

5 December 2019

**MEMORANDUM:      GENERAL MANAGER**

## REQUEST TO GRANT LAND OWNER CONSENT TO LODGE A PLANNING APPLICATION

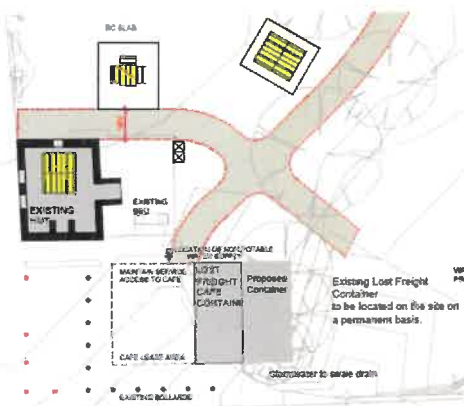
Site Address: **Lost Freight Café**  
**The Springs**  
**100 pinnacle Road, Mount Wellington**

**Description of Proposal:**    **Installation and connection of an additional shipping container to rear of existing facility (permanent structure)**

Applicant Name: **Megan Spillane**

**PLN** (if applicable):

The owners of the Lost Freight Café seek to install and connect an additional shipping container to the existing facility to provide additional space for the operation of the business.



A previous request indicated that the containers will be temporary structures. The proposal, for planning purposes, seeks approval as permanent structures.

The ongoing and future use of the structures will be governed by lease conditions.

It is the recommendation of Officers that the General Manager grant consent for the lodgement of a development application.

## RECOMMENDATION

That pursuant to Section 52 of the Land Use Planning and Approvals Act 1993, the General Manager grant consent on behalf of the Hobart City Council as the owner/administrator of the land, located at the Springs, 100 Pinnacle Road, Mount Wellington to allow the applicant to make application to the City for a planning permit for the development involving the installation and connection of an additional shipping container to rear of existing Lost Freight Café facility and as per the attached documents.



(Glenn Doyle)

**DIRECTOR CITY AMENITY**

**Approved / Not Approved**



(N. D. Heath)

**GENERAL MANAGER**

Date: 5-12-19

Attachments

Proposal



## Lost Freight Stage 2

Development Application to Hobart City Council  
Supporting Planning Report

2 December 2019

**ERA Planning Pty Ltd trading as ERA Planning and Environment**

ABN 67 141 991 004

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**Document Status**

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# 1 Introduction

## 1.1 Purpose of the Report

ERA Planning and Environment has been engaged by Lost Freight to seek approval from the City of Hobart and the Wellington Park Management Trust for the placement of a shipping container at the Springs Site, to operate as an extension to the existing approved Lost Freight café.

The additional container will allow for slightly more space for the operation of the cafe and will result in an improved operational environment for the clients.

This report forms the basis of the application and has been prepared taking into account the provisions of the *Hobart Interim Planning Scheme 2015* (the *Scheme*), and the *Wellington Park Management Plan*.

Enquiries relating to this request can be directed to:

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## 1.2 Subject Site and Surrounds

### 1.2.1 Site Description

The Springs site is an iconic location on Mount Wellington. It is currently one of the main links to key walking tracks on the eastern foothills of Mount Wellington and in addition to the existing Lost Freight café has a number of both formal and informal picnic areas. Visitor numbers to The Springs are consistently high throughout the year and it represents, at a statewide level, one of the most frequently visited locations within the state. Kunanyi (Mount Wellington) is Tasmania's third most visited attraction and most visited natural attraction, currently attracting 500,000 visitors per year. Within 10 years visitation to the mountain is projected to grow to 700,000<sup>1</sup>.

The Lost Freight Cafe currently operates from a section of the carpark at The Springs site. The proposed additional shipping container will be located directly behind, and will be conjoined to, the exist café.

The position of the container was carefully considered responding to the following constraints:

- Operational requirements in relation to ensuring proximity to the existing container;
- The need to minimise vegetation clearance;
- The need to minimise ground disturbance;
- Proximity to a feasible generator location;
- A desire to maintain the carparking numbers that currently exist;

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<sup>1</sup> Milne, G. Visitor Services Manager, Parks and City Amenity, City of Hobart.



- The need to ensure that the container does not block sight lines to the existing picnic hut at the site;
- A requirement to not block a walking track that exits at The Springs, slightly to the south of the container location.
- A need to respond to and protect the cultural heritage values of the site;
- A need to minimise any adverse impact on existing uses at the site;
- A need to respond to the management objectives and conservation policies set out in The Springs Initial Conservation Policy (2007).



Figure 1: The Springs Site in Aerial View. (Source: Google Maps)

### 1.3 Title Information

The proposed application involves the following title which is found within Appendix B:

Address	Owner(s)	Title Reference	Existing land area
The Springs, Mount Wellington	Hobart City Council	CT 126375/1	382ha



## 2 The Proposal and Context

### 2.1 The Proposal

The development proposes to install an additional shipping container, located directly behind and conjoined to the existing container at The Springs. The existing shipping container was approved as a temporary structure. Separate to the necessary Planning approvals, the ongoing use of this container is controlled by Council's Bushland unit through relevant Council consent's and lease agreements. To that end, it is considered more appropriate that approval is sought to have the existing container there on a permanent basis, with its ongoing use managed by the landlord being the City of Hobart, instead of by Council as Planning Authority.

Accordingly whilst this does not change the existing container on site, it is requested as part of this application that the existing container is approved as a permanent structure.

The proposed container will operate as an extension to the existing small take away café to provide for the addition of a fridge/freezer, shelving and much needed additional space. The container will be ancillary and subservient to the existing approved use and will help provide a level of service in line with the current demand.

The new container will have a footprint of 14.7m<sup>2</sup> and will be painted in muted green colours, with timber accents, to match the existing container. The container will have a maximum building height of 2900mm, consistent with the existing container, however the last 310mm will include space for a planter box, which will be located above the new external door to the container. To respond to the harsh weather conditions and risk of vandalism, the container will be able to be completely closed overnight. The café will operate between the hours of 9am and 5pm, 7 days a week, weather permitting.

The container will be elevated approximately 100mm-150mm above natural ground level in order to make it level with the existing container. The container will be elevated through the construction of sleepers and backfilled with fine crushed rock.

The previous planning permit relating to the operation of the café (PLN-16-952) was for a temporary building. In particular, condition PLN s1 of the planning permit stipulated that the use and development was only approved until 24 October 2019 (The permit has since been amended to enable operation until February 2020). It is intended, with this application, to request that the café operates indefinitely and that controls in relation to time frames and lease agreements are dealt with between the leaseholders, City of Hobart as landlord and the Wellington Trust and the proprietors of the business. This is a more appropriate mechanism for the control of lease agreements than through the land use planning system.

No additional signage is proposed as part of this application.

### 2.2 Site Location

The proposed location is relatively flat and currently accommodates the existing Lost Freight café container, a picnic shelter, a toilet block, a number of less formal picnic areas with tables and seating, and car parking. Whilst The Springs site is a frequently visited destination in its own right, it is also a main transition point for walking and multi-use trails coming through and leaving from the site. In addition, on occasions of significant snow falls, The Springs site is often the point at which the road is closed, and people congregate to walk further up the mountain, or to enjoy the snow in this location.

## 2.3 Servicing

The site is not serviced by reticulated services. There is no water connection to the existing container, nor is a water connection proposed for the new container. There are public toilets at The Springs site which are utilised by the visitors to the existing container. No other toilets will be provided as part of the works.

The operation of the existing container sees all water and other requirements brought to the site, and likewise any waste, be it fluid or rubbish, removed from the site each day. This will be the case for the proposed container as well.

The stormwater connection for the existing container is to the kerb and channel on the edge of Pinnacle Road, which was considered adequate given the small roof area of the structure. The stormwater from the proposed container will be disposed of via the same means.

The site does not have an electricity connection. The existing container utilises a generator, located approximately 25m away, which is housed in a small stone shed with the agreement of the City of Hobart. It is intended that the proposed container will operate in the same way using the generator in the shed. Currently the container is connected to the generator by an overhead power connection with line and supports that are matt black in colour, in order to minimize any visual intrusion.

## 2.4 Natural Values

The position of the existing container was chosen, in part, to minimise the impacts on natural values. The existing container is located on a gravel car park section, with an area to its north which is used for semi-formal outdoor seating, also within the carpark. This is all within the lease agreement with the City of Hobart. The proposed container will be located directly behind the existing container, to the south east on a grassed area that contains 3 trees. The Natural Values Determination undertaken by North Barker (*refer Appendix C*) has commented with regards to the proposed location that *'much of the area has already been severely disturbed, and the existing ground cover is species poor with few native species. The placement of a container is likely to have a less severe impact than a built structure. The design and location of development are therefore considered to minimize impacts.'*

The development will require the removal of 3 trees on the site. The site is covered by the Biodiversity Protection Area Overlay associated with the Biodiversity Protection Code. This Code only applies when development involving clearance and conversion or disturbance of native vegetation occurs. As such, the Code will apply. The Natural Values Determination comments that *'The dominant tree on the site is Eucalyptus johnstonii (yellow gum). Three relatively small yellow gums will require removal: these are 36, 34, and 23 cm diameter at breast height (DBH) with a canopy of ~10 m. Given the trees are relatively young, and the prevalence of yellow gums in the area, the loss of three trees is not considered significant. The container would be in an area that is already partially disturbed, the impact of the container is likely to have a less severe impact than a built structure.'*

## 2.5 Heritage Values

The site itself is not listed within the Historic Heritage Code of the Scheme.

## 2.6 Photos



*Photo 1: View of the front of the existing Lost Freight café, when heading down Pinnacle Road.*



*Photo 2: Side view of the Lost Freight café looking towards Pinnacle Road.*





*Photo 3: Side view of the existing container from Pinnacle Road, showing the 3 trees that are proposed for removal.*



*Photo 4: View of the rear of the container, showing the existing overhead electrical arrangement and the 3 trees that are proposed for removal.*

## 3 Planning Assessment

### 3.1 Statutory Controls

The subject site is zoned Environmental Management under the *Hobart Interim Planning Scheme 2015* (the *Scheme*) and the assessment of applications within Wellington Park are considered under the Wellington Park Specific Area Plan pursuant to Clause F3.2.2 which reads:

*Notwithstanding any other provision of this planning scheme, any use or development of land in Wellington Park must be undertaken in accordance with the provisions of the Wellington Park Management Plan.*

As such all development assessment is against the Wellington Park Management Plan, unless there are provisions elsewhere in the *Scheme* that are not considered by the Management Plan.

### 3.2 Hobart Interim Planning Scheme 2015

#### 3.2.1 Biodiversity Code

The proposed development is subject to the *E10.0 Biodiversity Code* pursuant to the *Scheme*.

A Natural Values Determination was undertaken by North Barker Ecosystem Services, which provided comment on the potential impact to Natural Values (*refer Appendix C*).

The following Clause is relevant to the proposal:

*E10.7.1 Buildings and Works.*

*Objective:*

*To ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.*

North Barker has made the following comments with regards to the above objective:

‘Given the limited extent and small impact of the proposal on biodiversity values, it is not likely the losses will be viewed as unnecessary or unacceptable; accordingly, the project is consistent with the objective.’

The proposal does not meet the Acceptable Solution A1 of Clause *10.7.1 Buildings and Works* and therefore must be assessed against Performance Criterion P1, which reads as follows:

*Clearance and conversion or disturbance must satisfy the following:*

*(a) if low priority biodiversity values:*

*(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;*

*(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;*

The above Performance Criterion has been addressed and North Barker have determined that the natural values in the proposed area qualify as Low Priority Biodiversity Values as per Table E10.1 in the *Scheme*.



North Barker have made the following comments:

‘The container backs directly onto the other container in an area that is already partially disturbed; so, the footprint is minimised, and disturbance is limited to three small trees (all < 40 cm DBH) with an additional two potentially impacted. The placement of a container is likely to have a less severe impact than a built structure. The design and location of development are therefore considered to minimize impacts.

No bushfire hazard management measures are required for this proposal.’

It is therefore considered that the proposed development is in accordance with the Performance Criterion at P1.

### **3.3 Wellington Park Management Plan**

#### **3.3.1 Park Activity Assessment**

Discussions with the Wellington Park Management Trust determined that the application would require consideration through a Level 2 Parks Activity Assessment (PAA). The Permit issued by the Wellington Park Management Trust can be found in *Appendix E*.

Sections 7 and 6, Table 2 must be addressed and consideration must be given to how the development could provide additional desirable facilities for visitors in accordance with S1.1.4 of the Management Plan.

Consideration was also given to the *Wellington Park Design and Infrastructure Manual 2007*.

In addition, further advice was given that the following further issues in S1.1.4 of Chapter 8A of the Wellington Park Management Plan will need to be addressed:

- 1. Protection and conservation of cultural heritage and respect for the historic associations of those items and aspects;*

The proposed construction methodology has been chosen as a response to the fact that the shipping containers are not permanent structures, but also to minimise any ground disturbance. This was considered critical to ensure that the establishment of the container did not require the extensive excavation and therefore should avoid disturbance of any cultural heritage sites of significance.

*2. Minimisation of any adverse impact on existing uses, activities and experiences;*

The proposed duplication of the container will not result in a change in existing uses, activities or experiences on site. The establishment of the original shipping container at The Springs has been a great success with business at the site based on sales of product increasing by 175-250%. This success has led to the need for additional space provided by the second container. However, it will not result in any adverse impacts through changing in use of the site, or how the broader community experiences it.

*3. Compliance with relevant Wellington Park strategies and guidelines.*

As considered within this report, the application is considered to comply with the relevant Wellington Park Strategies and guidelines.

### **3.3.2 The Springs Specific Area Plan**

The Springs Specific Area Plan is the most relevant aspect of the Wellington Park Management Plan requiring consideration. The purpose of this plan is as follows:

*S.1.1.2*

*Maintain and enhance the following values of The Springs Specific Area and the Park:*

- *The Springs as a place within Wellington Park, is identified for visitor facilities, visitor information and Park interpretation. This is focused in particular on recreational and visitor services for those both actively using the Park for activities such as walking and mountain biking and those engaged in more passive recreational activities.*
- *The opportunities for recreation and quiet enjoyment by all users.*
- *The cultural heritage and social values of the area.*
- *The natural values associated with natural vegetation, habitats, avian, aquatic and terrestrial fauna.*
- *The visual amenity of the eastern face of Mount Wellington.*
- *The quality of all surface and sub surface water in the vicinity of The Springs and all water courses in the catchment of North West Bay River and Hobart Rivulet.*

The development represents an excellent opportunity to enhance the visitor facilities and information at an established visitation site. The operation of the Lost Freight café has demonstrated a need in the broader community for facilities to be located at The Springs, and the assistance the staff of the café provide in terms of Park information and maps, has been welcomed. The feedback has been overwhelmingly positive. The proposed container will expand on the existing visitor facilities at The Springs, which will provide facilities for both active and passive recreational activities.

The location of the existing shipping container was carefully considered to ensure it enhances the broader use of the Springs site, whilst minimising visual impacts and maintaining the cultural heritage and social values of the area. The location of the proposed container, directly behind and conjoined to the existing container, will ensure that its visibility will be minimised from both The Springs area and Pinnacle Road. The container will not impinge on access to any tracks, or any open space and associated facilities. There will be no impact on water catchments as all waste will be captured on site and removed. The Natural Values Determination has commented that ‘the scale of the impact is such that there will be no impact to the surface and sub surface water in the vicinity.’

In addition, the Natural Values Determination has commented that:

‘The natural values of the proposed impact area are limited to the removal of three trees (with potential impact to a further two). The area where these trees are located is already somewhat degraded, and the removal of these trees does not substantially erode the natural values in the area.

Given the size, height and form of these trees, and their location (i.e. adjacent to a café), they offer limited habitat for fauna and their removal is unlikely to have a notable tangible impact of any sort.’

The development as proposed is considered to comply with the purpose of the Springs Specific Area Plan in this regard.

#### *S.1.1.3*

*Facilitate environmentally and economically sustainable development at The Springs in the following ways:*

- *Support the use of land in areas with demonstrated capability for development in a manner that ensures that the values and resource base is not degraded and is available for use by future generations.*
- *Recognise the special location and environment of The Springs while providing for development and use that does not cause degradation, loss or damage of resource and which does not adversely impact upon natural, biological and physical processes.*
- *Ensure that development does not create demands for public investment in physical infrastructure that imposes financial burdens on existing and future generations.*
- *Provide opportunities for people of all ages, social and economic group to benefit from the values and use and development of the area.*
- *Maintain important scenic and visual components of the landscape for future generations.*
- *Ensure that there is no adverse affect on geoheritage, and native flora and native fauna habitat values.*
- *Ensure there is no adverse affect on natural bushland (including through the spread of introduced flora), bogs, recharge basins, and waterways.*
- *Ensure that use and development acts to maintain and enhance the quality of all surface and sub surface water in the vicinity of The Springs and all water courses in the catchment of Hobart Rivulet.*
- *Protect the cultural heritage of The Springs and ensure that places of cultural significance are conserved for the benefit of the present community and future generations; including as set out in The Springs Initial Conservation Policy or as subsequently amended by the Trust.*

The development is both environmentally and economically sustainable. It is a structure which is able to be easily removed at the expiration of any lease with Council or for other reasons. Its location directly behind the existing container will ensure that it will not cause degradation, or loss or damage of resources and does not adversely impact upon natural, biological and physical processes.

The Natural Values Determination has commented that:

‘The removal of three trees (with potential impact to a further two) will not notably degrade the natural values at the site. No salient natural biological or physical processes at the site are considered at risk with the removal of these trees.

The scale of the impact is such that bushland at the Springs will not be notably impacted. Any processes requiring earthworks and heavy machinery should be done in accordance with weed and hygiene management protocols.

The scale of the impact is such that there will be no impact to the surface and sub surface water expected in the vicinity.'

Likewise, there will be no additional public investment required, the cafe will simply serve those that visit the Springs and the mountain more broadly, already. There are no specific sites of Cultural Heritage where the container will be located. However, it is the proponent's intention that while the container is being established on site, opportunities are provided for the Wellington Park Management Trust's heritage adviser to inspect the site to ensure no items of significance are damaged.

#### *S1.1.4*

*Ensure that development at The Springs:*

- *Provides for a range of desirable services and facilities, together with adequate and appropriate supporting infrastructure, in accordance with this Management Plan.*
- *Is compatible with and subservient to the needs and interest of current and future users of Wellington Park and the wider community of the Hobart Region.*
- *Minimises any adverse impacts upon existing uses, activities and experiences;*
- *Protects and conserves items and aspects of Aboriginal and European heritage and respects the historic associations of those items and aspects.*
- *Is of high architectural quality and of a type, location, scale, form, size and bulk that is compatible with the environmental, landscape, visual, aesthetic, historic and other cultural heritage values of Wellington Park.*
- *Provides suitable traffic and parking measures which do not conflict with the use of the site for public recreation and quiet enjoyment by Visitors.*
- *Provides for access to The Springs and to other parts of the Park in a manner that meets the needs of public users and so as not to cause environmental degradation of any area.*
- *Provides a safe environment for workers and visitors to The Springs.*
- *Complies with all relevant Wellington Park strategies and guidelines.*

The proposed shipping container is entirely compatible with the use of the Park in this area. It provides an ancillary and subservient use that is much needed in order to support the existing café, which is considered a desirable service to the members of the broader community and tourists alike to purchase refreshments while they're enjoying their visit to the Park.

It will have no adverse impact upon existing uses.

It is of an architectural style that is utilitarian in nature, with simple clean lines. Its small size, colour scheme and the use of wood on the external façade ensure it is designed to blend with the surrounding landscape and it will site appropriately within the broader landscape, particularly considering its positioning in an established area.

The container will only be visible from the immediate surrounding areas. Views travelling up and down Pinnacle Road will be obscured due to the existing container, existing vegetation and the alignment of the road. Due to its

size, location, proposed colour scheme, the use of wood on the external façade and the avoidance of clearance of vegetation, it will also not be visible from more distant locations including The Pinnacle.

### **3.4 Use Standards**

Table S1.5 of the Wellington Park Management Plan specifies allowable uses on the site. The proposed development is a Food Services use which is discretionary within the Springs Specific Area.

### **3.5 Development Standards**

Section S1.6 includes Standards for Use and Development.

The following development standards are considered relevant to the assessment of the proposal:

#### **3.5.1 Flora and Fauna Conservation, Geoconservation and Natural Processes**

*Issue 2: Flora and Fauna Conservation, Geoconservation and Natural Processes*

*Objective: To conserve flora, fauna, geological and geomorphological values and to protect natural processes.*

##### *A2.1 Native Vegetation*

*The proposal does not involve removal or damage to terrestrial or aquatic native vegetation which:*

*(a) Is listed as significant in this Management Plan, or any planning strategy or Trust endorsed scientific assessment prepared in accordance with this Management Plan; or is a Threatened Vegetation Community under the Nature Conservation Act 2002.*

*(b) Supports or forms habitat for any species of fauna listed in the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999.*

The Natural Values Determination has established the following:

‘Acceptable Solution A2.1 can be met as the vegetation is not significant or threatened (so does not qualify for A2.1(a) and does not support habitat for threatened fauna (A2.1(b)).’

##### *A2.2 Threatened Species*

*The proposal does not impact upon any threatened species listed under the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999.*

The Natural Values Determination has established the following:

‘Acceptable Solution A2.2 can be met as no threatened species will be impacted.’

##### *A2.3 Geoheritage*

*The proposal does not impact upon any sites which are listed as significant in this Management Plan or in a Trust endorsed scientific assessment or listed on the Tasmanian Geoconservation Database.*

Complies. There will be no impact on sites of geoheritage significance.

### 3.5.2 Cultural Heritage

The Springs site falls within the territory of the Mouheneer band of the Southeast Tribe of Aboriginal people. The mountain generally was known as Kunanyi. Aboriginal use of the site has had limited research and documentation although it is understood the mountain was regularly used by the Indigenous tribes.

The Springs site has been a focus of European historic activity since settlement as a source of clean water and a base for visitors for recreational and nature appreciation activities.

Refreshments and accommodation for visitors have been provided at various times since 1859, with 1907 seeing the building of the Springs Hotel to promote tourism in Tasmania. It operated until it was burnt in the 1967 bushfires, which burnt out much of The Springs area.

The broader Springs site is considered to have high cultural significance as a highly visited and valued area of public open space. Specific sites with state level cultural significance include the 1831 Diversion, the Exhibition Gardens, the Springs Hotel and Pinnacle Road (McConnell 2007).

The site where the works are proposed is considered to be the Picnic Ground and Toilets Zone with modest significance (Level 1). The standards on Cultural Heritage found within the Management Plan are as follows:

#### *Issue 3: Cultural Heritage*

*Objective: To protect sites or areas of cultural value and significance.*

##### *A3.1 Aboriginal Cultural Heritage*

*Use or development does not involve an Aboriginal relic as defined under the Aboriginal Relics Act 1975, or Aboriginal heritage site or precinct identified in accordance with this Management Plan.*

The development will not involve an Aboriginal relic. Complies.

##### *A3.2 Historic Heritage*

*The proposal does not involve a place listed on the Tasmanian Heritage Register under the Historic Cultural Heritage Act 1995; or listed in a Heritage Code of a Planning Scheme.*

The Springs site is not listed under the *Historic Cultural Heritage Act 1995*, nor is it listed in the Historic Heritage Code of the *Scheme*. Complies.

### 3.5.3 Hydrology

#### *Issue 4: Hydrology*

*Objective: To maintain the biological and physical quality of all surface and subsurface hydrological systems at existing ambient standards.*

##### *A4.1*

*Use and development (including vegetation removal) will not occur within 40m of the boundary of a water course, bog, recharge basin shown on Map S2 Hydrology. There is no acceptable solution for use or development within the Drinking Water Catchment boundary as shown on Map S2 Hydrology.*

The development is not within 40m of the boundary of a watercourse, a bog, recharge basin or the Drinking Water Catchment Boundary as shown on Map S2 Hydrology.



#### A4.2

*In the remaining areas of The Springs, use or development involves no extraction of water from any water body, wetland or watercourse except for use in fire fighting or carrying out planned burns in accordance with a bushfire management strategy prepared in accordance with this Management Plan.*

The development complies with this requirement. No water will be extracted on site and all waste water will be taken away from the site.

### 3.5.4 Landscape, visual quality and amenity

*Issue 5: Landscape, visual quality and amenity*

*Objective: To protect and enhance the landscape and visual quality of Wellington Park.*

#### A5.1 Visual Sensitivity

*The proposal does not involve a new building or structure, apart from Park furniture or Park signs.*

The development will involve a new structure and as such must be assessed against the performance criteria.

#### P5.1 Visual Sensitivity

*New buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to minimise or remedy any loss of visual values or adverse impacts on the visual character of the affected area.*

*Note: Satisfaction of this Performance Criterion may include a Visual Impact Analysis, prepared by a suitable qualified person, demonstrating how the building or structure can be designed and located to harmonise with the site.*

The container will only be visible from the immediately surrounding area. Views travelling up and down Pinnacle Road will be obscured due to existing container, vegetation and the alignment of the road. Due to its limited size, proposed colour scheme and the use of vertical timber on the exterior of the container, it will also not be visible from more distant locations including The Pinnacle.

While the container will be a new visual element within the immediate area which is considered to be an area of High Visual Management Sensitivity, it is identical to the previously approved container and will be located such that it is even less visible than the existing container. Both of the containers are not permanent structures and are providing a solution to the need for visitor services until such time that the issue of the redevelopment of The Springs site has been resolved, most likely through a Masterplan.

While the nature of a shipping container means that the structure is utilitarian in nature and does not have a consistent design in terms of roof form as the existing huts, the overall bulk is equal to the existing. Other potential design solutions have been investigated however other solutions necessarily involve far greater levels of ground disturbance through the construction of footings which results in permanent disturbance of the site.

External design treatments are proposed to the shipping container as well as a colour scheme designed to blend with the background vegetation. Taking into account the overall bulk of the building and the proposed materials and colours it is considered that the shipping container will not be an overwhelming dominant visual element and is considered to result in an acceptable visual impact.

### 3.5.5 Environmental Hazards (b) Fire

*Issue 6: Environmental Hazards – (b) Fire*

*Development of new or modified buildings must be in accordance with section E1.6.3, E1.6.4 and E1.6.5 of Planning Directive No 5 (Bushfire Prone Areas Code).*

The Code does not apply to development of this nature. Complies.

### 3.5.6 Infrastructure Provisions

*Issue 7: Infrastructure Provision – (b) Water*

*Objective: To ensure that adequate high quality drinking water supplies are available to all users of The Springs.*

*A7.6 Water Supply*

*The use and development does not require a supply of drinking water.*

The development will not require a supply of drinking water as all water will be brought to the site. Complies.

*Issue 7: Infrastructure Provision – (c) Sewerage*

*Objective: To ensure that facilities provided for the treatment and disposal of sewerage are sufficient to meet the needs of the development and do not result in the loss of water quality or cause environmental harm.*

*A7.7 Sewerage*

*The use and development does not require sewerage facilities*

The development will not require sewerage facilities. Public facilities are located nearby and can be utilised by the general public as required. Complies.

*Issue 7: Infrastructure Provision – (d) Stormwater*

*Objective: To ensure that stormwater runoff does not result in the loss of water quality or cause environmental harm.*

*E7.8 Stormwater*

*The design and construction of stormwater systems complies with Australian Standard 3500.3.2:2003, and does not drain into the Drinking Water Catchment area.*

The development does not drain into the Drinking Water Catchment Area. As previously discussed in Section 2.3, the development will drain into the existing Council dish drain on the side of the road as per the existing container. Given the small roof area, this is considered an appropriate response.

*A8.1 Car Parking Provisions*

*The use and development does not require car parking.*

No car parking specifications are provided within the Wellington Park Management Plan. Accordingly, reference is made to Council's Parking and Access Code which specifies that for Food Services, 15 parking spaces are required for each 100m<sup>2</sup> of floor area, or 1 space for each 3 seats, whichever is the greater.

The proposed development has a footprint of less than 15m<sup>2</sup>. No parking is provided specific to this development and as such the performance criteria must be considered.

*P1*

*The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:*

- (a) Car parking demand;*
- (b) The availability of on-street and public car parking in the locality;*
- (c) The availability and frequency of public transport within a 400m walking distance of the site;*
- (d) The availability and likely use of other modes of transport;*
- (e) The availability and suitability of alternative arrangements for car parking provisions;*
- (f) Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) Any car parking deficiency or surplus associated with the existing use of the land;*
- (h) Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) Any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) Any relevant parking plan for the area adopted by Council;*
- (l) The impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) Whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*

The proposed development is very small scale in nature. The discussions held with Council officers as Land Managers and the Wellington Park Management Trust indicated that parking would not be required to be provided for this development for a range of reasons including:

- Car parking is provided at the Springs area in a number of locations. This parking is public and is adequate to service this development also;
- Given the size of the development – the parking shortfall, whilst technically could be considered on the 100m<sup>2</sup> footprint, should more realistically be considered as a percentage of this which is more like one sixth of the 15 spaces required for 100m<sup>2</sup>. This would result in 3.5 spaces (or rounding it up to 4 spaces) as a shortfall;
- The provision of further parking in the broader Springs Area must occur strategically taking into account visual impacts, traffic issues, and the scale of works necessary. Providing parking in an ad hoc fashion for what is a temporary use, is unsustainable and inappropriate;

- The proposed development is unlikely to attract people to the site for refreshments only. The clientele for this business will be from users of Mount Wellington whom are already required to be catered for in the parking provided on the mountain. There will be no increase in parking demand from this development specifically;
- The provision of parking could result in an impact on cultural heritage values and natural values with a possible need to remove more vegetation or undertake further works. This would be an undesirable outcome.

Given the above, the development is considered to be acceptable against the Performance Criterion.

*Issue 9: Building Design – (a) Building Height*

*Objective: To ensure that buildings do not cause visual intrusion due to excessive height.*

*A9.1 Building Design*

*The maximum building height is 3.5m and any building is not more than 1 storey.*

The development is single storey and has a maximum height of 2.9m. Complies.

*Issue 9: Building Design – (b) Building Size*

*Objective: To ensure that buildings are of a size and dimensions that fits in with the overall nature of low key development of The Springs.*

*A9.2 Building Size*

*Maximum floor area of any building is 100m<sup>2</sup>.*

The building has a maximum floor area of 14.7m<sup>2</sup>, with a combined floor area with the existing container of 29.4m<sup>2</sup>. Complies.

*Issue 9: Building Design – (c) Appearance and Lighting*

*Objective: To ensure that buildings are of a size and dimension that fits in with the overall nature of low key development of The Springs.*

*A9.3 Appearance and Lighting*

*The colour of external walls and roofs visible from off the site is to have a light reflectance value of less than 10%. Roofs are to be clad with materials in non-reflective, muted natural colours and dark tones. External lighting assists orientation only and is focused towards the ground.*

The proposed external building materials will be in non-reflective, muted natural colours and dark tones including dark greens and timber cladding. No external lighting is proposed. Complies.

*Issue 10: Building Siting*

*Objective: To ensure that buildings are located in areas where they do not cause a reduction in the values associated with The Springs.*

*A10.1 Building siting*

*All buildings are to be located at least 50m from any escarpment. All buildings to be sited on cleared areas of less than 6 degrees of slope. No buildings are to face on to or be directly visible from the Pinnacle Road at The Springs. No building is to be located within 30m of Pinnacle Road.*

The building will be located on a cleared area of less than 6 degrees of slope and will be located at least 50m from any escarpment.

The development will however be visible from Pinnacle Road at The Springs, and will be within 30m of Pinnacle Road. As such the Performance Criteria requires consideration, which states:

#### *P10.1 Building Siting*

*Proposals for buildings facing on to or directly visible from the Pinnacle Road must show that there will be no diminution of values of the site either during the construction of the building or in its use and operation.*

*Buildings and structure (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to avoid, remedy or mitigate any loss of visual values through the inclusion of a Visual Impact Analysis conducted by a suitably qualified person.*

This structure is located in an area of high visual sensitivity in Map 4 of the Management Plan and as such the visual impact must be carefully considered.

It was found that the structure is only visible from certain viewpoints. It will not be highly visible from the Pinnacle or from other tracks around the mountain. It will not be visible as you travel up the mountain as it is tucked behind an existing stand of trees. It will only be visible at certain points as you travel down the mountain on Pinnacle Road as it will be tucked in behind the existing container. Its small scale, location in an area with established other buildings and uses, and its muted colours and use of timber cladding, ensure that there will be no loss of visual values through its location.

#### *Issue 11: Noise*

*Objective: To provide for the quiet enjoyment of natural and cultural values, and acoustic amenity of the Park.*

#### *A11.1*

*Noise from point sources must not exceed 50dB(A) at any point within 50m of the source.*

Currently the café utilises a generator which is approximately 24m from site of the container, and is located within a stone shed. Specifications for this generator are that it has a noise level of 52 dB(A) at 7m distance away. The noise is further decreased when located in a building (such as a stone shed) and when that distance is increased. Accordingly, the noise will not exceed 50dB(A) at any point within 50m of the generator.

### **3.5.7 Construction Management**

There is no intention to provide a formal hardstand surface or any other permanent works. However, the container will need to be built up on site through the provision of minor works. This ground disturbance is not considered to be extensive and will include elevation of the container through the construction of sleepers and placement of compacted gravel as required, in order to ensure the proposed container is elevated to the height of the existing container, which is located above ground level.

Whilst a desk top analysis does not highlight any sites of cultural significance, nor does it identify the site as being individually heritage listed, it is understood that during the ground works phase, inspections may be necessary to be undertaken by Wellington Park's Cultural Heritage Officer to ensure no archaeological values are diminished by the works.

Other construction management requirements include ensuring the container is cleaned of any potential soil contaminants and ensuring the necessary road opening permits are obtained in the event of the road requiring closer whilst the container is put into place.

Our clients are comfortable with a detailed Construction Management Plan being required as a condition of approval.

### **3.5.8 Wellington Park Infrastructure Design Manual**

The Wellington Park Infrastructure Design Manual provides an indication of the requirements for the various types of construction and works. This includes guidelines for construction of tracks, signage, BBQs, chicanes and so on. Much of what the design manual addresses, is not proposed as part of this application.

The most relevant elements of this application are:

- The works are located at the Springs Zone which as an area has been identified as the first locational priority for facilities within the Park. The application is completely consistent with this.
- The works are co-located with the existing container and are a similar design and aesthetic to ensure that there is limited visual clutter and there will be no intrusion of buildings into the skyline of the summit. The use of plantings and timber elements will ensure the structures harmonize with the surrounding environment.
- No excavation to occur to minimise impacts upon the cultural heritage values.
- The removal of vegetation is minimal and is supported by a Natural Values Determination confirming that the trees to be removed are not threatened or endangered species.
- There will be no impact upon existing shelters or seating at The Springs site.
- There will be no impact upon water reticulation systems on site.



## 4 Conclusion

The development is for a shipping container to be located directly behind and conjoined to the existing café at The Springs. The existing cafe at the site has been very well received by the community and tourists. It has been well supported by both Council and Wellington Park Management Trust as a way to activate The Springs further and provide much needed visitor facilities.

For the operators of the cafe, this has been a successful venture, however given the popularity and visitor numbers that frequent the café it is deemed necessary to expand the floor area in order to successfully operate the business, and to meet customer demand.

The installation of an additional container on the site has a number of benefits. These include:

- The container has been designed to withstand the challenging weather conditions, and likelihood of vandalism which are recognised challenges in the Park;
- It provides much needed additional space to the café and in turn the ability to meet the high demands placed upon the café by tourists and the community alike;
- It provides improved visitor services, which is critical to Wellington Park, through provision of refreshments, as well as information about the Park;
- It is not a permanent structure, and no footings/foundations will be laid, so in the event of other developments being approved at the broader Springs site, this can easily be removed;
- It involves minimal earth works and no impact on known heritage sites.

The container will be barely visible from Pinnacle Road when driving south, due to it's location behind the existing container, similarly it will be barely visible when driving north, or from other parts of Wellington Park. The proposed colours scheme and materials including muted greens and timber finishes ensures it will blend in with its surrounds.

Discretions are requested in relation to car parking and biodiversity. The operation of a cafe itself will not attract people to the mountain, rather provide facilities to those that are already using the mountain. Given this, there is not anticipated to be any further traffic generation from the operation of the cafe on the site, and thus no additional impacts on parking. In addition, it is considered preferable that parking at The Springs is provided in a strategic fashion, and to provide additional parking to respond to this development alone, would result in ad hoc outcomes which would be detrimental to the Park. The Natural Values Determination has concluded that the container would be in an area that is already partially disturbed, and disturbance is limited to 3 small trees. The impact of the container is likely to have a less severe impact than a built structure. Therefore, the container is designed and located to minimise impacts in accordance with Performance Criteria P1 of Clause E10.7.1 of the Biodiversity Code.

# Appendix A    Development Plans

## Appendix B      Certificate of Title

# Appendix C    Natural Values Report

**North Barker, Natural Values Assessment**

## Appendix D Council Consent

# Appendix E Wellington Park Management Trust Permit



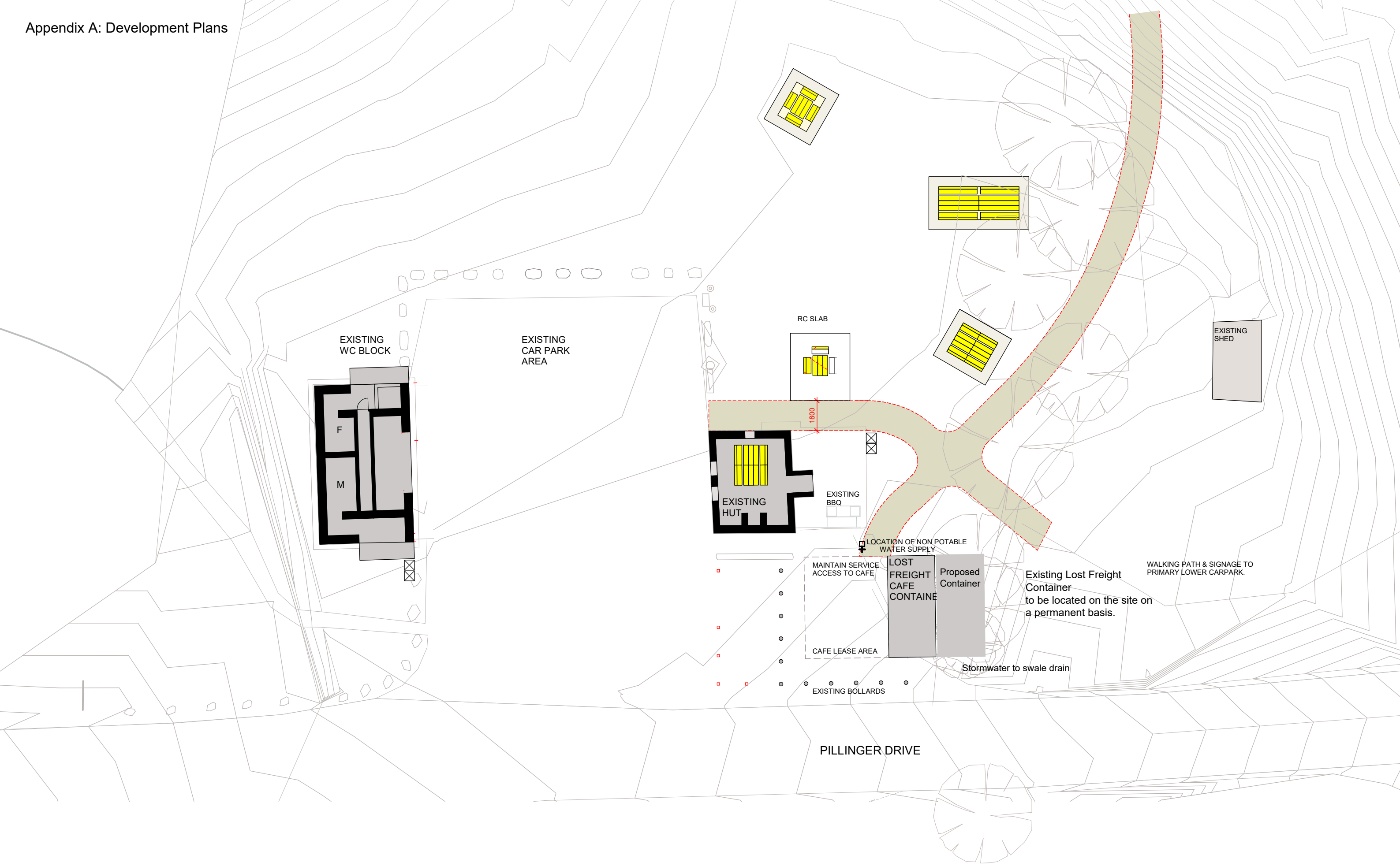


183 Macquarie Street, Hobart

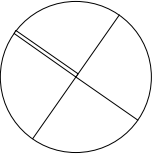
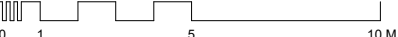
T: 6105 0443

E: [enquiries@eraplanning.com.au](mailto:enquiries@eraplanning.com.au)

W: [www.eraplanning.com.au](http://www.eraplanning.com.au)



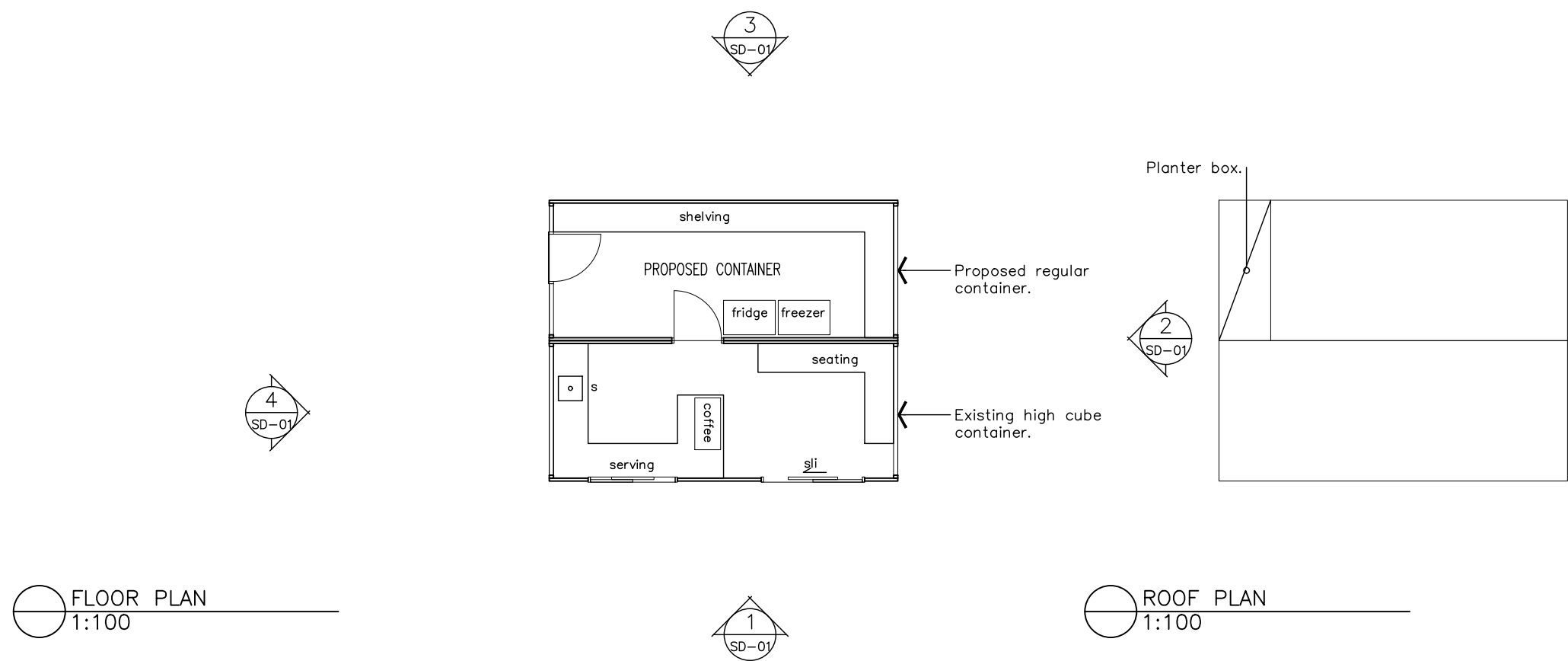
NOTE  
1.



PROJECT  
Lost Freight Stage 2

PROJECT  
ADDRESS  
DRAWING  
Proposed Site Plan

SCALE  
1:200 @ A3  
DATE  
30 Oct 2019

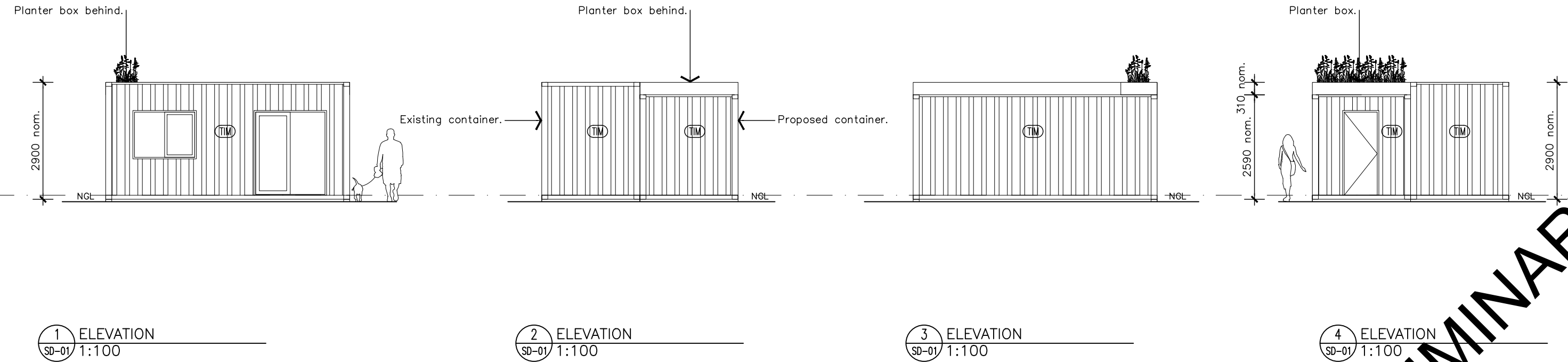


**NOTES**


All works to comply with the NCC and current Australian standards.

**LEGEND**

TIM Paint finish to container, 'pale eucalyptus'.  
Timber batten overlay to alternating corrugations. Product to be selected.



PRELIMINARY

 www.aka-architects.com.au	Andrew 0408 634 822 andrew@aka-architects.com.au Kyle 0429 948 972 kyle@aka-architects.com.au Contact	ANDREW KERR CC 6568 Accredited Designer	CHRIS & MEGAN SPILLANE Client	'LOST FREIGHT' CAFE KUNANYI, HOBART Project	FLOOR PLAN & ELEVATIONS Drawing	1:100 @ A3 Scale	KH / AK DB / CB	7.09.2019 Rev Date	Issue	SD-01 Drawing No.
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The Contractor shall verify job dimensions prior to commencing work. Figured dimensions take precedence over scaled work. © No part of this drawing shall be reproduced without the prior written consent of AKA.

## SEARCH OF TORRENS TITLE

VOLUME 126375	FOLIO 1
EDITION 1	DATE OF ISSUE 26-Nov-1996

SEARCH DATE : 28-Oct-2019

SEARCH TIME : 01.18 PM

DESCRIPTION OF LAND

City of HOBART

Parish of KINGBOROUGH, Land District of BUCKINGHAM

Lot 1 on Plan 126375

Being the land described in Part VII of Schedule 7 of the  
Hobart Corporation Act 1947

Excepting thereout Folio of the Register Volume 121202 Folio 2

Derivation : Part of Mountain Park vested in the Hobart City

Council 21 Geo. V No.64

Derived from A16835

SCHEDULE 1

HOBART CITY COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FILE NUMBER A.16835  GRANTEE PART OF MOUNTAIN PARK VESTED IN THE HOBART CITY COUNCIL 21 GEO. V. N° 64		<b>CONVERSION PLAN</b>  LOCATION CITY OF HOBART & BUCKINGHAM - KINGBOROUGH  CONVERTED FROM SCHEDULE 7, OF THE HOBART CORPORATION ACT 1947.  NOT TO SCALE LENGTHS IN METRES		REGISTERED NUMBER <b>P126375</b>  APPROVED <b>1.2 NOV 1996</b> <i>Michael Dinn</i> Recorder of Titles
MAPSHEET MUNICIPAL(5224) CODE No. 114, 117 (5024)	LAST UPI No. 2100001 2302808	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN P. PAGE

**SKETCH BY WAY OF ILLUSTRATION ONLY**  
 "EXCEPTED LANDS"  
 (278/3<sup>10</sup>) F/R 121202/2 (6.014ha)

BOUNDARY MEASUREMENTS IN BRACKETS COMPILED  
 FROM HOBART CITY COUNCIL PLAN M-912-241

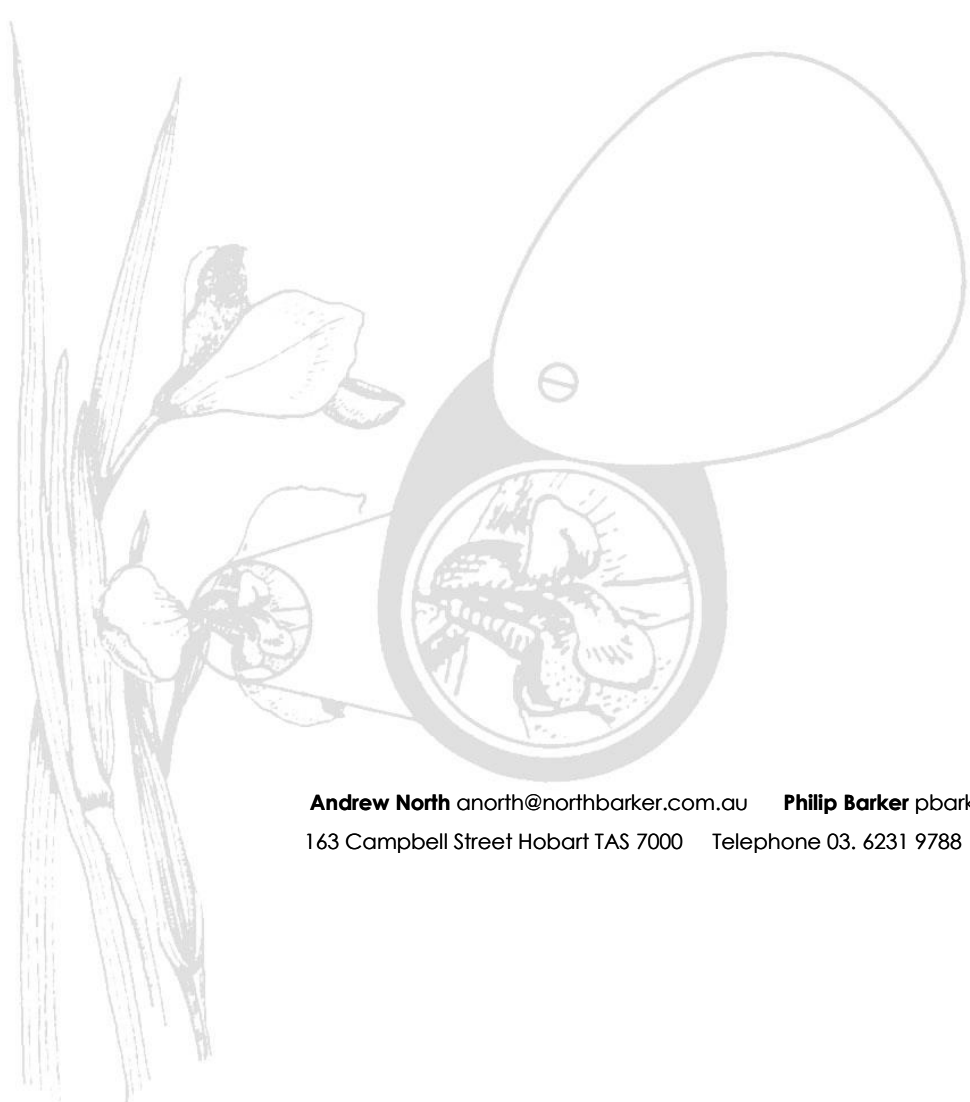
A-183



Lost Freight Café, The Springs,  
Mt Wellington  
Container Development  
Natural Values Determination

25 September 2019

For Emma Riley & Associates (ERA013)



**Andrew North** [anorth@northbarker.com.au](mailto:anorth@northbarker.com.au)   **Philip Barker** [pbarker@northbarker.com.au](mailto:pbarker@northbarker.com.au)  
163 Campbell Street Hobart TAS 7000   Telephone 03. 6231 9788   Facsimile 03. 6231 9877

### Summary

**Proponent:** Lost Freight Café

**Proposal:** The placement of a 6 x 4.2 m container at the Springs, Mt Wellington, Hobart.

#### Hobart Interim Planning Scheme 2015

##### Springs Specific Area Plan

Conforms with clauses relevant to natural values in the following sections: S1.1.2, S1.1.3, S1.1.4 and S1.6

<b>Zones</b>	Environmental Management (D29) The proposal is consistent with the zone purpose
<b>Overlays</b>	Biodiversity Protection Area (E10) Conforms with the relevant objective and performance criteria
<b>Threatened flora</b>	nil
<b>Threatened fauna and habitat</b>	nil
<b>Threatened vegetation</b>	nil
<b>EPBC Act</b>	No significant impact to MNES
<b>TSP Act</b>	No permit to take required
<b>Weed Management Act</b>	No declared weeds present
<b>Impact summary</b>	Three <i>Eucalyptus johnstonii</i> require removal, and an additional two may be impacted as the tree protection zone of each overlaps with the proposal area by > 10 %.

## Introduction

Lost Freight Café would like to add an additional container to the existing container at the Springs on Mt Wellington, Hobart (Figure 1). The location of the new container will require the removal of native vegetation. North Barker Ecosystem Services have been requested to provide comment on the potential impact to natural values.

A field survey was undertaken on the 17<sup>th</sup> of September 2019 to assess the impact. The survey findings are presented in this report, with reference to the Hobart City Council Interim Planning Scheme 2015.

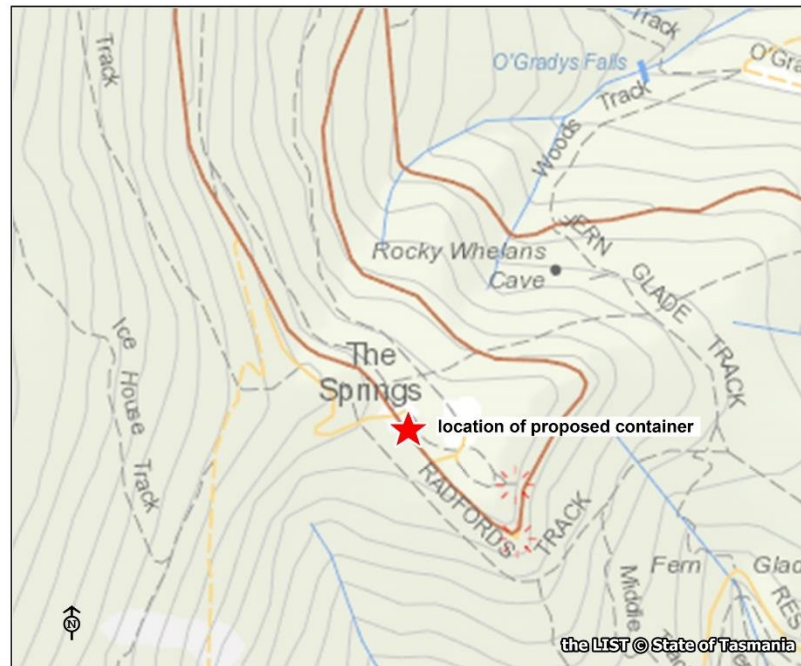


Figure 1: Location of the proposed new container

## The site and potential impact

The existing container is at the southern edge of the car park at the Springs (at 520295 E, 5248536 N, GDA 95 MGA 55). The proposed container will be placed directly behind (i.e. adjoining) the existing container, limiting the direct impact to the container footprint to 6 x 4.2 m (Plate 1). It is understood the container will be elevated through the construction of sleepers and backfilled with fine crushed rock. The extent of the excavation will be ~ 100 - 150 mm to level out the sleepers. Any trees outside the footprint but with tree protection zones (TPZ) that overlap with the new container, may be indirectly impacted.

### Vegetation

The vegetation in the footprint consists of *Eucalyptus johnstonii*. There are no understorey shrubs bar a single *Leptecophylla oxycedrus*. The ground cover is disturbed, and species-poor, dominated by a moss species and a closely cropped grass (probably *Microlaena stipoides*). Additional species recorded in the footprint are: *Hydrocotyle hirta*, *Acaena novae-zeelandiae*, *Euchiton japonicus* (probably – no fertile material), and *Hypochaeris radicata*. Two additional shrub/small tree species occur just outside the footprint: *Nematolepis squamea* and *Leptospermum scoparium*.





**Plate 1:** The location for the proposed container - the measuring tape on the ground (image left) shows the outer long edge of the impact area. The three trees aligned with the tape (two of which have twin trunks) are to be removed.

#### Trees (see Figure 2)

The dominant tree on the site is *Eucalyptus johnstonii* (yellow gum). Three relatively small yellow gums will require removal: these are 36, 34, and 23 cm diameter at breast height (DBH) with a canopy of ~10 m (it should be noted that some trees have two trunks and the DBH of both trunks is used to generate a single DBH value). Given the trees are relatively young, and the prevalence of yellow gums in the area, the loss of three trees is not considered significant.

An additional six yellow gums have TPZs that overlap with the new container footprint (Figure 2). The Australian Standard for the Protection of Trees (AS4970-2009) provides for a TPZ as being the “principal means of protecting trees on development sites”. (A TPZ equals 12 x the DBH of the tree). Minor encroachment (< 10% of the TPZ) can be compensated for. If the encroachment exceeds 10% then as a ‘major encroachment’ the services of an arborist are required to determine whether the tree will remain viable. Trees that have grown close to existing infrastructure such as roads often demonstrate good viability with major encroachments and consequently may be capable of tolerating more than those where no encroachment exists.

Two of the six trees in the TPZ overlap area overlap by > 10 % (22 and 15 %, Figure 2). The larger of these is growing adjacent to a road and demonstrates good viability. If it is determined that the potential impact to these two trees requires quantification, then an arborist will be required. However, given the trees are relatively young, and the prevalence of yellow gums in the area, the cost of further assessment of these trees is likely to exceed any potential benefits; the potential loss of these two relatively small trees is not considered significant.

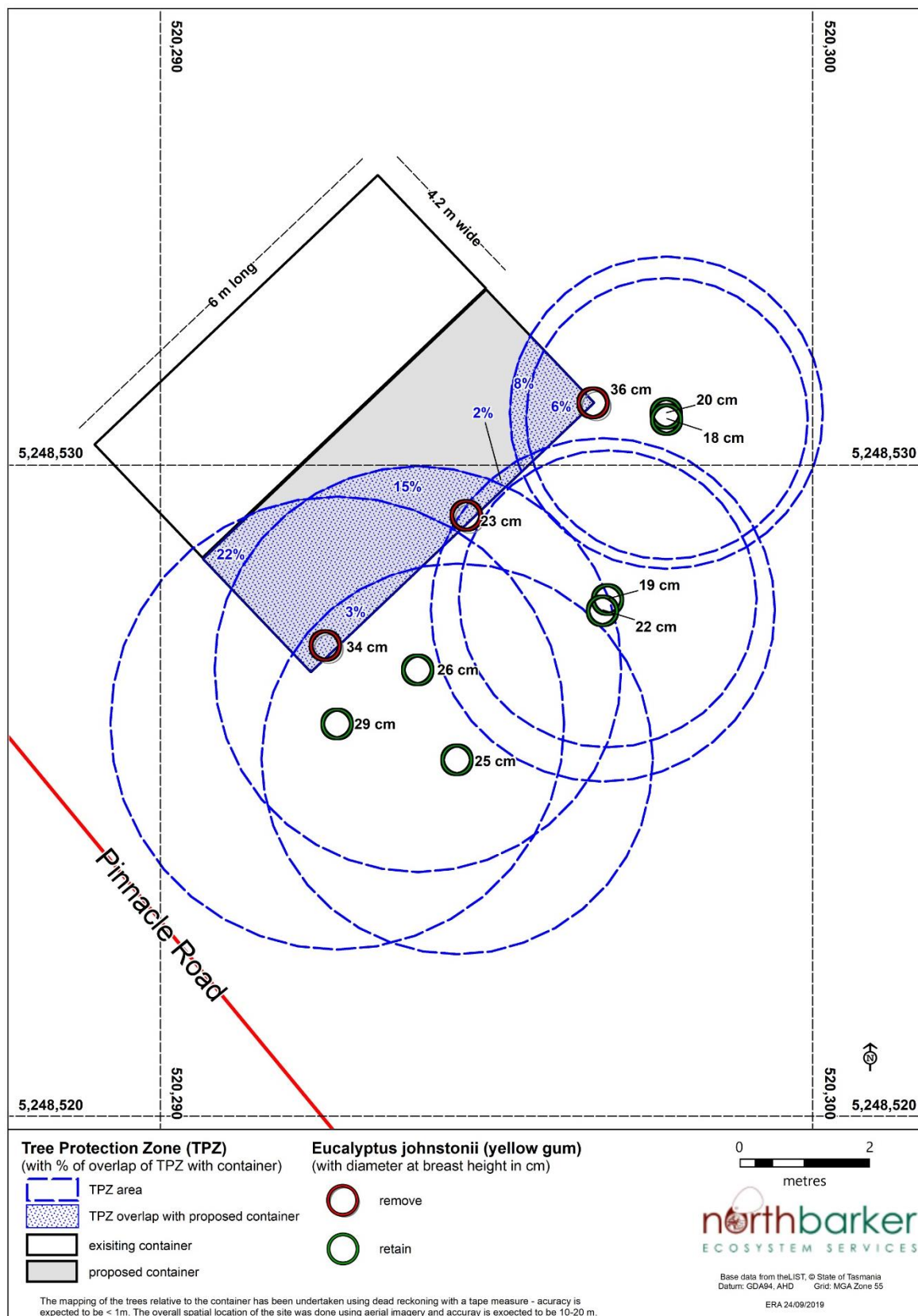


Figure 2: Tree locations of trees in the potential impact area

### Flora and fauna and potential threatened values

The list of threatened flora and fauna species recorded within 500 m of the site is presented in Appendix A.

No threatened flora species are expected to be impacted. Much of the area has already been severely disturbed (the worn area in Plate 1 above), and the existing ground cover is species poor with few native species. The nearest record of a threatened flora species is ~220 m to the east (with an accuracy of 500 m): *Isolepis habra* – this is a distinctive species and is highly unlikely to occur in the footprint. The other threatened flora species recorded within 500 m is *Centropappis brunonis* – this is a distinctive shrub/small tree that would not have been overlooked.

No threatened fauna species are expected to be impacted. No threatened species have an affinity for *Eucalyptus johnstonii* and the trees offer no habitat for threatened fauna. There are no micro habitat structures suitable for the threatened snail species that occurs in the area (silky pinwheel snail). No other structures were recorded in the footprint that might offer breeding or significant foraging habitat for any other threatened species.

Most of the threatened fauna recorded within 500 m of the site are wide-ranging species, and to some degree tolerant of habitat disturbance characteristic of peri-urban environments; these species may forage on the site from time to time and include: eastern barred bandicoot, quolls, swift parrot, Tasmanian devil, and grey goshawk. However, given the scale of the footprint, and the wide-ranging nature of these species, the proposed impact to the site will not have a significant impact on any of these, or indeed any other, threatened species.

### **Wellington Park Specific Area Plan**

The area for the proposed container is in the Wellington Park and subject to the provisions in the *Wellington Park Management Plan 2013 (WPMP)*<sup>1</sup>. The *Springs Specific Area Plan* (the Plan) is the relevant section of the WPMP for the proposal area. At the following sections impact to natural values requires consideration under the Plan, comments are provided after each section.

#### SI.1 Purpose of Specific Area Plan

*The purpose of the Specific Area Plan is to:*

*SI.1.2 Maintain and enhance the following values of The Springs Specific Area and the Park:*

- *The natural values associated with natural vegetation, habitats, avian, aquatic and terrestrial fauna.*
- *The quality of all surface and sub surface water in the vicinity of The Springs and all water courses in the catchment of North West Bay River and Hobart Rivulet.*

The natural values of the proposed impact area are limited to the removal of three trees (with potential impact to a further two). The area where these trees are located is already somewhat degraded (see Plate 1 above), and the removal of these trees does not substantially erode the natural values in the area.

Given the size, height and form of these trees, and their location (i.e. adjacent to a café), they offer limited habitat for fauna and their removal is unlikely to have a notable tangible impact of any sort.

*SI.1.3 Facilitate environmentally and economically sustainable development at The Springs in the following ways:*

---

<sup>1</sup> Amended October 2015

- *Support the use of land in areas with demonstrated capability for development in a manner that ensures that the values and resource base is not degraded and is available for use by future generations.*
- *Recognise the special location and environment of The Springs while providing for development and use that does not cause degradation, loss or damage of resources and which does not adversely impact upon natural, biological and physical processes.*

The removal of three trees (with potential impact to a further two) will not notably degrade the natural values at the site. No salient natural biological or physical processes at the site are considered at risk with the removal of these trees.

- *Ensure there is no adverse affect on natural bushland (including through the spread of introduced flora), bogs, recharge basins, and waterways.*

The scale of the impact is such that bushland at the Springs will not be notably impacted. Any processes requiring earthworks and heavy machinery should be done in accordance with weed and hygiene management protocols<sup>2</sup>.

- *Ensure that use and development acts to maintain and enhance the quality of all surface and sub surface water in the vicinity of Springs and all water courses in the catchment of Hobart Rivulet.*

The scale of the impact is such that there will be no impact to the surface and sub surface water is expected in the vicinity.

#### *SI.1.4 Ensure that development at Springs:*

- *Provides for access to The Springs and to other parts of the Park in a manner that meets the needs of public users and so as not to cause environmental degradation of any area.*

The removal of the 3-5 trees and the placement of a single 6 x 4.2 m container is not considered an impact sufficient to cause environmental degradation of the area.

#### Section SI.6 Standards for Use and Development

These are considered in Issue 2 in the table below; if the Acceptable Solution is not able to be met, then the Performance Criteria must be addressed.

- Acceptable Solution A2.1 can be met as the vegetation is not significant or threatened (so does not qualify for A2.1(a) and does not support habitat for threatened fauna (A2.1(b)).
- Acceptable Solution A2.2 can be met as no threatened species will be impacted.

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<sup>2</sup> DPIPWE (2015). Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania. (Eds.) Karen Stewart and Michael Askey-Doran. Department of Primary Industries, Parks, Water and Environment, Hobart, Tasmania

## Issue 2: Flora and Fauna Conservation, Geoconservation and Natural Processes

**Objective:** To conserve flora, fauna, geological and geomorphological values, and to protect natural processes.

Acceptable Solution	Performance Criteria
<p><b>A2.1 Native Vegetation</b> The proposal does not involve removal or damage to terrestrial or aquatic native vegetation which:</p> <p>(a) is listed as significant in this Management Plan, or any planning strategy or Trust endorsed scientific assessment prepared in accordance with this Management Plan; or is a Threatened Vegetation Community under the <i>Nature Conservation Act 2002</i>.</p> <p>(b) supports or forms habitat for any species of fauna listed in the <i>Threatened Species Protection Act 1995</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p>	<p><b>P2.1 Native Vegetation</b> Any adverse affects on terrestrial or aquatic native vegetation or habitat values must be avoided, or remedied to ensure no long term impact on vegetation values.</p>
<p><b>A2.2 Threatened Species</b> The proposal does not impact upon any threatened species listed under the <i>Threatened Species Protection Act 1995</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p>	<p><b>P2.2 Threatened Species</b> Any adverse affects on nationally or State listed rare, threatened or endangered species, communities or habitats must be avoided or remedied to ensure no long term impact on vegetation values.</p>

## Hobart Interim Planning Scheme 2015

The proposal area is subject to the Biodiversity Code (E10) under the *Hobart Interim Planning Scheme 2015*.

Under 10.7.1 are the *Development Standards for Buildings and Works*, and as above, if the Acceptable Solution is not able to be met, then the Performance Criteria must be addressed. These can all be met and are addressed below.

### E10.7.1 Buildings and Works

#### Objective:

To ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.

Given the limited extent and small impact of the proposal on biodiversity values, it is not likely the losses will be viewed as unnecessary or unacceptable; accordingly, the project is consistent with the objective.

The proposal does not meet Acceptable Solution A1. Accordingly, the following Performance Criteria are addressed (the natural values in the proposed area qualify as Low Priority Biodiversity Values as per Table E10.1 in the Scheme):

#### P1

Clearance and conversion or disturbance must satisfy the following:

(a) if low priority biodiversity values:

(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;

The container backs directly onto the other container in an area that is already partially disturbed (see Plate 1 above); so, the footprint is minimised, and disturbance is limited to three small trees (all < 40 cm DBH) with an additional two potentially impacted. The placement of a container is likely to have a less severe impact than a built structure. The design and location of development are therefore considered to minimize impacts.

*(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;*

No bushfire hazard management measures are required for this proposal.

## Appendix A – Threatened flora and fauna tables from the Natural Values Atlas (24/09/2019)

### Threatened flora within 500 metres

#### Verified Records

Species	Common Name	SS	NS	Bio	Observation Count	Last Recorded
<i>Centropappus brunonis</i>	tasmanian daisytree	r		e	1	11-Jan-2009
<i>Isolepis habra</i>	wispy clubsedge	r		n	1	19-Feb-1970

### Threatened fauna within 500 metres

#### Verified Records

Species	Common Name	SS	NS	Bio	Observation Count	Last Recorded
<i>Accipiter novaehollandiae</i>	grey goshawk	e		n	3	29-Feb-1980
<i>Aquila audax subsp. fleayi</i>	tasmanian wedge-tailed eagle	e	EN	e	14	03-Sep-1981
<i>Dasyurus maculatus</i>	spotted-tail quoll	r	VU	n	1	16-Jun-2014
<i>Dasyurus maculatus subsp. maculatus</i>	spotted-tail quoll	r	VU	n	1	08-May-1991
<i>Haliaeetus leucogaster</i>	white-bellied sea-eagle	v		n	2	31-Aug-1980
<i>Hirundapus caudacutus</i>	white-throated needletail		VU	n	11	28-Feb-1981
<i>Lathamus discolor</i>	swift parrot	e	CR	mbe	28	30-Nov-1981
<i>Pardalotus quadragintus</i>	forty-spotted pardalote	e	EN	e	1	31-Aug-1980
<i>Perameles gunnii</i>	eastern barred bandicoot		VU	n	2	29-Aug-2018
<i>Roblinella agnewi</i>	Silky Pinwheel Snail	r			1	01-Jan-1870
<i>Sarcophilus harrisii</i>	tasmanian devil	e	EN	e	1	06-Oct-2015
<i>Tyto novaehollandiae</i>	masked owl	pe	PVU	n	5	10-Mar-1992



Planning: #193404

Property

NONE THE SPRINGS MOUNT WELLINGTON TAS 7054

People

Applicant  
\*  
ERA Planning and Environment  
Caroline Lindus  
183 Macquarie Street  
HOBART TAS 7000  
0417 246 474  
caroline@eraplanning.com.au

Applicant  
\*  
CAROLINE LINDUS  
183 MACQUARIE STREET  
HOBART TAS 7000  
0417 246 474  
caroline@eraplanning.com.au

Owner  
\*  
City of Hobart  
  
16 Elizabeth Street  
HOBART TAS 7000  
6238 2711  
coh@hobartcity.com.au

Entered By  
CAROLINE LINDUS  
183 MACQUARIE STREET  
HOBART TAS 7000  
0417 246 474  
caroline@eraplanning.com.au

Use

Cafe

Details

Have you obtained pre application advice?  

☒ No

If YES please provide the pre application advice number eg PAE-17-xx



Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.

No

Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter the number of signs under Other Details below.

No

If this application is related to an enforcement action please enter Enforcement Number

Details

What is the current approved use of the land / building(s)?

Cafe

Please provide a full description of the proposed use or development (i.e. demolition and new dwelling, swimming pool and garage)

Extension to proposed shipping container cafe

Estimated cost of development

20000.00

Existing floor area (m2)

15.00

Proposed floor area (m2)

15.00

Site area (m2)

3820000

Carparking on Site

Total parking spaces

0

Existing parking spaces

0

N/A

Other (no selection chosen)

Hours of Business

Are the proposed hours of business different from the existing?

No

What days and hours of operation are proposed for the business?

Existing

Proposed

From

To

Monday to Friday

09:00

17:00

Monday to Friday

From

To

09:00

17:00

Proposed Mon-Fri hours are the same as existing

Saturday

From

To

09:00

17:00

Proposed Sat-Sun hours are the same as existing

Sunday

From

To

09:00

17:00

Number of Employees

List the total number of people who will be working on the site.

Proposed number of employees

8

Existing number of employees

8

Goods Deliveries

Will there be any commercial vehicles accessing the site?

No

Type of Vehicle

Trips per Week

Very Large (Semi trailer)	<input type="text"/>
Large	<input type="text"/>
Medium	<input type="text"/>
Small	<input type="text"/>

Outdoor storage / seating / number of beds

Is outdoor storage proposed?

No

Other Details

Does the application include signage?

No

How many signs, please enter 0 if there are none involved in this application?

0

Tasmania Heritage Register

Is this property on the Tasmanian Heritage Register?

No

Documents

Required Documents

Title (Folio text and Plan and Schedule of Easements)

Appendix B Certificate of Title.pdf

Plans (proposed, existing)

Appendix A Development Plans.pdf

GM or Crown consent

GM Consent for Lost Freight 6Nov 2019.PDF

Supporting Documents

Planning Report

Development Application Report 26 November 2019.pdf

Flora and Fauna Report

Appendix C Natural Values Report.pdf

Wellington Trust Permit

Lost Freight extension permit 1113.pdf