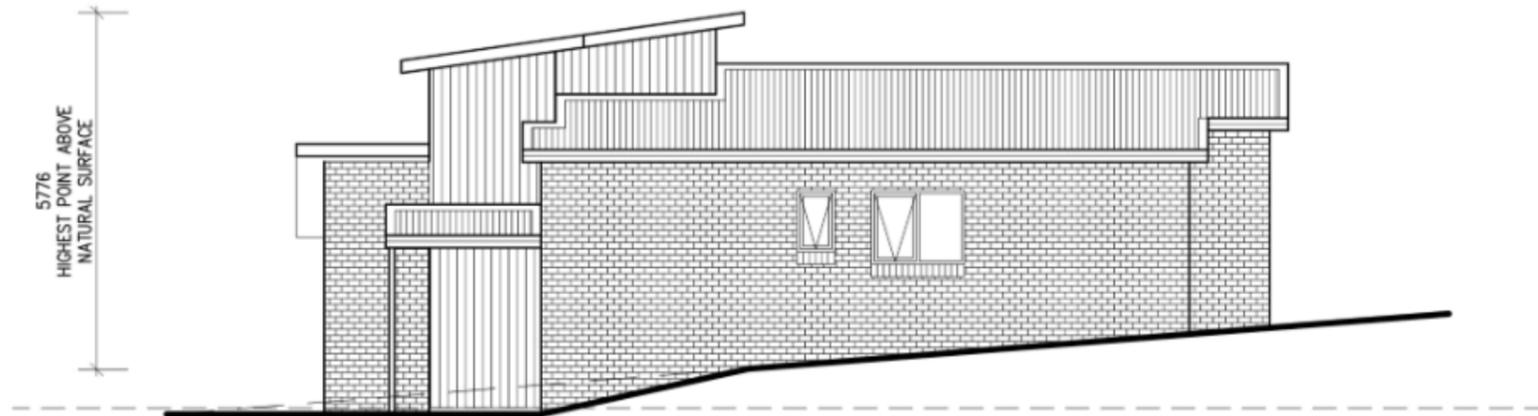
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



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Building Design**  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Date	Description
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02	08-11-2018	PRE PLANNING

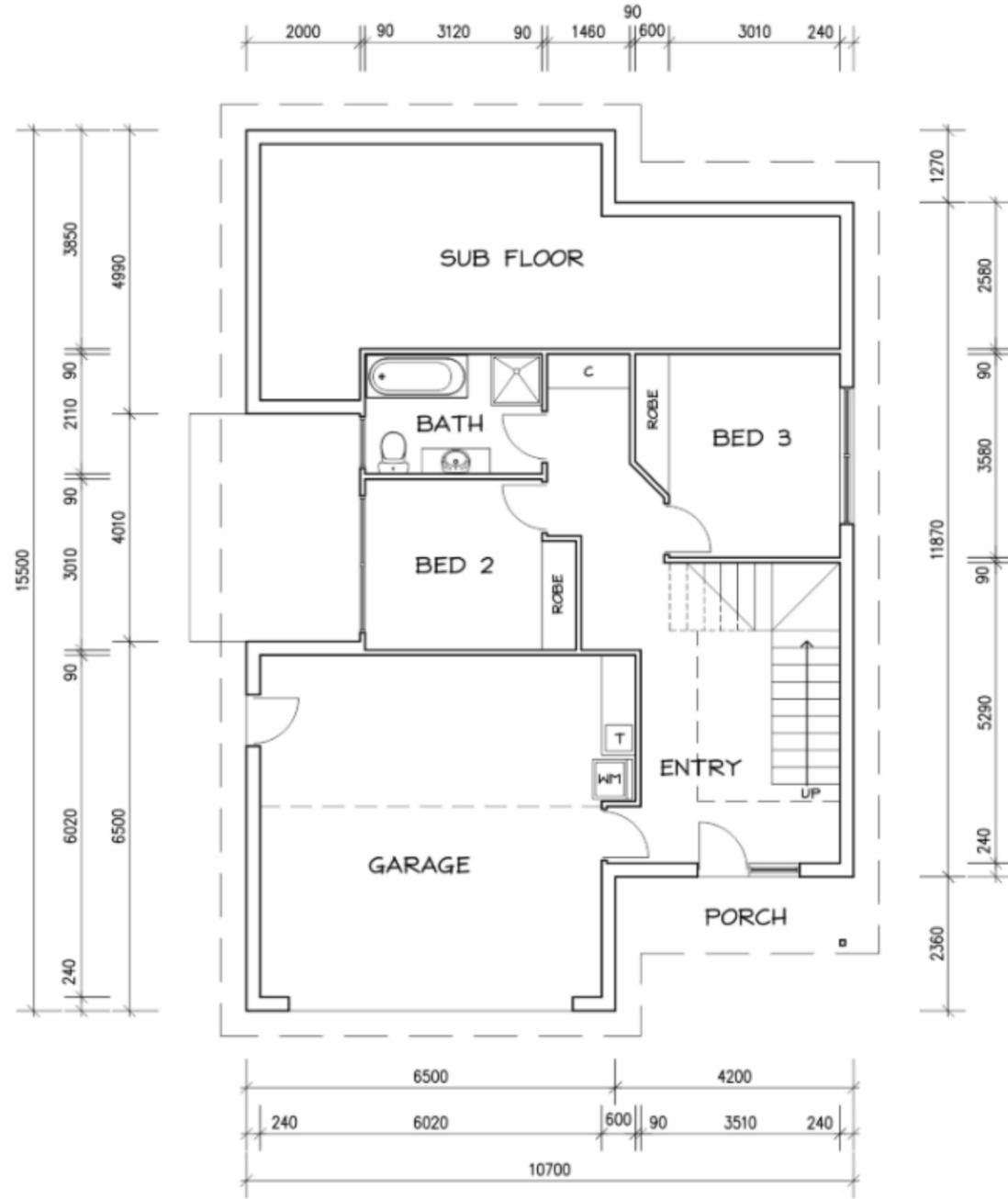
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 1,2,3 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:100

Revision: **02** Drawing No.: **05**  
of 20

8/11/2018 4:20:51 PM

Notes:  
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UNIT 6 MIRRORED



**Steven Penton  
Building Design**  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Date	Description
01	17-09-2018	PRELIMINARY
02	08-11-2018	PRE PLANNING

**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 4,5,6 Lower Level

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
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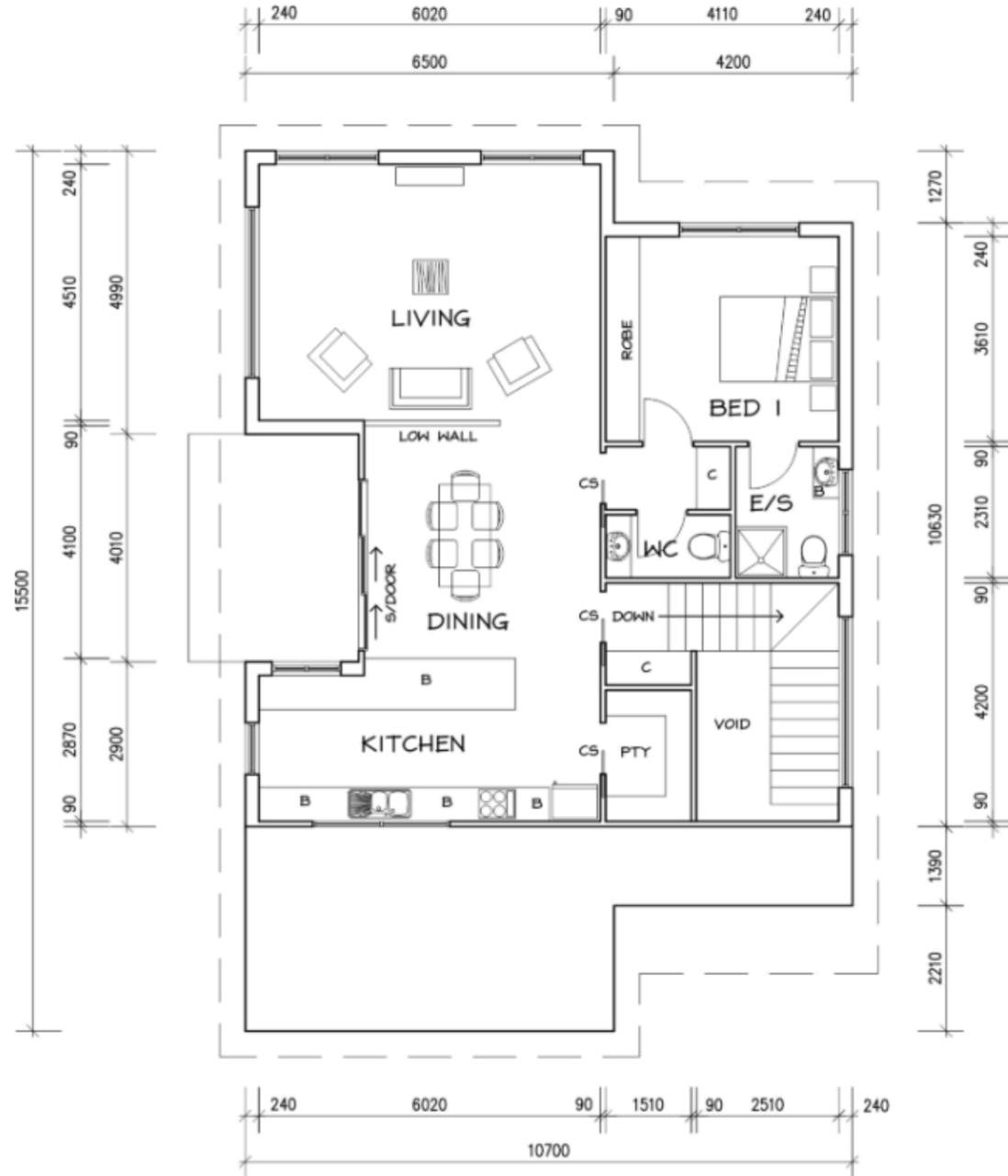
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Drawing No.: **06**  
of 20

8/11/2018 4:20:51 PM

Notes:  
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BY BUILDER PRIOR TO COMMENCING WORK.

LEGEND

- CS -CAVITY SLIDING DOOR
- WM --WASHING MACHINE LOCATION
- T --LAUNDRY TROUGH
- R --REFRIGERATOR SPACE
- DW --DISHWASHER
- B --BENCHTOP
- C --CUPBOARD
- S --SHELVING



UNIT 6 MIRRORED



Steven Penton  
Building Design  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	01	02	03	04	05	06	07	08	09	10
	PRELIMINARY	PRE PLANNING								
	17-09-2018	08-11-2018								

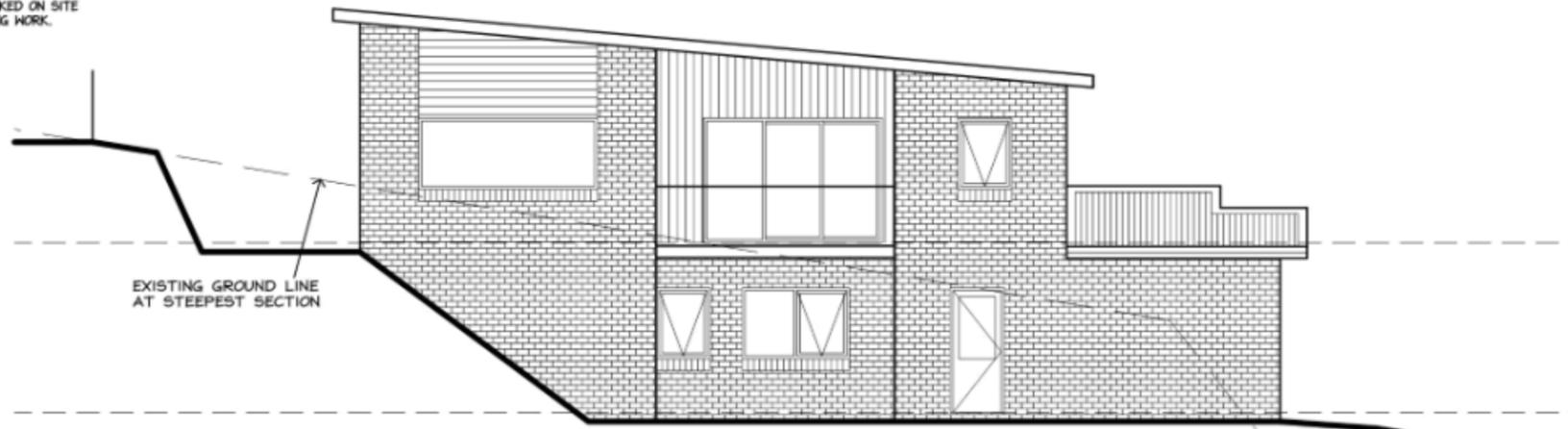
Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Units 4,5,6 Upper Level

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
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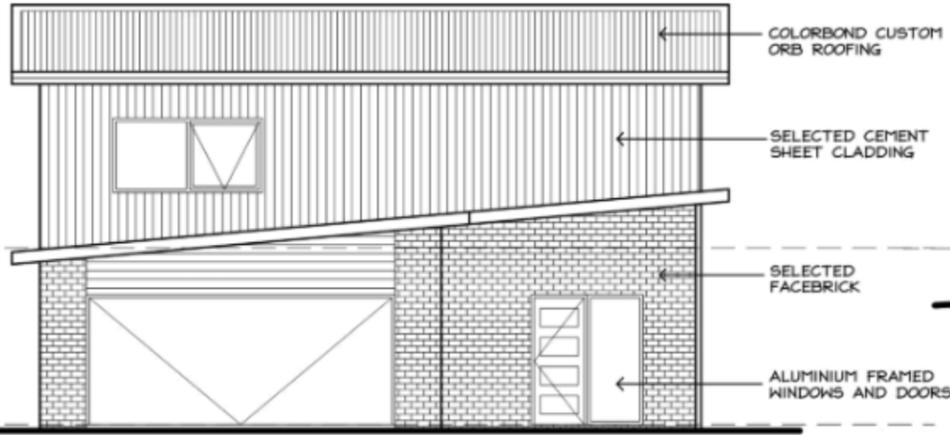
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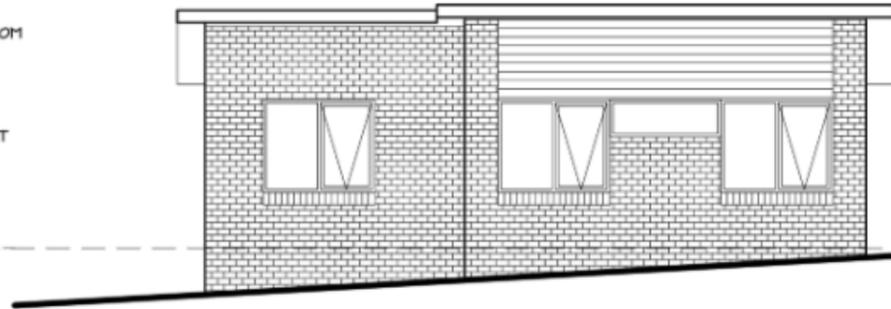
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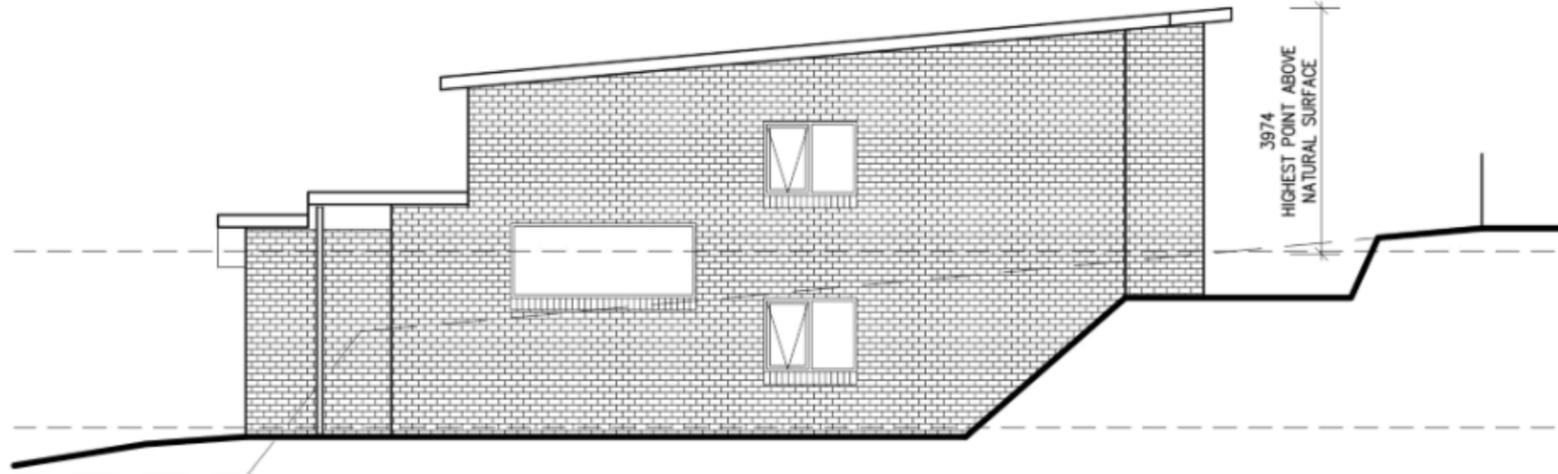
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



**Steven Penton  
Building Design**  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Date	Description
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02	08-11-2018	PRE PLANNING

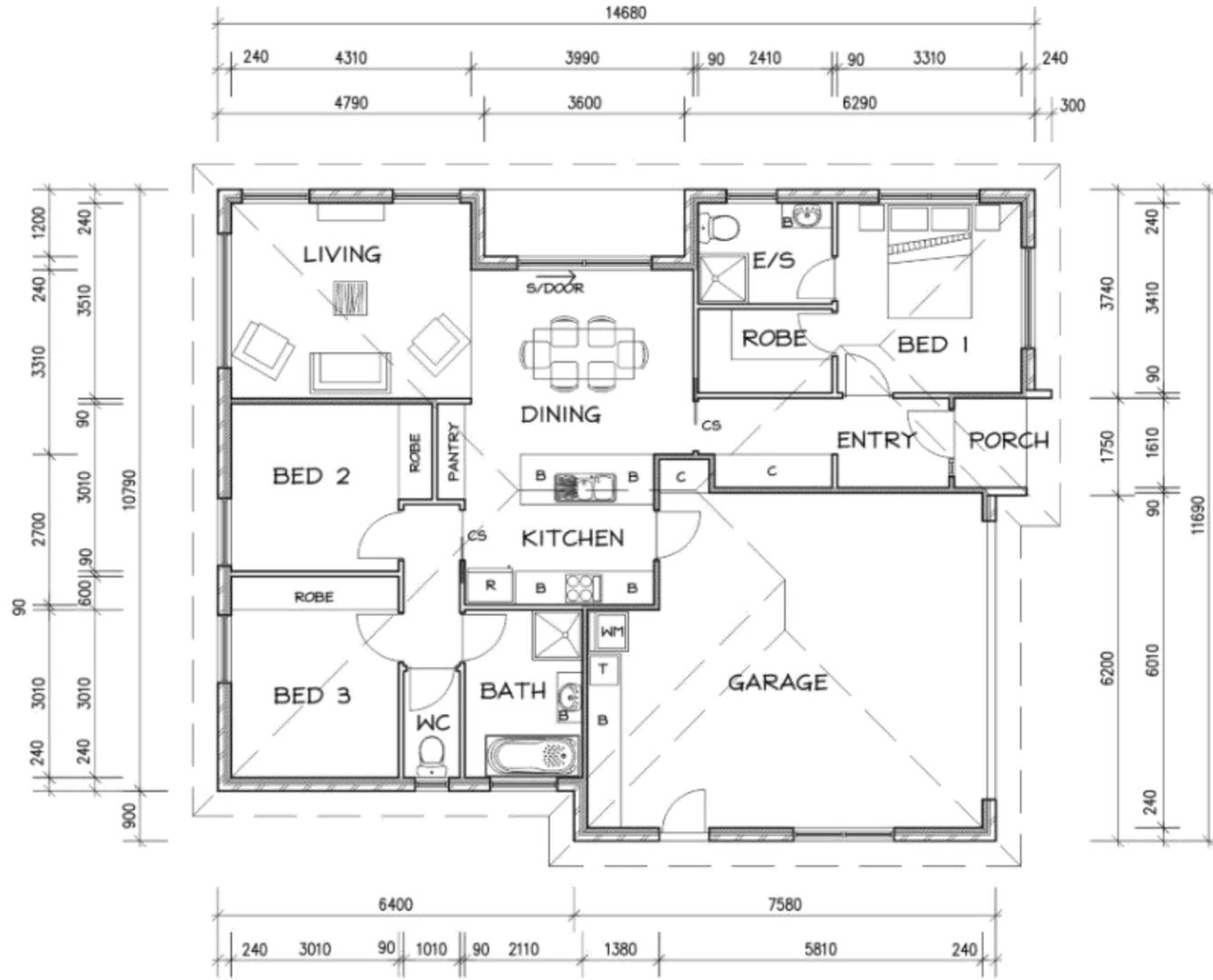
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Unit 4,5,6 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:100

Revision: **02**  
Drawing No.: **08**  
of 20

8/11/2018 4:20:53 PM

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FLOOR AREA  
161.5 m<sup>2</sup> (17.4 sq)



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Revision:	Date	Description
01	17-09-2018	PRELIMINARY
02	08-11-2018	PRE PLANNING

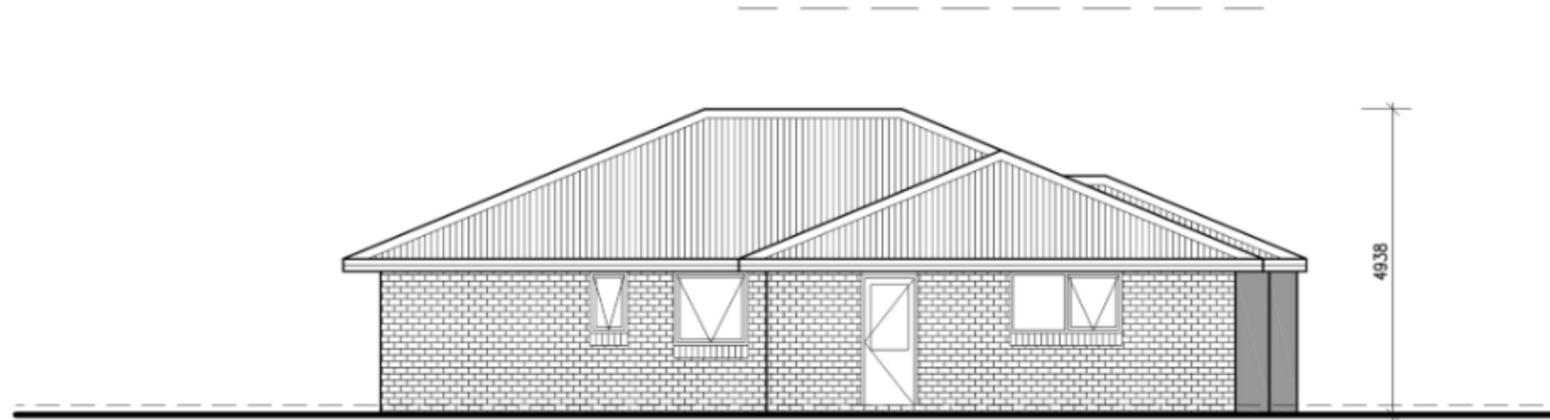
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169 Steele Street  
Devonport  
KCB Developments  
Units 7, 13 Floor Plan

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
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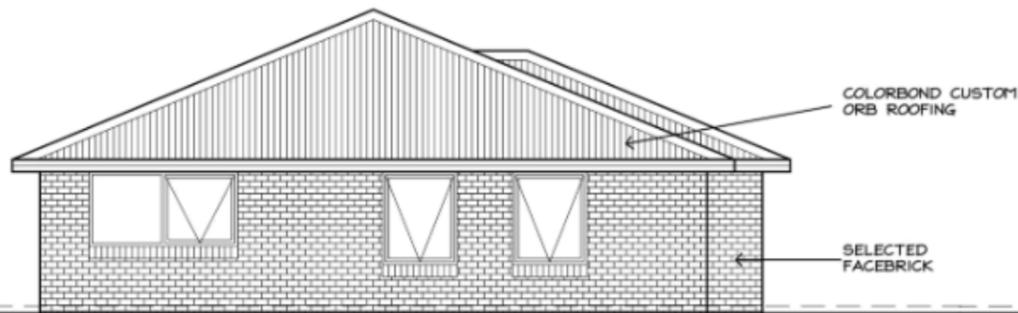
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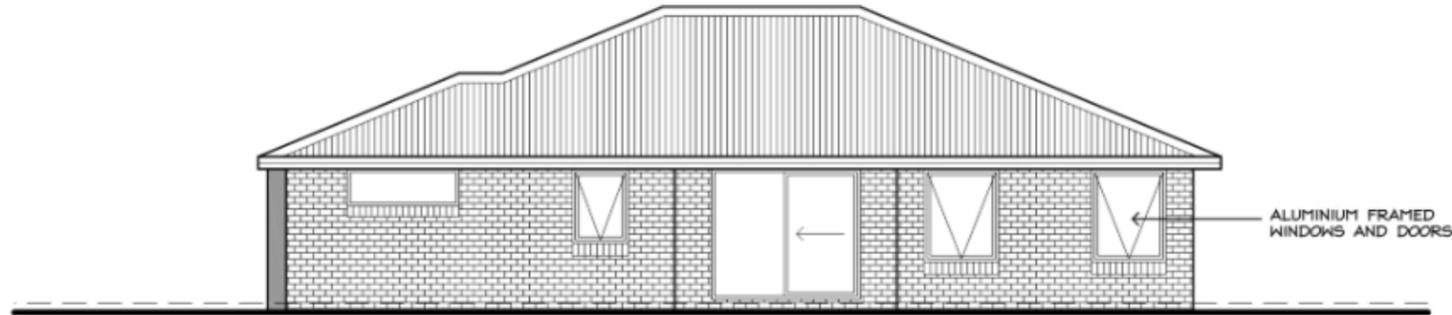
**SOUTH ELEVATION**  
WEST ELEVATION UNIT 13



**WEST ELEVATION**  
NORTH ELEVATION UNIT 13



**EAST ELEVATION**  
SOUTH ELEVATION UNIT 13



**NORTH ELEVATION**  
EAST ELEVATION UNIT 13



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6428 6634  
ABN - 84 530 588 051

Revision:	01	17-09-2018	PRELIMINARY
	02	08-11-2018	PRE PLANNING

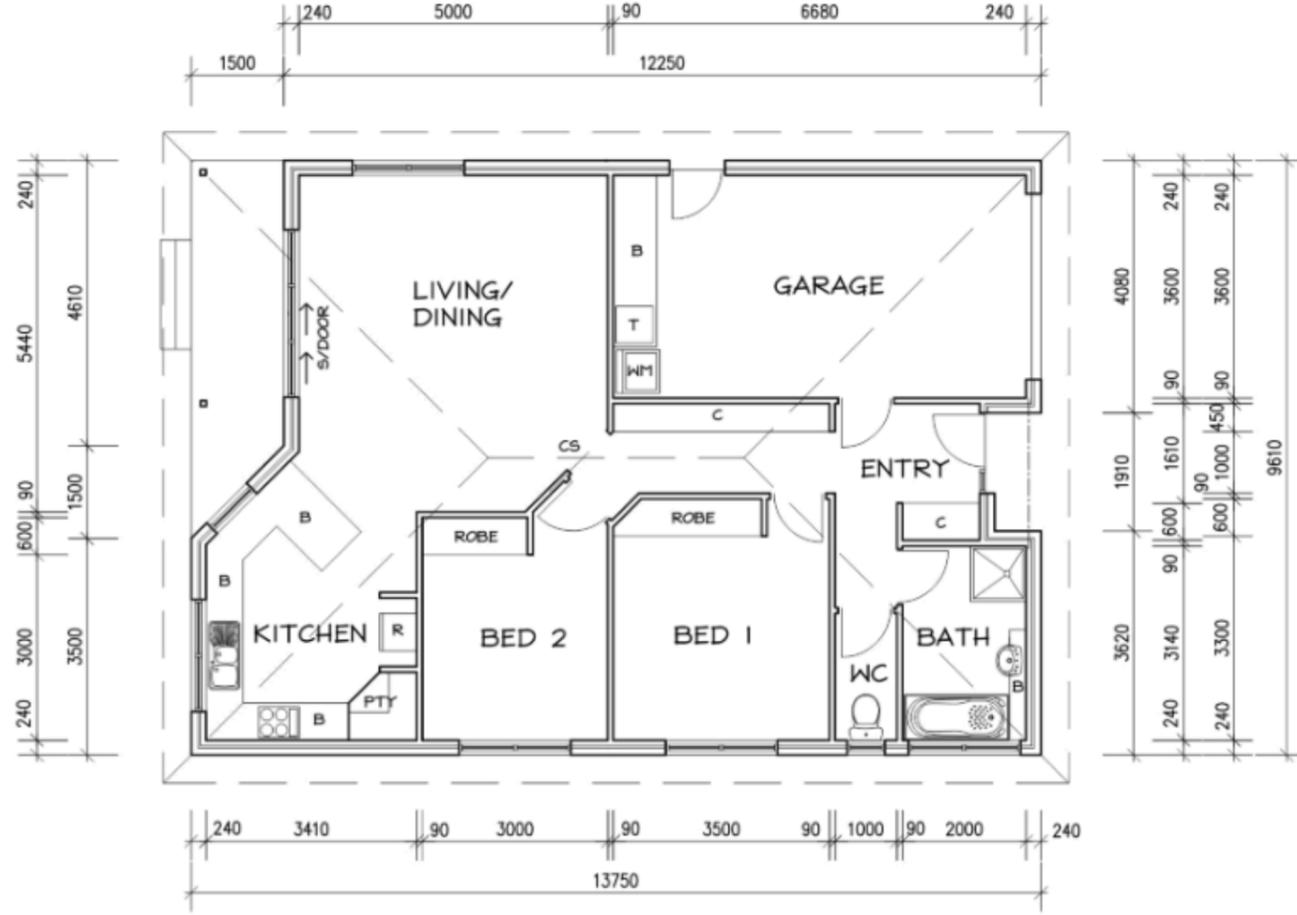
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 7-13 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:100

Revision: **02** Drawing No.: **10**  
of 20

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Notes:  
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ABN - 84 530 588 051

Revision:	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20
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	17-09-2018	08-11-2018																		

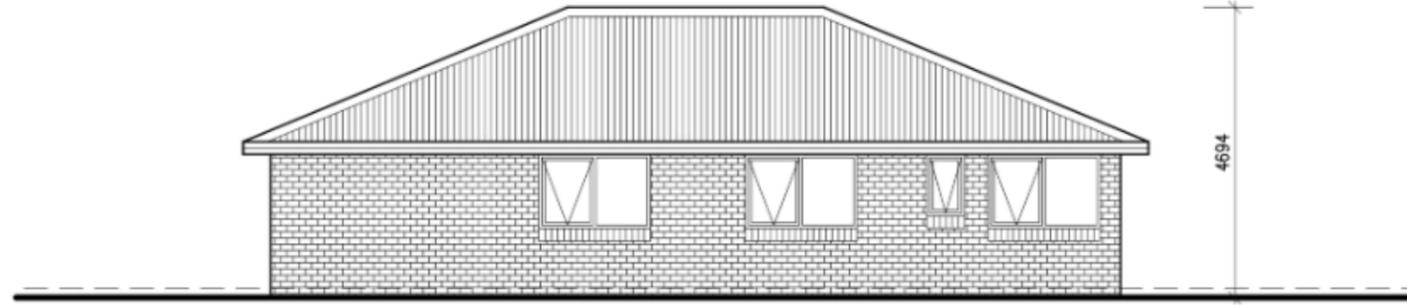
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
**Units 8-9 Floor Plan**

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
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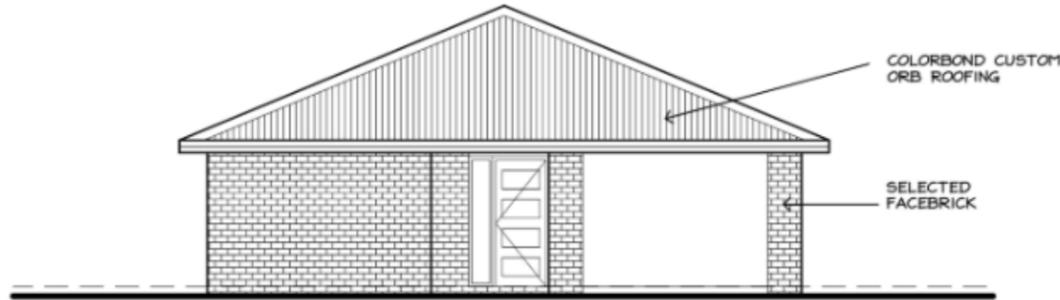
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of 20

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Notes:  
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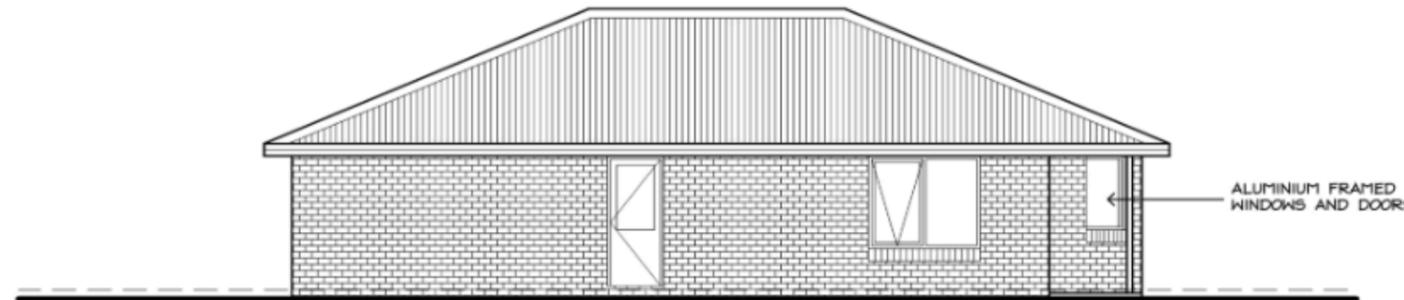
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



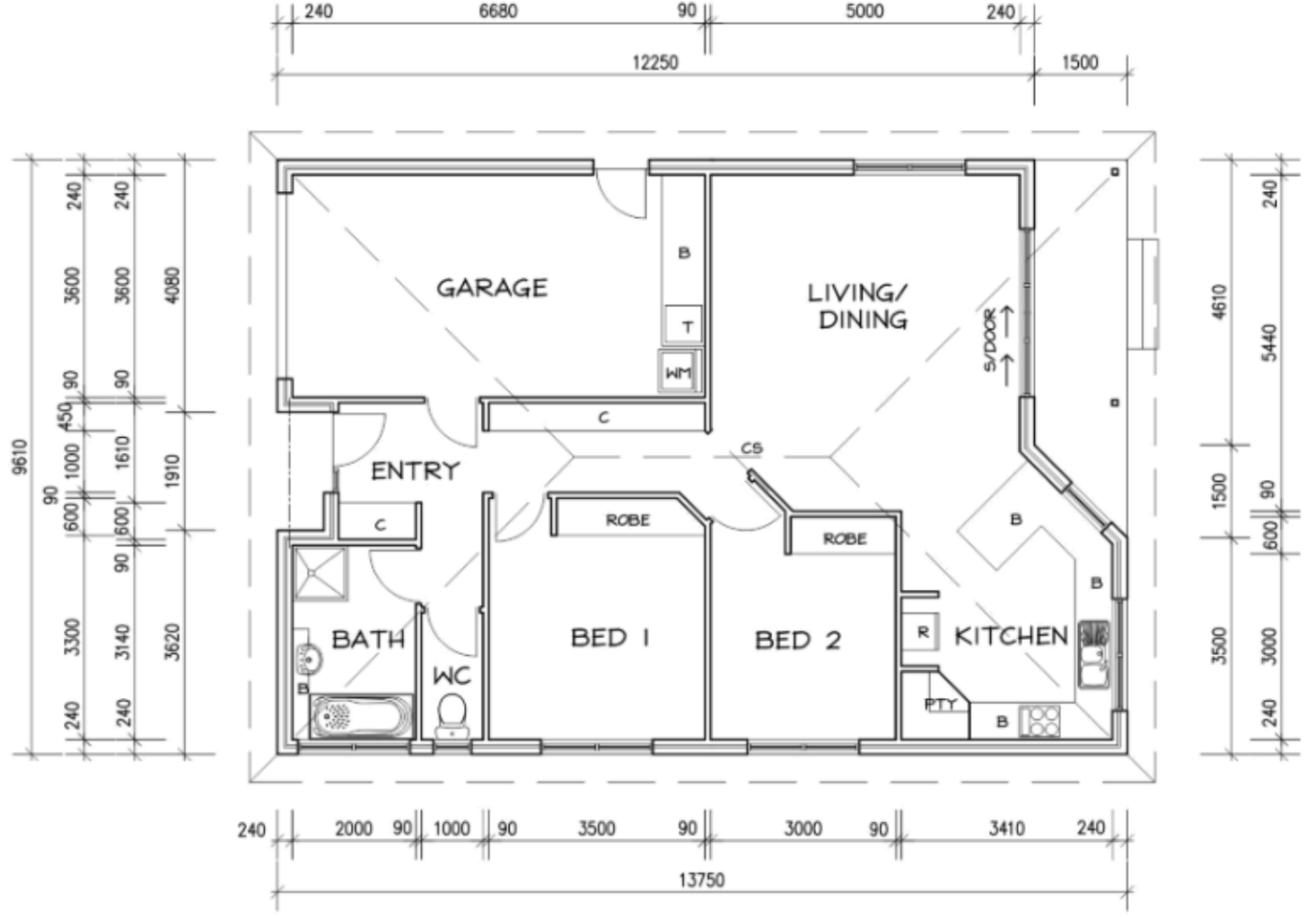
Steven Penton  
Building Design  
Accreditation: CC491K  
PO Box 1218 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

17-09-2016					
08-11-2016					
01	PRELIMINARY				
02	PRE PLANNING				

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Units 8-9 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

Revision: 02  
Drawing No.:  
**12**  
of 20



**Steven Penton  
Building Design**  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	17-09-2018	08-11-2018
01	PRELIMINARY	
02	PRE PLANNING	

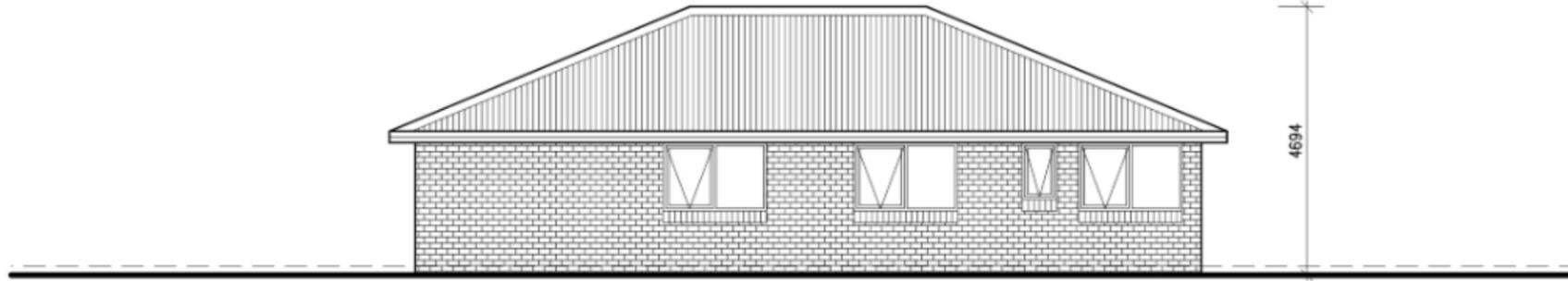
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 14, 15, 16 Floor Plan

Project No.:  
1819-05  
Drawn:  
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Scale at A3:  
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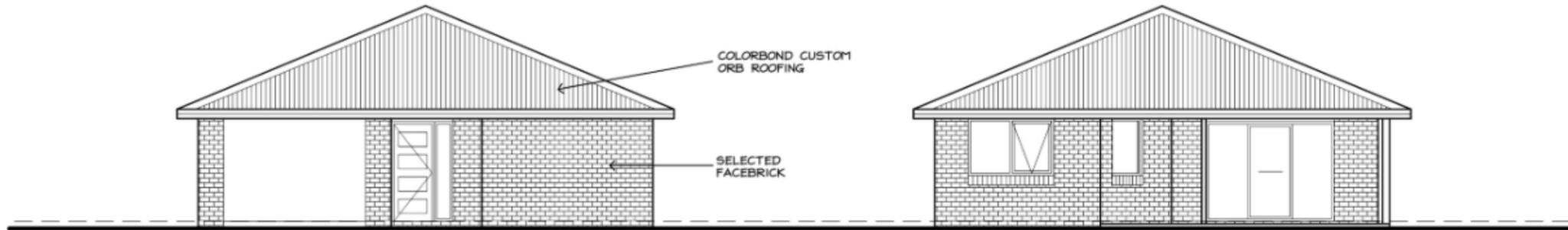
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of 20

8/11/2018 4:20:59 PM

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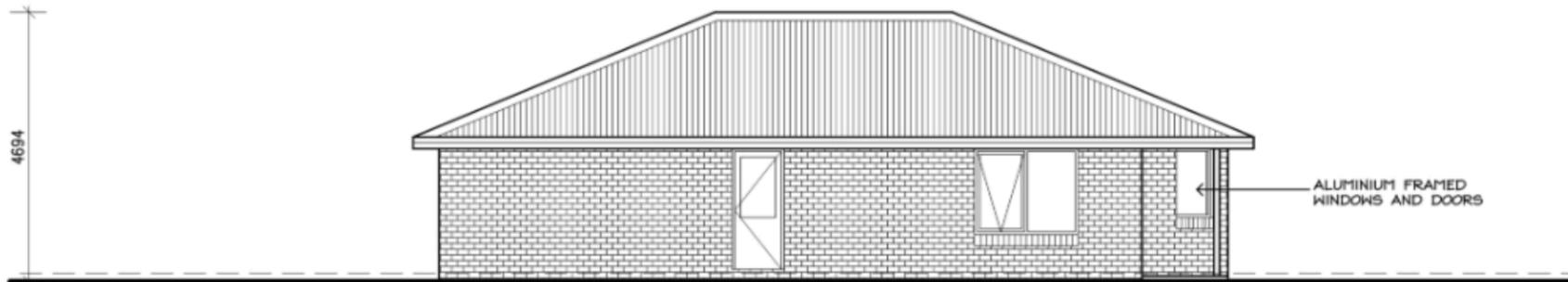


**SOUTH ELEVATION**  
EAST ELEVATION UNIT 14



**WEST ELEVATION**  
SOUTH ELEVATION UNIT 14

**EAST ELEVATION**  
NORTH ELEVATION UNIT 14



**NORTH ELEVATION**  
WEST ELEVATION UNIT 14



**Steven Penton  
Building Design**  
Accreditation: CC491K  
PO Box 1218 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	01	PRELIMINARY	17-09-2018
	02	PRE PLANNING	08-11-2018

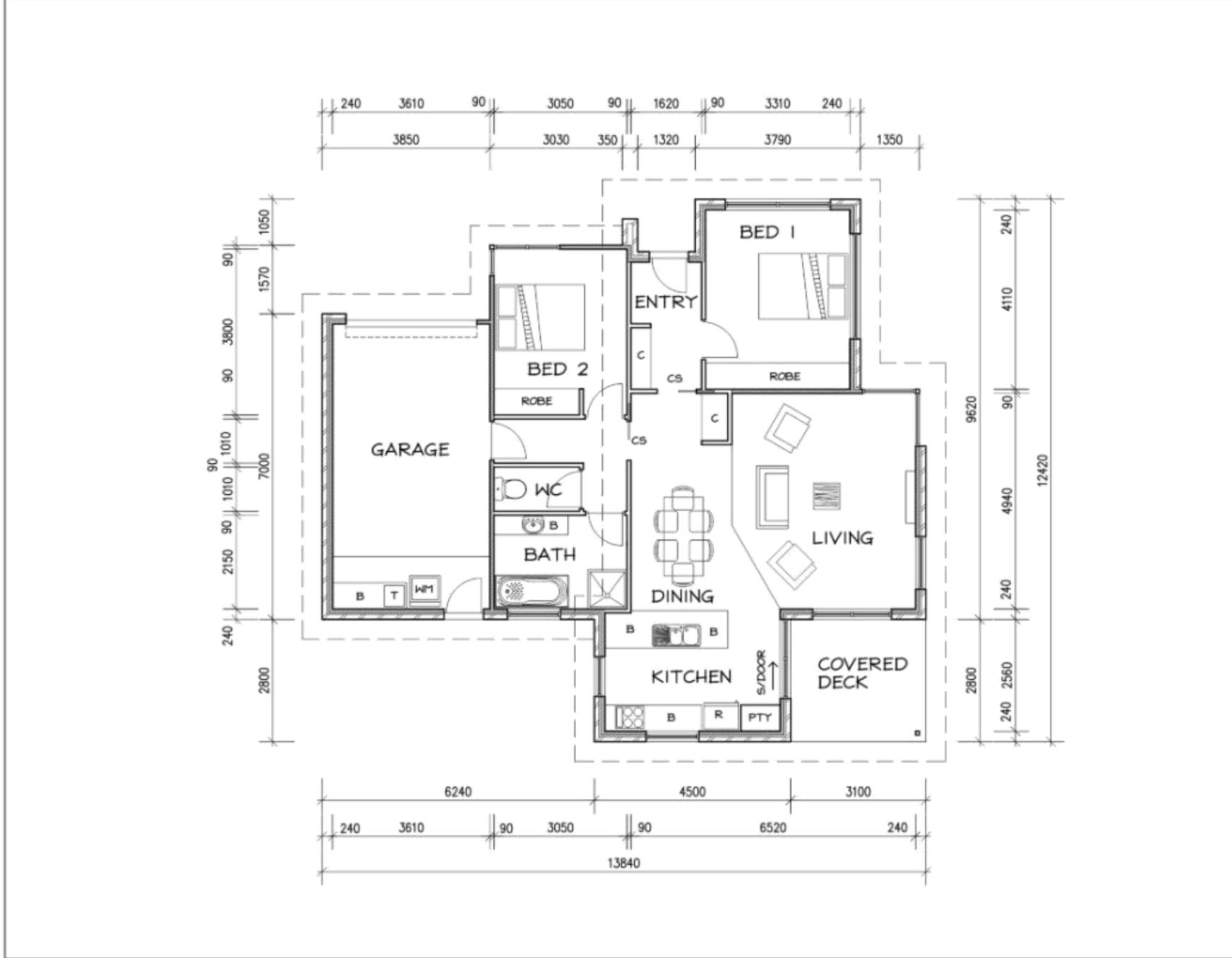
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 14, 15, 16 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

Revision: **02** Drawing No.: **14**  
of 20

8/11/2018 4:20:59 PM

Notes:  
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**Steven Penton  
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Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Date	Description
01	17-09-2016	PRELIMINARY
02	08-11-2018	PRE PLANNING

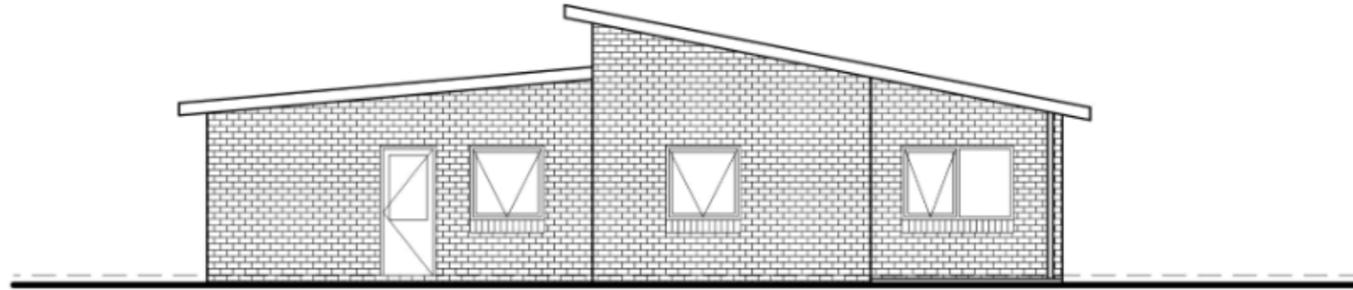
**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Units 11, 12, 16 Floor Plan

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

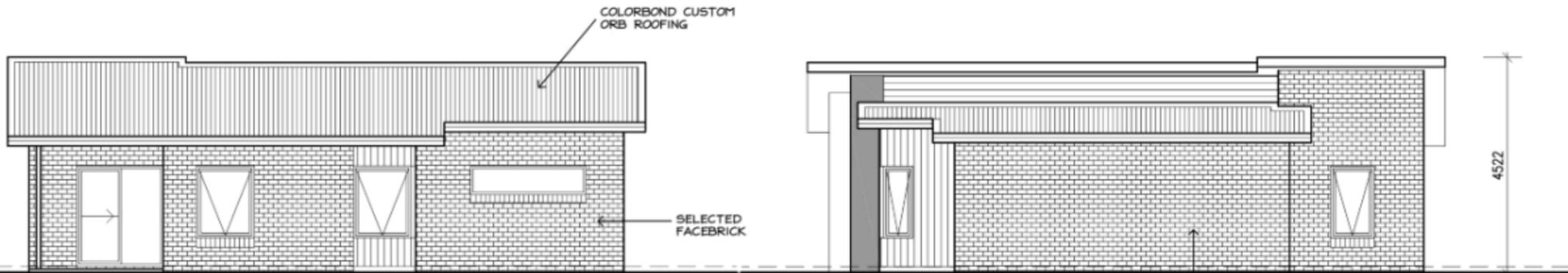
Revision: **02** Drawing No.: **15**  
of 20

8/11/2018 4:21:01 PM

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.

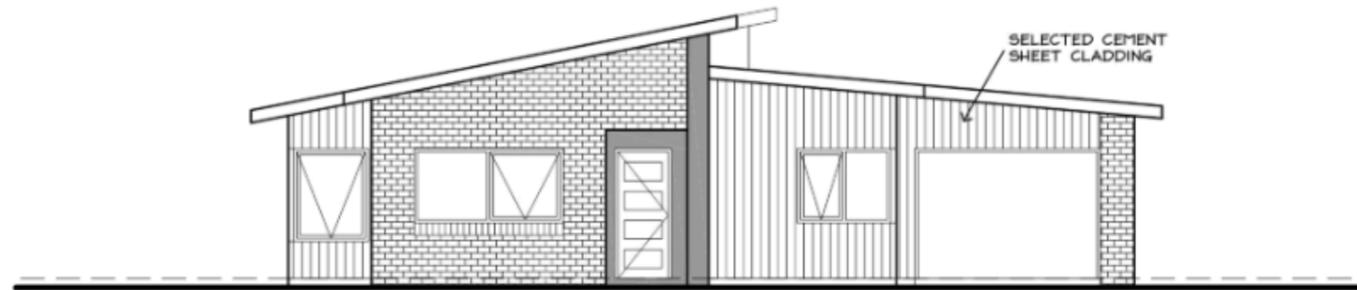


SOUTH ELEVATION



EAST ELEVATION

WEST ELEVATION



NORTH ELEVATION



Steven Penton  
Building Design  
Accreditation: CC491K  
PO Box 1218 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

17-09-2018	08-11-2018
01 PRELIMINARY	02 PRE PLANNING

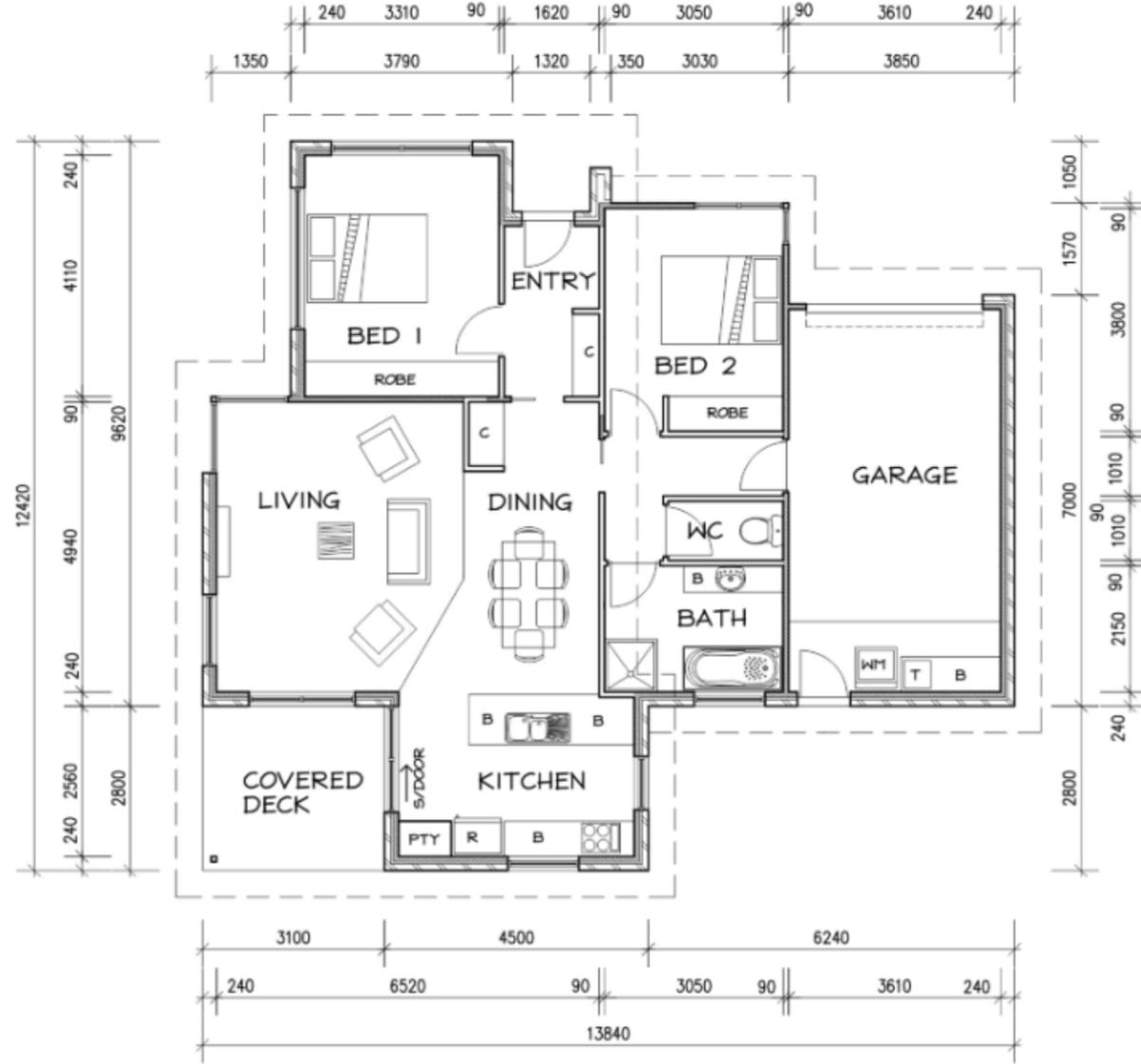
Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Units 11,12,18 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

Revision: 02 Drawing No.: 16 of 20

8/11/2018 4:21:01 PM

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



Steven Penton  
Building Design  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Description	Date
01	PRELIMINARY	17-09-2018
02	PRE PLANNING	08-11-2018

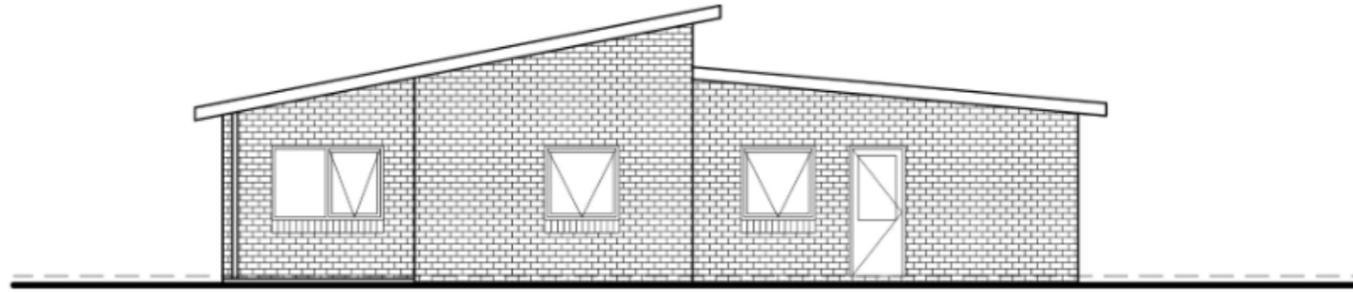
Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Units 10,17 Floor Plan

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

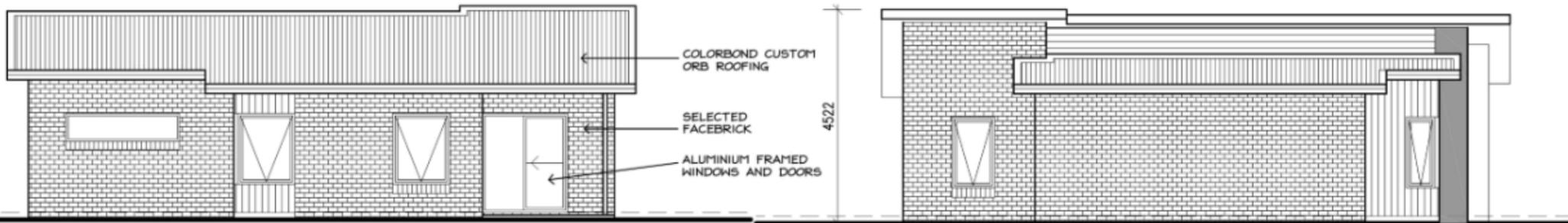
Revision: 02  
Drawing No.: 17 of 20

8/11/2018 4:21:03 PM

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.

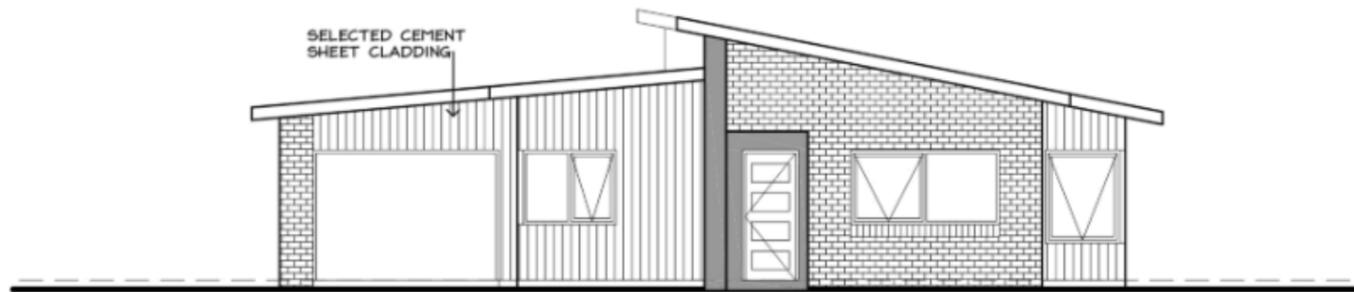


SOUTH ELEVATION



WEST ELEVATION

EAST ELEVATION



NORTH ELEVATION



Steven Penton  
Building Design  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

17-09-2018	08-11-2018
01	02
PRELIMINARY	PRE PLANNING

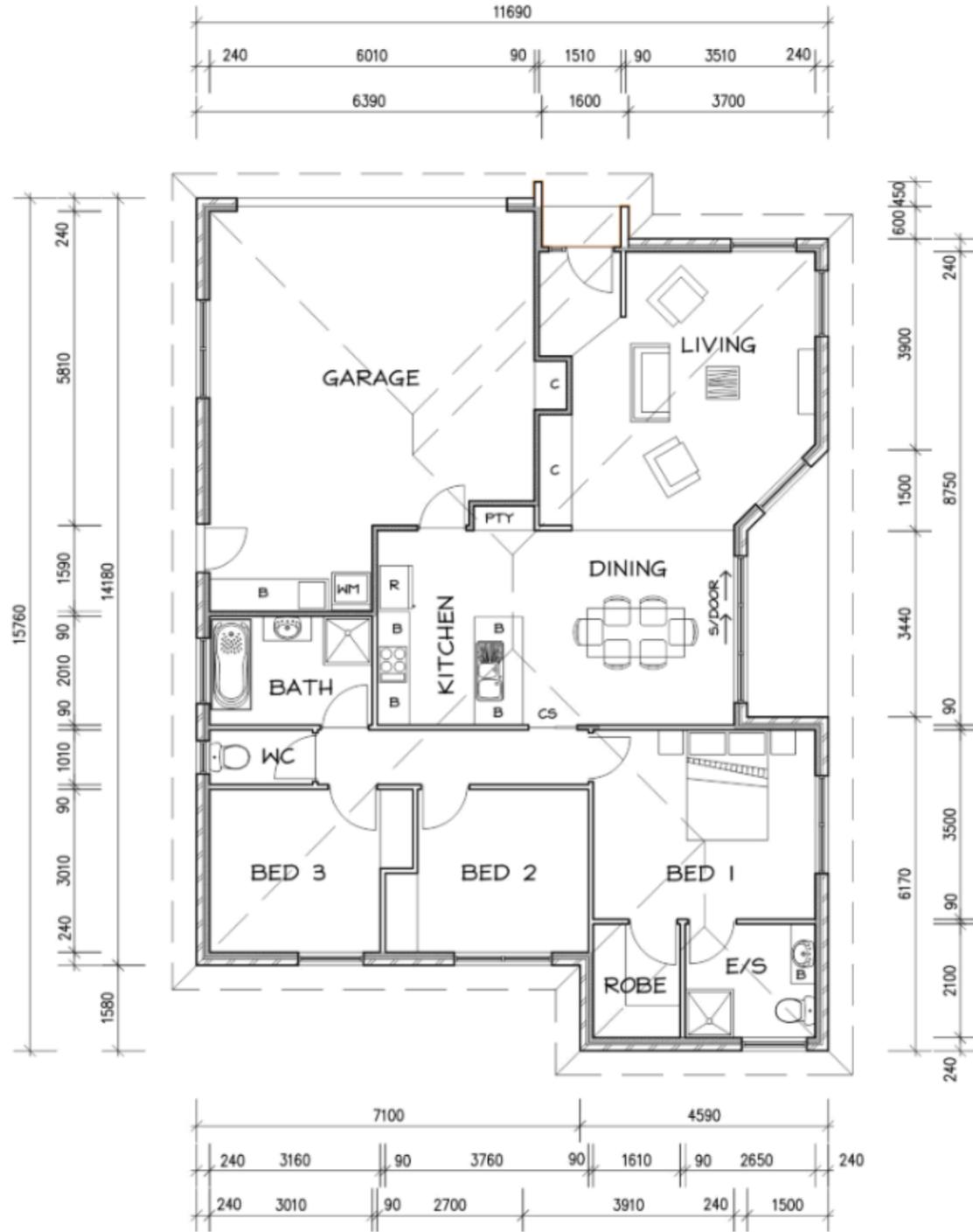
Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Units 10,17 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

Revision: 02  
Drawing No.: 18 of 20

8/11/2018 4:21:03 PM

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



**Steven Penton  
Building Design**  
Accreditation: CC491K  
PO Box 128 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

Revision:	Date	Description
01	17-09-2018	PRELIMINARY
02	08-11-2018	PRE PLANNING

**Proposed Unit Development**  
169 Steele Street  
Devonport  
**KCB Developments**  
Unit 19 Floor Plan

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

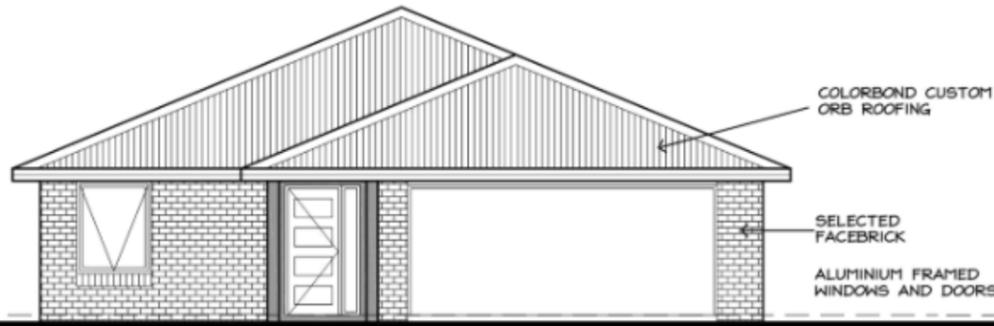
Revision: **02**  
Drawing No.: **19**  
of 20

8/11/2018 4:21:05 PM

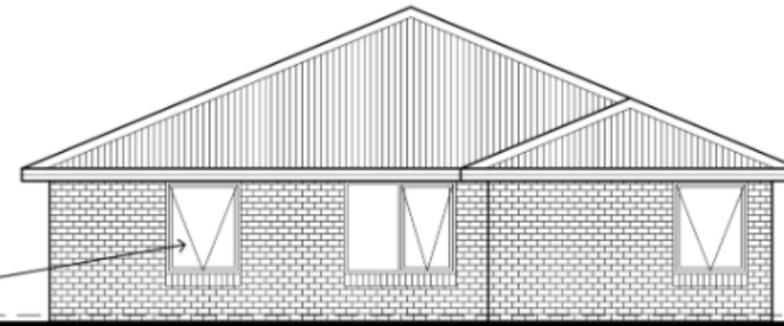
Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



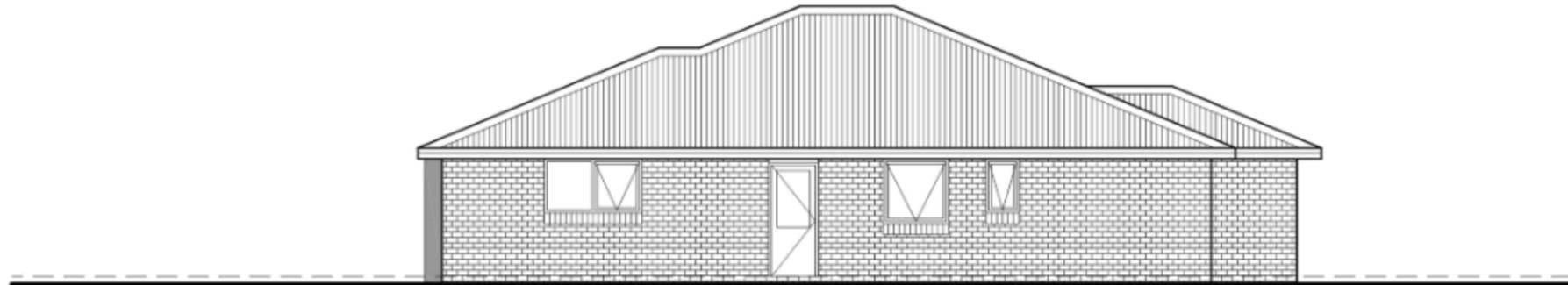
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



Steven Penton  
Building Design  
Accreditation: CC491K  
PO Box 1218 Devonport  
Tasmania 7310  
6428 6634  
ABN - 84 530 588 051

17-09-2018					
08-11-2018					
01	PRELIMINARY				
02	PRE PLANNING				

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Unit 19 Elevations

Project No.:  
1819-05  
Drawn:  
Penton  
Scale at A3:  
1:50

Revision: 02  
Drawing No.: 20 of 20



NO.	DATE	DESCRIPTION

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Site Plan

Project No: 884-26  
Client: Perdon  
Scale: A1:  
1:200  
Revision: 02  
Drawing No: 02  
of 20



Note:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.

Note:  
ALL OPENINGS ARE TO BE COVERED IN VHS  
BY BALCONY PRIOR TO LIFTING HERE.

STEELE STREET



AREAS		
TOTAL SITE AREA	=8895 m2	100 %
TOTAL UNIT AREAS	=2780 m2	31.2 %
TOTAL SEALED AREAS	=2,900 m2	32.6 %
TOTAL PERVIOUS AREAS	=3,215 m2	36.2 %



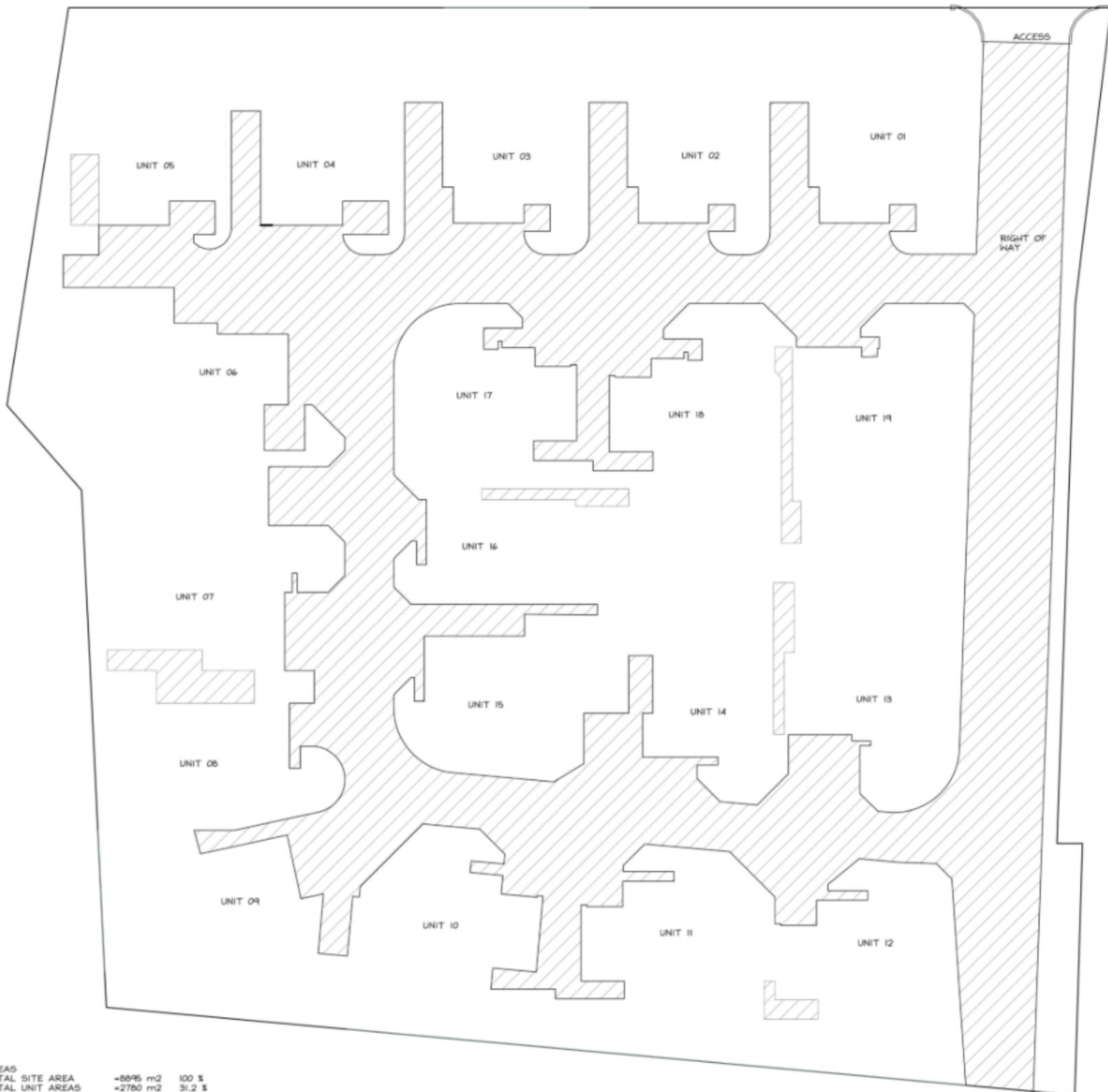
Revisions			
01	Issue	01	01/01/2018
02	Revised	02	01/01/2018

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Unit Areas

Project No.: 894-25  
System:  
Steven Perdon  
Scale of A1:  
1:200  
Revision: 02  
Drawing No.: 04a  
of 20

Note:  
ALL OPENINGS ARE TO BE CLOSED IN VUE  
BY BOLTER PRIOR TO LIFTING HERE.

STEELE STREET



AREAS		
TOTAL SITE AREA	=8895 m <sup>2</sup>	100 %
TOTAL UNIT AREAS	=2780 m <sup>2</sup>	31.2 %
TOTAL SEALED AREAS	=2,900 m <sup>2</sup>	32.6 %
TOTAL PERVIOUS AREAS	=3,215 m <sup>2</sup>	36.2 %



Revision	Description	Date
01	Issue for	01/08/2018
02	Issue for	01/08/2018

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Paved Areas

Project No.: 894-25  
System:  
Perdon  
Scale of A1:  
1:200  
Revision: Drawing No.:  
02 04b  
of 20

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY HOLDER PRIOR TO COMMENCEMENT.



Steven Perkin  
Building Design  
Accreditation: CC601K  
100 St. John Street  
Devonport TAS  
6428 6604  
404 - 84 330 988 041

DATE	BY	CHK	REV
11.01.2018	SA-L		
14.1.2018			

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
Shadows

Project No.:  
894-05  
Steven Perkin  
Scale of All:  
1:200

Revision: Drawing No.:  
02 01s  
of 20

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



REVISION	DATE	BY	DESCRIPTION

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
4,000 sqm Shadous

Project No:  
874-05  
Steven Perton  
Scale of A1:  
1:200

Revision: 02 Drawing No:  
**02s**  
of 20

Notes:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



  
 Steven Perkin  
 Building Design  
 Accreditation: CD091K  
 70 St. Hill Devonport  
 Tasmania 7500  
 6428 6604  
 081 - 24 522 588 04

DATE	DESCRIPTION
14.01.2018	01 - 01
14.01.2018	02 - 02
14.01.2018	03 - 03
14.01.2018	04 - 04
14.01.2018	05 - 05
14.01.2018	06 - 06
14.01.2018	07 - 07
14.01.2018	08 - 08
14.01.2018	09 - 09
14.01.2018	10 - 10
14.01.2018	11 - 11
14.01.2018	12 - 12
14.01.2018	13 - 13
14.01.2018	14 - 14
14.01.2018	15 - 15
14.01.2018	16 - 16
14.01.2018	17 - 17
14.01.2018	18 - 18
14.01.2018	19 - 19

Proposed Unit Development  
 169 Steele Street  
 Devonport  
 KCB Developments  
 12.00 pm Shadow

Project No.:  
 874-05  
 Steven Perkin  
 Scale of A1:  
 1:200

Revision: 02 Drawing No.: 03s of 20

Note:  
ALL DIMENSIONS ARE TO BE CHECKED ON SITE  
BY BUILDER PRIOR TO COMMENCING WORK.



DATE	11.01.2018
BY	SA-JDM
CHK	SA-JDM
REV	

Proposed Unit Development  
169 Steele Street  
Devonport  
KCB Developments  
3.00 pm Shadows

Project No.:  
874-05  
Steven Perton  
Scale of A1:  
1:200

Revision: Drawing No.:  
02 04s  
of 20



## Submission to Planning Authority Notice

Council Planning Permit No.	PA2018.0186	Council notice date	17/12/2018
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2018/02068-DCC	Date of response	24/12/2018
TasWater Contact	Phil Papps	Phone No.	(03) 6237 8246
<b>Response issued to</b>			
Council name	DEVONPORT COUNCIL		
Contact details	council@devonport.tas.gov.au		
<b>Development details</b>			
Address	169 STEELE ST, DEVONPORT	Property ID (PID)	2258654
Description of development	19 residential homes		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Steven Penton Design	Site Plan / 02	02	08/11/2018
<b>Conditions</b>			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
<b>DEVELOPMENT ASSESSMENT FEES</b>			
3. The applicant or landowner as the case may be, must pay a development assessment fee of \$675.71 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.			
<b>Advice</b>			
<b>General</b>			
For information on TasWater development standards, please visit <a href="http://www.taswater.com.au/Development/Development-Standards">http://www.taswater.com.au/Development/Development-Standards</a>			
For application forms please visit <a href="http://www.taswater.com.au/Development/Forms">http://www.taswater.com.au/Development/Forms</a>			
<b>Service Locations</b>			
Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. The location of TasWater infrastructure as shown on the GIS is indicative only.			
<ul style="list-style-type: none"> <li>A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater</li> </ul>			



- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

#### Declaration

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

#### Authorised by

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

**Jason Taylor**  
Development Assessment Manager

#### TasWater Contact Details

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

## **4.0 CLOSURE**

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

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