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## FLINDERS DRAFT LPS - PLANNING EXHIBITION REPRESENTATION

**To:** General Manager, Flinders Council, [development.services@flinders.tas.gov.au](mailto:development.services@flinders.tas.gov.au)

**From:** Dr Richard Barnes, Van Diemen Consulting obo Mr David Gibbons

**Date:** August 1, 2021

**Re:** **Flinders DRAFT LPS - PLANNING EXHIBITION REPRESENTATION**

### SCOPE

The Tasmanian Planning Commission directed Council to commence exhibition of the Flinders Draft Local Provisions Schedule (LPS) under section 35B of the *Land Use Planning and Approvals Act 1993* (the Act). The Flinders LPS is on public exhibition and representations are invited on the contents of the LPS to the close of business, 2 August 2021.

This Representation has been made on behalf of Mr David Gibbons ([dave@fiservices.com.au](mailto:dave@fiservices.com.au), 0419 746 005) and relates to lands owned, co-owned, and/or there is a commercial interest in the land by Mr Gibbons.

### PROPERTIES THE SUBJECT OF THIS REPRESENTATION

Comments and information about the following properties are contained in this Representation.

Lady Barron – 16 Barr Street, Lady Barron TAS 7255, CT 202206/16
Whitemark – 27 and 29 Esplanade, Whitemark TAS 7255, CT's 240349/9 and 240348/10
Lot 2 Harleys Road, Whitemark TAS 7255, CT 176057/2
Palana Road, Whitemark TAS 7255, CT's 213669/1 and 202634/1
169 Port Davies Road, Emita TAS 7255, CT 222610/9
2270 Palana Road Lughrata TAS 7255, CT 160313/1 and 154620/2
Lackrana Farms, 1210 and 1215 Lackrana Road, Lackrana TAS 7255, CT 241023/49 and 157381/1

Yours sincerely



## Lady Barron – 16 Barr Street, Lady Barron TAS 7255

CT 202206/16

The CT is shown on an aerial image below, accessed from TheLIST.



### Identify Results

One feature found in one layer

- ▶ Mining Leases (0 features)
- ▼ Cadastral Parcels - Owner Information (one feature)

**Warning - Property boundaries are indicative only. See explanation [here](#).**

Feature	
Property Address	16 BARR ST LADY BARRON TAS 7255
Property ID	6429596 <a href="#">View Details</a>
Title Reference	202206/16 <a href="#">View Details</a>
Owner Name(s)	DRG HOLDINGS AUSTRALIA PTY LTD DARRYL KENNETH JOSEPH TAYLOR
Postal Address	SUITE 1 LEVEL 1 35 OUTRAM ST WEST PERTH WA 6005

POI: GDA94 MGA55 : 605864E, 5548101N

[Identify Options](#)

The DRAFT LPS seeks to apply the SAP Coastal Areas (FLI-S3.0) to the CT which is zoned Village – the SAP Overlay covers part of the land.

▼ Titles

PID 6429596

Parcel Address 16 BARR ST

CT 202206/16

▼ Overlays

Specific Area Plans

NOTE: Additional codes are not mapped and may be triggered based on description

▼ Links

[Priority Veg Report](#)

▼ Specific Area Plan


LPS\_NO : 110

OV\_TYPE : Specific Area Plan

OV\_NAME : Coastal Areas Specific Area Plan

OV\_CAT :

REF\_NO : FLI-S3.0



Mr Gibbons **objects** to the *SAP Coastal Areas* covering his land; the Village zone should be unencumbered by additional regulatory provisions given it is specifically for the purpose of residential and commercial activities. The matters of landscape and scenic amenity is addressed through the SPP zone provisions.

**Whitemark – 27 and 29 Esplanade, Whitemark TAS 7255**

CT's 240349/9 and 240348/10

The two CT's are shown on an aerial image below, accessed from TheLIST.



**Identify Results**

One feature found in one layer

- Mining Leases (0 features)
- ▾ Cadastral Parcels - Owner Information (one feature)

Warning - Property boundaries are indicative only. See explanation

Feature	
Property Address	29 ESPLANADE WHITEMARK TAS 7255
Property ID	5426248
Title Reference	240349/9
Owner Name(s)	DRG HOLDINGS AUSTRALIA PTY LTD DARRYL KENNETH JOSEPH TAYLOR
Postal Address	PO BOX 8965 ALICE SPRINGS NT 0871

POI: GDA94 MGA55 : 586560E, 5558055N



**Identify Results**

One feature found in one layer

- Mining Leases (0 features)
- ▾ Cadastral Parcels - Owner Information (one feature)

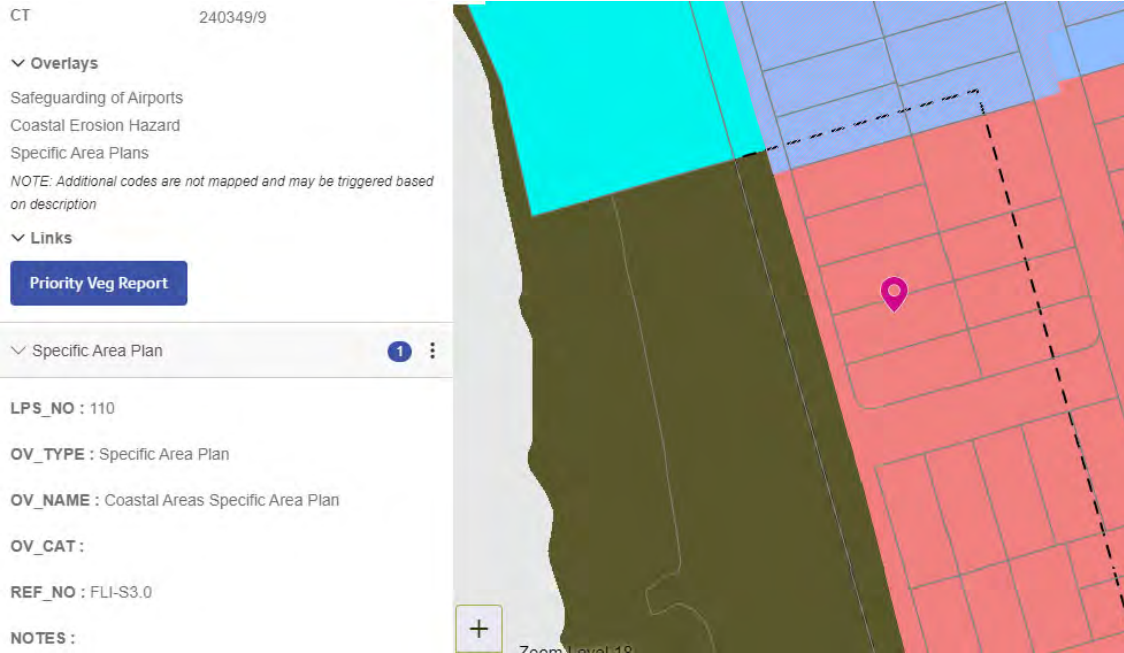
Warning - Property boundaries are indicative only. See explanation

Feature	
Property Address	27 ESPLANADE WHITEMARK TAS 7255
Property ID	5426221
Title Reference	240348/10
Owner Name(s)	DRG HOLDINGS AUSTRALIA PTY LTD DARRYL KENNETH JOSEPH TAYLOR
Postal Address	PO BOX 8965 ALICE SPRINGS NT 0870

POI: GDA94 MGA55 : 586548E, 5558071N

The DRAFT LPS seeks to apply the SAP Coastal Areas (FLI-S3.0) to the two CT's – the SAP Overlay covers the entire parcel of each land.





Low Density Residential provides a No Permit Pathway to the development and use of a single dwelling. The SPP provides for 'No Permit required Use and Development' -

## 6.6 No Permit Required Use or Development

6.6.1 A permit is not required to commence or carry out a use or development if:

- (a) the use is within a Use Class specified in the applicable Use Table as being a use for which no permit is required;
- (b) the use or development complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard;
- (c) the use or development is not Discretionary under any other provision of this planning scheme;
- (d) the use or development is not Prohibited under any other provision of this planning scheme; and
- (e) a permit for such use and development is not required by a code.

6.6.2 A permit is not required to commence or carry out a use or development if it is No Permit Required under any other provision of this planning scheme.

A single dwelling could meet the required applicable standards.

The SAP Coastal Area will by virtue of 6.6.1(e) make the maximum height of any building 5m, and the site coverage of 300m<sup>2</sup>. This is opposed to the Low Density Residential zone allowing by Acceptable Solutions 8.5m height to buildings and a coverage of no more than 30%.



The SAP is excessively restrictive and restricts residential development on the island, especially visitor accommodation or housing suitable for the rental market. It adds to the construction cost and hinders the ability to build, even in those zones which have residential use as the priority or other zones where buildings and development should not be constrained by the SAP – e.g., Port and Marine.

The SAP even restricts the ability to build on steeper slopes or ground which has to be dug for footings, retaining walls etc because of the 0.5m cut and fill restrictions and the restriction of meeting the Performance Criterion to ‘...be only to minimise the visibility of buildings’ – see Attachment 3 and below extract.

Objective:	That: (a) the extent of alterations to the existing land form are minimised; (b) the visual prominence of buildings and structures is reduced; (c) building design responds to the particular shape, contours and slope of the land; and (d) design minimises vegetation clearance, disturbance to landform and disruption of ecological processes.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings and works must not include cut and fill greater than 0.5m above or below existing ground level.	<b>P1</b> Buildings and works must be located to minimise alteration to existing ground level, having regard to: (a) minimisation of vegetation clearance, disturbance to landform and disruption of ecological processes; (b) the topography of the site; (c) the size and shape of the site;

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#### Tasmanian Planning Scheme - Flinders Draft LPS

	(d) any constraints imposed by existing development; (e) location of buildings or works; (f) the extent of any required cut or fill; (g) the location of driveways or access tracks, and in any case, be only to minimise the visibility of buildings.
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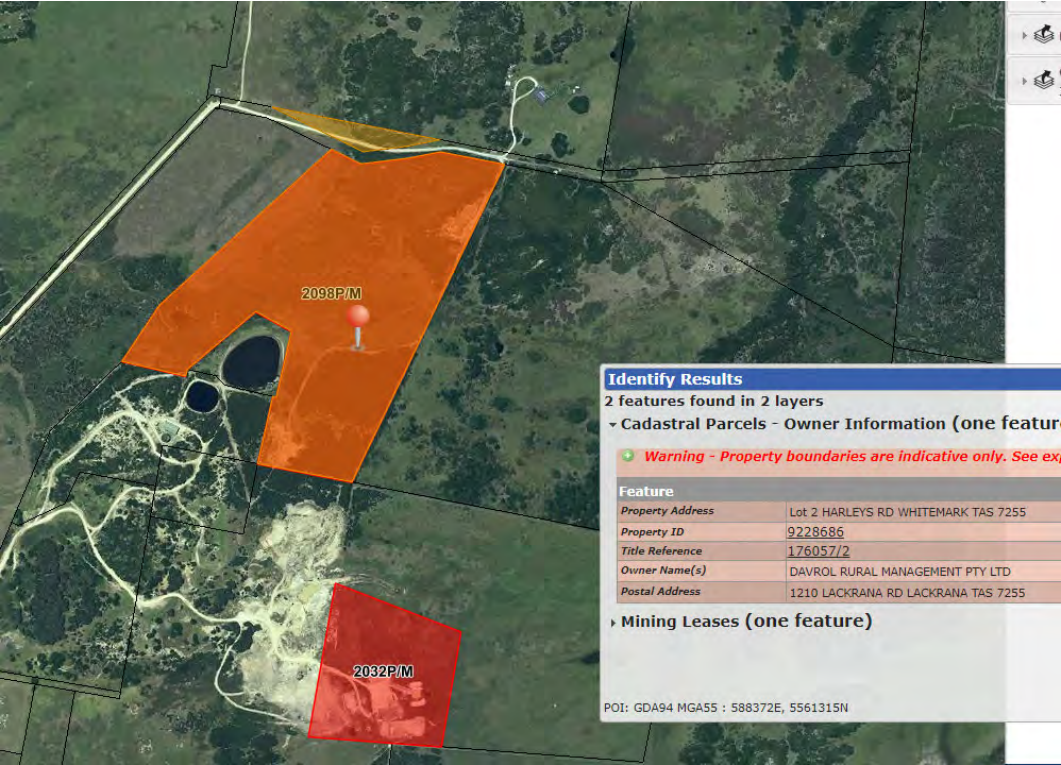
Mr Gibbons **objects** to the *SAP Coastal Areas* covering his land; the SAP Coastal Area zone should be unencumbered by additional regulatory provisions given it is specifically for the purpose of residential and commercial activities. The matters of landscape and scenic amenity is addressed through the SPP zone provisions.

**Lot 2 Harleys Road, Whitemark TAS 7255**

CT 176057/2

Mining Lease – 2098P/M

The CT is shown on an aerial image below, accessed from TheLIST.



The DRAFT LPS seeks to apply the Landscape Conservation Zone to the CT –



Mr Gibbons owns the land, and he is also the Lessee for the Mining Lease 2098P/M which covers the land. The land is being used for an Extractive Industry.

Attachment 2 has the permit issued by Council for the activity – **approved on 16 February 2021**.

Council also owns ML 4M/1989, 1990P/M, and 2032P/M. All of its ML's are zoned Rural – enabling permissible rights to seek an intensification of use and development.

No other Extractive Industry under a Mining Lease on the island is afforded the Rural zone – they are either Agriculture (Taswater, 2048P/M, part Klug TG and E, ML 3M/2013), Environmental Management (part Klug TG and E, ML 3M/2013) or Landscape Conservation (ML1229P/M, 2098P/M, 2056P/M and 2059P/M).

The four ML's on the island in the Landscape Conservation zone (ML1229P/M, 2098P/M, 2056P/M and 2059P/M) have all been the subject of development application to the Planning Authority and have received permits from the Planning Authority since 2019. This includes two owned by Mr Gibbons; 2098P/M, and 2059P/M.

All existing Extractive Industry' uses other than owned by Council, Klug and Taswater will become non-conforming uses. Their continued existence will rely upon existing use rights, and they must therefore comply with Clauses 7.1 and 7.2 – Mr Gibbons has no hope of being able to expand or intensify the Extractive Industry at this CT. The DRAFT LPS doesn't even provide Site-Specific Qualifications for the affected CT's.

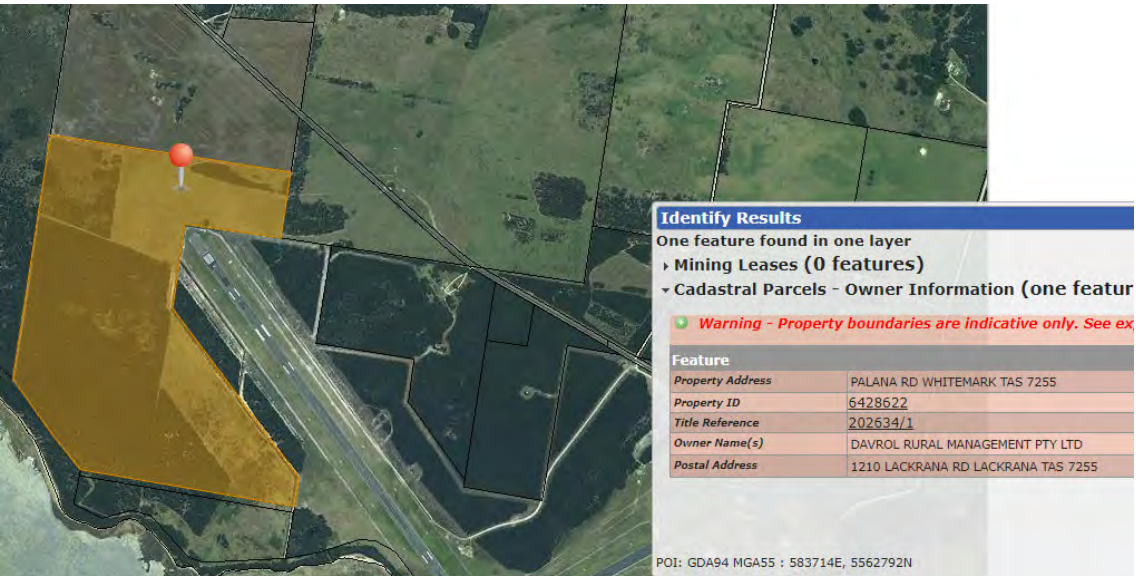
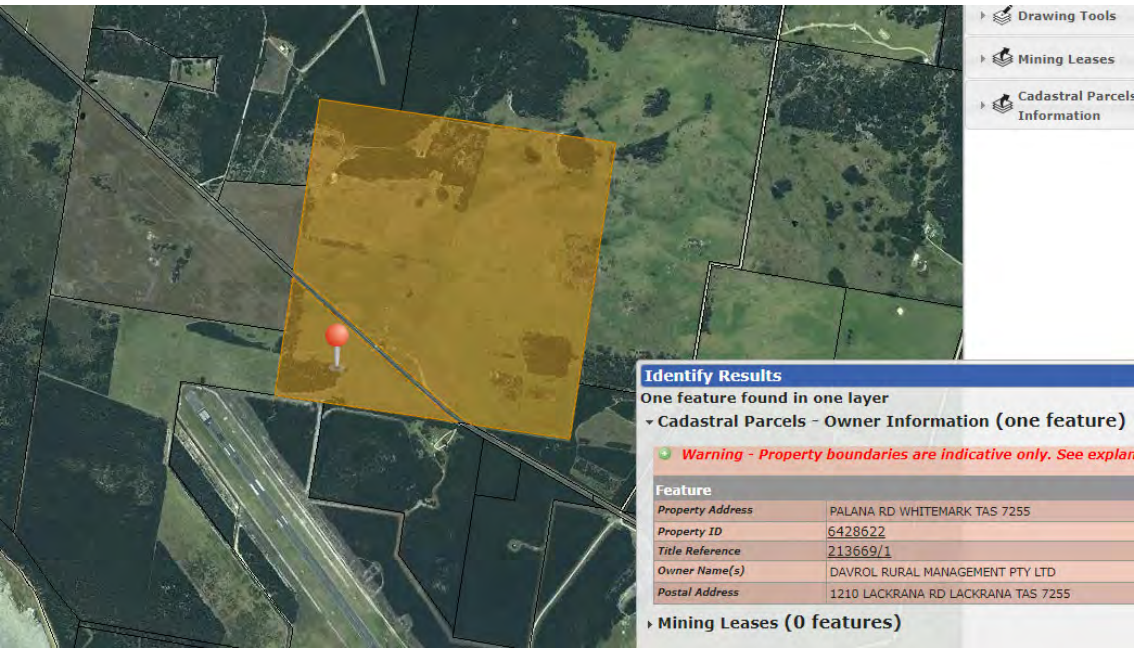
Mr Gibbons **objects** to the land being zoned Landscape Conservation or having any Overlays on it that encumber the existing use or potential to intensify that use. The land should be zoned Rural.



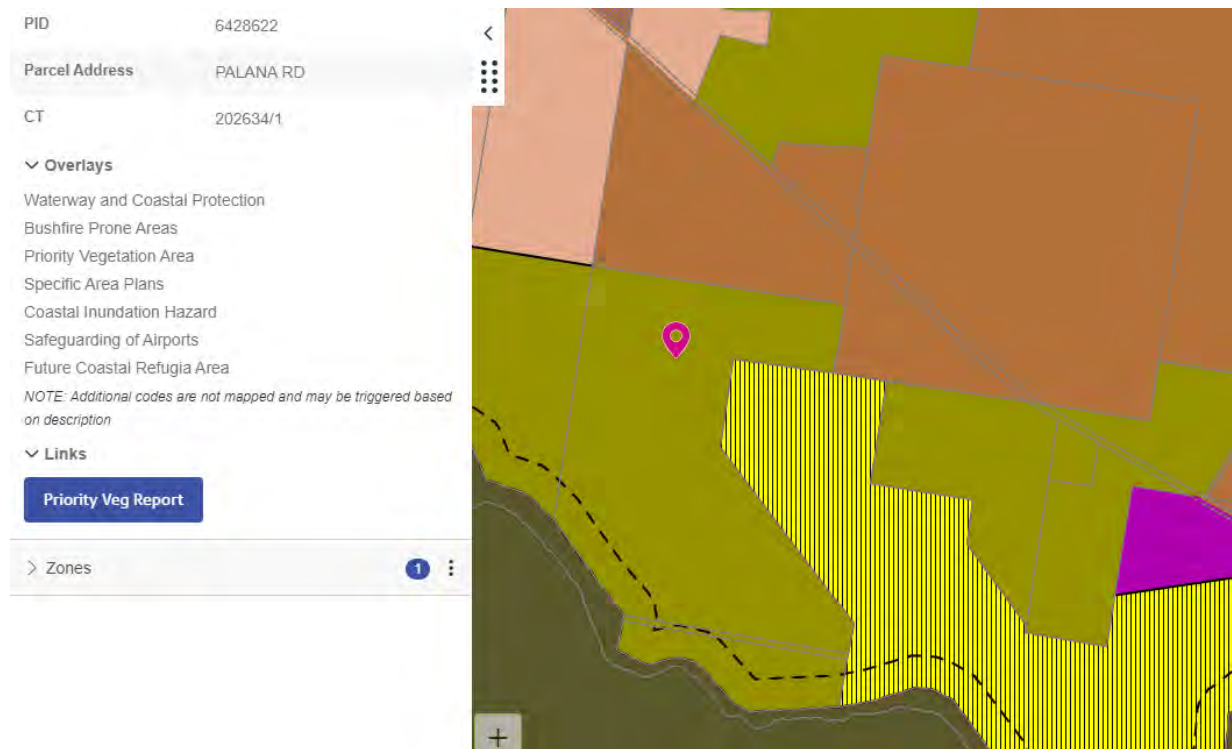
**Palana Road, Whitemark TAS 7255**

CT's 213669/1 and 202634/1

The two CT's are shown on an aerial image below, accessed from TheLIST.



The CT's are zoned either Agriculture or Landscape Conservation, with several Overlays and SAP's.



Mr Gibbons **objects** to the following –

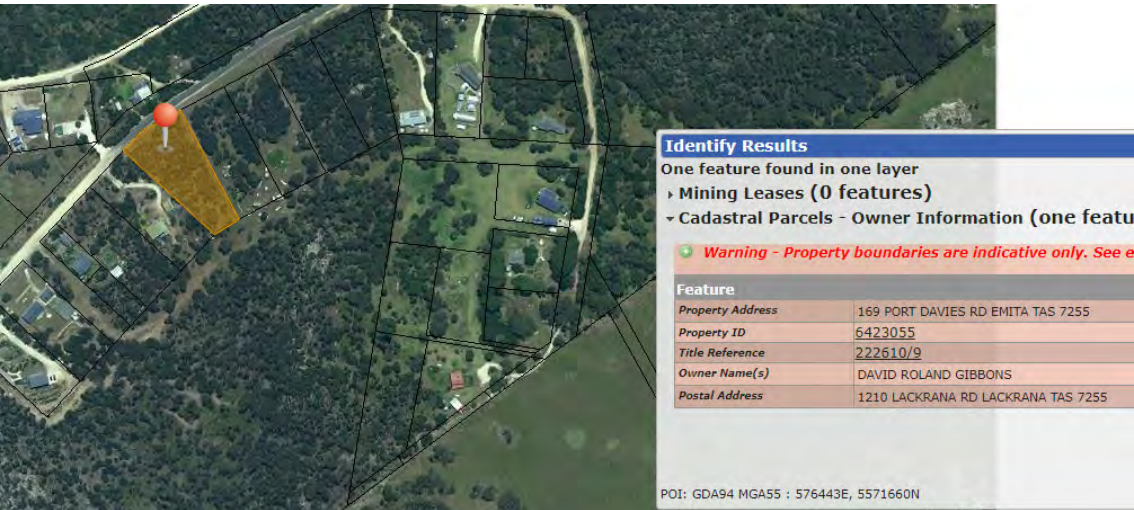
1. The SAP Coastal Areas covering his land; the matters of landscape and scenic amenity are addressed through the SPP zone provisions. The adjoining Crown Land has greater ability to build taller structures than that imposed by the SAP Coastal Areas, and it is on Mr Gibbons' private freehold land.
2. The Landscape Conservation zone covering CT202634/1 – it should be zoned Agriculture.



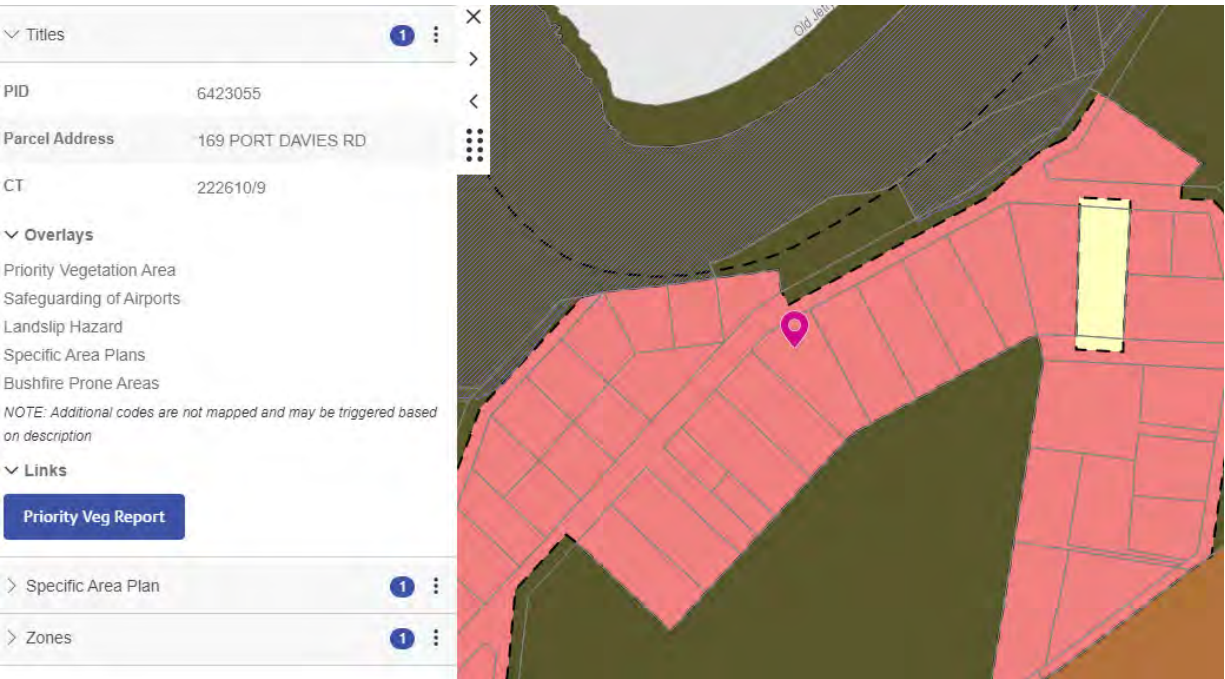
169 Port Davies Road, Emita TAS 7255

CT 222610/9

The CT is shown on an aerial image below, accessed from TheLIST.



The DRAFT LPS seeks to zone the land under the SAP Coastal Settlement Specific Area Plan –



There are no comments about this zoning approach unless it is to be changed as part of the TPC’s assessment of the DRAFT LPS.

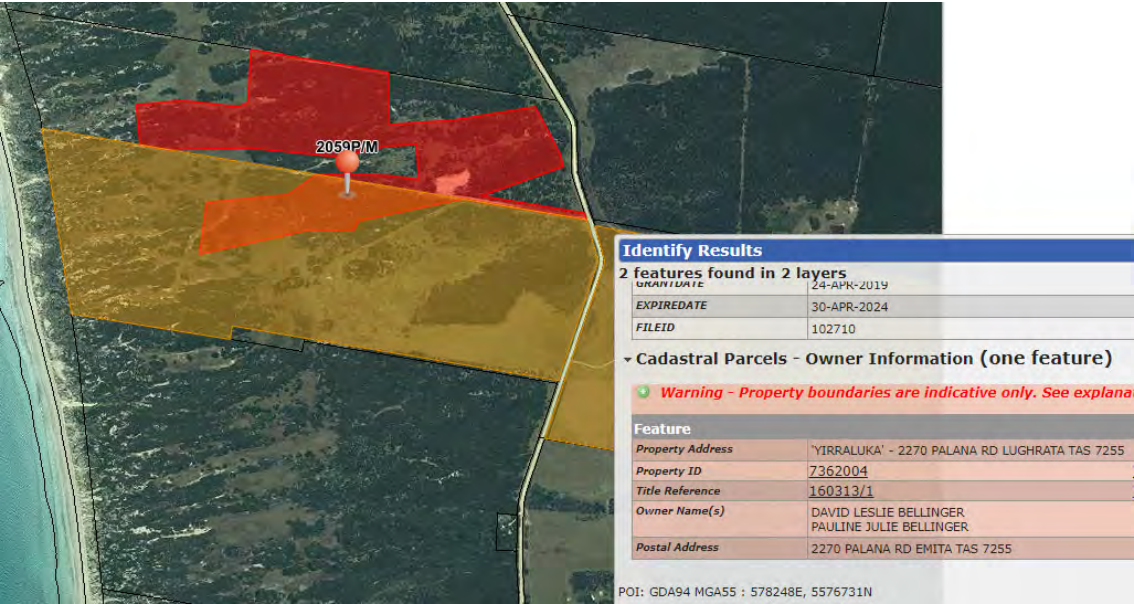
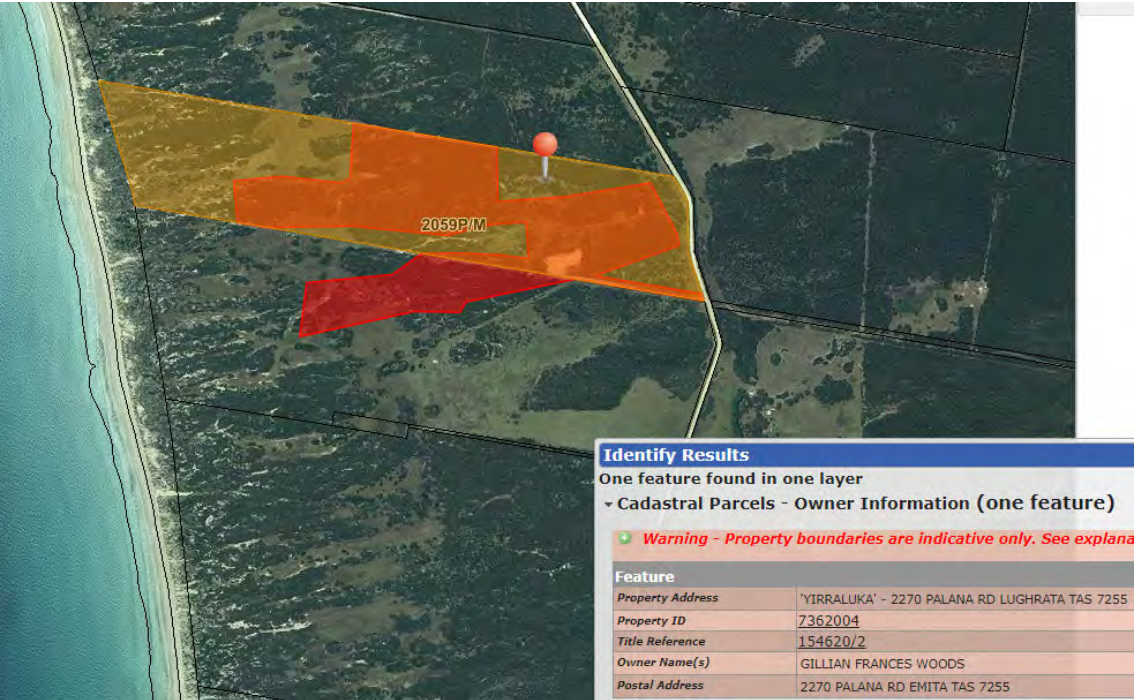


2270 Palana Road Lughrata TAS 7255

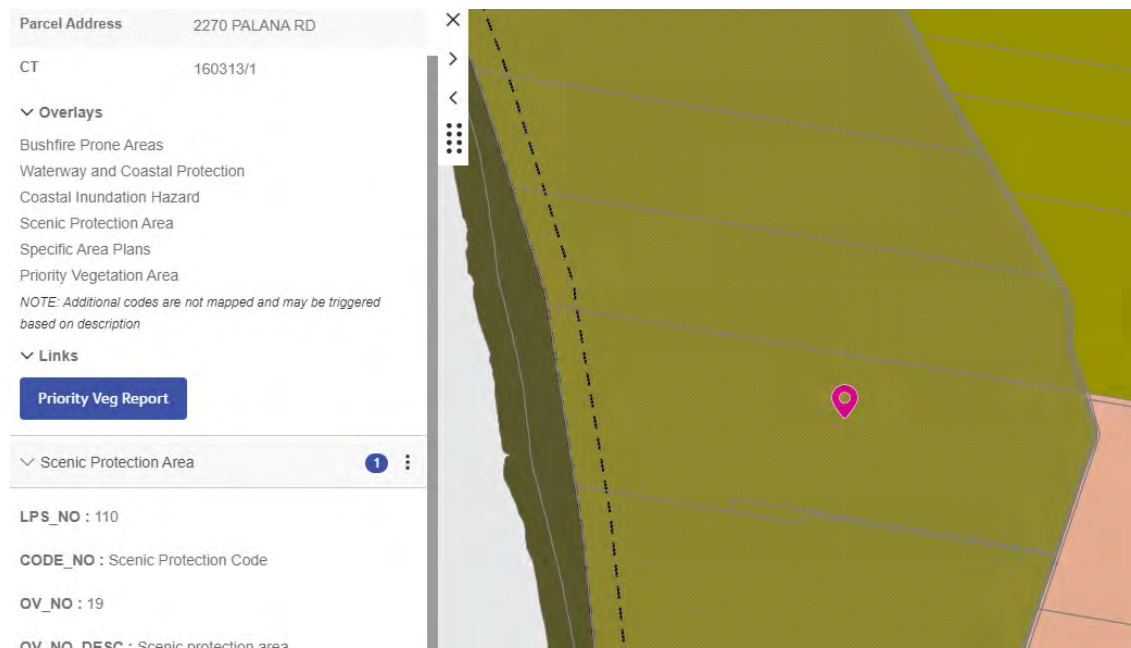
CT 160313/1 and 154620/2

Mining Lease – 2059PM

The CT's are shown on an aerial image below, accessed from TheLIST.



The CT's are zoned Landscape Conservation –



Mr Gibbons is the Lessee for the Mining Lease 2059/M which covers parts of the land (the two CT's). The land is being used for an Extractive Industry with the balance unencumbered by the ML being in passive use for nature conservation, and agriculture. Mr Gibbons holds a current compensation agreement (within the meaning of the *Mineral Resources Development Act 1995*) with the owner of the land for the ML. The land is used to extract lime sands that are critically important to the current and future viability of the agricultural sector on the island – to otherwise import a substitute pH balancing soil ameliorant (e.g., lime) from off-island is prohibitively expensive and adds to the cost of agriculture, making agricultural enterprises less profitable. This follows that there are less funds available to invest in agricultural activities and associated use and decreases the long-term viability of more marginal land that is otherwise capable of a sustainable agricultural use by the use of on-island resources.

**Attachment 1** has the permit issued by Council for the activity.

Council owns ML 4M/1989, 1990P/M, and 2032P/M. All of its ML's are zoned Rural – enabling permissible rights to seek an intensification of use and development. ML1990P/M is nearby to ML2059P/M.

No other Extractive Industry under a Mining Lease on the island is afforded the Rural zone – they are either Agriculture (Taswater, 2048P/M, part Klug TG and E, ML 3M/2013), Environmental Management (part Klug TG and E, ML 3M/2013) or Landscape Conservation (ML1229P/M, 2098P/M, 2056P/M and 2059P/M).

The four ML's on the island in the Landscape Conservation zone (ML1229P/M, 2098P/M, 2056P/M and 2059P/M) have all been the subject of development applications to the Planning Authority and have received permits from the Planning Authority since 2019. This includes two owned by Mr Gibbons; 2098P/M, and 2059P/M. All existing Extractive Industry' uses other than owned by Council, Klug and Taswater will become non-conforming uses. Their continued existence will rely upon existing use rights, and they must therefore

comply with Clauses 7.1 and 7.2 – Mr Gibbons has no hope of being able to expand or intensify the Extractive Industry at this CT. The DRAFT LPS doesn't even provide Site-Specific Qualifications for the affected CT's.

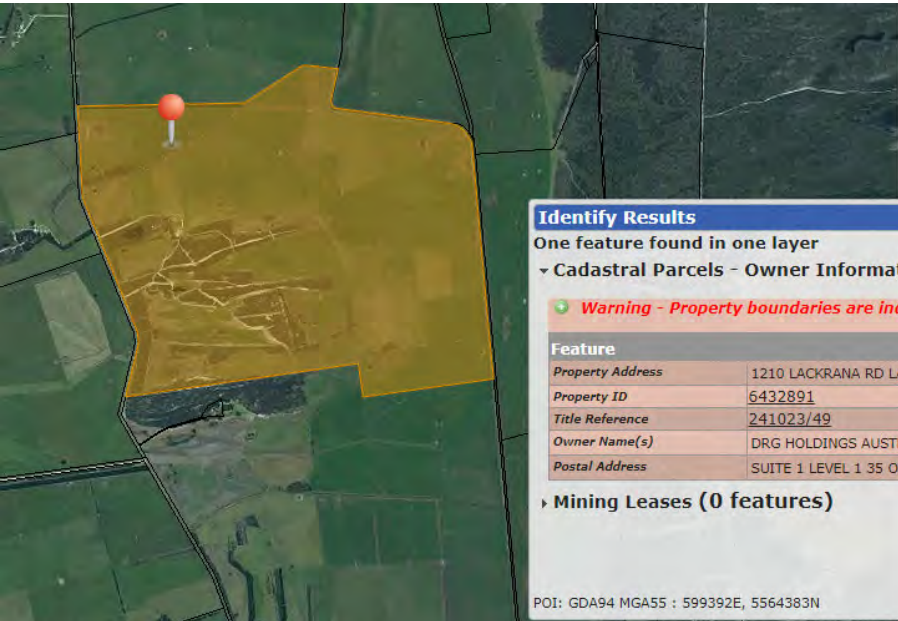
Mr Gibbons **objects** to the land being zoned Landscape Conservation. The land should be zoned Rural.



Lackrana Farms, 1210 and 1215 Lackrana Road, Lackrana TAS 7255

CT 241023/49 and 157381/1

The CT's are shown on an aerial image below, accessed from TheLIST.



**Identify Results**

One feature found in one layer

▾ Cadastral Parcels - Owner Information (one feature)

Warning - Property boundaries are indicative only. See explanation

Feature	
Property Address	1210 LACKRANA RD LACKRANA TAS 7255
Property ID	6432891 <a href="#">View</a>
Title Reference	241023/49 <a href="#">View</a>
Owner Name(s)	DRG HOLDINGS AUSTRALIA PTY LTD
Postal Address	SUITE 1 LEVEL 1 35 OUTRAM ST WEST PERTH WA 6005

▸ Mining Leases (0 features)

POI: GDA94 MGA55 : 599392E, 5564383N



**Identify Results**

One feature found in one layer

▸ Mining Leases (0 features)

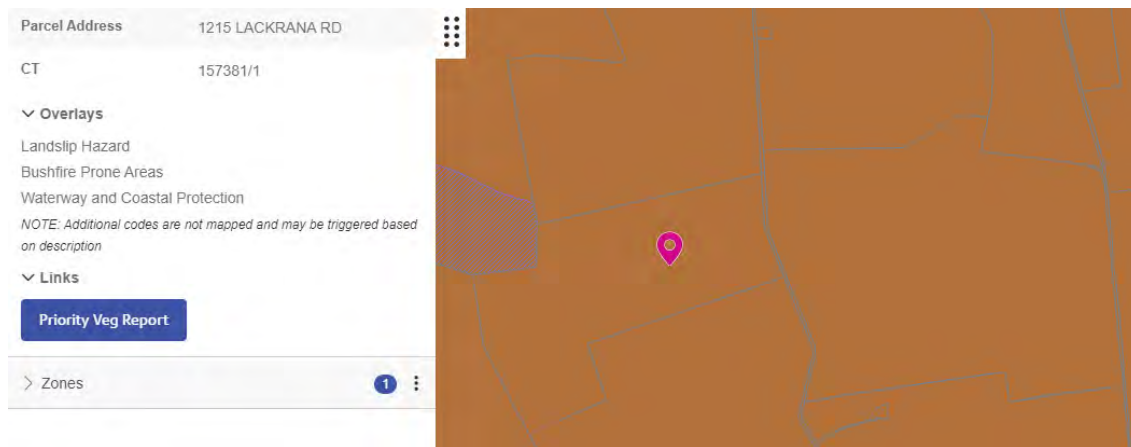
▾ Cadastral Parcels - Owner Information (one feature)

Warning - Property boundaries are indicative only. See explanation

Feature	
Property Address	1215 LACKRANA RD LACKRANA TAS 7255
Property ID	3024665
Title Reference	157381/1
Owner Name(s)	MOWANJUM HOLDINGS PTY LTD
Postal Address	1210 LACKRANA RD LACKRANA TAS 7255

POI: GDA94 MGA55 : 597995E, 5563971N

The CT's are all zoned Agriculture –



There are no comments about this zoning approach unless it is to be changed as part of the TPC's assessment of the DRAFT LPS.

**ATTACHMENT 1****Planning Permit for Lughrata Lime Sand Extraction Pit, Palana Road**

2270 Palana Road Lughrata TAS 7255

CT 160313/1 and 154620/2

Mining Lease – 2059PM



## PLANNING PERMIT

PLANNING APPLICATION NO:	DA 001-19
LOCATION	2270 Palana Road, Palana CT: 154620/1 & 160313/1
APPLICANT:	Davrol Rural Management Pty Ltd
DEVELOPMENT:	Extractive Industry in the Rural Zone-Limesand

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993*, you are advised that the application for a **Extractive Industry in the Rural Zone-Limesand** by **Davrol Rural Management Pty Ltd**, for land located at **2270 Palana Road, Palana**, is **APPROVED** generally in accordance with the endorsed plans and subject to the following conditions and notes:

### Endorsed Plans

1. The use and/or development must be carried out as shown on the Endorsed proposal by DAVROL Rural Management Pty Ltd and described in the endorsed proposal documents by Van Diemen Consulting to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

### Access and Safety

2. Prior to the use commencing, clear signage identifying the entrance, speed limits and "Trucks entering" must be erected at the entrance on Palana Road to the satisfaction of the Council.
3. The access road must be shifted 55m to the north to achieve the minimum sight distance.
4. The access road must be no less than 300mm below the Palana Road level for the first 10m to achieve minimum sight distance.
5. A minimum 6m long 300mm culvert and rural headwalls must be installed adjacent to the boundary line as part of the access road construction.

### Dust Nuisance

6. Dust suppression measures must be implemented to minimise dust nuisance from stockpiles and mining operations.
7. All trucks leaving the site must be covered and loads must not exceed the tray walls.

**Advisory Notes.** *The following notes are not conditions of this permit and are supplied for the assistance of the applicant only.*

- A. This permit was issued based on the proposal documents submitted for DA 001-19. You should contact Council with any other use or developments, as they may require the separate approval of Council.
- B. This permit takes effect after:
  - a) the 14 day appeal period expires; or
  - b) any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
  - d) any other required approvals under this or any other Act are granted.
- C. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received within 6 months after the expiration date.

#### **Other Approvals**

- D. This permit does not imply that any other approval required under any other by-law or legislation has been granted.

#### **Restrictive Covenants**

- E. The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant. If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

#### **Appeal Provisions**

- F. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)

#### **Permit Commencement.**

- G. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to

commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

**Dated at Whitemark, this 19<sup>th</sup> day of February 2019.**

A handwritten signature in blue ink, appearing to be 'B. Boehm', written on a light blue grid background.

Bill Boehm  
**GENERAL MANAGER**

*I certify that I have checked that the permit conditions for the application referred to as DA 001-19 for 2270 Palana Road, Palana corresponds with the decision of the Flinders Council.*



**FLINDERS COUNCIL PLANNING  
APPROVAL**

This plan is approved subject to the conditions of  
the planning permit

PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED:



# **DEVELOPMENT APPLICATION SUPPORTING INFORMATION**

## **EXTRACTION PIT - LIMESAND, LUGHRATA PALANA ROAD, FLINDERS ISLAND**



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FLINDERS COUNCIL PLANNING

APPROVAL

This plan is approved subject to the conditions of the planning permit

PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED:



D.7 ECOLOGICALLY SIGNIFICANT AREAS.....32

**FIGURES**

- Figure 1** Location of Lughrata Lime Sand Pit
- Figure 2** Location of Lughrata Lime Sand Pit Development Area and Land Titles
- Figure 3** Lughrata Lime Sand Pit Access/Egress
- Figure 4A** Zone Map – Flinders Planning Scheme 2000
- Figure 4B** Special Areas – Flinders Planning Scheme 2000
- Figure 5A** Mine Plan (based on 4,999 m<sup>3</sup> per annum extracted product every year for 10 years)
- Figure 5B** Cross section of Palana Lime Sand Pit (present to Year 10)
- Figure 5C** Mining Lease and Year 10 Extraction Area
- Figure 6** Geology (1:250,000 – MRT) around the Development Area
- Figure 7** Coastal Acid Sulfate Soils (0-20m AHD) and Acid Sulfate soil sites
- Figure 8** TASVEG communities in the Development Area
- Figure 9A** Known and Observed threatened flora in the Development Area
- Figure 9B** Known and Observed threatened flora in the Extraction Area (to Year 10)
- Figure 10** Drainage and catchment boundaries
- Figure 11** Residences near to the Development Area

**ATTACHMENTS**

- Attachment 1 Land Titles
- Attachment 2 DPIPWE 2009 Potential Acid Sulfate Soil Test program - Arbothnots Lagoon, Flinders Island





## ABBREVIATIONS / GLOSSARY

DPIPWE	Department of Primary Industries, Parks, Water and Environment
EMPCA	<i>Environmental Management and Pollution Control Act 1994 (Tas)</i>
FC	Flinders Council
LUPAA	<i>Land Use Planning and Approvals Act 1993 (Tas)</i>
QCP	<i>Tasmanian Quarry Code of Practice 2017</i>

**FLINDERS COUNCIL PLANNING  
APPROVAL**

This plan is approved subject to the conditions of  
the planning permit

PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED:



## PART A – BACKGROUND INFORMATION

The development and use (extraction pit) is located on private freehold land accessed via Palana Road in the Flinders Island Municipality (Figures 1 and 3). The land is in the Marshall Bay region which is approximately 19 north - northwest of Whitemark, the main township on the island.

### A.1 PROPOSED ACTIVITY

The **Extraction Pit** will include the extraction of material in the following manner:

- surface site preparation by vegetation and topsoil removal and stockpiling;
- excavation of material with a bulldozer and/or excavator;
- occasional stockpiling of material in the pit area (most will be 'hot loaded' into trucks for delivery to agricultural lands);
- occasional screening (less than 1,000 cubic metres per annum) to remove coarse vegetative/root debris and/or rocks and stones;
- loading trucks with wheel loader from the pit face and/or stockpile area; and the
- transport of lime sand by truck.

The extraction pit has existed for some time, being a pit from which the current landowner has extracted material for their own farm use.

### A.2 PROPONENT

The proponent, Davrol Rural Management Pty Ltd, owns and operates a pastoral enterprise on Flinders island.

The contact details for the company and contact person are –

Davrol Rural Management Pty Ltd

Mr David Gibbons

ACN - 062950645

Address: 1210 Lackrana Road, Palana Flinders Island 7255

**FLINDERS COUNCIL PLANNING  
APPROVAL**

This plan is approved subject to the conditions of  
the planning permit

PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED:

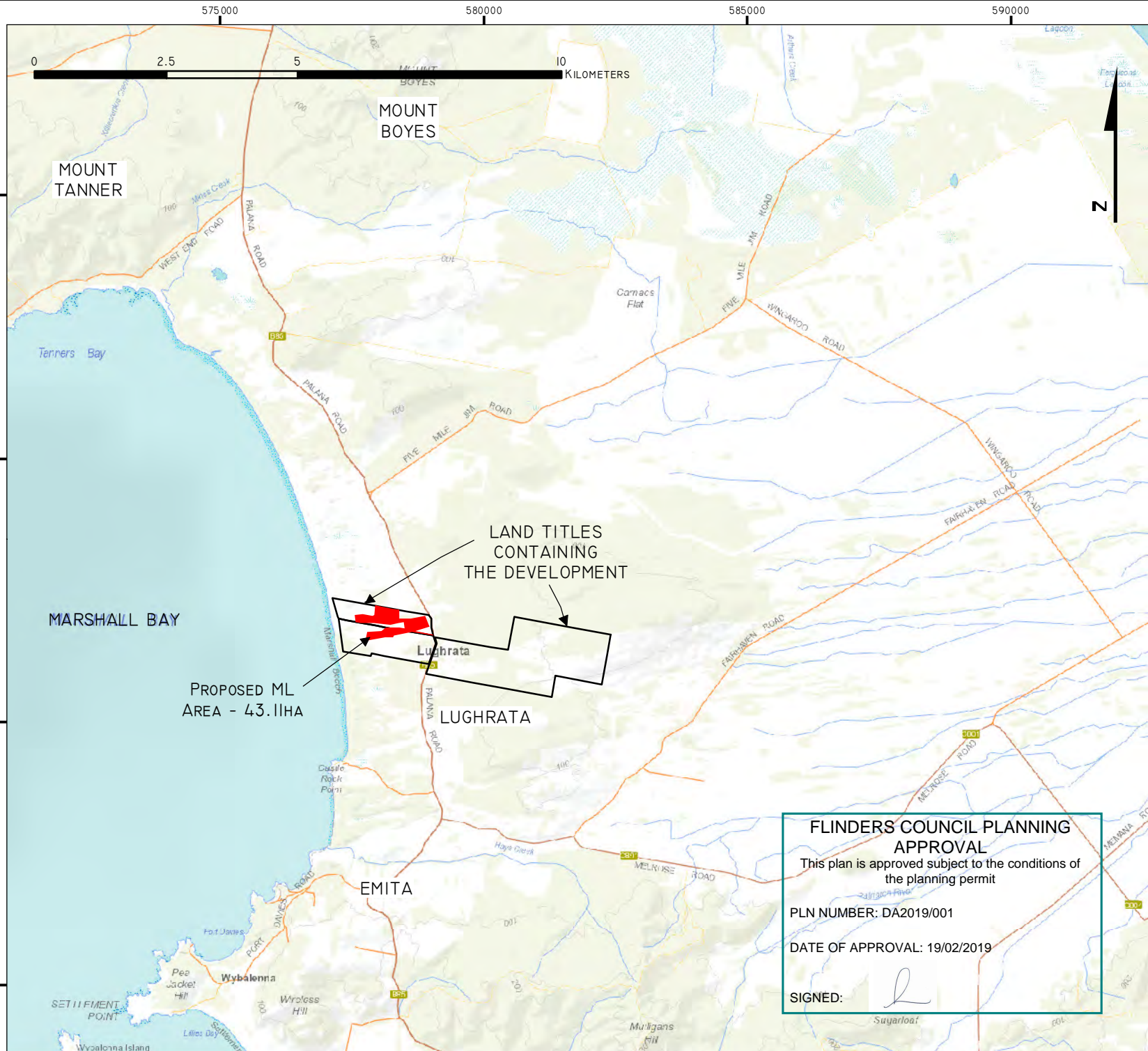


### A.3 LAND DETAILS

Land Titles – 154620/2 and 160313/1 (see Figure 2 and Attachment 1)

Planning Zones (*Flinders Planning Scheme 2000*) – Rural (see Figure 4A)

Special Areas (*Flinders Planning Scheme 2000*) – Ecologically Sensitive and Unstable Ground (see Figure 4B)



# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE I: LOCATION OF LUGHRATA LIMESAND PIT

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

- PROPOSED ML BOUNDARY
- LAND TITLES

BASE DATA BY TASMAP. © STATE OF TASMANIA  
BASE IMAGE BY TASMAP. © STATE OF TASMANIA

**an Diemen CONSULTING**  
PO Box 1 NEW TOWN TAS 7008



DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVROL RURAL  
MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019

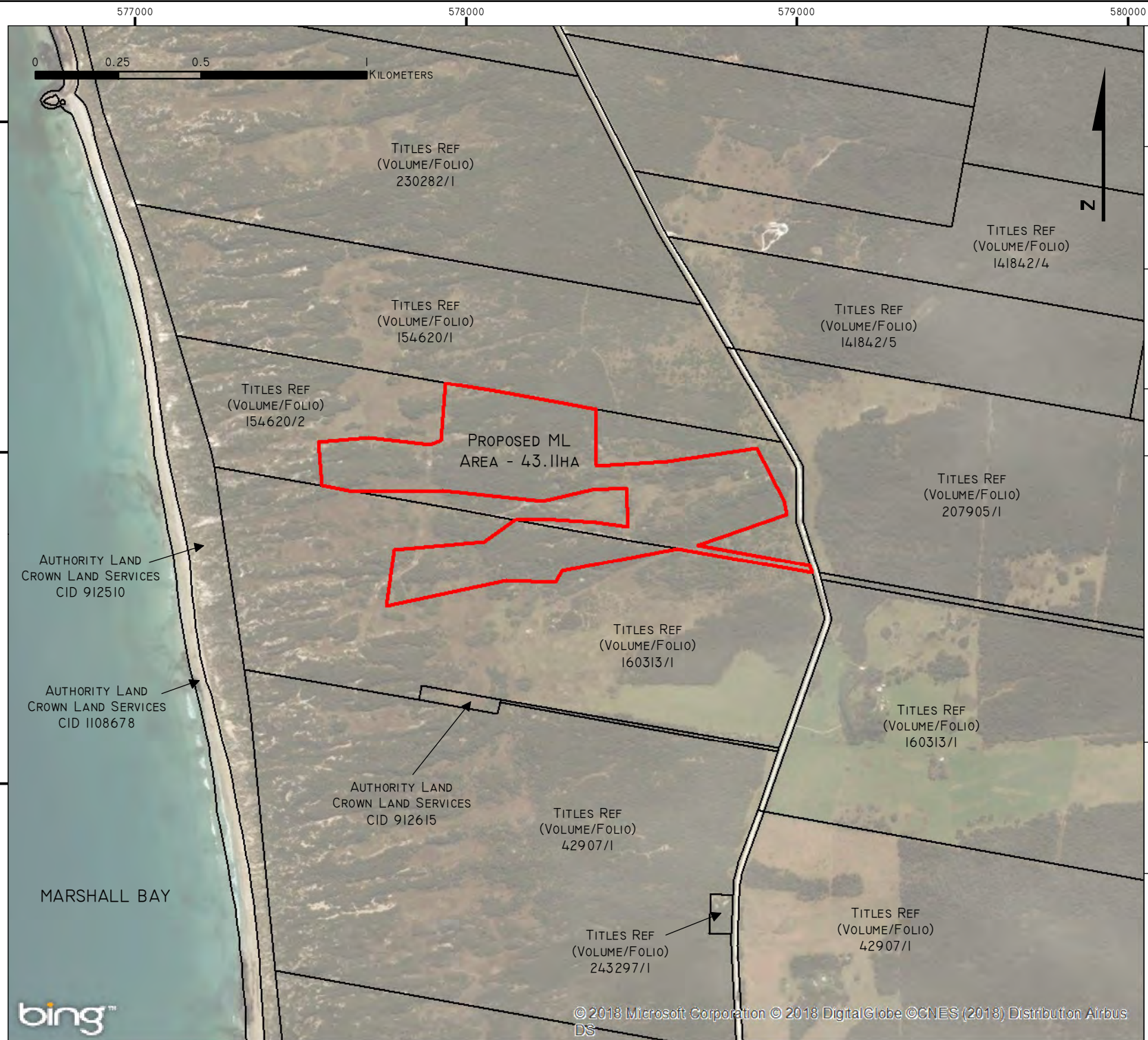
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
# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 2: LOCATION OF LUGHRATA LIMESAND PIT DEVELOPMENT AREA AND LAND TITLES

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

-  PROPOSED ML BOUNDARY
-  TITLE BOUNDARIES

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GRID: MGA ZONE 55  
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CLIENT:  
DAVROL RURAL  
MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019





# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 3:  
LUGHRATA LIMESAND PIT  
ACCESS/EGRESS

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

### FLINDERS COUNCIL PLANNING APPROVAL

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GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVROL RURAL  
MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019



## **PART B - PROJECT DESCRIPTION**

### **B.1 EXTRACTION LIMIT**

The maximum extracted volume is 4,999 cubic metres per annum. This makes it a Level 1 activity pursuant to the *Environmental Management and Pollution Control Act 1999*.

### **B.2 EXTRACTION METHODS**

The extraction of material will be in accordance with the following:

- surface site preparation by vegetation and topsoil removal and stockpiling;
- excavation of material with a bulldozer and/or excavator;
- occasional stockpiling of material in the pit area (most will be 'hot loaded' into trucks for delivery to agricultural lands);
- occasional screening (less than 1,000 cubic metres per annum) to remove coarse vegetative/root debris and/or rocks and stones;
- loading trucks with wheel loader from the pit face and/or stockpile area; and the
- transport of lime sand by truck.

The approximate layout of the pit at year 10 (based on the maximum annual extraction of 4,999m<sup>3</sup>) is shown in Figure 5A with a corresponding cross-section shown in Figures 5B.

### **B.3 OPERATING HOURS**

Operating hours for the extraction pit are those recommended in the *Tasmanian Quarry Code of Practice 1999* – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.

Most truck movements are projected to occur between 0700 and 1800 hrs on Monday to Friday with low volume movements after that time (ie. from 1800 to 1900 hrs after which time the extraction pit will close as per the operating hours). Trucks may access the extraction pit on Saturday between the hours of 0800 and 1600.

### **B.4 EQUIPMENT**

The following equipment and machinery are likely to be used in the operation -

- 1 x excavator;
- 1 x bulldozer;
- 1 x loader;
- 1 x vibratory screen; and
- Trucks (with or without trailer).

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### **B.5 ACCESS ROAD**

Access will be from the existing entrance off Palana Road (Figure 3).

### **B.6 LAYOUT**

The approximate proposed layout of the extraction pit is shown in Figure 5A.



### **B.6.1 Infrastructure**

A sediment pond of a minimum holding capacity of 50,000 litres will be constructed adjacent to the pit. The sediment pond will be occasionally filled in with sand and reconstructed as the pit moves northwards and eastwards with extraction activities.

Stockpiled material will be stored adjacent to the active pit for truck loading.

An informal area (unsealed) for vehicle parking will be constructed near the pit.

### **B.6.2 Amenities**

No toilets, showers or office are proposed.

## **B.7 RESOURCE/EXTRACTION AREAS**

The Mining Lease (proposed) is the area from within which material may be extracted as part of the extraction activity. The extraction pit shape and form at year 10 of extraction is approximately shown in Figure 5c, with a cross section through the pit shown in Figure 5b.

## **B.8 VEGETATION REMOVAL AND MANAGEMENT**

The removal of vegetation will only occur as the area is required for pit expansion or the establishment of specific infrastructure, such as a cut-off drain, stockpile location etc.

The management of vegetation removed to extract the resource will be in accordance with the QCP.

## **B.9 TOPSOIL REMOVAL AND MANAGEMENT**

Topsoil will be stripped, excavated and stockpiled in bunds to (i) channel water away from the active extraction pit face and (ii) to direct water flowing within the pit into a series of drains and then into a sediment pond. The topsoil stockpiles will be managed via a weed spraying program to prevent significant weed incursions.

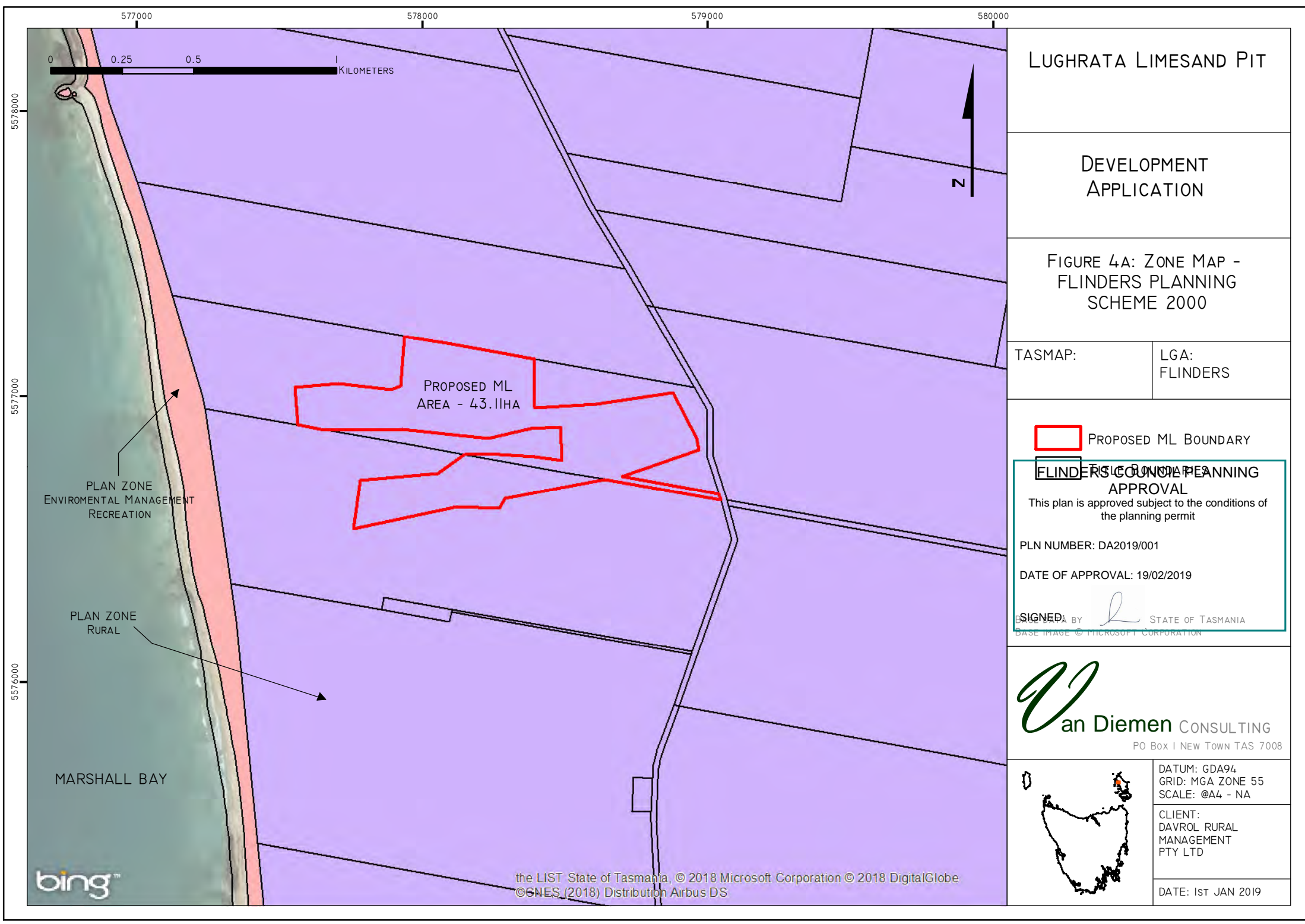
The management of topsoils removed to extract the resource will be in accordance with the QCP.

## **B.10 TRAFFIC MOVEMENTS**

Light vehicles will access the extraction pit from the existing access off Palana Road (Figure 3). Light vehicles accessing the property to attend the extraction pit could be up to 3 per day (6 movements per day).

Based on a 1.5 tonne/metre<sup>3</sup> conversion ratio the maximum volume of 4,999 cubic metres equates to approximately 7,500 tonnes. This tonnage equates to about 250 truckloads (based on 30 tonne capacity trucks) or 500 movements per annum from the extraction pit at full production. This is about 6 truck movements per day from the extraction pit based on 80 haul days (NB – 80 haul days is approximately 4-5 months of haulage which would occur across the late summer/autumn and spring months). Truck movements could be as high as 10 movements per day (5 trucks) during peak periods of demand such as autumn and spring.





# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 4A: ZONE MAP - FLINDERS PLANNING SCHEME 2000

TASMAP:

LGA: FLINDERS

 PROPOSED ML BOUNDARY

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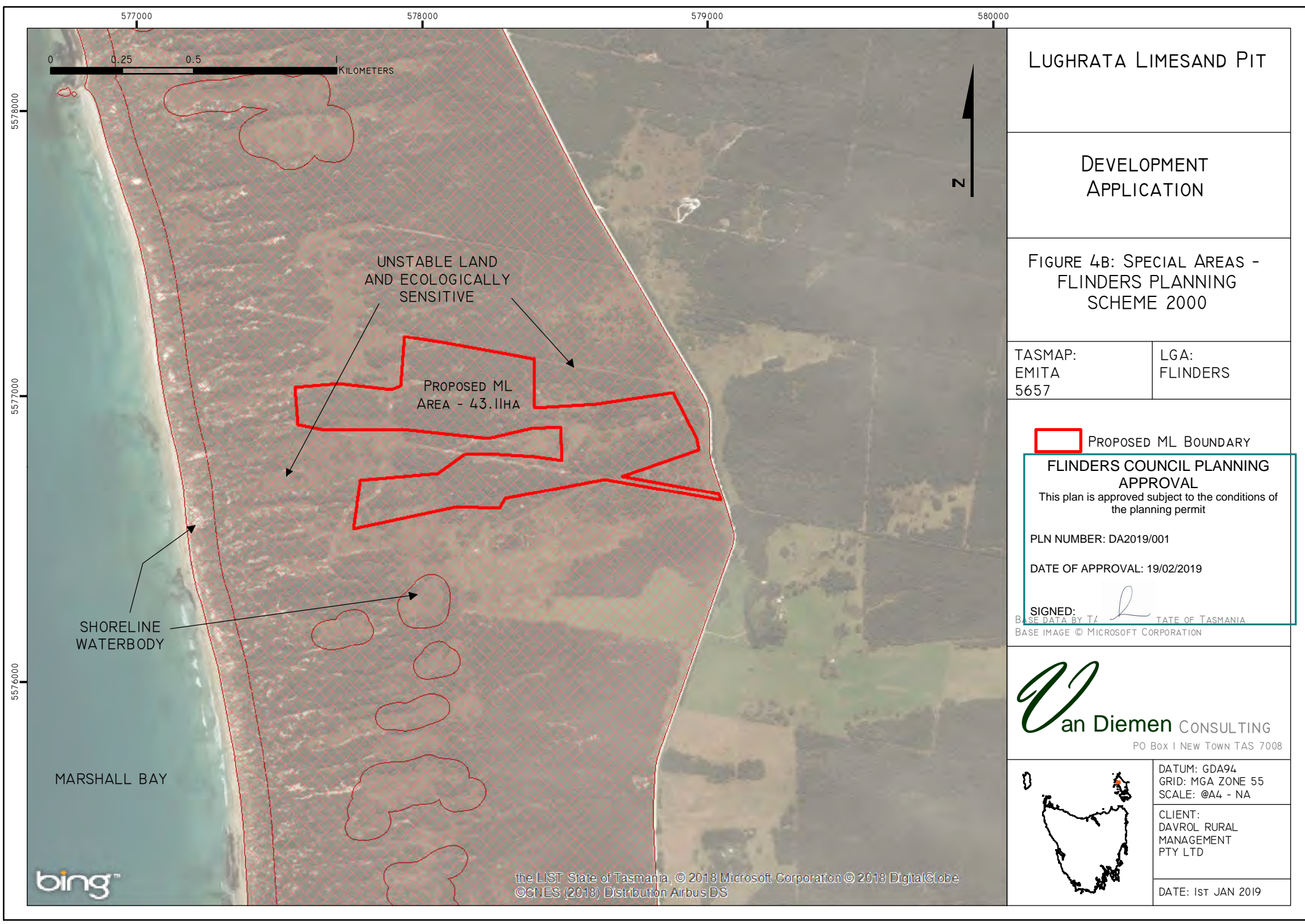


DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVROL RURAL  
MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019






LUGHRATA LIMESAND PIT

DEVELOPMENT  
APPLICATION

FIGURE 4B: SPECIAL AREAS -  
FLINDERS PLANNING  
SCHEME 2000

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

 PROPOSED ML BOUNDARY

FLINDERS COUNCIL PLANNING  
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MANAGEMENT  
PTY LTD

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578600

578650

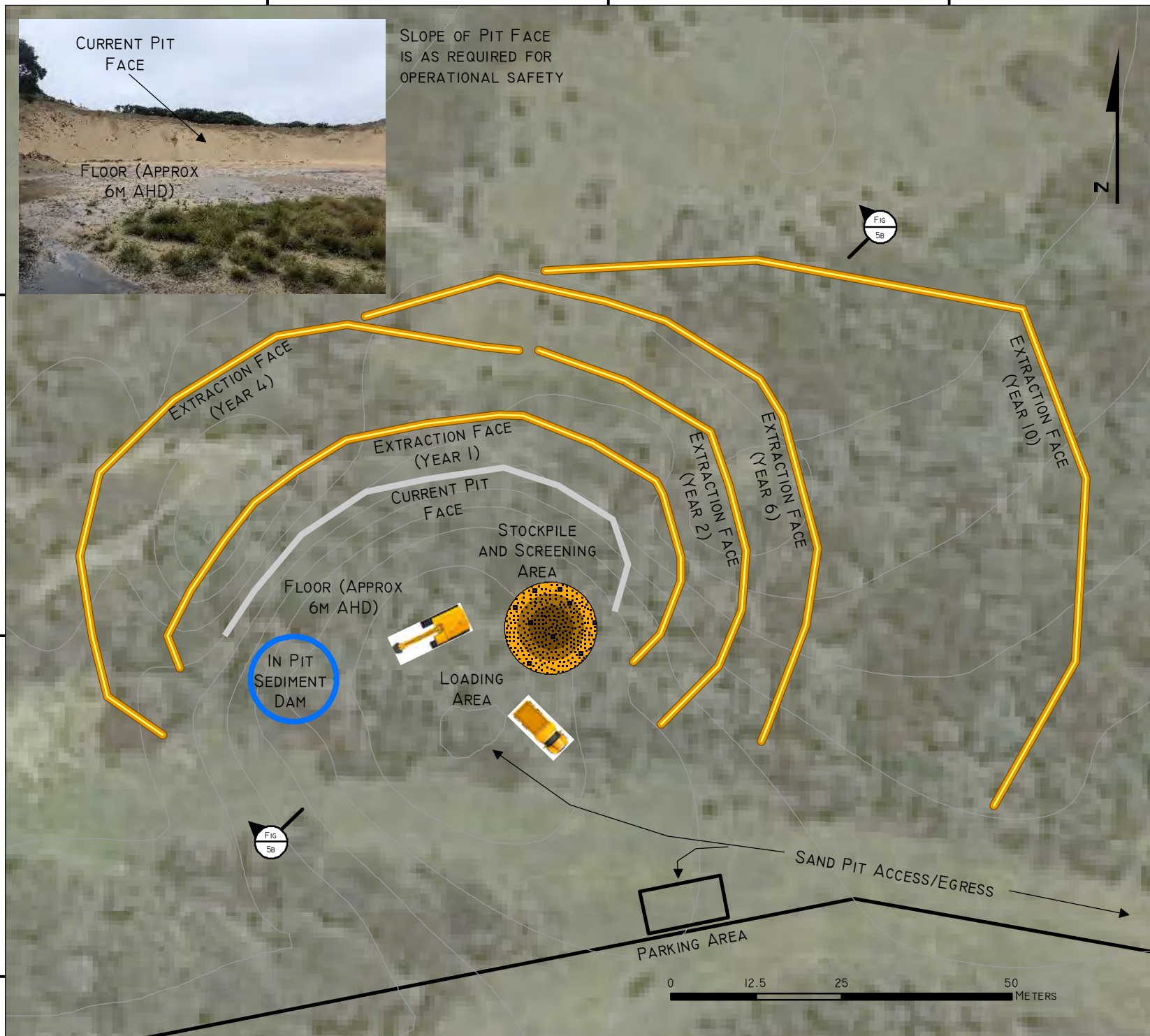
5576800

5576750

5576700



SLOPE OF PIT FACE  
IS AS REQUIRED FOR  
OPERATIONAL SAFETY



# LUGHRATA LINESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 5A: MINE PLAN  
(BASED ON 4999M3 PA  
(EXTRACTED PRODUCT)  
FOR 10 YEARS)

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

1M CONTOUR (APPROX)

### FLINDERS COUNCIL PLANNING APPROVAL

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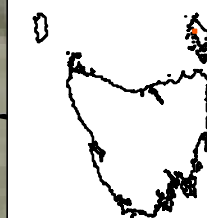
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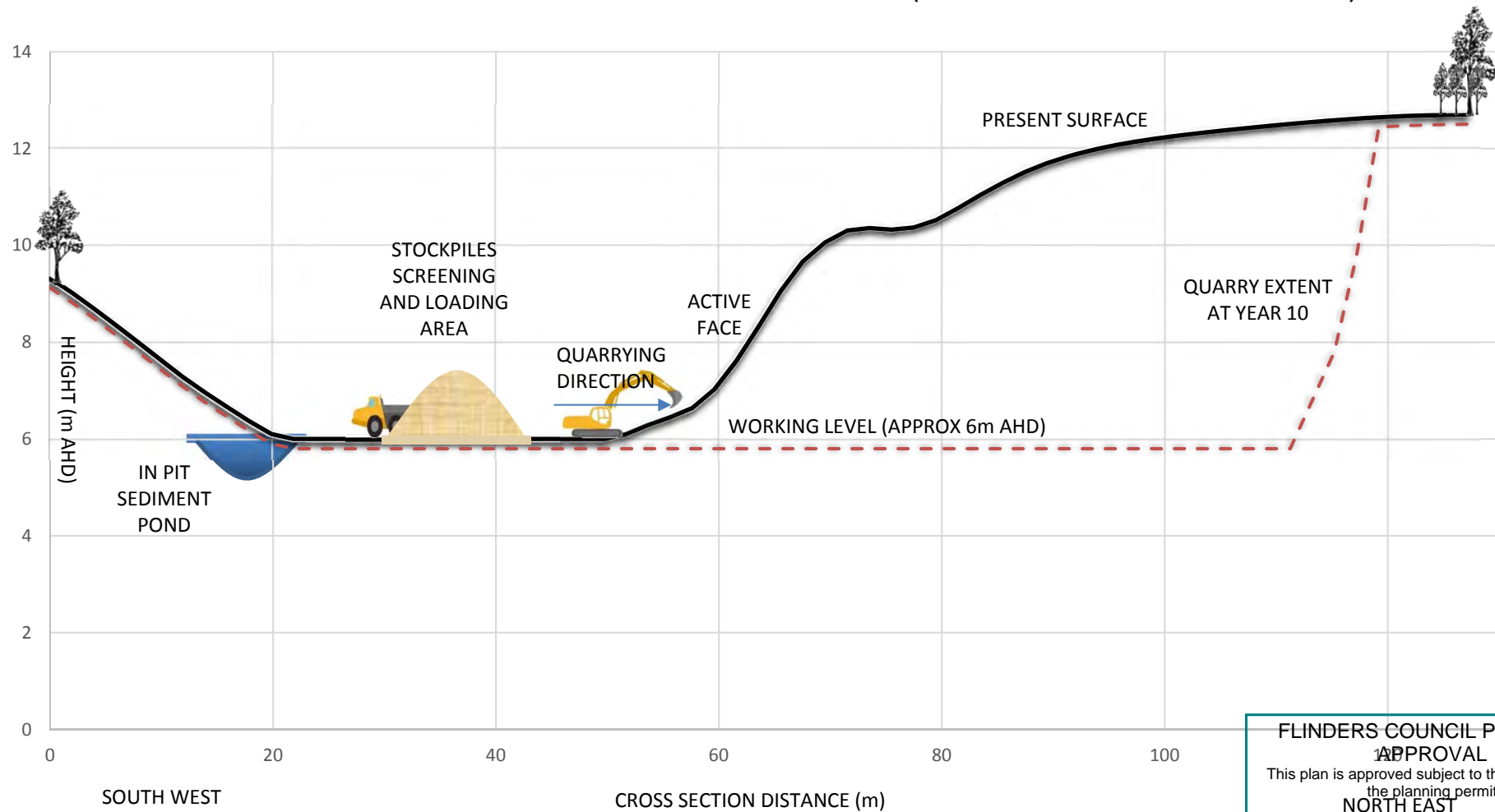
CLIENT:  
DAVROL RURAL  
MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019

0 12.5 25 50 METERS



FIGURE 5b: CROSS SECTION OF LUGHRATA LIMESAND PIT (PRESENT TO YEAR 10 EXTRACTION)

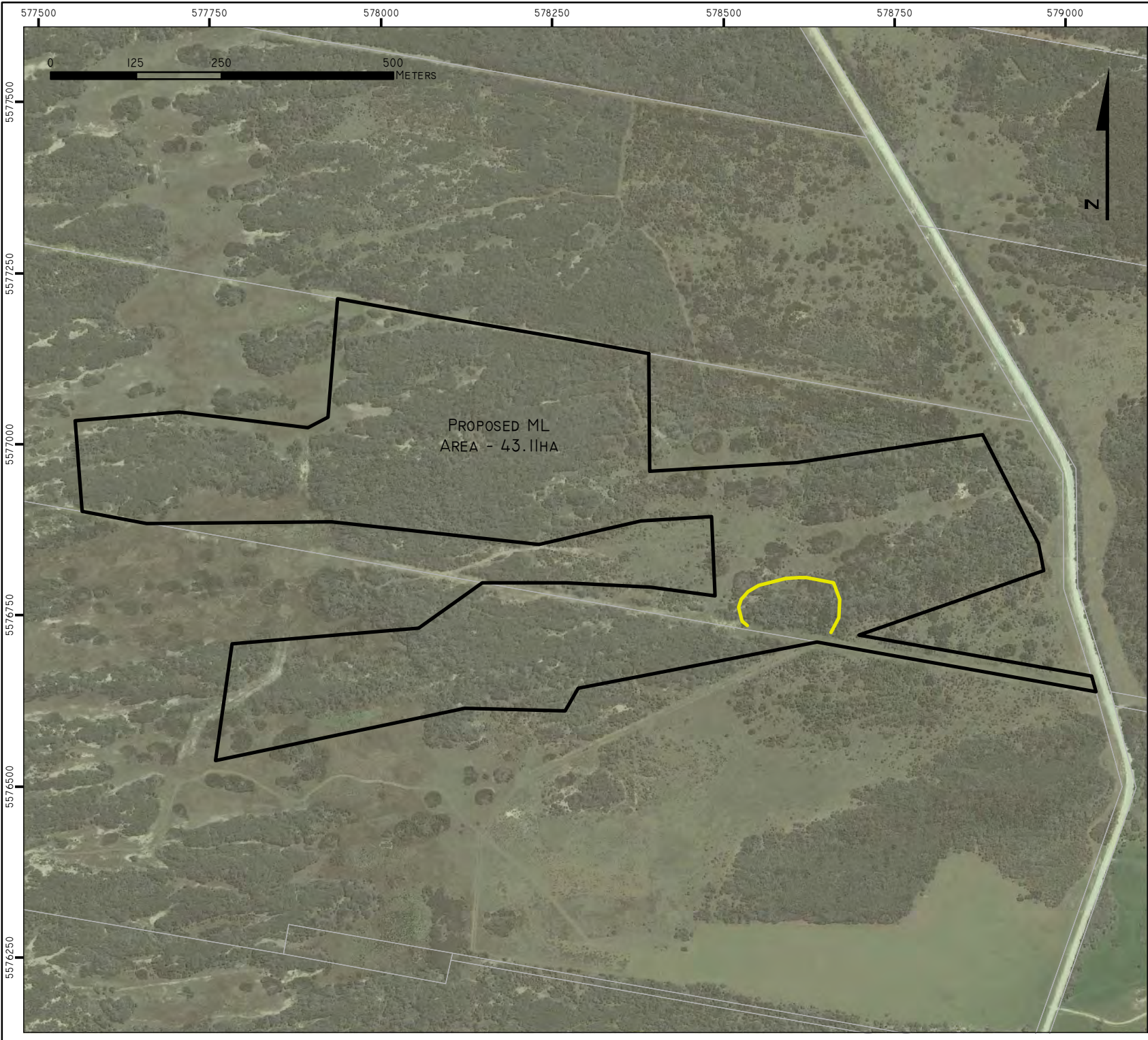


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# LUGHRATA LINESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 5C: MINING LEASE AND YEAR 10 EXTRACTION AREA

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

— YEAR 10 EXTRACTION AREA

PROPOSED ML BOUNDARY  
FLINDERS COUNCIL PLANNING  
TITULAR BOUNDARIES  
APPROVAL

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CLIENT:  
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MANAGEMENT  
PTY LTD

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## PART C - PROJECT AREA

### C.1 CLIMATE PARAMETERS

The nearest Bureau of Meteorology weather recording station is at Flinders Island Airport to the south of the development site.

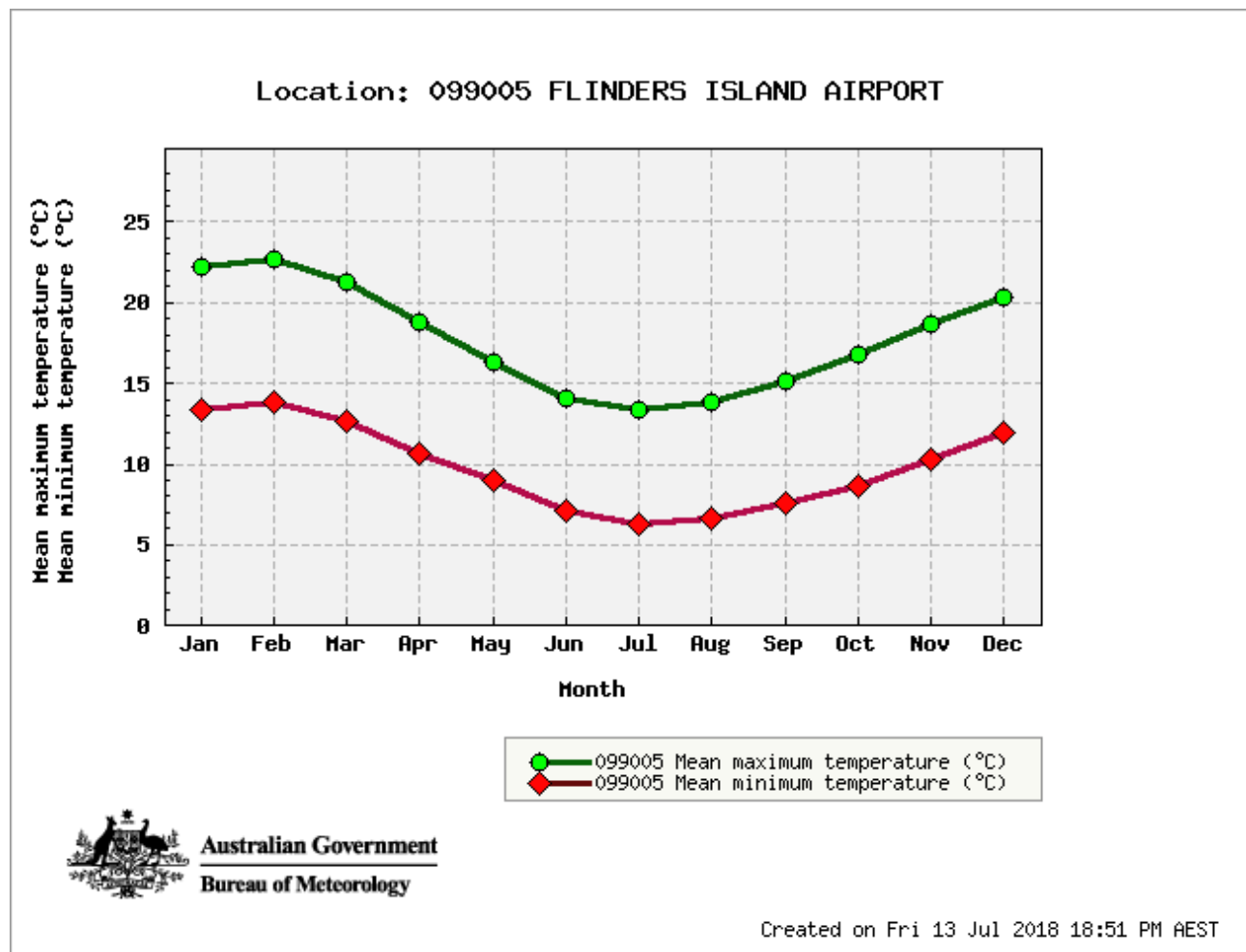
The station details for the Flinders Island Airport weather station are -

- **Site number:** 099005
- **Latitude:** 40.09 °S **Longitude:** 148.00 °E
- **Elevation:** 9 m

The development and use occur in a region with cool winters and warm summers (Graph 1), with most precipitation occurring in the winter and spring period (Graph 2).

**Graph 1. Mean minimum and maximum temperature for Flinders Island Airport**

Source: Bureau of Meteorology 2018



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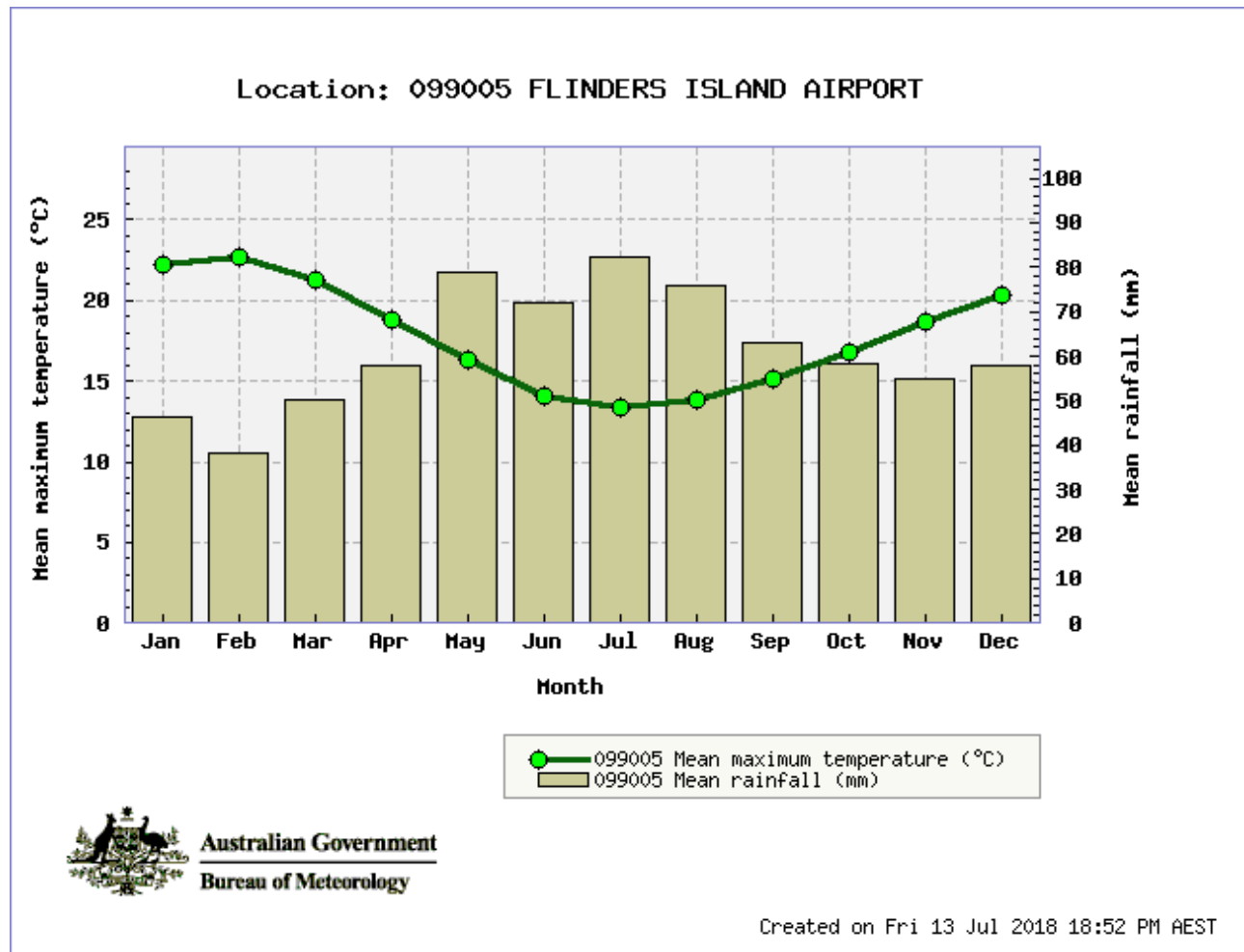
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## Graph 2. Mean annual rainfall and mean maximum temperature for Flinders Island Airport

Source: Bureau of Meteorology 2018



### C.2 GEOLOGY, SOILS AND LAND CAPABILITY

The geology of the Mining Lease (proposed) is mapped as sand, gravel and mud of lacustrine and littoral origin (Figure 6). The sands to be extracted are of littoral origin and are highly calcareous in nature.

DPIPWE has identified a Low to Extremely Low likelihood of Potential Acid Sulfate Soils (coastal) in the Marshall Bay area (Figure 7) based on the test pitting and sampling of (see Attachment 2 for the DPIPWE test results). The testing was conducted of a lacustrine deposit associated with Arbothnots Lagoon, not sands of littoral origin that are highly calcareous, although DPIPWE applied the results to the full coastal zone of the Marshall Bay region. Sand extraction will not occur into the older and deeper soils and sands below the littoral deposits rich in carbonates as they are of no benefit to the activity.

The Land Capability is not recorded by DPIPWE however the sandy alkaline soils are likely to qualify as Land Class 5 to 6.

### C.3 WATERCOURSES

There are no defined watercourses within the Development Area (see Figure 10).

The sands to be extracted from the Mining Lease are well drained being formed by Quaternary sands.

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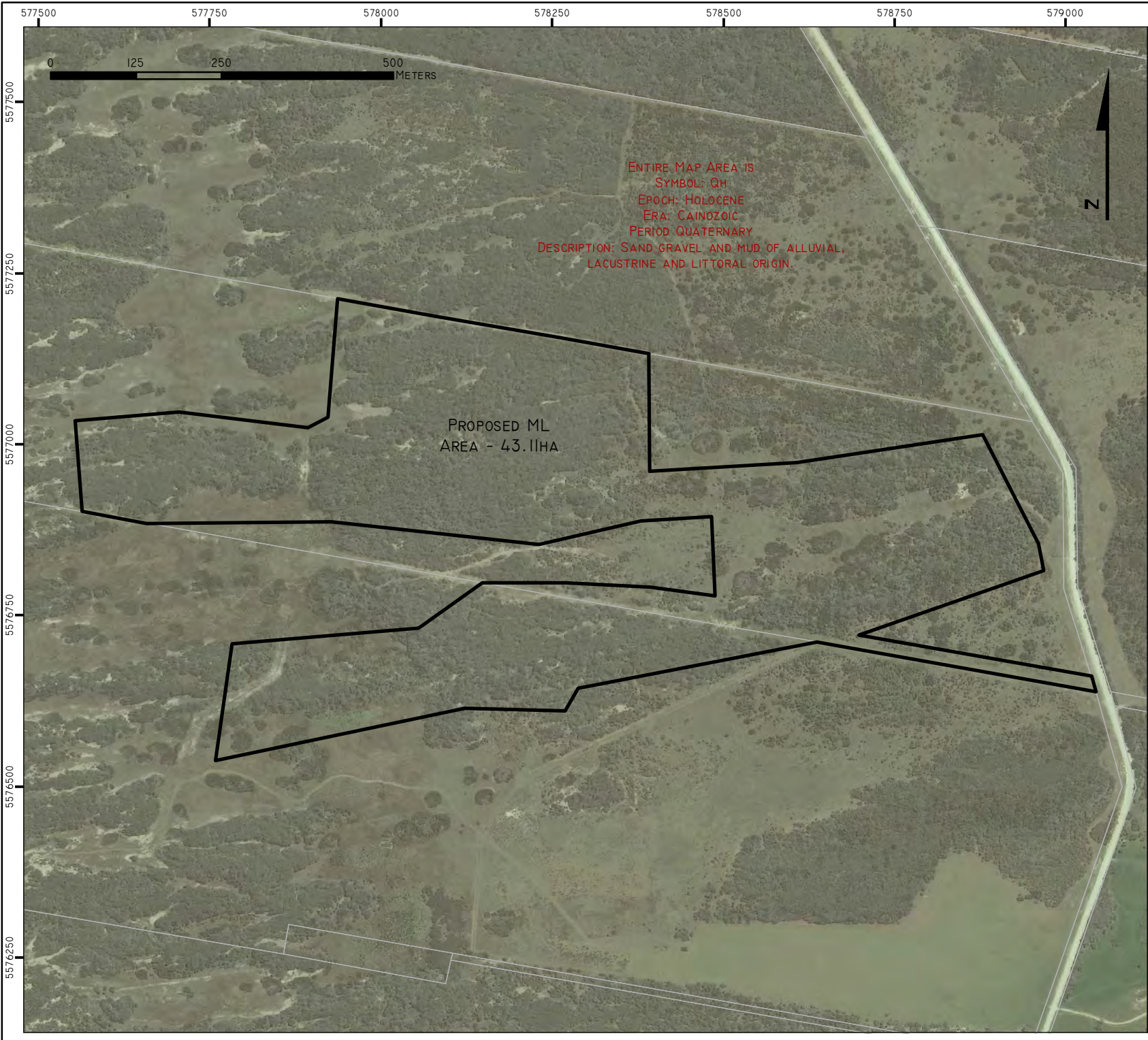
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# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 6: GEOLOGY  
(1:250,000 - MRT)  
AROUND THE DEVELOPMENT AREA

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

 PROPOSED ML BOUNDARY

### FLINDERS COUNCIL PLANNING APPROVAL

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MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019



COASTAL ACID SULFATE SOILS (0 - 20M AHD)

- HIGH
- LOW
- EXTREMELY LOW

PROPOSED ML  
AREA - 43.11HA

TASSI TASMANIAN ACID SULFATE  
SOILS INFORMATION PROJECT 2009  
SITE ID: T7.II

LUGHRATA LIMESAND PIT

DEVELOPMENT  
APPLICATION

FIGURE 7: COASTAL ACID SULFATE  
SOILS (0-20M AHD) AND ACID  
SULFATE SOIL SITES

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

PROPOSED ML BOUNDARY  
FLINDERS COUNCIL PLANNING  
APPROVAL  
TITLE BOUNDARIES  
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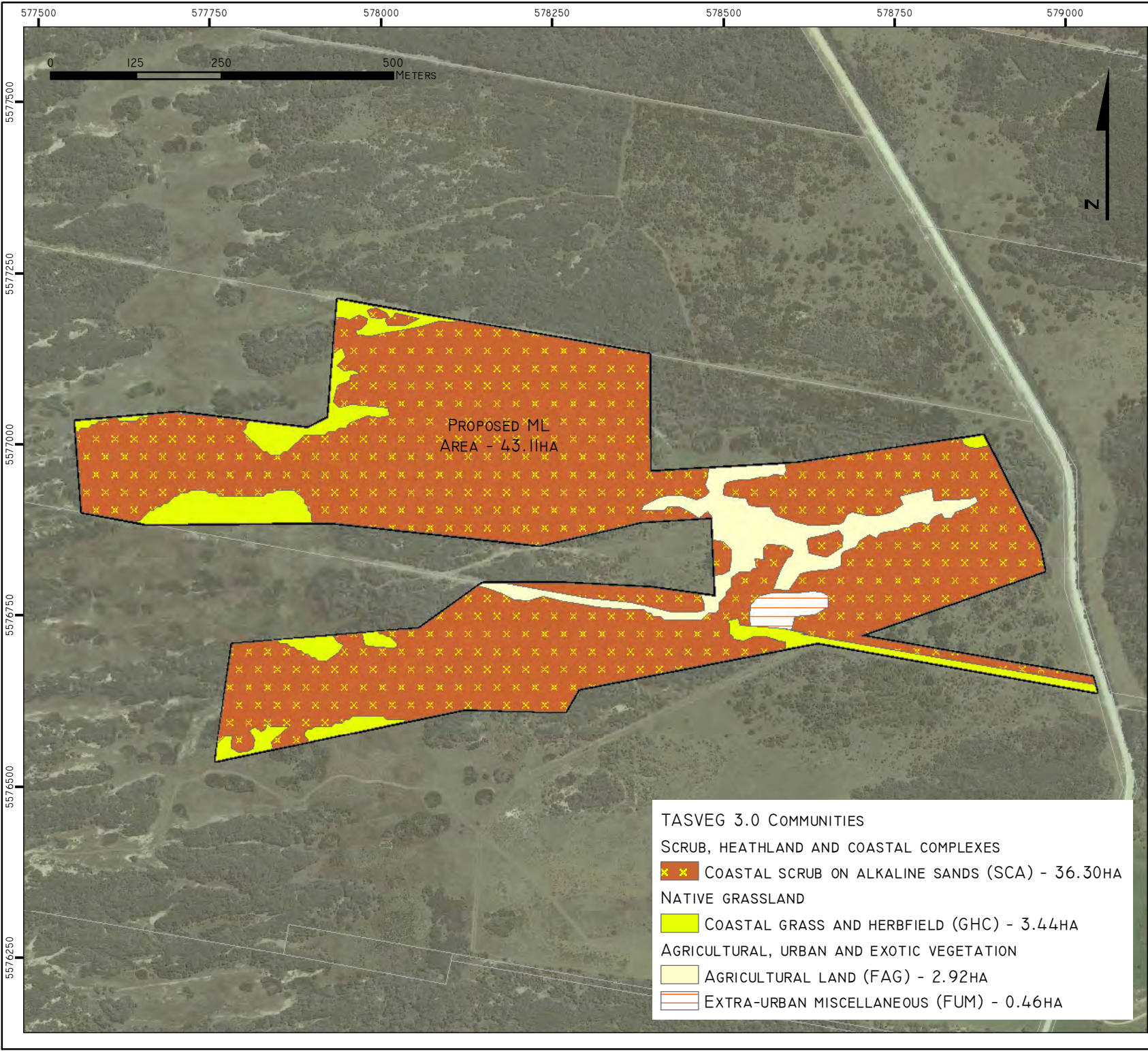


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# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 8: TASVEG COMMUNITIES IN THE DEVELOPMENT AREA

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

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### TASVEG 3.0 COMMUNITIES

#### SCRUB, HEATHLAND AND COASTAL COMPLEXES

 COASTAL SCRUB ON ALKALINE SANDS (SCA) - 36.30HA

#### NATIVE GRASSLAND

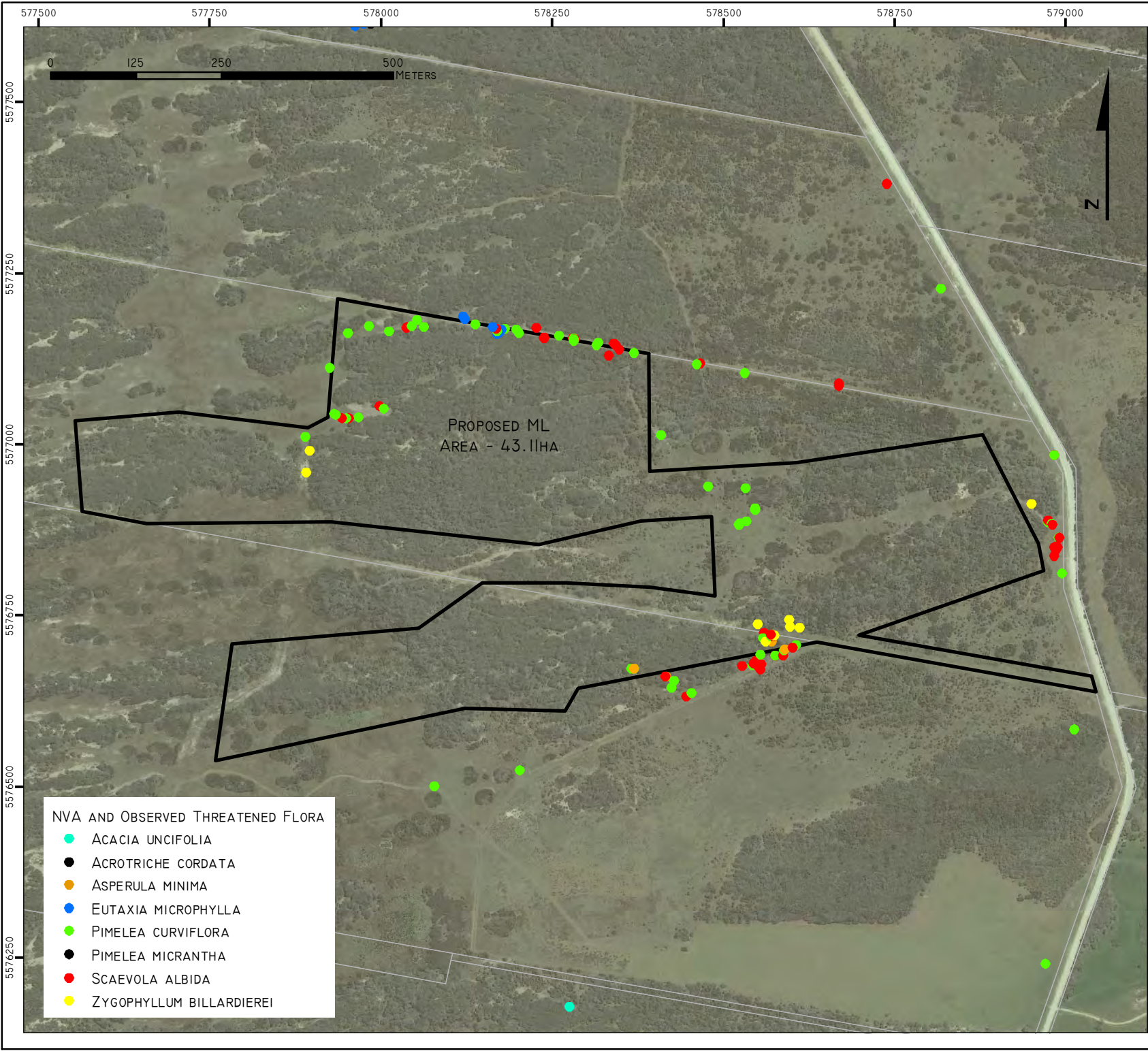
 COASTAL GRASS AND HERBFIELD (GHC) - 3.44HA

#### AGRICULTURAL, URBAN AND EXOTIC VEGETATION

 AGRICULTURAL LAND (FAG) - 2.92HA

 EXTRA-URBAN MISCELLANEOUS (FUM) - 0.46HA





# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 9A: KNOWN AND OBSERVED THREATENED FLORA IN THE DEVELOPMENT AREA

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

PROPOSED ML BOUNDARY

FLINDERS COUNCIL PLANNING


APPROVAL

TITLE BOUNDARIES

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### NVA AND OBSERVED THREATENED FLORA

- ACACIA UNCIFOLIA
- ACROTRICHE CORDATA
- ASPERULA MINIMA
- EUTAXIA MICROPHYLLA
- PIMELEA CURVIFLORA
- PIMELEA MICRANTHA
- SCAEVOLA ALBIDA
- ZYGOPHYLLUM BILLARDIEREI

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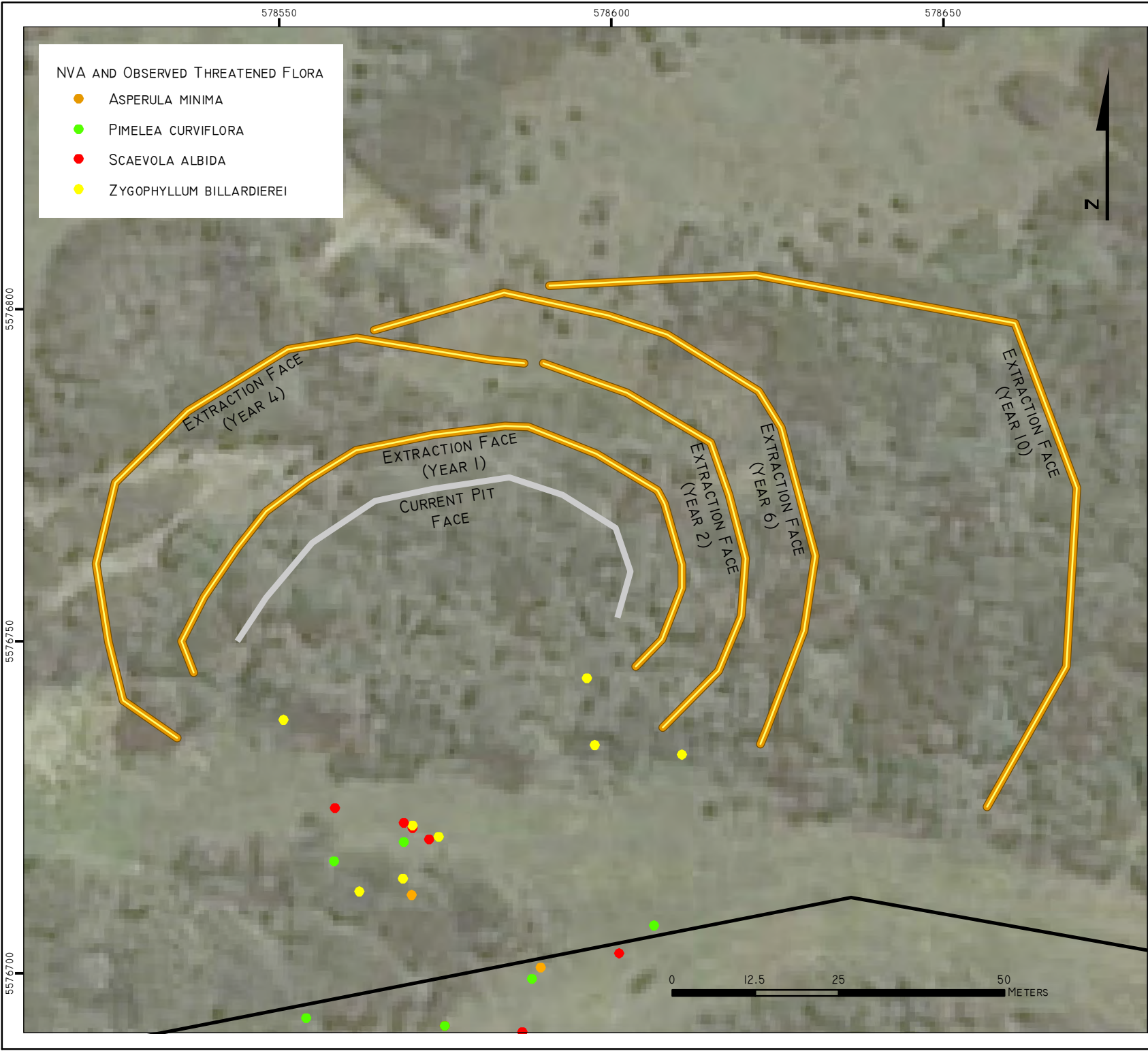


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PTY LTD

DATE: 1ST JAN 2019





- NVA AND OBSERVED THREATENED FLORA
- ASPERULA MINIMA
  - PIMELEA CURVIFLORA
  - SCAEVOLA ALBIDA
  - ZYGOPHYLLUM BILLARDIEREI


# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 9B: KNOWN AND OBSERVED THREATENED FLORA IN THE YEAR 10 EXTRACTION AREA

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

 PROPOSED ML BOUNDARY

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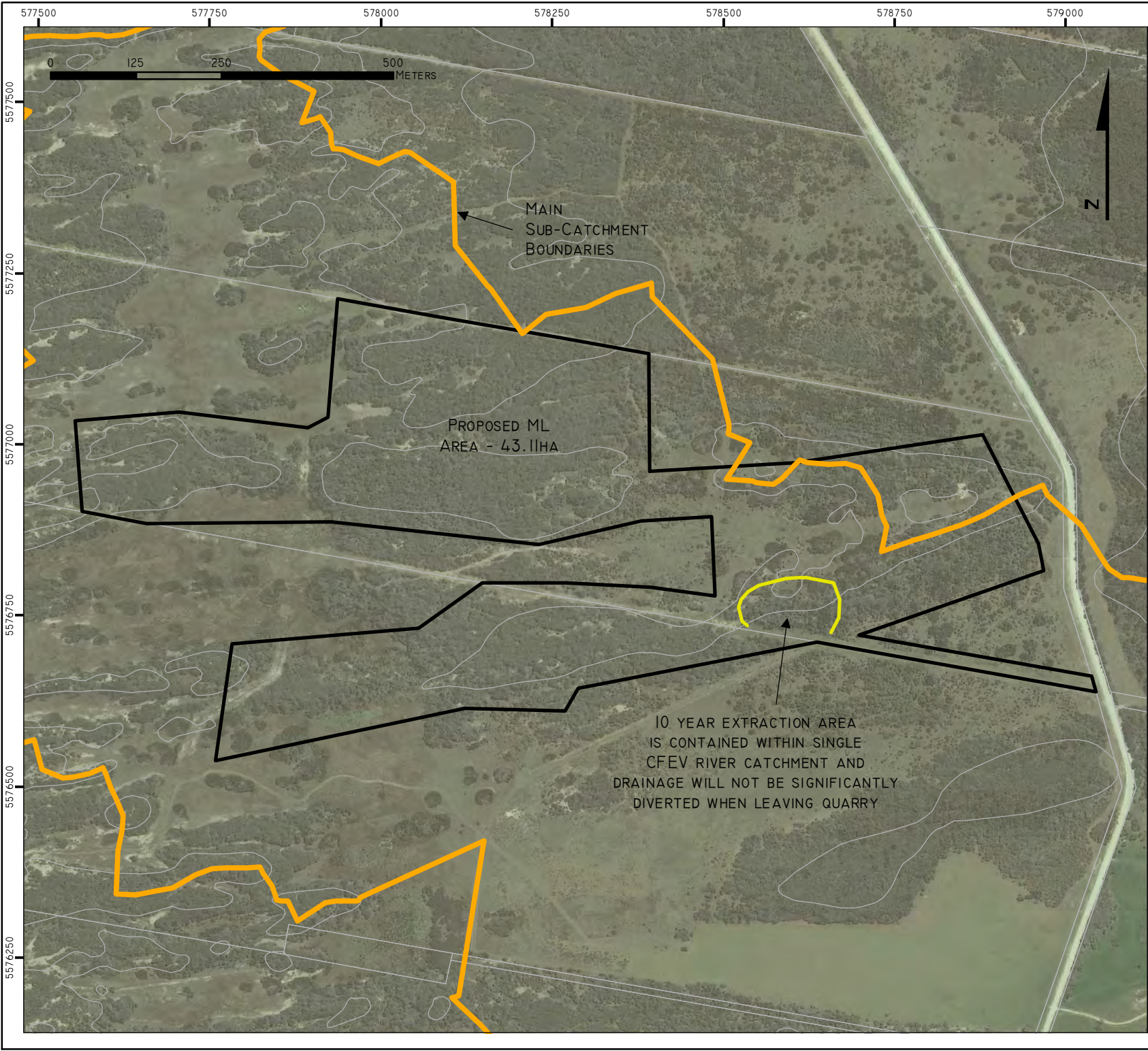


DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
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MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019





# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE 10: DRAINAGE AND CATCHMENT BOUNDARIES

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

YEAR 10 EXTRACTION AREA

FLINDERS COUNCIL PLANNING

RIVER APPROVAL SECTIONS

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PROPOSED ML BOUNDARY

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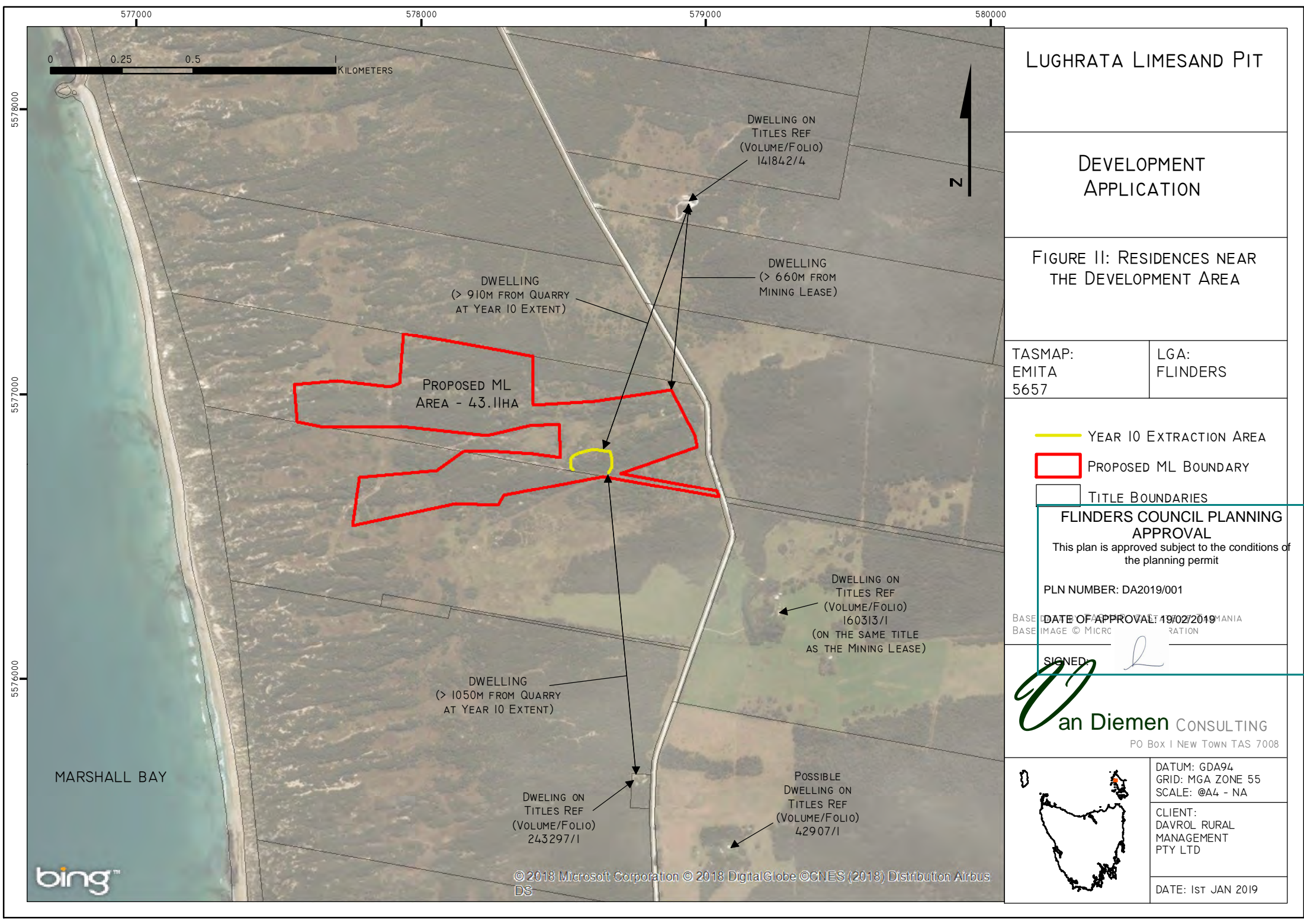


DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
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MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019





# LUGHRATA LIMESAND PIT

## DEVELOPMENT APPLICATION

FIGURE II: RESIDENCES NEAR THE DEVELOPMENT AREA

TASMAP:  
EMITA  
5657

LGA:  
FLINDERS

- YEAR 10 EXTRACTION AREA
- PROPOSED ML BOUNDARY
- TITLE BOUNDARIES

### FLINDERS COUNCIL PLANNING APPROVAL

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SCALE: @A4 - NA

CLIENT:  
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MANAGEMENT  
PTY LTD

DATE: 1ST JAN 2019

## PART D - PLANNING SCHEME REQUIREMENTS

### D.1 CATEGORISATION OF USE/DEVELOPMENT

The activity is consistent with the definition of the Use Class *Industry Extractive* in the Flinders Planning Scheme 2000 (the 'Scheme') –

'... means the use or development of land for the excavation of any resource(s) such as sand, earth, soil, clay, turf, gravel, rock, stone, minerals or the like.

### D.2 ZONING

The land upon which the extraction pit occurs is in the Rural Zone of the Scheme (Figure 4A). *Industry Extractive* is a Discretionary Use in the Rural Zone.

### D.3 SPECIAL AREAS

The activity intersects two Special Areas prescribed by the Scheme - Ecologically Sensitive and Unstable Ground (see Figure 4B)

### D.3 DETERMINING THE APPLICATION - PLANNING AUTHORITY

The planning authority is Flinders Council (the Council).

A planning permit is required for use or development:

- (a) listed in the Table of Use or Development as Discretionary; or
- (b) which may not proceed unless the Council waives, relaxes or modifies a requirement of the Scheme or otherwise in its discretion consents to the use or development proceeding.

A grant of a Planning Permit may be issued either conditionally or subject to such conditions or restrictions as the Council may impose.

Pursuant to Clause 3.10 of the Scheme, Council shall take into consideration the following:

1. the objectives, the intent of the zone, use and development principles, any development plan affecting the land and any relevant development standards or other relevant requirements of the Scheme;
2. any relevant proposals, reports or requirements of any public authorities;
3. any representations received following public notification where required under the Act;
4. whether any part of the land is subject to:
  - (a) landslip, soil instability, or erosion;
  - (b) excessive slope;
  - (c) ponding or flooding;
  - (d) bush fire hazard;
  - (e) a Protected Catchment District under Water Management Act 1999;
  - (f) any Special Area Provisions in Part 7;
  - (g) pollution; and
  - (h) other hazards to safety or health.
5. whether the proposed use or development is satisfactory in terms of its siting, size or appearance and levels of emissions in relation to:
  - (a) existing site features;
  - (b) adjoining land;

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- (c) the streetscape and/or landscape;
- (d) the natural environment;
- (e) items of historic, architectural or scientific interest;
- (f) buffer zones, attenuation areas,
- (g) easements;
- (h) a water supply for fire fighting purposes;
- (i) any received pollution;
- (j) the escape of pollutants into storm drains and watercourses: and
- (k) isolation, separation from other lands.

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6. whether the proposed use or development will be supplied with an adequate level of infrastructure and services, and if there is any necessity to improve deficient access, roads or road junctions, water, sewerage, electricity or transport services and the like, without detriment to existing users;
7. whether the proposed use or development would adversely affect the existing and possible future use or development of adjacent land, and vice versa;
8. the provision of adequate landscaping, amenity facilities and illumination, and the treatment of the site generally;
9. the sight distances available to and from proposed point(s) of access, together with an estimate of the speed of passing traffic;
10. the design and siting of the proposal to enable reduction in energy consumption through alternative energy use or reduction in demand; and
11. the safety and well-being of the general public.
12. Any other matter which Council is of the opinion is relevant to the particular application.

#### D.4 ZONE INTENT

The following notes and comments are made about each intent of the zone relevant to the Development.

Objective	Comments regarding the Development
The Rural Zone on Flinders Island is intended to maintain the existing rural character of the island which is typified by a pattern of areas of open farmland, typically with shelter belts of remnant vegetation, interspersed with irregular areas of native vegetation and substantial unspoiled landform. On other islands within the Planning Area the zone is intended to preserve the existing character which displays minimal signs of European occupation.	The Development will not impact on the existing rural character as it will not alter the pattern of open areas of farmland with interspersed irregular areas of native vegetation. In the specific Marshall Bay location where the extraction pit will occur, the mosaic of scrub and regenerating cleared land (ex-pasture and rough grazing pasture) will remain intact given the small size of the pit (both currently and proposed when the pit is operational). There is to be retained vegetation between the extraction pit and nearby Palana Road.
Use and development in the Rural Zone is intended to accommodate agricultural uses and development predominantly, with some compatible non-agricultural uses and development in appropriate circumstances, including tourist operation and rural	The Development is a compatible agricultural related use of the land – the Scheme intends that these developments (ie rural industries) can occur within this zone. For example, <b>no other zone</b> in the Scheme allows for extractive industries so this

industries. Forest plantations may be appropriate where they do not adversely affect the character of an area or detract from important views.	<p>zone is the only zone where extraction-based activities can occur.</p> <p>The Development is in effect a 'rural industry' [for the purposes of the zone intent] to support agricultural use of the agricultural lands on Flinders island.</p> <p>The small geographic size and predominantly low intensity of extraction make the overall land use a very minor impact activity within the Rural Zone.</p> <p>The extraction pit would be the only one on the island authorised to extract and supply on a commercial basis lime sand for the neutralisation of acidic soils.</p>
--	--

## D.5 DESIRED ZONE CHARACTER AND ZONE GUIDELINES

The Scheme provides the following desired zone character and zone guidelines –

Desired Zone Character	Comments in relation to the Development
The use or development of small existing rural lots for the purpose of residential living shall only be approved where such use or development is compatible with any existing or potential agricultural use of that land or surrounding lands.	Not applicable to this Development – residential use is not proposed.
Use or development should enhance the rural character of the zone. Buildings should be substantial distances from the road frontage and apart, unless inappropriate for operational or topographical reasons. Where land clearance is undertaken it should be visually sympathetic; important trees (or stands of trees) should be retained, important hilltop locations should not be cleared and location of trees and shrubs along fence lines, property boundaries, watercourses and at property entrances is encouraged. Buildings and structures for aquaculture should be sited with regard to the protection of coastal scenery and compatibility with recreational use of the coastline.	<p>The existing pit is low in the landscape and is not visually obtrusive to road users.</p> <p>Retained vegetation alongside Palana Road will continue to visually obscure the extraction pit.</p> <p>There are to be no buildings at the extraction pit.</p>
Land use or development and management practices shall be environmentally appropriate and shall avoid contamination or despoliation of the land, ground water, water courses, shore-lines, lagoons and marshes. Sand-dunes and coastal vegetation and ecologically important areas shall be protected from degradation.	<p>The extraction pit will be operated in accordance with the environmentally-relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p> <p>Lime sands are inherently associated with sand dune and coastal vegetation because of their origins.</p> <p>Sand-dunes and coastal vegetation will be disturbed by the extraction of lime sands but will not be degraded in the long-term because</p>

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	rehabilitation will be required under the Mining Lease (pending).
Forestry activities in the zone shall be in accordance with the Forest Practices Code.	Not applicable to this Development – no forestry activities are proposed.

## D.6 USE AND DEVELOPMENT PRINCIPLES

The following notes and comments are made about each Use and Development Principle relative to the development and use.

### D.6.1 USE

Relevant Principle	Comments in relation to the Development
Use or development shall not unreasonably impact on any existing or intended use or development of neighbouring land.	<p>The extraction pit will not impact on adjoining agricultural uses or associated other uses of land within the Rural Zone – Figure 11 shows the nearest dwellings and other sensitive uses which are at distances that exceed those recommended in the <i>Quarry Code of Practice 2017</i>.</p> <p>The extraction pit will be operated in accordance with the environmentally-relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p> <p>The small size of the extraction pit at any one point in time will be such that its impact on scenic values would be negligible. Rehabilitation of extracted areas to native vegetation would restore any temporary impact to that vegetation caused by extraction.</p>
Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.	
Mining and quarrying operations shall be located and carried out in a form which does not conflict with surrounding land use or development, scenic values and the environment.	

### D.6.2 CHARACTER

Relevant Principle	Comments in relation to the Development
Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.	<p>The character of the local area and future intentions of the area are rural uses. Neighbouring uses are agricultural (eg cropping, pasture development for livestock grazing) and conservation oriented with most of the regional landscape being existing native vegetation.</p> <p>Figure 11 shows the nearest dwellings and other sensitive uses which are at distances that exceed</p>
Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours and fencing.	

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Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.	<p>those recommended in the <i>Quarry Code of Practice 2017</i>.</p> <p>The existing pit is low in the landscape and is not visually obtrusive to road users. Retained vegetation alongside Palana Road will continue to visually obscure the extraction pit.</p>
Where trees are an important element in the character of an area they should be retained.	

**D.6.3 AMENITY**

Relevant Principle	Comments in relation to development
Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.	<p>The development will not affect sunlight to adjoining properties or dwellings.</p> <p>Figure 11 shows the nearest dwellings and other sensitive uses which are at distances that exceed those recommended in the <i>Quarry Code of Practice 2017</i>.</p>

**D.6.4 ENVIRONMENT**

Relevant Principle	Comments in relation to development
Use or development shall not be allowed to detrimentally affect the environment. All areas, and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent which is consistent with the protection of the values of the area.	<p>The extraction pit will be operated in accordance with the environmentally-relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p> <p>Rehabilitation of quarried areas to native vegetation would restore any temporary impact to that vegetation caused by lime sand extraction.</p> <p>The extraction pit is not located in an area of flood risk.</p> <p>The Unstable Land Special Area intersects with the Development. The extraction of lime sands does not involve the construction or use of buildings.</p>
Use or Development and land management practices shall be directed towards achieving environmental sustainability, biodiversity and ecological balance, and avoiding environmental damage such as soil erosion, coastal dune erosion, loss of important animal and plant species and increases in vermin populations.	
Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslide). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users.	
Potentially incompatible Uses or Developments shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:	
<p>i. Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslide). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users.</p> <p>ii. Use or Development shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:</p>	<p>The extraction pit (and associated occasional screening of sands) are not prescribed Level 2 activities under the <i>Environment Management and Pollution Control Act 1994</i>.</p> <p>The extraction will be operated in accordance with the environmentally-relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p>

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<p><i>Environment Management and Pollution Control Act 1994</i> shall not be allowed within the lesser distance from a residential zone than that recommended by the Director of Environmental Management.</p> <p>ii. Use or Development of land that is not a Level 2 activity, but which Council nonetheless considers will or has the potential for environmental harm, shall not be allowed within a lesser distance from a residential zone than that determined by Council after taking into account the advice from the Director of Environmental Management.</p>	<p>Rehabilitation of lime sand extracted areas to native vegetation would restore any temporary impact to that vegetation caused by extraction works.</p>
<p>Activities involving extensive site works, such as quarrying, shall be suitably sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area.</p>	
<p>Use or development shall be of a suitable form and siting to avoid any adverse impact on any watercourse and vice versa.</p> <p>Use or development (including the siting of effluent disposal systems) shall be setback a minimum of 40 metres, or such distance as is required, from a watercourse to avoid degradation of water quality.</p>	<p>No watercourses listed in Schedule 3 of the Scheme are present within the areas designated for the extraction pit and associated future areas of likely extraction.</p> <p>A sediment pond and appropriate drains/channels will be installed at the extraction pit (see Figures 5a and 5b respectively).</p>
<p>Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.</p>	<p>The access road connecting the extraction pit to Palana Road is appropriately constructed to manage surface water flows.</p>

#### D.6.5 HERITAGE

Relevant Principle	Comments in relation to development
<p>Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.</p>	<p>The Mining Lease (proposed) which is the proposed extraction area is comprised of agricultural land and native vegetation.</p> <p>Rehabilitation of sand extracted areas to native vegetation would restore any temporary impact to that vegetation caused by sand extraction.</p> <p>The management of weeds will be via a weed spraying program.</p> <p>The threatened flora species present (see Figures 9a and 9b) can only be disturbed/taken with the approval of the Department of Primary Industries, Parks, Water and Environment – a permit would be sought if the species was to be taken/disturbed.</p> <p>Wombat burrows rarely occur in the extraction area. These can only be disturbed/taken with the</p>

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	approval of the Department of Primary Industries, Parks, Water and Environment – a permit would be sought if burrows were to be taken/disturbed.
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**D.6.6 ACCESS AND PARKING**

Relevant Principle	Comments in relation to development
All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.	<p>The existing vehicular access from Palana Road will be used for the Development and Use.</p> <p>The existing access has adequate sight distances, ingress/egress and formation (it is suitably constructed for the use) as shown in Figure 3.</p>
Road widths shall be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject and surrounding land.	
Road intersections shall be kept to a minimum with the use of existing roads, service roads and/or shared driveways being encouraged where appropriate.	
New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development.	
Intersections of roads, footpaths and foot crossings and driveways shall provide adequate safety for all users and shall satisfy the relevant requirements of Schedule 4.	The access meets the SISD requirements of Schedule 4 of the Scheme.
New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.	<p>Vehicle parking locations will be provided at the site office (Figure 5a).</p> <p>On-site turning will be provided in the extraction pit such that heavy vehicles can enter and exit the pit in a forward direction.</p>
On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.	

**D.6.7 SERVICES**

None of the principles are relevant to this activity as it is not connected to services and does not need to be connected to services.

**D.6.8 SOCIAL INTEREST**

Relevant Principle	Comments in relation to development
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Use or Development should demonstrate how it suits the community interest.	The use and development will enhance agricultural operations on private land, and the island generally.  Importation of lime (either carbonate or dolomite based) onto the island and its subsequent transport to the properties from Lady Barron would place burden on more extensive areas of public road.
Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities).	This Principle is not relevant to the use and development.

#### D.6.9 ADMINISTRATION

Relevant Principle	Comments in relation to development
Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.	The Use and Development are not reliant on the specific provision of services from public funds.  Road use from the extraction pit will be of small scale – on average 10 truck movements per day and 6 light vehicle movements per day.

#### D.7 ECOLOGICALLY SIGNIFICANT AREAS

The Scheme identifies Ecologically Significant Areas as important for the maintenance of natural processes, for the conservation of rare, endangered or threatened species, as refuges for migratory bird species or as reservoirs of biodiversity.

Clause 7.3.2 provides the following objectives for Ecologically Significant Areas:

- (a) to promote the maintenance of ecological processes and genetic diversity;
- (b) to protect and enhance ecosystems, habitats and biological communities which enable the survival of indigenous flora and fauna and assist to maintain biodiversity;
- (c) to identify and protect habitats which support threatened, rare or endangered species;
- (d) to ensure that planning decisions incorporate consideration of the ecological impacts of Use or Development.
- (e) to encourage land management practices, based on expert advice, that will sustain the natural and ecological values of the land.

Notwithstanding any other provision in this Scheme, within the Ecologically Sensitive Areas any application for Use or Development (other than those prohibited in the zone) shall be considered as a discretionary Use or Development in accordance with Clause 3.5.

In considering an application for Use and Development within the Ecologically Sensitive areas and whether to impose conditions Council shall consider the following matters:

- (a) The objectives listed in Clause 7.3.2;
- (b) The effect of the proposed Use on the natural values of the land;
- (c) The siting of buildings, structures, works and effluent disposal systems in relation to natural vegetation, watercourses and wetlands

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- (d) The likely ecological impact of the building, clearing, excavation, drainage works, access construction, vehicular traffic, fences, firebreaks or the deposition of fill;
- (e) The adequacy of proposed management and whether any special works or practices are required to protect the ecological values of the site;
- (f) Whether access to particular sites should be restricted on a seasonal or more frequent basis in order to conserve the reproductive potential of species;
- (g) The identification of natural values, including the presence of any rare. Threatened or endangered species and what management requirements may be necessary;
- (h) The need for management approaches to prevent the importation of weeds, soil diseases or toxic substances that may contaminate the land.

The Mining Lease (proposed) which is the proposed extraction area of the calcareous sands does not support any threatened vegetation communities listed on the *Nature Conservation Act 2002* nor any listed on the *Environment Protection and Biodiversity Conservation Act 1999*. A vegetation map is provided in Figure 8.

None of the vegetation types present in the Mining Lease (proposed) are rare in the Marshall Bay area, indeed coastal scrub is the most common vegetation community on the western side of Palana Road as very little has been cleared or converted to agricultural lands.

Rehabilitation of sand extracted areas to native vegetation would restore any temporary impact to that vegetation caused by sand extraction. The management of weeds will be via a weed spraying program.

The threatened flora species present (see Figures 9a and 9b) can only be disturbed/taken with the approval of the Department of Primary Industries, Parks, Water and Environment – a permit would be sought if the species was to be taken/disturbed.

Wombat burrows rarely occur in the extraction area. These can only be disturbed/taken with the approval of the Department of Primary Industries, Parks, Water and Environment – a permit would be sought if burrows were to be taken/disturbed.



## ATTACHMENTS

Attachment 1 Land Titles

Attachment 2 DPIPWE 2009 Potential Acid Sulfate Soil Test program - Arbothnots Lagoon, Flinders Island

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**Attachment 1**  
**Land Titles**

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<p>OWNER: MRS GILLIAN WOODS</p> <p>FOLIO REFERENCE: C.T. 241252/1 <del>AND</del> <del>C.T. 241252/4</del></p> <p>GRANTEE: PART OF 425A Or Op GRANTED TO RUPERT WILLIAM LADE</p>		<p><b>PLAN of SURVEY</b></p> <p>BY SURVEYOR: NICHOLAS GRIGGS of Nick Griggs &amp; Co. 295 Elizabeth Street, North Hobart, 7000 Ph: 6234 5022 Fax: 6231 2412</p> <p>LOCATION: <b>PARISH OF LUGHRATA DISTRICT OF FLINDERS</b></p> <p>SCALE: 1: 10000      LENGTHS IN METRES</p>		<p>Registered Number</p> <p style="font-size: 24pt;"><b>SP 154620</b></p> <p>APPROVED EFFECTIVE FROM: - 1 DEC 2010</p> <p><i>Alice Kawa</i> Recorder of Titles</p>
MAPSHEET MUNICIPAL CODE No. 124 (5657)	LAST UPI No. AA578	LAST PLAN No. P241252	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN.	

LOT 1 IS COMPILED FROM C.T. 241252/1  
AND THIS SURVEY

NEW PLAN

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## SEARCH OF TORRENS TITLE

VOLUME 154620	FOLIO 2
EDITION 1	DATE OF ISSUE 01-Dec-2010

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the planning permit

PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED: 

SEARCH DATE : 20-Nov-2018

SEARCH TIME : 08.30 PM

DESCRIPTION OF LAND

Parish of LUGHRATA Land District of FLINDERS

Lot 2 on Sealed Plan 154620

Derivation : Part of Lot 24849, 425 Acres Gtd. to R W Lade

Prior CT 241252/1

SCHEDULE 1C180366 GILLIAN FRANCES WOODS Registered 29-Jul-1999 at 12.  
01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any  
SP154620 FENCING PROVISION in Schedule of EasementsUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER: MRS GILLIAN WOODS  CT 212563-1 FOLIO REFERENCE: <del>CT 160313</del> CT 212563-1  GRANTEE: PART OF 425A Or Op GRANTED TO RUPERT WILLIAM LADE WHOLE OF LOT 32319 931-D-27 GTO TO C. STACKHOUSE		<b>PLAN of TITLE</b>  BY SURVEYOR: NICHOLAS GRIGGS of Nick Griggs & Co. 295 Elizabeth Street, North Hobart, 7000 Ph: 6234 5022 Fax: 6231 2412  LOCATION: <b>PARISH OF LUGHRATA DISTRICT OF FLINDERS</b>  SCALE: 1: 20000 LENGTHS IN METRES		Registered Number  <b>P 160313</b>  APPROVED EFFECTIVE FROM: - 1 DEC 2010 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 124 (5657)	LAST UPI No. AAS78 AAS79	LAST PLAN No. P212563 P212562	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN.	

**BALANCE PLAN**

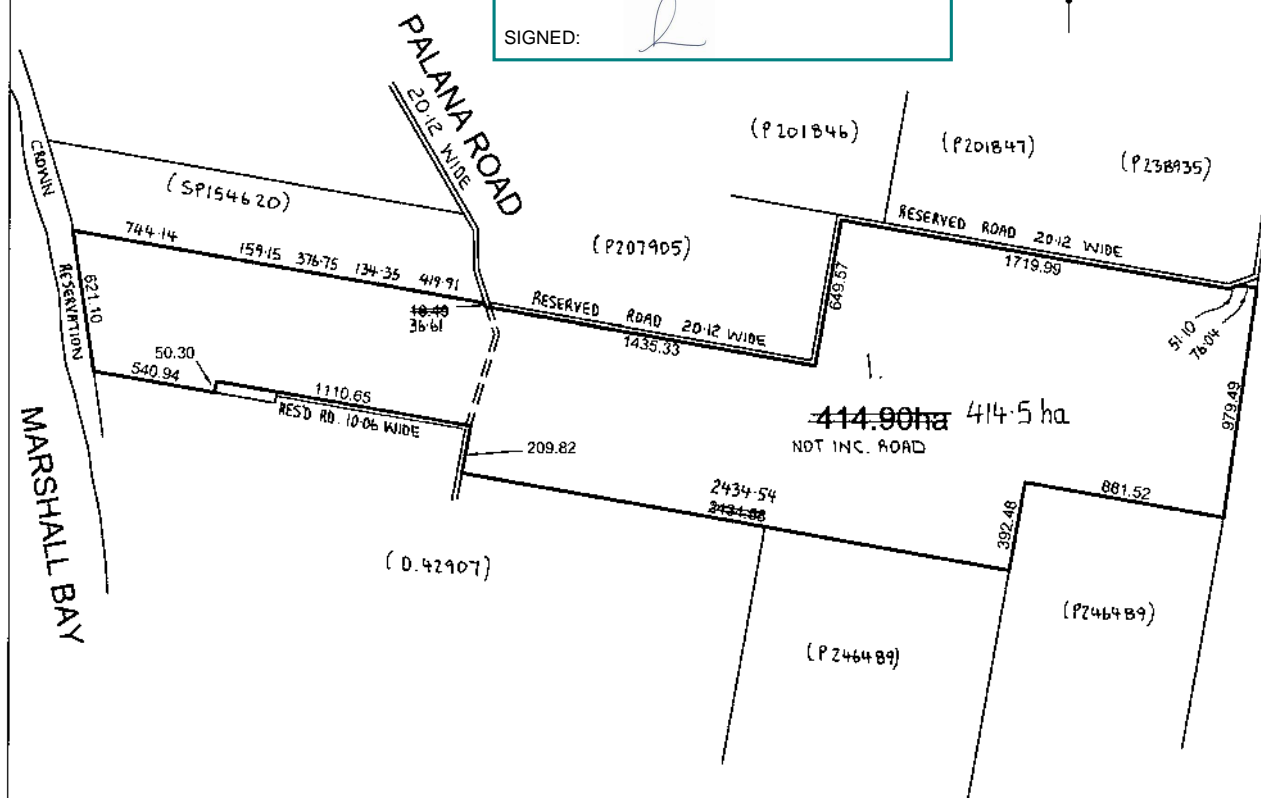
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## SEARCH OF TORRENS TITLE

VOLUME 160313	FOLIO 1
EDITION 1	DATE OF ISSUE 01-Dec-2010

FLINDERS COUNCIL PLANNING  
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DATE OF APPROVAL: 19/02/2019

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SEARCH DATE : 20-Nov-2018

SEARCH TIME : 08.30 PM

DESCRIPTION OF LAND

Parish of LUGHRATA Land District of FLINDERS

Lot 1 on Plan 160313

Derivation : Whole of Lot 32319, 931A-0R-27P Gtd. to C.

Stackhouse and Part of Lot 24849, 425A-0R-0P Gtd. to R W Lade

Prior CTs 212563/1 and 241252/1

SCHEDULE 1C180366 GILLIAN FRANCES WOODS Registered 29-Jul-1999 at 12.  
01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any  
C964898 ADHESION ORDER under Section 110 of the Local  
Government (Building and Miscellaneous Provisions)  
Act 1993 Registered 01-Dec-2010 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

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**Attachment 2**

**DPIPWE 2009 Potential Acid Sulfate Soil Test program - Arbothnots Lagoon, Flinders Island**

## Site Information

Site ID: T7.11

**Desc. By:** R. Moreton  
**Date Desc.:** 21/06/09  
**Map Ref.:** GPS  
**Northing:** 5574251 AMG zone: 55  
**Easting:** 577603  
**Locality:** Flinders Island, Arbothnots Lagoon.

**Landuse:** Park/natural Conservation Area  
**Rainfall (mm):** 650  
**Permeability:** Slowly Permeable  
**Drainage:** Very poorly drained  
**Land Capability:** Class 7

ASRIS Code: Bi(p1)

**ASRIS Code Desc:** Low probability of occurrence (6-70% chance of occurrence in mapping unit). Sandplains and dunes 2-10m AHD, ASS generally below 1m from the surface. Heath, forests. Holocene or Pleistocene. Potential acid sulfate soil (PASS) = sulfidic material (Isbell 1996 p.122).  
All necessary analytical and morphological data are available.

## Soil Classification

**Australian Soil Classification:** 2 HY DT CB GU C E K N W  
Humose-Calcareous Calcarosolic Oxyaquic Hydrosol Thick Non-gravelly  
Sandy Silty Deep  
**ASC Confidence:**  
Analytical data are incomplete but reasonable confidence.

## Land Form

**Slope Category:** Level  
**Morph. Type:** Closed Depression  
**Elem. Type:** Lagoon  
**Pattern Type:** Sand plain  
**Erosion:**  
**Surf. Soil Condition):** Soft  
**Surf. Coarse Fragments:** 2-10%, coarse gravelly, 20-60mm, , Shells  
**Inundation Frequency:** More than one occurrence per year

**Slope:** 0 %  
**Aspect:** No Data  
**Rel/Slope:** No Data



## Geology

**Geol. Ref.:** Qh  
**Scale:** 1:25,000 Geology  
**Description:** Sand gravel and mud of alluvial, lacustrine and littoral origin.

## Profile Morphology



1A1	0 - 0.07 m	Black (10YR2/1-Moist); Loamy sand; Weak grade of structure, <2 mm, Polyhedral; Single grain grade of structure; Soil matrix is Very highly calcareous; Field pH 8.91 (pH meter); EC .415 Ds/m
1A2k	0.07 - 0.22 m	Light yellowish brown (2.5Y6/4-Moist); Loam; Single grain grade of structure; Soil matrix is Very highly calcareous; Field pH 8.78 (pH meter); EC .395 Ds/m
2A1	0.22 - 0.37 m	Very dark brown (10YR2/2-Moist); Silty loam; Weak grade of structure, 2-5 mm, Polyhedral; 0-2%, fine gravelly, 2-6mm, Shells, coarse fragments; Soil matrix is Very highly calcareous; Field pH 8.54 (pH meter); EC 1.32 Ds/m
2A2	0.37 - 0.67 m	Light brownish grey (10YR6/2-Moist); Clayey sand; Massive grade of structure; 0-2%, fine gravelly, 2-6mm, Shells, coarse fragments; Soil matrix is Very highly calcareous; Field pH 8.62 (pH meter); EC Ds/m
2B1	0.67 - 0.94 m	Pale yellow (2.5Y7/3-Moist); Clayey sand; Massive grade of structure; 0-2%, fine gravelly, 2-6mm, Shells, coarse fragments; Soil matrix is Very highly calcareous; Field pH 8.43 (pH meter); EC 1.03 Ds/m
2B2	0.94 - 1.39 m	Light brownish grey (2.5Y6/2-Moist); Mottles, Clayey sand; Massive grade of structure; 0-2%, fine gravelly, 2-6mm, Shells, coarse fragments; Soil matrix is Very highly calcareous; Field pH 8.26 (pH meter); Field pH 8.27 (pH meter); EC .97 Ds/m; EC 1.04 Ds/m
2B3h	1.39 - 1.46 m	Greyish brown (10YR5/2-Moist); Mottles, 0-2%, 0-5mm, Distinct, 10YR2/1; Silty loam; Massive grade of structure; 0-2%, fine gravelly, 2-6mm, Shells, coarse fragments; Soil matrix is Very highly calcareous; Field pH 8.24 (pH meter); EC .56 Ds/m
2C	1.46 - 1.7 m	Pale yellow (2.5Y7/3-Moist); Mottles, 0-2%, , Distinct, 2.5Y5/2; Silty loam; Massive grade of structure; Soil matrix is Very highly calcareous; Field pH 7.94 (pH meter); EC .44 Ds/m

## Vegetation:

*Poa labillardieri*, *Gahnia* sp., Stinging nettles, sedge sp, rush sp.

## Site Notes

1A1 Calcareous hydrosol.

520m ENE of Castle Rock.

## FLINDERS COUNCIL PLANNING APPROVAL

This plan is approved subject to the conditions of  
the planning permit

PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED:



Chip tray photographpH ageing test dataLaboratory data

Sample code	Initial pH 1:5 (field)	pH FOX (lab)	Aged sample pH 1:5	pH Change after ageing 1:5
T7.11.1	8.91	6.26	7.94	-0.97
T7.11.2	8.78	6.39	7.92	-0.86
T7.11.3	8.54	6.12	7.78	-0.76
T7.11.4	8.62	6.34	8.1	-0.52
T7.11.5	8.43	6.39	8.05	-0.38
T7.11.6	8.26	6.54	8.28	0.02
T7.11.7	8.27	6.52	8.39	0.12
T7.11.8	8.24	6.44	8.18	-0.06
T7.11.9	7.94	6.59	8.36	0.42

% Chromium reducible Sulfur	Reduced inorganic Sulfur (moles H <sup>+</sup> /tonne)	Lime Calculation Kg/m <sup>3</sup> *(Neutralising Requirement)
0.013	8	1
0.13	8	1
0.052	32	2
0.036	22	2
0.045	28	2
0.065	41	-933
0.063	39	-914
0.064	40	-858
0.043	27	2

Discussion of results

- The laboratory tests conducted on samples from this site identify the presence of **Potential Acid Sulfate Soil (PASS)** horizons within this soil profile to the depth sampled.
- Horizons shaded blue indicate the depths at which samples have exceeded the Laboratory trigger values for Acid Sulfate Soil Classification.
- For this site the **Risk Category** for disturbance of and impact from ASS= **Very High** as PASS material is within 50cm of surface.
- Ageing Test** results show **low risk** of oxidation to form ASS under natural conditions.

(ageing tests were undertaken for a minimum of 12 weeks)

- Lime Calculation (kg/m<sup>3</sup>)** - indicates the required kg of lime/m<sup>3</sup> that will neutralise acidity. Layers shaded blue, indicate those soil horizons which have been classified as ASS and therefore have potential to generate acidity from sulfide oxidation, Horizons with no blue shading are not classified as ASS but may in some circumstances have some neutralising requirement (eg soils are naturally acidic or sulfide content is low). Negative figures for Lime Calculation indicate soil horizons with its own ANC (acid neutralising capacity). \* Note - Lime Calculation includes a 1.5 safety factor and to achieve a neutralising effect will require lime to be appropriately applied and mixed within that soil layer (refer to Tasmanian Acid Sulfate Soil Guidelines, 2009 available free from Department of Primary Industries Parks Water and Environment or online at: [www.dpipwe.tas.gov.au/acidsulfatesoils](http://www.dpipwe.tas.gov.au/acidsulfatesoils)).

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PLN NUMBER: DA2019/001

DATE OF APPROVAL: 19/02/2019

SIGNED:

Van Diemen Consulting Pty Ltd

PO Box 1

New Town, Tasmania

T: 0438 588 695 E: [rwbarnes73@gmail.com](mailto:rwbarnes73@gmail.com)

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This document does not purport to provide legal advice. Readers should engage professional legal advisers for this purpose.

**Document Status**

Revision	Author	Reviewer and Organisation	Date
1	R Barnes C McCoull	RW Barnes, VDC Pty Ltd	7-1-2019
1	R Barnes C McCoull	D Gibbons, Davrol Rural Management Pty Ltd	8-1-2019
2	R Barnes C McCoull		

**ATTACHMENT 2**

**Extractive Industry Planning Permit - Lot 2 Harleys Road, Whitemark TAS 7255**

CT 176057/2

Mining Lease – 2098P/M



## PLANNING PERMIT

PLANNING APPLICATION NO:	DA 2021 / 004
LOCATION	Harleys Road, Whitemark CT: 176057/2
APPLICANT:	Davrol Rural Management Pty Ltd
DEVELOPMENT:	Extractive Industry (Quarry) in the Rural Zone within Buffer/Attenuation Areas

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993*, you are advised that the application for an **Extractive Industry (Quarry) in the Rural Zone within Buffer/Attenuation Areas** by **Davrol Rural Management Pty Ltd**, for land located at **Harleys Road, Whitemark**, is **APPROVED** subject to the following conditions:

### ENDORSED PLANS

1. The use and/or development must be carried out as shown and described in the endorsed document *Development Application Supporting Information Harleys Road Quarry, Flinders Island* by Van Diemen Consulting dated 29-12-2020 to the satisfaction of the Council. Any other proposed development and/or use will require a separate application to and assessment by the Council.

### HOURS OF OPERATION

2. The use and/or development must only operate during the following hours:  
0700 to 1900 Monday to Friday  
0800 to 1600 Saturday  
Closed Sunday and Public Holidays

### DRAINAGE RELOCATION

3. Prior to the use and/or development commencing, the existing drainage system at the Southern pit must be relocated to the east of the existing drain so that it drains onto the Mining Lease away from any adjoining lands to the satisfaction of Council's Works & Services Manager.

#### **DUST SUPPRESSION**

4. The dust emission mitigation measures as described in E1.2 of the endorsed *Development Application Supporting Information Harleys Road Quarry, Flinders Island by Van Diemen Consulting dated 29-12-2020* must be implemented and maintained for the duration of the quarry activities and until the decommissioning and rehabilitation have been completed.

#### **DECOMMISSIONING AND REHABILITATION**

5. The progressive rehabilitation – including rehabilitation, monitoring and remedial works as described in Part F of the endorsed *Development Application Supporting Information Harleys Road Quarry, Flinders Island by Van Diemen Consulting dated 29-12-2020* must be implemented and maintained for the duration of the quarry activities.
6. In the event of permanent closure of the facility prior to the completion of the approved extraction, a Decommissioning and Rehabilitation Plan must be developed and submitted for approval by Council. This plan must include a timeline for the completion of each stage/activity.

#### **DANGEROUS AND/OR HAZARDOUS GOODS MANAGEMENT**

7. The dangerous and/or hazardous goods management mitigation measures as described in E4.2 of the endorsed *Development Application Supporting Information Harleys Road Quarry, Flinders Island by Van Diemen Consulting dated 29-12-2020* must be implemented and maintained for the duration of the quarry activities and until the decommissioning and rehabilitation have been completed.

#### **ROAD MAINTENANCE AGREEMENT – HARLEYS ROAD**

8. The operator must maintain Chainage 1200 to Chainage 1680 of Harley's Road (the section of incline that runs East – West from the turn in road to the access of the quarry) to the satisfaction of Council's Works Manager for the duration of the quarry activities and until the decommissioning and rehabilitation have been completed.

**Advisory Notes.** *The following notes are not conditions of this permit and are supplied for the assistance of the applicant only.*

- A. This permit was issued based on the proposal documents submitted for DA 2021 / 004. You should contact Council with any other use or developments, as they may require the separate approval of Council.
- B. This permit takes effect after:
  - a) the 14 day appeal period expires; or
  - b) any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
  - c) any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
  - d) any other required approvals under this or any other Act are granted.
- C. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received within 6 months after the expiration date.

**Restrictive Covenants**

- D. The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party should make their own enquires as to whether the proposed development is affected, restricted or prohibited by any such covenant. If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

**Access for People with a Disability**

- E. This permit does not ensure compliance with the *Disability Discrimination Act*, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1-4 for technical direction on how to cater for people with disabilities.



### **Appeal Provisions**

- F. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au)

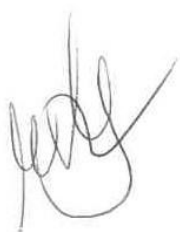
### **Permit Commencement**

- G. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

### **Aboriginal Heritage**

- H. If any Aboriginal relics are uncovered during works;
- (a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - (b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au); and the relevant approval processes will apply with state and federal government agencies.

**Dated at Whitemark, this 16<sup>th</sup> day of February 2021.**



**Warren Groves**  
**GENERAL MANAGER**

*I certify that I have checked that the permit conditions for the application referred to as DA2021/004 for Harleys Road, Whitemark corresponds with the decision of the Flinders Council.*

# DEVELOPMENT APPLICATION

## SUPPORTING INFORMATION

### HARLEYS ROAD QUARRY, FLINDERS ISLAND



#### FLINDERS COUNCIL PLANNING APPROVAL

This plan is approved subject to the conditions of  
the planning permit

PERMIT NO: **DA2021/004**

DATE OF APPROVAL: **16/02/2021**

SIGNED: 

Van Diemen Consulting Pty Ltd

PO Box 1

New Town, Tasmania

T: 0438 588 695 E: [rwbarnes73@gmail.com](mailto:rwbarnes73@gmail.com)

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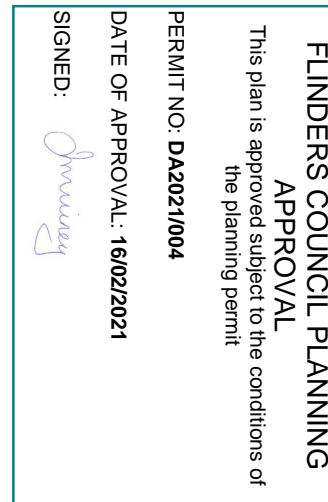
**Document Status**

Revision	Author	Reviewer and Organisation	Date
1	R Barnes C McCoull	RW Barnes, VDC Pty Ltd	29-12-2020
1	R Barnes C McCoull	D Gibbons, Davrol Rural Management Pty Ltd	29-12-2020

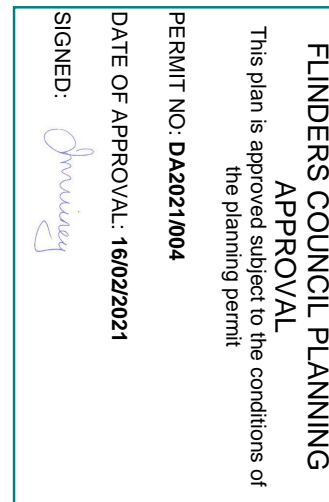


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## ATTACHMENTS

Attachment 1 Land Titles

### FLINDERS COUNCIL PLANNING APPROVAL

This plan is approved subject to the conditions of  
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PERMIT NO: **DA2021/004**

DATE OF APPROVAL: **16/02/2021**

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## ABBREVIATIONS / GLOSSARY


Activity	the Industry Extractive use described in the DA Supporting Information document
DPIPWE	Department of Primary Industries, Parks, Water and Environment
EMPCA	<i>Environmental Management and Pollution Control Act 1994 (Tas)</i>
FC	Flinders Council
LUPAA	<i>Land Use Planning and Approvals Act 1993 (Tas)</i>
QCP	<i>Tasmanian Quarry Code of Practice 2017</i>

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## PART A – BACKGROUND INFORMATION

The development and use (Industry Extractive) is located on private freehold land accessed via Harleys Road in the Flinders Island Municipality (Figures A-1 and A-2). The land is in the Canns Hill region which is approximately 2.8 kms north - northwest of Whitemark, the main township on the island.

### A.1 PROPOSED ACTIVITY

The Activity proposes to establish and operate three extraction locations (Pits) in the Mining Lease – two already exist and have been accessed for several years by previous owners and others.

The maximum extracted volume from the Mining Lease, irrespective of the product being extracted, is 4,999 cubic metres per annum. Crushed and/or screened material will not exceed 1,000 cubic metres per annum.

Each Pit provides a different material which together complement each other in their broader application in the local construction sector – a granitic gravel for roads and driveways, fractured rock/coarse base for foundations, hardstand construction and sub-base for roads and driveways (Southern and Northern Pits) and sand for decorative use and concrete (sand extraction area).

The extraction of material will be generally based on the following:

- surface site preparation by vegetation and topsoil removal and stockpiling,
- excavation of material with a bulldozer and/or excavator,
- stockpiling of material in the pit area,
- occasional crushing and/or screening (maximum of 1,000 cubic metres per annum),
- loading trucks with wheel loader from the pit face and/or stockpile area, and the
- transport of products by truck.

No blasting is proposed.

### A.2 PROPONENT

The proponent, Davrol Rural Management Pty Ltd, owns and operates a pastoral enterprise on Flinders island.

The contact details for the company and contact person are –

Davrol Rural Management Pty Ltd

Mr David Gibbons

ACN - 062950645

Address: 1210 Lackrana Road, Palana Flinders Island 7255

### A.3 LAND DETAILS

Land Titles – 176057/2 (see Figure A-1 and Attachment 1)

Planning Zones (*Flinders Planning Scheme 2000*) – Rural (see Figure C-1)

Special Areas (*Flinders Planning Scheme 2000*) – Attenuation Buffer (see Figure C-2)

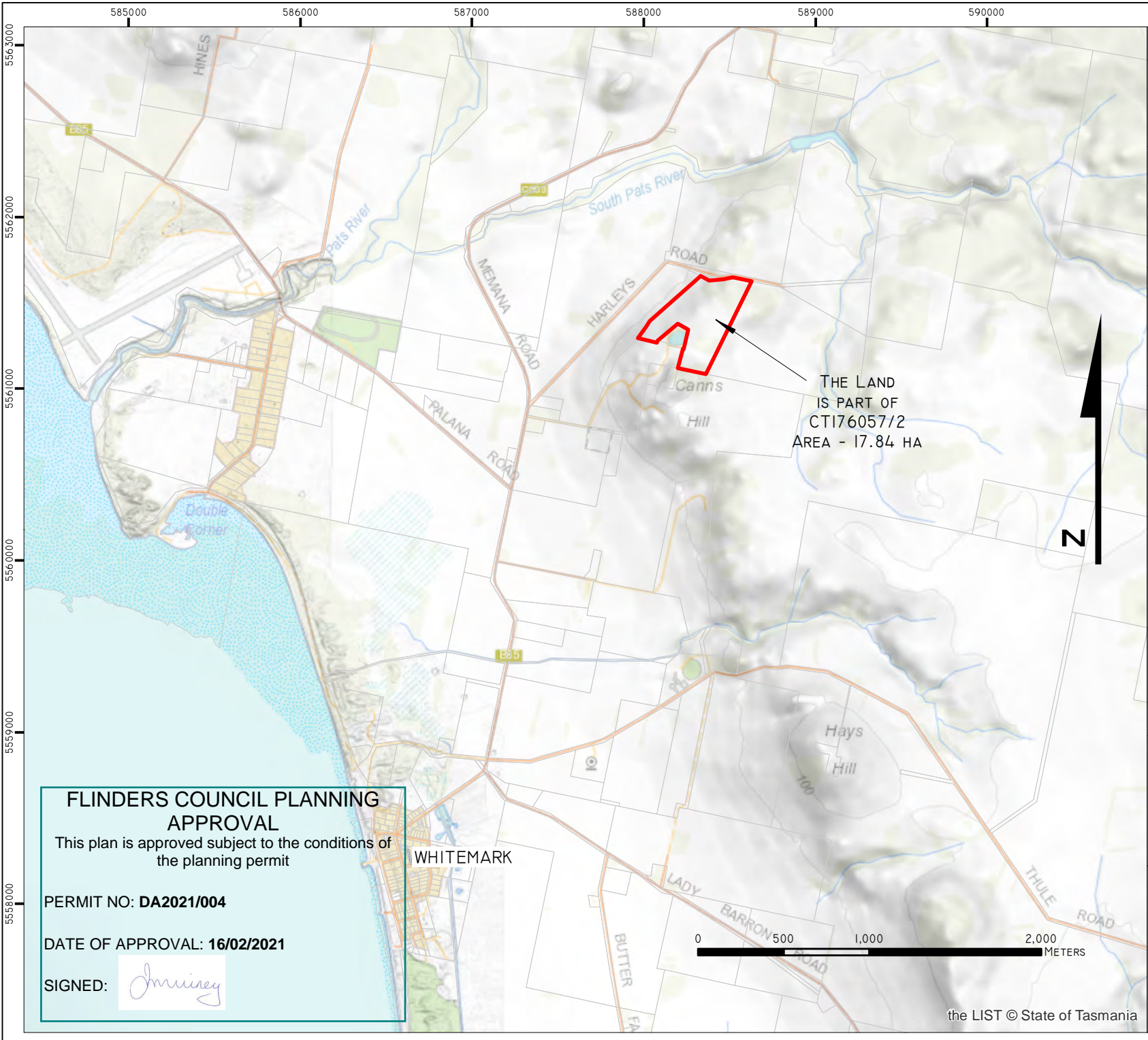
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HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE A-I: LOCATION OF  
HARLEYS ROAD QUARRY

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

BASE DATA BY TASMAP. © STATE OF TASMANIA  
BASE IMAGE © STATE OF TASMANIA

**an Diemen** CONSULTING  
PO Box 1 NEW TOWN TAS 7008



DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020

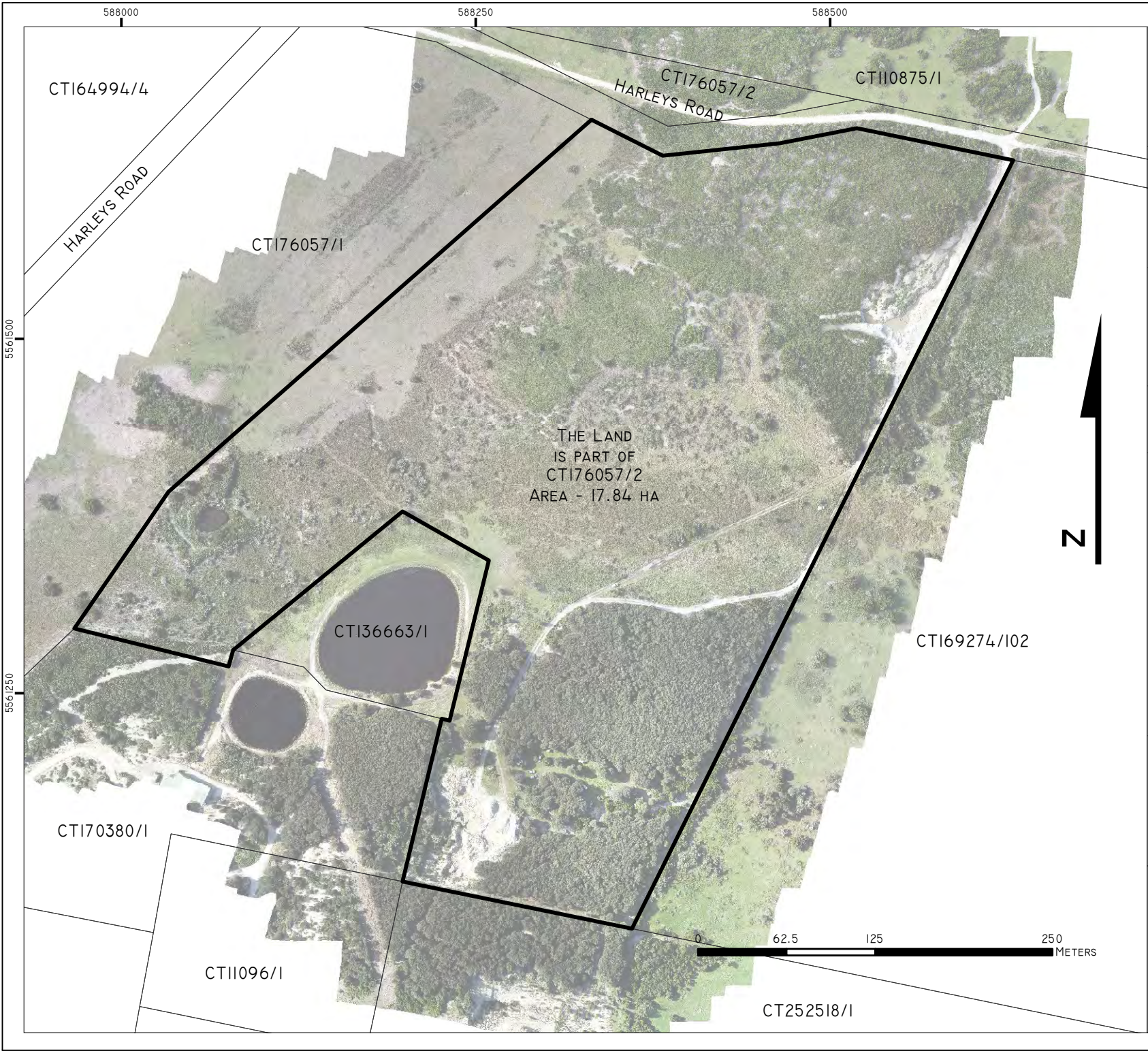
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HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE A-2: LOCATION OF  
HARLEYS ROAD QUARRY  
DEVELOPMENT AREA AND  
LAND TITLES

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

FLINDERS COUNCIL PLANNING  
APPROVAL

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SIGNED: *[Signature]*

BASE DATA BY TASMAP. © STATE OF TASMANIA  
BASE IMAGE © STATE OF TASMANIA

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PO Box 1 NEW TOWN TAS 7008

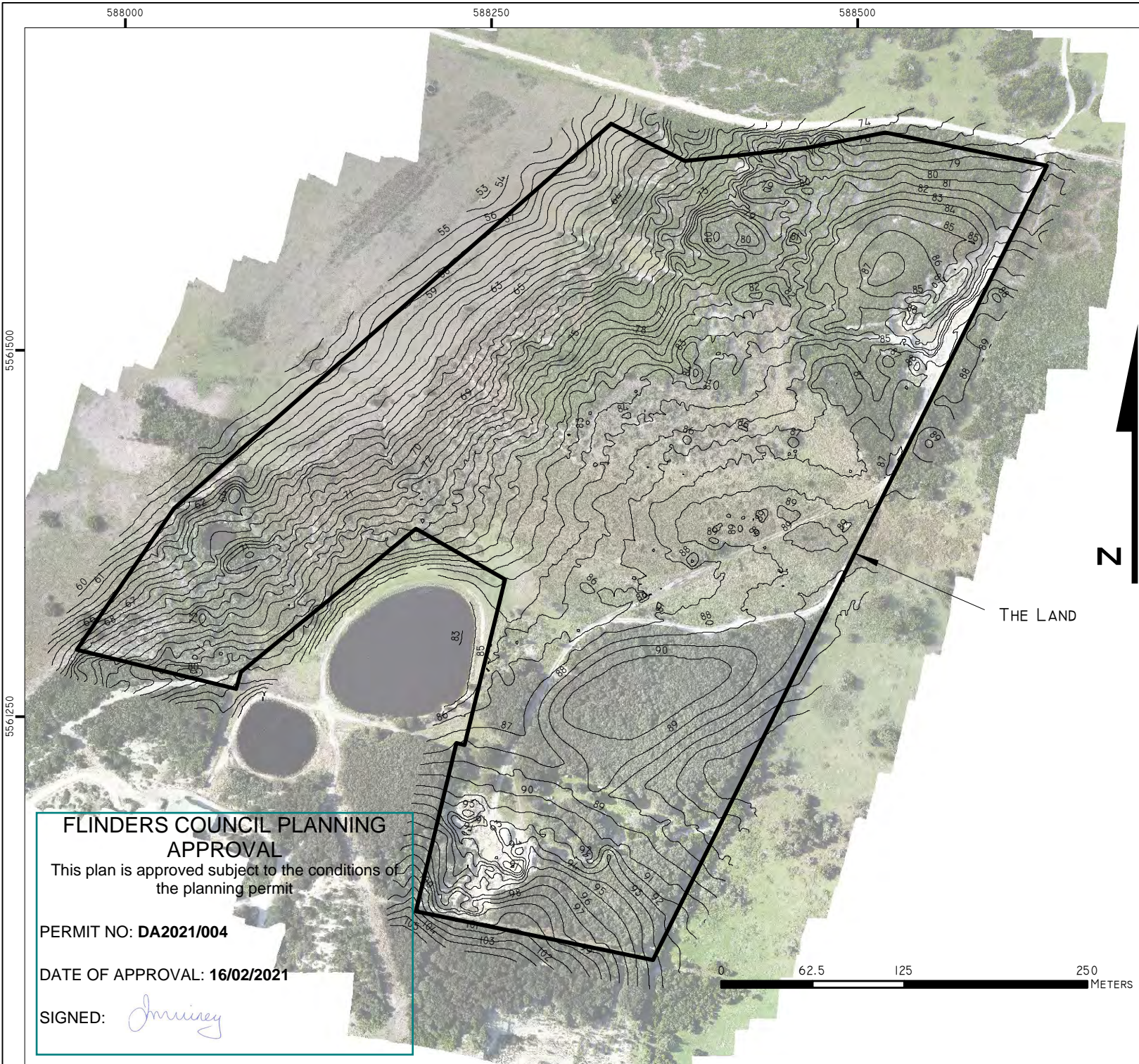


DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020





HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE A-3: TOPOGRAPHY (AHD) AT  
THE HARLEYS ROAD QUARRY

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

BASE DATA BY TASMAP. © STATE OF TASMANIA  
BASE IMAGE © STATE OF TASMANIA

 **an Diemen CONSULTING**  
PO Box 1 NEW TOWN TAS 7008



DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020

FLINDERS COUNCIL PLANNING  
APPROVAL

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PERMIT NO: **DA2021/004**

DATE OF APPROVAL: **16/02/2021**

SIGNED: 

0 62.5 125 250 METERS



## PART B - PROJECT DESCRIPTION

### B.1 EXTRACTION LIMIT

The maximum extracted volume from the Mining Lease, irrespective of the product being extracted, is 4,999 cubic metres per annum. Crushed and/or screened material will not exceed 1,000 cubic metres per annum.

The Activity is a *Level 1 activity* because it does not exceed any thresholds prescribed in Schedule 2 of the *Environmental Management and Pollution Control Act 1999*.

### B.2 EXTRACTION LOCATIONS AND METHODS

Three Pits are proposed for the Mining Lease – two already exist and have been accessed for several years by previous owners. Each Pit provides a different material that complement each other in their broader application in the local construction industry – a granitic gravel for roads and driveways, sand for decorative use and concrete and fractured rock/coarse base for foundations, hardstand construction and sub-base for roads and driveways.

#### B.2.1 Northern Pit

This Pit provides a coarse fractured rock as well as surrounding in-situ granitic gravels and decomposed rock ideally suited for road and driveway sub-base construction. The Pit has an existing drainage system into a trench-style sediment pond which will be retained for the new activity.

The extraction of material will include the following:

- surface site preparation by vegetation and topsoil removal and stockpiling,
- excavation of material with a bulldozer and/or excavator,
- stockpiling of material in the pit area (most used to create a bund for noise shielding),
- occasional crushing and/or screening (maximum of 1,000 cubic metres per annum),
- loading trucks with wheel loader from the pit face and/or stockpile area, and the
- transport of products by truck.



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### B.2.2 Southern Pit

This Pit has been active for many years and supports a decomposed granitic gravel product comparable to that found in the nearby Canns Hill pits operated by Flinders Council (one is under rehabilitation). The in-situ gravels are competent to support a bench-style arrangement of extraction.

The Pit has an existing drainage system into a trench-style sediment pond that flows towards the Taswater ponds on adjacent land. The drainage system and associated sediment pond will be relocated to the east of the existing drain so that it drains onto the Mining Lease away from any adjoining lands (see Figure-4B).

The location is visually shielded from areas towards Whitemark.

The extraction of material will include the following:

- surface site preparation by vegetation and topsoil removal and stockpiling,
- excavation of material with a bulldozer and/or excavator,
- stockpiling of material in the pit area,
- occasional crushing and/or screening (maximum of 1,000 cubic metres per annum),
- loading trucks with wheel loader from the pit face and/or stockpile area, and the
- transport of products by truck.

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### **B.2.3 Minor Sand Extraction Pit**

Sand extraction will be a minor activity at the Mining Lease – upwards of 100 cubic metres per annum would be extracted. The location for sand extraction has been chosen because it is adjacent to an existing track (see Figure B-2) and supports deep sands in an area cleared of native scrub vegetation. The location is also visually shielded from areas towards Whitemark.

The extraction of material will include the following:

- surface site preparation by vegetation and topsoil removal and stockpiling,
- excavation of material with a bulldozer and/or excavator,
- stockpiling of material in the pit area,
- loading trucks with wheel loader from the pit face and/or stockpile area, and the
- transport of products by truck.






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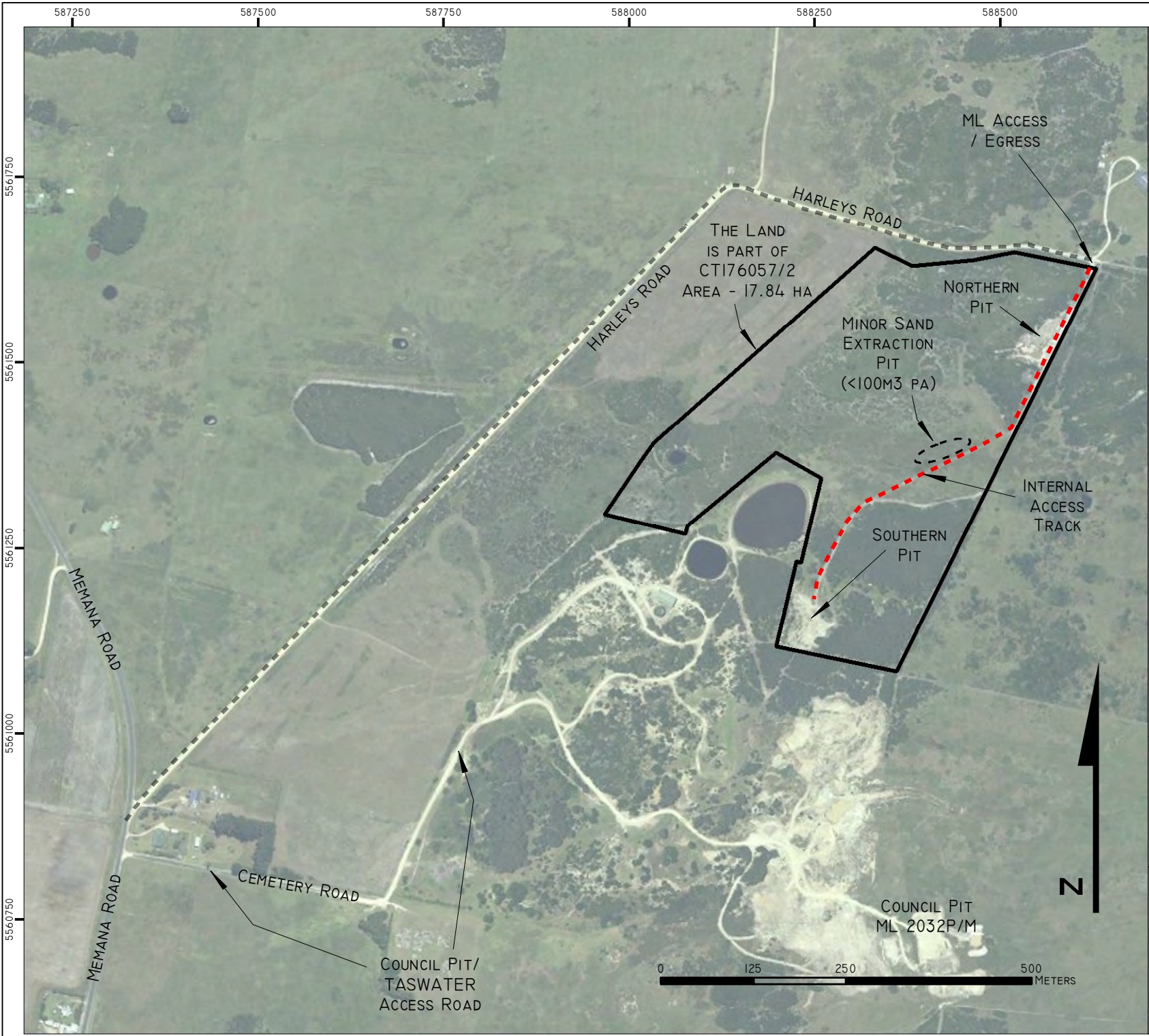
### **B.3 OPERATING HOURS**

Operating hours will be those recommended in the *Tasmanian Quarry Code of Practice 2017* –

- 0700 to 1900 hrs Monday to Friday,
- 0800 to 1600 hrs on Saturday,
- closed on Sunday and public holidays.

Most truck movements are projected to occur between 0700 and 1800 hrs on Monday to Friday with low volume movements after that time (ie. from 1800 to 1900 hrs after which time the Quarry will close as per the operating hours). Trucks may access the Quarry on Saturday between the hours of 0800 and 1600.





HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE B-I: HARLEYS ROAD  
QUARRY ACCESS / EGRESS

TASMAP: LEVENTHORPE 5856	LGA: FLINDERS
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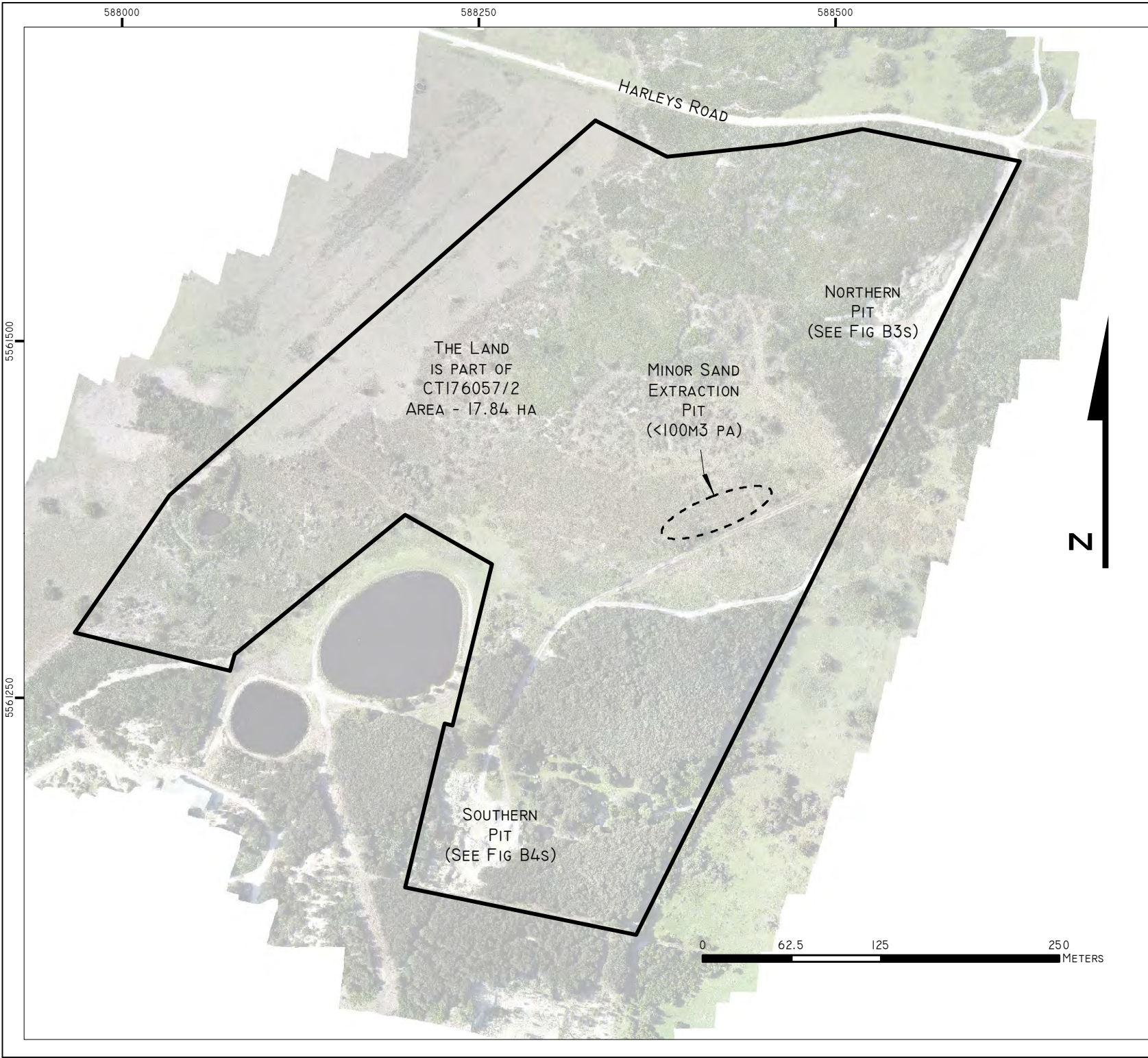


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CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020





# HARLEYS ROAD QUARRY

## DEVELOPMENT APPLICATION

FIGURE B-2: HARLEYS ROAD QUARRY MINE PLAN OVERVIEW (COMBINED EXTRACTION LIMMIT < 4999M3)

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LEVENTHORPE  
5856

LGA:  
FLINDERS

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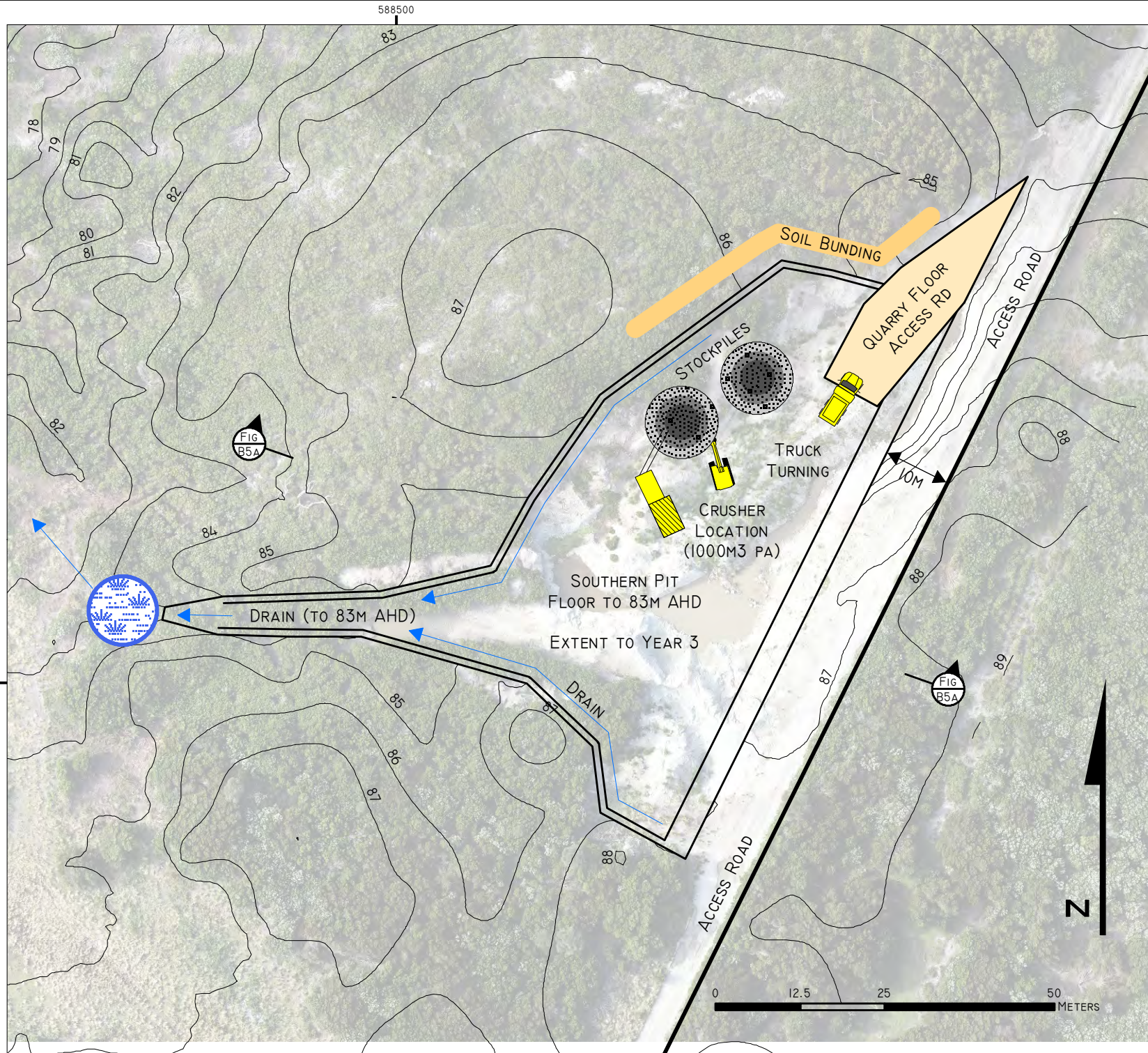


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DAVID GIBBONS

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# HARLEYS ROAD QUARRY

## DEVELOPMENT APPLICATION

FIGURE B-3A: HARLEYS RD QUARRY  
MINE PLAN - NORTHERN PIT  
(EXTRACTION APPROX 1400M3 PA)  
TO YEAR 3

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5856

LGA:  
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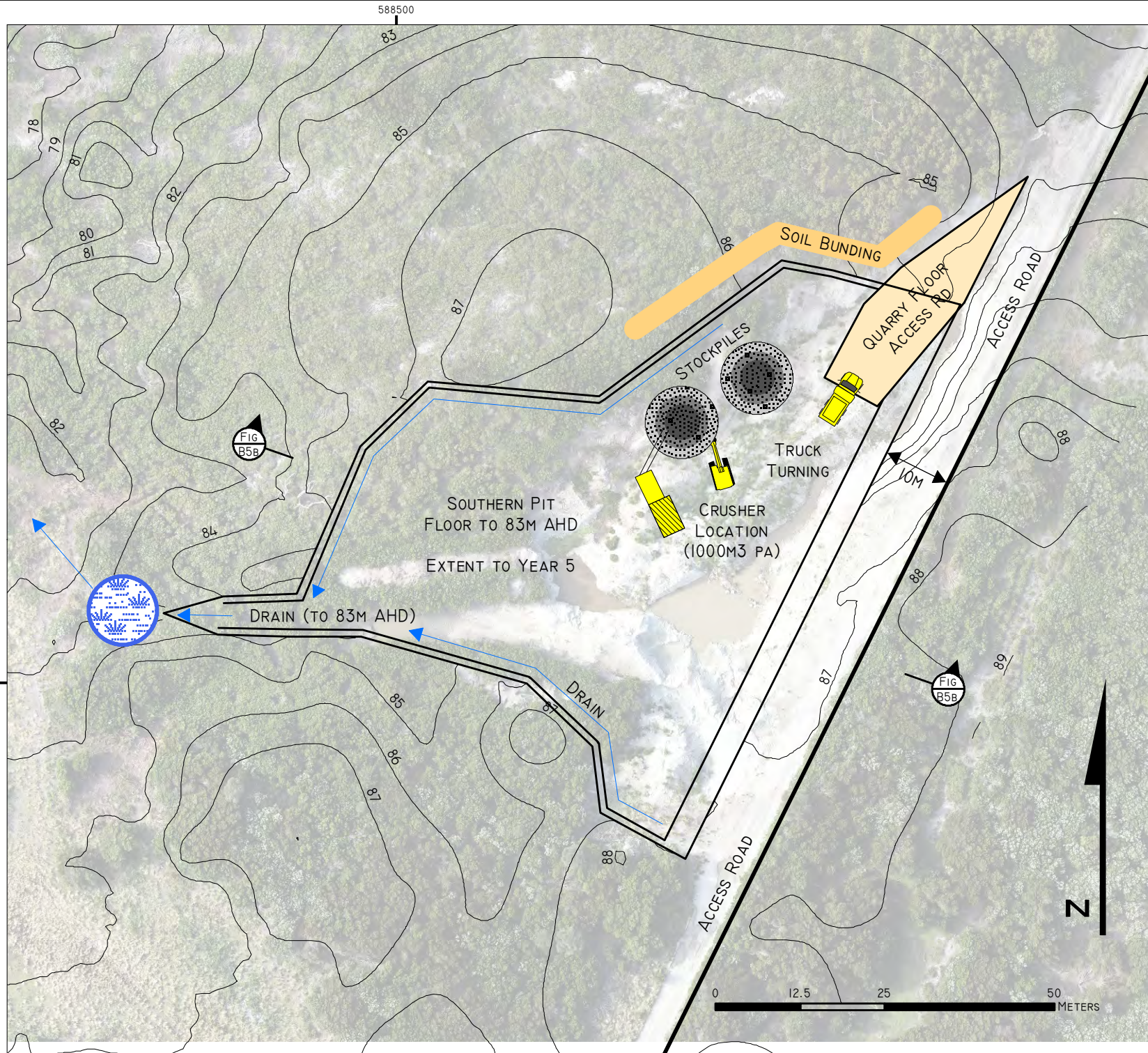


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CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020





# HARLEYS ROAD QUARRY

## DEVELOPMENT APPLICATION

FIGURE B-3B: HARLEYS RD QUARRY  
MINE PLAN - NORTHERN PIT  
(EXTRACTION APPROX 1400M3 PA)  
TO YEAR 5

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LGA:  
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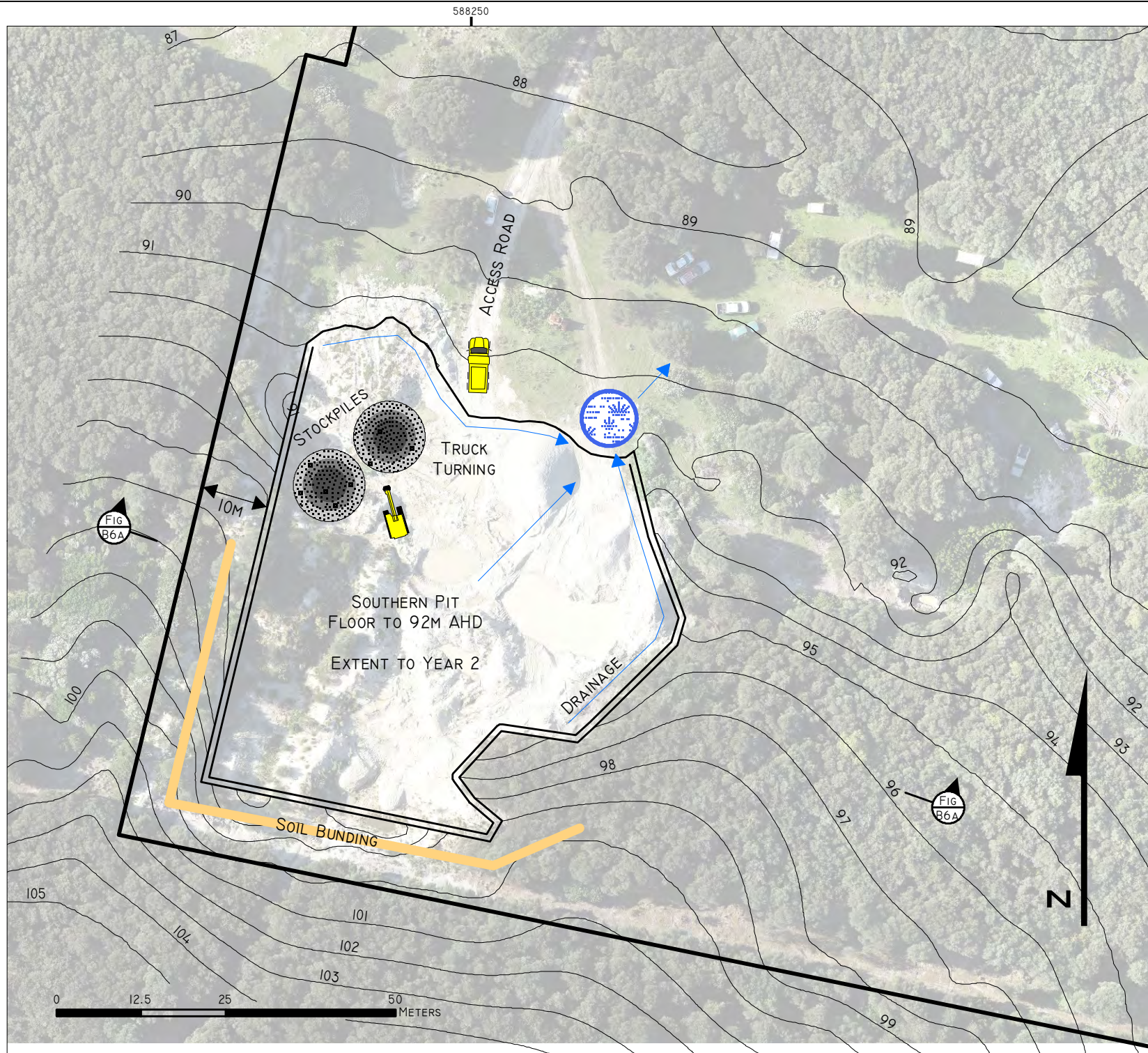


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# HARLEYS ROAD QUARRY

## DEVELOPMENT APPLICATION

FIGURE B-4A: HARLEYS RD QUARRY  
MINE PLAN - SOUTHERN PIT  
(EXTRACTION APPROX 2500M<sup>3</sup> PA)  
TO YEAR 2

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LGA:  
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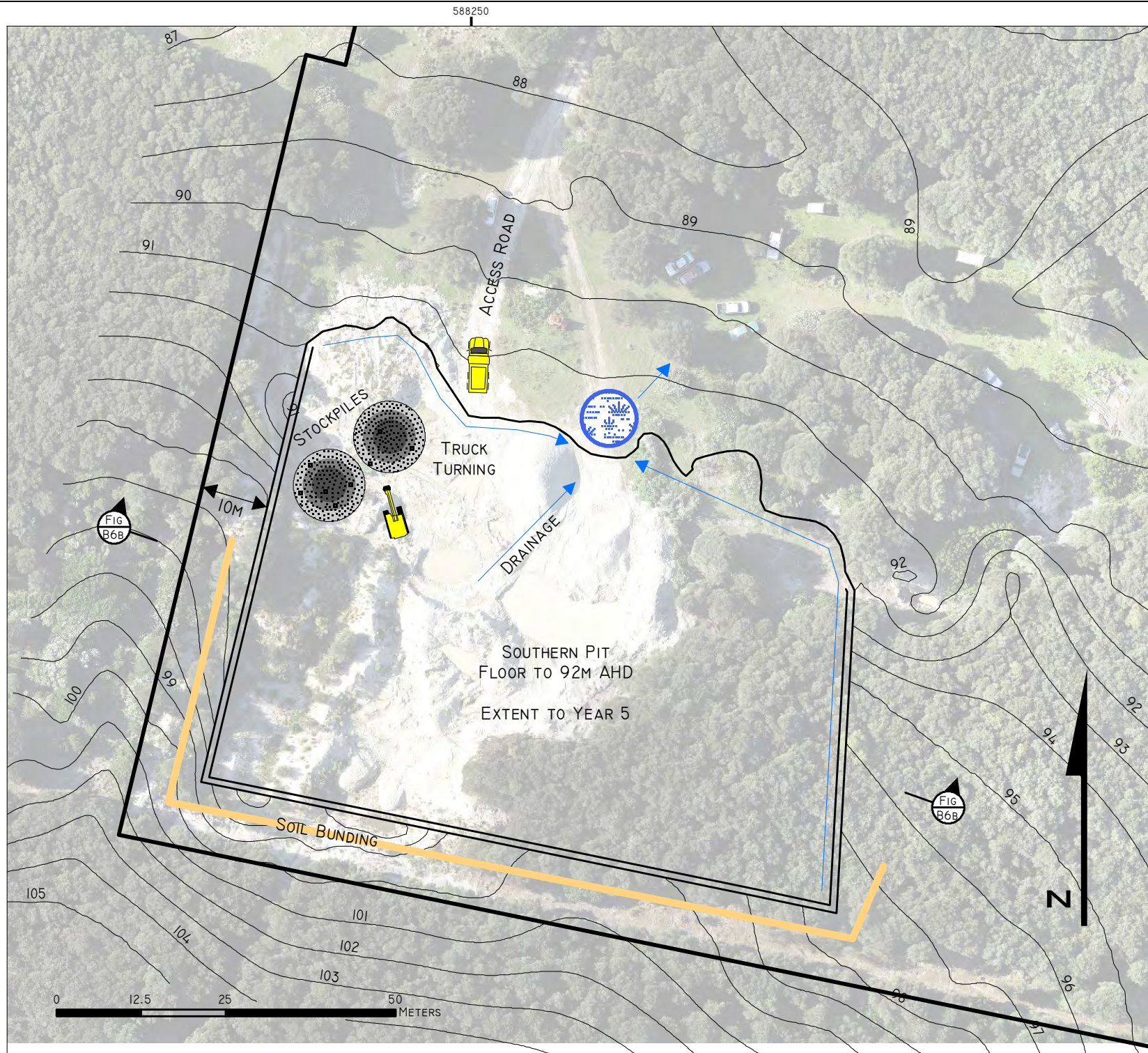


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SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

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# HARLEYS ROAD QUARRY

## DEVELOPMENT APPLICATION

FIGURE B-4B: HARLEYS RD QUARRY  
MINE PLAN - SOUTHERN PIT  
(EXTRACTION APPROX 2500M<sup>3</sup> PA)  
TO YEAR 5

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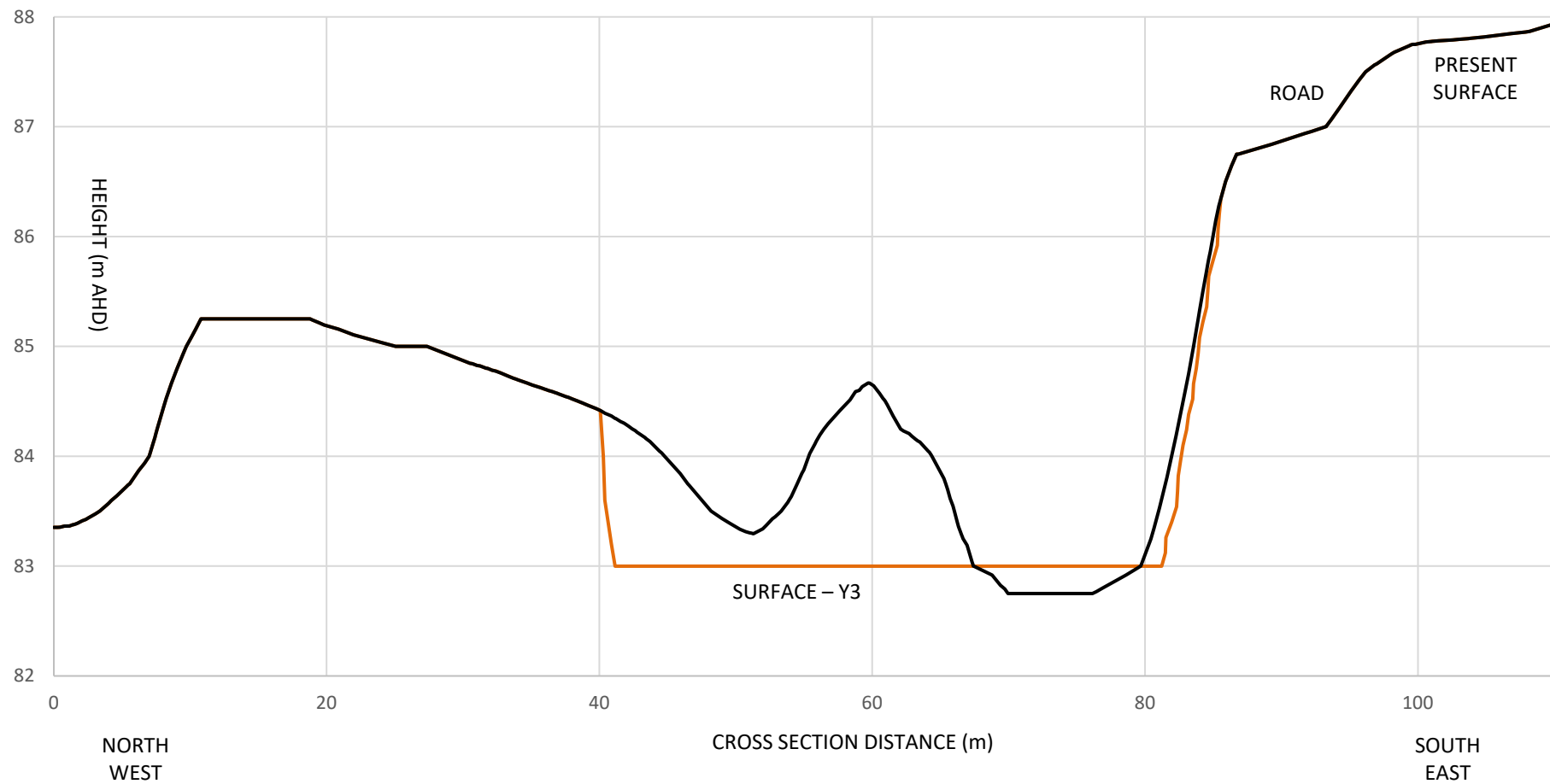
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**FIGURE B-5a: CROSS SECTION OF NORTHERN PIT  
(PRESENT TO YEAR 3)**





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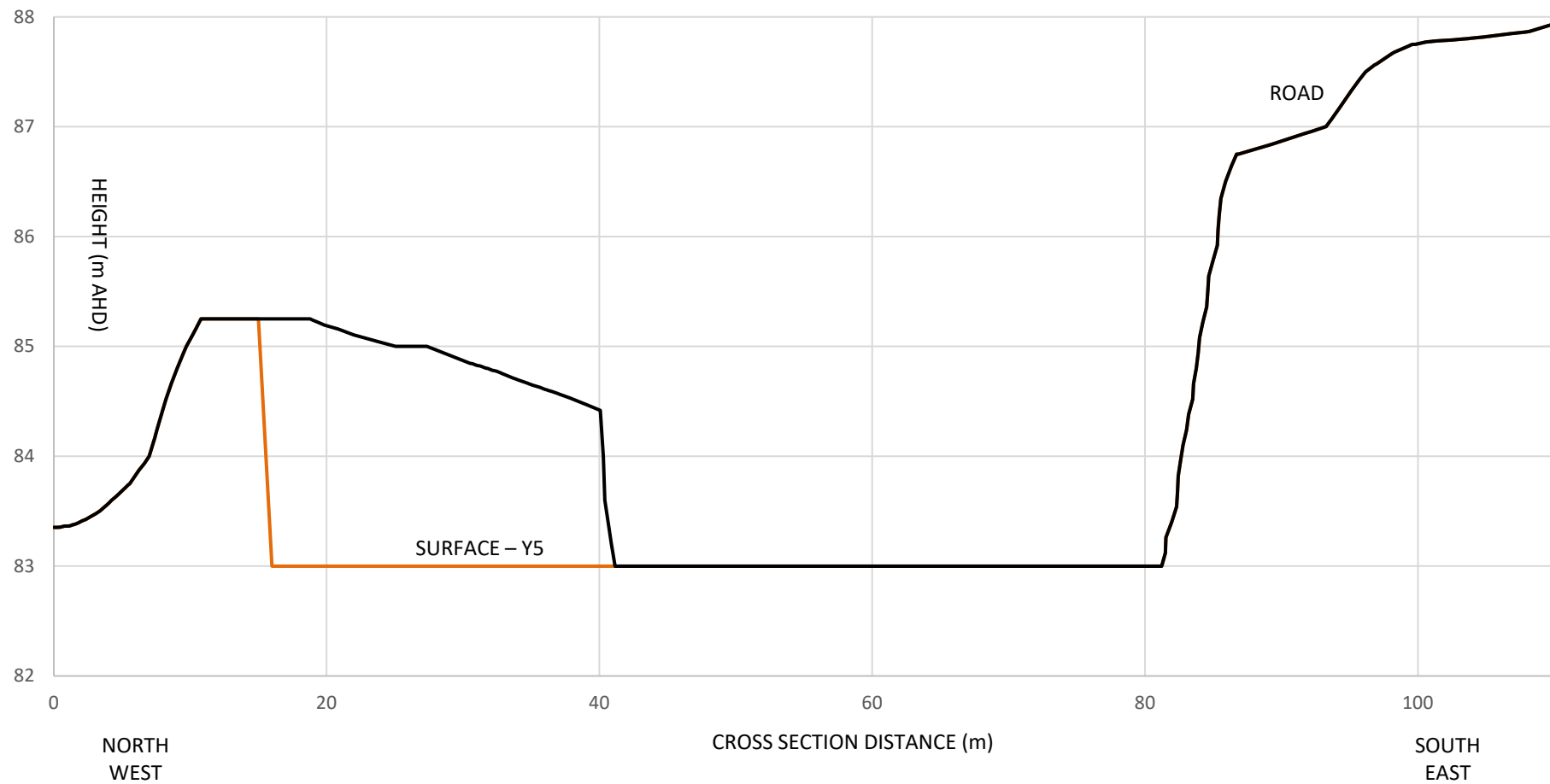
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**FIGURE B-5b: CROSS SECTION OF NORTHERN PIT  
(TO YEAR 5)**



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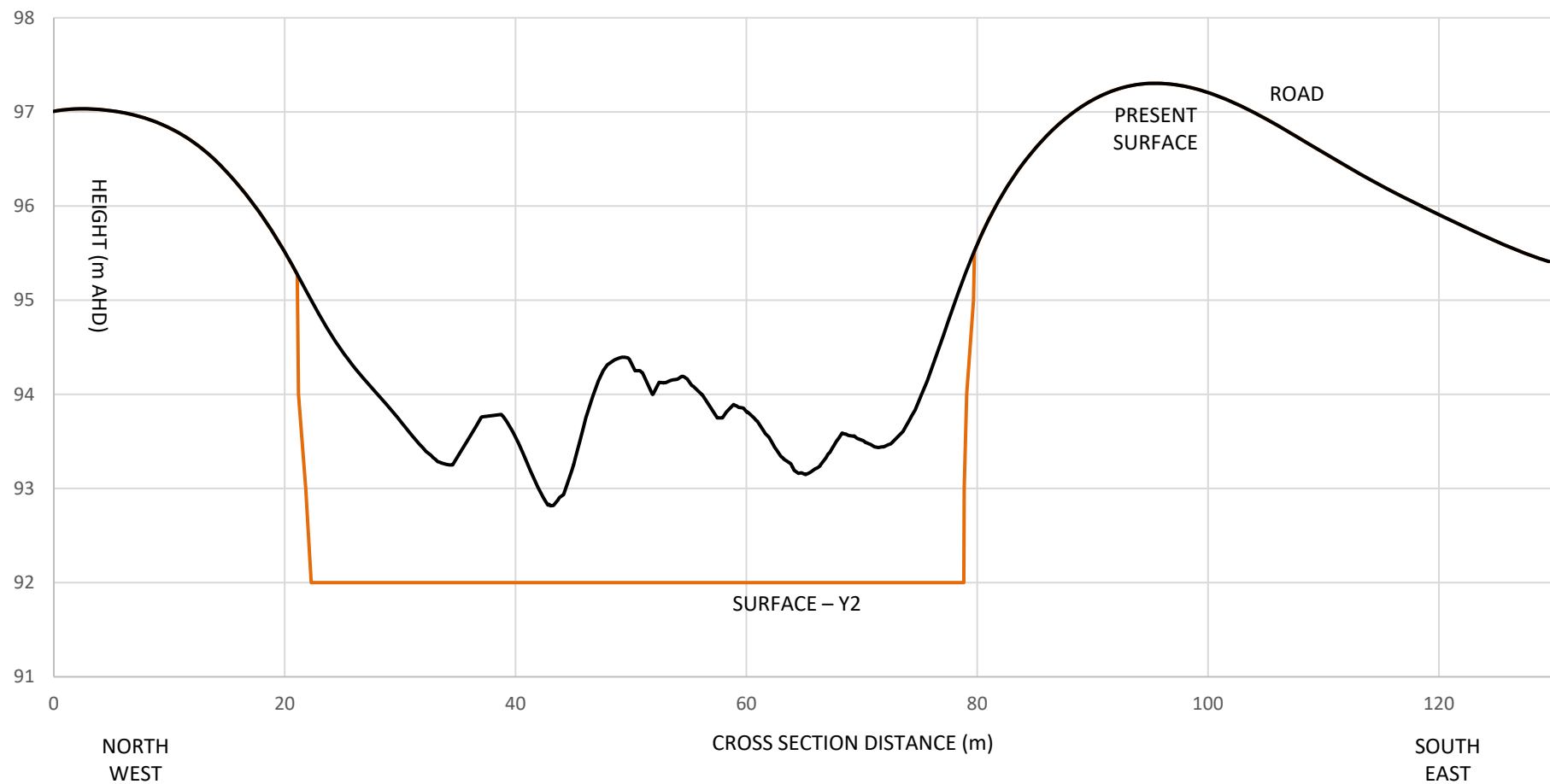
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**FIGURE B-6a: CROSS SECTION OF SOUTHERN PIT  
(PRESENT TO YEAR 2)**





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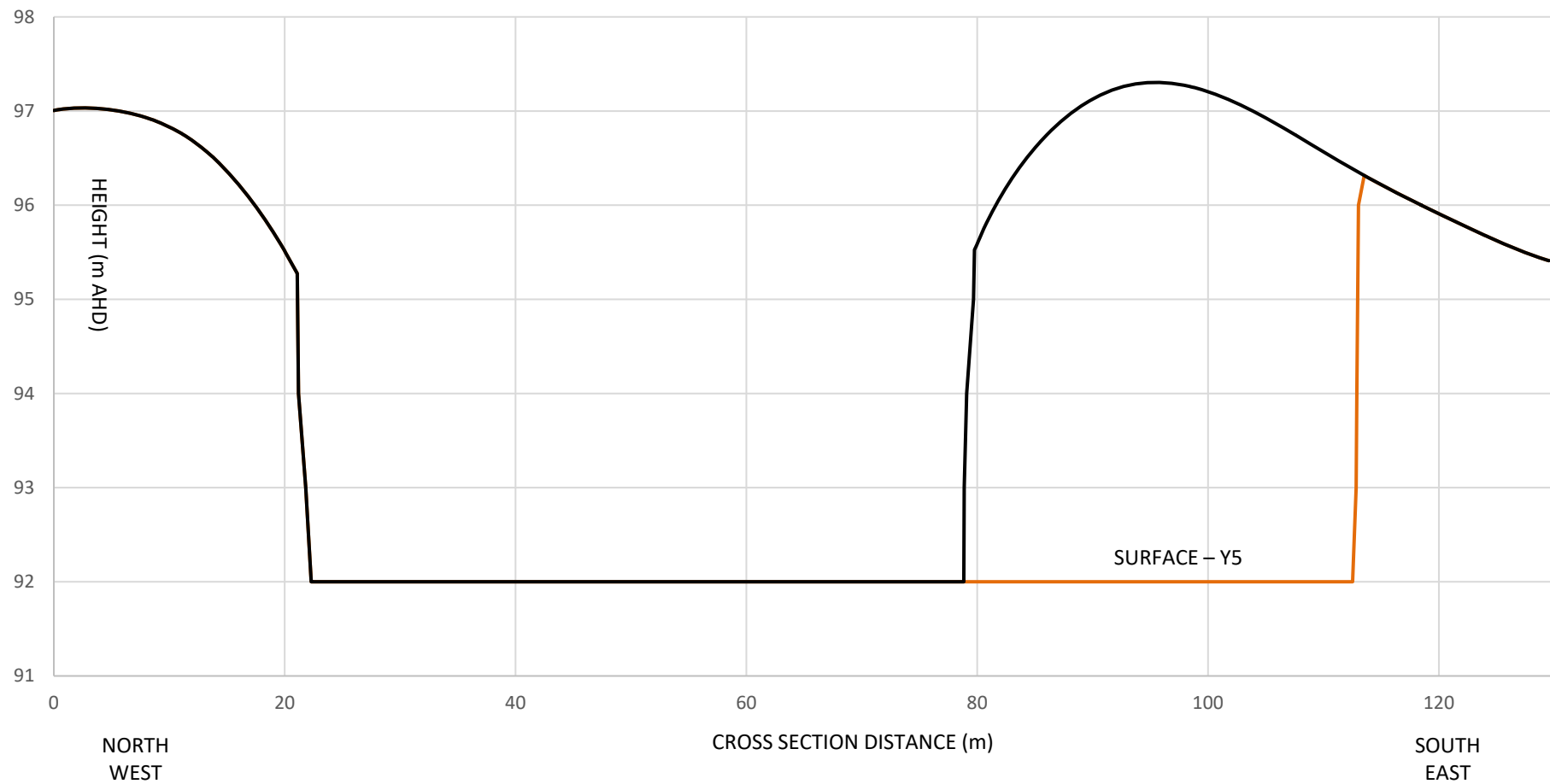
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**FIGURE B-6b: CROSS SECTION OF SOUTHERN PIT  
(TO YEAR 5)**



#### B.4 EQUIPMENT

The following equipment and machinery are likely to be used in the operation -

- 1 x excavator;
- 1 x bulldozer;
- 1 x loader;
- Trucks (with or without trailer).

The following machinery will be used occasionally to process rock/coarse material –

- 1 x vibratory screen,
- 1 x crusher (used in the Northern Pit only, behind a soil bund to deflect noise upwards – see Figure-3B).

#### B.5 ACCESS ROAD

Access will be from the existing entrance off Harleys Road (Figure B-1) which connects to Memana Road. Each Pit will be accessed via an existing internal road network.

#### B.6 INFRASTRUCTURE AND AMENITIES

S sediment ponds of a minimum holding capacity of 50,000 litres will be constructed adjacent to the Southern and Northern pits (Figures B-3A and B-4A respectively). The ponds will be cleaned of sediment they trap to ensure they retain operational capacity.

Stockpiled material will be stored adjacent to each Pit for truck loading. An informal area (unsealed) for light vehicle parking and truck-turning will be constructed near each Pit. Sand will likely be ‘hot loaded’ from the extraction area into trucks.

No toilets, showers or office are proposed.

#### B.7 VEGETATION REMOVAL AND MANAGEMENT

The removal of vegetation will only occur as the area is required for pit expansion or the establishment of specific infrastructure, such as a cut-off drain, stockpile location etc.

The management of vegetation removed to extract the resource will be in accordance with the QCP.

#### B.8 TOPSOIL REMOVAL AND MANAGEMENT

Topsoil will be stripped, excavated, and stockpiled in bunds to (i) channel water away from the active extraction pit face and (ii) to direct water flowing within the pit into a series of drains and then into a sediment pond. The topsoil stockpiles will be managed via a weed spraying program to prevent significant weed incursions.

The management of topsoils removed to extract the resource will be in accordance with the QCP.

#### B.9 TRAFFIC MOVEMENTS

Light vehicles will access the extraction pit from the existing access off Harleys Road (Figure B-1) and could be up to 3 per day (6 movements per day).

Based on a 1.5 tonne/metre<sup>3</sup> conversion ratio the maximum volume of 4,999 cubic metres equates to approximately 7,500 tonnes. This tonnage equates to about 250 truckloads (based on 30 tonne capacity

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trucks) or 500 movements per annum at full production. This is about 6 truck movements per day based on 80 haul days (NB – 80 haul days is approximately 4-5 months of regular haulage). Truck movements could be as high as 10 movements per day (5 trucks) during peak periods of demand or for slightly larger projects (e.g., house foundation and driveway construction).

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The activity is consistent with the definition of the Use Class *Industry Extractive* in the Flinders Planning Scheme 2000 (the 'Scheme') –

'... means the use or development of land for the excavation of any resource(s) such as sand, earth, soil, clay, turf, gravel, rock, stone, minerals or the like.

**C.2 ZONING**

The land upon which the extraction pit occurs is in the Rural Zone of the Scheme (Figure C-1). *Industry Extractive* is a Discretionary Use in the Rural Zone.

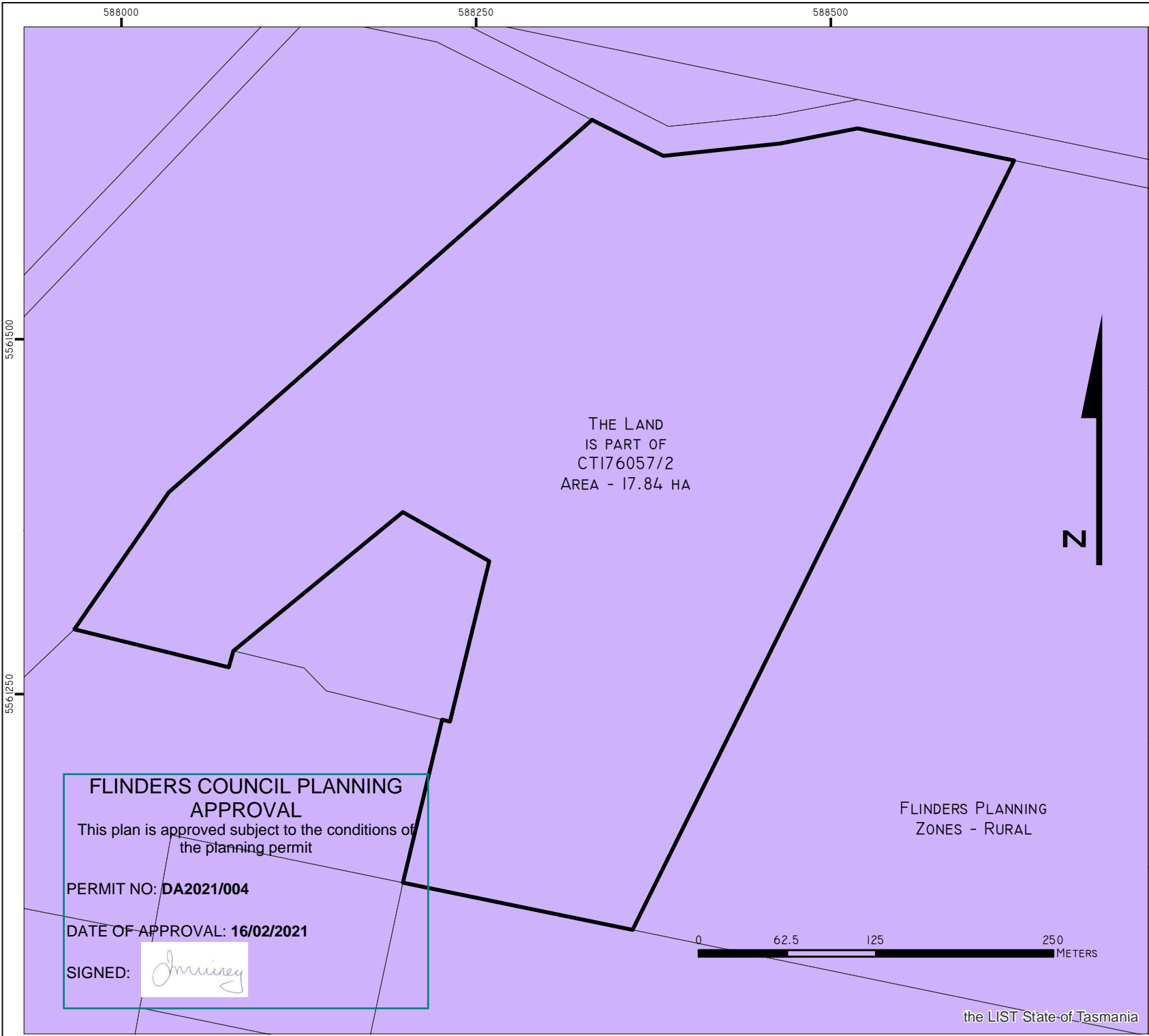
**C.3 SPECIAL AREAS**

The activity intersects one Special Areas prescribed by the Scheme – Buffer Attenuation Area (see Figure C-2).

**C.4 ZONE INTENT**

The following notes and comments are made about each intent of the zone relevant to the Development.

Objective	Comments
The Rural Zone on Flinders Island is intended to maintain the existing rural character of the island which is typified by a pattern of areas of open farmland, typically with shelter belts of remnant vegetation, interspersed with irregular areas of native vegetation and substantial unspoiled landform. On other islands within the Planning Area the zone is intended to preserve the existing character which displays minimal signs of European occupation.	<p>The Activity will not impact on the existing rural character as it will not alter the pattern of open areas of farmland with interspersed irregular areas of native vegetation. In the specific Canns Hill location where the extraction pit will occur, the mosaic of scrub and regenerating cleared land (ex-pasture and rough grazing pasture) will remain intact given the small size of the pit (both currently and proposed when the pit is operational).</p> <p>There is to be retained vegetation between the extraction pit and nearby Harleys Road.</p>
Use and development in the Rural Zone is intended to accommodate agricultural uses and development predominantly, with some compatible non-agricultural uses and development in appropriate circumstances, including tourist operation and rural industries. Forest plantations may be appropriate where they do not adversely affect the character of an area or detract from important views.	<p>The Activity is a compatible agricultural related use of the land – the Scheme intends that these developments (ie rural industries) can occur within this zone. For example, <b>no other zone</b> in the Scheme allows for extractive industries so this zone is the only zone where extraction-based activities can occur.</p> <p>The Activity is in effect a 'rural industry' [for the purposes of the zone intent] to partly support agricultural use of the agricultural lands on Flinders island (e.g., laneways and roads on farms, material for shed construction/hardstands).</p> <p>The small geographic size and predominantly low intensity of extraction make the overall land use a minor impact activity within the Rural Zone.</p>



HARLEYS ROAD  
QUARRY

DEVELOPMENT  
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FIGURE C-I: PLANNING ZONES  
(FLINDERS PLANNING SCHEME,  
2000)

TASMAP:  
LEVENTHORPE  
5856

LGA:  
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DAVID GIBBONS

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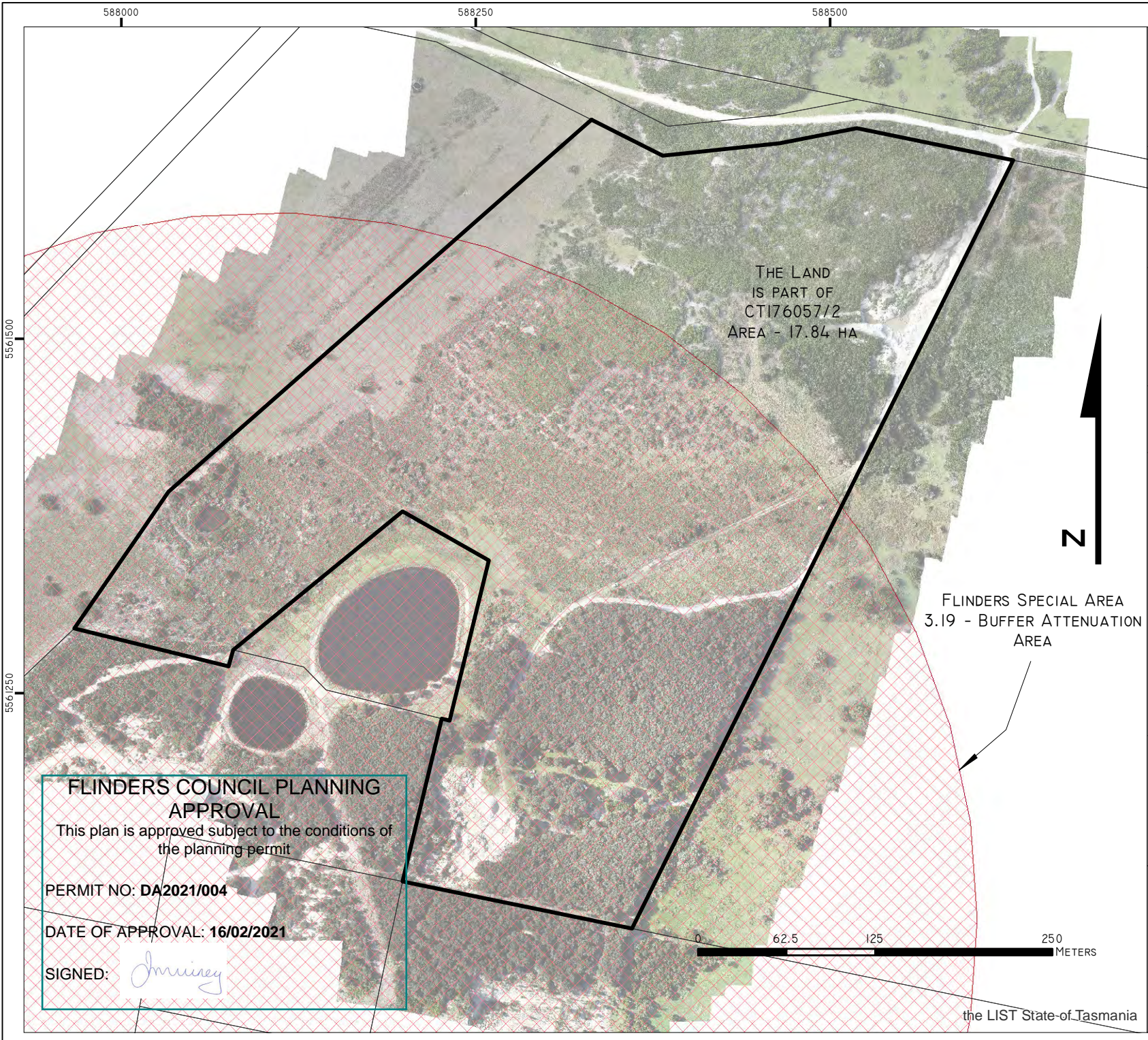
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HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE C-2: SPECIAL AREAS  
(FLINDERS PLANNING SCHEME,  
2000)

TASMAP: LEVENTHORPE 5856	LGA: FLINDERS
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## C.5 DESIRED ZONE CHARACTER AND ZONE GUIDELINES

The Scheme provides the following desired zone character and zone guidelines –

Desired Zone Character	Comments
The use or development of small existing rural lots for the purpose of residential living shall only be approved where such use or development is compatible with any existing or potential agricultural use of that land or surrounding lands.	Not applicable to this Activity – residential use is not proposed.
Use or development should enhance the rural character of the zone. Buildings should be substantial distances from the road frontage and apart, unless inappropriate for operational or topographical reasons. Where land clearance is undertaken it should be visually sympathetic; important trees (or stands of trees) should be retained, important hilltop locations should not be cleared and location of trees and shrubs along fence lines, property boundaries, watercourses and at property entrances is encouraged. Buildings and structures for aquaculture should be sited with regard to the protection of coastal scenery and compatibility with recreational use of the coastline.	The Pits are not visually obtrusive and there will be retained vegetation alongside Harveys Road.  There are to be no buildings.
Land use or development and management practices shall be environmentally appropriate and shall avoid contamination or despoliation of the land, ground water, water courses, shore-lines, lagoons and marshes. Sand-dunes and coastal vegetation and ecologically important areas shall be protected from degradation.	The Activity will be operated in accordance with the environmentally relevant aspects of the <i>Quarry Code of Practice 2017</i> .  Sand-dunes and coastal vegetation will not be disturbed by the Activity.
Forestry activities in the zone shall be in accordance with the Forest Practices Code.	Not applicable to the Activity – no forestry activities are proposed.

## C.6 USE AND DEVELOPMENT PRINCIPLES

The following notes and comments are made about each Use and Development Principle relative to the Activity.

### C.6.1 USE

Relevant Principle	Comments
Use or development shall not unreasonably impact on any existing or intended use or development of neighbouring land.	The Activity will not impact on adjoining agricultural uses or associated other uses of land within the Rural Zone – Figure D-3 shows the nearest dwellings.

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Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.	The use of a crusher and screen will be behind a soil bund in the Northern Pit to topographically shield the nearest residence from direct sight of the machinery – noise mitigation is best achieved using soil/rock bunding to prevent line-of-sight between machinery and sensitive receptor.
Mining and quarrying operations shall be located and carried out in a form which does not conflict with surrounding land use or development, scenic values and the environment.	<p>The extraction pit will be operated in accordance with the environmentally relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p> <p>The small size of the extraction pit at any one point in time will be such that its impact on scenic values would be negligible. Rehabilitation of extracted areas to native vegetation and/or agricultural land would restore any temporary impact to that vegetation caused by extraction.</p>

#### C.6.2 CHARACTER

Relevant Principles	Comments
Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.	<p>The character of the local area and future intentions of the area are rural uses.</p> <p>Neighbouring uses are agricultural (e.g., cropping, pasture development for livestock grazing), some residential use and conservation oriented with most of the regional landscape being existing native vegetation.</p> <p>Figure D-3 shows the nearest dwellings.</p> <p>Retained vegetation alongside Harleys Road will continue to visually obscure the extraction pit.</p>
Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours, and fencing.	
Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.	
Where trees are an important element in the character of an area they should be retained.	

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### C.6.3 AMENITY

Relevant Principles	Comments
Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views, and noise disturbance.	<p>The Activity will not affect sunlight to adjoining properties or dwellings.</p> <p>Figure D-3 shows the nearest dwellings. The very limited use of a crusher and screen will be behind a soil bund in the Northern Pit to topographically shield the nearest residence from direct sight of the machinery – noise mitigation is best achieved using soil/rock bunding to prevent line-of-sight between machinery and sensitive receptor.</p>

### C.6.4 ENVIRONMENT

Relevant Principles	Comments
Use or development shall not be allowed to detrimentally affect the environment. All areas, and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent which is consistent with the protection of the values of the area.	
Use or Development and land management practices shall be directed towards achieving environmental sustainability, biodiversity and ecological balance, and avoiding environmental damage such as soil erosion, coastal dune erosion, loss of important animal and plant species and increases in vermin populations.	<p>The extraction pit will be operated in accordance with the environmentally relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p> <p>Rehabilitation of quarried areas to native vegetation would restore any temporary impact to that vegetation caused by lime sand extraction.</p> <p>The Activity is not located in an area of flood risk.</p>
Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslip). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users.	
<p>Potentially incompatible Uses or Developments shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:</p> <p>i. Use or Development for a use of land that is a Level 2 activity under the provisions of the <i>Environment Management and Pollution Control Act 1994</i> shall not be allowed within</p>	<p>The Activity (and associated occasional screening of sands) is not a prescribed Level 2 activity under the <i>Environment Management and Pollution Control Act 1994</i>.</p> <p>The extraction will be operated in accordance with the environmentally relevant aspects of the <i>Quarry Code of Practice 2017</i>.</p>



<p>the lesser distance from a residential zone than that recommended by the Director of Environmental Management.</p> <p>ii. Use or Development of land that is not a Level 2 activity, but which Council nonetheless considers will or has the potential for environmental harm, shall not be allowed within a lesser distance from a residential zone than that determined by Council after taking into account the advice from the Director of Environmental Management.</p>	<p>Rehabilitation of lime sand extracted areas to native vegetation would restore any temporary impact to that vegetation caused by extraction works.</p>
<p>Activities involving extensive site works, such as quarrying, shall be suitably sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area.</p>	
<p>Use or development shall be of a suitable form and siting to avoid any adverse impact on any watercourse and vice versa.</p> <p>Use or development (including the siting of effluent disposal systems) shall be setback a minimum of 40 metres, or such distance as is required, from a watercourse to avoid degradation of water quality.</p>	<p>No watercourses listed in Schedule 3 of the Scheme are present within the areas designated for the extraction pit and associated future areas of likely extraction.</p> <p>A sediment pond and appropriate drains/channels will be installed at the extraction pit (see Figures 5a and 5b respectively).</p>
<p>Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.</p>	<p>The access road connecting the extraction pit to Palana Road is appropriately constructed to manage surface water flows.</p>

#### C.6.5 HERITAGE

Relevant Principles	Comments
<p>Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.</p>	<p>The Mining Lease is comprised of agricultural land, existing extraction pits and native vegetation (non-threatened). None of these areas are of conservation significance.</p> <p>The management of weeds will be via a weed spraying program.</p>

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#### C.6.6 ACCESS AND PARKING

Relevant Principles	Comments
All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.	<p>The existing vehicular access from Harleys Road will be used for the Activity.</p> <p>The existing access has adequate sight distances, ingress/egress and a formation suitably constructed for the use.</p>
Road widths shall be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject and surrounding land.	
Road intersections shall be kept to a minimum with the use of existing roads, service roads and/or shared driveways being encouraged where appropriate.	
New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development.	
Intersections of roads, footpaths and foot crossings and driveways shall provide adequate safety for all users and shall satisfy the relevant requirements of Schedule 4.	The access meets the SISD requirements of Schedule 4 of the Scheme.
New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.	<p>Light vehicle parking locations will be provided at the Northern and Southern Pits.</p> <p>On-site turning will be provided at both the Northern and Southern Pits such that heavy vehicles can enter and exit the Mining Lease in a forward direction.</p>
On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.	

#### C.6.7 SERVICES

None of the principles are relevant to this activity as it is not connected to services and does not need to be connected to services.

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---

Relevant Principles	Comments
Use or Development should demonstrate how it suits the community interest.	The Activity will enhance agricultural and construction operations on the island generally be providing multiple 'on-island' products for these sectors.
Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities).	This Principle is not applicable to the Activity.

Relevant Principles	Comments
Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.	The Activity not reliant on the specific provision of services from public funds.

Parts of the Activity (Southern Pit and Sand extraction Area) occur within an existing Buffer Attenuation Area of the Flinders Planning Scheme 2000 (Figure C-2). The BAA exists due to the historical extraction pit that was located at Canns Hill, south of the Mining Lease.

“...3.19.1 Notwithstanding any other provision in this Scheme, within the Buffer/Attenuation Special Area a “dwelling unit” shall be prohibited in accordance with Clause 3.6.

3.19.2 In considering any application within a Buffer/Attenuation area Council shall take into consideration the potential interaction between existing Uses or Developments and the proposed Use or Development and may impose conditions to minimise the impact of that interaction.

### 3.19.3 Matters to be considered when determining an application include:

- (a) The siting and orientation of habitable buildings in relation to the topography and sources of emissions;
- (b) The design of buildings, including the position of doors and windows and the noise absorbing properties of proposed building materials;
- (c) the benefits of screening with earth mounds, walls, fences or landscaping.



3.19.4 Notwithstanding Clause 3.19.1, within the existing lots zoned Low Density Residential at Bluff Road and subject to the Buffer/Attenuation Special Area, a House or a House and Ancillary Apartment may be erected in accordance with Clause 3.5 of the Scheme.'

The Activity does not alter the location of or operability of the Buffer Attenuation Area.

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## PART D - PROJECT AREA

### D.1 CLIMATE PARAMETERS

The nearest Bureau of Meteorology weather recording station is at Flinders Island Airport to the south of the development site.

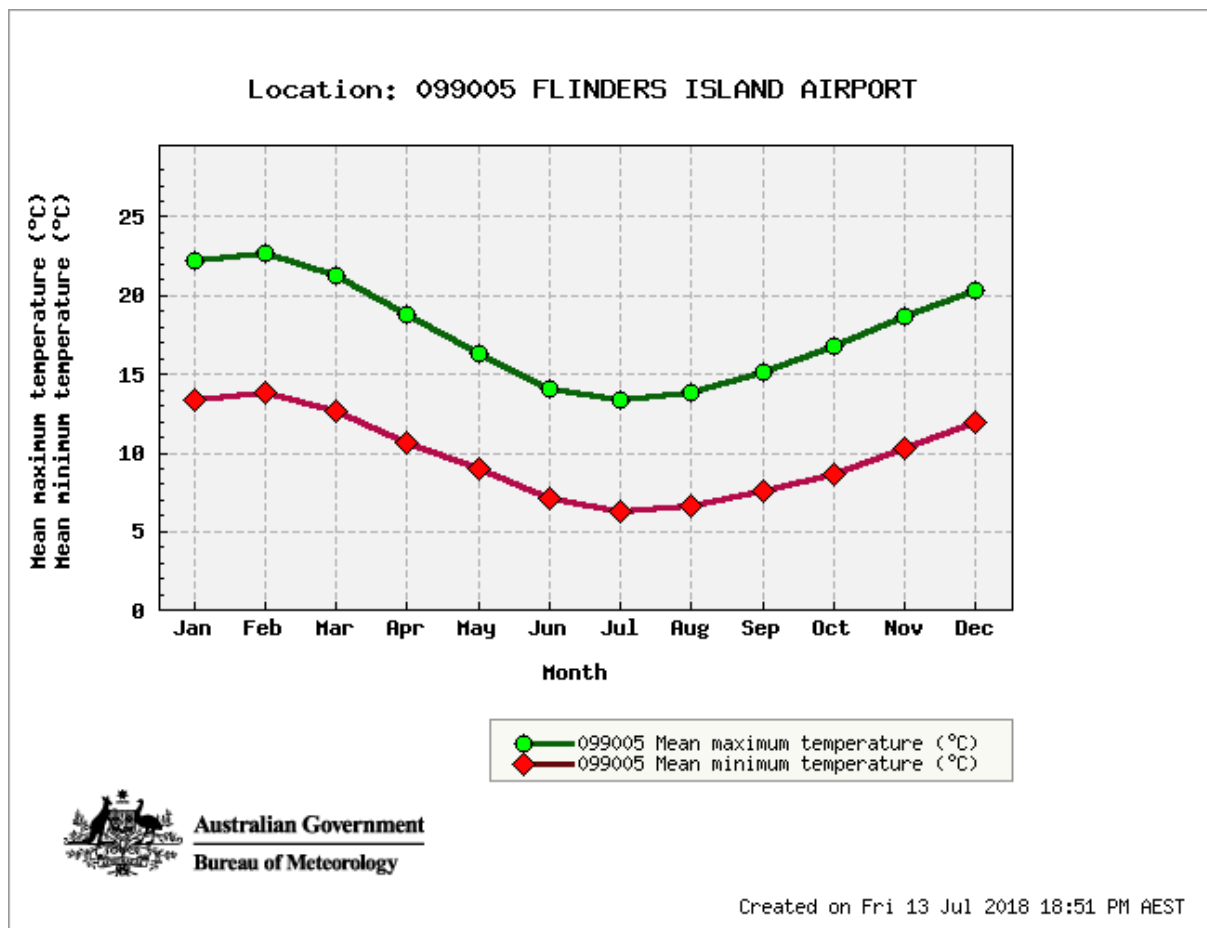
The station details for the Flinders Island Airport weather station are -

- **Site number:** 099005
- **Latitude:** 40.09 °S **Longitude:** 148.00 °E
- **Elevation:** 9 m

The development and use occur in a region with cool winters and warm summers (Graph 1), with most precipitation occurring in the winter and spring period (Graph 2).

**Graph 1. Mean minimum and maximum temperature for Flinders Island Airport**

Source: Bureau of Meteorology 2018



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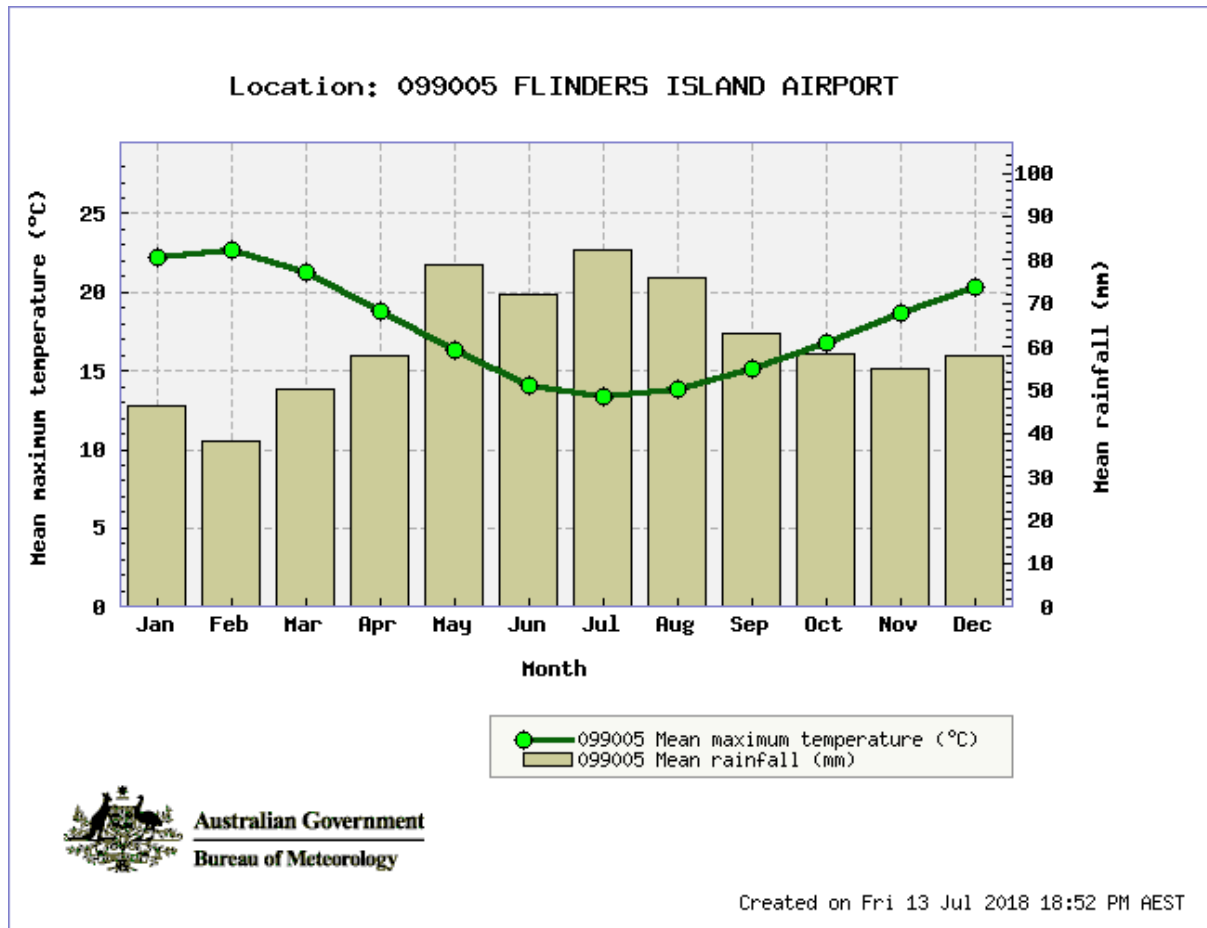
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**Graph 2. Mean annual rainfall and mean maximum temperature for Flinders Island Airport**

Source: Bureau of Meteorology 2018



## D.2 LAND TENURE

The Mining Lease is surrounded by private freehold lands to the east, west and north with the southern lands being comprised of Authority land (Taswater), Crown land and Local Government owned land (Figure D-1).

## D.3 ROAD NETWORK


The access connects to Harleys Road and then to Memana Road (Figure D-2) which provides direct connection to Palana Road (providing direct access to the north and south of the island).

## D.4 NEAREST RESIDENTIAL USE

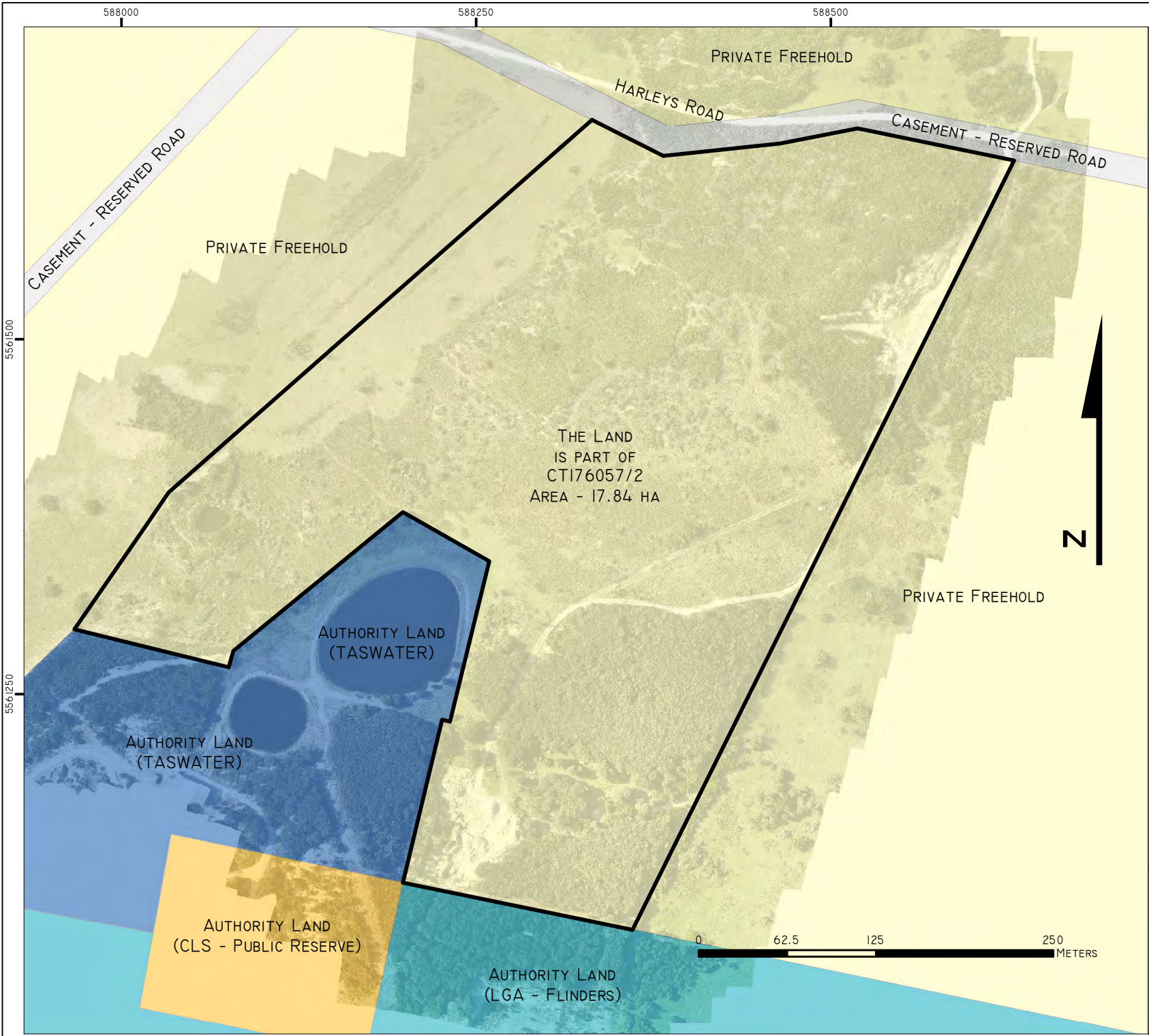
The geology of the Mining Lease is mapped as undifferentiated granitic rocks (Figure D-4). Land Capability is not recorded by DPIW on TheLIST however the sands and granitic gravels present in the Mining Lease are likely to be Land Class 5 to 6.

## D.5 GEOLOGY AND LAND CAPABILITY

The geology of the Mining Lease is mapped as undifferentiated granitic rocks (Figure D-4). Land Capability is not recorded by DPIW on TheLIST however the sands and granitic gravels present in the Mining Lease are likely to be Land Class 5 to 6.

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HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE D-I: LAND  
TENURE CLASSIFICATION

TASMAP: LEVENTHORPE 5856	LGA: FLINDERS
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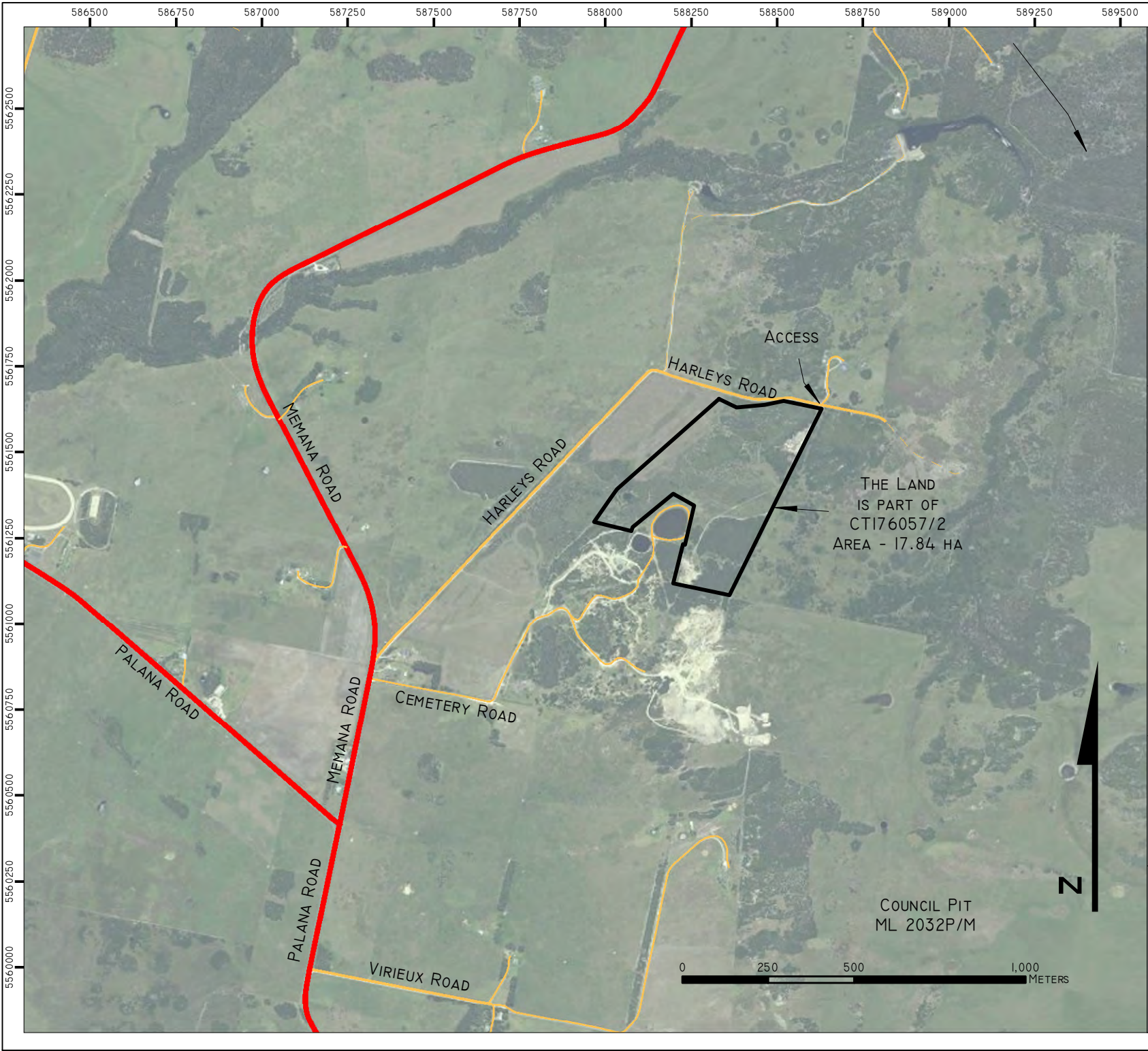


DATUM: GDA94  
GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020





HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE D-2: SURROUNDING  
ROAD NETWORK

TASMAP: LEVENTHORPE 5856	LGA: FLINDERS
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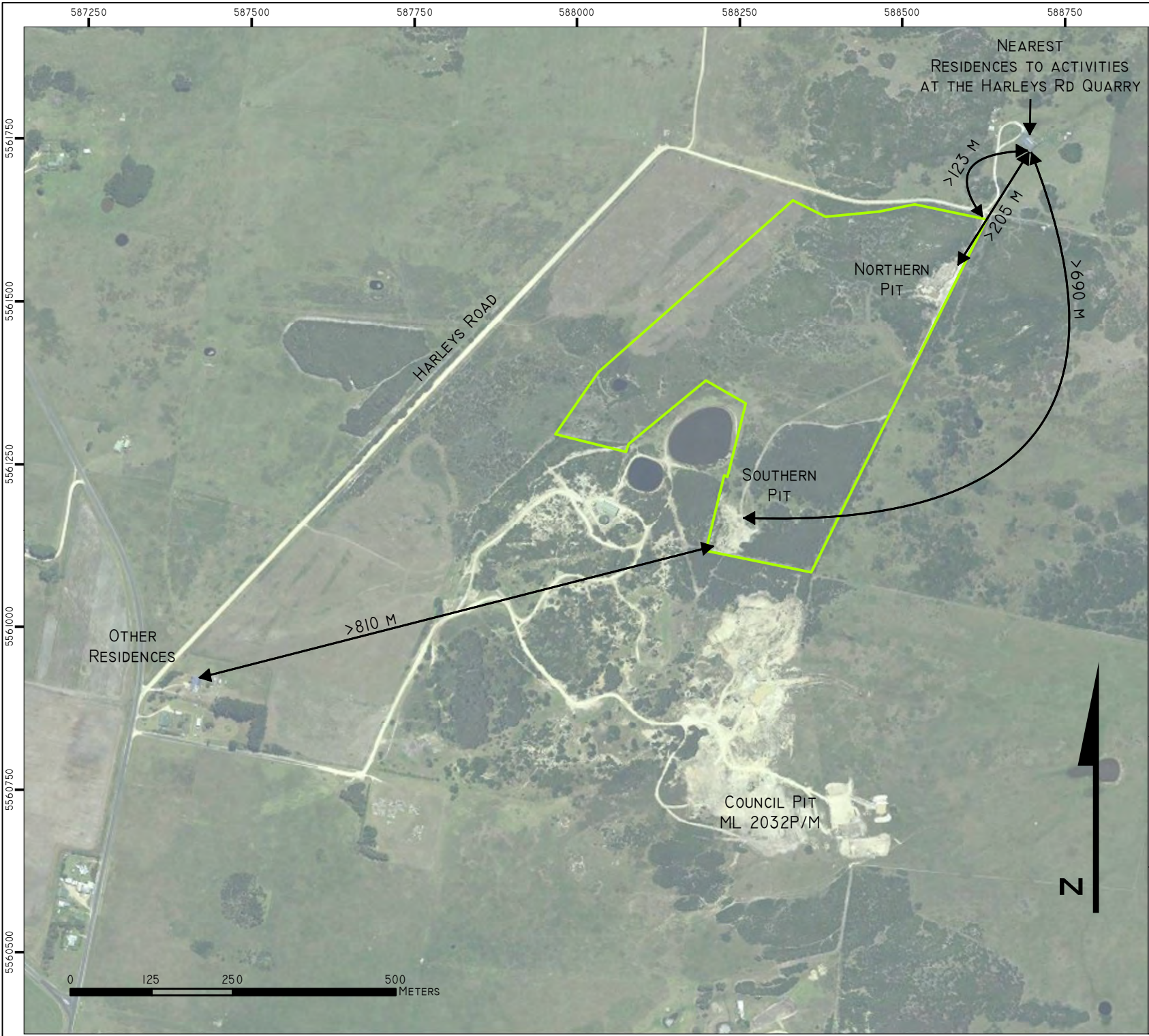
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	CLIENT: DAVID GIBBONS
	DATE: 16 NOV 2020





HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE D-3: NEAREST  
RESIDENCES FROM ACTIVITIES  
AT THE HARLEYS RD QUARRY

TASMAP: LEVENTHORPE 5856	LGA: FLINDERS
--------------------------------	------------------

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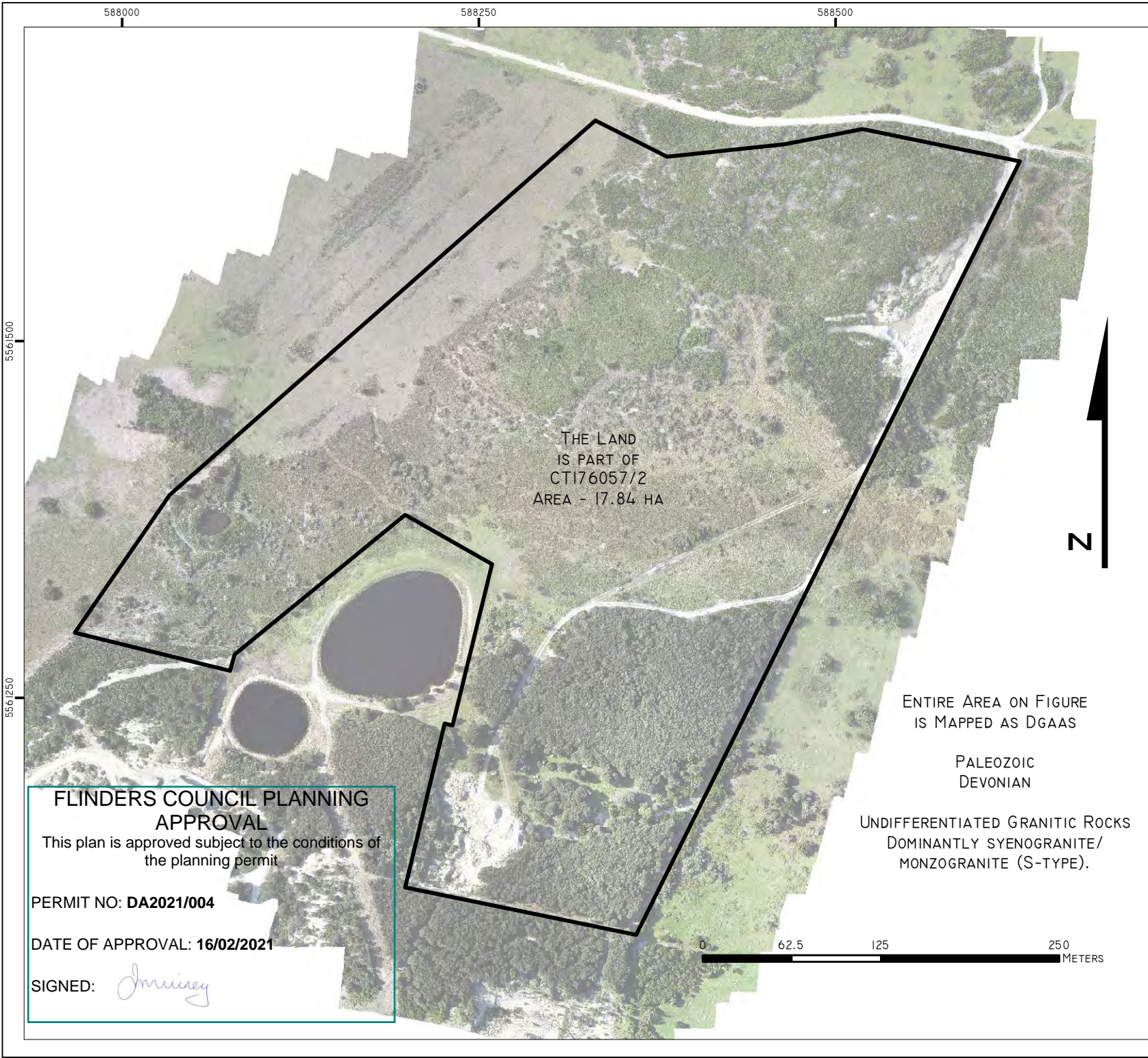
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	DATE: 16 NOV 2020





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**HARLEYS ROAD QUARRY**

**DEVELOPMENT APPLICATION**

**FIGURE D-4: GEOLOGICAL BEDROCK (MRT - SCALE 1: 250,000) AROUND MINING LEASES**

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

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DATE: 16 NOV 2020

ENTIRE AREA ON FIGURE  
IS MAPPED AS DGAAS

PALEOZOIC  
DEVONIAN

UNDIFFERENTIATED GRANITIC ROCKS  
DOMINANTLY SYENOGRANITE/  
MONZOGRANITE (S-TYPE).



## D.6 WATERCOURSES

There are no defined watercourses within the Mining Lease and all Pits occur in the South Pats River catchment (see Figure D-5).

## D.7 VEGETATION

There are several native vegetation communities present within the Mining Lease (see Figure D-6) as well as cleared lands dominated by agricultural species or bracken-fern (*Pteridium esculentum*) regrowth.

No native vegetation communities listed on Schedule 3A (Threatened native vegetation communities) of the *Nature Conservation Act 2002* or ecological community listed under section 181 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* occur in the Land.

Bracken-fermland (background)  
and agricultural land



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*Allocasuarina verticillata* forest



## D.8 THREATENED FLORA AND FAUNA SPECIES

### D.8.1 Flora Species

Several threatened flora species have been recorded in the **region** based on Natural Values Atlas held records (Figure D-7). Surveys were conducted at different times of the year (spring and summer) to determine if any threatened flora species are present within the Mining Lease. No flora species listed on the Tasmanian *Threatened Species Protection Act 1995* or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* were observed on the Land during site surveys.

### D.8.2 Fauna Species

One species (New Holland Mouse) has been recorded in the region based on Natural Values Atlas held records (Figure D-8) – habitat for this species is absent from the Mining Lease (ie there is no heathland with grass-trees and other food species).

No fauna species listed on the Tasmanian *Threatened Species Protection Act 1995* or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* were observed on the Land during site surveys.

## D.9 SIGNIFICANT WEEDS

One plant species listed as a Declared Weed on the Tasmanian *Weed Management Act 1999* was recorded on the Land (see also Figure D-9) -

- slender thistle (*Carduus pycnocephalus*).

Pasture and environmental weeds were observed sporadically across the Land, most commonly in association with fencelines and disturbed ground –

- spear thistle (*Cirsium vulgare*), and
- capeweed (*Arctotheca calendula*).

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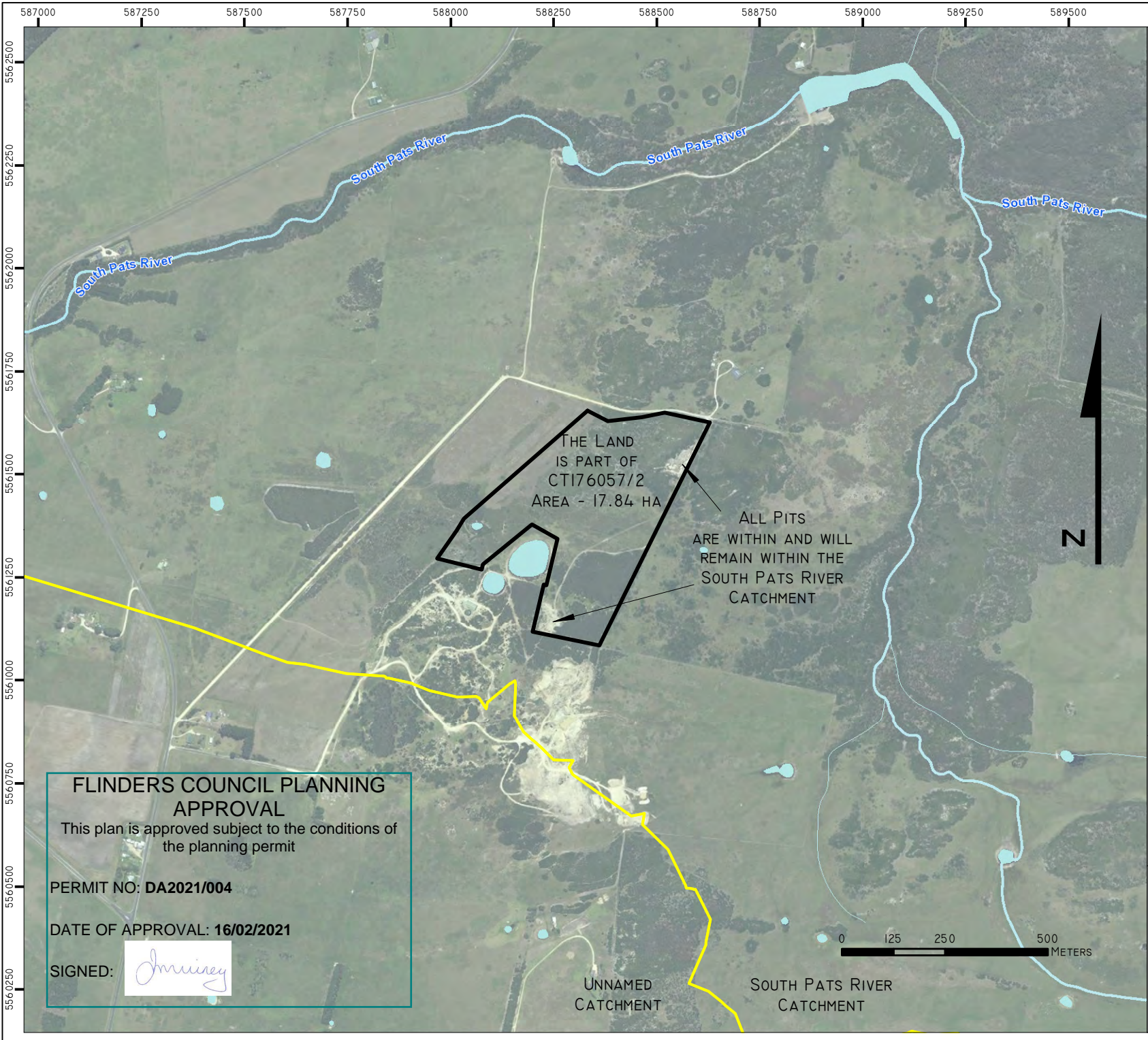
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HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE D-5: EXISTING/  
PROPOSED REGIONAL  
DRAINAGE LINES  
AND CATCHMENTS

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

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SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020

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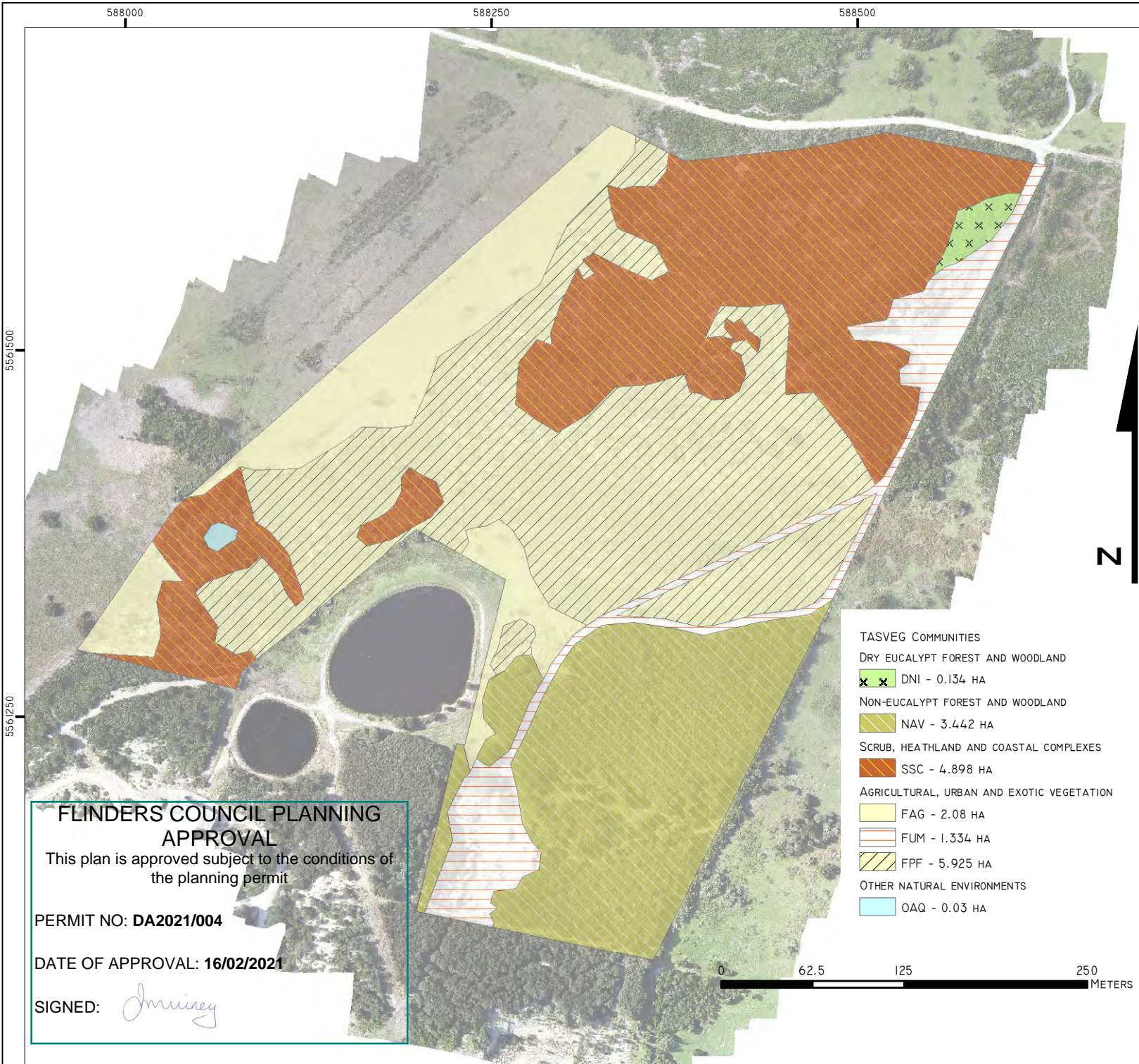
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**SIGNED:** *[Signature]*

- TASVEG COMMUNITIES
- DRY EUCALYPT FOREST AND WOODLAND  
DNI - 0.134 HA
  - NON-EUCALYPT FOREST AND WOODLAND  
NAV - 3.442 HA
  - SCRUB, HEATHLAND AND COASTAL COMPLEXES  
SSC - 4.898 HA
  - AGRICULTURAL, URBAN AND EXOTIC VEGETATION  
FAG - 2.08 HA  
FUM - 1.334 HA  
FPF - 5.925 HA
  - OTHER NATURAL ENVIRONMENTS  
OQA - 0.03 HA

HARLEYS ROAD QUARRY

DEVELOPMENT APPLICATION

FIGURE D-6: VEGETATION COMMUNITIES (TASVEG 3.0) IN THE HARLEYS RD QUARRY ML

TASMAP: LEVENTHORPE 5856	LGA: FLINDERS
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BASE IMAGE © STATE OF TASMANIA

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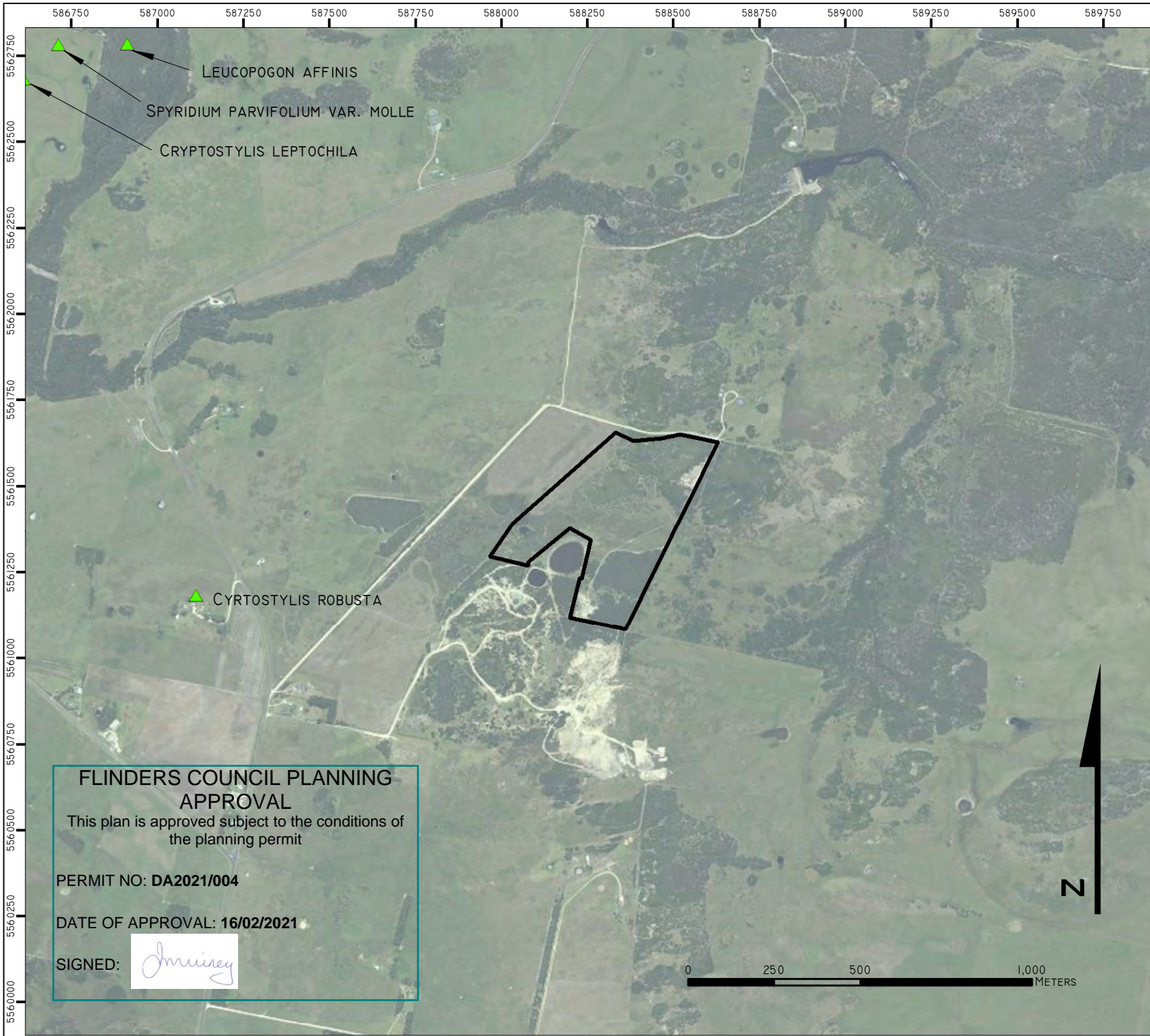


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GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020





## HARLEYS ROAD QUARRY

### DEVELOPMENT APPLICATION

FIGURE D-7: KNOWN (NVA)  
AND OBSERVED  
THREATENED FLORA AROUND  
THE HARLEYS RD QUARRY

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

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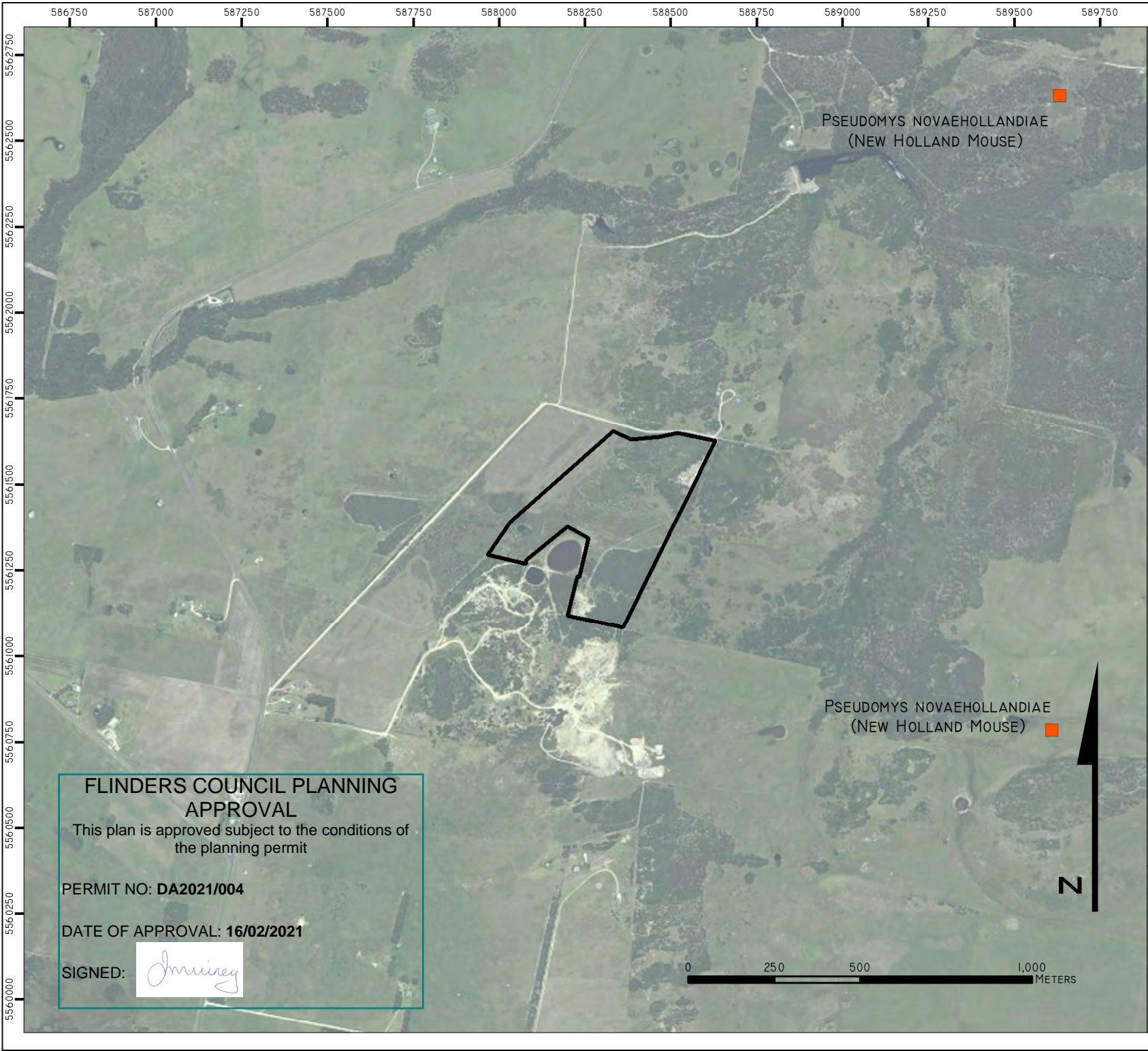


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GRID: MGA ZONE 55  
SCALE: @A4 - NA

CLIENT:  
DAVID GIBBONS

DATE: 16 NOV 2020





HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE D-8: KNOWN (NVA)  
THREATENED FAUNA AROUND  
THE HARLEYS RD QUARRY

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

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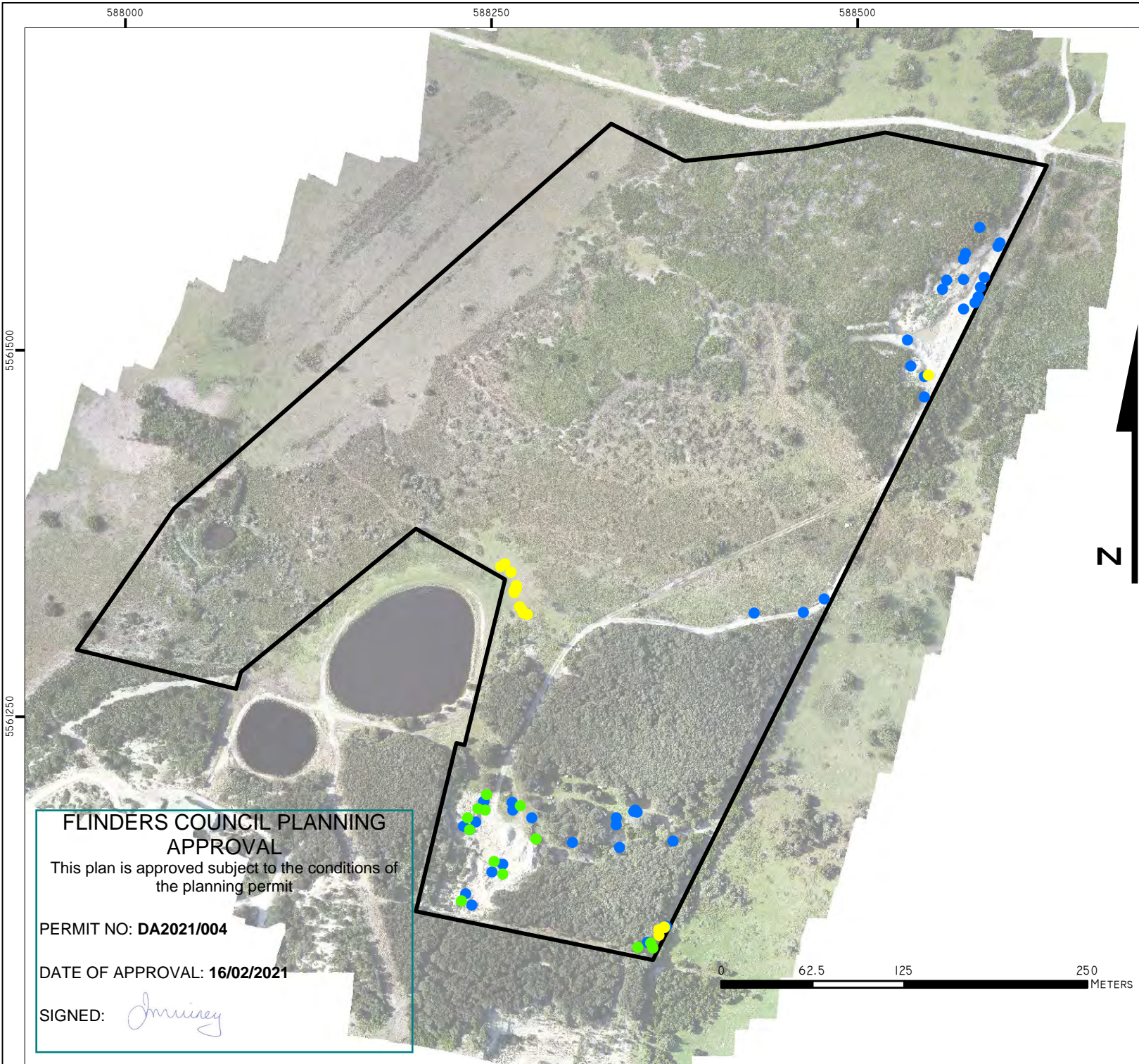
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HARLEYS ROAD  
QUARRY

DEVELOPMENT  
APPLICATION

FIGURE D-9: SIGNIFICANT  
WEEDS AT THE HARLEYS  
ROAD QUARRY

TASMAP:  
LEVENTHORPE  
5856

LGA:  
FLINDERS

- SLENDER THISTLE
- CAPE WEED
- SPEAR THISTLE

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## PART E – POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The following sections describe and assess the potential environmental impacts that may be caused by the Activity for themes and the mitigation measures to be applied to minimise the risk of causing environmental nuisance.

### E.1 AIR EMISSIONS - DUST

The primary air emission generally associated with quarry operations is dust. Dust can be a nuisance to neighbours and may be a safety hazard to quarry employees. There are other sources of dust emissions in the surrounding landscape, including agricultural uses (ploughing, cropping, harvesting).

#### E.1.1 DUST SOURCES FROM QUARRY ACTIVITY

Potential sources of dust are:

- The ripping of rock during dry windy conditions (especially in the summer months),
- The stripping of topsoil (extremely limited as the amount of topsoil is low) and the movement of rock and gravel by machinery,
- Crushing and/or vibratory screening of rock material (crushing and screening will be occasional and extremely limited in terms of quantity),
- Access road (gravel) use in and out of the Activity, and
- Stockpiled gravel and fines.

#### E.1.2 MITIGATION MEASURES

##### Crusher and screens

Standard industry practice for dust control, which will be applied at the activity, is to dampen material prior to crushing and/or to also have installed sprayers on the output chute to minimise dust emissions from an otherwise dry product. Mobile modern crushers have such features installed and there is a water source available – water from the sediment basin or the use of a dedicated water tanker – to operate these dust suppression measures whilst crushing.

##### General dust suppression measures

General measures that will be used to suppress dust if it does occur in substantial volumes that may cause environmental harm (e.g., during periods of strong northerly and/or north-westerly winds in summer) include the following industry standard environmental practices:

- Watering of internal roads or the use of a dust suppressant as required during dry and windy conditions,
- Retention of vegetation (even pasture) along the access road corridor where possible,
- Covering of trucks with tarpaulins and/or load dampening, and
- Minimising the geographic extent of exposed soil areas.

Water can be accessed from the on-site sediment ponds or via a dedicated water tanker owned by the applicant.





## E.2 NOISE EMISSIONS

### E.2.1 Existing Landscape Noise Sources

Noise sources in the landscape surrounding the land where the Activity will occur have been identified as follows:

- farm machinery on adjacent properties,
- vehicles and trucks using Memana Road and other private roads,
- wind in shelterbelts, native forest, and remnant trees,
- airport activities, and
- bird and insect life.

### E.2.2 Quarry Emission Sources

The major noise sources from the Activity have been identified below:

- clearing vegetation and topsoil, stockpiling of soil into bunds,
- extraction of gravel and sand,
- crushing, and screening of some material, and
- use of ancillary equipment; excavators, loader, and truck movements.

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### E.2.3 Sensitive Receptors

There is no township near the Activity although there are two residences nearby – one to the north-east and another to the west - south-west (Figure D-3).

The topography of the landforms between the Southern Pit and the dwelling to the west - south-west provides a noise barrier (and spatial segregation) between the quarry and residential use.

The dwelling to the north-east of the Activity is about 200 m from the northern extent of the Northern Pit.

The use of a crusher and/or screen will be occasional and limited to 1,000 cubic metres per annum – the crusher and screen setup would not likely be used each year. The existing below-ground level floor of the Pit and presence of the dwelling on the northern side of the hill provides some topographic noise shielding to the dwelling.

### E.2.4 Mitigation Measures

Mitigation recommendations for blasting were provided as follows: -

- Additional topographic shielding of the crusher and screen when in the Northern Pit will be provided by the placement of the machinery at a topographically low point in the Pit floor, and the construction of a soil/rock bund as depicted in Figure B-3A.

## E.3 WASTE MANAGEMENT

The activity will not generate Controlled waste, nor will it generate rock/soil/overburden 'solid wastes' as all of the material excavated will be used in the product sold or for the rehabilitation of benches, slopes etc. Machinery related 'solid wastes', such as oil filters, will generally not be produced as machinery servicing will not occur in the quarry (except for emergency repairs or service requirements).

### E.3.1 Material Sources

Machinery related ‘solid wastes’, such as oil filters, will generally not be produced as machinery servicing will not occur in the quarry (except for emergency repairs or service requirements).

### E.3.2 Mitigation Measures

The below aspects of the site and the activity can be summarised for waste management practices:

- No machinery servicing, except for emergency repairs or minor service requirements (e.g., a filter change), will be conducted within the quarry. Wastes generated from machinery repairs will be disposed of in an appropriate bin near the entrance to the quarry for future disposal at a permitted refuse disposal site, and
- Waste generated by workers from general refuse (e.g., lunch wrappers) at the quarry will be collected in waste bins provided on-site for general refuse. These will be emptied at least once per fortnight and the material disposed of at a permitted refuse disposal site.

## E.4 DANGEROUS AND/OR HAZARDOUS GOODS

The storage, handling and transport of dangerous goods, explosives and dangerous substances must comply with the requirements of relevant State Acts and any regulations.

### E.4.1 Material Sources

Fuel and oil will be used in the quarry to operate and maintain functional machinery. There will be no permanent built storage of fuels, oils, lubricants or any other dangerous good in the quarry.

Chemicals for weed spraying be used (but not stored) in the quarry. They will be handled, used, and disposed of in accordance with the manufacturer’s directions and relevant regulations.

### E.4.2 Mitigation Measures

The below aspects of the site and the activity can be summarised for dangerous and/or hazardous good management practices:

- Weed spraying chemicals will be handled, used, and disposed of in accordance with the manufacturer’s directions and relevant regulations,
- When in the quarry, fuel and oil containers will be stored at least 10 m from any drain or sediment pond and will be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container, and
- One hydrocarbon spill kit will be stored at the Activity to use in the event of a spillage. Staff will be trained in how to use the kit and the kit will be replaced as and when required.

## E.5 WEED MANAGEMENT

A Weed Spraying Program (WSP) will be developed using the document - ‘Department of Primary Industries, Parks, Water and Environment (2015). Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania. The WSP will be reviewed each year and updated as new information about the occurrence of weeds in the quarry become available.

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## PART F - DECOMMISSIONING AND REHABILITATION

It is the aim of quarry management to minimise the area of land 'open' at the quarry. When closed, the site will be rehabilitated with scrub vegetation and/or pasture for agricultural use.

### F.1 PROGRESSIVE REHABILITATION

'Progressive rehabilitation' will apply at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry. Progressive rehabilitation refers to the rehabilitation of worked out, or surplus areas, while extractive operations are ongoing and includes the stabilisation of the landform prior to revegetation and serves to ensure landform stability and revegetation on an ongoing basis.

The main aims of rehabilitation work would be to:

- achieve long term stabilisation of all worked out areas to minimise ongoing erosion,
- revegetate worked out areas with appropriate native scrub species and/or pasture vegetation, and
- ensure that worked out areas are safe for future land uses.

The rehabilitation of areas that are no longer being quarried or used for another purpose (such as a stockpile holding area, truck turning bay etc.) will be based on the following principles:

1. Benches ripped or cracked prior to substrate addition (i.e. topsoil, overburden, and waste rock).
2. Stockpiled weathered gravel, topsoil (from quarry site) and sediment collected from sediment interceptors applied to prepared benches.
3. Application of pasture seed and/or native scrub species tubestock or seed (or slash which contains seed bearing structures).
4. Monitoring of the following factors –
  - a. weed infestation,
  - b. survivorship and growth rates in planted tubestock,
  - c. germination success and growth in seed distributed species, and
  - d. landform stability.
5. Remedial works which may include but not necessarily be limited to –
  - a. weed control works,
  - b. additional pasture and/or native scrub species seed spreading,
  - c. additional tubestock to replace scrub species losses,
  - d. landform stabilisation works, and
  - e. erosion control measures and/or repair works.

**FLINDERS COUNCIL PLANNING  
APPROVAL**

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SIGNED: 

### F.2 PERMANENT CLOSURE

#### F.2.1 Planning

In the event of permanent closure of the facility prior to complete extraction of the resource a Decommissioning and Rehabilitation Plan (DRP) will be developed and submitted to the Council for approval.



The DRP would include discussion and processes to:

- Facilitate the orderly and safe removal of machinery and other equipment,
- Establish sufficient and appropriate tree (native vegetation) cover to minimise the risk of dust generation and soil erosion, and
- Establish a monitoring regime that assesses the success or otherwise of the rehabilitation to agreed sign-off parameters.

#### **F.2.2 Final Bench Form and Slopes**

Specific attention will be given to the final form of benches and slopes of the Southern Pit in the DRP. Face height and bench width at the closure of the quarry will be dictated by practical and economic considerations.

The DRP will consider the following principles:

- Toward the end of the productive life of a high face, intermediate benches may be constructed thereby cutting the existing face in half, or into 3 lifts if necessary, to give a maximum final face height between benches of 10 metres. Lower face heights (e.g. about 5 metres) are preferable for final rehabilitation of the site, because they will be screened more quickly by establishing vegetation, but they may not be possible, and
- Slopes and faces should be battered back, preferably to slopes of 3 to 1 or less where it is practicable, or approximately 20° (36%), which will be more likely to hold topsoil and seed without slumping.

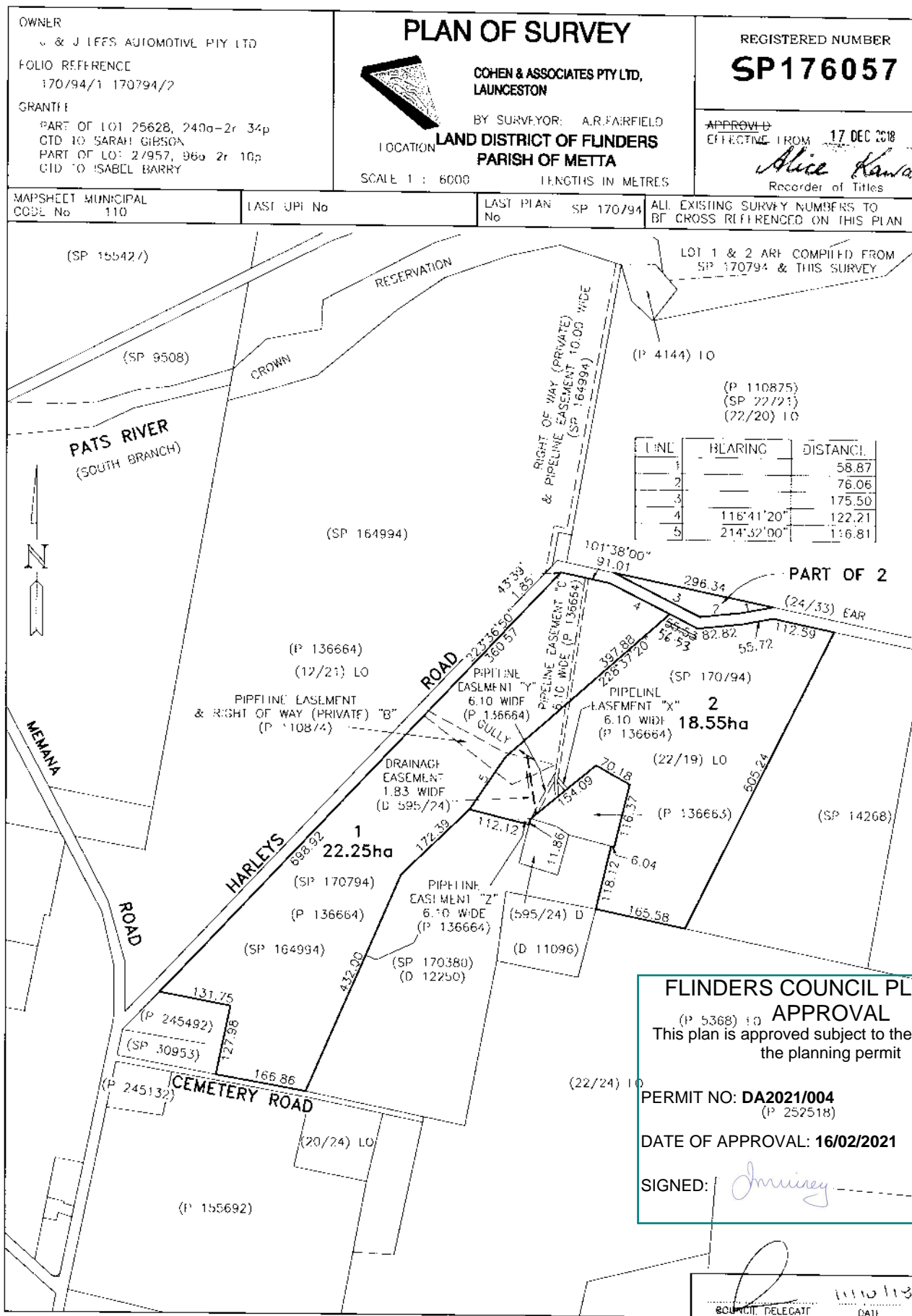
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SIGNED: 



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<b>SCHEDULE OF EASEMENTS</b>	Registered Number <b>SP 176057</b>
<b>NOTE:</b> THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	

PAGE 1 OF 3 PAGES  
3

## 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

1. Lots 1 and 2 are together with a Right of Carriageway and Pipeline Easement (created and defined in SP164994) over the land marked "Right of Way (Private) & Pipeline Easement 10.00 wide" shown on the plan.
2. Lots 1 and 2 are subject to a Pipeline Easement and Right of Carriageway (appurtenant to Lot 2 on P110874) (created by and defined in ~~B67572~~ over the strip of land marked "Pipeline Easement & Right of Way (Private) "B"" on the Plan. **B676572**
3. Lots 1 and 2 on the Plan are subject to a Pipeline Easement in favour of Flinders Council (created by and defined in A637794) over the strip of land marked "Pipeline Easement "C" 6.10 wide" shown on the Plan.
4. Lot 2 on the Plan is subject to a Pipeline Easement in favour of Flinders Council (created by and defined in P136664) over the strip of land marked "Pipeline Easement "X" 6.10 wide" shown on the Plan. **(CP136664)**
5. Lot 2 on the Plan is subject to a Pipeline Easement in favour of Flinders Council (created by and defined in P136664) over the strip of land marked "Pipeline Easement "Y" 6.10 wide" shown on the Plan. **(CP136664)**
6. Lot 2 on the Plan is subject to a Pipeline Easement in favour of Flinders Council (created by and defined in P136664) over the strip of land marked "Pipeline Easement "Z" 6.10 wide" shown on the Plan. **(CP136664)**
7. Lot 2 on the Plan is subject to a Right of Drainage (appurtenant to Lot 1 on D595/24) over the strip of land marked "Drainage Easement 1.83 wide" shown on the Plan.

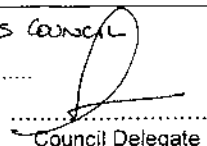
FLINDERS COUNCIL PLANNING  
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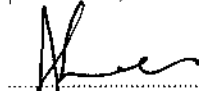
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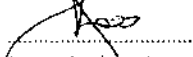
(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: J & J Lees Automotive Pty Ltd FOLIO REF: 170794/1 & 170794/2 SOLICITOR & REFERENCE: Phillip J Lebski P/L NRR:TD:18251	PLAN SEALED BY: FLINDERS COUNCIL DATE: <u>6/12/18</u> <u>DA 17/0046</u> REF NO. _____  Council Delegate
<b>NOTE:</b> The Council Delegate must sign the Certificate for the purposes of identification.	

<b>ANNEXURE TO SCHEDULE OF EASEMENTS</b> PAGE 2 OF <del>2</del> <sup>3</sup> PAGES	Registered Number <b>SP 176057</b>
SUBDIVIDER: J & J Lees Automotive Pty Ltd FOLIO REFERENCE: 170794/1 & 170794/2	

SIGNED by **J & J LEES AUTOMOTIVE PTY LTD**  
**(ACN 071 826 303)** the registered proprietor of the land  
 comprised in Folio of the Register Volume 170794 Folio 1  
 and Folio of the Register Volume 170794 Folio 2 in the  
 presence of;

  
 Julie Marce Lees  
 Director

  
 Jason Andrew Lees  
 Director / Secretary

## FLINDERS COUNCIL PLANNING APPROVAL


This plan is approved subject to the conditions of  
the planning permit

PERMIT NO: **DA2021/004**

DATE OF APPROVAL: **16/02/2021**

SIGNED: 

SIGNED by **RURAL BANK LTD (ABN 74 083 938 416)**  
 the Mortgage pursuant to registered Mortgage C911825 of  
 the land comprised in Folio of the Register Volume 170794  
 Folio 1 and Folio of the Register Volume 170794 Folio 2  
 by its Attorney pursuant to registered Power of Attorney  
 who declares that they have not received any notification  
 of the revocation of the Power of Attorney in the  
 presence of;

  
 By its Attorney

**ROBERT CLIVE STEWART**  
 Full Name

Witness:

Full Name: **STEVEN KING**

Address: **80 CORNFELL STREET, ADELAIDE**

Occupation: **AGRI BUSINESS**  
**SUPPORT OFFICER**

**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.





**ATTACHMENT 3**

**FLI-S3.0 SAP Coastal Areas**

## **FLI-S3.0 Coastal Areas Specific Area Plan**

### **FLI-S3.1 Plan Purpose**

The purpose of the Coastal Areas Specific Area Plan is:

- FLI-S3.1.1 To provide for development that is sympathetic to the coastal land and seascapes of Flinders Island.
- FLI-S3.1.2 To encourage the protection of the natural coastal environment, including coastal vegetation, dunes, shore and estuarine areas.
- FLI-S3.1.3 To maintain the visual amenity of coastal areas based on development that is subservient to the natural features of the landscape.
- FLI-S3.1.4 To encourage design that minimises vegetation clearance, disturbance to landform and disruption of ecological processes.

### **FLI-S3.2 Application of this Plan**

FLI-S3.2.1 The specific area plan applies to the area of land designated as Coastal Areas Specific Area Plan on the overlay maps.

FLI-S3.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for, and are in addition to provisions of:

- (a) Low Density Residential Zone;
- (b) Rural Living Zone;
- (c) Village Zone;
- (d) Local Business Zone;
- (e) Rural Zone;
- (f) Agriculture Zone;
- (g) Landscape Conservation Zone;
- (h) Environmental Management Zone;
- (i) Port and Marine Zone;
- (j) Utilities Zone;
- (k) Recreation Zone;
- (l) Open Space Zone; and
- (m) Scenic Protection Code.

### **FLI-S3.3 Local Area Objectives**

This sub-clause is not used in this specific area plan.

### **FLI-S3.4 Definition of Terms**

This sub-clause is not used in this specific area plan.

### FLI-S3.5 Use Table

This sub-clause is not used in this specific area plan.

### FLI-S3.6 Use Standards

This sub-clause is not used in this specific area plan.

### FLI-S3.7 Development Standards for Buildings and Works

#### FLI-S3.7.1 Building height

This sub-clause is in substitution for:

- (a) Low Density Residential Zone – clause 10.4.2 Building height;
- (b) Rural Living Zone clause 11.4.2 A1 and P1 Building height, setback and siting;
- (c) Village Zone clause 12.4.2 Building height;
- (d) Local Business Zone clause 14.4.1 Building height;
- (e) Rural Zone clause 20.4.1 Building height;
- (f) Agriculture Zone clause 21.4.1 Building height;
- (g) Landscape Conservation Zone clause 22.4.2 A1 and P1 Building height, siting and exterior finishes;
- (h) Environmental Management Zone clause 23.4.2 A1 and P1 Building height, setback and siting;
- (i) Port and Marine Zone clause 25.4.1 Building height;
- (j) Utilities Zone clause 26.4.1 Building height;
- (k) Recreation Zone clause 28.4.1 A1 and P1 Building height, setback and siting; and
- (l) Open Space Zone clause 29.4.1 A1 and P1 Building height, setback and siting.

Objective:	That building height minimises the visual impact of buildings.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Building height must be not more than 5m.	<b>P1</b>  No Performance Criterion.

#### FLI-S3.7.2 Site coverage

This sub-clause is in:

- substitution for:

- (a) Low Density Residential Zone – clause 10.4.4 Site coverage;
- (b) Rural Living Zone clause 11.4.1 Site coverage;
- (c) Village Zone clause 12.4.4 Site coverage; and
- (d) Landscape Conservation Zone clause 22.4.1 Site coverage; and

- addition to:

- (a) Local Business Zone clause 14.4 Development Standards for Buildings and Works;
- (b) Rural Zone clause 20.4 Development Standards for Buildings and Works;
- (c) Agriculture Zone clause 21.4 Development Standards for Buildings and Works;
- (d) Environmental Management Zone clause 23.4 Development Standards for Buildings and Works;
- (e) Port and Marine Zone clause 25.4 Development Standards for Buildings and Works;
- (f) Utilities Zone clause 26.4 Development Standards for Buildings and Works;
- (g) Recreation Zone clause 28.4 Development Standards for Buildings and Works;
- (h) Open Space Zone clause 29.4 Development Standards for Buildings and Works; and
- (i) Scenic Protection Code clause C8.6.1 Development within a scenic protection area.



Objective:	To minimise the extent of development on sites adjacent to the Crown coastal reserve.
Acceptable Solutions	Performance Criteria
<b>A1</b>  The site coverage must be not more than 300m <sup>2</sup> .	<b>P1</b>  No Performance Criterion.

FLI-S3.7.3 Building appearance

This sub-clause is in addition to:

- (a) Low Density Residential Zone – clause 10.4 Development Standards for Buildings and Works;
- (b) Rural Living Zone clause 11.4 Development Standards for Buildings and Works;
- (c) Village Zone clause 12.4 Development Standards for Buildings and Works;
- (d) Local Business Zone clause 14.4 Development Standards for Buildings and Works;
- (e) Rural Zone clause 20.4 Development Standards for Buildings and Works;
- (f) Agriculture Zone clause 21.4 Development Standards for Buildings and Works;
- (g) Landscape Conservation Zone clause 22.4 Development Standards for Buildings and Works;
- (h) Environmental Management Zone clause 23.4 Development Standards for Buildings and Works;
- (i) Port and Marine Zone clause 25.4 Development Standards for Buildings and Works;
- (j) Utilities Zone clause 26.4 Development Standards for Buildings and Works;
- (k) Recreation Zone clause 28.4 Development Standards for Buildings and Works; and
- (l) Open Space Zone clause 29.4 Development Standards for Buildings and Works.

Objective:	That building design: <ul style="list-style-type: none"> <li>(a) minimises vegetation clearance, disturbance to landform and disruption of ecological processes;</li> <li>(b) minimises the prominence of flat expanses of walls;</li> <li>(c) features variations in wall and roof lines that complement the contours of the land; and</li> <li>(d) exhibits a character suitable for a coastal setting.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Buildings must be an alteration or extension to an existing building providing it is not more than the existing building height; or  A habitable building must have: <ul style="list-style-type: none"> <li>(a) eaves that protrude with a width of not less than 1m located on the east, north or west face of the habitable building or</li> <li>(b) a pergola with an area of not less than 10m<sup>2</sup> located on the east, north or west face of the habitable building; or</li> <li>(c) a verandah with a width of not less than 2m and an area of not less than 40m<sup>2</sup> located on</li> </ul>	<b>P1</b>  Buildings must be designed to not have obtrusive impacts on the visual amenity of the site and coastal areas, having regard to: <ul style="list-style-type: none"> <li>(a) the impact on the coastal landscape;</li> <li>(b) the location of the building on the site;</li> <li>(c) the use of design elements to reduce the bulk, such as articulated floor plans, staggering of facades, and inclusion of eaves, pergolas or verandahs;</li> <li>(d) any screening provided by topography or vegetation to be retained on the site;</li> </ul>

the east, north or west face of the habitable building.	<p>(e) the visual obtrusiveness of the building to the site when viewed from public areas including foreshores or roads; and</p> <p>(f) a preference for single-storey low-hipped roof construction.</p>
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FLI-S3.7.4 Exterior finish

This sub-clause is in:

- substitution for:

- (a) Landscape Conservation Zone clause 22.4 Development Standards for Buildings and Works A5 and P5, and Environmental Management Zone clause 23.4.3 Exterior finish; and

- addition to

- (a) Low Density Residential Zone – clause 10.4 Development Standards for Buildings and Works;  
 (b) Rural Living Zone clause 11.4 Development Standards for Buildings and Works;  
 (c) Village Zone clause 12.4 Development Standards for Buildings and Works;  
 (d) Local Business Zone clause 14.4 Development Standards for Buildings and Works;  
 (e) Rural Zone clause 20.4 Development Standards for Buildings and Works;  
 (f) Agriculture Zone clause 21.4 Development Standards for Buildings and Works;  
 (g) Port and Marine Zone clause 25.4 Development Standards for Buildings and Works;  
 (h) Utilities Zone clause 26.4 Development Standards for Buildings and Works;  
 (i) Recreation Zone clause 28.4 Development Standards for Buildings and Works;  
 (j) Open Space Zone clause 29.4 Development Standards for Buildings and Works; and  
 (k) Scenic Protection Code clause C8.6.1 Development within a scenic protection area.

Objective:	That exterior building finishes: (a) are not prominent or reflective; and (b) maintain the visual amenity of coastal areas.
Acceptable Solutions	Performance Criteria
<b>A1</b> Exterior building finishes must be coloured using colours in tones of grey, green or brown.	<b>P1</b> Exterior building finishes must be designed to not have obtrusive impacts on the character and visual amenity of the site and surrounding area, having regard to: (a) the nature of the exterior finishes; (b) the topography of the site; (c) the dominant colours of the vegetation and surrounding area; (d) the appearance of the building when viewed from roads, foreshores and other public places; (e) the character of the surrounding area; and

	(f) any other measures to mitigate impacts to the character and visual amenity of the surrounding area.
<b>A2</b> Exterior building finishes must have a light reflectance value of not more than 40%.	<b>P2</b> No Performance Criterion.

FLI-S3.7.5 Site excavation and fill

This sub-clause is in:

- substitution for:

- (a) Landscape Conservation Zone clause 22.4.4 A2 and P2.1 and P2.2 Landscape protection and Scenic Protection Code clause C8.6.1 Development within a scenic protection area.

- addition to:

- (a) Low Density Residential Zone – clause 10.4 Development Standards for Buildings and Works;  
 (b) Rural Living Zone clause 11.4 Development Standards for Buildings and Works;  
 (c) Village Zone clause 12.4 Development Standards for Buildings and Works;  
 (d) Local Business Zone clause 14.4 Development Standards for Buildings and Works;  
 (e) Rural Zone clause 20.4 Development Standards for Buildings and Works;  
 (f) Agriculture Zone clause 21.4 Development Standards for Buildings and Works;  
 (g) Environmental Management Zone clause 23.4 Development Standards for Buildings and Works;  
 (h) Port and Marine Zone clause 25.4 Development Standards for Buildings and Works;  
 (i) Utilities Zone clause 26.4 Development Standards for Buildings and Works;  
 (j) Recreation Zone clause 28.4 Development Standards for Buildings and Works; and  
 (k) Open Space Zone clause 29.4 Development Standards for Buildings and Works.

Objective:	That: (a) the extent of alterations to the existing land form are minimised; (b) the visual prominence of buildings and structures is reduced; (c) building design responds to the particular shape, contours and slope of the land; and (d) design minimises vegetation clearance, disturbance to landform and disruption of ecological processes.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings and works must not include cut and fill greater than 0.5m above or below existing ground level.	<b>P1</b> Buildings and works must be located to minimise alteration to existing ground level, having regard to: (a) minimisation of vegetation clearance, disturbance to landform and disruption of ecological processes; (b) the topography of the site; (c) the size and shape of the site;



	<ul style="list-style-type: none"><li>(d) any constraints imposed by existing development;</li><li>(e) location of buildings or works;</li><li>(f) the extent of any required cut or fill;</li><li>(g) the location of driveways or access tracks, and</li></ul> <p>in any case, be only to minimise the visibility of buildings.</p>
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### **FLI-S3.8      Development Standards for Subdivision**

This sub-clause is not used in this specific area plan.

### **FLI-S3.9      Tables**

This sub-clause is not used in this specific area plan.