

31 May 2022



Ms Ann Cunningham  
Delegate (Chair)  
Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS

By email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Ms Cunningham

**Re: Northern Midlands draft Local Provisions Schedule**

I refer to your letter dated 5 May 2022, Attachment B of which directs the Planning Authority to address a number of matters. Please find below submissions in relation to these matters.

**1.1 Particular Purpose Zone for Poatina.**

Please see attached.

**1.2 Further details explaining how the proposal to change the zoning for 'Longford House' (folios of the Register 168940/1 and 168940/2) to Rural Living B complies with the Regional Strategy and Guideline No. 1.**

The Regional Strategy

Policies and Actions under Regional Settlement Networks includes:

**RSN-A2**

Land supply will be provided in accordance with the Key Principles through local strategy for Urban Growth Areas which include:

- Priority Consolidation Areas
- Supporting Consolidation Areas
- Growth Corridor
- Future Investigation Areas.

**RSN-A7**

Ensure all rural and environmental living occurs outside Urban Growth Areas.

Map G.3 in the Strategy shows the subject site is outside Priority Consolidation Areas, Supporting Consolidation Areas, Growth Corridors and Future Investigation Areas. The subject site is therefore outside Urban Growth Areas.

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Policies and Actions under Rural Living Development includes:

<p><b>RSN-P21</b>  <i>Rural and environmental lifestyle opportunities will be provided outside urban areas.</i></p>	<p><b>RSN-A20</b>  <i>Rural living land use patterns will be identified based on a predominance of residential land use on large lots in rural settings with limited service capacity.</i></p>
<p><b>RSN-P24</b>  <i>Growth opportunities for rural living will maximise the efficiency of existing services and infrastructure.</i></p>	<p><b>RSN-A24</b>  <i>Future locations of the Rural Living Zone should not require extension of Urban Growth Areas, or unreasonably compromise the productivity of agricultural lands and natural productive resources (within Rural Areas).</i></p>

**RSN-P21** – The subject site is outside an urban area.

**RSN-P24** – The location is on the outskirts of Longford with access to the services provided there and access to the services in Launceston approximately 20 minutes drive by car.

**RSN-A20** – The land use pattern of Rural Living development allowed by the Rural Living B zone is consistent with the residential development on properties to the south.

**RSN-A24** - The 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST identifies the land as potentially constrained criteria 2A and 3 with land to the north and west as potentially constrained criteria 2B and 3. It is submitted that the proposal will not unreasonably compromise the productivity of agricultural lands.

#### Guideline No. 1

**RLZ 1** *The Rural Living Zone should be applied to:*

*(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity.*

The subject land is on the outskirts of a residential area, with residential uses on larger lots immediately to the south.

**RLZ 2** *The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:*

*(a) consistent with the relevant regional land use strategy.*

The proposal is consistent with the Regional Land Use Strategy as outlined above.

**RLZ 3** *The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:*

*(a) a reflection of the existing pattern and density of development within the rural living area.*

Rural Living B is consistent with properties immediately to the south.

**RLZ 4** *The Rural Living Zone should not be applied to land that:*

*(a) is suitable and targeted for future greenfield urban development; or*

*(c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

The Longford Development Plan shows that folio of the register 168940/1 is within the projected urban growth boundary and folio of the register 168940/2 is outside the projected urban growth boundary. Representation 10 considers the use of the Future Urban Zone as an alternative to the Rural Living Zone but notes that further master planning and investigations are required to determine the ultimate zoning of the lands. This is agreed with, as is the reasoning for applying the Rural Living Zone B.

The 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST identifies the land as potentially constrained criteria 2A and 3 and the Rural Living Zone is justified in accordance with the Regional Land Use Strategy as outlined above.

### **1.3 Further details explaining how the proposal to change 1095 Bishopsbourne Road to Rural Living B complies with the Regional Strategy and Guideline No. 1.**

#### Regional Land Use Strategy

The proposal to zone 1095 Bishopsbourne Road Rural Living B is in response to representation 48 which states that 'Requests for larger size blocks continue to be received with Real Estate agents advising there are few available. More people would help sustain the Community'. The proposal complies with Policies and Actions under Regional Settlement Networks are provided as follows:

<b>RSN-P2</b> Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life.	<b>RSN-A5</b> Provide a diverse housing choice that is affordable, accessible and reflects changes in population, including population composition. Ageing populations and single persons should be supported to remain in existing communities as housing needs change; 'ageing in home' options should be provided.
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Policies and Actions under Rural Living Development are provided as follows:

<b>RSN-P21</b> <i>Rural and environmental lifestyle opportunities will be provided outside urban areas.</i>	<b>RSN-A20</b> <i>Rural living land use patterns will be identified based on a predominance of residential land use on large lots in rural settings with limited service capacity.</i>
<b>RSN-P24</b> <i>Growth opportunities for rural living will maximise the efficiency of existing services and infrastructure.</i>	<b>RSN-A24</b> <i>Future locations of the Rural Living Zone should not require extension of Urban Growth Areas, or unreasonably compromise the productivity of agricultural lands and natural productive resources (within Rural Areas).</i>

**RSN-P21** – 1095 Bishopsbourne Road is outside an urban area.

**RSN-P24** – The location will use existing roads, with access to services in Longford approximately 12 minutes by car and in Launceston approximately 30 minutes by car.

**RSN-A20** – The proposal for Rural Living B is based on the larger lot sizes within Bishopsbourne.

**RSN-A24** - The proposal to zone 1095 Bishopsbourne Rural Living B would result in Rural Living Zone adjacent to agricultural land to the north, east and south (over Bishopsbourne Road).

To minimise impacts on adjoining uses, dwellings should be able to be constructed at least 200m from the boundaries with the agricultural land in accordance with clause 11.4.2 4 of the Rural Living Zone. The dimensions of the property are such that it appears this cannot be achieved on the current title, or if it were subdivided in accordance with Rural Living B provisions. Applications for dwellings would therefore have to demonstrate compliance with the performance criteria at clause 11.4.2 P4 of the Rural Living Zone. It is submitted that advice from an agricultural consultant is required to demonstrate whether the proposal to zone the land Rural Living would unreasonably compromise the productivity of agricultural lands.

#### Guideline No. 1

*RLZ 1 The Rural Living Zone should be applied to:*

*(a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity.*

The village of Bishopsbourne is a residential area. The proposal to zone 1095 Bishopsbourne Rural Living B would allow for residential use to expand to adjoin agricultural land to the north, east and south (over Bishopsbourne Road).

To minimise impacts on adjoining uses, dwellings should be able to be constructed at least 200m from the boundaries with the agricultural land in accordance with clause 11.4.2 4 of the Rural Living Zone. The dimensions of the property are such that it appears this cannot be achieved on the current title, or if it were subdivided in accordance with Rural Living B provisions. Applications for dwellings would therefore have to demonstrate compliance with the performance criteria at clause 11.4.2 P4 of the Rural Living Zone.

*RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:*

*(a) consistent with the relevant regional land use strategy.*

The proposal is consistent with the Regional Land Use Strategy as outlined above.

*RLZ 3 The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:*

*(a) a reflection of the existing pattern and density of development within the rural living area.*

Rural Living B has a minimum lot size of 2ha with discretion to reduce this to 1.6ha. This is consistent with the larger lot sizes in the village of Bishopsbourne.

*RLZ 4 The Rural Living Zone should not be applied to land that:*

*(c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant*



*regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

The 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST identifies the land as Unconstrained. The Rural Living Zone is justified in accordance with the Regional Land Use Strategy as outlined above.

**1.4 With regard to 1095 Bishopsbourne Road, Bishopsbourne, and representation number 5; provide a submission which responds to the merit of the representation, noting the proposed inclusion of the land to the Rural Living Zone.**

The representation supports the proposed zoning of the Bishopsbourne/Toiberry district as Agriculture, stating that the district is a significant agricultural with productive soil and reliable access to irrigation water, that it is important that the protection of agricultural land is provided for through the Planning Scheme, and such zoning provides current and future farm businesses with certainty for planning and investment. The representation supports the proposed boundary for the village of Bishopsbourne to remain as it is.

The representation has merit, which is supported by the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST identifying the land surrounding the village of Bishopsbourne as being unconstrained, and with a Land Capability of class 3 'land suited to cropping and intensive grazing with moderate limitations to use' and class 4 'land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops'

The land proposed for the Rural Living Zone (1095 Bishopsbourne Road) is shown as class 3.

**1.6 A copy of the relevant Environment Protection Notice (EPN) for 15 Weston Street, Longford.**

EPN No. 9568/1 is attached.

**1.7 A copy of the Longford Racecourse Masterplan.**

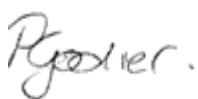
**A revised Specific Area Plan inclusive of necessary changes in order to implement the inclusion of the Racecourse Masterplan.**

**A revised statement addressing 32(4)(a) or (b) of the Act, which supports the inclusion of the Racecourse Masterplan area within the SAP.**

The Longford Racecourse Masterplan is attached. The Masterplan was not exhibited with the draft Local Provisions Schedule and has yet to be endorsed. There is merit in revising Figure NOR-S.6.2.1 Longford Specific Area Plan to exclude from the Longford Specific Area Plan areas covered by the Masterplan (a parcel of land zoned Low Density Residential owned by TasRacing Pty Ltd). The revised Figure is attached.

Please contact me on 6397 7303 or email [planning@nmc.tas.gov.au](mailto:planning@nmc.tas.gov.au) if you require any further information.

Yours sincerely,



Paul Godier

**Senior Planner**

Attachments:

1. Poatina Village PPZ submission
2. EPN No. 9568/1
3. Longford Racecourse Masterplan
4. Revised Figure NOR-S.6.2.1

## Draft Northern Midlands Local Provisions Schedule

### Poatina Village Particular Purpose Zone

#### Justification – Section 34(2) of the Land Use Planning & Approvals Act 1993

Section 32(3) of the *Land Use Planning & Approvals Act 1993* provides that a LPS may include a Particular Purpose Zone (PPZ) , Specific Area Plan or Site-Specific Qualification.

Section 32(4) requires that the inclusion of any of these provisions in a LPS must demonstrate that:

*(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

*(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

These criteria are addressed as follows:

#### **32(4)(a) Significant Benefit**

The demonstration of ‘significance’ is, by nature, a subjective exercise as some in a community may value the contribution of settlements to a municipal area or region, more than others.

The Poatina Village is a unique settlement in its isolation and that it is privately owned. It is a supported community that includes within its boundaries commercial and recreational activities that attract external patronage and local services for the resident population. It has an economic and social role within the municipality in its location on the main tourist route to the central plateau in that it provides tourist retail services and amenities that capitalise on the locational amenity at the base of the Western Tiers. In this regard, the Poatina Village can readily be regarded as having significance in the municipal area in delivering the Council’s strategies as expressed in the Strategic Plan 2021 – 2027 for:

*People: Strategic Outcome 3.4 - Towns Are enviable places to visit, live and work; and*

*Place: Strategic Outcome 4.3 – Eco-tourism strongly showcases our natural beauties.*

Particularly relevant is the ‘mission’ for people and place...

*Build a vibrant society that respects the past. Culture and society – a vibrant future that respects the past.*

*Diverse towns and villages service a rural-based industry. Connectivity challenges are innovatively managed to unite disparate communities. Equitable delivery of quality assets, programs and services supports sustainability.*

The privately owned and managed community of the Poatina Village, offers a housing and community choice where active contribution to the community is integral to the ethos, and in turn, the system of support provided to residents offers particular advantages, often to more vulnerable members of society.

It is submitted that these factors constitute a significant economic and social benefit to the municipal area and that the use and development provisions in the Particular Purpose Zone that enable the long-term, financial and social sustainability of the settlement, ensures that the Poatina Village can maintain the value of its contribution.

*has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land*

### **32(4)(b) Environmental, Economic, Social or Spatial Qualities**

The Poatina Village has numerous qualities that set it apart from typical, small rural settlements:

#### **Social Qualities**

The representation describes the historic transition from a town that was established by Hydro Tasmania for the establishment of the hydro-electric scheme to an 'intentional community', who's aim was to develop an environment and community with an emphasis on supporting youth and others in need.

Since this transition, the Poatina Village has evolved to create a community with a supporting structure in a Strata Scheme that is different to a typical, small rural town, despite the fact that it appears, for all intents and purposes, to be an isolated village similar to many others throughout the Tasmanian rural landscape.

The provisions in the Tasmanian Planning Scheme are designed for typical circumstances and do not comfortably fit this privately owned, 'strata scheme town'. This results in inappropriate classification and regulation of use and development that serves to impede the social support provided to the residents of Poatina Village by making normal, anticipated use and development associated with uses in its urban area, more complicated and expensive through unnecessary discretions. The State Planning Provisions do not recognise the second tier of management through the strata scheme that effectively manages community amenity.

The ability to maintain, and improve, social support within the village and to provide housing and education options that are suitable for all age groups, including the more vulnerable members of society, is inextricably tied into the long-term financial sustainability of the settlement. The long-term financial sustainability of the settlement requires fit-for-purpose planning scheme provisions that enable appropriate augmentation of existing assets and an increase in the resident population through the establishment of compatible, new development.

#### **Economic Qualities**

The Poatina Village is one of the State's largest strata schemes, however is unique in the State in that it provides commercial, tourist and amenity services to the public due to its location.

The ability to enhance existing commercial activities and increase the resident population is critical to the long-term, financial sustainability of the settlement. In addition to the day-to-day maintenance of the site, the settlement has ageing infrastructure that requires renewal, however cannot rely on the public cross-subsidisation that typically underwrites infrastructure upgrades for normal towns. All infrastructure is privately maintained and funded by the members of the Strata Scheme.

In consideration of the particular tenure of the settlement and the management structure of the Strata Scheme, the provisions of the PPZ enable the pursuit of a target population, together with appropriate commercial opportunities, that will support the future sustainability of the settlement.

#### **Spatial Qualities**

The Poatina Village appears as a typical small, rural town. It has houses, roads, a commercial centre with local shops, post office, café, art gallery and service station, public open space in the 'village

green', playground, tennis court and community garden, a local hall and meeting rooms, a school, a motel/conference complex, visitor accommodation and a golf course and golf club. It is surrounded by a primary industry and natural bush landscape. Members of the public may utilise the village's services and amenity. However, it is highly unique in its structure of ownership and management through a Strata Scheme and the way in which use and development manifests on the ground.

The current planning scheme approach to managing use and development is through differential zoning, attempting to encompass the use features of the settlement through the Village, Recreation, Rural Resources and Utilities zones. This type of land-use regulatory approach does not appropriately account for the degree of fluidity between the current and potential future use of land due to it being under one, private Strata Scheme and internally managed. The zone boundaries present a high degree of regulatory constraint to the on-ground realisation of the community's need for long-term, financial sustainability by acting as artificial barriers to reasonably anticipated use and development associated with the existing urban environment and its interface with adjoining areas.

This may be a reasonable approach in the context of a settlement that is made up of disparate ownership, however it is not an effective arrangement for a privately owned settlement that needs to accommodate an increase in population and capitalise on commercial opportunities to ensure long-term financial sustainability. This requires some utilisation of land beyond the current zone boundaries.

Poatina Village is situated in a unique location at the edge of the Great Western Tiers, on the main tourist route to the Central Plateau. The urban area is located on a knoll, elevated above the agricultural landscape of the Esk Valley, however has a developed backdrop associated with its original purpose, with highly visible, high-voltage powerlines that bisect the site and the pipeline on the escarpment behind.

The majority of the site is subject to the Scenic Protection Area overlay, which was carried through from the Interim Planning Scheme under the LUPAA transitional provisions, however it is noted that the operational provisions in the Tasmanian Planning Scheme are quite different. It is not considered appropriate to subject an urban settlement to the provisions of the scenic protection area, given that the majority of typical development will not be evident in the broader landscape. There is no other urban settlement proposed to be subject to scenic protection provisions within the Northern Midlands Draft LPS.

The settlement, whilst quite visible in the landscape, has vegetation to the periphery of the urban area and golf course that serves to integrate development. The southern part of the site, bisected by the powerlines is largely vegetated bushland and contiguous to the vegetated slopes that dominate the lower Western Tiers. The exception to this is the highly modified area around the arts centre, adjacent to the cleared powerline easement.

It is these aspects of the setting within the landscape that are appropriate to manage for the potential impacts of use and development, rather than an over-regulated 'blanket' approach, through targeted provisions that substitute the SPP's for the Scenic Protection Area.

Precinct		Explanation of Approach to Use & Development
Overview		<ul style="list-style-type: none"><li>• An NPR approach has been taken to reasonable prospects of use and development in support of the purpose and objectives, mostly based on augmentation of existing use and development and the townscape context. This is consistent with the TPS approach to ‘towns’... it is only a quirk of tenure that puts dwellings into the category of multiple dwellings.</li><li>• The overall approach takes account of formal internal management processes under the Strata Titles Act for amenity matters relating to use and the relationship between dwellings, which mitigates the need for planning authority involvement on issues of third-party impact, as would be the case in a normal ‘town’ context.</li><li>• Education use is a Permitted use to provide for legal enforcement of a ‘whole of settlement’ Bushfire Hazard Management Plan for ‘vulnerable use’. Education use is an existing use in the Village and Valley precincts. Nothing can happen until Tasfire endorse the BHMP.</li><li>• Provisions allowing for higher density of dwellings are supplemented by standards for setbacks to strata boundaries and minimum size of and solar access to private open space – noting that residents have ready access to high quality, common open space, above that which is publicly available in most towns.</li><li>• The PPZ approach provides for some flexibility around the edges of precincts to enable reasonable location of dwellings, visitor accommodation and other uses, working in with existing uses.</li><li>• Development within the visually prominent areas that have vegetated screening character are subject to the light reflectance provision and a vegetation removal threshold – appropriate offset to the Scenic Protection Area override and reasonable to achieve. <b>Check glazing</b></li></ul>
Village		<ul style="list-style-type: none"><li>• NPR uses reflect the spatial characteristics of the settlement in a normal town type arrangement - the multiple dwelling use is a product of tenure.</li><li>• The use categorisation reflects the strata scheme that effectively manages the combination of uses in a village/town that would ordinarily be on unrelated titles, use impacts being regulated by the planning authority. This is not necessary here and the context of strata management underpins how use and development manifests on ground.</li><li>• The SPP Village Zone renders all visitor accommodation use discretionary because of the strata tenure in contrast to permitted pathways in a normal village/town. This is an unreasonable impact on existing visitor accommodation use in the settlement.</li></ul>
NPR:		
Business and Professional Services	Existing buildings only	
Community Meeting and Entertainment	Existing buildings or expanding an existing.	
Emergency Services	Existing buildings or expanding an existing.	
Food Services		

General Retail and Hire		<ul style="list-style-type: none"><li>NPR uses have acceptable solutions that place reasonable limits on the scale of expansion to existing non-residential uses to provide certainty.</li><li>A dwelling equivalent cap provides certainty regarding scale and extent of expansion of dwellings and visitor accommodation, excluding the Chalet which is an existing, dedicated conferencing/accommodation complex.</li><li>Education use is P – provides for legal effect of a Tasfire endorsed Bushfire Hazard Management Plan for the existing use (vulnerable use classification).</li></ul>
Natural and Cultural Values Management		
Passive Recreation		
Residential	All are multiple dwellings	
Storage	Maintenance buildings only	
Utilities	Minor utilities; Powerline easement & Hydro sub-station.	
Vehicle Fuel Sales and Service	Associated with existing only.	
Visitor Accommodation	Specific provisions for the Chalet and use of dwellings	
P:		
Education	Existing buildings or expanding an existing use. To provide for legal effect of the BHMP.	
D:		
Community Meeting and Entertainment	new	
Crematoria and Cemeteries	new	
Educational and Occasional Care	new	
Manufacturing and Processing	Limited to craft industry/artist studio	
Resource Processing		
Sports and Recreation		
Storage	Not associated with the maintenance of the village.	
Tourist Operation		

Utilities		
Visitor Accommodation	If above the NPR thresholds.	
Rural Enterprise		<ul style="list-style-type: none"><li>• Uses similar to SPP Rural Zone with some reasonable thresholds for size of non-primary production (but associated) uses.</li><li>• Allows for some encroachment for use/development from adjoining village, managed by development standard.</li><li>• Fire protection may need some supplementary infrastructure – unknown at this stage, use categorisation unclear.</li><li>• Works for the wastewater treatment plant may need to extend beyond the boundary of the strata lot on which it is located into Lot 64.</li><li>• Visitor accommodation gets NPR only if it is a conversion of a building already approved i.e residential subject to the development standard for proximity to village.</li></ul>
NPR		
Community Meeting and Entertainment	Existing buildings or expanding an existing.	
Crematoria and Cemeteries	If not for buildings and associated with the existing cemetery.	
Emergency Services	Existing buildings or expanding an existing	
General Retail and Hire	Associated with resource development or resource processing.	
Natural and Cultural Values Management		
Passive Recreation		
Residential	All are multiple dwellings	
Storage	Up to 200m <sup>2</sup> .	
Resource Development		
Resource Processing	Up to 200m <sup>2</sup> .	
Utilities	Minor utilities; works relating to the wastewater treatment plant; Powerline easement	
Visitor Accommodation	If in existing buildings	
Discretionary:		
Business and Professional Services		



Community Meeting and Entertainment	new	
Crematoria and Cemeteries	Buildings or new cemetery.	
Educational and Occasional Care	new	
Food Services		
Manufacturing and Processing	Limited to craft industry/artist studio	
Resource Processing	If over 200m <sup>2</sup>	
Sports and Recreation		
Storage	Over 200m <sup>2</sup> or not associated with the maintenance of the village.	
Tourist Operation		
Utilities	new	
Visitor Accommodation	If above the NPR thresholds.	
		<ul style="list-style-type: none"><li>• Provides for uses in the existing golf club building.</li><li>• Allows for some encroachment for use/development from adjoining village, managed by development standard.</li><li>• Visitor accommodation is a natural augmentation of the golf course.</li><li>• All other uses have a general discretion and are assessed for appropriateness of location, scale and impact.</li></ul>
Golf Course:		
NPR		
Business and Professional Services	Existing buildings	
Community Meeting and Entertainment	Existing buildings or expanding an existing.	
Food Services		
Natural and Cultural Values Management		
Passive Recreation		
Residential	All are multiple dwellings	
Storage	For maintenance of strata scheme land	
Utilities	Minor utilities	
Visitor Accommodation		

Discretionary		
Business and Professional Services		
Community Meeting and Entertainment	new	
Crematoria and Cemeteries	new cemetery.	
Educational and Occasional Care	new	
General Retail and Hire		
Manufacturing and Processing	Limited to craft industry/artist studio	
Resource Processing		
Storage	If not associated with the maintenance of the village.	
Tourist Operation		
Utilities	new	
Arts		<ul style="list-style-type: none"><li>• The area defined for the Arts Precinct reflects the area that is reasonably screened in the landscape by surrounding vegetation and is already highly modified.</li><li>• NPR approach to use allows for a range of uses to augment the existing arts centre without unnecessary regulation to achieve economic objective – no scale provisions, managed by development standards. <b>Check how</b></li><li>• The NPR uses are limited to those that complement the arts centre/ or are necessary (caretakers dwelling for security/maintenance building) and do not risk drawing down on other settlements.</li><li>• Allows for a caretakers residence – security issues with break-ins.</li><li>• All other uses have a general discretion and are assessed for appropriateness of location, scale and impact.</li></ul>
NPR		
Business and Professional Services	Existing buildings	
Cemetery	new	
Community Meeting and Entertainment	new	
Educational and Occasional Care	new	
Manufacturing and Processing	Craft Industry, artists studio, furniture, metal & wood fabrication.	
Natural and Cultural Values Management		
Passive Recreation		
Residential	Multiple dwelling – 1 caretakers residence.	
Storage	For maintenance	

	of strata scheme land	
Utilities	Minor utilities Or powerline.	
Visitor Accommodation		
Discretionary		
Business and Professional Services	new	
Community Meeting and Entertainment	new	
Crematoria and Cemeteries	new cemetery.	
Educational and Occasional Care	new	
Food Services		
General Retail and Hire		
Resource Processing		
Sports and Recreation		
Storage	If not associated with the maintenance of the village.	
Tourist Operation		
Utilities	new	
Valley		<ul style="list-style-type: none"><li>• Approach to use allows for a range of uses to augment the existing education and sporting facilities without unnecessary regulation to achieve economic objective.</li><li>• Use standard confines to the existing footprint. Anything greater triggers discretion and are assessed for appropriateness of location, scale and impact.</li></ul>
NPR		
Business and Professional Services	Existing buildings only	
Community Meeting and Entertainment	Existing buildings or expanding an existing.	
Emergency Services	Existing buildings	
Natural and Cultural Values Management		
Passive Recreation		
Residential	Single dwelling Home based business	

Sports and Recreation		
Utilities	Minor utilities	
Visitor Accommodation	Existing buildings	
Permitted		
Educational and Occasional Care		
Discretionary		
Bulky Goods Sales		
Business and Professional Services	new	
Community Meeting and Entertainment	new	
Crematoria and Cemeteries	new cemetery.	
Domestic animal, breeding, boarding or training.		
Emergency Services		
Food Services		
General Retail and Hire		
Manufacturing and Processing	Limited to craft industry/artist studio	
Residential		
Research and Development		
Resource Development		
Resource Processing		
Storage		
Tourist Operation		
Utilities	new	
Western Bush		<ul style="list-style-type: none"><li>• Primary purpose is low level use and maintenance of bushland.</li><li>• Allows for some encroachment for use/development from adjoining village, managed by development standard.</li></ul>
NPR		
Business and Professional Services	Existing buildings	
Community Meeting and Entertainment	Existing buildings or expanding an existing use.	

Natural and Cultural Values Management		
Passive Recreation		
Residential	Multiple dwelling	
Storage	For maintenance of strata scheme land	
Utilities	Minor utilities	
Visitor Accommodation		
Permitted		
Educational and Occasional Care	For 2 outbuildings	
Discretionary		
Business and Professional Services	new	
Community Meeting and Entertainment	new	
Crematoria and Cemeteries	new cemetery.	
Food Services		
Manufacturing and Processing	Limited to craft industry/artist studio	
Resource Development		
Resource Processing		
Sports and Recreation		
Storage		
Tourist Operation		
Utilities	new	
Nature Based Activities		<ul style="list-style-type: none"><li>Allows for some encroachment from Arts precinct. <b>Check standard. Visual impact only?</b></li><li>NPR provides for campground on lower area – location and impact managed by development standard for contour and setback to boundary. Waterway setback applies through Natural Assets Code.</li><li>All other uses have a general discretion and are assessed for appropriateness of location, scale and impact.</li><li>Scenic protection area applies.</li></ul>
NPR		
Business and Professional Services	Existing buildings	
Community Meeting and Entertainment	Existing buildings or expanding an existing use.	

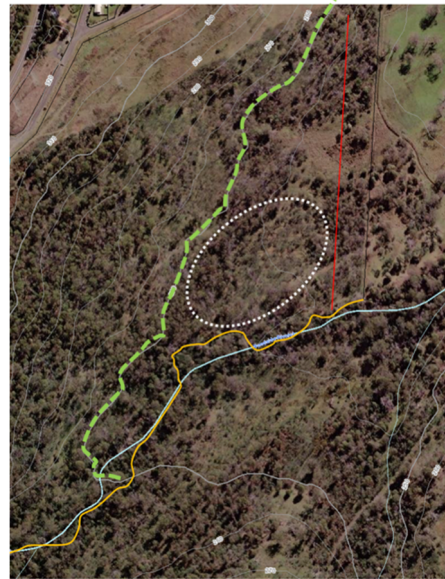
Natural and Cultural Values Management	
Passive Recreation	
Utilities	Minor utilities
Visitor Accommodation	Overnight camping

#### Permitted

Educational and Occasional Care	For 2 outbuildings
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#### Discretionary

Business and Professional Services	new
Community Meeting and Entertainment	new
Crematoria and Cemeteries	new cemetery.
Food Services	
General Retail and Hire	
Manufacturing and Processing	Limited to craft industry/artist studio
Resource Development	
Resource Processing	
Sports and Recreation	
Storage	
Tourist Operation	
Utilities	new
Visitor Accommodation	



## NOR-P3.0 Particular Purpose Zone – Poatina Village

### NOR-P3.1 Zone Purpose

The purpose of the Particular Purpose Zone – Poatina Village is:

- NOR-P3.1.1 To provide for increased population to support the economic and social sustainability of the Poatina Village settlement;
- NOR-P3.1.2 To provide for a mix of residential, community service, recreation and commercial activities to support the economic and social sustainability of the Poatina Village settlement;
- NOR-P3.1.2 To provide a planning framework to support the management of use and development within the Poatina Village Strata Scheme;
- NOR-P3.1.3 To provide for use and development that is compatible with the character of the site and the landscape.

### NOR-P3.2 Local Area Objectives

Reference Number	Area Description	Local Area Objectives
NOR-P3.2.1	Village Precinct, shown on an overlay map as NOR-P3.2.1 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Residential Precinct are:</p> <ul style="list-style-type: none"><li>(a) To provide for a mix of residential, community service, recreation and commercial activities in, and around, the main developed urban area;</li><li>(b) To provide for additional residential and visitor accommodation use and development through:<ul style="list-style-type: none"><li>(i) infill development and utilisation of undeveloped under-developed land;</li><li>(ii) increasing the density of development.</li></ul></li><li>(c) To provide amenity for residents appropriate to the mixed-use characteristics of the precinct.</li></ul>
NOR-P3.2.2	Golf Course Precinct, shown on an overlay map as NOR-P3.2.2 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Golf Course Precinct are:</p> <ul style="list-style-type: none"><li>(a) To provide for use and development associated with the golf course facilities and recreational uses;</li><li>(b) To provide for commercial uses that take advantage of the</li></ul>

		<p>visual and recreational amenity of the golf course;</p> <p>(c) To provide for the expansion of the urban area for housing and visitor accommodation.</p>
NOR-P3.2.3	Arts Precinct, shown on an overlay map as NOR-P3.2.3 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Arts Precinct are:</p> <p>(a) To provide for use and development associated with the arts centre facilities;</p> <p>(b) To provide for residential and visitor accommodation use associated with the arts centre;</p> <p>(c) To provide for commercial uses that augment the arts centre in support of the zone purpose.</p>
NOR-P3.2.4	Rural Enterprise Precinct, shown on an overlay map as NOR-P3.2.4 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Rural Enterprise Precinct are:</p> <p>(a) To provide for smaller scale primary production and value adding through associated processing;</p> <p>(b) To provide for use and development that is compatible with primary production activities on the site and adjoining land;</p> <p>(c) To provide for the treatment of wastewater.</p>
NOR-P3.2.5	Western Bush Precinct, shown on an overlay map as NOR-P3.2.5 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Western Bush Precinct are:</p> <p>(a) To maintain the precinct as a vegetated buffer to Poatina Road;</p> <p>(b) To provide for passive recreation and education activities.</p>
NOR-P3.2.6	Nature Based Activities Precinct, shown on an overlay map as NOR-P3.2.6 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Nature Based Activities Precinct are:</p> <p>(a) To maintain the natural values and visual amenity of the precinct;</p> <p>(b) To provide for passive and active recreation, education and visitor accommodation activities</p>



		<p>that take advantage of bushland setting;</p> <p>(c) To provide for use and development in a rural location that is compatible with the scenic landscape values by avoiding significant landscape change and unobtrusive development.</p>
NOR-P3.2.7	Valley Precinct, shown on an overlay map as NOR-P3.2.6 and in Figure NOR-P3.1	<p>The Local Area Objectives for the Valley Precinct are:</p> <p>(a) To provide for use and development associated with the education and sporting facilities;</p> <p>(b) To provide for other uses that can take advantage of the existing facilities in support of the zone purpose;</p> <p>(c) To provide for development that augments the potential for use of the facilities on the lot, in support of the zone purpose.</p>

### NOR-P3.3 Definition of Terms

Insert MVC 3/2020

Term	Definition
Building Line	
dwelling equivalent	<p>means one dwelling equivalent per:</p> <p>(a) dwelling; or</p> <p>(b) visitor accommodation, excluding the Chalet Complex shown in Figure NOR-P3.1</p>
Strata lot	means as defined in the <i>Strata Titles Act 1998</i> . <b>Already defined in TPS</b>
Strata layout	means a plan that shows the specific location of future strata lot boundaries.
Strata Scheme	means as defined in the <i>Strata Titles Act 1998</i> . <b>Already defined in TPS</b>
private road	means paved vehicular access within the Strata Scheme over which the general public does not have permanent right of passage.

## NOR-P3.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	If: (a) located in existing buildings; and (b) if not in the Rural Enterprise Precinct.
Community Meeting and Entertainment	If located in existing buildings or expanding an existing use.
Crematoria and Cemeteries	If not for buildings and associated with the existing cemetery.
Emergency Services	If located in existing buildings or expanding an existing use.
Food Services	If located in the Village or Golf Course precincts.
General Retail and Hire	If: (a) located in the Village Precinct; or (b) associated with Resource Development or Resource Processing in the Rural Enterprise Precinct; or (c) associated with Community Meeting and Entertainment (Arts & Craft Centre) and Manufacturing and Processing in the Arts Precinct.
Manufacturing and Processing	If for: (a) a craft industry or an artist's studio in the Arts precinct; or (b) furniture, metal and wood fabrication in the Arts Precinct.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If: (a) for multiple dwellings in the Village, Golf Course, Western Bush, Arts and Rural Enterprise precincts; (b) for a single dwelling in the Valley Precinct; or (c) home-based business.
Sports and Recreation	If located in the Golf Course, Village or Valley precincts.
Resource Development	If in the Rural Enterprise Precinct.
Resource Processing	If: (a) for food and beverage production in the Arts Precinct; or (b) in the Rural Enterprise Precinct and not more than 200m <sup>2</sup> gross floor area.
Storage	If: (a) associated with the maintenance of the land in the Strata Scheme in the Village, Golf Course, Western Bush, Valley and Arts precincts; or (b) in the Rural Enterprise Precinct and not more than 200m <sup>2</sup> gross floor area.

Utilities	If: (a) for minor utilities; or (b) located on Strata lot 120167/0 or Strata lot 120167/64 and associated with the wastewater treatment plant; (c) for electricity infrastructure located in the powerline easement or CT53397/7.
Vehicle Fuel Sales and Service	If associated with the existing fuel station.
Visitor Accommodation	If: (a) in the Village, Golf Course, Western Bush, Arts and Valley precincts; (b) if for guests accommodated in existing buildings in the Rural Enterprise Precinct; or (c) if for overnight camping in the Nature Based Activities Precinct.
<b>Permitted</b>	
Educational and Occasional Care	If: (a) located in existing buildings or expanding an existing use; or (b) for outbuildings in the Nature Based Activities or Western Bush precinct if there is not more than 2 within the precinct with; (i) a gross floor area not more than 18m <sup>2</sup> ; and (ii) no side is more than 6m and building height is not more than 3m.
<b>Discretionary</b>	
Bulky Goods Sales	Valley Precinct - for discussion
Business and Professional Services	Valley Precinct - for discussion
Community Meeting and Entertainment	If not listed as No Permit Required.
Crematoria and Cemeteries	If for a cemetery.
Domestic animal, breeding, boarding or training.	
Educational and Occasional Care	If not listed as No Permit Required.
Emergency Services	
Food Services	If not listed as No Permit Required.
General Retail and Hire	If in the Arts, Golf Course, Valley and Nature-Based Activities precincts.
Manufacturing and Processing	If not listed as No Permit Required and for a craft industry or an artist's studio.
Research and Development	

Resource Development	If in the Valley, Nature Based Activities and Western Bush precincts.
Resource Processing	If not listed as No Permit Required.
Service Industry	Valley Precinct - for discussion
Sports and Recreation	If not listed as No Permit Required.
Storage	If not listed as No Permit Required.
Tourist Operation	
Transport Depot & Distribution	Valley Precinct - for discussion
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## NOR-P3.5 Use Standards

### NOR-P3.5.1 Non-residential uses in the Village Precinct

Objective:	<p>That non-residential use:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the purpose of the Poatina Village Particular Purpose Zone;</li> <li>(b) is consistent with the Local Area Objectives of the Village Precinct;</li> <li>(c) does not cause unreasonable loss of amenity to adjacent sensitive uses.</li> </ul>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Use must:</p> <ul style="list-style-type: none"> <li>(a) be located in existing buildings;</li> <li>(b) excluding the Chalet Complex, be an expansion of existing uses, not more than 30% of the area covered by associated buildings;</li> <li>(c) for the Chalet Complex, be an expansion of the use, not more than 40% of the area covered by associated buildings, not including any area covered by unroofed decks; or</li> <li>(d) have a gross floor area not more than 250m<sup>2</sup>.</li> </ul>		<p><b>P1</b></p> <p>Non-residential use must be at a scale and intensity consistent with the character of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and scale of the use;</li> <li>(b) the number of employees;</li> <li>(c) the hours of operation;</li> <li>(d) the emissions generated by the use;</li> <li>(e) the type and intensity of traffic generated by the use;</li> <li>(f) the impact on the character of the surrounding area; and</li> <li>(g) the impact on the amenity of any adjoining residential properties.</li> </ul>

NOR-P3.5.2 Discretionary uses – Village Precinct

Objective:	That discretionary uses in the Village Precinct: (a) are consistent with the purpose of the Poatina Village Particular Purpose Zone; (b) are consistent with the Local Area Objectives of the Village Precinct; (c) do not cause unreasonable loss of amenity to adjacent sensitive uses.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution	<b>P1</b>  A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: (a) the intensity and scale of the use; (b) the emissions generated by the use; (c) the type and intensity of traffic generated by the use; (d) the impact on the character of the site; and (e) the need for the use in that location.

NOR-P3.5.3 Discretionary Uses - Golf Course Precinct

Objective:	That discretionary uses in the Golf Course Precinct: (a) are consistent with the purpose of the Poatina Village Particular Purpose Zone; (b) are consistent with the Local Area Objectives of the Golf Course Precinct; (c) do not cause unreasonable loss of amenity in the use of the golf course or to adjacent sensitive uses.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  A use listed as Discretionary must not cause an unreasonable loss of amenity to the golf course or adjacent sensitive uses, having regard to: (a) the intensity and scale of the use; (b) the emissions generated by the use; (c) the type and intensity of traffic generated by the use; (d) the means of access to the use; (e) the impact on the character of the site; (f) the proximity to the playing surface of the golf course; and (g) the need for the use in that location.

NOR-P3.5.4 Discretionary Uses - Rural Enterprise Precinct

Objective:	<p>That discretionary uses in the Rural Enterprise Precinct:</p> <ul style="list-style-type: none"> <li>(a) are consistent with the purpose of the Poatina Village Particular Purpose Zone;</li> <li>(b) are consistent with the Local Area Objectives of the Rural Enterprise Precinct;</li> <li>(c) does not unreasonably confine or restrain agricultural use on adjoining properties;</li> <li>(d) are appropriate for a rural location and does not compromise the function of the Poatina Village settlement or other settlements in the locality.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A use listed as Discretionary, is for an alteration or extension to an existing use, if:</p> <ul style="list-style-type: none"> <li>(a) the area of the use does not increase by more than 30% from that existing at the effective date.</li> </ul>	<p><b>P1</b></p> <p>A use listed as Discretionary must be consistent with the purpose of the zone and is appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the Poatina Village and broader locality;</li> <li>(c) whether the use supports a primary production,</li> <li>(d) whether the use requires close proximity to Poatina facilities, infrastructure or natural resources;</li> <li>(e) the maximisation of amenity attributes of the Poatina Village;</li> <li>(f) whether the use requires separation from other uses to minimise impacts;</li> <li>(g) the type and intensity of traffic generated by the use;</li> <li>(h) the means of access to the use;</li> <li>(i) the impact on the character of the site; and</li> <li>(j) the need for the use in that location.</li> </ul>
<p><b>A2</b></p> <p>No acceptable Solution</p>	<p><b>P2</b></p> <p>A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location of the proposed use;</li> <li>(b) the nature, scale and intensity of the use;</li> <li>(c) the likelihood and nature of any adverse impacts on adjoining uses;</li> </ul>

	<p>(d) whether the proposed use is required to support a use for security or operational reasons; and</p> <p>(e) any off site impacts from adjoining uses.</p>
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#### NOR-P3.5.5 Discretionary Uses - Arts Precinct

Objective:	<p>That discretionary uses in the Arts Precinct:</p> <ul style="list-style-type: none"> <li>(a) are consistent with the purpose of the Poatina Village Particular Purpose Zone;</li> <li>(b) are consistent with the Local Area Objectives of the Arts Precinct;</li> <li>(c) does not unreasonably confine or restrain use on adjoining land;</li> <li>(d) are appropriate in location and do not compromise the function of the Poatina Village settlement or other settlements in the locality.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must be consistent with the purpose of the zone and is appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the Poatina Village and broader locality;</li> <li>(c) whether the use requires close proximity to Poatina facilities, infrastructure or natural resources;</li> <li>(d) the maximisation of amenity attributes of the Poatina Village;</li> <li>(e) whether the use requires separation from other uses to minimise impacts;</li> <li>(f) the type and intensity of traffic generated by the use;</li> <li>(g) the means of access to the use;</li> <li>(h) the impact on the visual character of the site; and</li> <li>(i) the need for the use in that location.</li> </ul>

#### NOR-P3.5.6 Discretionary Uses – Nature-Based Activities Precinct

Objective:	<p>That discretionary uses in the Nature-Based Activities Precinct:</p> <ul style="list-style-type: none"> <li>(a) are consistent with the purpose of the Poatina Village Particular Purpose Zone;</li> </ul>
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	<ul style="list-style-type: none"> <li>(b) are consistent with the Local Area Objectives of the Nature-Based Activities Precinct;</li> <li>(c) does not unreasonably confine or restrain use on adjoining land;</li> <li>(d) are appropriate in location and do not compromise the function of the Poatina Village settlement or other settlements in the locality.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  A use listed as Discretionary must be consistent with the purpose of the zone and is appropriate for a rural location, having regard to: <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the Poatina Village and broader locality;</li> <li>(c) whether the use requires close proximity to Poatina facilities, infrastructure or natural resources;</li> <li>(d) the maximisation of amenity attributes of the Poatina Village;</li> <li>(e) whether the use requires separation from other uses to minimise impacts;</li> <li>(f) the type and intensity of traffic generated by the use;</li> <li>(g) the means of access to the use;</li> <li>(h) the impact on the visual character of the site and the broader landscape; and</li> <li>(i) the need for the use in that location.</li> </ul>

**NOR-P3.5.7 Discretionary Uses – Western Bush Precinct**

Objective:	That discretionary uses in the Western Bush Precinct: <ul style="list-style-type: none"> <li>(a) are consistent with the purpose of the Poatina Village Particular Purpose Zone;</li> <li>(b) are consistent with the Local Area Objectives of the Western Bush Precinct;</li> <li>(c) are appropriate in location and do not compromise the function of the Poatina Village settlement or other settlements in the locality.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  A use listed as Discretionary must be consistent with the purpose of the zone and is appropriate for a rural location, having regard to:



	<ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the Poatina Village and broader locality;</li> <li>(c) whether the use requires close proximity to Poatina facilities, infrastructure or natural resources;</li> <li>(d) the maximisation of amenity attributes of the Poatina Village;</li> <li>(e) whether the use requires separation from other uses to minimise impacts;</li> <li>(f) the type and intensity of traffic generated by the use;</li> <li>(g) the means of access to the use;</li> <li>(h) the impact on the visual character of the site and the broader landscape; and</li> <li>(i) the need for the use in that location.</li> </ul>
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NOR-P3.5.8 Discretionary Uses – Valley Precinct

Objective:	<p>That discretionary use in the Valley Precinct:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the purpose of the Poatina Village Particular Purpose Zone;</li> <li>(b) is consistent with the Local Area Objectives of the Valley Precinct;</li> <li>(c) does not unreasonably confine or restrain the operation of uses on adjoining properties; and</li> <li>(d) is appropriate for a rural location and does not compromise the function of settlements in the locality.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must be consistent with the purpose of the zone and is appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the Poatina Village and broader locality;</li> <li>(c) whether the use requires close proximity to Poatina facilities, infrastructure or natural resources;</li> <li>(d) the maximisation of amenity or infrastructure attributes of the Poatina Village;</li> </ul>

	<ul style="list-style-type: none"> <li>(e) whether the use requires separation from other uses to minimise impacts;</li> <li>(f) the type and intensity of traffic generated by the use;</li> <li>(g) the means of access to the use; and</li> <li>(h) the need for the use in that location.</li> </ul>
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#### NOR-P3.5.9 Vulnerable Uses

In substitution for Bushfire Prone Areas Code C13.5.1 - Vulnerable uses

Objective:	That vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Education use is in accordance with a bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<b>P1.1</b>  A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: <ul style="list-style-type: none"> <li>(c) the location, characteristics, nature and scale of the use;</li> <li>(d) whether there is an overriding benefit to the community;</li> <li>(e) whether there is no suitable alternative lower-risk site;</li> <li>(f) the emergency management strategy (vulnerable use) and bushfire hazard management plan; and</li> <li>(g) other advice, if any, from the TFS.</li> </ul> <b>P1.2</b>  A bushfire hazard management plan contains appropriate bushfire protection measures and is certified by the TFS or an accredited person.
<b>A2</b>  An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.	<b>P2</b>  No performance criterion

NOR-P3.5.10 Visitor accommodation

Objective:	That visitor accommodation: (a) is consistent with the purpose of the Poatina Village Particular Purpose Zone; (b) is subservient to residential use on the site; (c) does not unreasonably confine or restrain the operation of uses on adjoining properties.
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>Visitor accommodation:</p> <ul style="list-style-type: none"> <li>(a) is located in the Village, Arts or Golf Course precincts;</li> <li>(b) accommodates guests in existing buildings in the in the Western Bush, Rural Enterprise or Valley Precincts; or</li> <li>(c) is for a caravan park located on existing cleared land in the Valley Precinct;</li> </ul> <p><b>A1.2</b></p> <p>Visitor accommodation, not including extensions or alterations to the Chalet Complex or a caravan park, is accommodated in buildings not greater in number than 25% of the overall number of dwellings on the site.</p>	<p><b>P1</b></p> <p>Visitor accommodation must be consistent with the purpose of the zone and is appropriate for the location, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use on the site;</li> <li>(b) the type and intensity of traffic generated by the use;</li> <li>(c) impact on the safety and efficiency of the road network;</li> <li>(d) impact on the private roads;</li> <li>(e) whether uses on adjoining properties will be confined or restrained;</li> <li>(f) the maximisation of amenity or infrastructure attributes of the Poatina Village; and</li> <li>(g) the presence of natural hazards.</li> </ul>

## NOR-P3.6 Development Standards for Buildings and Works

NOR-P3.6.1 Residential density and location

In substitution for C8.6.1 Development within a scenic protection area.

Objective:	That: (a) the site provides for residential growth consistent with the purpose of the Poatina Village Particular Purpose Zone; (b) the site makes efficient use of land for housing and provides for higher density nodes of residential development that are consistent with the purpose of Poatina Village Particular Purpose Zone; and (c) the Golf Course, Rural Enterprise and Western Bush precincts accommodate reasonable expansion of the urban area.
Acceptable Solutions	Performance Criteria

<p><b>A1</b></p> <p>The total number of multiple dwellings located on the site must be not more than 140 dwelling equivalents.</p>	<p><b>P1</b></p> <p>The total number of dwellings on the site is required in support of the purpose of the zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) providing for a broader community benefit or specific accommodation need;</li> <li>(b) the location of buildings on the site;</li> <li>(c) access to buildings from a private road;</li> <li>(d) the provision of communal open space; community facilities and services;</li> <li>(e) the capacity of the wastewater treatment system.</li> </ul>
<p><b>A2</b></p> <p>Multiple dwellings are located in the Golf Course, Rural Enterprise and Western Bush precincts at a distance not greater than 100m from the boundary of the Village Precinct.</p>	<p><b>P2</b></p> <p>The location of multiple-dwellings on the site is required in support of the purpose of the zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number and types of dwellings;</li> <li>(b) providing for a broader community benefit or specific accommodation need;</li> <li>(c) the location of uses and buildings on the site;</li> <li>(d) access to buildings from a private road;</li> <li>(e) the management of natural hazards;</li> <li>(f) proximity to communal open space, community facilities and services; and</li> <li>(g) the management of impacts on the visual character of the site and the broader landscape.</li> </ul>
<p><b>A3</b></p> <p>A Strata lot shown on a strata layout must have a minimum size of 290m<sup>2</sup>.</p>	<p><b>P3</b></p> <p>Each strata lot shown on a strata layout must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots or a specific accommodation need;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site; and</li> <li>(d) adequate provision of private open space; and any constraints to development.</li> </ul>
<p><b>A4</b></p>	<p><b>P4</b></p>

One dwelling is located in the Arts Precinct.	No Performance Criterion.
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#### NOR-P3.6.2 Building Height

In substitution for C8.6.1 Development within a scenic protection area.

Objective:	That the height of buildings: (a) is compatible with the streetscape of private roads; (b) is consistent with the form and scale of existing buildings; and (c) does not cause an unreasonable loss of amenity for adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Building Height must not be more than: (a) 8.5m; (b) for extensions or alterations to the Chalet Complex, 2m higher than the existing roofline; (c) for extensions or alterations to the Community Complex, the existing roofline; (d) for extensions or alterations to the Arts Centre, the existing roofline; or (e) 4.5m in the nature Based Activities Precinct.	<b>P1</b>  Building height must be compatible with the private road streetscape and not cause an unreasonable loss of amenity to adjoining strata lots, having regard to: (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjoining strata lots; (c) the bulk and form of existing and proposed buildings; (d) sunlight to habitable rooms and private open space in adjoining strata lots; and (e) any overshadowing of adjoining strata lots or communal places.

#### NOR-P3.6.3 Setback from a strata lot boundary

In substitution for C8.6.1 Development within a scenic protection area.

Objective:	That the siting of buildings: (a) is compatible with the existing streetscape on private roads for infill development or extensions to existing development; and (b) provides for residential amenity on strata lots and does not cause an unreasonable loss of amenity on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1.1</b>  Buildings must have a setback from a boundary of a strata lot, or a future strata lot shown in a strata layout of not less than:	<b>P1</b>  The siting of buildings does not cause an unreasonable loss of amenity to adjoining

<p>(a) 3.5m from the boundary with any private road;</p> <p>(b) 10m from the frontage of Poatina Road;</p> <p>(c) 1m from a side boundary and 3m from the opposite side boundary; and</p> <p>(d) 4m from the rear boundary.</p> <p><b>A1.2</b></p> <p>For development on existing strata lots in the area bound by Wilmot Street, Denison Avenue and Gordon St, the setback from the boundary with any private road is to be not less than a line between the closest points on the building line between adjoining buildings.</p> <p><b>Insert Diagram</b></p>	<p>properties and are compatible with the private road streetscape, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the strata lot;</p> <p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) sunlight to private open space and windows of habitable rooms on adjoining strata lots; and</p> <p>(f) the character of existing development on the site .</p>
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#### NOR-P3.6.4 Private open space

In substitution for C8.6.1 Development within a scenic protection area.

Objective:	That multiple dwellings are provided with private open space that is of a size and dimensions that provides outdoor recreational space consistent with the projected requirements of the occupants and has access to sunlight.
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>Multiple dwellings must have a total area of private open space of not less than 60m<sup>2</sup> that:</p> <p>(a) has 24m<sup>2</sup> of unroofed area in one location;</p> <p>(b) has a minimum dimension of 4m; and</p> <p>(c) receives a minimum of 3 hours of sunlight between 9am and 3pm on the 21<sup>st</sup> June to 50% of the area.</p> <p><b>A1.2</b></p> <p>(a) Multiple dwellings must be located so that sunlight to the private open space of an adjoining multiple dwelling is not reduced below a minimum of 3 hours of sunlight between 9am and 3pm on the 21<sup>st</sup> June to 50% of the area.</p>	<p><b>P1</b></p> <p>A multiple dwelling must be designed and sited to:</p> <p>(a) provide reasonable private open space that:</p> <p>(i) is conveniently located;</p> <p>(ii) enables outdoor recreation and the planting of gardens and landscaping.</p> <p>(iii) is oriented to take advantage of sunlight; and</p> <p>(b) to not cause an unreasonable loss of amenity by overshadowing the private open space of another multiple dwelling.</p>

#### NOR-P3.6.5 Nature Based Activities Precinct

In substitution for C8.6.1 Development within a scenic protection area.

<b>Objective:</b>	To provide for visitor accommodation for camping in a location that: <ul style="list-style-type: none"> <li>(a) is consistent with the purpose of the Poatina Village Particular Purpose Zone; and</li> <li>(b) is appropriately located in the landscape.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Development for Visitor Accommodation for a campground is located: <ul style="list-style-type: none"> <li>(a) below the 250m AHD contour; and</li> <li>(b) at a setback of not less than 50m to the boundary of the site.</li> </ul>	<b>P1</b>  Buildings and works must not cause an unreasonable visual impact in the landscape, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the proposed building height, size, bulk and materials;</li> <li>(c) any constraints imposed by existing use and development;</li> <li>(d) the requirement for bushfire hazard management;</li> <li>(e) visual impact when viewed from roads and public places; and</li> <li>(f) any established or potential mitigation through screening vegetation.</li> </ul>

#### NOR-P3.6.6 Landscape Management

In substitution for C8.6.1 Development within a scenic protection area.

<b>Objective:</b>	To manage the visual impacts of development to: <ul style="list-style-type: none"> <li>(a) avoid significant landscape change; and</li> <li>(b) integrate use and development into the landscape.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Development within the Landscape Management Areas must: <ul style="list-style-type: none"> <li>(a) have a light reflectance value not more than 40% for the exterior finishes of buildings;</li> </ul>	<b>P1</b>  Buildings and works must not cause an unreasonable visual impact in the landscape, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the proposed building height, size, bulk and materials;</li> </ul>

<ul style="list-style-type: none"> <li>(b) not remove of more than 50% of the vegetation; and</li> <li>(c) not remove vegetation within 10m of the Poatina Road, other than to achieve a Woodland classification for the purposes of bushfire protection.</li> </ul>	<ul style="list-style-type: none"> <li>(c) any constraints imposed by existing use and development;</li> <li>(d) the requirement for bushfire hazard management;</li> <li>(e) visual impact when viewed from roads and public places; and</li> <li>(f) any established or potential mitigation through screening vegetation.</li> </ul>
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## NOR-P1.7 Tables

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

### Figure NOR-P1.1 – Poatina Village Precinct Plan

**Insert**





## ENVIRONMENT PROTECTION NOTICE No. 9568/1

Issued under the *Environmental Management and Pollution Control Act 1994*

Issued to: **AUSTRAL BRICKS (TASMANIA) PTY LTD**  
**ACN 009 501 053**  
**GROUP ADMINISTRATION OFFICE, 738 - 780 WALLGROVE RD**  
**HORSLEY PARK NSW 2175**

Environmentally Relevant Activity: **The operation of a ceramic works (ACTIVITY TYPE: Ceramic Works)**  
**LONGFORD BRICK WORKS, CRESSY RD**  
**LONGFORD TAS 7301**

### GROUND

I, Cindy Ong, Delegate for the Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(d) of the *Environmental Management and Pollution Control Act 1994* (EMPCA) that in relation to the above-mentioned environmentally relevant activity that it is desirable to vary the conditions of a permit (see table below) hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

Permit No.	Date Granted	Granted By
5787	17 November 2000	Northern Midlands Council

### PARTICULARS

The particulars of the grounds upon which this notice is issued are:

- 1 The Permit conditions need to be varied to reflect updated terminology and regulatory practice, to reflect continuous improvement consistent with the objectives of EMPCA and to clarify the meaning of the conditions.
- 2 It is necessary to remove conditions G3, G5, N1 and M2 of the permit because they detail requirements that have been fulfilled and/or are no longer required.
- 3 It is necessary to add a condition requiring a public complaints register to be maintained so that the Director can appraise the frequency and characteristics of complaints which may indicate nuisance, should any complaints be received.
- 4 It is necessary to add a condition requiring the submission of a publicly available Annual Environmental Review to inform the Director and the public of the environmental performance of the activity.
- 5 It is necessary to add a condition to enable the Director to require the abatement of stack emissions if they are causing, or are likely to cause, environmental harm and and/or nuisance.
- 6 It is necessary to add a condition requiring sawdust used as fuel to be dry so as to avoid excess smoke caused by burning moist or green wood.

- 7 It is necessary to add a condition requiring the modelling of emissions so the Director can assess the potential impact of atmospheric emissions.
- 8 It is necessary to add a condition requiring notification of the likely permanent cessation of the activity so that the Director has sufficient time in which to ensure that appropriate measures are in place to minimise environmental harm arising from the permanent cessation of the activity.
- 9 It is necessary to add a condition to require the submission to the Director, for approval, a Decommissioning and Rehabilitation Plan so that appropriate measures to minimise environmental harm are available to be implemented in the event of the permanent cessation of the activity.
- 10 The permit contains no requirements for ensuring that when decommissioning is undertaken, it is done in a manner to minimise environmental harm.
- 11 The permit does not contain conditions in relation to the adequate management of the activity and/or The Land should the activity temporarily suspend operations. It is necessary to add a condition requiring management of the activity during temporarily suspended operations.
- 12 It is necessary to add a condition requiring adequate management of stormwater to prevent environmental harm and/or nuisance being caused by stormwater leaving The Land.
- 13 The permit does not contain conditions in relation to dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management necessitates conditions to be added for the storage and handling of environmentally hazardous substances.
- 14 The permit does not have a condition requiring the provision of spill kits. It is desirable to add a condition requiring provision, in suitable locations, of spill kits appropriate for the environmental hazardous substances held on The Land for use in any incident to minimise the emissions of a pollutant into the environment.
- 15 Monitoring and reporting requirements need to be altered in order to reflect current best practice environmental management and to require accurate measurement of emissions and their impact upon the receiving environment and to consistently inform the Director of the results of monitoring.
- 16 Monitoring and reporting requirements set out in the permit conditions need to be varied to reflect current best practice environmental management and to require accurate measurement of emissions and their impact upon the receiving environment and to consistently inform the Director of the results of monitoring.
- 17 Changes in fuel types and implementation of the Environment Protection Policy (Air Quality) 2004 have necessitated alterations to emissions monitoring requirements.
- 18 It is necessary to add a condition to require timely notification of stack emission exceedances so the Director can assess whether the exceedances have caused environmental harm and/or nuisance.
- 19 It is desirable to require noise emissions surveys should alterations to the activity be made



which have potential to result in environmental nuisance and/or in response to complaints.

- 20** It is desirable to add a condition setting noise emission limits to minimise environmental nuisance and manage noise emissions, in accordance with the Environment Protection Policy (Noise) 2009.
- 21** The permit does not contain conditions relating to the movement of controlled wastes. It is desirable to add a condition to reflect current best practice environmental management and to ensure the management of controlled waste in accordance with the Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations 2010.

## DEFINITIONS

Unless the contrary appears, words and expressions used in this Notice have the meaning given to them in Schedule 1 of this Notice and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Notice, the EMPCA prevails to the extent of the inconsistency.

## REQUIREMENTS

The person responsible for the activity must comply with the varied permit conditions as set out in Schedule 2 of this Notice.

## INFORMATION

Attention is drawn to **Schedule 3**, which contains important additional information.

## PENALTIES

If a person bound by an environment protection notice contravenes a requirement of the notice, that person is guilty of an offence and is liable on summary conviction to a penalty not exceeding 1000 penalty units in the case of a body corporate or 500 penalty units in any other case (at the time of issuance of this Notice one penalty unit is equal to \$157.00).

## NOTICE TAKES EFFECT

**This notice takes effect on the date on which it is served upon you.**

## APPEAL RIGHTS

You may appeal to the Appeal Tribunal against this notice, or against any requirement contained in the notice, within 14 days from the date on which the notice is served, by writing to:

The Chairperson  
Resource Management and Planning Appeal Tribunal  
GPO Box 2036  
Hobart TAS 7001

Signed:



DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date:

30 May 2017

## Table Of Contents

Schedule 1: Definitions.....	7
Schedule 2: Conditions.....	9
Maximum Quantities.....	9
Q1 Regulatory limits .....	9
General.....	9
G1 Access to and awareness of conditions and associated documents.....	9
G2 Incident response.....	9
G3 No changes without approval.....	9
G4 Change of ownership.....	9
G5 Complaints register.....	9
G6 Annual Environmental Review.....	10
Atmospheric.....	10
A1 Stack testing facilities.....	10
A2 Emission abatement equipment - Kiln Stack and /or Sawdust Dryer.....	11
A3 Control of dust emissions.....	11
A4 Covering of vehicles.....	11
A5 Sawdust fuel moisture content .....	11
A6 Atmospheric dispersion modelling.....	11
A7 Air dispersion modelling reporting requirements.....	12
Decommissioning And Rehabilitation.....	12
DC1 Notification of cessation.....	12
DC2 DRP requirements.....	12
DC3 Rehabilitation following cessation.....	12
DC4 Temporary suspension of activity.....	13
Effluent Disposal.....	13
E1 Stormwater.....	13
Hazardous Substances.....	13
H1 Storage and handling of hazardous materials.....	13
H2 Hazardous materials (< 250 litres).....	14
H3 Spill kits.....	14
Monitoring.....	14
M1 Dealing with samples obtained for monitoring.....	14
M2 Stack testing frequency .....	15
M3 Stack monitoring reports.....	15
M4 Monitoring requirements.....	15
M5 Stack test exceedances.....	15
Noise Control.....	15
N1 Noise survey requirements.....	15
N2 Noise survey method and reporting requirements.....	15
N3 Noise emission limits.....	16
Waste Management.....	16
WM1 Controlled waste transport.....	16
Schedule 3: Information.....	17
Legal Obligations.....	17
LO1 Change of responsibility.....	17
LO2 EMPCA.....	17
LO3 Storage and handling of dangerous goods, explosives and dangerous substances.....	17
LO4 Underground Storage Tanks.....	17



Other Information.....	17
OI1 Notification of incidents under section 32 of EMPCA .....	17
OI2 Waste management hierarchy.....	17

### *Attachments*

Attachment 1: Table of Monitoring Parameters (modified: 23/12/2016 12:29).....	1 page
Attachment 2: Site Plan Austral Bricks (modified: 15/12/2016 14:49).....	1 page

### Schedule 1: Definitions

**Activity** means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity.

**Authorized Officer** means an authorized officer under section 20 of EMPCA.

**Control Location (Noise)** means a location chosen to represent the general ambient sound without contribution from noise sources at the activity.

**Controlled Waste** has the meaning described in Section 3(1) of EMPCA.

**Director** means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a person authorised in writing by the Director to exercise a power or function on the Director's behalf.

**DRP** means Decommissioning and Rehabilitation Plan.

**EMPCA** means the *Environmental Management and Pollution Control Act 1994*.

**Environmental Harm and Material Environmental Harm and Serious Environmental Harm** each have the meanings ascribed to them in Section 5 of EMPCA.

**Environmental Nuisance and Pollutant** each have the meanings ascribed to them in Section 3 of EMPCA.

**Environmentally Hazardous Material** means any substance or mixture of substances of a nature or held in quantities which present a reasonably foreseeable risk of causing serious or material environmental harm if released to the environment and includes fuels, oils, waste and chemicals but excludes sewage.

**Noise Sensitive Premises** means residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

**Nominated Exhaust Points** means the kiln stack, dryer stack and sawdust stack marked on the plan at Attachment 2.

**Person Responsible** is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

**Reporting Period** (Applies to the Annual Environmental Review) means the 12 months ending on 30 June of each year

**Stack Test** means the taking of measurements and the collection of samples for analysis from within a chimney, stack or flue.

**Stormwater** means water traversing the surface of the land as a result of rainfall.

**Tasmanian Noise Measurement Procedures Manual** means the document titled *Noise Measurement Procedures Manual*, by the Department of Environment, Parks, Heritage and the Arts, dated July 2008, and any amendment to or substitution of this document.

**The Land** means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:

- 1 Title Ref: 230762/1, Property ID: 6730725



## Schedule 2: Conditions

### Maximum Quantities

#### **Q1 Regulatory limits**

- 1 The activity must not exceed the following limits :
  - 1.1 50,000 tonnes per year of production capacity.

### General

#### **G1 Access to and awareness of conditions and associated documents**

A copy of these conditions and any associated documents referred to in these conditions must be held in a location that is known to and accessible to the person responsible for the activity. The person responsible for the activity must ensure that all persons who are responsible for undertaking work on The Land, including contractors and sub-contractors, are familiar with these conditions to the extent relevant to their work.

#### **G2 Incident response**

If an incident causing or threatening environmental nuisance, serious environmental harm or material environmental harm from pollution occurs in the course of the activity, then the person responsible for the activity must immediately take all reasonable and practicable action to minimise any adverse environmental effects from the incident.

#### **G3 No changes without approval**

- 1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the *Land Use Planning and Approvals Act 1993*, or approved in writing by the Director:
  - 1.1 a change to a process used in the course of carrying out the activity; or
  - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
  - 1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

#### **G4 Change of ownership**

If the owner of The Land upon which the activity is carried out changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change or intended change in the ownership of The Land, the person responsible must notify the Director in writing of the change or intended change of ownership.

#### **G5 Complaints register**

- 1 A public complaints register must be maintained and made available for inspection by an Authorized Officer upon request. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
  - 1.1 the date and time at which the complaint was received;
  - 1.2 contact details for the complainant (where provided);
  - 1.3 the subject-matter of the complaint;

- 1.4 any investigations undertaken with regard to the complaint; and
  - 1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.
- 2 Complaint records must be maintained for a period of at least 3 years.

## G6 Annual Environmental Review

- 1 Unless otherwise specified in writing by the Director, a publicly available Annual Environmental Review for the activity must be submitted to the Director each year within three months of the end of the reporting period. Without limitation, each Annual Environmental Review must include the following information:
  - 1.1 a statement by the General Manager, Chief Executive Officer or equivalent for the activity acknowledging the contents of the Annual Environmental Review;
  - 1.2 subject to the *Personal Information Protection Act 2004*, a list of all complaints received from the public during the reporting period concerning actual or potential environmental harm or environmental nuisance caused by the activity and a description of any actions taken as a result of those complaints;
  - 1.3 details of environment-related procedural or process changes that have been implemented during the reporting period;
  - 1.4 a summary of the amounts (tonnes or litres) of both solid and liquid wastes produced and treatment methods implemented during the reporting period. Initiatives or programs planned to avoid, minimise, re-use, or recycle such wastes over the next reporting period should be detailed;
  - 1.5 details of all non-trivial environmental incidents and/or incidents of non compliance with permit or environment protection notice conditions that occurred during the reporting period, and any mitigative or preventative actions that have resulted from such incidents;
  - 1.6 a summary of the monitoring data and record keeping required by these conditions. This information should be presented in graphical form where possible, including comparison with the results of at least the preceding reporting period. Special causes and system changes that have impacted on the parameters monitored must be noted. Explanation of significant deviations between actual results and any predictions made in previous reports must be provided;
  - 1.7 identification of breaches of limits specified in these conditions and significant variations from predicted results contained in any relevant DPEMP or EMP, an explanation of why each identified breach of specified limits or variation from predictions occurred and details of the actions taken in response to each identified breach of limits or variance from predictions;
  - 1.8 a list of any issues, not discussed elsewhere in the report, that must be addressed to improve compliance with these conditions, and the actions that are proposed to address any such issues;
  - 1.9 a summary of fulfilment of environmental commitments made for the reporting period. This summary must include indication of results of the actions implemented and explanation of any failures to achieve such commitments; and
  - 1.10 a summary of any community consultation and communication undertaken during the reporting period.

## Atmospheric

### A1 Stack testing facilities

- 1 The following stack testing facilities must be available at all nominated exhaust points when undertaking stack testing required by these conditions:



- 1.1 sampling positions must be in accordance with Australian Standard AS 4323.1 (*Stationary source emissions - selection of sampling positions*), or as approved in writing by the Director;
- 1.2 safe sampling platforms must be located to allow access to the sampling positions and safe access to these sampling platforms must be provided; and
- 1.3 all necessary services required for the test method prescribed must be provided.

**A2 Emission abatement equipment - Kiln Stack and /or Sawdust Dryer**

- 1 If required in writing by the Director, appropriate pollutant abatement equipment must be installed on the Kiln Stack and/or the Sawdust Dryer. The equipment must be approved by the Director and must be commissioned within a time frame approved by the Director.
- 2 In the event that fluoride emission abatement equipment is required on the Kiln Stack and/or Sawdust Dryer, it must be:
  - 2.1 maintained in efficient operational order in accordance with the manufacturer's specifications; and
  - 2.2 operating at all times when the kiln and/or Sawdust Dryer is operating.
- 3 In the event that particulate emission abatement equipment is required on the Kiln Stack and/or Sawdust Dryer, it must be:
  - 3.1 maintained in efficient operational order in accordance with the manufacturers specifications; and
  - 3.2 operating at all times the kiln and/or Sawdust Dryer is in operation.

**A3 Control of dust emissions**

Dust emissions from The Land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

**A4 Covering of vehicles**

Vehicles carrying loads containing material which may blow or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave The Land or travel on public roads. Effective control measures may include tarpaulins or load dampening.

**A5 Sawdust fuel moisture content**

Unless otherwise approved in writing by the Director, all sawdust used as fuel for the Kiln must be first dried to a maximum 20% moisture content.

**A6 Atmospheric dispersion modelling**

- 1 The person responsible for the activity must conduct atmospheric dispersion modelling for particulate matter, oxides of nitrogen, sulphur dioxide, sulphur trioxide, hydrogen fluoride and hydrogen chloride emitted from the nominated exhaust points, using the results of the first stack tests required under condition M2.
- 2 Unless otherwise approved in writing by the Director, the atmospheric dispersion modelling must be conducted in accordance with the requirements of the Environment Protection Authority, Tasmania Atmospheric Dispersion Modelling Guidelines.
- 3 Prior to undertaking the atmospheric dispersion modelling as required by this condition, a proposed modelling methodology must be submitted to the Director for approval. The methodology must include:
  - 3.1 proposals for dispersion modelling; and
  - 3.2 a timetable for the completion of the modelling.

**A7 Air dispersion modelling reporting requirements**

- 1 Unless otherwise approved in writing by the Director an Atmospheric Dispersion Modelling Report must be submitted to the Director within 60 days of completion of the stack tests required under condition M2.
- 2 Without limitation, the Report must include:
  - 2.1 the results and interpretation of modelling conducted as required by condition A6;
  - 2.2 a map of the area surrounding the activity with the following clearly shown on the map:
    - 2.2.1 the location of the nominated exhaust points;
    - 2.2.2 the boundary of the Land;
    - 2.2.3 ground level concentration contours, with a key or legend; and
    - 2.2.4 the location of sensitive receptors in the vicinity of the activity;
  - 2.3 a statement of the relevant limits and criteria in the Environment Protection Policy (Air Quality) 2004 and the National Environment Protection (Ambient Air Quality) Measure 1998 (as varied 2015).
  - 2.4 identification of breaches of the design criteria specified in the Environment Protection Policy (Air Quality) 2004, and an explanation of why each breach of the design criteria occurred; and
  - 2.5 details of actions that have or will be taken in response to each identified breach of the design criteria.

**Decommissioning And Rehabilitation****DC1 Notification of cessation**

Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to cease or has ceased.

**DC2 DRP requirements**

Unless otherwise approved in writing by the Director, a Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted for approval to the Director within 30 days of the Director being notified of the planned cessation of the activity or by a date specified in writing by the Director. The DRP must be prepared in accordance with any guidelines provided by the Director.

**DC3 Rehabilitation following cessation**

- 1 Following permanent cessation of the activity, and unless otherwise approved in writing by the Director, The Land must be rehabilitated including:
  - 1.1 stabilisation of any land surfaces that may be subject to erosion;
  - 1.2 removal or mitigation of all environmental hazards or land contamination, that might pose an on-going risk of causing environmental harm; and
  - 1.3 decommissioning of any equipment that has not been removed.
- 2 Where a Decommissioning and Rehabilitation Plan (DRP) has been approved by the Director, decommissioning and rehabilitation must be carried out in accordance with that plan, as may be amended from time to time with written approval of the Director.

**DC4 Temporary suspension of activity**

- 1 Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2 During temporary suspension of the activity:
  - 2.1 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
  - 2.2 If required by the Director a Care and Maintenance Plan for the activity must be submitted, by a date specified in writing by the Director, for approval. The person responsible must implement the approved Care and Maintenance Plan, as may be amended from time to time with written approval of the Director.
- 3 Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

**Effluent Disposal****E1 Stormwater**

- 1 Polluted stormwater that will be discharged from The Land must be collected and treated prior to discharge to the extent necessary to prevent serious or material environmental harm, or environmental nuisance.
- 2 Notwithstanding the above, all stormwater that is discharged from The Land must not carry pollutants such as sediment, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside the Land.
- 3 All reasonable measures must be implemented to ensure that solids entrained in stormwater are retained on The Land. Such measures may include appropriately sized and maintained sediment settling ponds or detention basins.

**Hazardous Substances****H1 Storage and handling of hazardous materials**

- 1 Unless otherwise approved in writing by the Director, all environmentally hazardous materials, including all chemicals, fuels, and oils, held on The Land in volumes exceeding 250 litres must be stored and handled in accordance with the following:
  - 1.1 Any storage facility must be contained within a spill collection bund with a net capacity of whichever is the greater of the following:
    - 1.1.1 at least 110% of the combined volume of any interconnected vessels within that bund; or
    - 1.1.2 at least 110% of the volume of the largest storage vessel; or
    - 1.1.3 at least 25% of the total volume of all vessels stored in that spill collection bund; or
    - 1.1.4 the capacity of the largest tank plus the output of any firewater system over a twenty minute period.
  - 1.2 All activities that involve a significant risk of spillages, including the loading and unloading of bulk materials, must take place in a bunded containment area or on a transport vehicle loading apron.
  - 1.3 Bunded containment areas and transport vehicle loading aprons must:

- 1.3.1 be made of materials that are impervious to any environmentally hazardous material stored within the bund;
- 1.3.2 be graded or drained to a sump to allow recovery of liquids;
- 1.3.3 be chemically resistant to the chemicals stored or transferred;
- 1.3.4 be designed and managed such that any leakage or spillage is contained within the bunded area (including where such leakage emanates vertically higher than the bund wall);
- 1.3.5 be designed and managed such that the transfer of materials is adequately controlled by valves, pumps and meters and other equipment wherever practical. The equipment must be adequately protected (for example, with bollards) and contained in an area designed to permit recovery of any released chemicals;
- 1.3.6 be designed such that chemicals which may react dangerously if they come into contact have measures in place to prevent mixing; and
- 1.3.7 be managed such that the capacity of the bund is maintained at all times (for example, by regular inspections and removal of obstructions).

## **H2 Hazardous materials (< 250 litres)**

- 1 Unless otherwise approved in writing by the Director, each environmentally hazardous material, including chemicals, fuels and oils, held on The Land in discrete volumes not exceeding 250 litres, but not including discrete volumes of 25 litres or less, must be located within bunded containment areas or spill trays which are designed and maintained to contain at least 110% of the volume of the largest container.
- 2 Bunded containment areas and spill trays must be made of materials that are impervious to any environmentally hazardous materials stored within the bund or spill tray.

## **H3 Spill kits**

Spill kits appropriate for the types and volumes of materials handled on The Land must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.

## **Monitoring**

### **M1 Dealing with samples obtained for monitoring**

- 1 Any sample or measurement required to be obtained under these conditions must be taken and processed in accordance with the following:
  - 1.1 Australian Standards, the National Association of Testing Authorities (NATA) approved methods, the American Public Health Association Standard Methods for the Analysis of Water and Waste Water or other standard(s) approved in writing by the Director;
  - 1.2 samples must be tested in a laboratory accredited by NATA, or a laboratory approved in writing by the Director, for the specified test;
  - 1.3 results of measurements and analysis of samples and details of methods employed in taking measurements and samples must be retained for at least three (3) years after the date of collection;
  - 1.4 measurement equipment must be maintained and operated in accordance with manufacturer's specifications and records of maintenance must be retained for at least three (3) years; and
  - 1.5 noise measurements must be undertaken in accordance with the Tasmanian Noise Measurement Procedures Manual.





**M2 Stack testing frequency**

Unless otherwise specified in writing by the Director stack testing must be conducted within 60 days of the issuing of this Notice and annually thereafter.

**M3 Stack monitoring reports**

- 1 A Monitoring Report must be provided to the Director within 30 days of the of the date on which the stack testing was completed.
- 2 The Report must include:
  - 2.1 the results of the stack test;
  - 2.2 the date on which the stack test was conducted;
  - 2.3 weather information at the time the stack test was conducted;
  - 2.4 relevant operating conditions including the fuel feed rate at the time the stack test was conducted;
  - 2.5 the stack test methods employed; and
  - 2.6 identification of breaches of limits specified in these conditions, an explanation of why each breach of specified limits occurred and details of actions that have or will be taken in response to each identified breach of limits.
- 3 Where total particulate matter testing is carried out reporting must be done in accordance with Section 9 of Australian Standard AS 4323.2 Stationary source emissions - Determination of total particulate matter - Isokinetic manual sampling - Gravimetric method.

**M4 Monitoring requirements**

- 1 Unless otherwise specified in writing by the Director, monitoring must be undertaken in accordance with the Table of Monitoring Parameters in Attachment 1, as follows:
  - 1.1 the parameters listed in Column 3 must be sampled or tested at the locations listed in Column 1 at the frequencies listed in Column 2 using the techniques listed in Column 6; and
  - 1.2 resultant monitoring data must be reported to the Director in accordance with the requirements set out in Column 7 and in the units listed in Column 4.

**M5 Stack test exceedances**

In the event that stack test results show that the limits specified in column 5 of the Table of Monitoring Parameters in Attachment 1 have been exceeded the Director must be notified of the exceedance within 14 days of the results becoming available, unless the event is required to be reported to Director in compliance with section 32 of the EMPCA

**Noise Control****N1 Noise survey requirements**

- 1 Unless otherwise approved by the Director, a noise survey must be carried out:
  - 1.1 within six (6) months of any change to the activity which is likely to substantially alter the character or increase the volume of noise emitted from The Land; and
  - 1.2 at such other times as may reasonably be required by the Director by notice in writing.

**N2 Noise survey method and reporting requirements**

- 1 Noise surveys must be undertaken in accordance with a survey method approved in writing by the Director, as may be amended from time to time with written approval of the Director.

- 2 Without limitation, the survey method must address the following:
  - 2.1 measurements must be carried out at day, evening and night times (where applicable) at each location; and
  - 2.2 measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).
- 3 Measurements and data recorded during the survey must include:
  - 3.1 operational status of noise producing equipment and throughput of the activity;
  - 3.2 subjective descriptions of the sound at each location;
  - 3.3 details of meteorological conditions relevant to the propagation of noise;
  - 3.4 the equivalent continuous ( $L_{eq}$ ) and  $L_1$ ,  $L_{10}$ ,  $L_{50}$ ,  $L_{90}$  and  $L_{99}$  A-weighted sound pressure levels measured over a period of 10 minutes or an alternative time interval approved by the Director;
  - 3.5 one-third octave spectra over suitably representative periods of not less than 1 minute; and
  - 3.6 narrow-band spectra over suitably representative periods of not less than 1 minute.
- 4 A noise survey report must be forwarded to the Director within 30 days from the date on which the noise survey is completed.
- 5 The noise survey report must include the following:
  - 5.1 the results and interpretation of the measurements required by these conditions;
  - 5.2 a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;
  - 5.3 any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and
  - 5.4 recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

### N3 Noise emission limits

- 1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
  - 1.1 50 dB(A) between 0700 hours and 1800 hours (Day time); and
  - 1.2 45 dB(A) between 1800 hours and 0700 hours (Night time).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
- 4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- 5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

### Waste Management

#### WM1 Controlled waste transport

Transport of controlled wastes to and from The Land must be undertaken only by persons authorised to do so under EMPCA or subordinate legislation.





### Schedule 3: Information

#### Legal Obligations

##### **LO1 Change of responsibility**

If the person responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.

##### **LO2 EMPCA**

The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

##### **LO3 Storage and handling of dangerous goods, explosives and dangerous substances**

- 1 The storage, handling and transport of dangerous goods, explosives and dangerous substances must comply with the requirements of relevant State Acts and any regulations thereunder, including:

- 1.1 *Work Health and Safety Act 2012* and subordinate regulations;

- 1.2 *Explosives Act 2012* and subordinate regulations; and

- 1.3 *Dangerous Goods (Road and Rail Transport) Act 2010* and subordinate regulations.

##### **LO4 Underground Storage Tanks**

The operation and management of underground petroleum storage system must be in accordance with *Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2010*.

#### Other Information

##### **OI1 Notification of incidents under section 32 of EMPCA**

Where a person is required by section 32 of EMPCA to notify the Director of the release of a pollutant, the Director can be notified by telephoning 1800 005 171 (a 24-hour emergency telephone number).

##### **OI2 Waste management hierarchy**

- 1 Wastes should be managed in accordance with the following hierarchy of waste management:

- 1.1 waste should be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;

- 1.2 waste should be re-used or recycled to the maximum extent that is practicable; and

- 1.3 waste that cannot be re-used or recycled must be disposed of at a waste depot site or treatment facility that has been approved in writing by the relevant planning authority or the Director to receive such waste, or otherwise in a manner approved in writing by the Director.

## Attachment 1: Table of Monitoring Parameters

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Nominated Exhaust Point or Monitoring Location	Minimum Sampling Frequency	Parameter	Unit of Measure	Regulatory Limits That Must Not Be Exceeded	Other Requirements	Reporting
Kiln Main Stack, Dryer Stack and Sawdust Stack	Annually	Particulate Matter	mg/m <sup>3</sup> *	100mg/m <sup>3</sup>	To Be Monitored In Accordance With Australian Standard AS4323	Annually
Kiln Main Stack	Annually	Fluorine and Compounds	mg/m <sup>3</sup> *	50mg/m <sup>3</sup>	HF or HF Equivalent To Be Monitored In Accordance With US EPA Method 13A	Annually
Kiln Main Stack	Annually	Oxides of nitrogen	mg/m <sup>3</sup> *	350mg/m <sup>3</sup>	Oxides of Nitrogen as NO <sub>2</sub> Equivalent. Adjusted to 7% by Volume	Annually
Kiln Main Stack	Annually	Sulphuric acid mist or sulphur trioxide or both	mg/m <sup>3</sup> *	100mg/m <sup>3</sup>	As SO <sub>2</sub> Equivalent	Annually
Kiln Main Stack	Annually	Hydrogen chloride	mg/m <sup>3</sup> *	100mg/m <sup>3</sup>	N/A	Annually

\* A particular volume of a gas should be taken to be the amount of that gas which when dry would occupy that volume at a temperature of 0°C (degrees celsius) and at an absolute pressure of 101.325kPa (kilopascals).

Date of issue: 30 MAY 2017

## Attachment 2: Site Plan Austral Bricks





NUMBER LEGEND

- A Existing earthwork scrapings to be smoothed over.
- B Existing equine pool to be removed and filled in.
- C Existing sand loop to be removed.
- D Existing maintenance storage area to be removed.
- E Brickendon Street pavement to be removed.
- F Existing on-site trainer facilities to be demolished.

- 1 Existing portion of site to be dedicated to a public park with interpretation signage about the history of the Longford Racecourse.
- 2 Existing chain link fence to be realigned.
- 3 Existing turf racetrack.
- 4 Existing sand track.
- 5 Existing racehorse warm up/cool down track.
- 6 Existing vehicle access point for events only.
- 7 Off-site trainer access track.
- 8 Grassed spectator area.
- 9 Macrocarpa Tree avenue.
- 10 Grassed bank spectator area.
- 11 Race day media commentators tower.
- 12 Race horse parade area and race track access.
- 13 Primary vehicle entry point.
- 14 Members pavilion and amenities.
- 15 Winning post.
- 16 Site maintenance shed.
- 17 Facilities for visiting trainers.
- 18 Stables for visiting trainers and race events.
- 19 Race event parade ring.
- 20 Existing access point for visiting trainers.
- 21 Vehicle maneuvering area for visiting trainers.
- 22 Horse loading bays for visiting trainers.
- 23 Brickendon Street termination head to provide a safer work place for trainers, riders and the public.
- 24 Public horse trail leading west to Bishopsbourne.
- 25 Realigned security fence.
- 26 Public horse trail leading south to Cressy.
- 27 Site maintenance fenced compound.
- 28 Existing race commentators tower.
- 29 Access across the race track.
- 30 Internal activity junction area.
- 31 Training gates with sand breakaway track.
- 32 Fenced racehorse warm up paddock.
- 33 International size Polo field and run-out zone. The field can also be used for local / pony clubs and other equestrian related activities that do not interfere with current training and racing activities.
- 34 Designated area for car/truck/float parking, event marquees and other temporary structures associated with the Polo field and other activities.
- 35 Large wetland / irrigation storage dam with a surrounding low growing native vegetation buffer.
- 36 Starting gates and sand breakaway track.
- 37 Approximate zone required for maneuvering the starting gates to and from the starting chute.
- 38 Realigned horse and maintenance vehicle track.
- 39 100m long fenced sand ring.
- 40 Sawdust, manure and general storage bays for adjoining on-site trainer barns. Large vehicle parking bays are also provided within this area.
- 41 Four 12 x 32m Barns with fourteen individual 4 x 4m training boxes, office, tack room, feed room, laundry and toilet.
- 42 Thirty individual 8 x 8m day yards with shelter.
- 43 On-site training facilities including 5 x 70m fenced equine pool, equine treadmill shed, covered seating / lunch area, covered sand ring and an open sand ring.
- 44 Four 8 x 32m Barns with seven individual 4 x 4m training boxes, office, tack room, feed room, laundry and toilet.
- 45 Public horse trail access point associated with the designated gathering area.
- 46 Gated entry point for racecourse users only.
- 47 Public equestrian club gathering area including 24 individual 4 x 6m day yards, and large open space for maneuvering and parking. Unloading/loading ramps located closer to the larger barns (49).
- 48 Public equestrian clubhouse.
- 49 Sealed area for vehicle maneuvering and large vehicle/truck parking associated with the four barns and the indoor equestrian arena. Two 50m2 horse unloading/loading ramps are also provided for public use, the barns and arena.
- 50 Four 25 x 40m Barns with forty individual 3 x 3m boxes, vet room, office, tack room, feed room, wash down bay, laundry and amenities.
- 51 Two 15m (dia.) pre-parade sand rings.
- 52 Multi-use indoor equestrian center with a 50 x 70m sand riding arena for multiple equestrian activities and events. The center will also include eight livestock boxes, equipment storage rooms, large conference/function room, commercial kitchen, amenities, office, meeting rooms, private viewing boxes and tiered spectator seating. The northern face of the arena will be open to the elements.
- 53 Equestrian center porte cochere and reception area with a one-way looped driveway for visitor drop off/pick ups and deliveries.
- 54 124 Bay sealed car park with two entry/exit access points off Wellington Street and one access point from the porte cochere for valet parking services. Grassed area to the north of the car park provides additional space for overflow parking as required.
- 55 Track access to race day starting gates and chute.
- 56 Race track chute to create an 800m starting run.





