



Latrobe Council

PUBLIC NOTICE

APPLICATION FOR DEVELOPMENT APPROVAL

An application for development approval has been made which may affect you.

Details about the application – DA 238/2019

Address of the land

**7216 BASS HIGHWAY, SASSAFRAS and
7218 BASS HIGHWAY, SASSAFRAS**

What use or development is
proposed in the application

**Proposed intensification of existing fish
processing facility and proposed dam
under performance criteria under the
Rural Resource Zone and the Change in
Ground Level Code.**

Date of notice

29 February 2020

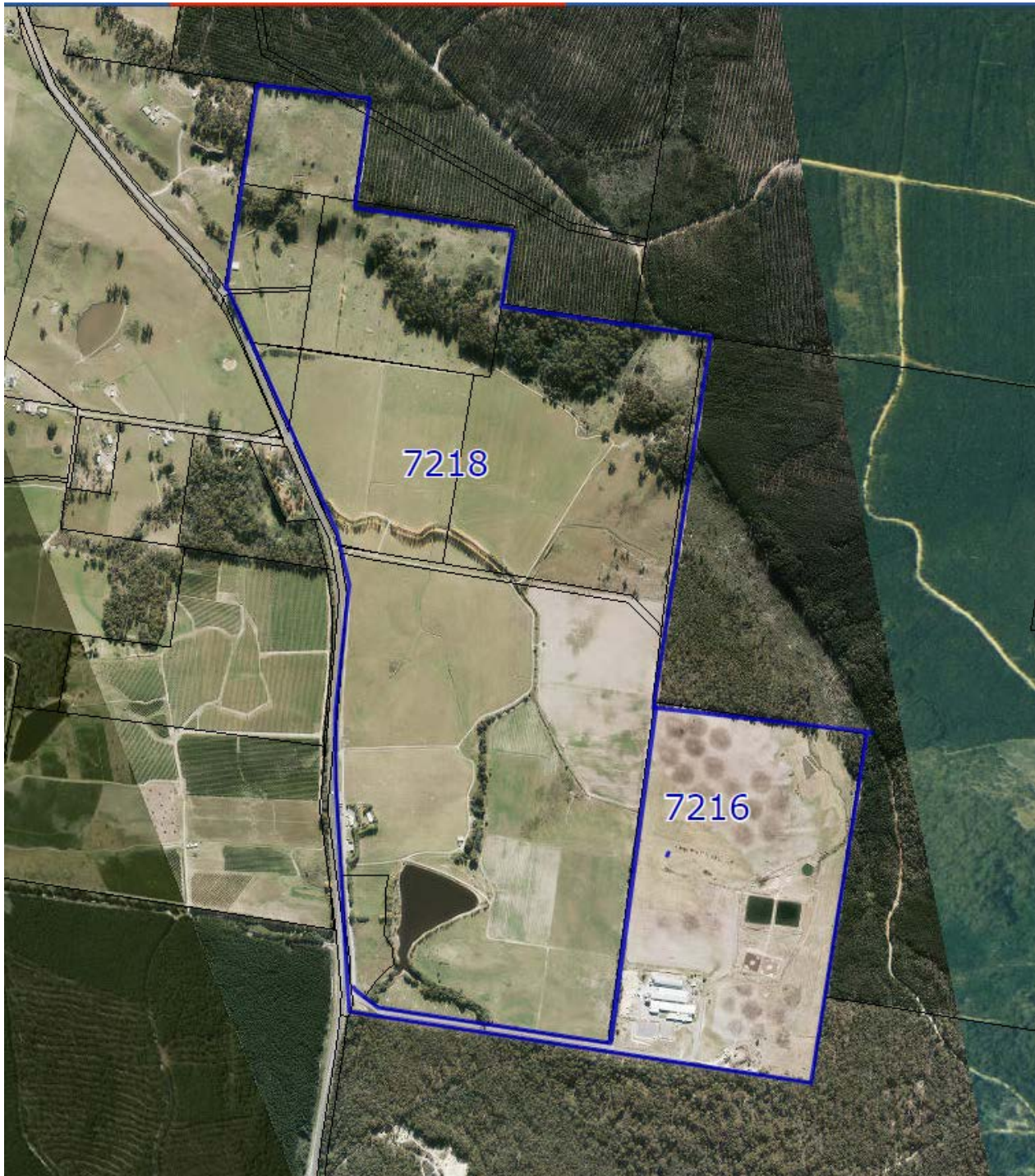
The application and supporting documents are open for public inspection at the Council Offices, 170 Gilbert Street, Latrobe during the following office hours:-
Monday to Friday, 8.00 a.m to 4.30 p.m.

Any person may lodge a representation on the proposed use or development.

Your representation must:

- be received within 14 days of the date of this notice;
- be in writing;
- be addressed to:
The General Manager,
Latrobe Council,
P.O. Box 63, Latrobe 7307; or email
council@latrobe.tas.gov.au
- and include:
the reasons for your representation; and
the address of the land.

Aerial View – DA 238/2019 – 7216 & 7218 Bass Highway, Sassafras



Office Use Only	
Application No	PID
Property Parcel No	PF No.

LATROBE COUNCIL

DEVELOPMENT APPLICATION

Application for Development Permit Under Section 58 and
Discretionary Permit Under Section 57
of the Land Use Planning and Approvals Act 1993

1 Full Name of Applicant(s):Commercial Project Delivery on behalf of Huon Aquaculture...Company Pty Ltd.....

Note: An application made by a person other than the owner(s) shall be signed by the owner of the land or include a declaration by the applicant that the applicant has notified the owner about the application.

2 Address of Applicant(s):PO Box 210, Newstead

.....TAS 7210..... Phone :

Mobile No.:.....Email:

3 Full Name of Owner(s): ..Huon Aquaculture Company Pty Ltd and ..Troy, Rodeny and Helen Layton.

4 Address of Owner(s):..HAC: ..961 Esperance Coast Road, Surveyor's Bay TAS 7117

....Layton: 7218 Bass Hwy, Sassafras TAS 7307..... Phone:.....

Mobile No.....Email:.....

5 Present Use of the Land: ...Fish product processing facility (HAC) resource development (Layton)

6 Proposed Use and/or Development (subject of this application): Increase in production capacity and development of dam.

At (Location of property):.....Refer to application report

Certificate of Title reference: Refer to application report

7 Estimate of works:\$400 000.....

8 Supporting Details: **A CHECK LIST IS PROVIDED ON THE NEXT PAGE AND MUST BE ACKNOWLEDGED AND SIGNED BY THE APPLICANT.**

Signed.....



Dated:14/11/2019.....

Development application for an increase in production capacity at the Paramatta Creek Fish Processing Facility

Huon Aquaculture

January 2020

COMMERCIAL PROJECT DELIVERY

Project + Construction Management





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1 Introduction

This report has been prepared in support of a Development Application being lodged by Commercial Project Delivery on behalf of Huon Aquaculture to enable an increase in production capacity at the Paramatta Creek fish processing facility located at Lot 1, 7216 Bass Highway, Sassafras from the approved 14, 000 tonnes per annum (tpa) to 33 000 tpa and an associated dam for storing wastewater during winter.

The report provides an assessment against the relevant provisions of the *Latrobe Interim Planning Scheme 2013* ('The Planning Scheme').

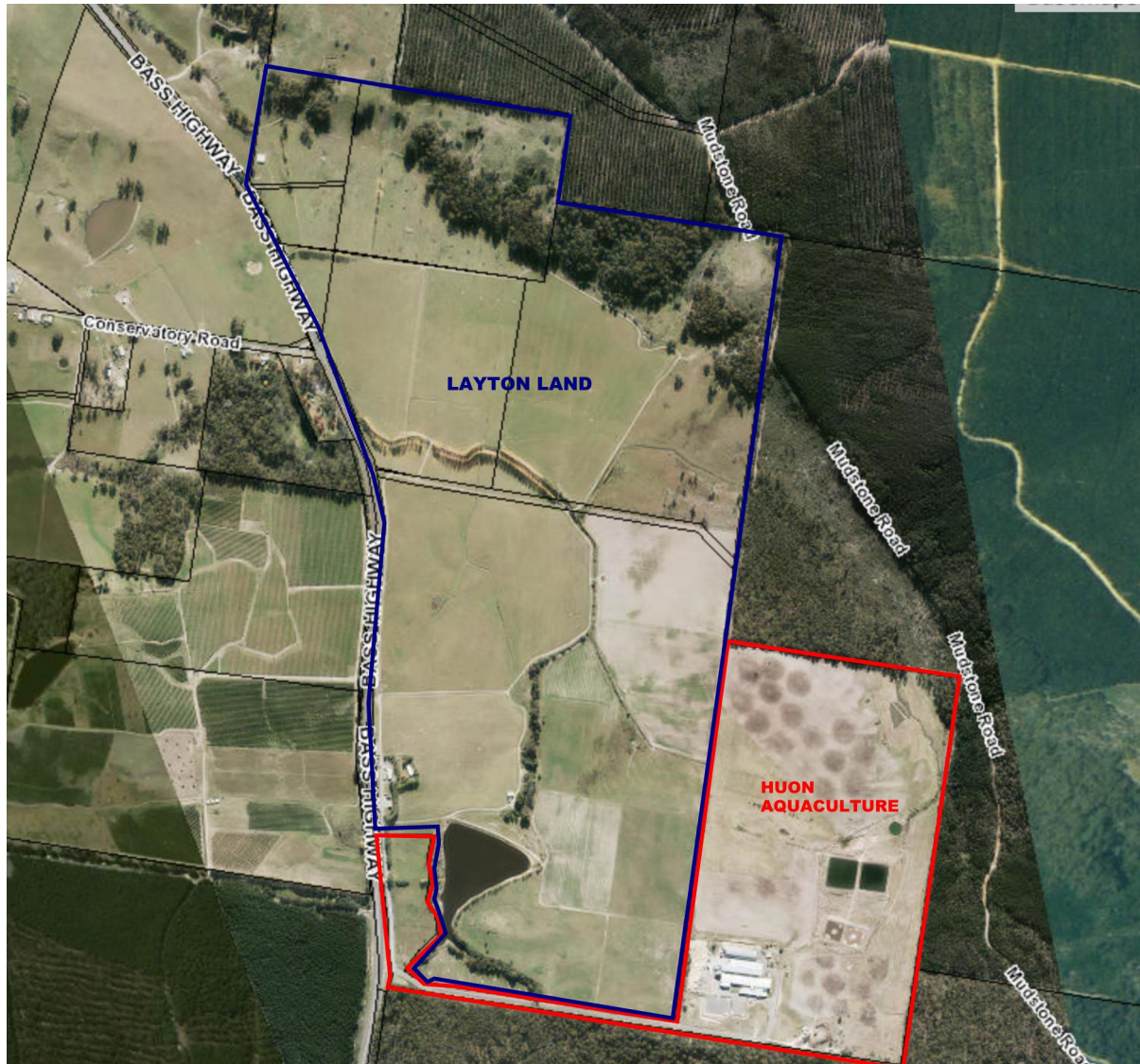
Full details of the subject site, proposal and environmental impacts are included in the Development Proposal and Environmental Management Plan (DPEMP) included as **Appendix A** to this report. The existing plant on the site is an approved Level 2 Activity.

2 Site and Surrounds

2.1.1 Location

The subject site comprises land within two separate tenures being:

1. The Huon Aquaculture Company (HAC) fish processing site known as Lot 1, 7216 Bass Highway, Sassafras. This site contains the fish processing plant, the production increase of which is the subject of this application.
2. Troy Layton owned adjacent farming property known as 7218 Bass Highway, Sassafras. HAC has an agreement with Mr Layton to irrigate wastewater from the fish processing facility on his land.



Base image from theLIST (www.thelist.tas.gov.au). © State of Tasmania.

Figure 1 - Location Plan

2.1.2 Huon Aquaculture site

The Parramatta Creek processing facility site and current irrigation land is located approximately 25km south-east of Devonport. The HA site has an overall area of 55.69ha and is an irregular shaped lot which is accessed off the Bass Highway. The existing processing factory located at the southern end of the site utilises approximately 4.7ha.

2.1.3 Layton land

A total of four of the titles which make up the Layton owned farming property are to be irrigated under centre pivots with wastewater from the HA processing plant. Those titles have a combined land area of approximately 177.6ha. Whilst irrigation is exempt from planning approval, the site has been included as use of the wastewater needs to be assessed by the EPA through the DPEMP process.

2.2 Title Information

Details of title and tenure information are included in Table 1 below.

Name	HA processing and irrigation land	Adjacent irrigation land (Troy Layton)
Property Address	7216 Bass Hwy Sassafras TAS 7307	7218 Bass Hwy Sassafras Tas 7307
Property ID	3000065	3058515
Title reference	158261/1	158261/2, 250684/1, 221705/1 and 238630/1, 39630/1
Owner's name	Huon Aquaculture Company Pty Ltd	TPF Properties Pty Ltd

Table 1: Title information

A copy of the titles is included as **Appendix B**.

2.3 Natural Values

Refer to section 6.6 for **Appendix A**, DPEMP for details of biodiversity and natural values.

2.4 Natural Hazards

The subject site is shown on the planning scheme maps as being wholly within a bushfire prone area.

A portion of the Layton land is shown on the Planning Scheme maps as being within a landslip hazard overlay with a low rating as shown in Figure 3.

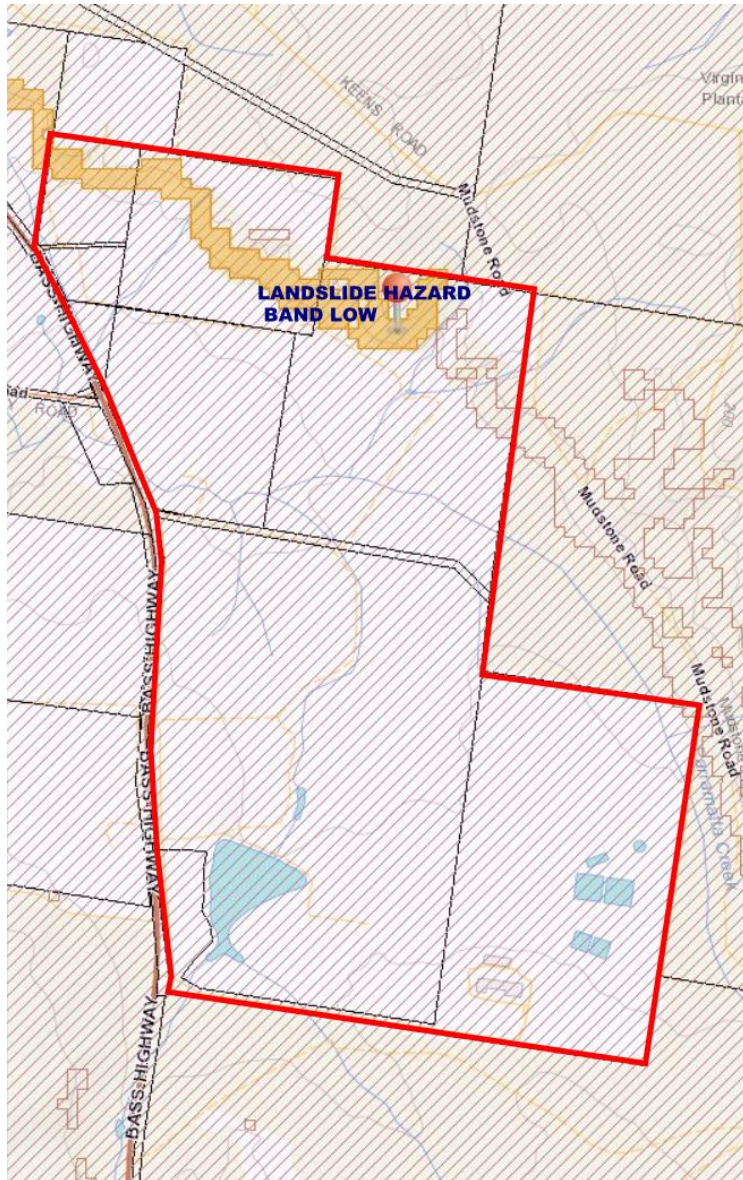


Figure 2 – Landslide Hazard Overlay

2.5 Heritage

The subject site is not heritage listed either at Local or at State level.

2.6 Surrounding Area

The site is within a rural area with all surrounding land contained within the rural zone and used for agricultural purposes.

2.6.1 Transport Network

Both the HA site and Layton land have frontage to and access via the Bass Highway.

3 Development Application

3.1 Applicant

The applicant is Commercial Project Delivery. Contact details are as follows:

Chloe Lyne, Planning and Development Consultant, CPD

M: 0408397393

E: chloe@cpdelivery.com.au

3.2 The Proposal

A detailed overview of the proposal is included at section 3 of the DPMP included as Appendix A to this report.

In summary, the proposal is to:

- Increase production at HA's Parramatta Creek fish processing facility located at Lot 1, 7216 Bass Highway, Sassafras from the approved 14,000 tpa to 33,000 tpa of fish products; and
- Install a 75 ML dam for winter storage of wastewater effluent; and
- Irrigate treated wastewater produced onsite at Lot 1, 7216 Bass Highway, Sassafras, and on the adjacent farm 7218 Bass Highway, Sassafras.

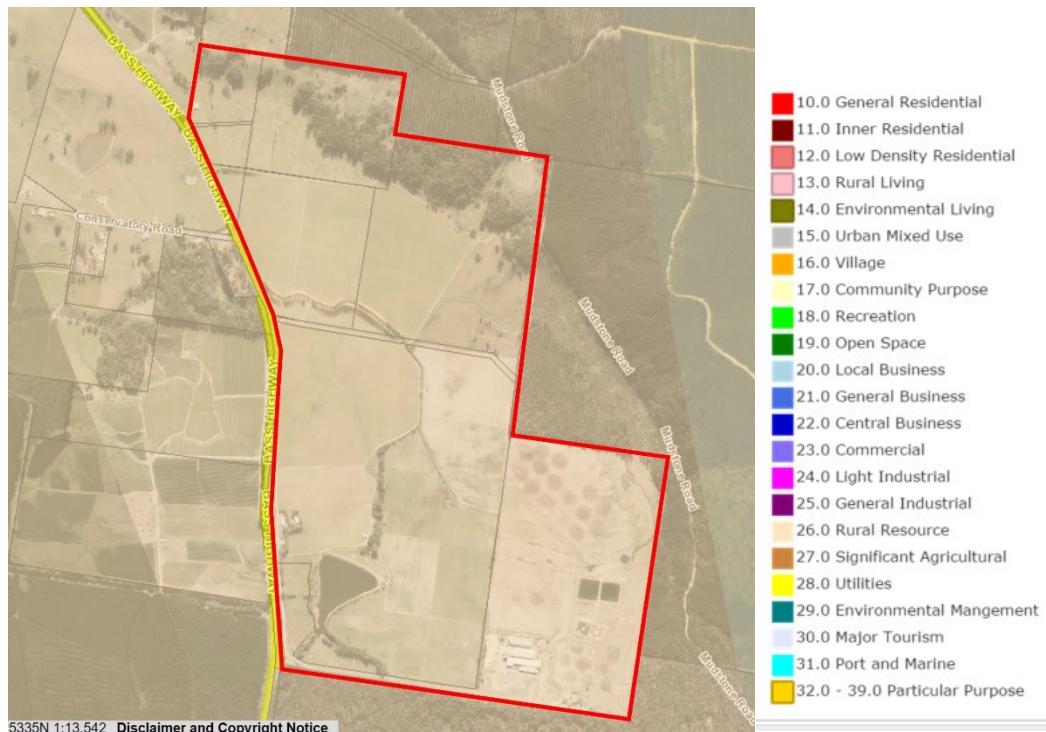
Key aspects of the proposal are:

- The site wishes to increase production to 33, 000 tpa fish products produced;
- No additional building footprint is required onsite;
- There will be no additional smoke emissions above the current emissions under the proposal;
- The site's uses a maximum of 54kg of sustainably sourced sawdust each day to generate the smoke. This will not increase under this proposal;
- There is no expected to be any increase in odour emissions under the proposal;
- Irrigation will be expanded by 69.3ha to irrigate the increased wastewater;
- Irrigation will be monitored and managed to a comprehensive wastewater reuse plan;
- The proposal will see a marginal increase in traffic to and from the facility.
- The proposal will ensure a higher level of job security for the sites 140 staff; and
- The proposal will crease between 10-20 full time equivalent positions at the facility.

4 Planning Assessment

4.1 Zoning

The subject site is zoned Rural Resource under the *Latrobe Interim Planning Scheme 2013* as identified in Figure 2 below. It is situated within the Devonport Airport Operational Airspace Overlay. No other overlays impact the site.



Base image from theLIST (www.thelist.tas.gov.au). © State of Tasmania.

Figure 3 - Zoning Plan

4.2 Use Categorisation

4.2.1 'Resource Processing' use class

The broad use classification for the proposed use is 'Resource Processing' which is defined as follows in Table 8.2 of the Planning Scheme.

'use of land for treating, processing, or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk, winery and sawmilling.'

If the dam was being considered in isolation as a farm dam and not part of this project, it would not require planning approval and rather a dam permit under the *Water Management Act 1999*. However, in accordance with Section 165F of that Act, where a dam forms part of a broader project, being assessed under a separate Act, the details of the dam shall be referred to the Department of Primary Industries Water and

Environment and the permit authority (in this case Latrobe Council) shall include any conditions as required by DPIPWE on any permit they issue.

Taking account of the above, the dam is assessed as directly associated with and subservient to the resource processing plant in accordance with Clause 8.2.3 of the Planning Scheme. The dam is required to store wastewater from the processing plant.

4.2.2 Approval Status

The 'Resource Processing' use class is identified in the Use Table at Clause 26.2 as being a discretionary use class in the Rural Resource Zone.

Additional discretions arise in relation to the following zone and code provisions:

- Clause 26.3.1 - Requirement for discretionary non-residential use to located on rural resource land (P1)
- E9.5.1 Change in existing ground level or natural ground level (P1)

In accordance with Section 60A of the *Land Use Planning and Approvals Act*, a permit for the construction of the dam is not required as a permit will be issued under the *Water Management Act 1999*.

4.3 Rural Resource Zone Provisions

4.3.1 Zone Purpose

26.1.1	Zone Purpose
26.1.1	<i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i>
26.1.2	<i>To provide for other use or development that does not constrain or conflict with resource development uses.</i>

Comment:

The proposal is consistent with 26.1.2 in that it enables an existing aquaculture processing plant to increase production capacity thereby making the most efficient use of existing assets.

4.3.2 Use Standards

26.3.1 Requirement for discretionary non-residential use to locate on rural resource land

26.3.1 Requirement for discretionary non-residential use to located on rural resource land

Objective

Other than for residential use, discretionary permit use of rural land is to minimise:

- (a) Unnecessary loss of air, land and water resources of significance for sustainable primary industry and other permitted use, including for agricultural use dependent on the soil as a growth medium; and*
- (b) Unreasonable conflict or interference to existing or potential primary industry use, including agricultural use, by other land use,*

Acceptable Solution

A1

There is no acceptable solution.

Performance Criteria

P1

Other than for residential use, discretionary permit use must-

- (a) Be consistent with the local area objectives;*
- (b) Be consistent with any applicable desired future character statement;*
- (c) Be required to locate on rural resource land for operational efficiency –*
 - (i) To access a specific naturally occurring resource on the site or on land adjacent in the zone;*
 - (ii) To access infrastructure only available on the site or on adjacent land in the zone;*
 - (iii) To access a product of primary industry from the site or on adjacent land in the zone;*
 - (iv) To support a primary industry or other permitted use on the site or on adjacent land in the zone;*
 - (v) If required –*
 - a. To acquire access to a mandatory site area not otherwise available in a zone intended for that*



the application of broad-scale irrigation development.

Complies with P1

As there is no acceptable solution, the application must be assessed against the Performance Criteria.

Firstly it is noted that the Resource Processing use itself is already approved for the site and the proposed increase in production does not require any additional development and therefore will not result in loss of agricultural land. The only area of agricultural land that will be lost is approximately 2.8ha where the dam will be located. Nonetheless the dam will provide irrigation water to neighbouring agricultural properties.

Prior to its development as a fish processing plant in 2009, the area of the site on which the processing plant is located was a vegetable processing plant so that portion of the site has been removed from agricultural production for some time.

The Performance Criteria requires consideration as follows:

Other than for residential use, discretionary permit use must –

(a) Be consistent with the local area objectives;

It is submitted that the proposal is consistent with the Local Area Objectives, particularly (f) in that the processing plant cannot reasonably be located within a settlement due to the wastewater it produces. It is better located within an agricultural area so that treated wastewater from the plant can be used to enhance agricultural production on adjacent farming land via irrigation under pivots as is proposed. The proposed production increase will not remove any agricultural land from production aside from 2.8ha for the dam and will in fact increase productive potential on adjacent agricultural land by providing a secure water supply for irrigation.

(b) be consistent with any applicable desired future character

It is submitted that the proposed production increase does not impact on attainment of any of the character statements as no development is proposed.

(c) be required to located on rural resource land for operational efficiency

Given the use is already approved on the site, the increase in production is required to obtain operational efficiency of an existing processing plant.

(d) *minimise likelihood for –*

- I. *Permanent loss of land for existing and potential primary industry use;*
- II. *Constraint or interference to existing and potential primary industry use on the site and on adjacent land; and*
- III. *Loss of land within a proclaimed irrigation district under Part 9 Water Management Act 199 or land that may benefit from the application of broad-scale irrigation development*

The proposed production increase will not result in the loss of any existing or potential primary industry use as the development footprint is not increasing aside for what can be termed a farm dam. The increase in production will not impact on the agricultural uses of adjoining sites. Indeed the additional irrigation water made available to the Layton's property under the proposal will increase their production capacity.

26.4.2 Required residential use

Not applicable – The proposal is not for a residential use.

26.4.3 Residential use

Not applicable – The proposal is not for a residential use.

4.3.3 Development Standards

26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

- **Not applicable.** The proposal does not constitute a plan of subdivision and the subject site is existing.

26.5.2 Location and configuration of development

Objective

The location and configuration of development is to provide a reasonable consistency between sites for setback from a boundary, height of buildings, and location within the landscape

Acceptable Solution

A1

A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback –

Performance Criteria

P1

The setback of a building or utility structure must be –

- (a) *consistent with the streetscape; and*

- | | |
|---|--|
| <p>(a) <i>not less than 20.0m from the frontage; or</i></p> <p>(b) <i>if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</i></p> <p>(c) <i>not less than 10.0m from each side boundary; and</i></p> <p>(d) <i>not less than 10.0m from the rear boundary; or</i></p> <p><i>in accordance with any applicable building area shown on a sealed plan</i></p> | <p>(b) <i>required by a constraint imposed by –</i></p> <p>(i) <i>size and shape of the site;</i></p> <p>(ii) <i>orientation and topography of land;</i></p> <p>(iii) <i>arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</i></p> <p>(iv) <i>arrangements for vehicular or pedestrian access;</i></p> <p>(v) <i>a utility; or</i></p> <p>(vi) <i>any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</i></p> <p>(vii) <i>any lawful and binding requirement –</i></p> <p style="margin-left: 40px;">a. <i>by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</i></p> <p style="margin-left: 40px;">b. <i>an interest protected at law by an easement or other regulation</i></p> |
|---|--|

Complies with A1

The proposed dam is setback in excess of 20 metres from the frontage and 10m from all other boundaries.

Acceptable Solution	Performance Criteria
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A2

Building height must be no more than 8.5m

P2

Building height must -

(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;

(b) minimise apparent scale, bulk, massing and proportion in relation to any adjacent building;

(c) be consistent with the streetscape and rural landscape;

(d) respond to the effect of the slope and orientation of the site; and

(e) take into account the effect and durability of screening other than vegetation to attenuate impact

Complies with A1

The maximum embankment height for the dam is 7.5m.

Acceptable Solution

A3.1

A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –

Performance Criteria

P3.1

The location, height and visual appearance of a building or structure except for wind power turbines or wind power pumps must have regard to –

(a) minimising the visual impact on

- (a) *not project above an elevation 15m below the closest ridgeline;*
- (b) *be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;*
- (c) *be below the canopy level of any adjacent forest or woodland vegetation; and*
- (d) *clad and roofed with materials with a light reflectance value of less than 40%.*
- the skyline;*
- (b) *minimising height above the adjacent vegetation canopy;*
- (c) *minimising visual impact on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and*
- (d) *Minimising reflection of light from an external surface.*

Complies with A3.1

No buildings or utility structures are proposed.

Acceptable Solution

A3.2

Wind turbines and wind power pumps must not exceed 20m in height.

Performance Criteria

P3.1

Wind power turbines or wind power pumps must minimise their impacts on the broader landscape having regard to

-
- (a) *the visual impacts of the development;*
- (b) *the characteristics of the vicinity of the site;*
- (c) *the characteristics of the wind resource;*

(d) *the topography of the site and how that location affords access to wind; and*

(e) *potential impacts on birds*

Not applicable

Neither wind turbines or wind power pumps form part of this proposal.

26.5.3 Location of development for sensitive uses

Not applicable – The Resource Development use class is not classified as a sensitive use.

21.5.4 Subdivision

Not Applicable - subdivision does not form part of this application.

26.5.5 Buildings for controlled environment agriculture

Not Applicable - No buildings for controlled environment agriculture are proposed.

4.4 Codes

4.4.1 Bushfire Prone Areas Code E1.0

Not applicable because the proposal is not for subdivision and the use is not classified as a vulnerable or hazardous use.

4.4.2 Airport Impact Management Code E2.0

The Code is not applicable as the site is not within identified operational airspace.

4.4.3 Clearing and Conversion of Vegetation Code E3.0

Not applicable because no vegetation clearance is required to facilitate the increase in production capacity.

4.4.4 Change in Ground Level Code E4.0

The Code applies as there are earthworks involved as part of the dam construction.

Code Purpose

E4.1	<i>The purpose of this provision is to minimise impact in existing or natural ground level.</i>
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Development Standards

E9.5.1 Change in existing ground level or natural ground level

Objective

Change the existing ground level or the natural ground level by cut or fill is to minimise –

- (a) Likely adverse impact on the physical, environmental, cultural, aesthetic and amenity features of land; and*
- (b) Risk from a natural hazard.*

Acceptable Solution

A1

Cut or fill must –

- (i) Not be on land within the Environmental Living zone or the Environmental Management Zone;*
- (ii) Be required to –*
- (iii) Provide a construction site for buildings and structures;*
- (iv) Facilitate vehicular access;*
- (v) Mitigate exposure to a natural or environmental hazard;*
- (vi) facilitate provision of a utility;*
- (vii) assist the consolidation or intensification of development; or*
- (viii) assist stormwater management*
- (c) not result in a modification of surface stormwater water flow to increase –*
 - (i) surface water drainage onto the adjacent land;*

Performance Criteria

P1

Cut or fill must –

- (a) Make arrangements for the drainage and disposal of stormwater;*
- (b) Make arrangements to stabilise any existing building or to increase requirements for construction of any potential building on adjacent land;*
- (c) Manage drainage and disposal of intersected ground water;*
- (d) Safeguard the quality of receiving waters;*
- (e) Not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 of the Land Use Planning and Approvals Act 1993 registered on the title of adjacent land*

<p>(ii) <i>pooling of water onto the site or on adjacent land; or</i></p> <p>(iii) <i>the nature of capacity of discharge from land upstream in a natural or artificial drainage channel.</i></p> <p>(d) <i>Not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land;</i></p> <p>(e) <i>Manage disposal of intersected ground water;</i></p> <p>(f) <i>Safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with Soil and Water Management on Building and construction sites 2009;</i></p> <p>(g) <i>Not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land; and</i></p> <p>(h) <i>Not encroach upon or dispose, disturb or reduce cover over an underground utility to less than 10m unless the relevant regulatory entity has advised –</i></p> <p>(i) <i>It is satisfied the cut or fill will not result in harm to the utility; and</i></p> <p>(j) <i>Any condition or requirement it determines are appropriate to protect the utility.</i></p>	<p><i>providing for the level of constraint; and</i></p> <p>(f) <i>Not encroach upon or expose, disturb or reduce cover over an underground utility to less than 1m unless the relevant regulatory entity has advised –</i></p> <p>(i) <i>It is satisfied the cut or fill will not result in harm to the utility; and</i></p> <p>(ii) <i>Any condition or requirement it determines are appropriate to protect the utility.</i></p>
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Complies with P1

Full details of the dam construction and operation are included within the GHD report at Appendix G of the DPEMP.

Essentially the dam complies with A1, however in the event of a failure it will result in pooling of water on adjacent properties. The risk of this happening and consequences are detailed in the GHD report.

4.4.5 Local Heritage Code E5.0

Not applicable because the site is not heritage listed within the Table to the Code.

4.4.6 Hazard Management Code E6.0

Not applicable because the site is not identified as being exposed to risk from any of the matters listed at Clause E6.2.1.

Whilst part of the Layton land is identified as low risk landslide hazard, no works that require planning approval are being undertaken on that land.

4.4.7 Sign Code E7.0

Not applicable. Signage does not form part of this application.

4.4.8 Telecommunication Code E8.0

Not applicable because the application does not involve telecommunications facilities.

4.4.9 Traffic Generating Use and Parking Code E9.0

Code Purpose

E9.1	<p><i>The purpose of this provision is to –</i></p> <ul style="list-style-type: none"> <i>(a) Assist to protect the operational efficiency and safety of roads;</i> <i>(b) Assist to protect public investment in road assets;</i> <i>(c) Require on-site arrangements for –</i> <ul style="list-style-type: none"> <i>(i) Circulation and passage of vehicles;</i> <i>(ii) Loading and unloading of freight and people;</i> <i>(iii) Parking to service vehicles having business on the site;</i> <i>(d) Specify design standards for circulation, loading and unloading, and parking areas within a site; and</i> <i>(e) Accommodate Local Area Parking Scheme.</i>
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Comment:

The proposed access arrangements will remain unchanged. The proposal will result in additional traffic movements to and from the site, however the number is considered minor in the context of daily traffic movements along this section of the Bass Highway.

Use Standards

E9.5.1 Provision for Parking

Objective

Provision is to be made for convenient, accessible, and usable vehicle parking to satisfy requirements for use or development without impact for use or development of other land or for the safety and operation of any road.

Acceptable Solution

A1

Provision for parking must be –

Performance Criteria

P1

(a) It must be unnecessary or unreasonable to require

- | | |
|--|---|
| <p>(a) <i>The minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class shown in the Table to this Code;</i></p> | <p><i>arrangements for the provision of vehicle parking; or</i></p> <p>(b) <i>Adequate and appropriate provision must be made for vehicle parking to meet –</i></p> <ul style="list-style-type: none"> (i) <i>Anticipated requirement for the type, scale and intensity of the use;</i> (ii) <i>Likely needs and requirements of the site users; and</i> (iii) <i>Likely type, number, frequency and duration of vehicle parking demand.</i> |
|--|---|

Complies with A1

Table E9.1 requires the following parking ratio for resource processing:

- (a) 1 space/75m² gross floor area for manufacturing or processing workshop
- (b) 1 x space/40m² gross office floor area.

Given there is no increase in floor area in terms of either the processing plant or office, there is no requirement for additional parking to be provided on site. It is noted there are 120 staff car parks and 10 visitor car parks on site currently.

E9.5.2 Provision for loading and unloading of vehicles

Objective

Provision is made for conveniently located and accessible areas for the loading and unloading of goods and materials and for the pick-up and set-down of passengers from vehicles

Acceptable Solution

A1

There must be provision within a site for –

- (a) *On-site loading area in accordance with the requirements in the Table to this Code; and*
- (b) *Passenger vehicle pick-up and set-down facilities for business, commercial, educational and*

Performance Criteria

P1

- (a) *It must be unnecessary or unreasonable to require arrangements for loading and unloading of vehicles; or*
- (b) *Adequate and appropriate provision must be made for the loading and unloading of vehicles to meet –*

<p><i>retail use at the rate of 1 spaces for every parking spaces.</i></p>	<p>(i) <i>Likely volume, type and frequency of vehicles associated with the delivery and collections of goods and passengers; and</i></p> <p>(ii) <i>Likely frequency and duration requirements for delivery and collection of goods or people.</i></p>
--	---

Complies with A1

Table 9.1 requires a loading area for one articulated truck. There is a truck loading area for several trucks on the eastern side of the building. As the overall size of the building does not increase, there is not a requirement for additional loading areas.

Development Standards

<p>E9.6.1 Design of vehicle parking and unloading areas</p> <p>Objective</p> <p><i>Vehicle circulation, loading and parking areas –</i></p> <p>(a) <i>Protect the efficient operation and safety of the road from which access is provided;</i></p> <p>(b) <i>Promote efficiency, convenience, safety and security for vehicles and users; and</i></p> <p>(c) <i>Provide an appropriate layout and adequate dimension to accommodate passenger or freight vehicle associated with the use or the site.</i></p>	
<p>Acceptable Solution</p> <p>A1.1</p> <p><i>All development must provide for the collection, drainage and disposal of stormwater; and</i></p> <p>A1.2</p> <p><i>Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed</i></p>	<p>Performance Criteria</p> <p>P1</p> <p><i>The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for –</i></p> <p>(a) <i>The nature and intensity of the use;</i></p>



Use and Village Zone, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –

- (a) Be in accordance with AS/NZS2890.1 (2004) – Parking Facilities – Off Street Car Parking*
- (b) Be in accordance with AS/NZS2890.2 (2004) – Parking Facilities – Off Street Commercial Vehicles*
- (c) Be in accordance with AS/NZS2890.3 (2004) – Parking Facilities – Bicycle Parking Facilities*
- (d) Be in accordance with AS/NZS2890.4 (2004) – Parking Facilities – Off Street Parking for People with Disabilities*
- (e) Each parking space must be separately accessed from the internal circulation aisle within the site;*
- (f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and*
- (g) Be formed and constructed with compacted sub-base and an all weather surface.*

- (b) Effect of size, slope and other physical characteristics and conditions of the site;*
- (c) Likely volume, type, frequency of vehicles accessing the site;*
- (d) Likely demand for turnover of parking;*
- (e) Delivery and collection vehicles*
- (f) Familiarity of users with the vehicle loading and vehicle parking area;*
- (g) Convenience and safety of access to the site from a road;*
- (h) Safety and convenience of internal vehicle and pedestrian movement.*

A2

Design and construction of an access strip and vehicle circulation movement and standards areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource or

P2

Design of internal access roads and vehicle circulation, movement and standing areas for permitted use on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be adequate

Environmental Management Zones must be in accordance with the principles and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB.

and appropriate for the likely type, volume, and frequency of traffic

Not applicable

No new access or parking areas are proposed.

4.4.10 Wetlands and Waterways Code E10.0

Not applicable.





5 Conclusion

Approval is sought for an increase in production capacity at Huon Aquaculture's Paramatta Creek fish processing plant from 14,000 tpa to 33,000 tpa. Both the existing production levels and proposed production levels constitute a Level 2 Activity under the *Environmental Management and Pollution Control Act 1994*. Accordingly a DPMP has been prepared and provides the detail around the proposal and its environmental impacts.

In terms of assessment against the Latrobe Planning Scheme, the use is discretionary in the Rural Resource Zone and triggers assessment against Clause 26.3.1 'Requirement for discretionary non-residential use to located on rural resource land.'

The proposal complies with all other relevant Code provisions. The increase in traffic to the site is not significant above existing numbers and as the development footprint is not increasing, there is no requirement for additional car parking spaces.

On the basis of this submission and the accompanying DPMP the application is considered to include sufficient information to enable Council to consider the proposed use and development and make a determination in accordance with Clause 8.10 of the Interim Planning Scheme.



6 Appendix A – Development Proposal and Environmental Management Plan



7 Appendix C - Certificates of Title





SEARCH OF TORRENS TITLE

VOLUME 39630	FOLIO 1
EDITION 13	DATE OF ISSUE 29-Jun-2017

SEARCH DATE : 28-Nov-2019

SEARCH TIME : 02.54 PM

DESCRIPTION OF LAND

Parish of VIRGINSTOW, Land District of DEVON
Lot 1 on Diagram 39630
Derivation : Part of Lot 18546, 23A-3R-24Ps. gtd. to Thomas Deverell.
Prior CT 4048/28

SCHEDULE 1

M346444, M609444 & M634816 TROY ARTHUR PETRE LAYTON of one undivided 1/2 share and RODNEY ARTHUR LAYTON and HELEN SUZANNE LAYTON (jointly as between themselves) of one undivided 1/2 share as tenants in common
Registered 29-Jun-2017 at 12.02 PM

SCHEDULE 2

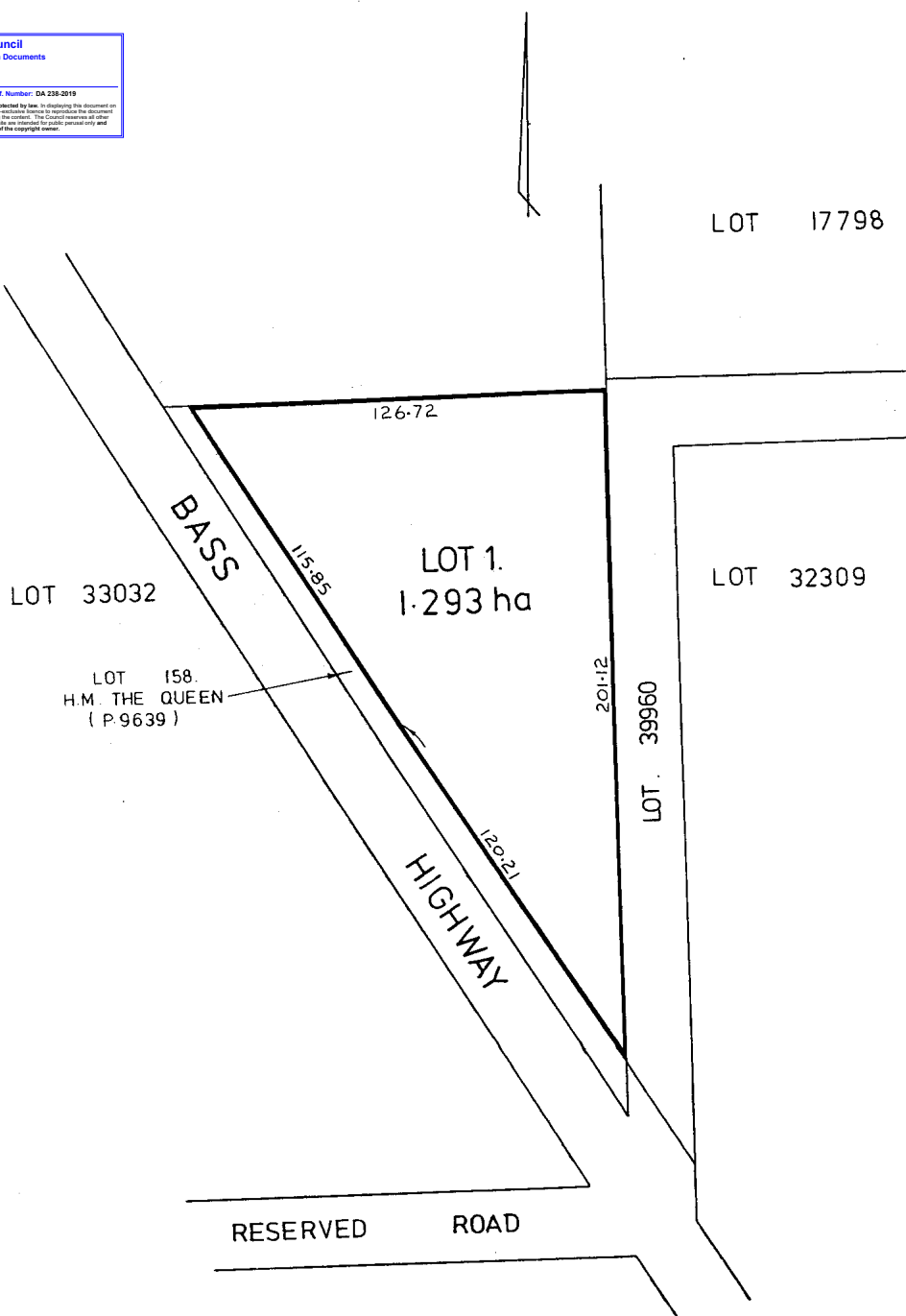
Reservations and conditions in the Crown Grant if any
E75393 MORTGAGE to Rabobank Australia Limited Registered
29-Jun-2017 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Owner:	PLAN OF TITLE of land situated in the DEVON VIRGINSTOW COMPILED FROM...S.P8067 SCALE 1:1500 MEASUREMENTS IN METRES	Registered Number: D. 39630
Title Reference: C.T.4048/28		Approved.....
Grantee:		Recorder of Titles

CAUTION --- COUNCIL APPROVAL
REQUIRED FOR FURTHER SUBDIVISION





SEARCH OF TORRENS TITLE

VOLUME 158261	FOLIO 1
EDITION 4	DATE OF ISSUE 13-Nov-2014

SEARCH DATE : 11-Nov-2019

SEARCH TIME : 03.42 PM

DESCRIPTION OF LAND

Parish of VIRGINSTOW Land District of DEVON
Lot 1 on Sealed Plan 158261
Derivation : Part of Lot 32309, 400 Acres Gtd. to Reggie
Harold Brown.
Prior CT 104548/2

SCHEDULE 1

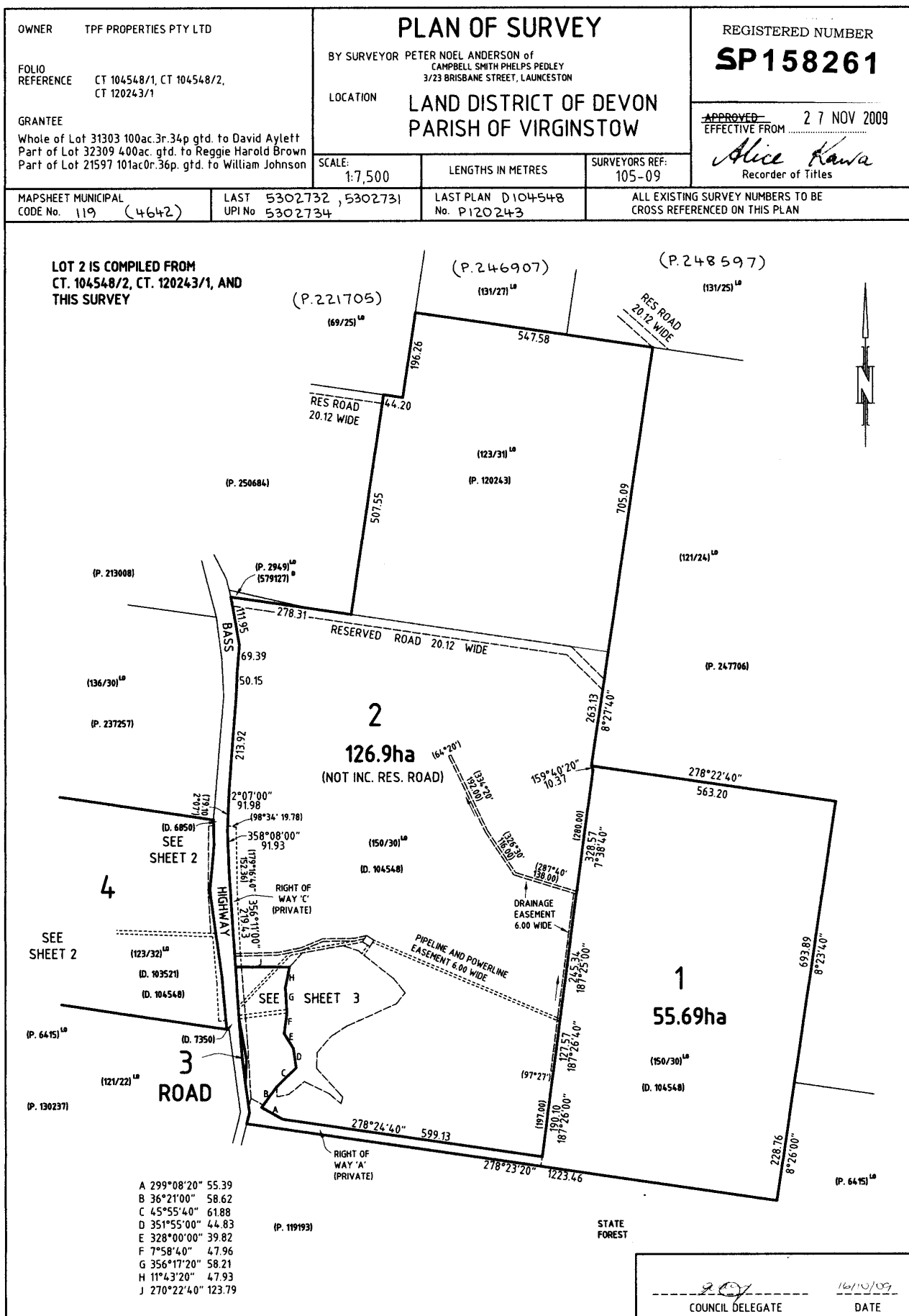
D112483 TRANSFER to HUON AQUACULTURE COMPANY P/L Registered
13-Nov-2014 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP158261 EASEMENTS in Schedule of Easements
SP158261 FENCING COVENANT in Schedule of Easements
M473973 MORTGAGE to COOPERATIEVE CENTRALE
RAIFFEISEN-BOERENLEENBANK B.A. Registered
13-Nov-2014 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



<p>PLAN OF SURVEY ANNEXURE SHEET SHEET 2 OF 3 SHEETS</p>	<p>OWNER TPF PROPERTIES PTY LTD</p> <p>FOLIO REFERENCE CT 104548/1, CT 104548/2, CT 120243/1</p> <p>SCALE 1:5000 LENGTH IN METRES</p>	<p>Registered Number</p> <p>SP158261</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p><i>[Signature]</i> 6/10/09 Council Delegate Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <p><i>[Signature]</i> 7.10.2009 Registered Land Surveyor Date</p>	<p>APPROVED 27 NOV 2009 EFFECTIVE FROM</p> <p><i>[Signature]</i> Recorder of Titles</p>

LOT 4 IS COMPILED FROM
CT. 104548/1 AND THIS SURVEY

Latrobe Council
Planning Exhibition Documents

Date Advertised: 29-2-2020 Ref. Number: DA 238-2019

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LOT 4: 40.91 ha

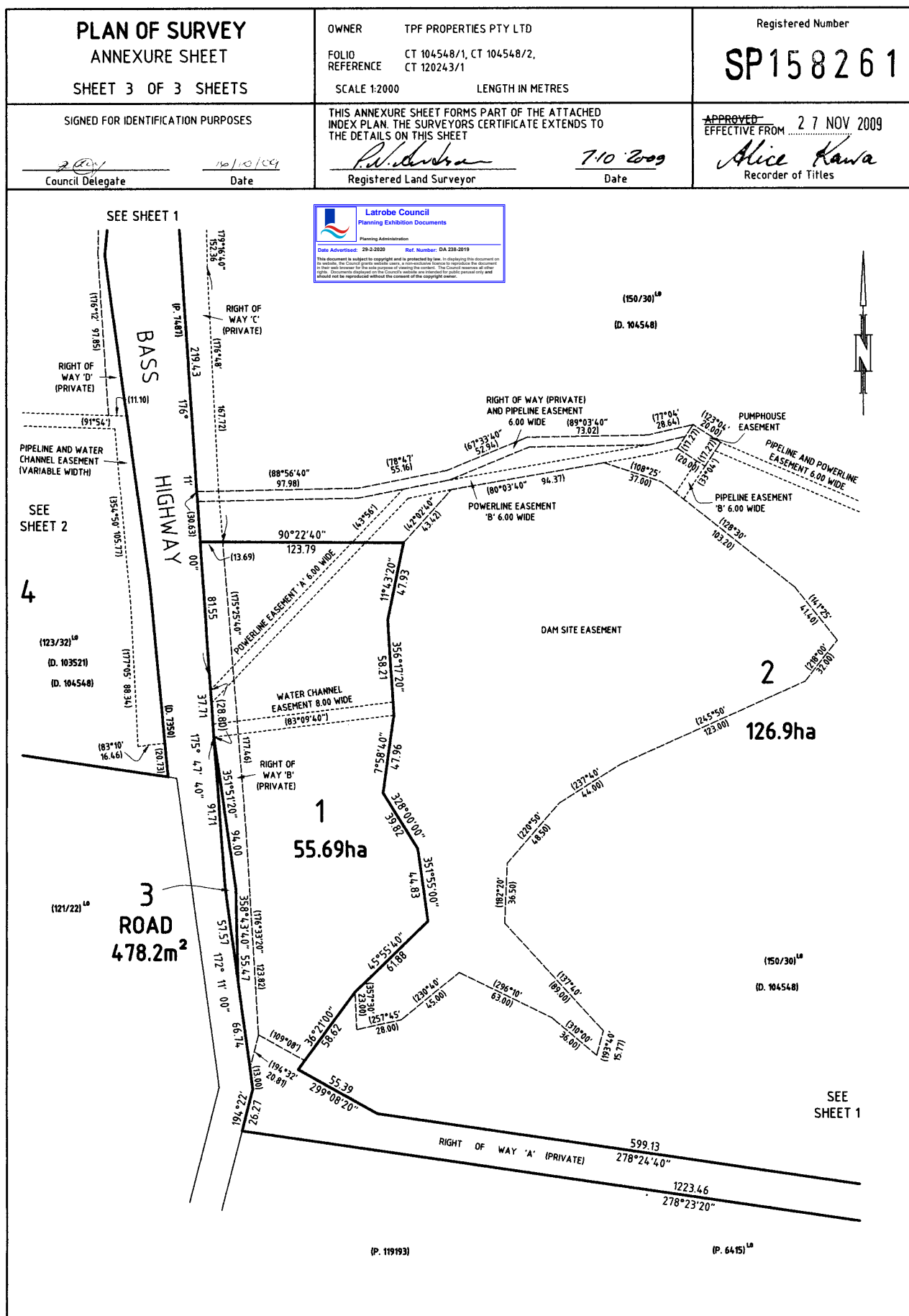
Adjacent lots: (P. 118544), (136/30)^{LO}, (P. 237257), (123/32)^{LO}, (D. 103521), (D. 104548), (150/30)^{LO}, (D. 104548), (P. 7487), (P. 6415)^{LO}, (P. 130237), (121/22)^{LO}, (D. 7350).

Highway: BASS HIGHWAY

Easements: PIPELINE EASEMENT 'A' 6.00 WIDE, RESERVOIR EASEMENT, PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH).

Other features: RIGHT OF WAY 'D' (PRIVATE), RIGHT OF WAY 'C' (PRIVATE), RIGHT OF WAY 'B' (PRIVATE).

References: SEE SHEET 1, SEE SHEET 2, SEE SHEET 3.



<p align="center">SCHEDULE OF EASEMENTS</p> <p>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>	<p align="center">Registered Number</p> <p align="center">SP158261</p>
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Page 1 of 6

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 and profits á 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 lot on the plan; and,
- (2) any easements or profits á prendre described hereunder.

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

EASEMENTS

Lot 1 on the plan is together with a pipeline and power line easement over the strip of land marked "PIPELINE AND POWERLINE EASEMENT 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a power line easement over the strip of land marked "POWERLINE EASEMENT 'B' 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'B' 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a right of carriageway and pipeline easement over the strip of land marked "RIGHT OF WAY (PRIVATE) AND PIPELINE EASEMENT 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a pump house easement over the area of land marked "PUMPHOUSE EASEMENT" located on Lot 2 as shown on the plan.

Lot 1 on the plan is together with a dam site easement over the area of land marked "DAM SITE EASEMENT" located on Lot 2 as shown on the plan.

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: TPF PROPERTIES PTY LTD</p> <p>FOLIO REFERENCE: CT 104548/1, CT 104548/2 CT 120243/1</p> <p>SOLICITOR & REFERENCE: JAMES GROOM & CO. (J.E.KENNEDY)</p>	<p>PLAN SEALED BY: LATROBE COUNCIL</p> <p>DATE: 16/10/09</p> <p>21/5/2009 REF. NO. Council Delegate</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 2 of 6

Lot 1 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'C' (PRIVATE)" passing over Lot 2 as shown on the plan.

Lot 1 on the plan is together with a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'A' 6.00 WIDE" passing through Lot 4 as shown on the plan.

Lot 1 on the plan is together with a reservoir easement over the area of land marked "RESERVOIR EASEMENT" located on Lot 4 as shown on the plan.

Lot 1 on the plan is together with a pipeline and water channel easement over the strip of land marked "PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH)" passing through Lot 4 as shown on the plan.

Lot 1 on the plan is together with a right of carriageway over the land marked "RIGHT OF WAY 'D' (PRIVATE)" located on Lot 4 as shown on the plan.

~~Lot 1 on the plan is together with a pipeline easement created by Plan D103522 registered on Certificate of Title Volume 104214 Folio 1.~~

Lot 1 on the plan is subject to a right of carriageway over the strip of land marked "RIGHT OF WAY 'A' (PRIVATE)" appurtenant to Lot 2 as shown on the plan.

Lot 1 on the plan is subject to a right of carriageway over the strip of land marked "RIGHT OF WAY 'B' (PRIVATE)" appurtenant to Lot 2 and Lot 4 as shown on the plan.

Lot 1 on the plan is subject to a power line easement over the strip of land marked "POWERLINE EASEMENT 'A' 6.00 WIDE" appurtenant to Lot 2 as shown on the plan.

Lot 1 on the plan is subject to a water channel easement over the land marked "WATER CHANNEL EASEMENT 8.00 WIDE" appurtenant to Lot 2 as shown on the plan.

Lot 2 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'A' (PRIVATE)" located on Lot 1 as shown on the plan.

Lot 2 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'B' (PRIVATE)" located on Lot 1 as shown on the plan.

Lot 2 on the plan is together with a power line easement over the strip of land marked "POWERLINE EASEMENT 'A' 6.00 WIDE" passing through Lot 1 as shown on the plan.

Lot 2 on the plan is together with a water channel easement over the strip of land marked "WATER CHANNEL EASEMENT 8.00 WIDE" passing through Lot 1 as shown on the plan.

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 3 of 6

Lot 2 on the plan is together with a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'A' 6.00 WIDE" passing through Lot 4 as shown on the plan.

Lot 2 on the plan is together with a reservoir easement over the area of land marked "RESERVOIR EASEMENT" located on Lot 4 as shown on the plan.

Lot 2 on the plan is together with a pipeline and water channel easement over the strip of land marked "PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH)" passing through Lot 4 as shown on the plan.

Lot 2 on the plan is together with a right of carriageway over the land marked "RIGHT OF WAY 'D' (PRIVATE)" located on Lot 4 as shown on the plan.

~~Lot 2 on the plan is together with a pipeline easement created by Plan D103522 registered on Certificate of Title Volume 104214 Folio 1.~~

Lot 2 on the plan is subject to a pipeline and power line easement over the strip of land marked "PIPELINE AND POWERLINE EASEMENT 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'B' 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a power line easement over the strip of land marked "POWERLINE EASEMENT 'B' 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a right of carriageway and pipeline easement over the strip of land marked "RIGHT OF WAY (PRIVATE) AND PIPELINE EASEMENT 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a right of carriageway over the strip of land marked "RIGHT OF WAY 'C' (PRIVATE)" appurtenant to Lot 1 and Lot 4 as shown on the plan.

Lot 2 on the plan is subject to a dam site easement over the area of land marked "DAM SITE EASEMENT" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a pump house easement over the area of land marked "PUMPHOUSE EASEMENT" appurtenant to Lot 1 as shown on the plan.

Lot 4 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'B' (PRIVATE)" located on Lot 1 as shown on the plan.

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 4 of 6

Lot 4 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'C' (PRIVATE)" located on Lot 2 as shown on the plan.

~~Lot 4 on the plan is together with a pipeline easement created by Plan D103522 registered on Certificate of Title Volume 104214 Folio 1.~~

Lot 4 on the plan is subject to a right of carriageway marked "RIGHT OF WAY 'D' (PRIVATE)" appurtenant to Lot 1 and Lot 2 as shown on the plan.

Lot 4 on the plan is subject to a pipeline and water channel easement marked "PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH)" appurtenant to Lot 1 and Lot 2 as shown on the plan.

Lot 4 on the plan is subject to a reservoir easement over the area of land marked "RESERVOIR EASEMENT" appurtenant to Lot 1 and Lot 2 as shown on the plan.

Lot 4 on the plan is subject to a pipeline easement marked "PIPELINE EASEMENT 'A' 6.00 WIDE" appurtenant to Lot 1 and Lot 2 as shown on the plan.

EASEMENTS CONTINUED ON PAGE 6

DEFINITIONS

In this Schedule of Easements:-

PIPELINE EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the strip of land marked "Pipeline Easement";
 - (b) to install, repair, maintain or replace water pipes for the purpose of pumping and conveying water through such pipes to the dominant tenement at a minimum depth of 0.7m;
- together with such machinery and tools as is deemed necessary.

POWERLINE EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the strip of land marked "Powerline Easement";
 - (b) to install, repair, maintain or replace power lines for the purpose of supplying electrical power through such strips of land to the pumphouse easement;
- together with such machinery and tools as is deemed necessary.

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 5 of 6

PUMPHOUSE EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the area of land marked "Pumphouse Easement";
- (b) to install, operate and maintain pump(s) and a building for use as a pump house for the purpose of pumping water for the dominant tenement;
- (c) to repair, maintain or replace such pump(s) and pump house as is deemed necessary; together with such machinery and tools as is deemed necessary.

DAM SITE EASEMENT means the full, free and uninterrupted right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the area of land marked "Dam Site Easement";
 - (b) to collect and store water on the Dam Site Easement;
 - (c) to draw and take water from the Dam Site Easement;
 - (d) to build and maintain a dam on the site if the existing dam is destroyed or removed;
 - (e) to do all necessary works and things in connection therewith without doing unnecessary damage to the dam;
- together with such machinery and tools as is deemed necessary.

RESERVOIR EASEMENT means the full, free and uninterrupted right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the area of land marked "Reservoir Easement";
 - (b) to collect and store water on the Reservoir Easement;
 - (c) to draw and take water from the Reservoir Easement;
 - (d) to have, repair, maintain or replace the storage reservoirs as is deemed necessary;
- together with such machinery and tools as is deemed necessary.

WATER CHANNEL EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the strip of land marked "Water Channel Easement";
- (b) to use the Water Channel Easement for the purpose of conveying water through such easement to the dominant tenement;
- (c) to break the surface of, dig, open up and use the Water Channel Easement as is deemed necessary;

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

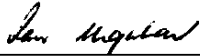
Page 6 of 6


together with such machinery and tools as is deemed necessary.

**FENCING
COVENANTS**

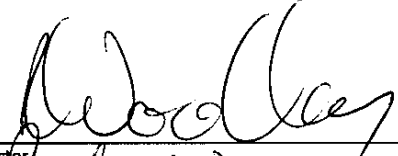
In respect of the Lots shown on the Plan, the Vendor, TPF Properties Pty Ltd shall not be required to fence.


EXECUTED by TPF PROPERTIES PTY LTD
pursuant to Section 127 of the Corporations
Act 2001.



Secretary


Name of Secretary



Director


Name of Director

EASEMENTS CONTINUED

Lots 1 & 4 & that portion of Lot 2 on the plan formerly comprised in Lot 2 on D104548 are each together with a pipeline easement with provisions over the Pipeline Easement 10.00 wide shown on D104548 created by and more fully defined in B583843.

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.



SEARCH OF TORRENS TITLE

VOLUME 158261	FOLIO 2
EDITION 3	DATE OF ISSUE 29-Jun-2017

SEARCH DATE : 11-Nov-2019

SEARCH TIME : 03.48 PM

DESCRIPTION OF LAND

Parish of VIRGINSTOW Land District of DEVON
Lot 2 on Sealed Plan 158261
Derivation : Part of Lot 32309, 400 Acres Gtd. to Reggie
Harold Brown & Whole of Lot 31303, 100A-3R-34P Gtd to David
Aylett
Prior CTs 120243/1 and 104548/2

SCHEDULE 1

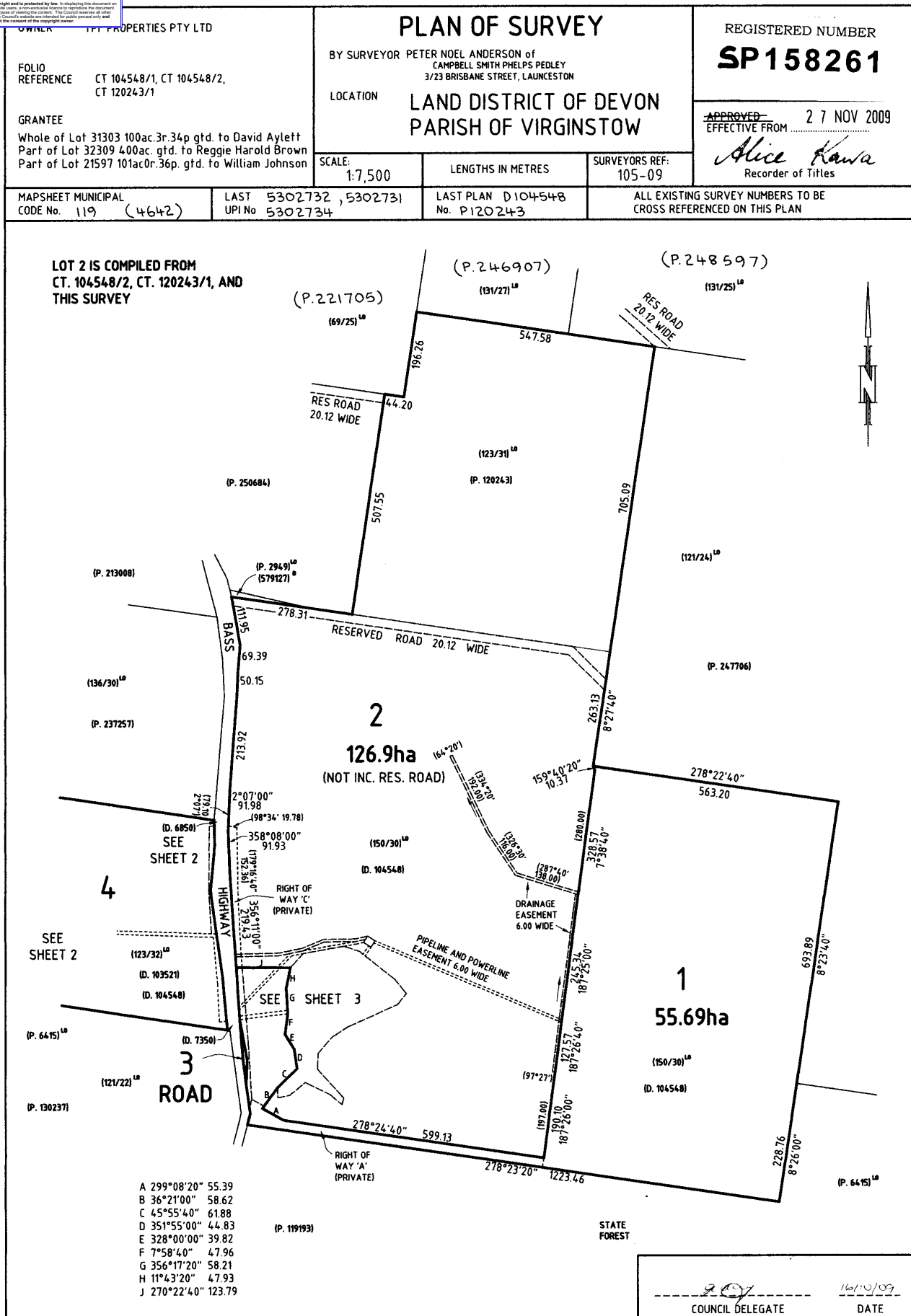
M346444, M609444 & M634816 TROY ARTHUR PETRE LAYTON of one
undivided 1/2 share and RODNEY ARTHUR LAYTON and
HELEN SUZANNE LAYTON (jointly as between themselves)
of one undivided 1/2 share as tenants in common
Registered 29-Jun-2017 at 12.02 PM

SCHEDULE 2




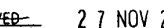
Reservations and conditions in the Crown Grant if any
SP158261 EASEMENTS in Schedule of Easements
SP158261 FENCING COVENANT in Schedule of Easements
E75393 MORTGAGE to Rabobank Australia Limited Registered
29-Jun-2017 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

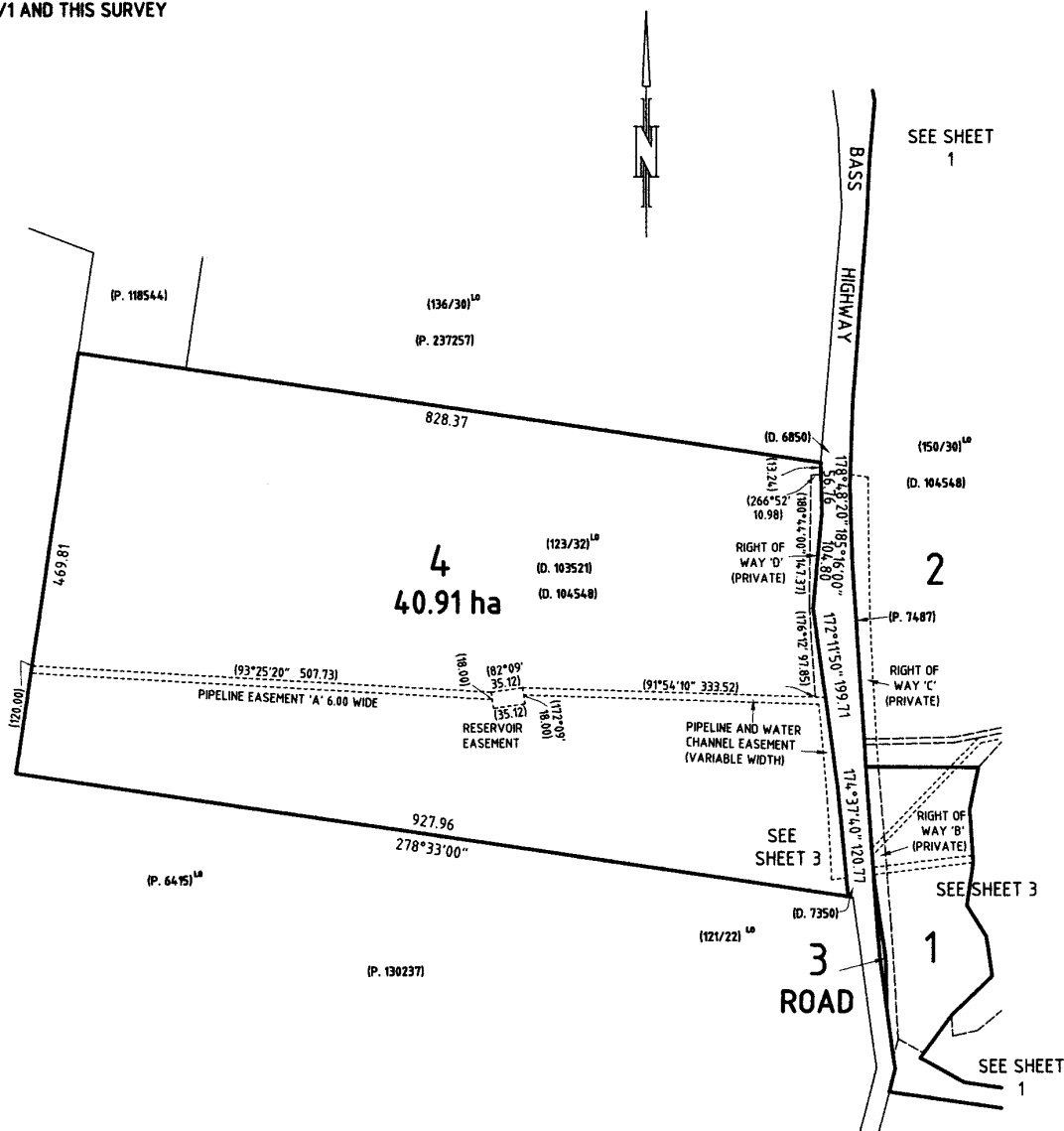
No unregistered dealings or other notations

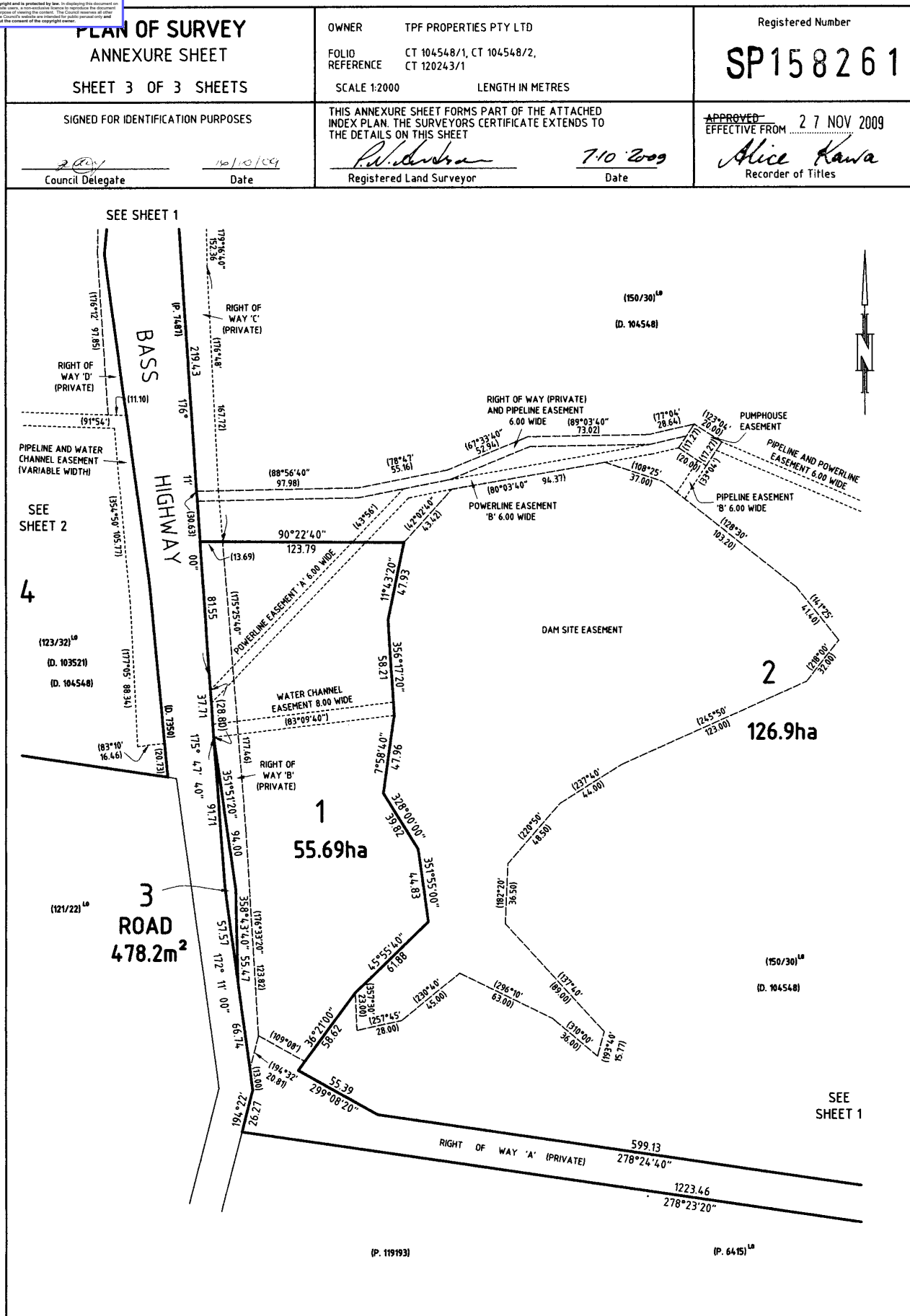




<p><small>This document is copyright owned by the Registrar-General of Land and is protected by law. No reproducing this document or its contents in any form without the written consent of the Registrar-General of Land is permitted. The Registrar-General of Land does not accept responsibility for the accuracy or completeness of the information contained herein. The Registrar-General of Land does not warrant the accuracy or completeness of the information contained herein. The Registrar-General of Land does not accept responsibility for the accuracy or completeness of the information contained herein.</small></p> <h1 style="text-align: center;">PLAN OF SURVEY</h1> <h2 style="text-align: center;">ANNEXURE SHEET</h2> <h3 style="text-align: center;">SHEET 2 OF 3 SHEETS</h3>		<p>OWNER TPF PROPERTIES PTY LTD</p> <p>FOLIO CT 104548/1, CT 104548/2, REFERENCE CT 120243/1</p> <p>SCALE 1:5000 LENGTH IN METRES</p>	<p>Registered Number</p> <h1 style="text-align: center;">SP158261</h1>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div>  _____ Council Delegate </div> <div>  _____ Date </div> </div>		<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  _____ Registered Land Surveyor </div> <div style="text-align: right;"> <p>7-10-2009 _____ Date</p> </div> </div>	
		<p>APPROVED 27 NOV 2009 EFFECTIVE FROM</p> <div style="text-align: right; margin-top: 10px;">  _____ Recorder of Titles </div>	

LOT 4 IS COMPILED FROM
CT. 104548/1 AND THIS SURVEY





SCHEDULE OF EASEMENTS

NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

Registered Number

SP15 8261

Page 1 of 6

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 and profits á 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 lot on the plan; and,
- (2) any easements or profits á prendre described hereunder.

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

EASEMENTS

Lot 1 on the plan is together with a pipeline and power line easement over the strip of land marked "PIPELINE AND POWERLINE EASEMENT 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a power line easement over the strip of land marked "POWERLINE EASEMENT 'B' 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'B' 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a right of carriageway and pipeline easement over the strip of land marked "RIGHT OF WAY (PRIVATE) AND PIPELINE EASEMENT 6.00 WIDE" passing through Lot 2 as shown on the plan.

Lot 1 on the plan is together with a pump house easement over the area of land marked "PUMPHOUSE EASEMENT" located on Lot 2 as shown on the plan.

Lot 1 on the plan is together with a dam site easement over the area of land marked "DAM SITE EASEMENT" located on Lot 2 as shown on the plan.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER:	TPF PROPERTIES PTY LTD	PLAN SEALED BY: LATROBE COUNCIL
FOLIO REFERENCE:	CT 104548/1, CT 104548/2 CT 120243/1	DATE: 16/10/09
SOLICITOR & REFERENCE:	JAMES GROOM & CO. (J.E.KENNEDY)	DA 5/2009 REF. NO.
		Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 2 of 6

Lot 1 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'C' (PRIVATE)" passing over Lot 2 as shown on the plan.

Lot 1 on the plan is together with a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'A' 6.00 WIDE" passing through Lot 4 as shown on the plan.

Lot 1 on the plan is together with a reservoir easement over the area of land marked "RESERVOIR EASEMENT" located on Lot 4 as shown on the plan.

Lot 1 on the plan is together with a pipeline and water channel easement over the strip of land marked "PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH)" passing through Lot 4 as shown on the plan.

Lot 1 on the plan is together with a right of carriageway over the land marked "RIGHT OF WAY 'D' (PRIVATE)" located on Lot 4 as shown on the plan.

~~Lot 1 on the plan is together with a pipeline easement created by Plan D103522 registered on Certificate of Title Volume 104214 Folio 1.~~

Lot 1 on the plan is subject to a right of carriageway over the strip of land marked "RIGHT OF WAY 'A' (PRIVATE)" appurtenant to Lot 2 as shown on the plan.

Lot 1 on the plan is subject to a right of carriageway over the strip of land marked "RIGHT OF WAY 'B' (PRIVATE)" appurtenant to Lot 2 and Lot 4 as shown on the plan.

Lot 1 on the plan is subject to a power line easement over the strip of land marked "POWERLINE EASEMENT 'A' 6.00 WIDE" appurtenant to Lot 2 as shown on the plan.

Lot 1 on the plan is subject to a water channel easement over the land marked "WATER CHANNEL EASEMENT 8.00 WIDE" appurtenant to Lot 2 as shown on the plan.

Lot 2 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'A' (PRIVATE)" located on Lot 1 as shown on the plan.

Lot 2 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'B' (PRIVATE)" located on Lot 1 as shown on the plan.

Lot 2 on the plan is together with a power line easement over the strip of land marked "POWERLINE EASEMENT 'A' 6.00 WIDE" passing through Lot 1 as shown on the plan.

Lot 2 on the plan is together with a water channel easement over the strip of land marked "WATER CHANNEL EASEMENT 8.00 WIDE" passing through Lot 1 as shown on the plan.

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 3 of 6

Lot 2 on the plan is together with a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'A' 6.00 WIDE" passing through Lot 4 as shown on the plan.

Lot 2 on the plan is together with a reservoir easement over the area of land marked "RESERVOIR EASEMENT" located on Lot 4 as shown on the plan.

Lot 2 on the plan is together with a pipeline and water channel easement over the strip of land marked "PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH)" passing through Lot 4 as shown on the plan.

Lot 2 on the plan is together with a right of carriageway over the land marked "RIGHT OF WAY 'D' (PRIVATE)" located on Lot 4 as shown on the plan.

~~Lot 2 on the plan is together with a pipeline easement created by Plan D103522 registered on Certificate of Title Volume 104214 Folio 1.~~

Lot 2 on the plan is subject to a pipeline and power line easement over the strip of land marked "PIPELINE AND POWERLINE EASEMENT 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a pipeline easement over the strip of land marked "PIPELINE EASEMENT 'B' 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a power line easement over the strip of land marked "POWERLINE EASEMENT 'B' 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a right of carriageway and pipeline easement over the strip of land marked "RIGHT OF WAY (PRIVATE) AND PIPELINE EASEMENT 6.00 WIDE" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a right of carriageway over the strip of land marked "RIGHT OF WAY 'C' (PRIVATE)" appurtenant to Lot 1 and Lot 4 as shown on the plan.

Lot 2 on the plan is subject to a dam site easement over the area of land marked "DAM SITE EASEMENT" appurtenant to Lot 1 as shown on the plan.

Lot 2 on the plan is subject to a pump house easement over the area of land marked "PUMPHOUSE EASEMENT" appurtenant to Lot 1 as shown on the plan.

Lot 4 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'B' (PRIVATE)" located on Lot 1 as shown on the plan.

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

Page 4 of 6

Lot 4 on the plan is together with a right of carriageway over the strip of land marked "RIGHT OF WAY 'C' (PRIVATE)" located on Lot 2 as shown on the plan.

~~Lot 4 on the plan is together with a pipeline easement created by Plan D103522 registered on Certificate of Title Volume 104214 Folio 1.~~

Lot 4 on the plan is subject to a right of carriageway marked "RIGHT OF WAY 'D' (PRIVATE)" appurtenant to Lot 1 and Lot 2 as shown on the plan.

Lot 4 on the plan is subject to a pipeline and water channel easement marked "PIPELINE AND WATER CHANNEL EASEMENT (VARIABLE WIDTH)" appurtenant to Lot 1 and Lot 2 as shown on the plan.

Lot 4 on the plan is subject to a reservoir easement over the area of land marked "RESERVOIR EASEMENT" appurtenant to Lot 1 and Lot 2 as shown on the plan.

Lot 4 on the plan is subject to a pipeline easement marked "PIPELINE EASEMENT 'A' 6.00 WIDE" appurtenant to Lot 1 and Lot 2 as shown on the plan.

EASEMENTS CONTINUED ON PAGE 6

DEFINITIONS

In this Schedule of Easements:-

PIPELINE EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the strip of land marked "Pipeline Easement";
 - (b) to install, repair, maintain or replace water pipes for the purpose of pumping and conveying water through such pipes to the dominant tenement at a minimum depth of 0.7m;
- together with such machinery and tools as is deemed necessary.

POWERLINE EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the strip of land marked "Powerline Easement";
 - (b) to install, repair, maintain or replace power lines for the purpose of supplying electrical power through such strips of land to the pumphouse easement;
- together with such machinery and tools as is deemed necessary.

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
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PUMPHOUSE EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the area of land marked "Pumphouse Easement";
- (b) to install, operate and maintain pump(s) and a building for use as a pump house for the purpose of pumping water for the dominant tenement;
- (c) to repair, maintain or replace such pump(s) and pump house as is deemed necessary; together with such machinery and tools as is deemed necessary.

DAM SITE EASEMENT means the full, free and uninterrupted right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the area of land marked "Dam Site Easement";
 - (b) to collect and store water on the Dam Site Easement;
 - (c) to draw and take water from the Dam Site Easement;
 - (d) to build and maintain a dam on the site if the existing dam is destroyed or removed;
 - (e) to do all necessary works and things in connection therewith without doing unnecessary damage to the dam;
- together with such machinery and tools as is deemed necessary.

RESERVOIR EASEMENT means the full, free and uninterrupted right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the area of land marked "Reservoir Easement";
 - (b) to collect and store water on the Reservoir Easement;
 - (c) to draw and take water from the Reservoir Easement;
 - (d) to have, repair, maintain or replace the storage reservoirs as is deemed necessary;
- together with such machinery and tools as is deemed necessary.

WATER CHANNEL EASEMENT means the full, free and uninterrupted right of every person who is entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof, his agents, servants and workmen and every person authorised by him from time to time with which such right shall be capable of enjoyment in common with the owner of the servient tenement:-

- (a) to enter upon the strip of land marked "Water Channel Easement";
- (b) to use the Water Channel Easement for the purpose of conveying water through such easement to the dominant tenement;
- (c) to break the surface of, dig, open up and use the Water Channel Easement as is deemed necessary;

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.

ANNEXURE TO SCHEDULE OF EASEMENTS		Registered Number
SUBDIVIDER:	TPF PROPERTIES PTY LTD	SP158261
FOLIO REFERENCE:	CT 104548/1, CT 104548/2, CT 120243/1	

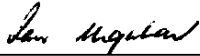
Page 6 of 6


together with such machinery and tools as is deemed necessary.

**FENCING
COVENANTS**

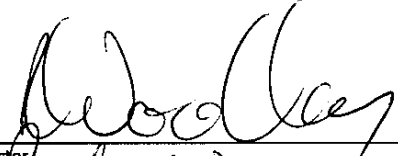
In respect of the Lots shown on the Plan, the Vendor, TPF Properties Pty Ltd shall not be required to fence.


EXECUTED by TPF PROPERTIES PTY LTD
pursuant to Section 127 of the Corporations
Act 2001.



Secretary


Name of Secretary



Director


Name of Director

EASEMENTS CONTINUED

Lots 1 & 4 & that portion of Lot 2 on the plan formerly comprised in Lot 2 on D104548 are each together with a pipeline easement with provisions over the Pipeline Easement 10.00 wide shown on D104548 created by and more fully defined in B583843.

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.



SEARCH OF TORRENS TITLE

VOLUME 221705	FOLIO 1
EDITION 13	DATE OF ISSUE 29-Jun-2017

SEARCH DATE : 11-Nov-2019

SEARCH TIME : 03.51 PM

DESCRIPTION OF LAND

Parish of VIRGINSTOW, Land District of DEVON
Lot 1 on Plan 221705
Derivation : Whole of Lot 17798 Gtd. to G. Smith.
Prior CT 2745/36

SCHEDULE 1

M346444, M609444 & M634816 TROY ARTHUR PETRE LAYTON of one undivided 1/2 share and RODNEY ARTHUR LAYTON and HELEN SUZANNE LAYTON (jointly as between themselves) of one undivided 1/2 share as tenants in common
Registered 29-Jun-2017 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
E75393 MORTGAGE to Rabobank Australia Limited Registered
29-Jun-2017 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1862, as amended
NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE



CERTIFICATE OF TITLE

Register Book
Vol. Fol.
2745 36

Cert. of Title Vol. 426 Fol. 90

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

Recorder of Titles.



DESCRIPTION OF LAND

PARISH OF VIRGINSTOW LAND DISTRICT OF DEVON
FORTY NINE ACRES THREE RODS THIRTY SEVEN PERCHES on the Plan hereon

FIRST SCHEDULE (continued overleaf)

BARRY TERENCE LAMPREY of Sassafra, Bulldozer Driver and
BYN MARGARET LAMPREY his Wife

SECOND SCHEDULE (continued overleaf)
NIL.

IS ARE NO LONGER SUBSISTING.

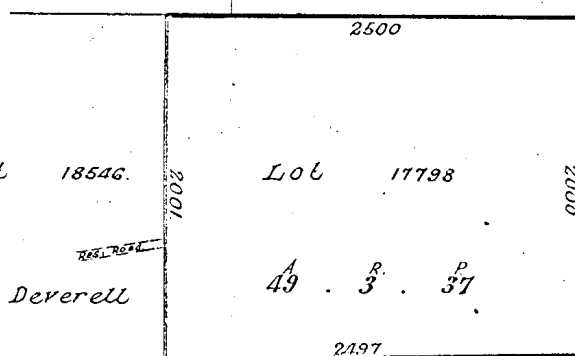
Lot 1 of this plan consists of all the
land comprised in the above-mentioned
cancelled folio of the Register.

REGISTERED NUMBER

221705

NOTE.—EN

Thomas Deverell



Charles Felmingham

Pur:

T. F. J. Smith

Pur:

Whole of Lot 17798 Gtd. to G. Smith. Meas are in links.

FIRST. Edition. Registered

Derived from T.T. Vol. 426 Fol. 90 - Transfer A256464 A.M. Smith.



SEARCH OF TORRENS TITLE

VOLUME 238630	FOLIO 1
EDITION 13	DATE OF ISSUE 29-Jun-2017

SEARCH DATE : 11-Nov-2019

SEARCH TIME : 03.52 PM

DESCRIPTION OF LAND

Parish of VIRGINSTOW, Land District of DEVON
Lot 1 on Plan 238630
Derivation : Part of Lot 18546 Gtd. to T. Deverell.
Prior CT 3538/7

SCHEDULE 1

M346444, M609444 & M634816 TROY ARTHUR PETRE LAYTON of one undivided 1/2 share and RODNEY ARTHUR LAYTON and HELEN SUZANNE LAYTON (jointly as between themselves) of one undivided 1/2 share as tenants in common
Registered 29-Jun-2017 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
E75393 MORTGAGE to Rabobank Australia Limited Registered
29-Jun-2017 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SEARCH OF TORRENS TITLE

VOLUME 250684	FOLIO 1
EDITION 13	DATE OF ISSUE 29-Jun-2017

SEARCH DATE : 11-Nov-2019

SEARCH TIME : 03.50 PM

DESCRIPTION OF LAND

Parish of VIRGINSTOW, Land District of DEVON

Lot 1 on Plan 250684

Derivation : Part of Lot 32309 Gtd. to R.H. Brown Whole of Lot 39960 Gtd. to K.V. & C.F. Brown

Prior CT 4343/22

SCHEDULE 1

M346444, M609444 & M634816 TROY ARTHUR PETRE LAYTON of one undivided 1/2 share and RODNEY ARTHUR LAYTON and HELEN SUZANNE LAYTON (jointly as between themselves) of one undivided 1/2 share as tenants in common
Registered 29-Jun-2017 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B71415 ADHESION ORDER under Section 477A of the Local Government Act 1962 affecting the said land within described Registered 19-Jan-1987 at noon
E75393 MORTGAGE to Rabobank Australia Limited Registered 29-Jun-2017 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



ANNEXURE TO **CERTIFICATE OF TITLE
FOLIO OF REGISTER**

VOL. **4343** FOL. **22**



Acting Recorder of Titles

REGISTERED NUMBER

250684

Lot 1 of this plan consists of all the
land comprised in the above-mentioned
cancelled folio of the Register

PH. VIRGINSTOW
MEAS. IN METRES
D. 22111

M. Q.

