



**Draft Amendment 4/2020**

**Rezoning and Specific Area Plan**

**100 Country Club Avenue  
Prospect Vale**

Supplementary Notification Following Commencement of the  
Meander Valley Local Provisions Schedule

## 1.0 Introduction

The Tasmanian Planning Commission (TPC) has issued a direction to the Meander Valley Council to undertake a process of supplementary notification of aspects of Draft Amendment 4/2020 that are affected by the change of planning scheme from the Meander Valley Interim Planning Scheme 2013 to the Tasmanian Planning Scheme. The direction is included at Attachment 1.

The Tasmanian Planning Scheme commenced operation in Meander Valley on 19 April 2021, following the approval of the Meander Valley Local Provisions Schedule (LPS). Upon commencement of the Tasmanian Planning Scheme in a municipality, the amended provisions of the *Land Use Planning & Approvals Act* (LUPAA) 1993 relating to the Tasmanian Planning Scheme and LPS apply from that point forward.

Any draft amendments to the Meander Valley Interim Planning Scheme 2013 that were in progress, but not yet determined, at the commencement of the Tasmanian Planning Scheme are subject to the Schedule 6 - Savings and Transitional Provisions of LUPAA. This means that, at the point where the Interim Planning Scheme changed to the Tasmanian Planning Scheme, the draft amendment will then be assessed and determined as if it were an amendment to the Meander Valley LPS. The provisions of Schedule 6 also provide that a planning authority may alter the draft amendment for the purposes of ensuring that it relates to the Local Provisions Schedule.

The TPC direction focuses on that part of the Draft Amendment 4/2020 that intersects with the Tasmanian Planning Scheme – LPS changes at Travellers Rest, which are:

- the introduction of the Landscape Conservation Zone which encompasses a portion of the subject title to the south;
- the associated Specific Area Plan that applies over the Travellers Rest Landscape Conservation Zone; and
- the Scenic Management Area overlay that applies over the extent of the Travellers Rest Landscape Conservation Zone.

## 2.0 Background

### 2.1 Meander Valley Local Provisions Schedule

The Draft Meander Valley LPS was endorsed by the planning authority at its meeting on 12 December 2017 and submitted to the TPC. The TPC directed that the Draft LPS be publicly notified in accordance with the Act on 9 October 2018.

The draft LPS was publicly notified for 60 days on 20 October 2018. In accordance with the requirements of the Act, a notice was placed in two Saturday editions of the Examiner and Advocate newspapers and an article placed on Council's website under 'Latest News'. In addition to the requirements of the Act, a letter was sent to each property owner identified in Council's rates database.

Council received submissions from the residents of Travellers Rest relating to the regulatory impacts of the future planning scheme provisions and the long-standing scenic protection provisions that maintain the character of the locality.

The Scenic Protection Area overlay at Travellers Rest was included in Council's Draft LPS as a 'transitional provision', whereby specific overlay components in the prior *Meander Valley Planning Scheme 1995* could be carried forward into the new LPS where they did not conflict with the requirements of the Tasmanian Planning Scheme. The Minister for Planning declared Meander Valley Council's transitional provisions to be included in the future LPS in a notice issued in August 2018 and these were included in the public notification of the Draft LPS. Components of the LPS that are declared transitional provisions cannot be subject to amendment through the LPS process. However once the LPS is approved and the Tasmanian Planning Scheme is operational, the transitional components become a conventional part of the planning scheme and may be subject to amendment.

The future use and development provisions relating to Travellers Rest were considered in detail through the first round of TPC hearings into the Meander Valley LPS regarding the nature of development in the area and appropriate standards to reflect a residential environment with high aesthetic value. The provisions of the proposed Landscape Conservation Zone, together with a Specific Area Plan to tailor development standards appropriate to the character of the existing residential environment, were further considered as substantial modifications to the Draft LPS, through hearings held in 2020. The TPC issued its decision on the final form of the Meander Valley LPS in February 2021 and it commenced operation in Meander Valley on 19 April 2021.

## 2.2 Draft Amendment 4/2020

Draft Amendment 4/2020 was initiated and certified by Meander Valley Council at its Ordinary Meeting of 9 February 2021. The draft amendment proposes to rezone part of the land at 100 Country Club Avenue (Country Club Tasmania) from Major Tourism Zone to General Residential Zone and apply a Specific Area Plan (SAP) to make specific provision for:

- an area of public open space central to the development;
- primary and secondary road layout and key junctions;
- landscape retention and bushfire management areas; and
- an area allocated for a multi-level apartment building.

Figures 1 and 2 below show the certified rezoning and the associated Specific Area Plan.

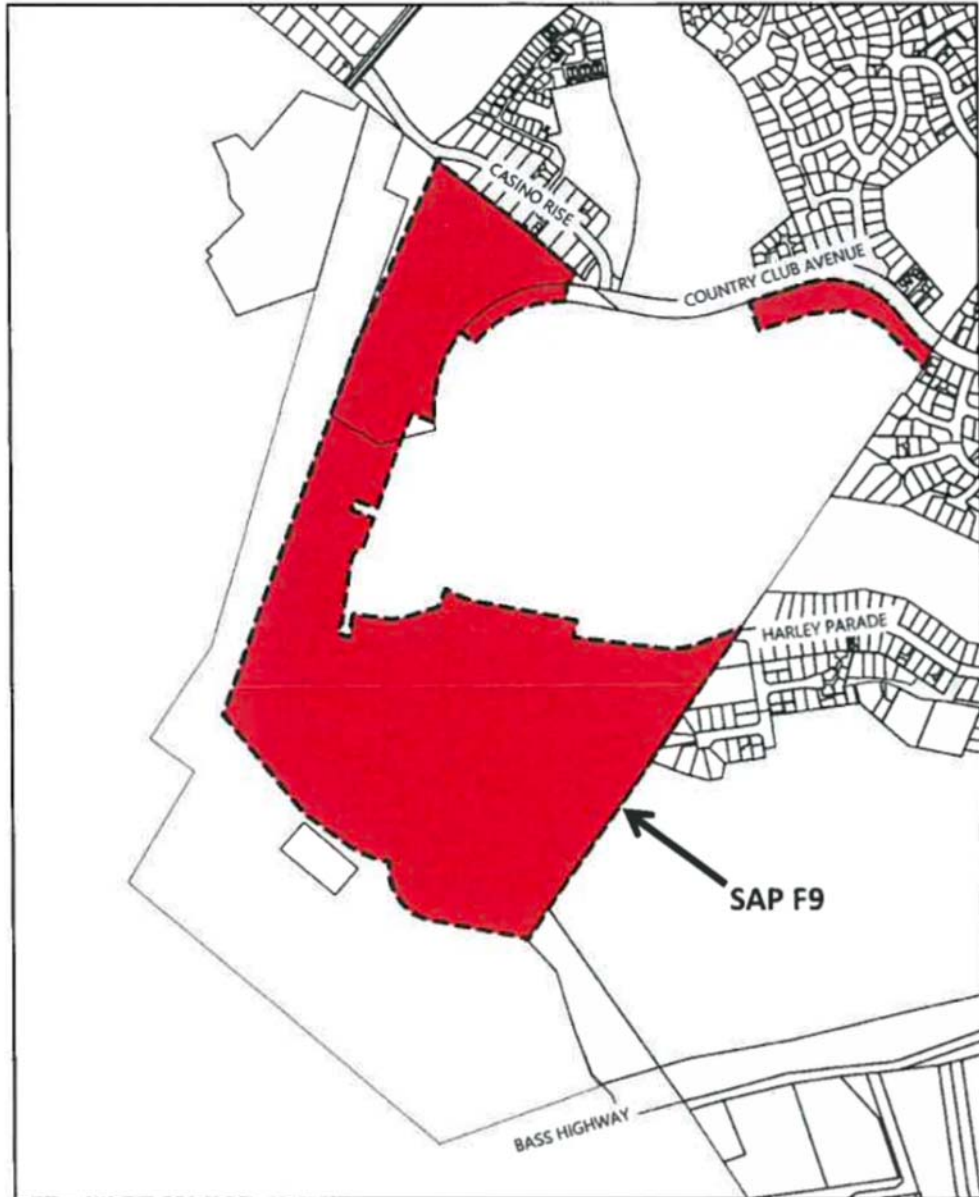


Figure 1: Land proposed to be rezoned to General Residential Zone (extract from Council's certification document) with SAP outline.



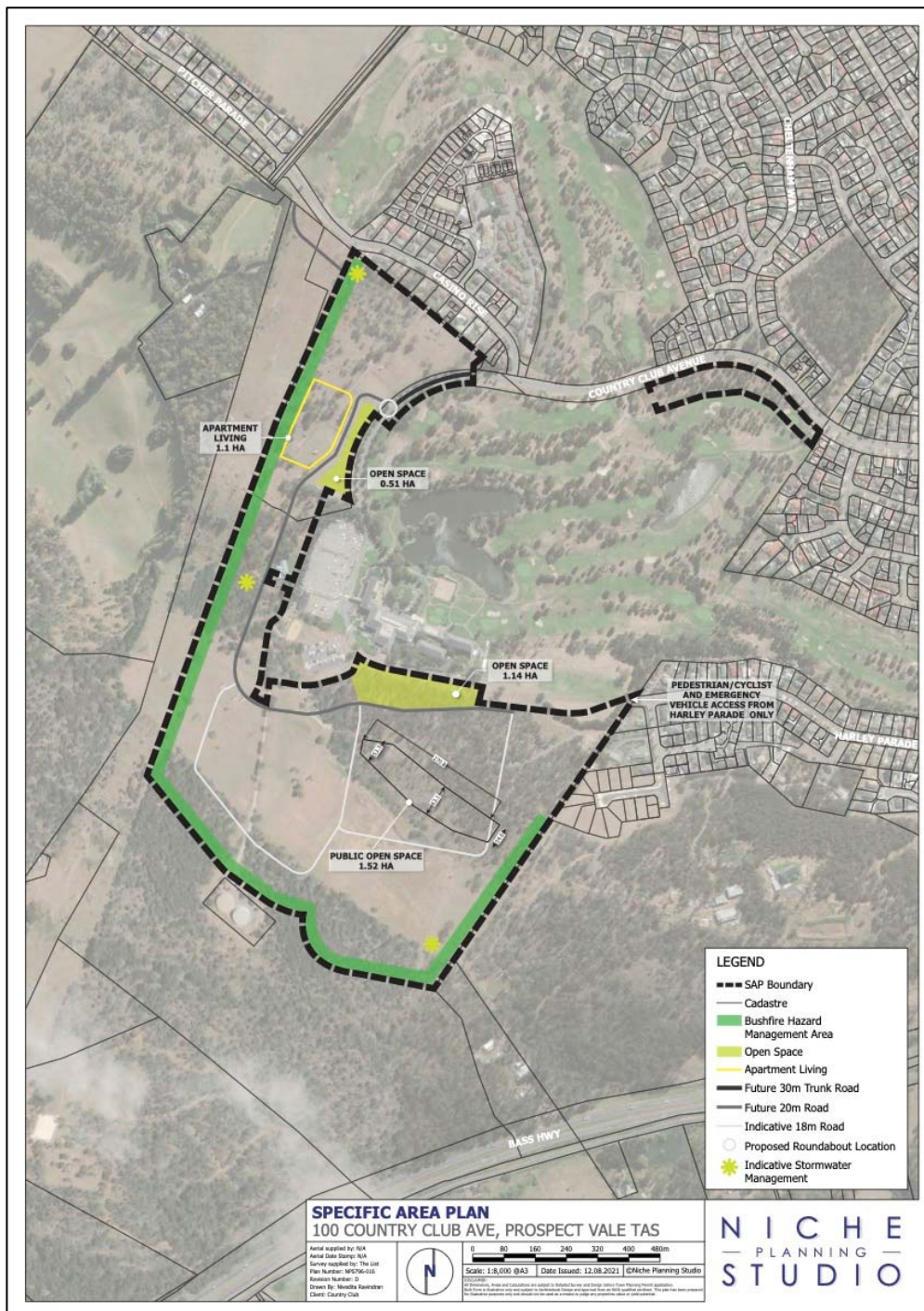


Figure 2: Proposed Specific Area Plan over the General Residential Zone

The draft amendment was publicly notified on 13 February 2021 for a period of 30 days. The documentation that was available for public viewing included the application planning report, supported by various technical reports assessing the suitability of the land. Appendix C (p.64) of the application planning report included identification and a comparative analysis of the proposal against the relevant components of the Draft LPS that were, at the time, under consideration by the TPC but not yet decided. Appendix C also identified and discussed the Codes and overlays that would apply to the land in the future, when the Draft LPS is approved and the implications of those codes and overlays on prospective development under the proposed rezoning.

Council's consideration of the proposal and application assessment report included recommendations for modifications to the proposal to ensure that the outcomes aligned with Council's strategic priorities for the local area and the subsequent decision to initiate the draft amendment included those modifications which were then publicly notified.

The TPC have highlighted procedural matters associated with the prior notification of the draft amendment in that the changes to the final form of the Meander Valley LPS in the southern part of the site, to the extent that it overlaps with the draft amendment, have not been specifically identified for public notification. This is irrespective of discussion of the draft future LPS provisions in the application report, due to the fact that technically, the LPS provisions did not exist at the time of prior notification and as the Draft LPS process was in train, it was not guaranteed that they would be the operational provisions in the future.

As such, this supplementary notification outlines those aspects that overlap and the associated alterations to the operational Meander Valley LPS to ensure that it complies with the requirements of LUPAA, the Tasmanian Planning Scheme and local strategic objectives.

### 2.3 The Draft Amendment and the Meander Valley Local Provisions Schedule

The land proposed for rezoning to General Residential Zone and the extent of the SAP over that zoning, intersects with the new Landscape Conservation Zone and the associated Travellers Rest SAP, as well as the Scenic Protection Area that was carried forward from the Interim Planning Scheme, in the southern part of the subject land. The degree of overlap can be seen in Figure 3 below. At the time of the application for rezoning, the entirety of the site at 100 Country Club Avenue was zoned Major Tourism Zone.



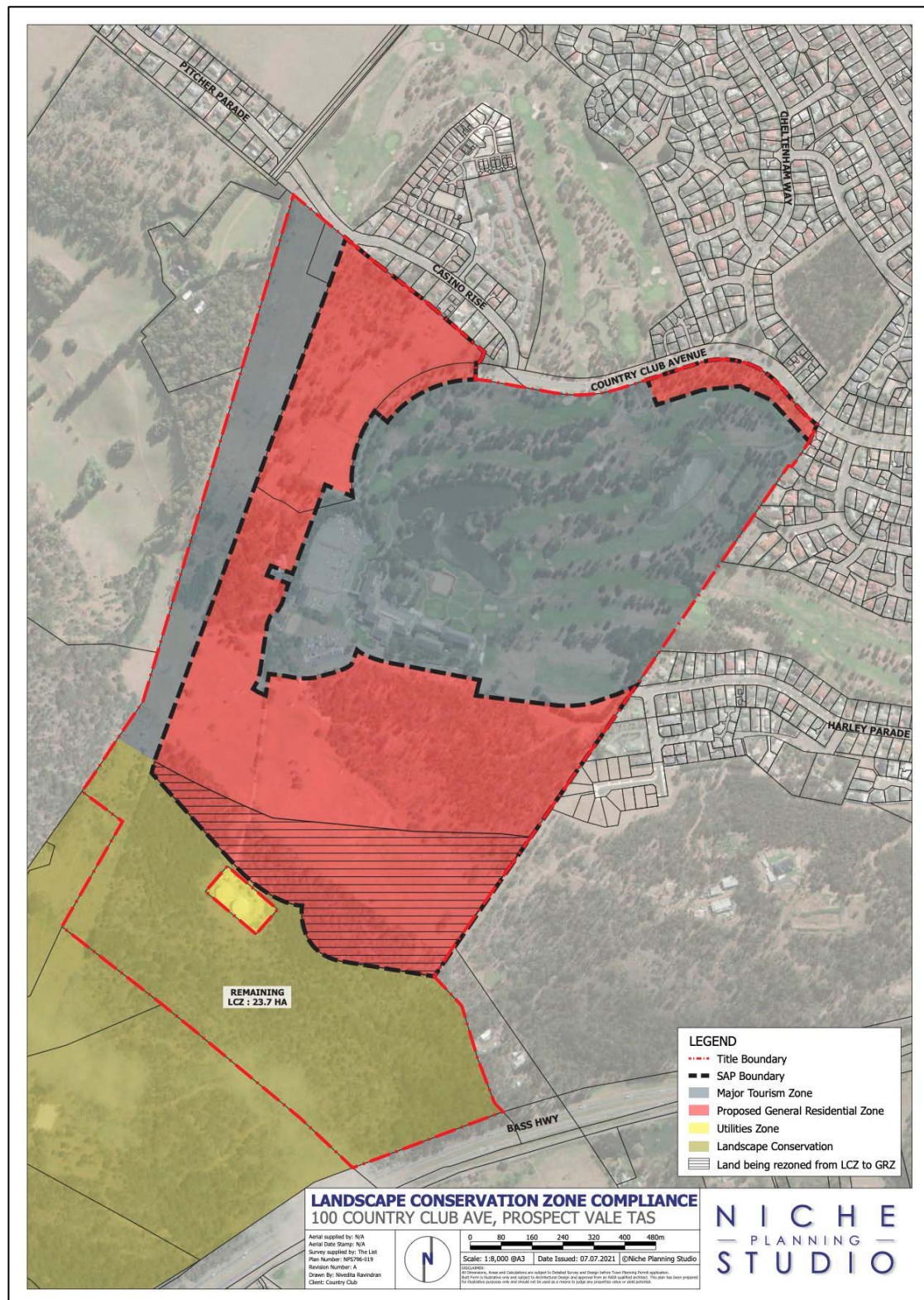


Figure 3: Diagram of initiated rezoning to General Residential Zone and SAP outline showing the extent of overlap with the Landscape Conservation Zone and Scenic Protection Area (hatched portion).

Figure 4 below shows the current arrangement of LPS zoning of Landscape Conservation Zone over Travellers Rest and the Major Tourism Zone over the Country Club Tasmania at 100 Country Club Avenue (the subject site). The southern portion of the subject site was

included in the Landscape Conservation Zone, in the Meander Valley LPS consistent with the adjacent topography of Travellers Rest.

The proposed draft amendment to rezone part of 100 Country Club Avenue to General Residential Zone, now takes in part of the site that has changed zoning with the commencement of the Tasmanian Planning Scheme to Landscape Conservation Zone with an associated SAP. The proposed draft amendment therefore now includes a required adjustment to the Landscape Conservation Zone and the associated MEA-18.0 Travellers Rest Specific Area Plan, to align the boundaries to the proposed extent of rezoning to the General Residential Zone. Figure 3 shows the extent of the adjustment to change the affected part of the Landscape Conservation Zone to the General Residential Zone and the realigned boundary of MEA-S18.0 Travellers Rest Specific Area Plan to match the boundaries of the Landscape Conservation Zone. Figure 4 shows the relationship of the adjusted MEA-18.0 Travellers Rest Specific Area Plan and the adjacent proposed new SAP associated with the rezoning to General Residential Zone.

The rationale as to why this change is appropriate in the context of the assessment undertaken for the draft amendment to date, is discussed in further detail in following sections.

*(Note: The Taswater title within the area being considered that contains the water supply reservoirs and is zoned Utilities Zone, is unaffected by the proposal)*



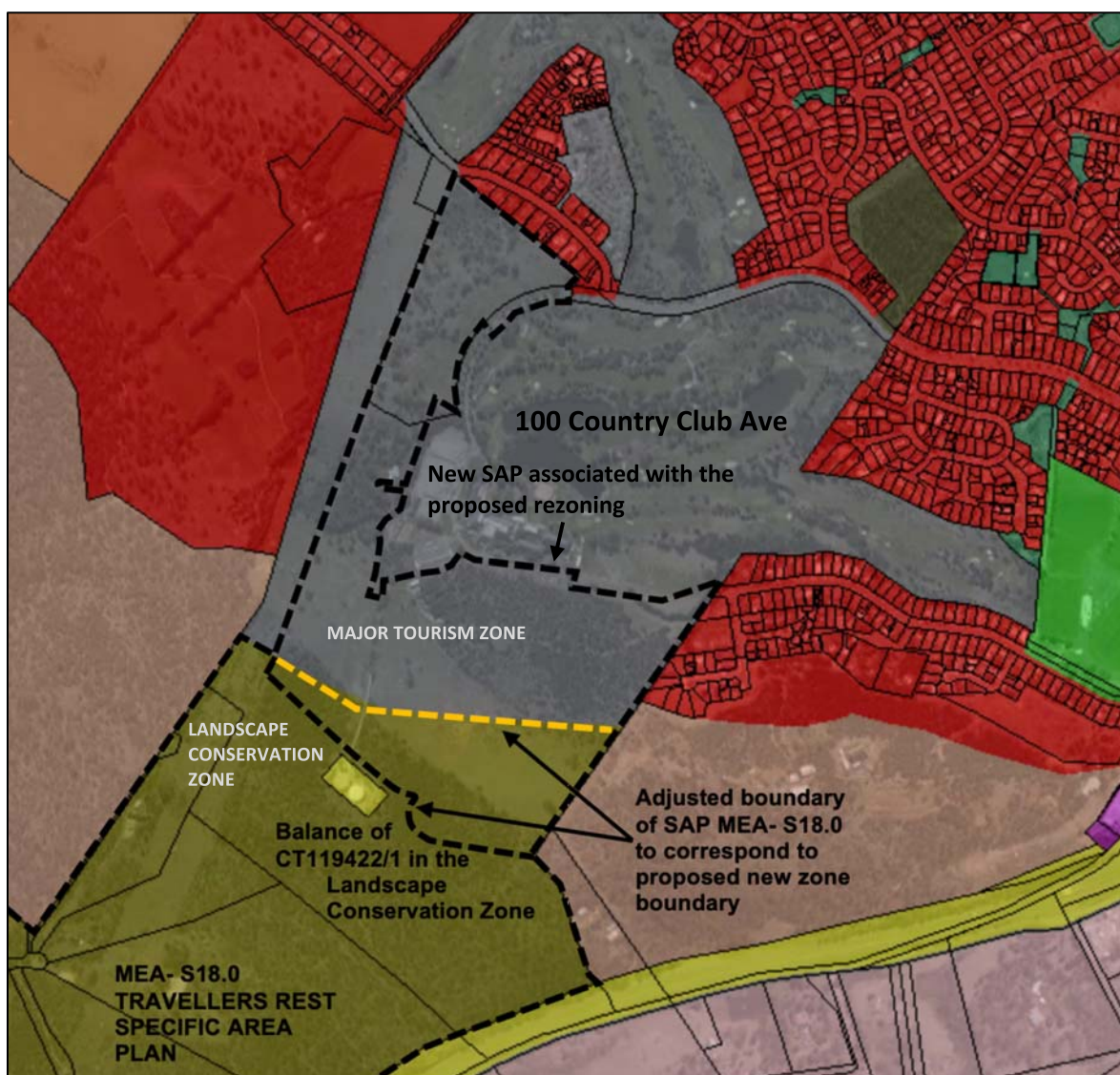


Figure 4: Diagram of current LPS zoning and Travellers Rest SAP adjustments for the proposed rezoning and SAP at 100 Country Club Avenue (CT119422/1).

## 3.0 Amendment to Meander Valley Local Provisions Schedule

### 3.1 Scenic Protection Area

The Scenic Protection Area at Travellers Rest and the Blackstone Hills has its foundations in the 1995 Meander Valley Planning Scheme. It was subsequently carried through to the Meander Valley Interim Planning Scheme in 2013 and into the Meander Valley Local Provisions Schedule as a transitional provision, declared by the Minister for Planning in August 2018. Pursuant to the requirements of the LUPAA, transitional provisions declared by the Minister could not be altered throughout the LPS assessment process.

The original boundaries of the scenic protection area were drawn in the 1995 Planning Scheme in response to early development of the Travellers Rest low density residential area and to manage the impacts of future potential use and development along the Blackstone Hills as viewed from the Bass Highway. The northern boundary of the scenic protection area was a relatively arbitrary designation that approximately followed a contour line that encompassed the two sides of the crest of the ridgeline of the Blackstone Hills (inclusive of Strahans Hill and the ridgeline to the south of Harley Parade), to enable potential future skyline impacts to be considered. The overlay was divided to either side of the existing high voltage powerline easement that traverses the ridge, due to the high degree of visual prominence of the powerlines and the inability to mitigate the visual impacts.

The extent of the Scenic Protection Area, as currently mapped in the Meander Valley LPS is shown below in Figure 5.



Figure 5: LPS Scenic Protection Area overlay (purple hatch) over aerial photograph.

To some degree, the extent of the overlay on the northern slopes, provides a general protection over the landscape when viewed from the north.

The Meander Valley LPS, in MEA-Table C8.1, describes the scenic value of the prominent topography of the Blackstone Hills and Strahan's Hill as:

- a) The prominent, vegetated, hill- faces border the urban edge of Prospect Vale and provide a natural outlook feature to that suburb and from Hadspen to west.*
- b) The range is a prominent natural feature when viewed from the Bass Highway on the approach to Launceston.*

The management objectives are:

- a) To avoid significant landscape change on hill faces of visual prominence when viewed from Prospect Vale, Hadspen and the Bass Highway.*
- b) To locate and design development to blend with the landscape and not be obtrusive.*

However, the northern face of the scenic protection area had not been subject to detailed analysis until the submission of the application for Draft Amendment 4/2020, which takes in an area of approximately 10.5 hectares of the scenic protection area at the southern edge of the proposed rezoning.

Council's original analysis of the proposed rezoning identified modifications to the proposal to include 1.52 hectares of vegetated land along the central ridgeline to be dedicated as public open space as an effective visual mitigation measure as well providing for high amenity parkland within the future development.

The anomaly that exists regarding the northern face of the scenic protection area is that the central ridgeline within the subject site that is not included in the overlay, is in fact, a continuation of the ridgeline to the east on adjoining land that is included in the overlay. This central ridgeline across the two adjoining titles and the scenic protection area, is shown in Figure 6 below, together with photographs taken from the north, which are extracted from Council's original assessment report for initiation of the draft amendment.

Photographs 1 to 5 below show various views toward the site and the Blackstone Hills from the suburban area to the north. A substantive portion of the proposed future development area is located within the 12 hectare cleared area behind the central ridgeline and cannot be seen from the north due to the screening effect of the vegetated central ridgeline and lower elevations of vantage points. This is the main rationale behind Council's modification of the draft amendment to retain the bulk of the central vegetated ridgeline as public open space, which effectively maintains the ridgeline in a vegetated state consistent with that part of the ridgeline on the adjacent property that is within the scenic protection area and protects the visual mitigation value in perpetuity as it will be in public ownership. As public parkland, the vegetation will be maintained and enhanced.



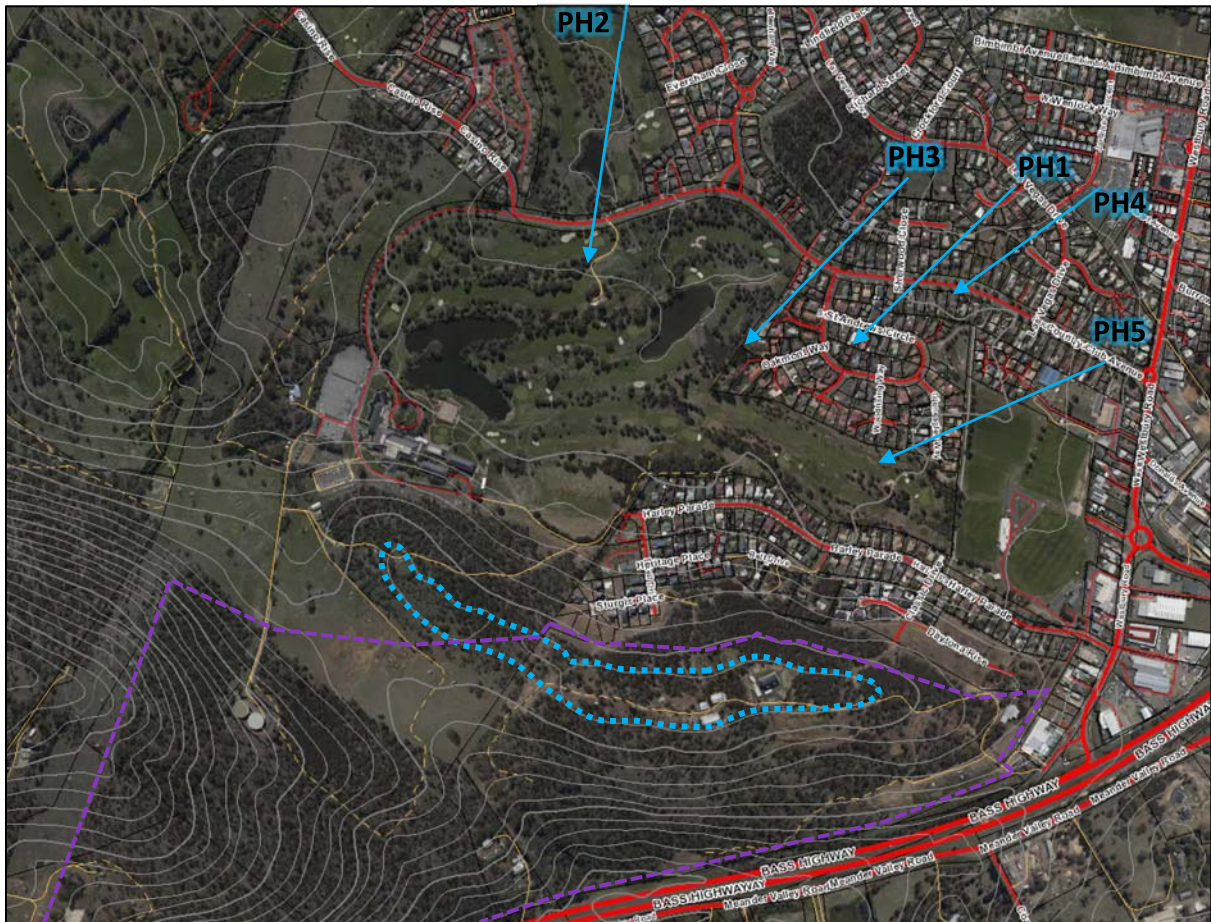


Figure 6: Aerial photo showing topography, current scenic protection area and photograph locations and view lines.



Photo 1: View south from Las Vegas Drive to central ridgeline where it crosses the boundary between the subject site and Lot 1 Harley Parade.

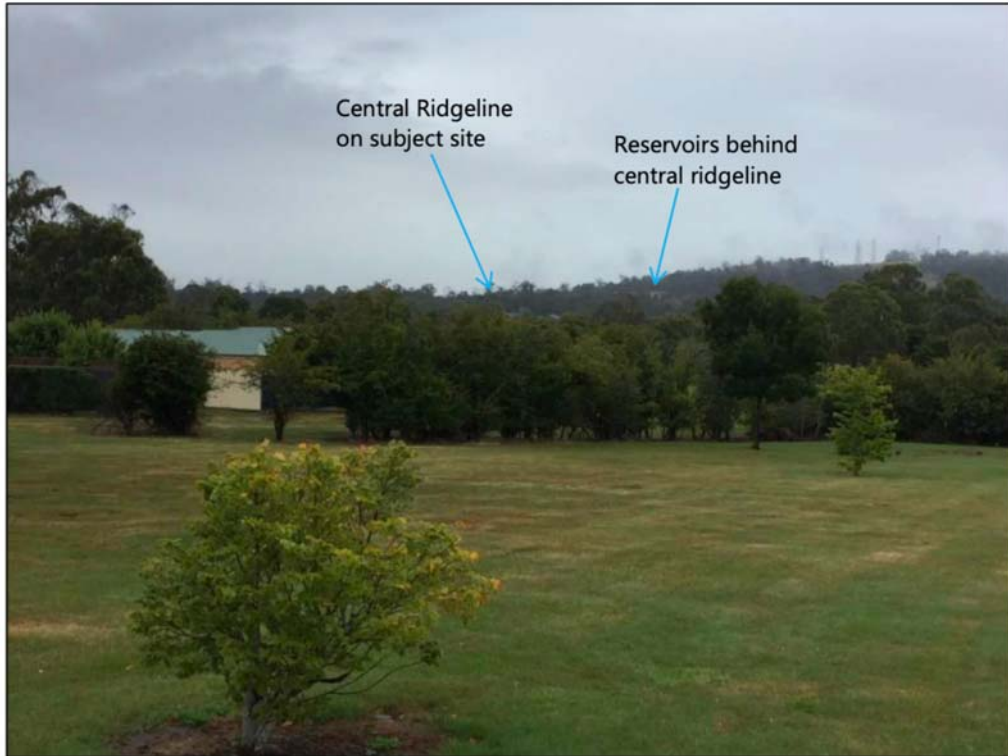


Photo 2: View south from Molecombe Drive Reserve to central ridgeline.



Photo 3: View south from Las Vegas Drive Reserve to central ridgeline.



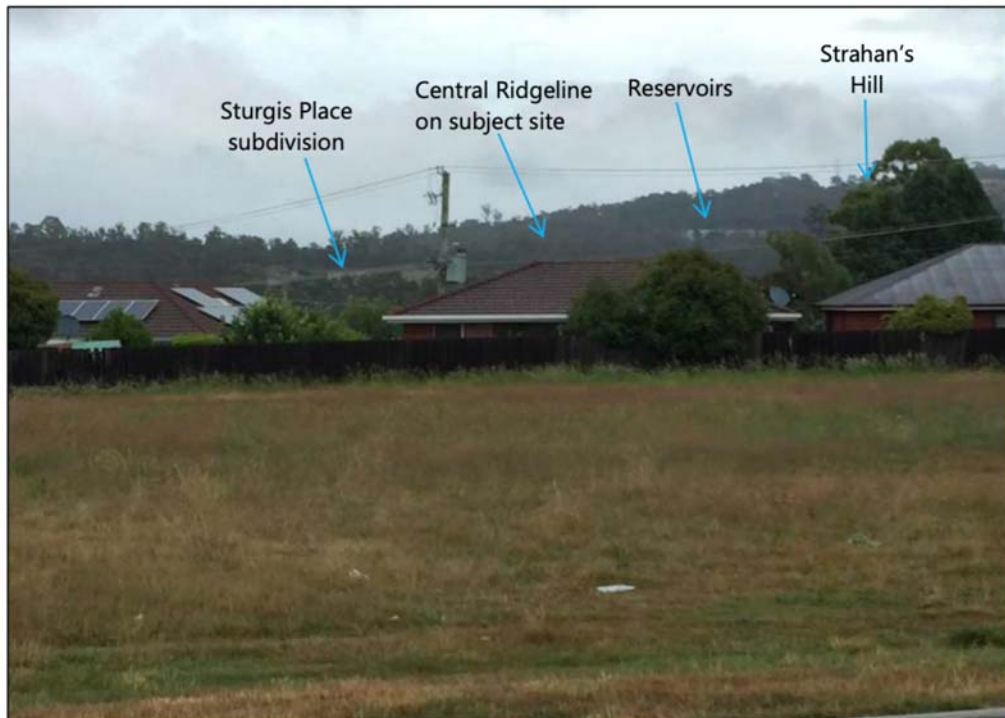


Photo 4: View south to central ridgeline, showing reservoirs and Strahan's Hill behind, from Prospect Vale Market Place car park (off Jardine Crescent).



Photo 5: View south to central ridgeline, showing reservoirs and Strahan's Hill behind, from Country Club Avenue.

Approximately 4.7 hectares of the cleared land is located within the current scenic protection area, which results in an unreasonable regulatory limitation over the land given

that this area is not visible from vantage points external to the site and also when considered in combination with the draft amendment modification to locate public open space along the ridgeline. The most visible, vegetated part of the subject site is not included in the scenic protection area, however when considering the proposed future development in totality, appropriate measures such as the retention of prominent, vegetated land for public open space will result in a more visually appropriate outcome.

The land that is proposed for rezoning to General Residential Zone is inclusive of a 26 metre wide, bushfire hazard management buffer area which is to be managed for passive recreation use. This 'buffer' area, although required to be thinned of vegetation, will have visual mitigation value, graduating visual impacts at the perimeter of the future development area and lowering the elevation of the resultant building envelopes of the southern-most lots. The visibility and the elevation of the reservoirs in the landscape when viewed from various vantage points, provides a useful reference to gauge the relative height and location of future buildings on lots and the mitigation value in retaining vegetation in public open space over the central ridgeline.

There will inevitably be narrow, captured views to some of the southern-most extent of development from more elevated parts of the suburb to the north. However, the future extent of development is considered in the context of the high degree of visibility of substantive, pre-existing infrastructure in the concrete reservoirs and the high voltage powerlines.

Attachment 2 shows a section across the landscape demonstrating the relative levels of view lines from the suburban area to the north of the subject site and the effect of mitigating features such as the public open space over the central ridgeline and the transitional buffer to the southern edge.

The adjustment of the scenic protection area to align with the boundary of the proposed General Residential Zone, as part of this draft amendment, is necessary as the State Planning Provisions do not allow the scenic protection area overlay to be applied to the General Residential Zone. The Specific Area Plan that is proposed as part of this draft amendment over the General Residential Zone includes the bushfire/landscape management buffer which ensures that vegetation management will occur at the periphery of the development area.

When the topography and visual character, as viewed from various vantage points is analysed in regard to existing mitigating elements, such as the established vegetation on the golf course, together with achievable inclusions in the draft amendment such as the perimeter landscape buffer and more effective visual mitigation through public open space over the central ridgeline, it is considered that amending the scenic protection area in the LPS to enable the proposed General Residential Zone is appropriate.

The draft amendment to the LPS scenic protection area (in conjunction with the certified, modified draft amendment) :

- complies with the requirements for LPS's stipulated in section 32 of the LUPAA;

- meets the objectives of the LUPAA as it corrects an anomaly and properly aligns the physical circumstances of development in the landscape with local strategy; and
- is consistent with the local strategies expressed in the Prospect Vale-Blackstone Heights Structure Plan in that it provides for a more refined, site-responsive outcome for development in consideration of visual and landscape values

### 3.2 Landscape Conservation Zone

The Landscape Conservation Zone at Travellers Rest was submitted in Council's Draft LPS as being the most appropriate zone reflective of the scenic protection area overlay, which was to transition from the Meander Valley Interim Planning Scheme 2013 to the Meander Valley LPS under Schedule 6 of the LUPAA, discussed in detail above.

The purpose of the Landscape Conservation Zone is:

- *to provide for the protection, conservation and management of landscape values;*  
and
- *to provide for compatible use or development that does not adversely impact on the protection, conservation and management of landscape values.*

The range of uses allowable in the zone is limited and the standards of the zone reflect the desire to achieve dispersed, low impact development outcomes. The Landscape Conservation Zone at Travellers Rest was considered in tandem with a Specific Area Plan to provide for the low-density residential development that was predominant in the area.

The foundational element that shaped the boundary of the Landscape Conservation Zone was the existing scenic protection area, promoting a generally consistent application of the zone across the localised topography. This encompassed that part of the subject land that traversed the hills adjacent to the Travellers Rest residential area that becomes part of the prominent slope adjacent to the Bass Highway. The State Planning Provisions did not allow application of the scenic protection area overlay to the Major Tourism Zone, which was the zoning of the land under the Meander Valley Interim Planning Scheme, therefore that part of the subject site within the scenic protection area was included in the Landscape Conservation Zone.

The Landscape Conservation Zone was predicated on the extent of the scenic protection area as the principal indicator of 'landscape values'. Considering the analysis of the application of the scenic protection area overlay over the subject site discussed above and the recommended amendments to enable the proposed rezoning to the General Residential Zone, it is appropriate that the Landscape Conservation Zone be amended to reflect the adjusted scenic protection area and maintain the consistency between the zone, scenic protection area and the Travellers Rest Specific Area Plan. Figure 3 above shows the area of Landscape Conservation Zone proposed to be rezoned to General Residential Zone.

The land to be retained in the Landscape Conservation Zone is the balance of CT 119422/1 which will remain in the ownership of Country Club Tasmania. This land is not proposed for future development with all development and bushfire hazard management areas

contained within the proposed General Residential Zone or the Major Tourism Zone associated with the Country Club complex.

Future development of the land retained in the Landscape Conservation Zone will continue to be subject to the use and development provisions of the zone that are not substituted by provisions in MEA-S18.0- Travellers Rest Specific Area Plan. The balance land area within the Landscape Conservation Zone at 23.7 hectares, meets the mandatory minimum of 20 hectares in the performance criteria.

### 3.3 Travellers Rest Specific Area Plan

The provisions of MEA-S18.0- Travellers Rest Specific Area Plan (SAP) were considered at some length through the process of assessment of the Draft Meander Valley LPS. Council's original submission of its Draft LPS included a Specific Area Plan to provide reasonable provisions for the locality that reflected the existing low density residential environment. The detail of the proposed provisions for Travellers Rest were further considered through notification and hearings into substantial modifications to the Draft Meander Valley LPS. The finalised Specific Area Plan for Travellers Rest came into effect with the commencement of the Tasmanian Planning Scheme on 19 April 2021 as MEA-18.0 Travellers Rest Specific Area Plan.

The spatial extent of the Specific Area Plan reflects the spatial extent of the Landscape Conservation Zone, as the provisions are designed to substitute and add to the State Planning Provisions that are included in that zone, to provide for use and development consistent with that which already exists in that locality and which could be reasonably accommodated in the locality in consideration of existing land use, such the Country Club Tasmania Land and its associated tourism use.

The purpose of MEA-18.0 Travellers Rest Specific Area Plan is:

- *To provide for residential use for a single dwelling as a permitted use at Travellers Rest;*
- *To provide for development that is compatible with the landscape values of Travellers Rest;*
- *To provide for subdivision for boundary adjustment; and*
- *To minimise the visual impacts of vegetation clearance and building development on the prominent slopes visible from the Bass Highway and the broader environment through vegetation management and appropriate forms of development.*

In consideration of the scenic landscape analysis described above and the purpose of the Specific Area Plan, the provisions of the Specific Area Plan are not appropriate for application to land proposed to be contained within the General Residential Zone. The inclusion of the Specific Area Plan in the Meander Valley LPS has followed a sequential process of the transition of the pre-existing scenic protection area, the appropriate zoning designation and then specific provisions that are best placed to serve the specific circumstances of the local environment.

In this instance, the more detailed analysis of potential landscape impacts and the modifications included in the draft amendment for mitigation of visual landscape impacts,



balanced against other strategic objectives for residential development contiguous to the suburban area of Prospect Vale to the north that support the proposal for rezoning, demonstrates that it is appropriate to adjust the boundary of MEA-18.0 – Travellers Rest Specific Area Plan to correlate with the adjusted boundary of the Landscape Conservation Zone and the scenic protection area overlay. The retention of the Specific Area Plan over the balance area of 100 Country Club Avenue (CT119422/1) within the Landscape Conservation Zone will ensure that future development on the prominent elements of the landscape will be appropriately considered for visual landscape impact.

Figure 4 above shows the proposed adjustment of the boundary of MEA-18.0 – Travellers Rest Specific Area plan to align with the adjustment of the Landscape Conservation Zone.

## 4.0 Tasmanian Planning Scheme – Code Overlay Maps

The commencement of the Tasmanian Planning Scheme implemented new code overlay maps and associated provisions that were not in effect when Draft Amendment 4/2020 was initiated and certified. Whilst many of the same code matters were relevant under the prior Meander Valley Interim Planning Scheme 2013 and were assessed for initiation and certification of the draft amendment, there are requirements in the Tasmanian Planning Scheme to apply particular code overlays.

A comparative analysis in changing to the Tasmanian Planning Scheme was included in the application planning report at Appendix C (p.65) and was considered as part of the assessment for initiation and certification.

For the purposes of clarity, the effect of the application of code overlay maps that are required to be included in the Meander Valley Local Provisions Schedule is discussed below.

### 4.1 Natural Assets Code

#### 4.1.1 Priority Vegetation Area

The mapped extent of the Priority Vegetation Area overlay on the site is shown below in Figure 7.

The Regional Ecosystem Model that forms the basis of the mapping provides for various elements of natural values, including threatened status, the type of community, habitat for fauna movement through the landscape and remnant values. Substantive areas of native vegetation are being retained in the southern bushland and also in Council's proposed modification to incorporate approximately 1.2 hectares of native vegetation over the central ridgeline in public open space. Both the original Entura report and the attached addendum emphasise that the area of substantive natural value is the 23 hectares of retained bushland to the south, which forms connective habitat to bushland to the east and west. Smaller pockets of retained, but variously modified, native vegetation correlate with open drainage lines adjacent to the existing car park and across the golf course that are mapped as waterway protection areas.



Standard C7.7.2 includes an objective for future subdivision that “*works will not have an unnecessary or unacceptable impact on priority vegetation*” and that “*future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation*”.

The performance criteria P1.1(c) provides for subdivision in the General Residential Zone and P1.2 requires that associated works must minimise adverse impacts on priority vegetation having regard to:

- (a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;*
- (b) any particular requirements for the works and future development likely to be facilitated by the subdivision;*
- (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;*
- (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;*
- (e) any on-site biodiversity offsets; and*
- (f) any existing cleared areas on the site.*

For the most part, the proposed General Residential Zone which will be subject to future urban development takes in previously cleared or modified land, including the area over the central ridgeline that Council will take over as public open space. The highest value native vegetation to the south is being retained in the Landscape Conservation Zone and will be subject to negligible pressure for development, with the intention to reserve the land for continued passive recreational pursuits to be privately managed by Country Club Tasmania. Similarly, the peripheral buffer will be modified for bushfire hazard management but will still retain natural values through tree retention and ground movement of fauna. Importantly, areas subject to future clearance or modification are not identified as threatened communities.

Future development and associated works will be directed to previously cleared land or modified areas of vegetation and as such, the works are not considered to lead to an unacceptable impact on the priority vegetation. Peripheral modification of some native vegetation is necessary for bushfire management yet is to be implemented in a manner that retains amenity values for residents through graduated vegetation retention as well as maintaining habitat value for the movement of fauna.

On-site biodiversity offsets are not considered necessary in this instance due to the retention of the balance land in the Landscape Conservation Zone, which has a moderating effect on future works on that area of the land and will ensure that native vegetation cover will be maintained to a high degree.

Additional comment in regard to the natural values assessment and the provisions relating to the Priority Vegetation Area is provided by Entura at Attachment 3.

The Priority Vegetation Area overlay will apply to any future application for subdivision in the General Residential Zone and is an appropriate overlay to apply to future development

to enable consideration of potential, site specific responses to a detailed development application.

#### 4.1.2 Waterway Protection Area

The mapped extent of the Waterway Protection Area overlay on the site is shown below in Figure 7.

The mapped Waterway Protection Area on the site occurs along open drainage lines to the western edge of the existing car park and across the golf course. The drainage lines flow through two feature dams on the golf course before discharge to the watercourse to the north of the site, which drains the southern area of Prospect Vale through Dalrymple Creek to the South Esk River. There are no waterways on the site in a natural state, however for aesthetic and amenity reasons relating to the presentation of the golf course, water quality is monitored to ensure that there are no adverse environmental effects that would contaminate the dams. This has the effect of protecting water quality within the site and downstream.

Additional comment in regard to the management of stormwater discharge to the mapped drainage lines is provided by Rare consulting at Attachment 4. As outlined in the Rare advice, the location of bio-retention basins to manage stormwater at strategic locations prior to discharge, serves to reduce flow rates therefore minimising potential for erosion and sedimentation. In addition, the ability to utilise existing and supplementary vegetation treatment within the bio-retention basins together with proprietary pollutant traps, protects downstream water quality.

The objective of standard *C7.6.1 of the Natural Assets Code - Buildings and works within a waterway and coastal protection area or a coastal refugia area* requires that “*buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets*”.

Although there will be no building development within the waterway protection area, future works for stormwater management and bio-retention basins will necessitate works within the mapped areas. These works will be subject to the following performance criteria:

*P1.1 - Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:*

- (a) impacts caused by erosion, siltation, sedimentation and runoff;*
- (b) impacts on riparian or littoral vegetation;*
- (c) maintaining natural streambank and streambed condition, where it exists;*
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (e) the need to avoid significantly impeding natural flow and drainage;*
- (f) the need to maintain fish passage, where known to exist;*
- (g) the need to avoid land filling of wetlands;*
- (h) the need to group new facilities with existing facilities, where reasonably practical;*
- (i) minimising cut and fill;*

- (j) building design that responds to the particular size, shape, contours or slope of the land;*
- (k) minimising impacts on coastal processes, including sand movement and wave action;*
- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;*
- (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and*
- (n) the guidelines in the Tasmanian Coastal Works Manual.*

As stated above, the mapped waterways within the site are not natural waterways, however they do discharge to drainage lines that eventually lead to natural waterways and as such, measures to protect water quality are incorporated into the design for stormwater management. The existing Country Club complex and golf course with its associated drainage arrangement through dams that act as detention basins, provides an ideal opportunity to integrate stormwater management measures within those drainage lines to ensure that future development does not have an unnecessary or unacceptable impact on natural assets. Similarly, the stormwater management area identified for the western discharge to the waterway on adjoining land will become part of the Council's urban drainage network and will be maintained in the same manner, which will ensure long term protection of water quality prior to being received by downstream natural waterways.

The stormwater modelling carried out taking into account future development, demonstrates that flow rates can be managed to avoid flooding, erosion, siltation and sedimentation. Adequate modelling in early stages of proposal formulating such as has been undertaken for this project, ensures that there will be no need for future works for the protection of natural assets as these have been incorporated into the design up-front. Standard practices such as those outlined in the *Wetlands and Waterways Works Manual* can be readily employed for future works to protect downstream environments, both constructed and natural.

Similarly, P3 requires that *"development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:*

- (a) the need to minimise impacts on water quality; and*
- (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff."*

Whilst technically, future development will be utilising existing drainage lines that serve the Country Club, the intensified and changed nature of stormwater runoff from urban development could be classified as a 'new discharge point' into a waterway. Notably, watercourses are defined as a public drain under the *Urban Drainage Act 2016*.

The stormwater management measures described above also serve to achieve compliance with P3.

In conclusion, the stormwater engineering design and associated modelling submitted for this application, competently demonstrates that the objective and relevant performance criteria of standard C7.6.1 will be satisfied.



The Waterway Protection Area overlay will apply to any future application for subdivision in the General Residential Zone and is an appropriate overlay to apply to future development to enable consideration of potential, site specific responses to a detailed development application.

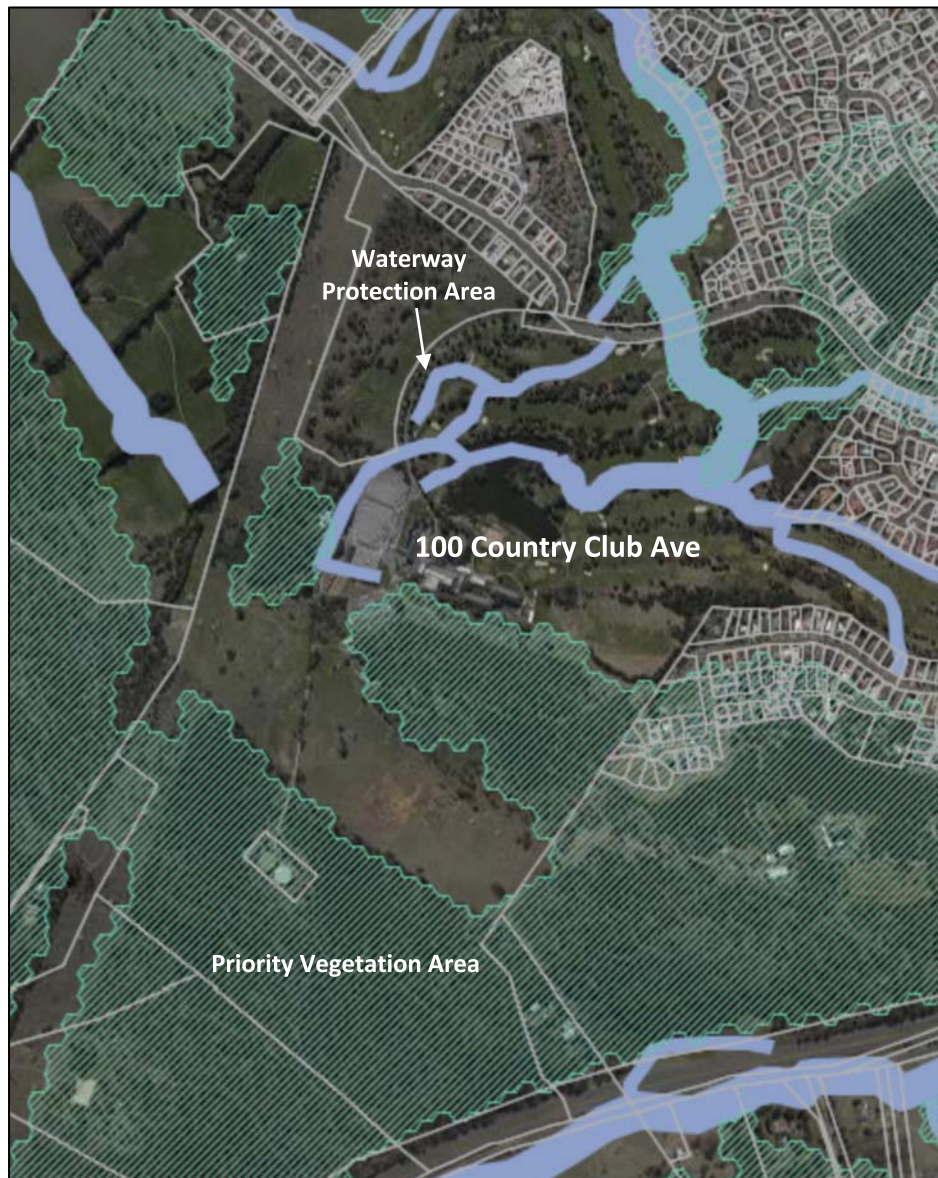


Figure 7: Priority Vegetation Area and Waterway Protection Area overlays.

## 4.2 Electricity Transmission Infrastructure Code

The mapped extent of the Inner Protection Area and the Electricity Transmission Corridor overlay on the site is shown below in Figure 8.

The Inner Protection Area generally reflects easements on titles which contain restrictions for buildings and structures, tall vegetation and some uses. TasNetworks noted in its representation to the Meander Valley LPS that in some cases there were some minor discrepancies between easements on title and the Inner Protection Area overlay for

technical reasons. It is also noted that TasNetworks made representation to the application and did not raise any concerns in regard to that part of the proposal that is subject to the overlays.

Standard C4.6.1 – *Buildings and works within an electricity transmission corridor*, provides for use and development within the corridor overlay, but triggers a discretion for buildings or works within the inner protection area.

The objective of the standard is that *“buildings or works within an electricity transmission corridor are located at appropriate distances from transmission lines or cables to:*

- a) ensure operational efficiencies, access to, and security of, existing or future electricity transmission infrastructure; and*
- b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure.”*

The performance criteria require that *“buildings or works within an electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to:*

- (a) the nature, height and materials of the buildings and works;*
- (b) the extent of encroachment of the buildings and works into the electricity transmission corridor;*
- (c) the location of the buildings and works within the electricity transmission corridor; and*
- (d) any advice from the electricity entity.”*

The performance criteria allow for development within the inner protection area subject to the advice of TasNetworks. Typical practice for a powerline easement is to exclude that area of the lots from any building development or use that would create an increased risk. Only a small section of the inner protection area contains the landscape buffer and a stormwater management area, which does not require any building. Future roads will cross underneath the powerlines, however there are multiple occurrences of this along the transmission corridor in other locations. Future referral of subdivision applications to TasNetworks will ensure that appropriate safety standards are met and the code requirements will be complied with.





Figure 8: Inner Protection Area and Electricity Transmission Corridor overlays for the high voltage powerlines.

### 4.3 Bushfire Prone Areas Code

The mapped extent of the Bushfire Prone Area overlay on the site is shown below in Figure 9. The overlay applies across the subject site, excluding the golf course area.

Council has taken the advice of accredited bushfire practitioner Rebecca Green in the assessment of this draft amendment which is included as Attachment 5 which addresses the matters raised in the initial bushfire hazard assessment in the application documents prepared by North Barker. Ms Green outlines how future subdivision and housing development can readily meet the requirements of the Bushfire Prone Areas Code and mechanisms regularly employed in bushfire hazard management plans for enforceable hazard management areas both on the developing land and third party land.

*Note:* The original Specific Area Plan included a notation for a 'retirement living' over the apartment complex. The Specific Area Plan included above at Figure 2 has amended this notation to 'apartment living' due to potential confusion with the 'retirement village'

classification under the planning scheme, which invokes the definition of ‘vulnerable use’. The provision in the Specific Area Plan is to enable a higher density apartment building arrangement and not an aged care facility, and therefore is not a ‘vulnerable use’. The notation was simply a reflection of a likely market demographic, however the complex will be appropriately classified as multiple dwellings in the form of apartments.



Figure 9: Bushfire Prone Area overlay map



## 5.0 Land Use Planning & Approvals Act 1993

Section 34 of the LUPAA lists the *LPS criteria to be met by a relevant planning instrument*, which includes any amendment to a LPS. The criteria are addressed individually below:

(2)

*(a) contains all the provisions that the SPPs specify must be contained in an LPS;*

Comment:

The draft amendment does not seek to alter the required components of the State Planning Provisions. All SPP overlays will apply to the land, some of which are new and are addressed above.

*(b) is in accordance with section 32:*

⇒

Section 32 specifies the contents of an LPS:

*(1) An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.*

Comment:

The draft amendment applies only within the Meander Valley LGA.

*(2) An LPS –*

*(a) must specify the municipal area to which its provisions apply; and*

*(b) must contain a provision that the SPPs require to be included in an LPS; and*

*(c) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and*

Comment:

The draft amendment applies the SPP zoning and required overlays.

*(d) may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme;*

Comment:

Section 11 of LUPAA stipulates the allowable contents of the Tasmanian Planning Scheme. Particularly relevant are subsections:

*(a) make any provision which relates to the use, development, protection or conservation of any land; and*

*(b) set out policies and specific objectives; and*

*(c) regulate or prohibit the use or development of any land; and*

*(d) set out requirements for the provision of public utility services to any land.*

Comment:

The draft amendment proposes a Specific Area Plan to include provisions that specifically deliver Council's policies and specific objectives relating to local strategic planning. In furthering those objectives, the draft amendment sets out the requirements for the provision of public utilities in open space and the road network. To achieve the strategic outcomes, subsequent amendments are required to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the

Scenic Protection Area overlay in the newly commenced Tasmanian Planning Scheme – Meander Valley Local Provisions Schedule.

Section 12 of LUPAA provides protections for existing uses. The draft amendment does not affect existing use rights under the Act as only the subject site is impacted by changes to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Area overlay.

- (e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land;*

Comment:

The draft amendment modifies the Scenic Protection Area overlay in accordance with the requirements of the SPP's.

- (f) must not contain a provision that is inconsistent with a provision of section 11 or 12;*

Comment:

The draft amendment does not contain provisions that are inconsistent with the allowable content of planning schemes, nor does it affect existing rights under section 12.

- (g) may designate land as being reserved for public purposes;*

Comment:

The Specific Area Plan makes provision for designated public open space within the limits set under the Local Government (Building & Miscellaneous Provisions) Act 1993. Amendments to the LPS Scenic Protection Area Overlay and the Landscape Conservation Zone are appropriate as a result of the ability to designate land for public purposes in order to achieve strategic objectives.

- (h) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter;*

Comment:

Not applicable.

- (i) may, if permitted to do so by the SPPs, override a provision of the SPPs;*

Comment:

Not applicable.

- (j) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs;*

Comment:

Following the approval and commencement of the Tasmanian Planning Scheme, the application of the Scenic Protection Area overlay requires amendment to correlate with the boundary of the Landscape Conservation Zone as described above. The Scenic Protection Area is a SPP overlay that is permissible to amend through the Local Provisions Schedule.

- (k) may, subject to this Act, include any other provision that –*

*(i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and*

*(iii) is permitted by the SPPs to be included in an LPS;*

Comment:

The draft amendment requires an adjustment of the MEA-S18.0 Travellers Rest Specific Area Plan to conform with operational requirements of the SPP's and remove conflicting provisions.

*(l) must not contain a provision that the SPPs specify must not be contained in an LPS.*

Comment:

The Scenic Protection Area overlay requires amendment as the SPP's specify that this overlay cannot apply to the General Residential Zone. Analysis of the proposed extent of the General Zoning and associated Specific Area Plan is discussed above in regard to the Scenic Protection Area overlay and why it is appropriate to allow for the amendment to its boundary.

*(3) Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –*

*(a) a particular purpose zone, being a group of provisions consisting of –*

*(i) a zone that is particular to an area of land; and*

*(ii) the provisions that are to apply in relation to that zone; or*

*(b) a specific area plan, being a plan consisting of –*

*(i) a map or overlay that delineates a particular area of land; and*

*(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs; or*

*(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*

Comment:

The draft amendment requires the adjustment of MEA-18.0 Travellers Rest Specific Area Plan. The Travellers Rest Specific Area Plan was approved as being in accordance with the LPS Criteria and justified under Section 32(4) of the LUPAA. The history and rationale behind the co-ordinated application of the Scenic Protection Area overlay, Landscape Conservation Zone and the Travellers Rest Specific Area Plan is discussed above. A more detailed analysis of the landscape impacts and the relationship to the application of these three elements of the Meander Valley LPS concludes that it is appropriate to make amendments to accommodate the proposed General Residential Zone.

*(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*

*(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.*

Comment:

Refer to comment above.

*(5) An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.*

Comment:

The draft amendment is prepared in accordance with the structure of the SPP's and the Meander Valley LPS. Amendments to the Scenic Protection Area overlay, Landscape Conservation Zone and MEA-18.0 Travellers Rest Specific Area Plan are in accordance with the structure of the SPP's.

*(6) A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.*

Comment:

The draft amendment is prepared in accordance with the form of the Meander Valley LPS. Amendments to the Scenic Protection Area overlay, Landscape Conservation Zone and MEA-18.0 Travellers Rest Specific Area Plan relate to the spatial application of those components only and do not affect the drafted text of the ordinance.

*(7) A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.*

Comment:

Not applicable.

⇒

*(c) furthers the objectives set out in [Schedule 1](#) ;*

Part 1:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The adjustment to the Landscape Conservation Zone does not alter or affect the assessment of natural values undertaken for the draft amendment, which considered in detail natural environment of the site.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. These are anticipated procedural changes that were identified in the original application assessment.
(c) to encourage public involvement in resource management and planning; and	This notification process for the changes to the operational components of the Meander Valley LPS provides for additional public comment in respect to those changes which will be considered as part of the overall assessment of the draft amendment.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are an anticipated consequence of the draft amendment and will support the economic development objectives outlined in the assessment of the application.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	Further consultation with relevant authorities will result from this notification. There are no practical changes to the proposal that affect the interests of various authorities.
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## Part 2:

(a) to require sound strategic planning and co-ordinated action by State and local government; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. The detailed landscape analysis and associated modifications to the draft amendment result in a more appropriate development response to local strategic objectives.
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not undermine the operation of the LPS and its ability to implement appropriate controls for use, development and protection of land.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. These are anticipated procedural changes that were identified in the original application assessment, which determined that the environmental, social and economic impacts were appropriate.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme and do not alter the assessment against State Policies and the Northern Tasmania Regional Land Use Strategy.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and	Not applicable.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and	The aspects of the proposal, including the required modification to include public open space, that support the health and well-being of residents in the locality are not altered by the amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	Not applicable.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not affect the ability to deliver infrastructure associated with this proposal.

(i) to provide a planning framework which fully considers land capability.	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not facilitate unanticipated development. The capability of the land to support the intended residential development was assessed as suitable.
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*(d) is consistent with each State Policy;*

Comment:

The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not affect State Policy requirements.

*(da) satisfies the relevant criteria in relation to the TPPs;*

Comment:

Not applicable.

*(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;*

Comment:

The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not alter the assessment of the draft amendment against the Northern Tasmania Regional Land Use Strategy (NTRLUS).

Amendments to the NTRLUS were gazetted on 23 June 2021 and became effective on that date.

The purpose of the amendments to the NTRLUS were to:

- provide for rezoning to be considered through the normal planning scheme amendment process under the LUPA Act for previously identified Future Investigation Areas;
- clarify that the current mapped Urban Growth Areas are indicative by providing for a rezoning to be considered through the normal planning scheme amendment process for land contiguous to the mapped areas;
- clarify provisions around Rural Residential Areas;
- provide for consequential amendments to provisions to enable the above matters to be implemented; and
- correct minor errors.

The NTRLUS amendments do not affect the amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay as the land is wholly contained within the identified South-West 'Growth Corridor' in the Regional Framework Plan, which is defined as being part of the 'Urban Growth Area'.

The detailed analysis of landscape impacts described above remain compliant under the updated RLUS.

*(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;*

Comment:

The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. These are anticipated procedural changes that were identified in the original application assessment, which determined that the proposal was supported by Council's Community & Strategic Plan 2014 -2024;

*(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;*

Comment:

At the time of writing, the only adjacent municipal area that has an operational LPS is the West Coast Council area. The area of land subject to the amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay, is located at the eastern end of the municipality and is not located within proximity to the adjoining West Coast Council area.

*(h) has regard to the safety requirements set out in the standards prescribed under the [Gas Safety Act 2019](#).*

Comment:

Not applicable.



# ATTACHMENTS

# TASMANIAN PLANNING COMMISSION



Our ref: DOC/21/83712  
Officer: Karen Fyfe  
Phone: 6165 6808  
Email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

29 July 2021

Mr John Jordan  
General Manager  
Meander Valley Council

Attention: Krista Palfreyman

By email: [krista.palfreyman@mvc.tas.gov.au](mailto:krista.palfreyman@mvc.tas.gov.au);  
[mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)

Dear Mr Jordan

## **Tasmanian Planning Scheme – Meander Valley Draft amendment 4-2020**

### **Rezone and Country Club Specific Area Plan at 100 Country Club Avenue, Prospect Vale**

Thank you for your further submission dated 15 July 2021. Following consideration of the information provided and the transitional provisions of section 4(2)(b) and section 5(2)(b) of Schedule 6 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission has decided that in order to observe natural justice, this draft amendment requires alterations by the planning authority to ensure it relates to the Meander Valley Local Provisions Schedule (LPS).

The Commission considers that alterations to the substance of the draft amendment are required for the draft amendment to meet the LPS criteria. The Commission also considers that these alterations require a public consultation process.

The Commission directs the planning authority to prepare a revised draft amendment to address the LPS requirements including:

1. Alterations to address the part of folio the Register 119422/1 in the Travellers Rest Specific Area Plan;
2. Alterations to address the part of folio of the Register 119422/1 in the Landscape Conservation Zone;
3. Alterations to address the part of folio of the Register 119422/1 in the Scenic Protection Area;
4. Any other modifications or information the planning authority considers is required to address the LPS requirements, for example changes to the extent of the existing overlays or any new proposed overlays; and
5. Modification that may be required to identify where the 'retirement living' should be located and identified within the SAP area, having regard to the bushfire review information provided by Rebecca Green. Reconsider identifying the specified area differently if it is proposed not to be retirement living.

The Commission expects the altered draft amendment to follow the process for an amendment to a local provisions schedule, although not statutory, including exhibition under section 40G,

representations under section 40J and the planning authority's report to the Commission under section 40K.

In regard to the planning authority's section 40K report, an approach to addressing section 32(4) of the Act is available on the Planners Portal on the [Commission's website](#)<sup>1</sup>.

The Commission will consider the representations and reports received under section 39 of the former Act and 40K of the Act as part of its assessment.

The public exhibition notice should provide guidance to the public on the process that has occurred.

It is noted that section 40E of the Act provides an alternative to the planning authority to withdraw the draft amendment should this be preferred.

If you require further information please contact Karen Fyfe, Planning Adviser, on 6165 6808.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Howlett', written in a cursive style.

Roger Howlett  
**Delegate (Chair)**

cc applicant and representors

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<sup>1</sup> [www.planning.tas.gov.au/\\_\\_data/assets/pdf\\_file/0006/582846/An-approach-to-applying-section-324.pdf](http://www.planning.tas.gov.au/__data/assets/pdf_file/0006/582846/An-approach-to-applying-section-324.pdf)

7 July 2021

Our ref: E309196

## Addendum – Country Club Estate Development – Natural Values Report

Entura prepared the natural values report to support the Section 33 application planning scheme amendment for future development of the Country Club Estate in Prospect Vale, Launceston. Our understanding is that the amendment was initiated by Meander Valley Council in late February 2021. Planning documentation prepared for the proposal addressed the *Meander Valley Interim Planning Scheme 2015*, however since then the Tasmanian Planning Scheme (TPS) has come into effect for the Meander Valley local government area. As such, to support the directions hearing at the Tasmanian Planning Commission for the above project (AM-MEA-4-2020), Meander Valley Council require a submission from the consultant to address the provisions within the new scheme relating to clearance within a priority vegetation area, determined by the presence of the priority vegetation overlay.

The total area subject to the planning scheme amendment and SAP application is 43.7 hectares (ha) (refer Niche Planning Studio Planning Scheme Amendment Request Report, dated 2 February 2021). Within the 43.7 ha, approximately 40% of the area is covered by the priority vegetation overlay. Within this covered area, the vegetation is predominately *Eucalyptus amygdalina* forest and woodland, as well as areas of non-eucalypt forest and woodland, and areas of pasture with native tree canopy.

It should be noted that the area subject to the abovementioned proposal avoids the approximately 27 ha patch of native vegetation, comprising predominantly of *Eucalyptus amygdalina* forest and woodland on dolerite (22 ha) as well as *Allocasuarina verticillata* forest (5 ha), located south of the project site (on the same land parcel as that of the project), which will remain in the Landscape Conservation Zone. This patch is also mapped with the priority vegetation overlay, and will be maintained as a bushland reserve (separate to that mentioned above), in addition to other native vegetation patches within the project site.

According to the TASVEG mapping, the broad vegetation types present on the project site are also within the broader area, including continuing to the west, south and, to a lesser extent the east of the project site; all of these areas are also covered by the TPS priority vegetation overlay.

While no priority vegetation will be impacted immediately as a result of the scheme amendment, priority vegetation will be impacted as a result of future development, however efforts have been made to retain native vegetation, such as the 27 ha patch of native vegetation in the south of the parcel. It is also of note that future subdivision and any subsequent development will need to be assessed against the TPS Natural Assets Code as well as the Country Club Specific Area Plan.

The table below provides response to Clause C7.6.2 'Clearance within a priority vegetation area' of the Natural Assets Code within the Tasmanian Planning Scheme.

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C7.6.2 – Performance criteria	Consultant response
<p><b>P1.1</b> Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> <li>(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;</li> <li>(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;</li> <li>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</li> <li>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>(e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</li> <li>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</li> </ul>	<p>Assessment against P1.1 requires satisfaction of one of the requirements under the clause. This proposal satisfactorily addresses P1.1(c), as well as (d).</p> <p>Future subdivision will be in the General Residential Zone, as specified in (c). The clearance of native vegetation will be as a result of the subdivision and not the proposed rezoning. Under the previous Tasmanian Interim Planning Scheme overlay, there was no priority habitat shown within the project site. The new TPS overlay has identified priority vegetation within the project site, some of which may be impacted as a result of subdivision, noting that the subdivision and any subsequent development will be subject to assessment on its own merit, against the planning scheme and if formally amended, the F9 Country Club Specific Area Plan.</p> <p>The rezoning is also to assist in land supply for the greater Launceston area, generally in accordance with the intent of the Northern Tasmania Regional Land Use Strategy and the Greater Launceston Plan, consistent with (d).</p>

C7.6.2 – Performance criteria	Consultant response
<p><b>P1.2</b></p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</li> <li>(b) any particular requirements for the buildings and works;</li> <li>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</li> <li>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</li> <li>(e) any on-site biodiversity offsets; and</li> <li>(f) any existing cleared areas on the site.</li> </ul>	<p>Assessment against P1.2 requires satisfaction of all requirements under the clause. The proposal satisfactorily addresses P1.2 (a) to (f).</p> <ul style="list-style-type: none"> <li>(a) The proposed concept plan as well as the Specific Area Plan avoids any development within approx. 27 ha of the extent of priority vegetation within the rezoning block (i.e. the southern boundary of the project site, south of the water tanks).</li> <li>(b) Given this assessment is accompany a rezoning application, this requirement does not apply as no building works are proposed.</li> <li>(c) This does not apply for the immediate proposal given no habitable buildings are proposed. Any future development will need to be assessed against the code based on its own merit.</li> <li>(d) As part of the proposed concept plan, there are a number of open space buffers and bushland reserve plans which include areas that are mapped as priority vegetation under the TPS overlay. These are also proposed for formal inclusion within the Specific Area Plan.</li> <li>(e) The large patch (approx. 27 ha) of native vegetation in the south of the rezoning block (south of the water tanks) which is mapped as priority vegetation under the TPS overlay will be managed as a bushland reserve and will be retained in its original form, with minor maintenance for bushfire management.</li> <li>(f) Existing cleared areas on the site largely relate to the golf course, which will remain unchanged. Currently cleared areas are prioritised for use in development.</li> </ul>

Of beauty rich and rare.

## Water Quality Discharge Requirements

Country Club Estate  
380 Lot Subdivision  
100 Country Club Ave, Prospect Vale

Prepared for:	Kin Capital
Project No:	211078
Document No:	211078 WQDR – 002
Issue No:	01
Revision No:	1

22-24 Paterson Street  
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**rare.**

## DOCUMENT CONTROL

<b>Project</b>	Country Club Estate - 380 Lot Subdivision - 100 Country Club Ave, Prospect Vale
<b>Report Title</b>	Country Club Estate – Water Quality Discharge Requirements
<b>Project No</b>	211078
<b>Document ID</b>	211078 WQDR-002
<b>File Path</b>	R:\Projects\2021\211000 Civil Infrastructure\211078 - Country Club Estate - 380 Lot Subdivision - 100 Country Club Ave, Prospect Vale\03 Internal Design\02 Design Development\21-07-05 LPD4 Quality Discharge
<b>Client</b>	Kin Capital

Record of Report					
Issue	Reason	Revision	Date	Prepared By	Approved By
01	Water Quality Discharge Requirements	1	12/07/2021	RJ	RJ

Distribution of Report			
Company	Name & Address	Contact	Copies
Kin Capital	David Bacon Suite 305, 15 Lime Street Sydney NSW 2000	E: <a href="mailto:dbacon@kincapital.com.au">dbacon@kincapital.com.au</a> Ph: 0438 733 389	1 (elec)



## 1. INTRODUCTION

Rare Innovation Pty Ltd (Rare) have been engaged by Kin Capital to investigate the required measures to ensure stormwater quality outcomes for stormwater discharges from both the Stormwater Management area that discharges to the existing reservoir to the west of the Country Club Car Park and from the open drain along the western edge of the Country Club Carpark that eventually discharges into the western lake in the golf course. These works will be part of the proposed 380 lot subdivision subject of the TPC Meander Valley Council Draft Amendment 4 -2020.

## 2. SUBMITTED REPORTS

A report has been prepared by ADG – Country Club Estate – Conceptual Stormwater Management Plan – 13 November 2020 (the report). This report addresses both the stormwater quantity and stormwater quality requirements associated with the development. In the Water Quality section of the report, ADG have used MUSIC modelling with the following water quality management targets from the State Stormwater Strategy:

- 80% reduction in the annual average load of suspended solids;
- 45% reduction in the annual average load of total phosphorus; and
- 45% reduction in the average load of total nitrogen.

### Legal Point of Discharge 4 (LPD4) – Catchment C4

The output of the MUSIC model showing the pollutant reductions is reported in Table 17 of the report. For the catchment area (C4) discharged at LPD4 to provide the necessary pollutant load reductions, a bioretention basin with a filtration area 31m<sup>2</sup> is required. It will require a filter media with a depth of 0.4m and an extended detention depth 0.3m. The combined detention and bioretention basin will control stormwater quantities and provide treatment to the stormwater to deliver a satisfactory stormwater quality outcome.

An on-site inspection of the planned Stormwater Management area reveals that there is adequate area to construct the bioretention basin. Detailed design plans and specification will be supplied at the Engineering Design Approval (EDA) stage. See Photo 1 in Appendix A

### Legal Point of Discharge 5 (LPD5) – Catchment C3

The MUSIC model has a trial bioretention basin area of 221m<sup>2</sup> to achieve the water quality targets. While the results are not reported, the plan in the Appendix C of the report indicates a bioretention basin with an area of 160m<sup>2</sup> to provide the necessary pollutant load reductions. It will require a filter media with a depth of 0.4m and an extended detention depth 0.3m. The bioretention basin will provide treatment to the stormwater to deliver a satisfactory stormwater quality outcome subject to final design.

An on-site inspection of the proposed location for the C3 bioretention basin adjacent to the existing open drain revealed that there is adequate area to construct the bioretention basin. Significant excavation works will be required to adjust the adjacent ground levels to form an offline basin. See Photo 3 in Appendix A

## 3. RECEIVING WATERS

### Legal Point of Discharge 4 (LPD4) – Catchment C4

The stormwater overflow discharge from the detention/bioretention basin will be directed across the Electricity Transmission Easement in a westerly direction. The current condition has a DN300 concrete stormwater pipe directing flow onto an informal grassed swale that forms the natural gully. This natural gully directs the flows down a moderately steep slope to a reservoir 100 metres away. See Photo 2 in Appendix A.

The construction of the combined detention and bioretention basin will mean that quantity of stormwater discharge will not be increased from the current natural catchment conditions. The report in Section 4.3 reports decreased discharges because of the detention basin.

The detailed design of the detention/bioretention basin will ensure adequate scour protection is installed on the discharge side of the basin prior to entering the grassed gully area. Due to the flow velocities down the moderately graded gully, it is unlikely that any additional beneficial water quality outcomes will be delivered. Having said this there will be no detrimental water quality outcomes.

#### **Legal Point of Discharge 5 (LPD5) – Catchment C3**

The existing open drain meets a headwall at Country Club Drive where a concrete box culvert conveys flows under the road prior to discharging into an open drain that leads to the Western Lake in the golf course. The treated flows from the bioretention basin will be conveyed to the lake. The open channel will have some overland flow from the golf course. The nutrient load from the grass on the golf course is usually managed and greenkeepers are aware of ensuring minimal loss in value of fertilizers by not applying these prior to forecast rain events. Hence there will be minimal change to the treated stormwater after it is discharged into the open channel and prior to discharging into the Western Lake. Photo 4 shows where C# discharges across Country Club Avenue into the Golf Course.

#### **4. SUMMARY**

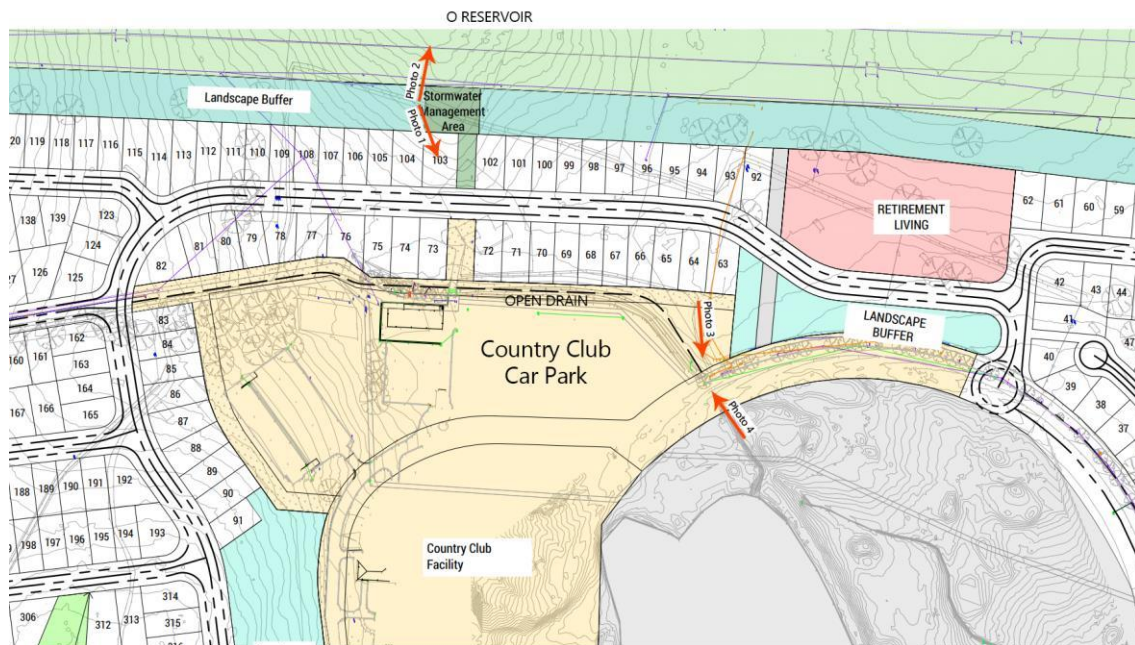
A combined detention and bioretention basin will be constructed in the Stormwater Management area to the west of the existing Country Club car park. The initial water quality modelling indicates that the State Stormwater Strategy water quality management targets will be achieved. The flow pathway from the proposed basin to the reservoir further to west will convey the treated stormwater and not cause any further pollution.

An offline bioretention basin will be constructed adjacent to the open channel along the western edge of the Country Club Carpark that conveys the C3 catchment and discharges towards the Western Lake in the Golf Course. This bioretention basin will deliver water quality outcomes in accordance with the State Stormwater Strategy targets.

Of beauty rich and rare.

**rare.**

## 5. APPENDIX A – SITE PHOTOS



Plan showing photo locations.



Photo 1 – Stormwater Management Area – suitable to construct combined Detention/Bioretention Basin.



Of beauty rich and rare.

**rare.**



Photo 2 – Discharge Gully – grassed with reservoir in front of tree line.

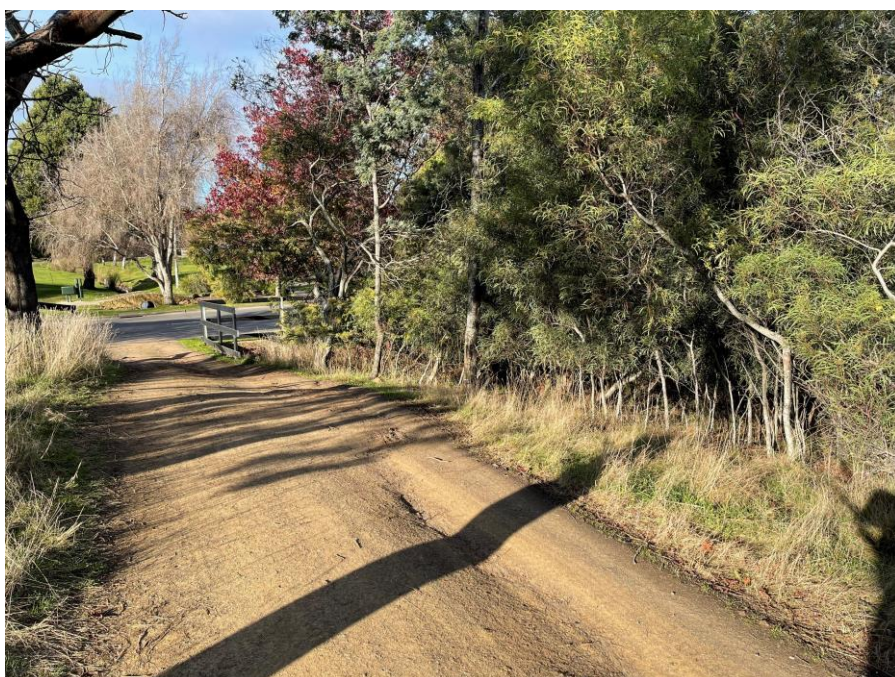


Photo 3 – Location of Offline Bioretention Basin to treat C3 catchment discharges in open drain



Of beauty rich and rare.

**rare.**



Photo 4 – Looking from Golf Course back towards open drain discharge, bio retention will be constructed on the rightside through the open gate.

Ms. Krista Palfreyman  
Meander Valley Council  
26 Lyall Road  
WESTBURY TAS 7303

13 July 2021

Dear Krista,

**RE: Tasmanian Planning Scheme – Meander Valley**

**Draft Amendment 4-2020**

**Rezone and Country Club Specific Area Plan at 100 Country Club Avenue, Prospect Vale**

Rebecca Green, bushfire accredited practitioner BFP-116 has been engaged by Meander Valley Council to provide assistance in relation to provision of additional submissions requested by the Tasmanian Planning Commission dated 28 June 2021, in relation Point 5.

Point 5 requires additional submissions as follows:

*5. a submission on how the draft amendment meets the requirements of Bushfire-Prone Areas Code and if the planning authority is satisfied with advice provided by North Barker in their Bushfire Hazard Management Area Advice as it applies to the amendment including the specific area plan.*

Response:

The North Barker report raises concerns about the 'retirement village' being a vulnerable use and recommends setbacks that are larger than be accommodated by the powerline easement.

- North Barker have misinterpreted their clients' intentions and it is not a vulnerable use as per the Bushfire-Prone Areas Code as a retirement village with aged care, but is termed 'retirement living' on the SAP for the purposes of designation. It is my understanding that the apartments will not fall under the *Retirement Villages Act 2004* and therefore not a 'Vulnerable use'. The building proposed for that area is simply a multiple level apartment block that will be attractive to the retired demographic, though will be open to all age groups. The SAP makes provision for the larger building form.
- The 'Retirement Living' on the SAP (10) is to be located southwest of an area identified as (06) an open space which will be maintained landscape and bushfire

buffer to be managed from my understanding by the proponents, the Country Club, this area is to be maintained in order that it meets the Exclusions of 2.2.3.2 of AS 3959:2018 – Construction of Buildings in Bushfire-prone areas for low threat vegetation and non-vegetated areas. Beyond this area is a powerline easement, the classified vegetation under such would best be described as Grasslands. A physical separation of 50 metres to Grassland classified vegetation would result in a BAL of LOW. However, as the ‘Retirement Living’ on the SAP is not intended to be a Vulnerable Use as per the definitions of the Bushfire-Prone Areas Code, a BAL LOW is not specifically required, and there is no need to consider this component any further other than for future subdivision under the Code as part of the amendment. A physical separation of 14-16m from grassland (whether that be by the way of provision of the open space (06) area or a combination with a hazard management area within a future lot for the Retirement Living use would result in a BAL 12.5. A lesser separation would result in a higher BAL and apart from subdivision demonstrating each lot can achieve a BAL 19 buildable area, a BAL 19 or BAL 29 structure may be approved under the *Building Act 2016*.

North Barker seem to be focussed on concerns about multiple dwellings/density within the General Residential Zone and where this interfaces with Bushfire Prone vegetation.

- The operational outcomes, given that most of the site is mapped as BPA, is that any residential development, be it single or multiple dwellings will be required under the *Building Act 2016* to meet the standard for the designated BAL including specified distance to bushfire prone vegetation. Any residential lot created will be required to meet BAL 19 or lower and any permit issued for subdivision will have a requirement on the balance lot to maintain the land to meet this standard, if required. This is normal practice for subdivision. Bushfire Hazard Advisory Note BHAN 1 Version 3.0 also assumes that lots zoned General Residential and less than 1,500m<sup>2</sup> are to be considered as lot threat vegetation. There is no need to specifically alter the standard for bushfire risk for this development through this SAP to address issues of density, as the regulatory standard prevails and ensures appropriate setbacks and maintenance for the hazard through both the subdivision process and subsequent building permit process.
- What may not be obvious in the concept plan is the inclusion of a fire trail that enables vehicular access for emergency services within the landscape/bushfire buffer area, however vehicular access would be essential for maintenance purposes in any case. It is possible that a BHMP for subdivision would inevitably include this requirement, but this is not mandatory. The perimeter buffer if required to provide adequate separation from the risk to future buildable areas to be partly managed can be managed by way of permit condition and / or a bushfire management easement, as I understand that Meander Valley Council will not be taking over the perimeter buffer as public open space. A bushfire management easement on titles created as part of subdivision is one mechanism to ensure management regimes around perimeters of subdivisions including stages, or alternatively lot sizes are to consider this separation and provide adequate distance between the risk and future buildable areas. In other words, lots with extra depth may be required at future detailed subdivision design stage. This does not affect the SAP at this stage.
- Any future permit issued for subdivision, whether for staged development, or for any application for creation of a ‘super lot’ would include a BHMP that would bind

the owner of the land to the management regime in that plan, which would include balance land as a lot. Permits run with the land, not the owner, so all obligations on the permit fall to whoever the future owner is. This is enforceable under LUPAA.

- I understand that Meander Valley Council do not enter into Part 5 Agreements for bushfire maintenance on third party land due to risk and liability implications. It is a joint venture proposal at this stage, but for their part, the Country Club and Kin Capital are prepared to enter into a binding agreement between themselves to secure future maintenance obligations for the buffer to provide extra surety long term.

On the basis of the information provided above in relation to future processes, management regime options and the need for future consideration of bushfire risk at any subdivision application stage, I confirm that a peer review of the advice provided by North Barker in their Hazard Management Area Advice as it applies to the amendment including the specific area plan does not raise any concerns in that the concept plan cannot be implemented into future subdivision proposals that causes development at an unacceptable level of risk in my opinion.

Please let me know if you require any additional information.

Kind Regards,



Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor (BFP-116)

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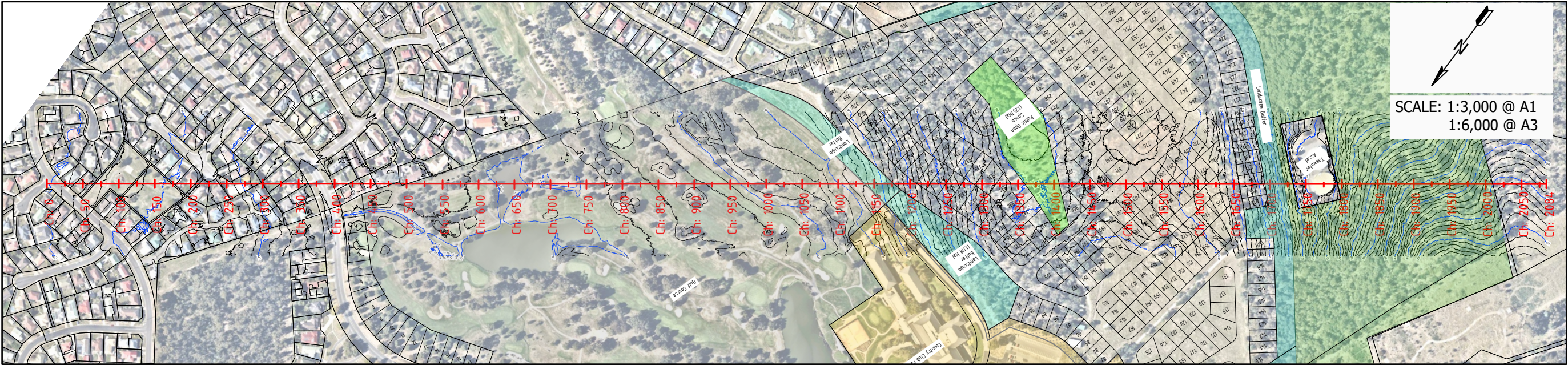


Notes:  
• Existing surface levels per 2014 LIDAR data.  
• Long section has been drafted for planning purposes and should not be used for any other purpose.  
• All measurements & levels are subject to survey.  
• Contour interval 1.0m, Index 5.0m

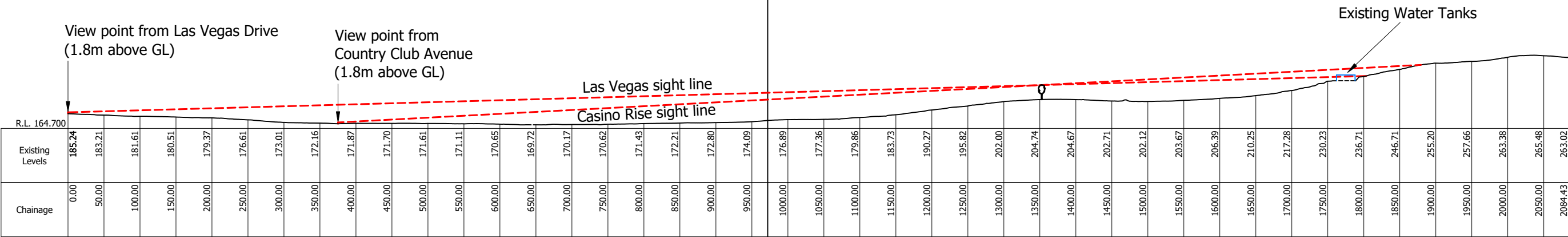
**SITE PLAN**  
**LONG SECTION ALIGNMENT 1.0**  
**LAUNCESTON COUNTRY CLUB DEVELOPMENT**  
CASINO RISE, PROSPECT VALE

 <b>WOOLCOTT SURVEYS</b>		10 Goodman Court Invermay TAS 7248 PO Box 593 Mowbray Heights TAS 7248 Phone (03) 6332 3760 Fax (03) 6332 3764 Email: admin@woolcottsurveys.com.au		Job Number L200315
Drawn MTK	File name L200315_Long Section_Drafting_130821.dwg	Date 13/8/21	Scale 1:2500 @ A1 1:5000 @ A3	Edition v2.0
				Sheet 1 of 3





SEE SHEET 3 FOR ENLARGEMENT



LONG SECTION - ALIGNMENT 1.0  
SCALES: HORIZONTAL 1:3,000 @A1 1:6,000 @ A3  
VERTICAL 1:3,000 @ A1 1:6,000 @ A3

Notes:  
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• Contour interval 1.0m, Index 5.0m

LONG SECTION - ALIGNMENT 1.0  
OVERALL  
LAUNCESTON COUNTRY CLUB DEVELOPMENT  
CASINO RISE, PROSPECT VALE

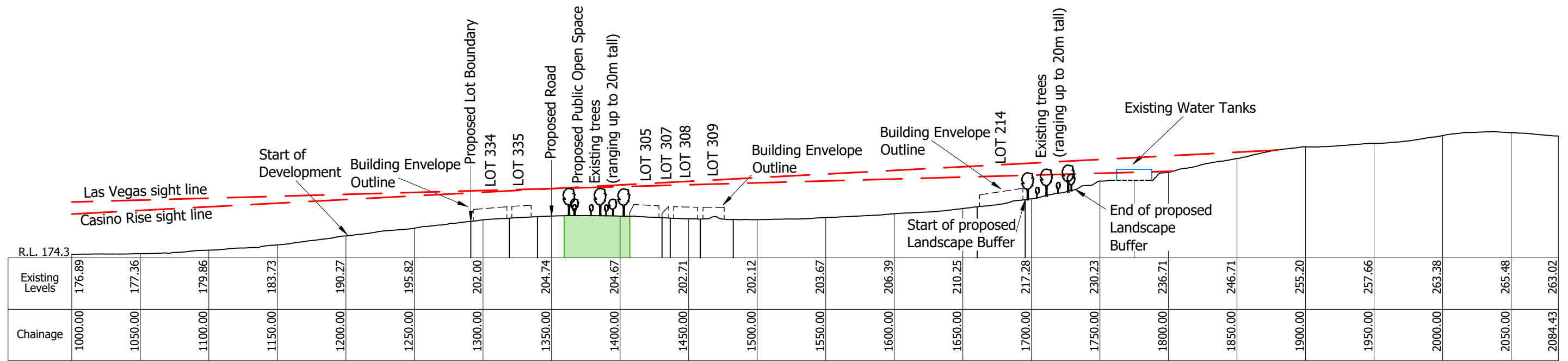


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LONG SECTION - ALIGNMENT 1.0  
CH 1000 to CH2084

SCALES: HORIZONTAL 1:1,500 @A1 1:3,000 @ A3  
VERTICAL 1:1,500 @ A1 1:3,000 @ A3