

PLANNING AUTHORITY COMMITTEE - 12 MAY 2025 ATTACHMENTS

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

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Tasmanian Planning Scheme - Devonport

Application for Planning Permit

Use or Development Site

Street Address: 12 Zara Court, Stony Rise 7310

Certificate of Title Reference No.: CT 186062/7

Applicant's Details

Full Name/Company Name: Tina Payne (TP ADMIN)

Postal Address: PO Box 901, Launceston Tas 7250

Telephone: 0476 064 832

Email: tinapayne@netspace.net.au

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

Full Name/Company Name: _____

Bellroy Developments Pty Ltd

Postal Address: PO Box 218, Sheffield 7306

Telephone: 0488 333 640 (Luke Davies)

Email: luke@daviesconstruction.com.au



ABN: 47 611 446 016

PO Box 604

137 Rooke Street

Devonport TAS 7310

Telephone 03 6424 0511

www.devonport.tas.gov.au

council@devonport.tas.gov.au

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

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: _____

Proposes Storage Unit Development

Description of how the use will operate: _____

Refer to attached architectural plans - storage facility

Use Class (Office use only): _____

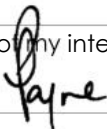
Applications may be lodged by email to Council - council@devonport.tas.gov.au
The following information and plans must be provided as part of an application unless the planning authority is satisfied that the information or plan is not relevant to the assessment of the application:

Application fee	
Completed Council application form	
Copy of the current certificate of title, including title plan and schedule of easements	
Any written permission and declaration of notification required under s.52 of LUPAA	
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:	
• The existing and proposed use(s) on the site	
• The boundaries and dimensions of the site	
• Topography including contours showing AHD levels and major site features	
• Natural drainage lines, watercourses and wetlands on or adjacent to the site	
• Soil type	
• Vegetation types and distribution including any known threatened species, and trees and vegetation to be removed	
• The location, capacity and connection point of any existing services and proposed services	
• The location of easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing and proposed buildings on the site	
• The location of existing adjoining properties, adjacent buildings and their uses	
• Any natural hazards that may affect use or development on the site	
• Proposed roads, driveways, parking areas and footpaths within the site	
• Any proposed open space, common space, or facilities on the site	
• Proposed subdivision lot boundaries (where applicable)	
• Details of any proposed fencing	
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:	
• Setbacks of buildings to property (title) boundaries	
• The internal layout of each building on the site	
• The private open space for each dwelling	
• External storage spaces	
• Parking space location and layout	
• Major elevations of every building to be erected	
• The relationship of the elevations to existing ground level, showing any proposed cut or fill	
• Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites	
• Materials and colours to be used on roofs and external walls	
Details of any signage proposed	

Value of use and/or development\$ 1,000,000.00

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

If land is not in applicant's ownership

I, Tina Payne of TP ADMIN declare that the owner/s of the land has/have been notified of my intention to make this application.Applicant's signature:  Date: 06/03/2025

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: Not Applicable Date:

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

Signature

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

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

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

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

Applicant's signature:  Date: 06/03/2025**PRIVACY ACT**The personal information requested on this form is being collected by Council for processing applications under the *Land Use Planning and Approvals Act 1993* and will only be used in connection with the requirements of this legislation. Council is to be regarded as the agency that holds the information.

Fee & payment options**DD****Pay by Direct Deposit** – BSB: 067-402 Account No. 000 000 13 – Please quote your application number.**Pay in Person at Service Tasmania** – Present this notice to any Service Tasmania Centre, together with your payment. See www.service.tas.gov.au for opening hours.**Pay by Phone** – Please contact the Devonport City Council offices on 64240511 during office hours, Monday to Friday.**Pay by Post** – Cheques should be made payable to Devonport City Council and posted to PO Box 604, Devonport, Tasmania, 7310.

AUTHORITY TO ACT CONSENT FORM

Development: Proposed Storage Unit Development

Address: 12 Zara Court
Stony Rise 7310

Certificate of Title: CT 186062/7
Landowner(s): Bellroy Developments Pty Ltd

Please accept this consent form as confirmation Tina Payne of TP ADMIN is authorised to act on our behalf, to communicate with all parties associated with this development and be provided with information and documentation relevant to this property and project submissions.

All fees and charges relating to this development will be the responsibility of the undersigned. Should there be any query relating to this matter please contact us to discuss.

Signed



Luke Davies, on behalf of Bellroy Developments Pty Ltd
PO Box 218,
SHEFFIELD 7306
Email: luke@daviesconstruction.com.au
Mobile: 0488 333 640

Dated: 24 Jun 2024

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 186062	FOLIO 7
EDITION 2	DATE OF ISSUE 13-Jul-2024

SEARCH DATE : 06-Mar-2025

SEARCH TIME : 12.27 PM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 7 on Sealed Plan 186062

Derivation : Part of Lot 294, 500 Acres Gtd. to C. S. Button

Prior CT 176742/50

SCHEDULE 1

C904747 TRANSFER to BELLROY DEVELOPMENTS PTY LTD Registered
13-Jul-2024 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP186062 EASEMENTS in Schedule of Easements

SP186062 FENCING PROVISION in Schedule of Easements

SP176742 FENCING PROVISION in Schedule of Easements

SP120917 FENCING COVENANT in Schedule of Easements

SP120917 SEWERAGE AND/OR DRAINAGE RESTRICTION

SP120917 SEPTIC TANK NOTIFICATION

N195488 MORTGAGE to Murdoch Clarke Mortgage Management
Limited Registered 13-Jul-2024 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

"Priority Final Plan"

OWNER: MONEE PTY LTD FOLIO REFERENCE: GRANTEE: PART OF LOT 294, 500 ACRES GTD TO CHARLES STAMMERS BUTTON	PLAN OF SURVEY BY SURVEYOR: PAUL HODGETTS of MICHELL HODGETTS SURVEYORS Po.Box 712 DEVONPORT, 7310 LOCATION: CITY OF DEVONPORT SCALE 1:2000 LENGTHS IN METRES	Registered Number SP 186062 APPROVED EFFECTIVE FROM 1.4 DEC 2023 Recorder of Titles
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ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

The diagram shows a survey plan with 28 numbered lots. Lot areas are provided in square meters (m²) or hectares (ha). Key features include:

- Roads:** 100. ROAD, MARCONI COURT.
- Easements:** DRAINAGE EASEMENT 'F' VARIABLE WIDTH (SP176742), WAYLEAVE, VARIABLE EASEMENT, VARIABLE WIDTH (SP176742).
- Public Open Space:** Located at the bottom right.
- Other Labels:** STONY RISE, (P140388), (D23700), (P113718), (101) (SP176742).
- References:** SEE ANNEXURE SHEET 1, SEE ANNEXURE SHEET 2.

Registered Land Surveyor

21/09/2023

Date

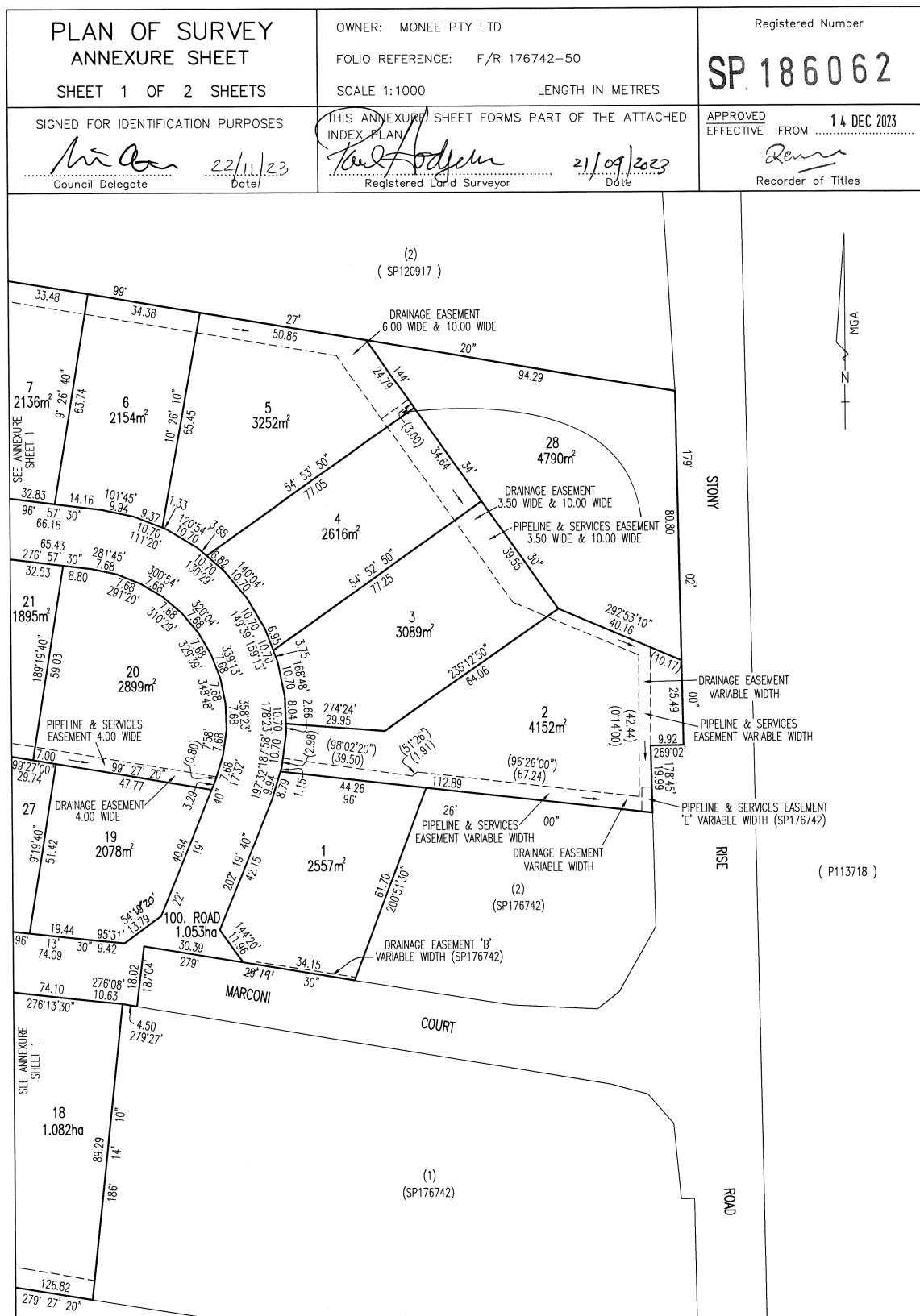
Council Delegate



FOLIO PLAN

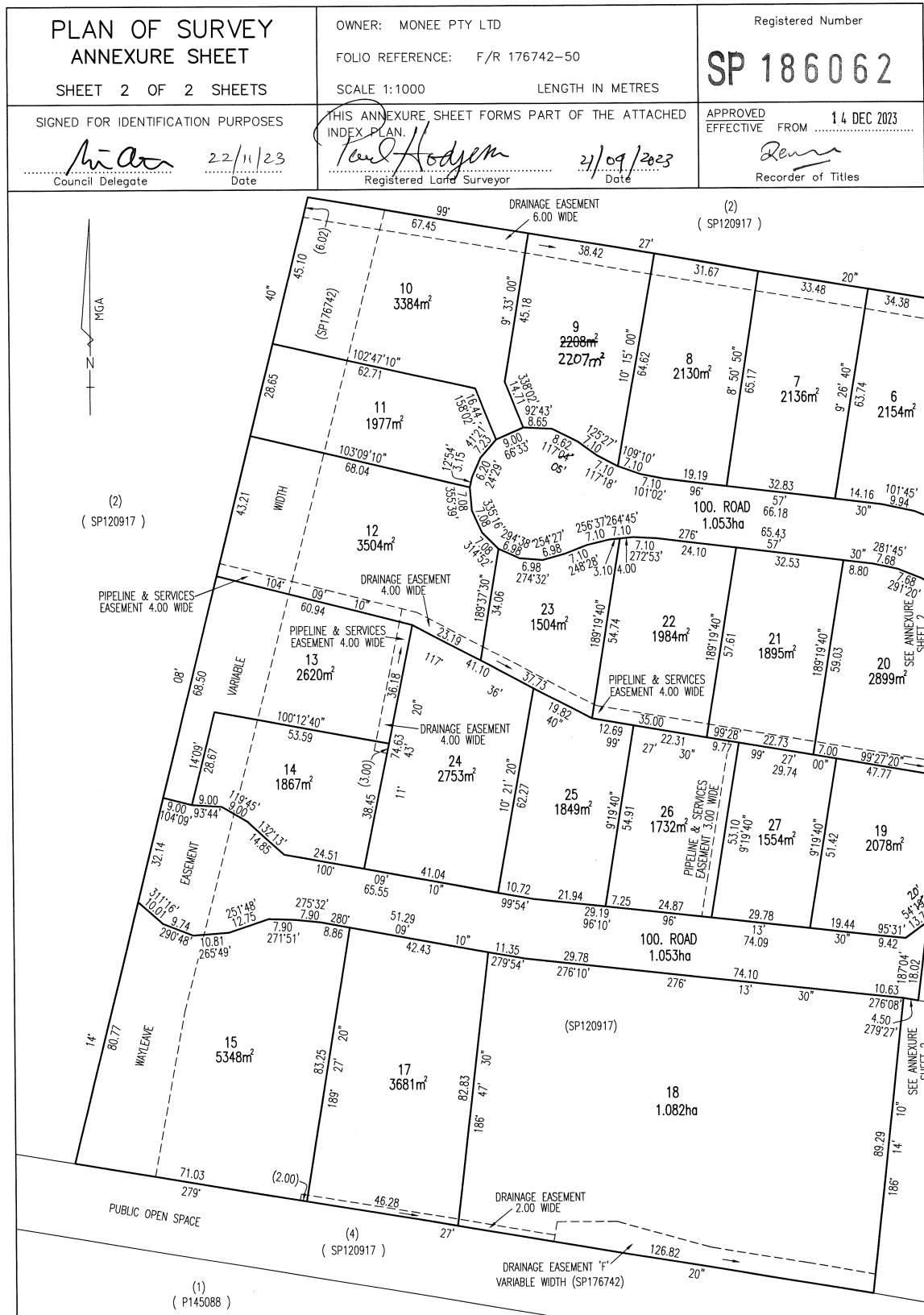
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



**FOLIO PLAN****RECORDER OF TITLES**

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 186062

PAGE 1 OF 5 PAGES

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

Easements

Lot 1 on the plan is subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 'B' VARIABLE WIDTH (SP176742) passing through that lot on the plan

Lot 2 on the plan is subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT VARIABLE WIDTH passing through that lot on the plan

Lot 2 on the plan is subject to a Pipeline and Services Easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT VARIABLE WIDTH ("the Easement Land") passing through that lot on the plan

Lot 2 on the plan is subject to a Pipeline and Services Easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 'E' VARIABLE WIDTH (SP176742) ("the Easement Land") passing through that lot on the plan

Lot 3 on the plan is subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 3.50 WIDE & 10.00 WIDE passing through that lot on the plan

Lot 3 on the plan is subject to a Pipeline and Services Easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 3.50 WIDE & 10.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 4 on the plan is subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 10.00 WIDE passing through that lot on the plan

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Monee Pty Ltd FOLIO REF: 176742/50 SOLICITOR & REFERENCE: Blackwood Beattie Legal ABB 23-038	PLAN SEALED BY: Devonport City Council DATE: 22/11/23 PA2022.0034 REF NO.	 Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.		

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 5 PAGES	Registered Number SP 186062
SUBDIVIDER: Monee Pty Ltd FOLIO REFERENCE: 176742/50	

Lots 4 & 5 on the plan are subject to a Pipeline and Services Easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 10.00 WIDE ("the Easement Land") passing through those lots on the plan

Lot 5 on the plan is subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 6.00 WIDE & 10.00 WIDE passing through that lot on the plan

Lots 6, 7, 8, 9 & 10 on the plan are subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 6.00 WIDE passing through those lots on the plan

~~\$ 100~~
 Lots 10, 11, 12, 13, 14 & 15 on the plan are subject to a Wayleave Easement as defined herein (in favour of TasNetworks) over the land marked WAYLEAVE EASEMENT VARIABLE WIDTH (SP176742) passing through those lots on the plan

Lots 12, 13, 14, 20, 21, 22 & 23 on the plan are subject to a Pipeline and Services Easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 4.00 WIDE ("the Easement Land") passing through those lots on the plan

Lots 12, 13, 14, 20, 21, 22 & 23 on the plan are subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 4.00 WIDE passing through those lots on the plan

Lots 15, 17 & 18 on the plan are subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 2.00 WIDE passing through those lots on the plan

Lot 18 on the plan is subject to a right of drainage in gross in favour of Devonport City Council over the land marked DRAINAGE EASEMENT 'F' VARIABLE WIDTH (SP176742) passing through that lot on the plan

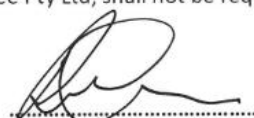
Lot 26 on the plan is subject to a Pipeline and Services Easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE & SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

Fencing Provision

In respect to the lots on the plan the Vendor, Monee Pty Ltd, shall not be required to fence.



Director
Monee Pty Ltd



Director

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

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 5 PAGES	Registered Number SP 186062
SUBDIVIDER: Monee Pty Ltd FOLIO REFERENCE: 176742/50	

Definitions

"Pipeline and Services Easement" is defined as follows:-

FIRSTLY, THE FULL AND FREE RIGHT AND LIBERTY for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:

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

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects,

.....
Director

Monee Pty Ltd

.....
Director

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SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 5 PAGES	Registered Number SP 186062
SUBDIVIDER: Monee Pty Ltd FOLIO REFERENCE: 176742/50	

vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described.

Interpretation:

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

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

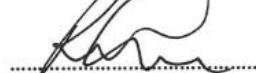
"TasWater" means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653), its successors and assigns.

"Wayleave Easement" is defined as follows:

FIRSTLY the full and free right and liberty for Tasmanian Networks Pty Ltd and its successors and its and their servants, agents, invitees and contractors ("TasNetworks") at all times:



 Director
 Monee Pty Ltd



 Director

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

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 5 PAGES	Registered Number SP. 186062
SUBDIVIDER: Monee Pty Ltd FOLIO REFERENCE: 176742/50	

- (a) To clear the lands marked "WAYLEAVE EASEMENT VARIABLE WIDTH (SP176742)" on the plan (described as "the servient land") and to lay, erect, construct, install, maintain, repair, modify, add to, replace, remove and operate in, upon, through, over, along and under the servient land the following:
Towers, poles, wires, cables, apparatus, appliances, and all other ancillary and associated equipment which includes telecommunication equipment (described collectively as "electricity infrastructure") for, or principally for, the transmission and distribution of electrical energy and for any incidental purposes.
- (b) To operate and maintain electricity infrastructure on the servient land.
- (c) To cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time:
- (i) Overhang, encroach upon or be in or on the servient land; or
 - (ii) Which may in the opinion of TasNetworks endanger or interfere with the proper operation of the electricity infrastructure.
- (d) To enter the servient land for all or any of the above purposes and to cross the remainder of the land with any and all necessary plant, equipment, machinery and vehicles for the purpose of access and egress to and from the servient land, and where reasonably practicable, in consultation with the registered proprietor/s (except when urgent or emergency repair work is needed).

SECONDLY the benefit of a convenient for TasNetworks and with the registered proprietor/s for themselves and their successors not to:

- (a) erect any building; or
- (b) place any structures, objects or vegetation;

within the servient land without the prior written consent of TasNetworks. TasNetworks may rescind their consent if in the opinion of TasNetworks there are safety, access or operational concerns.

Signed for and on behalf of Monee Pty Ltd (ACN)
076 603 748) pursuant to s127 of the Corporations)
Act 2001)

.....
Name: **CRAIG PETER BADLOCK**
Director

.....
Name: **RHYS GWYNNE CROPPER**
Director

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



PO Box 901, Launceston 7250
Mobile: 0476 064 832
Email: tinapayne@netspace.net.au

6 March 2025

Planning Department
Devonport City Council
137 Rooke Street
DEVONPORT TAS 7310

Dear Sir/Madam,

Re: Development Application – 12 Zara Court, Stony Rise (CT 186062/7)

This letter is prepared in support of a proposal for a storage unit development at the above property. Access to the development would be from Zara Court via a new extended crossover. The lot is zoned Light Industrial.

There are no existing buildings on the property. Building setbacks and construction details are identified on architectural plans.

The following documents form part of this application:

- Devonport City Council Development Application Form
- Title – Folio Text & Plan; Schedule of Easements
- Architectural Plan Set by Align – Cover; Sheets DA01-04, Dated 19/02/2025
- Detailed Survey Plan by PDA – Reference 51671-01, Dated 26/10/2023
- Authority to Act Consent – TP ADMIN acting as agent on behalf of Bellroy Developments Pty Ltd – Dated 24/06/2025

Should there be any query in relation to documentation provided or further information be required, I may be contacted on 0476 064 832 to discuss or alternatively email to tinapayne@netspace.net.au.

Yours sincerely,

Tina Payne
Administrative Consultant &
Accredited NatHERS Assessor



Thank you for choosing TP ADMIN

PROJECT INFORMATION

PROJECT NAME	ZARA COURT
ADDRESS	12 ZARA COURT STONY RISE TAS 7310
DESIGNER	JEREMY MILLINGTON - jeremy@align.build
TITLE REFERENCE	186062/7
PID	9914410
COUNCIL	DEVONPORT CITY COUNCIL
ZONE	LIGHT INDUSTRIAL
SOIL CLASS	M
WIND CLASS	M2
BAL	BAL - Not within Directors determination v1.2 16.07.2024
CORROSION ENVIRONMENT	TBC

ID	REV	NAME
		COVER
		SITE SURVEY
DA01	10	SITE PLAN
DA02	10	FLOOR PLAN
DA03	10	ROOF PLAN
DA04	10	ELEVATIONS



ZARA COURT
12 ZARA COURT STONY RISE TAS
7310



align[®]

Agenda PLANNING AUTHORITY COMMITTEE - 12 MAY 2025 ATTACHMENTS

REV	ISSUE	DATE
01	DEVELOPEMENT APPLICATION	21/08/2024
09	DEVELOPEMENT APPLICATION	19/02/2025
10	DEVELOPEMENT APPLICATION RFI	25/03/2025

DISCLAIMER

THIS DOCUMENT IS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS PROVIDED BY ALIGN AND ALL DOCUMENTS BY ALIGN AND DAVIES DESIGN & CONSTRUCTION. ALL INFORMATION AND TO VERIFY ALL INFORMATION IN THIS DOCUMENT. THE INFORMATION IS CONSIDERED TO BE FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND. THE INFORMATION IS PROVIDED FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND. THE INFORMATION IS PROVIDED FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND.

PROJECT
ZARA COURT
12 ZARA COURT STONY RISE TAS 7310

DATE
25/03/2025

NORTH

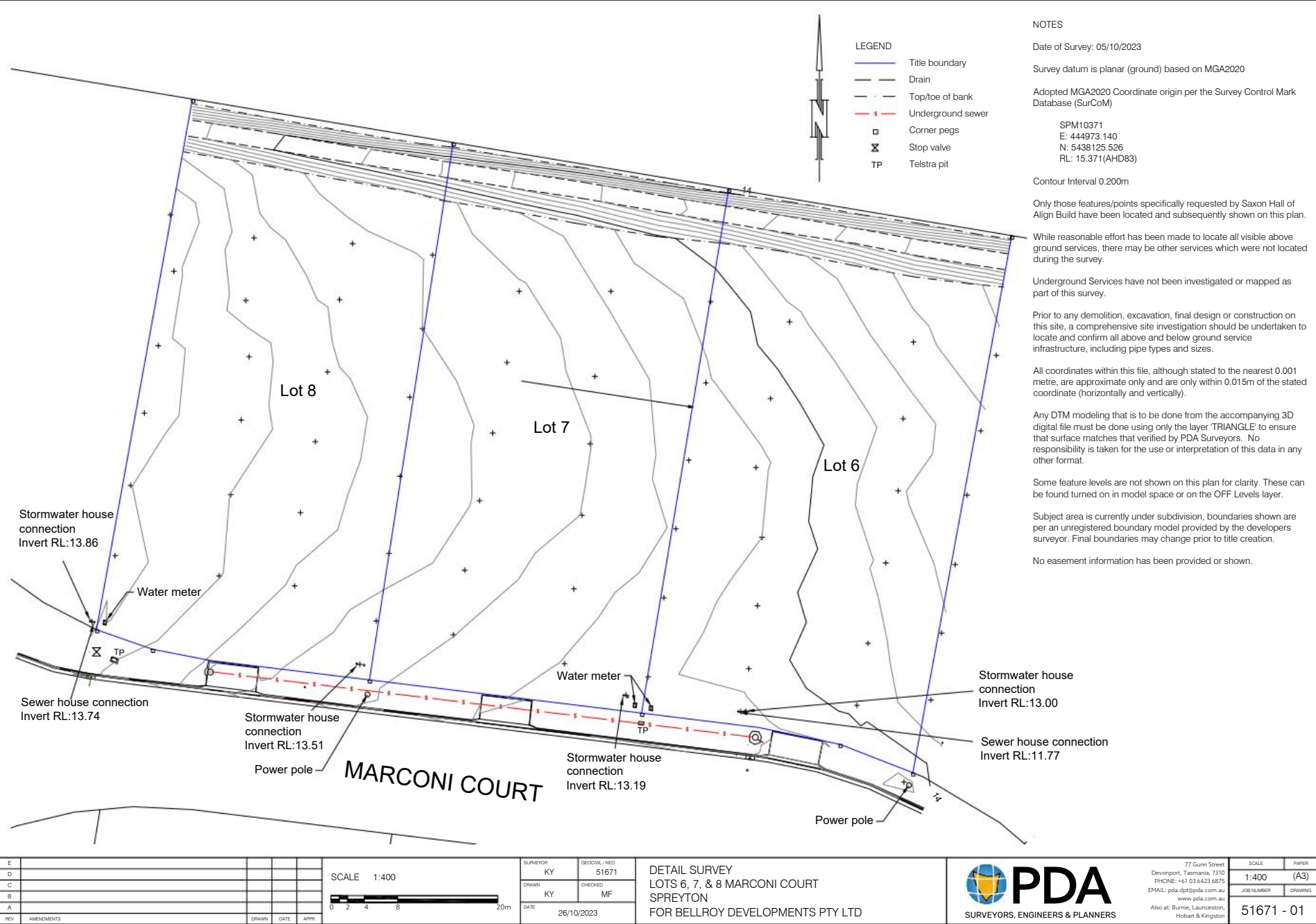
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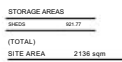
CLIENT
BELLROY DEVELOPMENT PTY LTD

CONTACT
jeremy@align.build

SCALE
@ A2

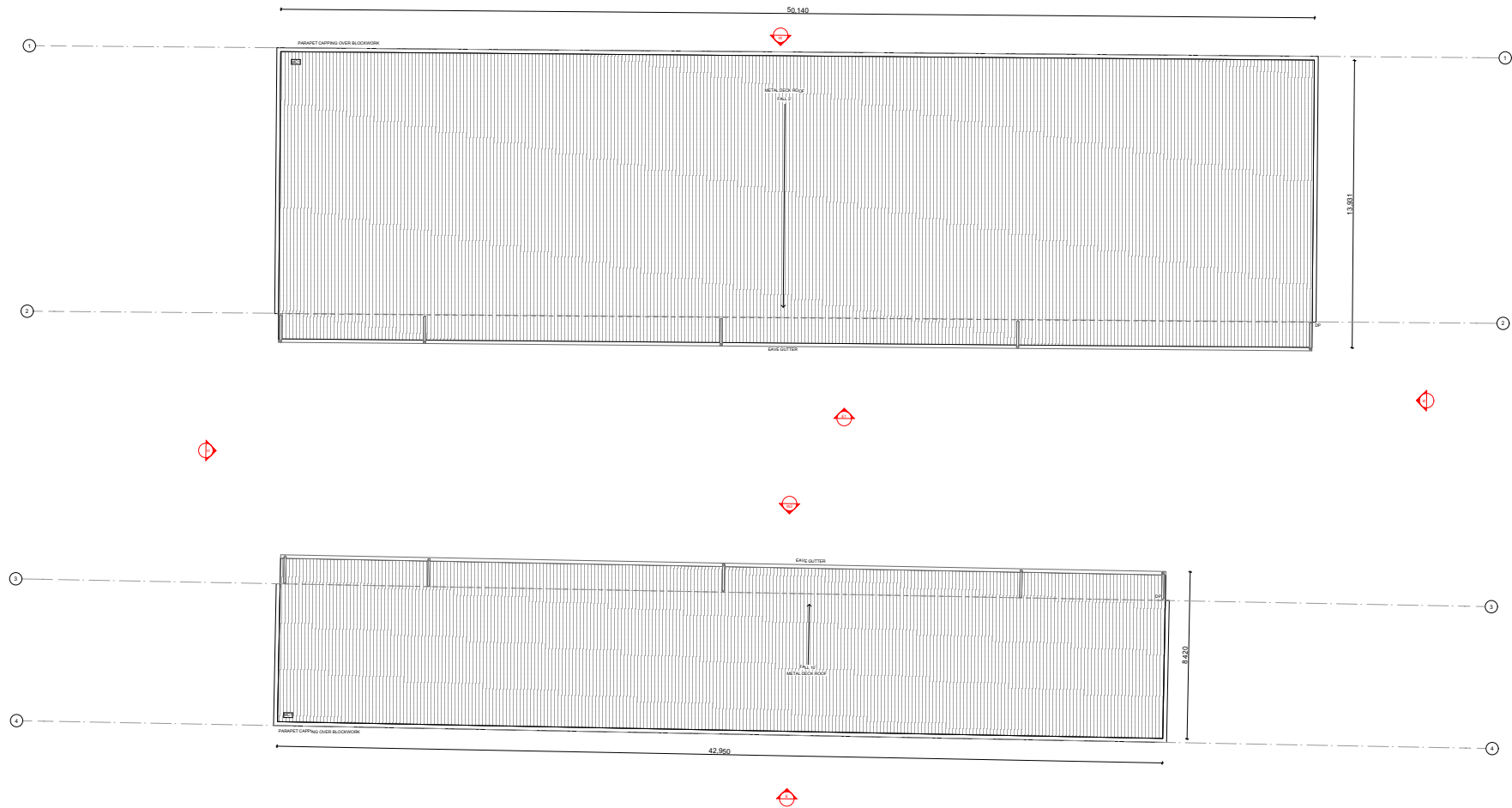
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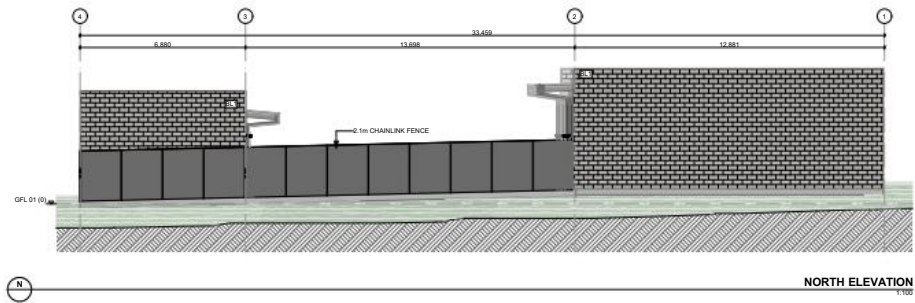
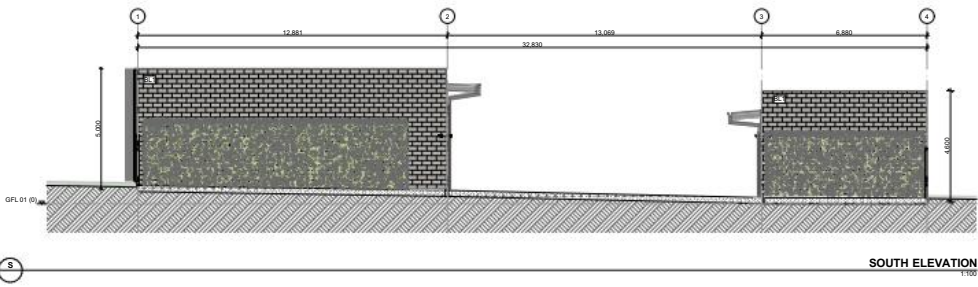
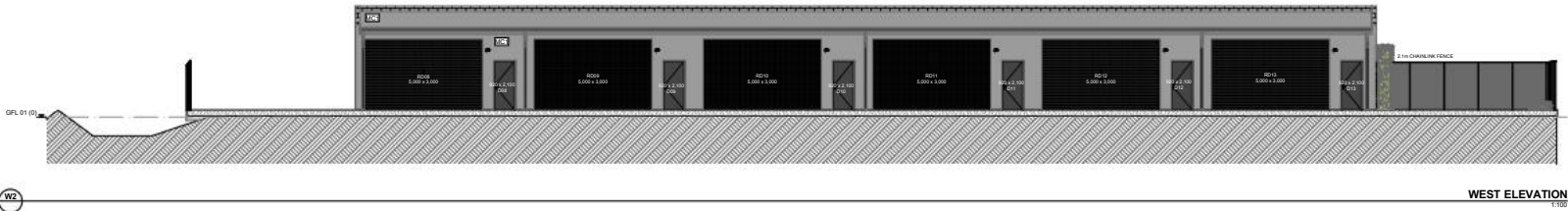
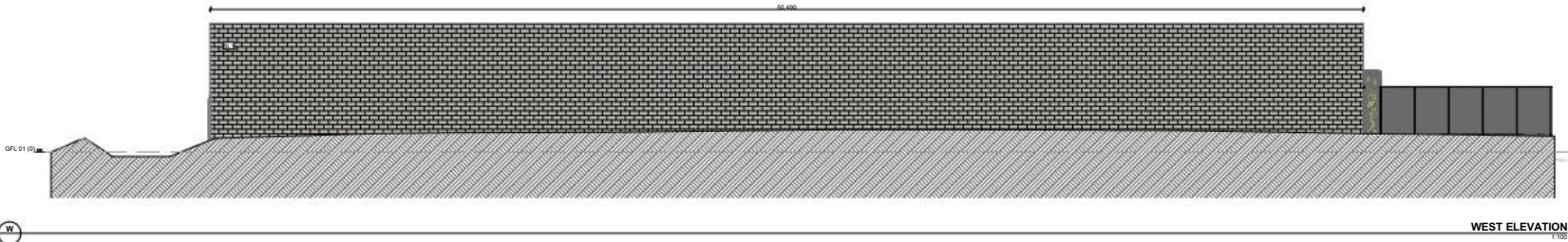
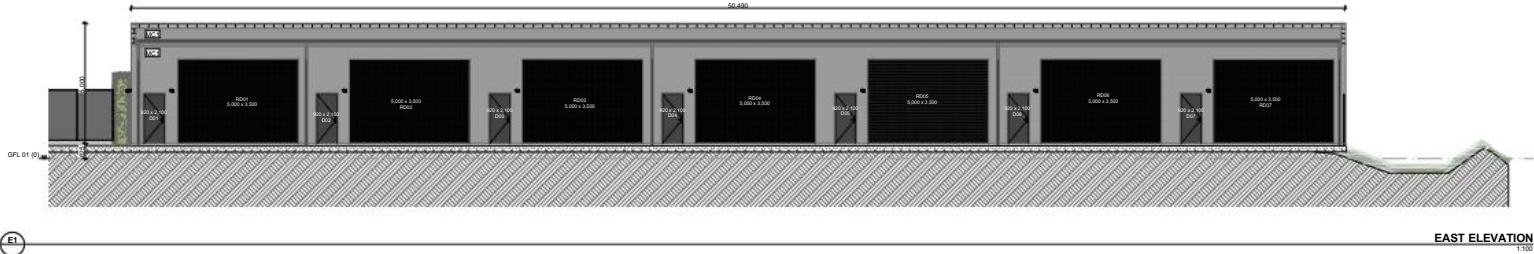






STORAGE AREAS	
SHEDS	925.77
(TOTAL)	
SITE AREA	2136 sqm





From: Mark Schmidt
Sent: Thursday, 17 April 2025 1:30 PM
To: townplanning@devonport.tas.gov.au
Subject: Representation Regarding Proposed Development Application No. PA2025.0037

To the Chief Executive Officer.

We wish to raise a concern regarding the proposed development at the above address. The site is located within an area that is known to be affected by overland flow during high-intensity rainfall events. Existing topographical features and drainage patterns indicate that the land naturally conveys surface runoff towards the lower portions of the subdivision, including Zara Court and adjacent lots.

The proposed construction of storage units on this parcel of land has the potential to obstruct an existing overland flow path. Without an appropriate flood assessment, there is a significant risk that redirecting or blocking this natural flow path could result in:

- Localised ponding or increased flood depths within the site;
- Increased flood risk to neighbouring lots, particularly those situated downslope;
- Disruption of natural drainage corridors that may have previously mitigated flood impacts;
- Potential non-compliance with Clause C12.0 – Flood-Prone Areas Hazard Code of the Tasmanian Planning Scheme.

Given these considerations, we strongly recommend that a qualified civil or hydraulic engineer undertake a flood impact assessment. This assessment should confirm the capacity of the site to manage overland flow without adversely affecting other properties, and determine appropriate mitigation measures if required.

The development should not proceed without clear evidence that it will not result in a deterioration of flood conditions for surrounding landowners.

Regards.

Mark Schimdt.



Submission to Planning Authority Notice

Application details

Council Planning Permit No.	PA2025.0037
Council notice date	25/03/2025
TasWater Reference No.	TWDA 2025/00280-DCC
Date of response	28/03/2025
TasWater Contact	Shaun Verdouw
Phone No.	0467 901 425

Response issued to

Council name	DEVONPORT COUNCIL
Contact details	townplanning@devonport.tas.gov.au

Development details

Address	12 ZARA CT, STONY RISE
Property ID (PID)	9914410
Description of development	Storage Development

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Issue date
Align + Davies	DA01-DA09	9	19/02/2025

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
NOTE: *Due to the fire coverage requirements, (hose reels &/or internal hydrant requirements) the water connection will need to be sized appropriately to handle the extra flows.*
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.

Tasmanian Water & Sewerage Corporation Pty Ltd
GPO Box 1393 Hobart, TAS 7001
development@taswater.com.au
ABN: 47 162 220 653

Page 1 of 2



3. Prior to commencing construction of the development, any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

DEVELOPMENT ASSESSMENT FEES

4. The applicant or landowner as the case may be, must pay a development assessment fee of \$403.51 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

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

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit

<https://www.taswater.com.au/building-and-development/development-application-form>

Developer Charges

For information on Developer Charges please visit the following webpage –

<https://www.taswater.com.au/building-and-development/developer-charges>

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

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

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Tasmanian Planning Scheme - Devonport

Application for Planning Permit

Use or Development Site

Street Address: 30 Mersey Main Road, Spreyton

Certificate of Title Reference No.: CT29811/1

Applicant's Details

Full Name/Company Name: Caine Langer

Postal Address: 30 Mersey Main Road, Spreyton 7310

Telephone: 0427 461 911

Email: caine@choicesupportplus.com.au

Please cc theresia@eqtownplanning.com.au

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

Full Name/Company Name: Mark Damon

Postal Address: 4 Elizabeth Street, Devonport

Telephone: _____

Email: mark@damonsigns.com



ABN: 47 611 446 016

PO Box 604

137 Rooke Street

Devonport TAS 7310

Telephone 03 6424 0511

www.devonport.tas.gov.au

council@devonport.tas.gov.au

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

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: Change of use to Educational and Occasional Care and Community Meeting and Entertainment (neighbourhood centre).

Description of how the use will operate: _____

The change of use is intended to provide a site for an NDIS support company, providing community activities for NDIS participants,

under the Community Meeting and Entertainment Use class.

The site will also provide a day respite centre for NDIS participants, under the Educational and Occasional care use class.

Additional information is attached.

Use Class (Office use only): _____

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

Application fee	
Completed Council application form	
Copy of the current certificate of title, including title plan and schedule of easements	
Any written permission and declaration of notification required under s.52 of LUPAA	
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:	
• The existing and proposed use(s) on the site	
• The boundaries and dimensions of the site	
• Topography including contours showing AHD levels and major site features	
• Natural drainage lines, watercourses and wetlands on or adjacent to the site	
• Soil type	
• Vegetation types and distribution including any known threatened species, and trees and vegetation to be removed	
• The location, capacity and connection point of any existing services and proposed services	
• The location of easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing and proposed buildings on the site	
• The location of existing adjoining properties, adjacent buildings and their uses	
• Any natural hazards that may affect use or development on the site	
• Proposed roads, driveways, parking areas and footpaths within the site	
• Any proposed open space, common space, or facilities on the site	
• Proposed subdivision lot boundaries (where applicable)	
• Details of any proposed fencing	
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:	
• Setbacks of buildings to property (title) boundaries	
• The internal layout of each building on the site	
• The private open space for each dwelling	
• External storage spaces	
• Parking space location and layout	
• Major elevations of every building to be erected	
• The relationship of the elevations to existing ground level, showing any proposed cut or fill	
• Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites	
• Materials and colours to be used on roofs and external walls	
Details of any signage proposed	

Value of use and/or development

\$ 0

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

If land is not in applicant's ownership

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

Applicant's signature: Caine Langer Date: 4/2/2024

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

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

~~General Manager's signature: _____ Date: _____~~

~~If the application involves land owned or administered by the Crown~~

~~Crown consent must be included with the application.~~

Signature

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

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

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

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

Applicant's signature: Caine Langer Date: 4/02/2025

PRIVACY ACT

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

Fee & payment options

DD

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



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



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



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

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 29811	FOLIO 1
EDITION 8	DATE OF ISSUE 03-Nov-2005

SEARCH DATE : 14-Feb-2025

SEARCH TIME : 11.56 AM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 1 on Diagram 29811

Being the land described in Conveyance No. 62/5361

Derivation : Part of Lot 377 Gtd to S Kelcey

Prior CT 4301/24

SCHEDULE 1

C627454 TRANSFER to MARK FERRIS DAMON Registered
03-Nov-2005 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

APPROVED <u>22 AUG 1986</u> <i>Anthony Hill</i> ACTING RECORDER OF TITLES	CONVERSION PLAN CONVERTED FROM 62/5361.	REGISTERED NUMBER D.29811
FILE NUMBER Y.6670.	GRANTEE PART OF LOT 377 640-0-0 STEPHEN KELCEY.	DRAWN B. HILL. 21-8-86

OS-K 2082

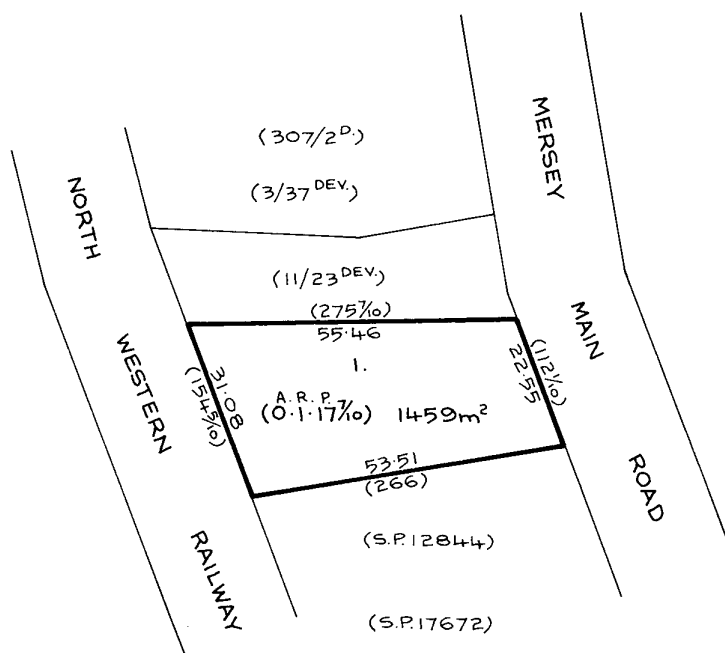
SKETCH BY WAY OF ILLUSTRATION ONLY

CITY/TOWN OF DEVONPORT.

~~LAND DISTRICT OF~~~~PARISH OF~~

LENGTHS ARE IN METRES. NOT TO SCALE.

LENGTHS IN BRACKETS IN LINKS/FEET & INCHES.



Equilibrium Town Planning

Development Application

Change of use -
Educational and Occasional Care &
Community Meeting and Entertainment, associated signage

30 Mersey Main Road
Spreyton
CT29811/1



0409 793 803
eqtownplanning.com.au
theresia@eqtownplanning.com.au
PO Box 3144, Burnie TAS 7320
ABN31020672578

Equilibrium Town Planning

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APPENDICES

Appendix A Land title

Equilibrium Town Planning

V2

7 March 2025

Change of use – Educational & Occasional Care and Community Meeting & Entertainment

Theresa Williams
0409 793 803
theresia@eqtownplanning.com.au

This statement has been prepared by Theresa Williams, urban and regional planner, RPIA, member of the Planning Institute of Australia, M SocSc (Env & Planning) and Bch Sc.

EXECUTIVE SUMMARY

It is proposed to change the use of 30 Mersey Main Road, Spreyton (CT29811/1, PID6385714) to a combined use of:

- Educational and Occasional Care; and
- Community Meeting and Entertainment (neighbourhood centre).

The use classes are Discretionary within the General Residential zone.

The proposal also includes a single ground based sign.

It is noted that this is a retrospective application.

The application relies upon compliance with the performance criteria in regard to cl.8.3.1 P4 (discretionary uses) and cl. C1.6.1 A2/P2 with the sign less than 2m from the front boundary. Clauses C2.5.1 P1.1, P1.2 and C2.5.2 P1 are also triggered. These provisions are addressed in detail in the body of this report.

The property is situated on a State Growth managed road, however access is existing (and proposed) from the Council road portion to the north of the property.

The site is intended to contain an NDIS support company. The proposed use:

- will provide community activities for NDIS participants, as required under their NDIS support plan. As such, this use is considered to provide community and social services for the surrounding area and fits within the definition of the Community and Entertainment use class.
- is intended to provide a day respite centre for persons with disabilities, as per the Educational and Occasional Care use class.
- the site also contains a kitchen which is utilised to supplement the above two land uses. The kitchen is considered to be an integral and subservient part of those two uses. In addition, it is also utilised for teaching purposes through the provision of NDIS services and supports for NDIS participants.
- the use requires a single sign. A single ground based sign is proposed.

This documentation addresses the relevant provisions of the Tasmanian Planning Scheme – Devonport, and the Devonport Local Provisions Schedule.



Figure 1 Aerial photo of site and surrounds (boundaries approximate only) (Source: ListMap)

1. PLANNING OVERVIEW

Table 1 Planning Overview

Element	Details		
Property	Address	PID	Title
	30 Mersey Main Road, Spreyton	6385714	CT29811/1
Use	Proposed change of use to: - Community Meeting and Entertainment (neighbourhood centre); and - Educational and Occasional Care (not for a tertiary institution)		
Development	Ground based sign		
Planning Instrument	Tasmanian Planning Scheme – Devonport Zone: General Residential Zone Applicable Codes:		

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	- C2.0 Parking and Sustainable Transport Code Devonport Local Provisions Schedule: - Nil.
Discretions applicable	8.3.1 P4 Discretionary use - C1.6.1 P2 Design and siting of signs - C2.5.1 P1.1, P1.2 Car parking numbers - C2.5.2 P1 Bicycle parking numbers
Planning Directives	Nil applicable
Other	Nil.

2. Proposal

It is intended that the site be utilised to support the implementation of the NDIS for local (e.g. Spreyton and Devonport residents) people. Respite services (non-residential) are also available on the site.



Figure 2 Floor plan

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2.1. Property Ownership

The land is in the ownership of M. Damon. The landowner has been notified of this application.

2.2. Site Description and Surrounding Area

The site is located in a General Residential section of Mersey Main Road. This section of residential land adjoins land of various zonings, including Light Industrial, Local Business, Utilities (State Road and railway line), Recreation and Community Purpose.

Vehicle access is provided from the Council owned piece of land to the north of the site.

2.3. Supporting Assessments

2.3.1. Access

The proposal is intended to retain the existing vehicular access from the Council owned piece of land to the north of the property, with improvements to access and parking as required by the Road Authority. There is no significant increase in traffic or changes in vehicle movements in comparison to a residential use and as such no traffic impact assessment is provided.

2.3.2. Servicing

The site is within the sewer and water serviced land as identified on the List. These services are to be retained and updated where they may be impacted as per standard for any development within a serviced area. Where multiple connection points may exist, these will be resolved with the service provider as required during development. The proposal itself does not increase the loading on these services and services are located away from the development / works area.

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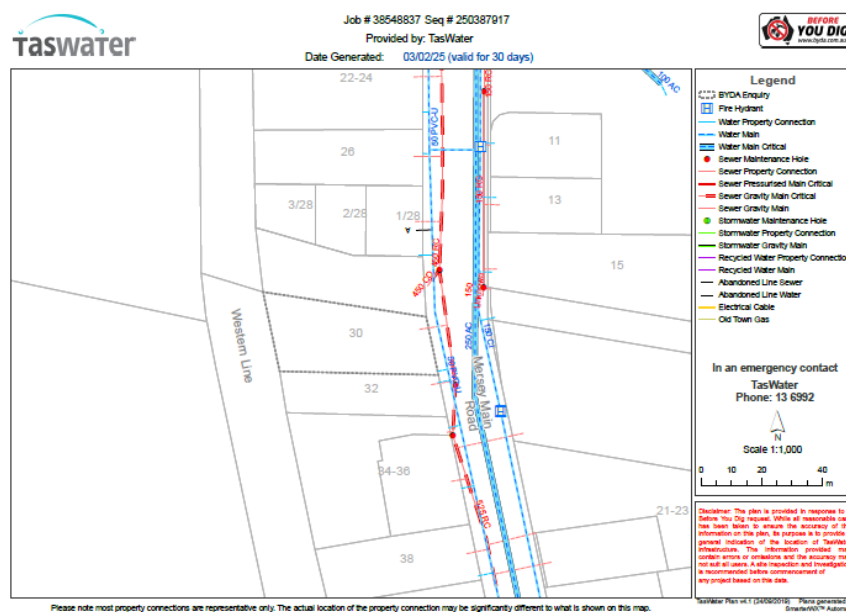


Figure 3 Before you Dig Portal, service locations

3. LEGISLATIVE FRAMEWORK

3.1. Tasmanian Planning Scheme - Devonport

Table 2 Planning Scheme Discretions

Clause	Comment
8.3.1 P4	Discretionary uses
C1.6.1 P2	Design and siting of signs (setback)
C2.5.1 P1.1, P1.2	Car parking numbers
C2.5.2 P1	Bicycle parking numbers

The site is located in the General Residential zone within the Tasmanian Planning Scheme – Devonport (the planning scheme). The uses are Discretionary within the zone.

The following examines the relevant provisions of the Scheme with respect to the proposed development.

3.1.1. Zone Purpose Statements

General Residential Zone

The proposed development is within the Local Business Zone.

The purpose of this zone is addressed as follows:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

The proposed change of use is not residential. It is noted that the change(s) do not restrict the use of the site for residential purposes into the future.

8.1.2 To provide for the efficient utilisation of available social, transport and service infrastructure.

The proposed change of use would allow for utilisation of existing infrastructure, including public transport services from the Devonport interchange along Mersey Main Road.

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8.1.3 To provide for non-residential use that:

(a) primarily serves the local community and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise activity outside of business hours, traffic generation and movement, or other off site impacts.

The proposed uses are intended to service the local community, where local includes Spreyton and the greater Devonport area. The scale of the use will be similar to that of a family living in a single dwelling, with a small number of staff and visitors to the site.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

No Visitor Accommodation is proposed.

The application is consistent with the purpose of the General Residential Zone.

3.1.2. Use Standards

Each of the uses being applied for are discretionary within the zone.

Clause	Comment
8.3 Use Standards	
8.3.1 Discretionary uses	
A1	Hours of operation are to be limited to within the 8am and 6pm limitation in the acceptable solution. Complies.
A2	No external lighting is proposed, excluding security lighting. Security lighting will be baffled to ensure direct light does not extend to adjoining residential properties. Complies.
A3	Commercial vehicle movement will be minimal. Any that are required will be within the hours dictated by the acceptable solution, being: • 7am to 7pm Monday to Friday; • 9am to 12noon Saturday; and • No deliveries on Sunday or public holidays. Complies.

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A4	Both of the uses proposed are discretionary uses. The performance criteria is applicable.
P4	The uses being applied for are intended to utilise the existing building on the site. Modifications are limited and are focused around improving parking (to the rear of the existing dwelling) and access (from the Council road portion), if required (e.g resurfacing). (a) The intensity and scale of the uses are expected to be similar to that of a single dwelling. (b) Emissions are also expected to be similar to that of a single dwelling. (c) Traffic generation is expected to be in keeping with that of a single dwelling, albeit perhaps for a larger family, or one with older children who drive. Traffic in this area is substantial, due to the adjoining land zonings. The development is planned to utilise the existing intersection(s) with the Council road portion and Mersey Main Road, which provides a safe intersection with good sight distances. Parking is to be located between the existing dwelling and the larger outbuilding to the rear of the site. Surfaces are to be upgraded where required. The occasional small bus provided for transporting clients is not considered to be a significant impact, given the location of the site and the existing traffic. (d) The area is characterised by a pocket of General Residential along Mersey Main Road. This land adjoins industrial, business, recreation, school and utility uses and presents as a busy, multipurpose main street within a small town. The proposed change of use is not anticipated to result in any change to the character of the area. (e) The use provides an alternative location for clients within the Spreyton and Devonport areas, allowing for a service that is not within the CBD. There are therapeutic benefits to be had as a result for Devonport residents, and practical benefits to be had for Spreyton residents as a result.

3.1.3. Development Standards for Buildings and Works

Clause	Comment
8.5 Development Standards for Non-Dwellings	
8.5.1 Non-dwelling development	
A1-A6	No development is proposed. Any outdoor storage areas into the future are to be screened from the road and public open space and clear of parking, driveway and landscaped areas, for the duration of the use.

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	No air extraction, pumping, refrigeration systems or compressors are proposed, outside standard residential split system air conditioners.
8.6.3 Services	
A1-A3	No new lots or service modifications are proposed.

The proposed development is considered to provide for potential development which is fully in keeping with the provisions of the General Residential zone.

3.1.4. Code Assessment

Relevant Codes are commented on below.

- *C1.0 Signs Code*

One ground based sign is being applied for. Ground based signs are able to be considered in all zones in accordance with Table C1.6. Dimensions of the sign are 1.5m height and 2.8m wide and as such the sign is less than 2.4m in height as required by Table C1.6, and the frame does not extend above the sign face.



Figure 4 Existing street frontage, including sign

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Figure 5 Sign location

The sign sits along the property boundary and as such is required to be assessed under C1.6.1 P2. This clause does not consider streetscape.

The site is flat, as is the surrounding area. As such, amenity is not impacted due to the sign appearing higher than it otherwise would.

The location of the sign is 15m from the closest residential property. There are no buildings, habitable rooms or private open spaces potentially impacted by the sign, and similarly no overshadowing potential.

The sign is relatively simple, with the business details and no lighting.

There is considered to be no impact on residential amenity of adjoining properties.

- *C2.0 Parking and Sustainable Transport Code*

The Code requires the following:

Use	Parking	Bicycle
Community Meeting and Entertainment	6 spaces (100m ² / 15m ²)	2 spaces (100m ² /50m ²)
Educational and Occasional care	2 spaces (maximum 2 employees onsite)	1 space (2 employees)
TOTAL	8	3

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The proposal does not provide 8 parking spaces and 3 bicycle spaces, as this is excessive for the style of use on the site. The performance criteria C2.5.1 (P1.1) is addressed below.



Figure 6 Current parking arrangements. Visible are 5 parking spaces – three onsite and two alongside the site.

The application is for retrospective approval of the use on the site.

The history of the use provides a demonstration that the parking meets the reasonable needs of the use as required by P1.1. In addition:

- (a) A minimum of three off street and two on street parking spaces are available, as indicated in Figure 6. Parking is also available along Mersey Main Road.
- (b) N/A.
- (c) The local bus service provides transport to the site, via the Devonport Interchange.
- (d) N/A.
- (e) There are no significant site constraints.
- (f) On street parking is available for the majority of the day.
- (g) The streetscape is that of a busy multipurpose road. On street parking is not expected to impact streetscape.
- (h) No assessment has been provided, due to the small scale of the proposal and the demonstrated history that the reasonable needs of the use are satisfied. It is noted that the majority of the participants do not drive to the site.

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P1.2 is also considered:

- (a) Car parking is not expected to be intense or significant. Parking will be for staff and the occasional visitor to the site.
- (b) N/A.
- (c) Parking in the surrounding area is at maximum for school pickup and drop off. This sits slightly outside the business hours for the use.

Bicycle parking is not formally provided. As such, the performance criteria (C2.5.2 P1) are addressed.

- (a) A minimal number of users are likely to be accessing the site via bicycle, due to the nature of the operations and clients on the site.
- (b) There is no formal bicycle infrastructure in the surrounding area.

The site contains sufficient space and capacity for the occasional staff member or client to park a bicycle within the property boundaries if required. Due to the nature of the use, demonstrated over time, it is not considered that the reasonable needs of the use require bicycle parking facilities in accordance with the Code.

- *C3.0 Road and Railway Assets Code*

Not applicable. No significant increase in traffic movements is expected. No sensitive use is proposed.

3.1.5. Devonport Local Provisions Schedule

N/A.

3.2. PLANNING DIRECTIVES

No current planning directives impact upon this proposal.

4. CONCLUSION

The proposal is for retrospective consideration of a change of use within the General Residential zone, intended to:

- provide community activities for NDIS participants, as required under their NDIS support plan.
- provide a day respite centre for persons with disabilities, as per the Educational and Occasional Care use class.
- supplement the above two land uses with kitchen facilities. The kitchen is considered to be an integral and subservient part of those two uses. In addition, it is also utilised for teaching purposes through the provision of NDIS services and supports for NDIS participants.
- be identifiable via a single ground based sign.

The proposal relies on the issue of discretion in relation to the uses, signage location and parking.

We therefore make this application on the basis that the proposed development would result in effective service provision to the NDIS community with Spreyton and Devonport, in keeping with the requirements of the *Tasmanian Planning Scheme – Devonport* and the *Devonport Local Provisions Schedule*.


DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

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

Telephone 03 6424 0511

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

28/04/2025

I/We

Stephen Allen

Of
Email Address
Phone Number
Development Application Number

PA2025.0022

Address of Development

 30 Main Road
 Spreyton 7310
 Australia

Details of representation
Introduction

I respectfully submit that the application to change the use of 30 Main Road, Spreyton (CT29811/1, PID6385714) to Educational and Occasional Care should not be supported by Council.

There is no need for this use to be changed to Educational and Occasional Care. The stated functions of: providing community activities for NDIS participants; day respite centre for persons with disabilities; and a kitchen to support the aforementioned activities can be achieved by changing the use to Community Meeting and Entertainment only. Justification as to why the change of use to Educational and Occasional Care should not be supported.

1. A noise impact assessment has not been conducted and the extent of noise generated by such an educational and occasional care centre will unreasonably affect the amenity of adjacent residences.
2. A traffic impact assessment has not been conducted and the extent of traffic movements by both commercial and other traffic (e.g. centre buses, pickups and drop-offs) will cause traffic movements above the threshold provided in Table C3.1 of Clause C3.5.1 of the Planning Scheme.
3. There is NOT sufficient information provided in the application for an assessment against the relevant criteria of the Planning Scheme for a change of use to Educational and Occasional Care:
 - a. Educational and Occasional Care purposes are regulated by pieces of legislation and regulations (e.g. Education Act 2016 Tas; Education and Care Services National Regulations (2011 SI 653)) which not only impact the requirements relating the operation and management of such organisations, but have a direct impact on staffing numbers; student numbers and amount of both indoor and outdoor space. These factors in turn affect planning


The City with Spirit

**DEVONPORT CITY COUNCIL**

ABN: 47 611 446 016

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

Telephone 03 6424 0511

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

considerations including:

- i. Noise and other emission considerations and the effect on adjoining property amenity;
 - ii. Staff parking space requirements;
 - iii. Extra staff and client traffic considerations and the effect on the road network and noise and light considerations;
 - iv. Extra commercial traffic considerations and the effect on the road network and noise and light considerations.
- b. In particular, in terms of the proposed change to Educational and Occasional Care:
- i. Clause 8.3.1 P1 - Insufficient information is given in the application regarding the hours of operation of the educational and occasional care purpose and its effect on the amenity of adjacent sensitive uses in terms of vehicle movements, noise, lighting and other emissions;
 - ii. Clause 8.3.1 P2 - Insufficient information is given in the application regarding commercial vehicle movements generated by the educational and occasional care purpose and so it is not possible to make any assessment against the loss of amenity of adjacent sensitive uses in terms of the factors listed in P2 (e.g. time and duration of movements, manoeuvring requirements, noise etc)
 - iii. Clause 8.3.1 P4 - Insufficient information is given in the application regarding the factors listed in P4. In particular there is no information given as to the number of students to be catered for and therefore the intensity and scale of the educational and occasional care purpose, the extra traffic generation from the educational and occasional care use (there is no traffic modelling provided); the need for the educational and occasional care use in that particular location.
 - iv. Clause 2.5.1 and Table C2.1 and National Construction Code (Part D4D6 Accessible Parking) – The application does not provide sufficient information about student numbers and therefore staff car parking requirements for educational and occasional care use. The number of additional disabled parking spaces follow from the number of staff car parking spaces.
 - v. There is insufficient information provided to make an assessment regarding adherence to Code 2.6 Development Standards, Clause 2.6.2 Design and Layout of Parking Areas, A1.1 and P1

Conclusion

The application to change the use to Educational and Occasional Care should not be supported because there is insufficient information provided to justify this change of use and the application does not meet the relevant assessment criteria of the Planning Scheme for this particular use.

The application to change the use of 30 Main Road Spreyton to Community Meeting and Entertainment should however be supported by Council because the stated functions of the development can be easily accommodated within this use category:

- The stated functions of the use of the property (page 6 of the development application) are accommodated within the definition of Community Meeting and Entertainment (neighbourhood centre) as provided at Table 6.2 Use Classes viz: 'use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, place of worship, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre, community centre and neighbourhood centre. The definition of neighbourhood centre is further provided as 'the use of land for a facility providing community and social services for the surrounding area'.
- There is adequate information provided in the application for an assessment against the relevant criteria of the Planning Scheme for a change of use to Community Meeting and Entertainment, which should be supported.

Consent

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

Privacy Consent





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