

Central Coast - draft amendment LPS2022003 & permit DA2022107 - Attachments Directory

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**From:** Kellie Malone <kellie.malone@centralcoast.tas.gov.au>  
**Sent:** Monday, 19 February 2024 4:01 PM  
**To:** TPC Enquiry  
**Cc:** Carolyn Harris  
**Subject:** LPS2022003 & DA2022107 - 6 Johnsons Beach Road, Penguin - Central Coast Council  
**Attachments:** 6 Johnsons Beach Rd Draft 3 TIA.pdf; 21-033 - DA-0-111 - F - SITE PLAN.pdf; 21-033 - DA-0-403 - B - SITE CONTEXT SECTION - 2.pdf; 21-033 - DA-0-404 - A - SITE CONTEXT SECTION - 3.pdf; 21-033 PENGUIN VIA 01 IMG\_1289\_01.pdf; 21-033 PENGUIN VIA 02 IMG\_1287\_01.pdf; 21-033 PENGUIN VIA 03 IMG\_1294\_01.pdf; 21-033 PENGUIN VIA 04 IMG\_1284\_01.pdf; 21-033 PENGUIN VIA 05 IMG\_1280\_01.pdf; 21-033 PENGUIN VIA 06 IMG\_1281\_01.pdf; 21-033 PENGUIN VIA 07 IMG\_01\_01.pdf; 21-033 PENGUIN VIA 08 IMG\_02\_01.pdf; CAMERA LOCATION MAP\_03.pdf; Economic Need and Impact Assessment - 6 Johnsons Road, Penguin TAS Jan-24.pdf; Little Penguin Management Plan for Penguin Caravan ParkFEBRUARY 2024.pdf; OneDrive-2023-12-10.zip; Planning Report - 6 Johnsons Beach Road amended.pdf; RE: Advice regarding STP at Dial Point, Penguin Service Advice SI 2024/00039-CC; Response to Directions - Ireneinc.pdf; TPC letter 19022024.pdf; TPC planning authority response.pdf

Good afternoon

Please find attached relevant documents in relation to your letter dated 28 November 2023.

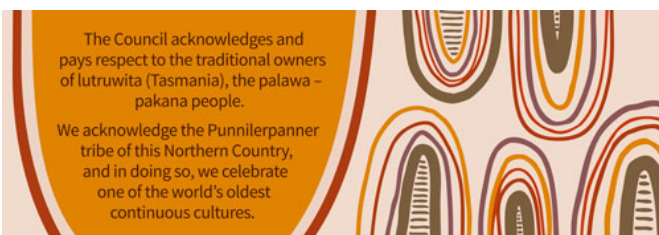
If you require any further information, please don't hesitate to contact Carolyn Harris on 6429 8954.

Kind regards  
Kellie

**Kellie Malone**  
Administrative Assistant - Planning  
CENTRAL COAST COUNCIL  
PO Box 220 | 19 King Edward Street, Ulverstone TAS 7315  
03 6429 8952

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## CONSISTENCY OF THE DRAFT AMENDMENT WITH THE LPS CRITERIA

1. With reference to section 34(2)(b), the Commission invites the planning authority to submit a more detailed explanation for the draft SSQ with reference to the sections 32(3) and 32(4) criteria of the Act.

### Planning Authority's initial response:

Section taken from Council's section 40T report:

*"Section 32 of the Act sets out the content and form of any Amendment that may apply to an LPS.*

*It is proposed the LPS be amended to include a site-specific qualification in relation to 6 Johnsons Beach, Road Penguin (CT133946/1) making Visitor Accommodation Use Class in the Open Space Zone, a "Discretionary" Use with no qualifications.*

*The proposed draft Amendment satisfies the requirements set out under s.32(2) and s.32(4) and is in accordance with the LPS structure."*

### Planning Authority's additional response:

The planning authority provides the following further discussions regarding sections 32 and 34 of the *Land Use Planning and Approvals Act 1993* (the Act).

When considering a draft amendment, assessment must be undertaken under s.32 and s.34 of the Act to determine whether the requirements of the Act have been met. This includes:

- avoiding potential land use conflict with use and development permissible under the planning scheme;
- being, where practicable, consistent with the State Planning Policies and the relevant regional land use strategy; and
- having regard to the impact on the region in terms of environmental, economic and social outcomes.

The site is already used as Visitor Accommodation as a caravan park. This has been an established caravan park. The site is buffered from adjacent General Residential Zone via the railway line, Preservation Drive and topography of the land. Open Space zone continues along the coastline and incorporates the redeveloped Penguin foreshore. Due to natural buffers, conflict between the established Visitor Accommodation on the site is reduced.

The site is highly modified and subject to a qualification in the Open Space Zone Use Table, discretionary use class, for Visitor Accommodation, which limits the type of accommodation permissible.

### Section 32(3)(b)(ii)

In accordance with section 32(3)(b)(ii) of the Act, a site specific qualification is proposed for 6 Johnsons Beach Road, Penguin. This would be a modification to the Open Space Zone Use Table, discretionary use class, for Visitor Accommodation.

Currently the qualification for this Use Class states *'if for camping and caravan park or overnight camping areas'*. The site specific qualification would, as taken from Ireneinc Planning & Urban Design report dated January 2024, be:

NOR - Site-specific Qualifications				
Reference Number	Site Reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions.
CCO-29.1	6 Johnsons Beach Road, Penguin		An additional qualification for the Discretionary Use Class of Visitor Accommodation for this site is:  "If for short or medium-term accommodation at 6 Johnsons Beach Road."	

**Section 32(4)(a)**

In accordance with this section of the Act, the scheme amendment must demonstrate *a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or municipal area.*

The applicant has provided as part of the Commission’s request for additional information, a Needs & Impacts Analysis by Location iQ. This comprehensive analysis concludes that there is a clear need for additional and contemporary short stay accommodation facilities within Penguin, the broader Central Coast LGA and Northwest region.

There were 7 key points identified in the analysis being:

Planning and Strategy – the proposal supports the economic importance of matters such as visitation, integrating sustainable development with tourism facilities and aligning with the overall vision for positive social and economic impacts on various levels.

Study Area Resident Population – two study areas have been defined, including the Local Study Area (Penguin and Preservation Drive) and the Broader Study Area (Central Coast Local Government Area).

Tourism & Visitor Economy – tourism is a vital contributor to the local, regional and broader State economy. The economic benefits derived from tourism also extend across local areas to different regions of Tasmania. Based on data from Tourism Tasmania, the North West region has a popular well established accommodation market which has strong occupancy levels when compared to other regions and broader State averages. It is stated that there is an estimated there be a demand for a net additional 594 accommodation beds/places across the North West region over the period (33 places per year) which is based on projected visitation levels.

The proposed development of the Penguin Carvan Park (net addition of 19 short stay accommodation units/options, and greater capacity) would be able to contribute to the established and growing demand across the region.



Short Stay Accommodation Supply – the short stay accommodation market is diverse, encompassing three key categories, namely Airbnb listing, caravan parks and camping; and more traditional motels, hotels and similar. The proposed development at the Penguin Carvan Park is stated to stand out as the local area’s largest offering, addressing the limited variety in short–stay accommodation options and presenting a transformative change for the Penguin community.

The project represents not only a boost to the local economy but also enhancement of the overall tourist experience.

Location & Alternate Sites – the development site is strategically positioned for accommodation facilities, boasting a substantial coastline frontage with stunning views of bass Strait and the natural landscape. It is also within close proximity to Penguin town settlement, local attractions and coastal walks. It is considered that the proposed development would complement the area’s distinctive character, avoid overcrowding and harmonising with the existing urban development pattern.

Housing Availability – the proposed development aims to address the issue of the state’s social housing waiting list by increasing short–term accommodation supply, easing the strain on residential areas and contributing to responsible and sustainable tourism development. It is stated that development would contribute by providing short–term accommodation on land that is intended for visitor accommodation and promoting the use of residential–zoned land for residential uses.

Employment – it is considered that approximately 255 jobs would be likely to be created both directly and indirectly due to the development. This would include ongoing employment, construction and multiplier effects. These jobs would include additional people employed at a permanent, local level (Penguin), in construction (local and broader region), as well as through Tasmania via multiplier effects.

**Outcome:**

The site is within a unique coastal town and would provide for a variety of accommodation and associated activities that would complement the redeveloped Penguin foreshore. Furthermore, the function centre would generate an additional attraction to the area for activities such as weddings.

As evidenced in the Needs & Impacts Analysis, the proposed development at the Penguin Carvan Park would provide significant social and economic benefits, emanating from the local area and throughout the North West region. Furthermore, as evidenced in the analysis, the proposal recognises and addresses the economic importance of tourism in the region, offering a sustainable development that harmonises with tourism facilities and the overall fabric of the area.

2. With reference to section 34(2)(d), the planning authority is requested to submit a comprehensive assessment of the draft amendment against the State Coastal Policy including but not limited to, the following sections:
  - 1.4 hazards
  - 2.1 Coastal Uses and Development
  - 2.3 Tourism
  - 2.4 Urban Development

## 2.6 Public Access and Safety

## 2.8 Recreation

### **Planning Authority's initial response:**

#### *State Coastal Policy 1996 –*

The State Coastal Policy applies to the land.

The three main principles that guide Tasmania's *State Coastal Policy 1996* are addressed below:

*Natural and cultural values of the coast shall be protected.*

Planner's comment: The land has no identified ecological significance and does not support marine ecology or any littoral vegetation. Refer to the accompanying report by Irenelnc Planning and Urban Design & Smith Street Studio and the Coastal Vulnerability Assessment report by Geo-Environmental Solutions Pty Ltd dated July 2021, that further examines the proposal against the State Coastal Policy in Annexure 4.

*The coast shall be used and developed in a sustainable manner.*

Planner's comment: As detailed above, the land is a private parcel of land fronting Bass Strait that is not identified as having natural or ecological significance. The land has long been a modified landscape, supporting a mixture of Uses over time, with no native vegetation on the site. Currently the land accommodates a disused café, managers residence and camping and tourism cabins.

The land does not support marine ecology or any littoral vegetation.

*Integrated management and protection of the coastal zone is a shared responsibility.*

Planner's comment: The State Government has primary responsibility for management of the coastal zone. As stated above, the subject parcel of land resembles a highly modified landscape that is used as a camping and caravan park, with some permanent cabins.

The process of initiating a draft Amendment under the Act ensures there is opportunity for public participation in the management of the land.

Conclusion:

The *State Coastal Policy 1996* has the following effect in determining the draft Amendment. As outlined above:

- (a) the LPS recognises that the land at 6 Johnsons Beach Road, Penguin forms part of a coastal protection area and is subject to a coastal erosion hazard and coastal inundation hazard. These matters have been addressed by consultants, Geo-Environmental Solutions, in their report "Coastal Vulnerability Assessment" dated July 2021.
- (b) the land is not susceptible to natural coastal events, such as river ebb and flow or sea level rise;
- (c) the land is not a mobile landform; and
- (d) does not form part of a marine ecosystem or support any coastal refugia area or littoral vegetation.

## **Planning Authority's additional response:**

The *Tasmanian State Coastal Policy 1996* (the Policy) central objective is sustainable development. It is broken down into 4 aspects being: 1. Protection of Natural and Cultural Values of the Coastal zone; 2. Sustainable Development of Coastal Areas and Resources; 3. Shared Responsibility for Integrated Management of Coastal Areas and Resources; and 4. Implementation, Evaluation and Review. The policy applies to all land within 1km of the high-water mark.

The following sections of the Policy are addressed in relation to the proposed scheme amendment:

### **1.1 Natural Resources and Ecosystems**

Comments: The site does not accommodate any major ecosystems, aquatic environments of conservation value, no threatened native flora and fauna or their habitats.

### **1.2 Cultural and Historic Resources**

Comments: The site does not have an identified Aboriginal relics or apparent risk impacting Aboriginal relics.

### **1.3 Cultural Heritage**

Comments: The site has no cultural heritage value.

### **1.4 Coastal Hazards**

Comments: The site has a very small portion subject to medium and high Coastal Erosion Hazard band (along the coastal boundary).

Furthermore, medium Coastal Erosion Hazard band intersects the middle of the site.

The site is highly modified and used for established Visitor Accommodation in the form of the Penguin Carvan Park. There is a supporting Coastal Vulnerability Assessment that assesses matters such as projected sea level rise, inundation and erosion hazards.

### **2.1 Coastal Uses and Development**

Comments: The amendment would allow the redevelopment of the Penguin Carvan Park which is a highly modified site. When considering the redevelopment, siting, design, construction and maintenance of buildings, engineering works and other infrastructure will be sensitive to the natural and aesthetic qualities of the coastal environment as per 2.1.3 of the Policy.

As discussed above under Section 32(4)(a) of the Act, the amendment would allow for redevelopment of the caravan park which would attribute to social and economic benefits which is in accordance with 2.1.6 of the Policy.

### **2.2 Marine Farming**

Comments: This is not applicable to the site.

### **2.3 Tourism**

Comments: the site is already used for Visitor Accommodation considered a tourism use and development as per 2.3.1 of the Policy. The amendment would allow for the redevelopment the Penguin Carvan Park and is considered it would not conflict with the natural and aesthetic qualities of the coastal zone as per 2.3.4 of the Policy.

#### 2.4 Urban and Residential Development

Comments: The site is used for visitor accommodation being the Penguin Caravan Park. The amendment would allow for the redevelopment of the caravan park which is based in Penguin township as per 2.4.2 of the Policy.

No residential use is proposed under the amendment.

#### 2.5 Transport

Comments: This is not applicable to the site.

#### 2.6 Public Access and Safety

Comments: The site is already privately owned. The amendment would not further restrict public access to the coast within the area.

#### 2.7 Public Land

Comments: This is not applicable to the site.

#### 2.8 Recreation

Comments: The site is privately owned but would complement the redeveloped Penguin foreshore used for recreation as per 2.8.1 of the Policy. There is easy access to all recreation areas along the Penguin foreshore from the site as per 2.8.2 of the Policy.

#### **Outcome:**

The planning authority is of the same opinion of that within the applicant's planning report dated January 2024 that the proposed amendment does not alter the provisions within the Code related to the protection of the coastal environment. It is considered that the amendment would not result in use and development being in conflict with the natural and aesthetic qualities of the coastal zone in accordance with the State Coastal Policy.

- |   |
|---|
| <p>3. The Commission notes that representor 4 referred to the site having historically been used for waste disposal. Land Tasmania's aerial photography viewer includes an image of the site, dated 1976, indicating some apparent waste across the site (attached for your convenience).</p> |
|---|

#### **Planning Authority's initial response:**

Council's section 40T report outlined in section 3 the history of the site.

#### **Planning Authority's additional response:**

There is no recorded history within Council's archives indicating that the site has been used for waste disposal. The site has, in the past, had some clean landfill during construction of State roads within the area and during reclamation of the land.

No aerial image was provided by the Commission, or evidence provided by representor No. 4.

#### **Outcome:**

It is the opinion that C14.0 Potentially Contaminated Land Code does not apply to the site.

## DEVELOPMENT APPLICATION

- 1.(a) The planning authority is requested to provide an assessment of a number of standards where:
- the proposal has been considered non-compliant with the Acceptable Solution and consideration against the Performance Criteria has not been provided;
  - the proposal has been considered non-complaint with the Acceptable Solution and a condition has been put on the permit to achieve compliance.
  - Reference is made to a supporting document without a conclusion being made by the planning authority against the assessment criteria.

[The Commission included which standards required further assessment – refer to dot points]

### Planning Authority’s initial response:

The section 40T report included applicable planning scheme table assessments, except for the inclusion of C7.0 Natural Assets Code. The assessment table relied upon the information within the application, of which the planning authority agreed with.

### Planning Authority’s additional response:

- Open Space Zone 29.4.1 Building height P1

Original assessment	
Acceptable Solution	Assessment
<b>A1</b>  Building height must be not more than 10m.	Non-compliant.  Visitor Accommodation apartments would have a building height of 16.55m.  Cabins would have a building height of 5m.  Function Centre would have a height of 10m.  Refer to Irenelnc Planning and Urban Design & Smith Street Studio report.
Revised assessment	
Acceptable Solution	Assessment
<b>A1</b>  Building height must be not more than 10m.	Non-compliant.  Visitor Accommodation apartments would have a building height of 14.8m.  Cabins would have a building height of 5m.  Function Centre would have a height of 10m.

	Refer to below addressing the Performance Criteria for this Clause.
<p>The performance criteria for Clause 29.4.1-(P1) states that building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>Comments: The site is reasonably flat. Due to the topography of the land and surrounding areas, the site is approximately 2m lower than the adjacent residences to the south/south-west. The land to the south/south-west then increases significantly up a hill.</p> <p>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</p> <p>Comments: The site accommodates several existing buildings, scattered across the site. Most is not visible from the adjacent road due to the topography of the land.</p> <p>(c) the bulk and form or proposed use;</p> <p>Comments: Ireneinc Planning &amp; Design have undertaken a comprehensive assessment regarding bulk and scale for the proposed buildings. This includes camera locations, sight distances and visual montages.</p> <p>The proposed cabins would have a height of 5m and be positioned along the middle and northern side of the site.</p> <p>The function centre would have a height of 10m and be positioned to the eastern side of the site. The function centre satisfies the Acceptable Solution height requirement in the Open Space zone. The function centre would be most visible from the beach, access into the site and a portion along Preservation Drive.</p> <p>The four storey apartment building would be 14.8m and positioned in the south western side of the site nestled within the adjoining hill.</p> <p>From all camera location as shown in the montages, the apartment building would be visible from all areas, however due to the siting of the building it would nestle within the existing hill and established vegetation that surrounds the site.</p> <p>At the areas that it can be seen earlier, it is at a level or angle that would not impede visual amenity in terms of Bass Strait.</p> <p>(d) the requirements of the proposed use;</p> <p>Comments: The site accommodates an existing caravan park. The proposal is to redevelop the caravan park to include a function centre, apartment buildings and cabins.</p> <p>(e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;</p> <p>Comments: Due to the topography of the land, orientation of the site and positioning of proposed buildings, no shadow would occur into adjoining properties.</p> <p>(f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and</p> <p>Comments: Due to the topography of the land, orientation of the site and positioning of proposed buildings, no shadow would occur into adjoining properties.</p> <p>(g) any overshadowing of adjacent public places.</p>	

Comments: Due to the topography of the land, orientation of the site and positioning of proposed buildings, no shadow would occur into adjacent public places.

- **Open Space Zone 29.4.2 Outdoor Storage Areas P1**

Original assessment	
Acceptable Solution	Assessment
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	Compliant by a condition to be applied to a permit.
Revised assessment	
Acceptable Solution	Assessment
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	Compliant. The plans provided do not indicate any Outdoor storage areas would be visible from any road or public open space adjoining the site.

- **Parking and Sustainable Transport Code C2.6.1 Construction of parking areas P1**

Original assessment		
C2.6.1 Construction of parking areas	Not Applicable	Assessment
<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>(a) be constructed with a durable all weather pavement;</li> <li>(b) be drained to the public stormwater system, or contain stormwater on the site; and</li> <li>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</li> </ul>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>(a) Compliant as per condition to be applied to a permit.</li> <li>(b) Compliant. As per stormwater conceptual design by PDA dated 22 August 2022.</li> <li>(c) Open Space Zone is excluded from the Clause.</li> </ul>

Revised assessment		
<b>C2.6.1 Construction of parking areas</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<input type="checkbox"/>	<p>(a) Compliant. Page 17 of the accompanying Traffic Impact Assessment Report by Howth Fisher and Associates states that the construction of parking areas will be in accordance with the acceptable solution. This would include being constructed with a durable all weather pavement.</p> <p>(b) Compliant. This has been demonstrated in the stormwater conceptual design by PDA dated 22 August 2022.</p> <p>(c) Not applicable to this site. Open Space Zone is excluded from the Clause.</p>

• **Parking and Sustainable Transport Code C2.6.2 Design and layout of parking areas P1**

Original assessment		
<b>C2.6.2 Design and layout of parking areas</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1.1</b></p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p>	<input type="checkbox"/>	<p>A1</p> <p>(a)(i) Compliant. Refer to (b).</p> <p>(a)(ii) Compliant. Refer to (b).</p> <p>(a)(iii) Compliant. Refer to (b).</p> <p>(a)(iv) Compliant. Refer to (b).</p> <p>(a)(v) Compliant. Refer to (b).</p> <p>(a)(vi) Compliant. Refer to (b).</p> <p>(a)(vii) Compliant. Refer to (b).</p> <p>(b) Condition to be applied to a permit.</p> <p>A1.2</p> <p>(a) Compliant. Refer to (c).</p> <p>(b) Compliant. Refer to (c).</p>



<ul style="list-style-type: none"> <li>(iii) have and access width not less than the requirements in Table C2.2;</li> <li>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</li> <li>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</li> <li>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</li> <li>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</li> </ul> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p>		<p>(c) Condition to be applied to a permit.</p>
<p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> <li>(a) be located as close as practicable to the main entry point to the building;</li> <li>(b) be incorporated into the overall car park design; and</li> <li>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i><sup>1</sup></li> </ul> <p><sup>1</sup> Requirements for the number of accessible car parking spaces are</p>		

specified in part D3 of the National Construction Code 2016.		
Revised assessment		
<p><b>A1.1</b></p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p>	<input type="checkbox"/>	<p>A1</p> <p>(a)(i) Compliant. Refer to (b).</p> <p>(a)(ii) Compliant. Refer to (b).</p> <p>(a)(iii) Compliant. Refer to (b).</p> <p>(a)(iv) Compliant. Refer to (b).</p> <p>(a)(v) Compliant. Refer to (b).</p> <p>(a)(vi) Compliant. Refer to (b).</p> <p>(a)(vii) Compliant. Refer to (b).</p> <p>(b) Compliant. Page 18 of the accompanying Traffic Impact Assessment Report by Howth Fisher and Associates states that the design and layout of parking areas would be in accordance with the acceptable solution.</p> <p>A1.2</p> <p>(a) Compliant. Refer to (c).</p> <p>(b) Compliant. Refer to (c).</p> <p>(c) Compliant. Page 18 of the accompanying Traffic Impact Assessment Report by Howth Fisher and Associates states that the design and layout of parking areas would be in accordance with the acceptable solution. Furthermore, the Site Plan shows 2 accessible car parking spaces next to the function centre which would be as close as practicable to the entrance of this building.</p>

<p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i><sup>1</sup></p> <p><sup>1</sup> Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.</p>		
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• Parking and Sustainable Transport Code C2.6.5 Pedestrian access P1

Original assessment		
C2.6.5 Pedestrian access	Not Applicable	Assessment
<p><b>A1.1</b></p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the</p>	<input type="checkbox"/>	<p>(a)(i) Compliant by condition to be applied to a permit.</p> <p>(a)(ii) Compliant by condition to be applied to a permit.</p> <p>(b) Compliant by condition to be applied to a permit.</p>

<p>footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p>		
Revised assessment		
<b>C2.6.5 Pedestrian access</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1.1</b></p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p style="padding-left: 40px;">(iii) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p style="padding-left: 40px;">(iv) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p>	<input type="checkbox"/>	<p>Non-compliant. The proposal does not include specific pedestrian facilities so it can keep with the existing pedestrian management at the Penguin Caravan Park.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p>The performance criteria for Clause C2.6.5-(P1) states that safe and convenient pedestrian access must be provided within parking areas, regarding:</p> <p>(a) the characteristics of the site;</p> <p style="padding-left: 40px;">Comments: The site an established caravan park with specific pedestrian facilities not provided. The site adopts a 10km/h which will remain with the redevelopment.</p> <p>(b) the nature of the use;</p> <p style="padding-left: 40px;">Comments: The use will be Visitor Accommodation, Food Services and Community Meeting and Entertainment.</p> <p>(c) the number of parking spaces;</p> <p style="padding-left: 40px;">Comments: The proposal would provide for at least 94 car parking spaces which is the required number to serve the proposed uses.</p> <p>(d) the frequency of vehicle movements;</p>		

	<p>Comments: The site adopts a 10km/h with vehicles able to move throughout the site to access differing accommodation types and the function centre.</p>
(e)	<p>the needs of person with a disability;</p> <p>Comments: The proposal accommodates parking spaces for person with a disability within close proximity to buildings.,</p>
(f)	<p>the location and number of footpath crossings;</p> <p>Comments: There will be no footpaths within the proposal only access areas which allow vehicles to travel at 10km/h.</p>
(g)	<p>vehicle and pedestrian traffic safety;</p> <p>Comments: The Supplementary Traffic Impact Assessment, dated January 2024, outlines provisions for safe pedestrian access which includes 'Safe System Approach'. This approach is a framework for identifying and reducing crash risk for all road users. The report outlines the implementation of formal signage within the site of shared zones which is recognised pedestrian safety improves where there is a mix of pedestrian, local access traffic and situations where this is no kerb separation between pedestrians and vehicles. Shared signage includes regulating speed limits to an appropriate level.</p>
(h)	<p>the location of any access ways or parking aisles; and</p> <p>Comments: There will be no footpaths within the proposal only access areas which allow vehicles to travel at 10km/h.</p>
(i)	<p>any protective devices proposed for pedestrian safety.</p> <p>Comments: Formal signage will be implemented within the site to assist with pedestrian safety.</p>

- **Parking and Sustainable Transport Code C2.6.6 Loading bays P2**

Original assessment		
<b>C2.6.6 Loading bays</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A2</b></p> <p>The type of commercial vehicles likely to Use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2- 2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities.</i></p>	<input type="checkbox"/>	<p>Compliant by condition to be applied to a permit.</p>
Revised assessment		
<b>C2.6.6 Loading bays</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A2</b></p> <p>The type of commercial vehicles likely to Use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard</i></p>	<input type="checkbox"/>	<p>Compliant. The supplementary (draft 3) traffic impact assessment by Traffic &amp; Civil Services dated January 2024 states that the design vehicle turning paths for a 8.8m rigid trucks accessing the loading bays</p>

<p>AS2890. 2- 2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities.</p>		<p>are attached and demonstrated in Appendix B of the original TIA by Howth Fisher and Associates.</p> <p>It is confirmed that the original TIA did include auto track paths (Appendix B) but did not specifically address this Clause within the report. The proposal is compliant with this Clause.</p>
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- Road and railway Assets Code C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area

Original assessment		
<b>C3.6.1. Habitable buildings for sensitive Uses within a road or railway attenuation area.</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p>(i) the existing habitable building; or</p> <p>(ii) an adjoining habitable building for a sensitive use; or</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual 2<sup>nd</sup> edition July 2008</i>.</p>	<input type="checkbox"/>	<p>Bass Highway would be 1.44km to the South.</p> <p>The site adjoins the Western Rail Line to the South.</p> <p>The application is accompanied by a technical memo by Tarkarri Engineering, examining rail environmental noise and ground vibrations and likely impacts on the proposed development.</p>
Revised assessment		

<b>C3.6.1. Habitable buildings for sensitive Uses within a road or railway attenuation area.</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use must be:</p> <p>(c) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(d) an extension which extends no closer to the existing or future major road or rail network than:</p> <p style="padding-left: 40px;">(iii) the existing habitable building; or</p> <p style="padding-left: 40px;">(iv) an adjoining habitable building for a sensitive use; or</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual 2<sup>nd</sup> edition July 2008</i>.</p>	<input type="checkbox"/>	<p>Bass Highway would be 1.44km to the South.</p> <p>The site adjoins the Western Rail Line to the South.</p> <p>The application is accompanied by a technical memo by Tarkarri Engineering, examining rail environmental noise and ground vibrations and likely impacts on the proposed development.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p>The performance criteria for Clause C3.6.1-(P1) states that habitable buildings for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <p>(a) the topography of the site;</p> <p style="padding-left: 40px;">Comments: The site is lower than adjacent land to the south and is separated by Preservation Drive. There is an embankment to the south-western side of the site.</p> <p>(b) proposed setback;</p> <p style="padding-left: 40px;">Comments: The proposed buildings on site would be setback 8m from the railway corridor which is setback greater than existing buildings on the site.</p> <p>(c) any buffers created by natural or other features;</p>		

Comments: There will be grass area and access way separating buildings on the site to the railway corridor. Furthermore, TasRail has requested a 1.8m high fence to be erected on the TasRail boundary.

- (d) the location of existing or proposed buildings on the site;

Comments: The proposed buildings on site would be setback 8m from the railway corridor which is setback greater than existing buildings on the site.

- (e) the frequency of user of the rail network;

Comments: As outlined in the Tarkarri Engineering acoustic report, the frequency of the trains is considered infrequent. TasRail advised that the frequency of the freight services is four (4) freight train services per day, six days a week.

- (f) the speed limit and traffic volume of the road;

Comments: Within the site the speed limit would be 10km/h.

- (g) any noise, vibration, light and air emissions from the rail network or road;

Comments: As per the acoustic report, the environmental noise is 65 dbA which is not considered for the site due to the infrequent nature of the railway line. Some recommendations have been included with the acoustic report to assist with the design of buildings regarding noise and vibration. This report is a condition on the draft Permit.

- (h) the nature of the road;

Comments: Not applicable to this proposal.

- (i) the nature of the development;

Comments: Visitor Accommodation is considered to accommodate sensitive use within the buildings. The buildings would have a greater setback to the railway corridor than existing buildings.

- (j) the need for the development;

Comments: The site accommodates an established Visitor Accommodation. The proposal is to develop the caravan park on a highly modified site.

- (k) any traffic impact assessment;

Comments: Traffic Impact Assessments, including a supplemental assessment have been provided with the application. Both prepared by suitably qualified people.

- (l) any mitigation measures proposed;

Comments: Some recommendations have been included with the acoustic report to assist with the design of buildings regarding noise and vibration. This report is a condition on the draft Permit.

- (m) any recommendations from a suitably qualified person for mitigation of noise; and

Comments: Some recommendations have been included with the acoustic report to assist with the design of buildings regarding noise and vibration. This report is a condition on the draft Permit.

- (n) any advice received from the rail or road authority.

Comments: TasRail advised that the frequency of the freight services is four (4) freight train services per day, six days a week. The application was referred to TasRail for comments. Some conditions and notes are applied to the draft Permit in relation to this referral.



- Natural Assets Code

Original assessment		
<b>C7.0 Natural Assets Code</b>		
<p>The land is identified as being within a coastal protection area.</p> <p>For assessment of the proposal against C7.0 Natural Assets Codes relevant Performance Criteria, refer to specialist report accompanying the application “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.</p>		
Revised assessment		
<b>C7.6 Development Standards for Buildings and Works</b>		
<b>C7.6.1. Buildings and works within a waterway and coastal protection area or a future coastal refugia area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>Buildings and works within a waterway and coastal protection area must:</p> <p>(a) be within a building area on a sealed plan approved under this planning scheme;</p> <p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p> <p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p>	<input type="checkbox"/>	<p>Non-complaint. The Waterway and Coastal Protection area has not been mapped in the Central Coast Council LPS. Therefore, reliance is on distances stipulated in Table C7.3. A 40m buffer area applies to the site from Bass Strait.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p>The performance criteria for Clause C7.6.1-(P1) states that that building and works within a waterway protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) impacts caused by erosion, siltation, sedimentation and runoff;</p> <p style="padding-left: 20px;">Comments: Runoff would be directed into the stormwater management system on the site. Condition No. 28 of the draft Permit outlines sediment management requirements.</p> <p>(b) impacts on riparian or littoral vegetation;</p> <p style="padding-left: 20px;">Comments: This is not applicable to the site.</p>		

(c)	maintaining natural streambank and streambed condition, where it exists; Comments: This is not applicable to the site.
(d)	impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rock and trailing vegetation; Comments: This is not applicable to the site.
(e)	the need to avoid significantly impeding natural flow and drainage; Comments: All development would be setback from Bass Strait.
(f)	the need to maintain fish passage, where known to exist; Comments: This is not applicable to the site.
(g)	the need to avoid land filling of wetlands; Comments: Limited cut and fill are proposed. The site is reasonably flat where buildings and works are proposed.
(h)	the need to group new facilities with existing facilities, where reasonably practical; Comments: The site accommodates existing caravan park including buildings. The proposal is for the development of the caravan park.
(i)	minimise cut and fill; Comments: Limited cut and fill are proposed. The site is reasonably flat where buildings and works are proposed.
(j)	building design that responds to the particular size, shape, contours or slope of land; Comments: Design and location of buildings has been positioned taking into the topography of the site and surrounding areas.
(k)	minimising impacts on coastal processes, including sand movement and wave action; Comments: All proposed buildings and works will be setback away from the coastline.
(l)	minimising the need for future works for the protection of natural assets, infrastructure and property; Comments: None identified on the site. Ongoing maintenance would be required for the seawall which is a matter between Crown and the land owner.,  Comments:
(m)	the guidelines in the <i>Tasmanian Coastal Works Manual</i> .  Comments: Please refer to condition No. 15 on the draft Permit.

<b>A2</b> Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.	<input checked="" type="checkbox"/>	No future coastal refugia area on the site.
<b>A3</b> Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new	<input type="checkbox"/>	Compliant. No new stormwater point is proposed.

stormwater point discharge into a watercourse, wetland or lake.		
<b>A4</b> Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.	<input checked="" type="checkbox"/>	No dredging or reclamation is proposed.
<b>A5</b> Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.	<input checked="" type="checkbox"/>	No coastal protection works are proposed.
<b>C7.6.2- Clearance within a priority vegetation area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.	<input checked="" type="checkbox"/>	Not priority vegetation area on the site.
<b>C7.7 Development Standards for Subdivision</b>		
<b>C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:  (a) be for the creation of separate lots for existing buildings;  (b) be required for public use by the Crown, a council, or a State authority;  (c) be required for the provision of Utilities;  (d) be for the consolidation of a lot; or  (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard	<input checked="" type="checkbox"/>	Not a subdivision.

management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.		
<b>C7.7.2 Subdivision within a priority vegetation area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <p>(a) be for the purposes of creating separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</p>	<input checked="" type="checkbox"/>	Not a subdivision.

- Coastal Erosion Hazard Code C10.5.1 Uses within a high coastal erosion hazard band

Original assessment		
<b>C10.5 Use Standards</b>		
<b>C10.5.1. Use within a high coastal erosion hazard band</b>	<b>Not applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<input type="checkbox"/>	Refer to specialist report accompanying the application "Coastal Vulnerability Assessment" by Geo-Environmental Solutions at Annexure 1.
<p><b>P1.1</b></p> <p>A Use within a high coastal erosion hazard band must be for a use which</p>	<input type="checkbox"/>	Refer to specialist report accompanying the application "Coastal Vulnerability Assessment" by Geo-Environmental Solutions at Annexure 1.

<p>relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to access a specific resource in a coastal location;</li> <li>(b) the need to operate a marine farming shore facility;</li> <li>(c) the need to access infrastructure available in a coastal location;</li> <li>(d) the need to service a marine or coastal related activity;</li> <li>(e) provision of an essential utility or marine infrastructure;</li> <li>(f) provision of open space or for marine-related educational, research or recreational facilities;</li> <li>(g) any advice from a State authority, regulated entity or a council; and</li> <li>(h) the advice obtained in a coastal erosion hazard report.</li> </ul>		
<p><b>P1.2</b></p> <p>A coastal erosion hazard report also demonstrates that:</p> <ul style="list-style-type: none"> <li>(a) any increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or</li> <li>(b) the use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</li> </ul>	<input type="checkbox"/>	<p>Refer to specialist report accompanying the application “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.</p>
<p>Revised assessment</p>		
<p><b>C10.5 Use Standards</b></p>		
<p><b>C10.5.1. Use within a high coastal erosion hazard band</b></p>	<p><b>Not applicable</b></p>	<p><b>Assessment</b></p>

<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<input type="checkbox"/>	<p>The site is subject to the high coastal erosion hazard band.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p><b>P1.1</b></p> <p>The performance criteria for Clause C10.5-(P1) states that a Use within a high coastal erosion hazard band must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>Comments: The site accommodates an existing caravan park. The proposal is for the redevelopment of the caravan park with all proposed buildings and work located away from the coastline but would be within the high coastal hazard band as shown on the overlay.</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>Comments: Not applicable to this site.</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>Comments: Existing infrastructure is available at the site.</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>Comments: Not applicable to this site.</p> <p>(e) provision of an essential utility or marine infrastructure;</p> <p>Comments: Not applicable to this site.</p> <p>(f) provision of open space or for marine-related educational, research or recreational facilities;</p> <p>Comments: The proposal would complement the redeveloped Penguin foreshore and allow users of the site to use recreational facilities within the area.</p> <p>(g) any advice from a State authority, regulated entity or a council; and</p> <p>Comments: Crown Land services consenting to the lodgement of the application. Referral to State agencies occurred during the public notification period of the amendment.</p> <p>(h) the advice obtained in a coastal erosion hazard report.</p> <p>Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.</p> <p><b>P1.2</b></p> <p>A coastal erosion hazard report also demonstrates that:</p> <p>(a) any increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or</p> <p>Comments: Refer to (b).</p> <p>(b) the use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</p>		

Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.

- Coastal Erosion Hazard Code C10.5.3 Critical use, hazardous use or vulnerable use P1.1, P1.2 and P4.

Original assessment		
<b>C10.5.3 Critical Use, hazardous Use or vulnerable Use</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> No Acceptable Solution.	<input type="checkbox"/>	Visitor Accommodation Use is defined as a “vulnerable” Use if accommodating more than 12 guests.
<b>P1.2</b> A coastal erosion hazard report also demonstrates that:  (a) any increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or  (b) the use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.	<input type="checkbox"/>	Refer to specialist report accompanying the application “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.
<b>A4</b> No Acceptable Solution.	<input checked="" type="checkbox"/>	
<b>P4</b> In addition to the requirements in clause C10.5.3P1.2, vulnerable use within a coastal erosion hazard area, must be protected from coastal erosion, having regard to:  (a) any protection measures, existing or proposed;  (b) the ability and capability of people in a coastal erosion event who may live, work or visit the site, to:  (i) protect themselves;	<input type="checkbox"/>	Visitor Accommodation Use is defined as a “vulnerable” Use if accommodating more than 12 guests.  (a) to (f)  Refer to specialist report accompanying the application – “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.

<p>(ii) evacuate in an emergency; and</p> <p>(iii) understand and respond to instructions in the event of an emergency;</p> <p>(c) any emergency evacuation plan;</p> <p>(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;</p> <p>(e) the advice contained in a coastal erosion hazard report; and</p> <p>(f) any advice from a State authority, regulated entity or a council.</p>		
Revised assessment		
<b>C10.5.3 Critical Use, hazardous Use or vulnerable Use</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<input type="checkbox"/>	<p>Non-complaint. Applies to a “vulnerable” Use.</p> <p>Visitor Accommodation Use is defined as a “vulnerable” Use if accommodating more than 12 guests.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<input type="checkbox"/>	<p>Non-complaint. Applies to a “vulnerable” Use.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p><b>P1.1</b></p> <p>The performance criteria for Clause C10.5.3-(P1) states that If located within a non-urban zone or a high coastal erosion hazard band, the use must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>Comments: The site accommodates an existing caravan park. The proposal is for the redevelopment of the caravan park with all proposed buildings and work located away from the coastline but would be within the high coastal hazard band as shown on the overlay.</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>Comments: Not applicable to this site.</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>Comments: Existing infrastructure is available at the site.</p>		



- (d) the need to service a marine or coastal related activity;  
Comments: Not applicable to this site.
- (e) provision of an essential utility or marine infrastructure;  
Comments: Not applicable to this site.
- (f) provision of open space or for marine-related educational, research, or recreational facilities; and  
Comments: The proposal would complement the redeveloped Penguin foreshore and allow users of the site to use recreational facilities within the area.
- (g) the advice contained in a coastal erosion hazard report.  
Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.

**P1.2**

A coastal erosion hazard report also demonstrates that:

- (a) any increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or  
Comments: Refer to (b).
- (b) the use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.  
Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.

**P4**

In addition to the requirements in clause C10.5.3P1.2, vulnerable use within a coastal erosion hazard area, must be protected from coastal erosion, having regard to:

- (a) any protection measures, existing or proposed;  
Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.
- (b) the ability and capability of people in a coastal erosion event who may live, work or visit the site, to:
  - (i) protect themselves;  
Comments: The site has easy access to public roads.
  - (ii) evacuate in an emergency; and  
Comments: The site has easy access to public roads.
  - (iii) understand and respond to instructions in the event of an emergency;  
Comments: The site has easy access to public roads.
- (b) any emergency evacuation plan;  
Comments: The site has easy access to public roads.

(c)	the level of risk for emergency personnel involved in evacuation and rescue tasks;  Comments: The site has easy access to public roads.
(d)	the advice contained in a coastal erosion hazard report; and  Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.
(e)	any advice from a State authority, regulated entity or a council.  Comments: Crown Land services consented to the lodgement of the application. The application was also referred to relevant State agencies during the public notification period.

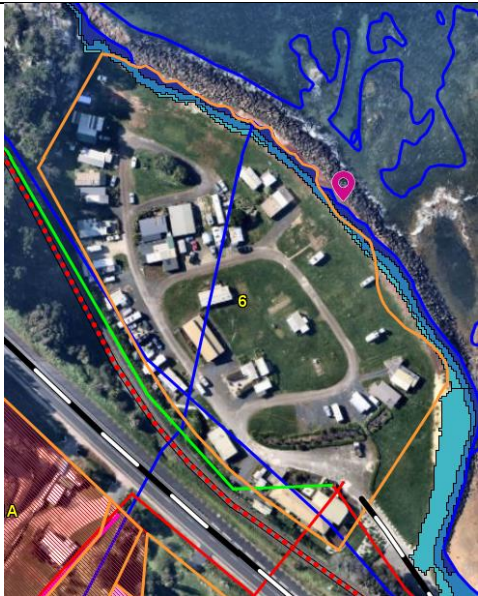
- Coastal Erosion Hazard Code C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area.

Original assessment		
C10.6 Development Standards for Buildings and Works		
C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area	Not Applicable	Assessment
<p><b>P1.1</b></p> <p>Buildings and works, excluding coastal protection works, within a coastal erosion hazard area must have a tolerable risk, having regard to:</p> <p>(a) whether any increase in the level of risk from coastal erosion requires any specific hazard reduction or protection measures;</p> <p>(b) any advice from a State authority, regulated entity or a council; and</p> <p>(c) the advice contained in a coastal erosion hazard report.</p>	<input checked="" type="checkbox"/>	Not a subdivision.
<p><b>P1.2</b></p> <p>A coastal erosion hazard report demonstrates that:</p> <p>(a) the building and works:</p> <p>(i) do not cause or contribute to any coastal erosion on the site, on adjacent land</p>	<input checked="" type="checkbox"/>	Not a subdivision.

<p>or public infrastructure; and</p> <p>(ii) can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific coastal erosion protection works;</p> <p>(b) buildings and works are not located on actively mobile landforms, unless for engineering or remediation works to protect land, property and human life.</p>		
Revised assessment		
<b>C10.6 Development Standards for Buildings and Works</b>		
<b>C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<input type="checkbox"/>	<p>There is no acceptable solution for this Clause.</p> <p>Refer to below addressing the Performance Criteria for this Clause.</p>
<p><b>P1.1</b></p> <p>The performance criteria for Clause C10.6.1-(P1) states that buildings and works, excluding coastal protection works, within a coastal erosion hazard area must have a tolerable risk, having regard to:</p> <p>(a) whether any increase in the level of risk from coastal erosion requires any specific hazard reduction or protection measures;</p> <p>Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.</p> <p>(b) any advice from a State authority, regulated entity or a council; and</p> <p>Comments:</p> <p>(c) the advice contained in a coastal erosion hazard report.</p> <p>Comments A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.</p> <p><b>P1.2</b></p> <p>A coastal erosion hazard report demonstrates that:</p>		

<p>(a) the building and works:</p> <p>(i) do not cause or contribute to any coastal erosion on the site, on adjacent land or public infrastructure; and</p> <p>Comments: Refer to (b).</p> <p>(ii) can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific coastal erosion protection works;</p> <p>Comments: A Coastal Vulnerability Assessment report by Geo-Environmental Solutions was provided with the application. This report concludes that due to the seawall along the coastal interface that the coastal erosion at the site is now considered negligible.</p> <p>(c) buildings and works are not located on actively mobile landforms, unless for engineering or remediation works to protect land, property and human life.</p> <p>Comments: Crown Land services consented to the lodgement of the application. The application was also referred to relevant State agencies during the public notification period.</p>
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- Coastal Inundation Hazard Code C11.5.1 Use within a high coastal inundation hazard band P1.1 and P1.2

Original assessment		
<b>C11.5 Use Standards</b>		
<b>C11.5.1. Use within a high coastal inundation hazard band</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<input checked="" type="checkbox"/>	
<p><b>P1.1</b></p> <p>A Use within a high coastal inundation hazard band must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of an essential utility or marine infrastructure;</p>	<input type="checkbox"/>	 <p>A High coastal inundation band encroaches onto a small portion of the site. See image below. Use is not proposed within the inundation band area.</p>

<p>(f) provision of open space or for marine-related educational, research, or recreational facilities;</p> <p>(g) any advice from a State authority, regulated entity or a council; and</p> <p>(h) the advice obtained in a coastal inundation hazard report.</p>		
<p><b>P1.2</b></p> <p>A coastal inundation hazard report also demonstrates that:</p> <p>(a) any increase in the level of risk from coastal inundation does not require any specific hazard reduction or protection measures; or</p> <p>(b) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</p>	<input type="checkbox"/>	<p>A High coastal inundation band encroaches onto a small portion of the site. See image above. Use is not proposed within the high coastal hazard inundation band area.</p> <p>Also refer to specialist report accompanying the application – “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.</p>
Revised assessment		
<b>C11.5 Use Standards</b>		
<b>C11.5.2 Use within a high coastal inundation hazard band</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<input checked="" type="checkbox"/>	<p>No use would be within the high coastal inundation hazard band area.</p>

- Coastal Inundation Hazard Code C11.5.2 Uses located within a non-urban zone and within a medium coastal inundation hazard band P1.1 and P1.2, noting that the medium hazard band applies to the site

Original assessment		
<b>C11.5 Use Standards</b>		
<b>C11.5.2 Uses located within a non-urban zone and within a medium coastal inundation hazard band.</b>	<b>Not Applicable</b>	<b>Assessment</b>

<b>A1</b> No Acceptable Solution.	<input checked="" type="checkbox"/>	Not within a medium coastal inundation hazard area.
Revised assessment		
<b>C11.5 Use Standards</b>		
<b>C11.5.2 Uses located within a non-urban zone and within a medium coastal inundation hazard band.</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> No Acceptable Solution.	<input checked="" type="checkbox"/>	No use would be within the medium coastal inundation hazard area.

- Coastal Inundation Hazard Code C11.5.3 Uses located within a non-urban zone and within a medium coastal inundation hazard band P1, noting that the low hazard band applies to the site

Original assessment		
<b>C11.5 Use Standards</b>		
<b>C11.5.3 Uses located within a non-urban zone and within a low coastal inundation hazard band.</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> No Acceptable Solution.	<input checked="" type="checkbox"/>	Not within a low coastal inundation hazard area.
Revised assessment		
<b>C11.5 Use Standards</b>		
<b>C11.5.3 Uses located within a non-urban zone and within a low coastal inundation hazard band.</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b> No Acceptable Solution.	<input checked="" type="checkbox"/>	No use would be within the low coastal inundation hazard area.

- Coastal Inundation Hazard Code C11.5.4 Critical use, hazardous use or vulnerable use P1.1, P1.2 and P4

Original assessment		
<b>C11.5.4 Critical Use, hazardous Use or vulnerable Use</b>	<b>Not Applicable</b>	<b>Assessment</b>
<b>A1</b>	<input checked="" type="checkbox"/>	

No Acceptable Solution.		
<p><b>P1.1</b></p> <p>If located within a non-urban zone or a high coastal inundation hazard band, the use must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to access infrastructure available in a coastal location;</p> <p>(c) the need to operate a marine farming shore facility;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of an essential utility or marine infrastructure; and</p> <p>(f) provision of open space or for marine-related educational, research, or recreational facilities;</p> <p>(g) the advice contained in a coastal inundation hazard report.</p>	<input type="checkbox"/>	<p>Visitor Accommodation Use is defined as a “vulnerable” Use if accommodating more than 12 guests.</p> <p>Refer to specialist report accompanying the application – “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.</p>
<p><b>P1.2</b></p> <p>A coastal inundation hazard report also demonstrates that:</p> <p>(a) an increase in the level of risk from a coastal inundation does not require any specific hazard reduction or protection measures; or</p> <p>(b) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</p>	<input type="checkbox"/>	<p>Refer to specialist report accompanying the application – “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.</p>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<input checked="" type="checkbox"/>	
<p><b>P4</b></p>	<input type="checkbox"/>	<p>Use is a “vulnerable use”.</p>

<p>In addition to the requirements in clause C11.5.4 P1.2, a vulnerable use in a coastal inundation hazard area must be protected from coastal inundation in a 1% annual exceedance probability coastal inundation event in 2100, having regard to:</p> <p>(a) any protection measures, existing or proposed;</p> <p>(b) the ability and capability of people in a coastal inundation event who may live, work or visit the site, to:</p> <p style="padding-left: 20px;">(i) protect themselves;</p> <p style="padding-left: 20px;">(ii) evacuate in an emergency; and</p> <p style="padding-left: 20px;">(iii) understand and respond to instructions in the event of an emergency;</p> <p>(c) any emergency evacuation plan;</p> <p>(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;</p> <p>(e) the advice contained in a coastal inundation hazard report; and</p> <p>(f) any advice from a State authority, regulated entity or a council.</p>		<p>Refer to specialist report accompanying the application – “Coastal Vulnerability Assessment” by Geo-Environmental Solutions at Annexure 1.</p>
Revised assessment		
<b>C11.5.4 Critical Use, hazardous Use or vulnerable Use</b>	<b>Not Applicable</b>	<b>Assessment</b>
<p><b>A1</b> No Acceptable Solution.</p>	<input checked="" type="checkbox"/>	<p>No use would be within the low coastal inundation hazard area.</p>
<p><b>A4</b> No Acceptable Solution.</p>	<input checked="" type="checkbox"/>	<p>No use would be within the low coastal inundation hazard area.</p>

**Outcome:**

Further assessment of the applicable standards within the planning scheme has resulted with some recommend change to conditions on the draft Permit. Refer to 1.(b) below. Some clerical errors were also identified and rectified.



1.(b) The planning authority is to recommend any changes to permit conditions arising from the above assessment.

**Planning Authority's initial response:**

A revised draft Permit was provided to the Commission as part of the section 40K letter addressing representations. This included the inclusion of condition No. 16 regarding the Little Penguin Management Plan and fencing as per TasRail's request.

**Planning Authority's additional response:**

Further assessment has been undertaken against the relevant standards in the planning scheme. During this assessment some conditions have been identified to be:

- Modified (to remove unnecessary aspects).
- Deleted (not able to be applied or not what the proposal requested).
- Not necessary (Council practice is to include some conditions, even if compliance has been demonstrated or can be achieved).
- Added (to assist with further assessment undertaken additional reports and drawings have been provided by a suitably qualified person).

**Outcome:**

The following is recommended to the Commission in relation to the draft Permit conditions.

Modified:

- Condition No. 7 to read *"A minimum of ninety four (94) car parking spaces must be provided on-site to enable forward movement of vehicles entering and egressing the site"*.

Reason: The Supplementary Traffic Impact Assessment by Traffic & Civil Services has outlined that the proposal satisfies Clause C2.6.2-(A1.1(b)) of the planning scheme in relation to the design and layout of parking areas would comply with *Australian Standard AS2890-Parking facilities, Parts 1-6*.

Delete:

- Condition 10 part (c).

Reason: Clause C2.6.1-(A1)(c) which states that parking, access ways, manoeuvring and circulation spaces be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement does not apply to land zoned Open Space.

- Condition Nos. 11 and 12.

Reason: The Supplementary Traffic Impact Assessment by Traffic & Civil Services has outlined that the proposal is relying on the Performance Criteria for C2.6.5 Pedestrian access. This assessment also provided justification against the relevant Performance Criteria which the planning authority agrees with.

- Condition No. 16 in relation to the Little Penguin Management Plan.

Reason: Upon the Commission's request, it was agreed by the applicant to engage Dr Perviz Marker, who has undertaken a Little Penguin Management Plan. It is recommended that this Management Plan be added as a condition on the Permit.

### Not necessary

- Condition Nos. 8, 9, 10.

Reason: The application and supporting documentation have demonstrated compliance with the relevant clauses that apply to the above conditions, being Clause C2.6.2–(A1), Clause C2.6.6–(A1) and Clause C2.6.1–(A1) respectively.

The same can be said for condition No. 6 regarding hours of operation and second part of condition No. 7 as discussed in the modified section.

Even though some conditions may not be necessary, the planning authority would prefer to keep those mentioned conditions on the Permit, to ensure that developer is fully aware of the requirements that has been applied and approved under the planning scheme.

### Added

- Supplementary Traffic Impact Assessment by Traffic & Civil Services dated January 2024.
- Little Penguin Management Plan by Dr Perviz Marker dated February 2024.
- Needs & Impact Analysis by Location iQ dated 31 January 2024.

Reason: As part of the Commission’s request and to enable further assessment to be undertaken regarding the proposed development, supplementary documentation has been provided to the Council by the applicant.

2. The planning authority is requested to review the status of the sewage works at Dial Point (300m from the subject site), and if operational, complete an assessment against Attenuation Code C9.5.2 Sensitive use within an attenuation area.

### **Planning Authority’s initial response:**

The Council’s section 40T report stated that C9.0 Attenuation Code is not applicable. It was considered that there were no activities within the attenuation distance table C9.1 that would be subject to the scheme amendment and development application.

### **Planning Authority’s additional response:**

Written confirmation has been obtained from TasWater confirming that the sewage works at Dial Point was converted by Central Coast Council into a sewage transfer pumpstation.

As stated by Ireneinc Planning & Urban Design letter dated 6 February 2024 the attenuation buffer of 20–40 meters is applied to pump stations. The pump station is approximately 257 meters from 6 Johnsons Beach Road, Penguin which result with C9.0 Attenuation Code not being applicable to the development application.

### **Outcome:**

The planning authority still considers that C9.0 Attenuation Code is not applicable.

3. In conducting and reporting on the above assessments, the planning authority is requested to provide evidence such as:
  - photo montages and scaled cross sections prepared by a suitably qualified person depicting height, bulk, and form from various angles in the context of the surrounding area and landscape values;
  - the location of dwellings and sight lines relative to the proposed 4 storey apartment building;
  - digital images of the proposed development in relation to the relevant overlays.

**Planning Authority's initial response:**

The planning authority made its initial assessment against documentation provided with the application.

**Planning Authority's additional response:**

Additional documentation has been provided by the applicant that includes montages, cross sections, plans, location of dwellings and sight lines and digital images which are attached as requested.

The additional documentation assisted the planning authority to undertake a more comprehensive assessment of the proposed buildings, particularly in relation to visual amenity, bulk and scale

## LAND OWNERSHIP

1. The GES report indicates the role the boulder wall plays in protecting the site. It also states that, should maintenance be required, it should be done in a timely manner (p100). The importance of the boulder wall is also referred to in the application report (p59). The boulder wall appears to be partly outside the site boundary and within Crown land.  
  
The planning authority is requested to provide a submission as to whether the consent of the relevant Minister has been obtained for the making of the application so far as it concerns the boulder wall, or why such consent was not required.

**Planning Authority's initial response:**

Condition No. 3 of draft Permit requires that the development must be in accordance with the recommendations contained in the Coastal Vulnerability Assessment report by Geo-Environmental Solutions Pty Ltd dated July 2021.

As outlined in section 3 History of Council's section 40T report, *"the owners, in the past, also established a rock foreshore protection break wall along the foreshore to Bass Strait, for which approvals of the Crown were not granted. This matter has recently been addressed by the Crown."*

**Planning Authority’s additional response:**

As stated in Ireneinc Planning and Urban Design letter dated 6 February 2024, the seawall was constructed prior to the current ownership of . However, authority was granted by the Crown in 2015 to undertake repair/upgrade works to the seawall and comprehensive engineering plans were assessed by Crown at this time.

As no works are proposed to the seawall as part of this application, no consent was considered necessary in conjunction with this application.

The application did include consent from Crown Land services in relation to the lodgement of the scheme amendment and development application. This included all documentation that forms part of the application. No further comments were received from Crown Land services during the referral process.

No Permit was required from the Council regarding the seawall works as it was exempt under Clause 5.3.1 of the *Interim Planning Scheme 2013*.

**Outcome:**

The authority from Crown regarding the repair/upgrade of the seawall is provided with this additional information to the Commission.

- |   |
|---|
| <p>2. Permit condition 3 requires the implementation of the GES report.</p> <p>The planning authority is requested to provide a submission advising who would be responsible for undertaking such work so far as it concerns the boulder wall. If it is intended that the owner of the proposed development has the power to do so, please include advice on whether any legal agreements are in place with Crown to ensure permanent power to undertake such works on Crown land. Alternatively, if it is intended the Council or the Crown will be responsible for the permanent maintenance of the boulder wall, please provide evidence of any agreements of other arrangements in place.</p> |
|---|

**Planning Authority’s initial response:**

Condition No. 3 of draft Permit is that the development must be in accordance with the recommendations contained in the Coastal Vulnerability Assessment report by Geo-Environmental Solutions Pty Ltd dated July 2021.

**Planning Authority’s additional response:**

The authority from Crown in 2015 (attached) outlines that the owner of the site is responsible for the ongoing maintenance of the seawall, subject to a formal licence for access and maintenance of the wall on Crown Land.

As stated in Ireneinc Planning and Urban Design letter dated 6 February 2024, a licence application has been submitted to the Crown, however it is their understanding that the Crown are generally reluctant to grant licences until there is a degree of certainty that a permit for use/development will be granted and works are scheduled to commence.

**Outcome:**

The matter regarding the seawall including ongoing maintenance is between the Crown and the owner of 6 Johnson Beach Road, Penguin.

## PERMIT CONDITIONS

1. Where conditions have been added to achieve compliance, the planning authority is to advise the Commission as to whether satisfying such conditions has the potential to result in modification of the proposal such that it is significantly different from what has been assessed and approved.

### Planning Authority's initial response:

Some conditions were imposed on the draft Permit to satisfy specific applicable standards. These being Clause 29.4.2-(A1), C2.6.1-(A1), C2.6.2-(A1.1 and A1.2), C2.6.5-(A1.1 and A1.2), C2.6.6-(A2).

It is Council's practice that even if a proposal has demonstrated compliance, or could demonstrate compliance with an Acceptable Solution within the planning scheme, conditions are applied to a Permit to ensure the developer is aware of such requirement.

### Planning Authority's additional response:

Further assessment against the applicable standards in the planning scheme, results with some recommended changes to conditions on the draft Permit.

There are two conditions identified to have the potential to result with the proposal being modified significantly. These being condition Nos. 11 and 12 in relation to pedestrian footpaths.

The plans did not indicate any footpaths. Condition No. 11 of the Permit was considered the best mechanism to ensure the proposal could comply with the planning scheme.

### Outcome:

Some changes, deletion and additions to the Permit has been recommended to the Commission.

### *Traffic Impact Assessment (TIA)*

2. The Commission notes that the planning authority have stated the Central Coast Council Infrastructure Services has checked the TIA and accept the conclusions and recommendations as reflected in the conditions. However, it remains unclear whether the planning scheme requirements are satisfied, and representors concerns are adequately addressed.

In addition to the request outlined in part 1 of the Development application section above, the planning authority is requested to provide advice as to:

- how the permit implements the conclusion and recommendations of the TIA; and
- whether the TIA addresses the concerns raised by representors (see representations 3, 4, 9, 14, 18, 20, 26, 30, 31) and whether any of the representors concerns warrant further consideration in an updated TIA.

### Planning Authority's initial response:

Assessment was undertaken in Council's section 40T report including applicable planning scheme standards.

Council's section 40K report addressed matters raised in representations including the planning authority responses.

**Planning Authority's additional response:**

Further assessment against the applicable standards in the planning scheme has been undertaken with some recommended changes outlined above regarding some conditions on the draft Permit, as well as addressing applicable Performance Criteria within the planning scheme.

**Outcome:**

The planning authority are satisfied that all conditions within the Infrastructure Services are to remain.

Some additional comments are noted below, regarding representations mentioned by the Commission.

Representation No. 3: Condition Nos. 20 and 21 on the draft Permit is considered to assist with the access into the site along Johnsons Beach Road.

Representation No. 4: Condition Nos. 20 and 21 on the draft Permit is considered to assist with the access into the site along Johnsons Beach Road.

Representation No. 9: Condition Nos. 20 and 21 on the draft Permit is considered to assist with the access into the site along Johnsons Beach Road.

Representation No. 14: Condition Nos. 20 and 21 on the draft Permit is considered to assist with the access into the site along Johnsons Beach Road.

Representation No. 18: Further assessment has been undertaken above in relation to the Parking and Sustainable Transport Code which may provide some further clarification regarding car parking within the site, including persons with disability access.

Representation No. 20: Condition Nos. 20 and 21 on the draft Permit is considered to assist with the access into the site along Johnsons Beach Road. There is also now a shared pathway that runs along Johnsons Beach Road.

Representation No. 26: The Supplementary Traffic Impact Assessment report by Traffic & Civil Services dated January 2024 has undertaken further analysis regarding intersections at Johnsons Beach Road, Main Road and Crescent Street. Sight distance is considered adequate. Condition Nos. 20 and 21 on the draft Permit is considered to assist with the access into the site along Johnsons Beach Road.

Representation No. 30: Further assessment has been undertaken above in relation to the Parking and Sustainable Transport Code which may provide some further clarification regarding car parking within the site.

Representation No. 31: Further assessment has been undertaken above in relation to the Parking and Sustainable Transport Code and the Road and Raily Assets Code which may provide some further clarification regarding car parking and traffic vehicle movements. Please refer to condition No. 6 which outlines the hours of operation for the function centre.

*Little Penguin habitat*

3. The Commission notes that the permit conditions include a requirement that ‘prior to any works commencing, the applicant must provide Council with a Little Penguin and Shorebirds Management Plan’.

The Commission considers that a plan of this nature has the potential to result in planning permit not being able to be carried out and ought to have formed the initial assessment of the proposal. The planning authority is requested to provide advice to the Commission regarding the anticipated operation of this condition.

**Planning Authority’s initial response:**

The revised draft Permit DA2022107, included a condition regarding the Little Penguins and Shorebirds (condition No. 16). This was a result of representations that outlined concerns regarding Little Penguin colony in the area.

The investigation into the Little Penguins was not originally considered, as they are not listed under the *Threatened Species Protection Act 1995*.

**Planning Authority’s additional response:**

It was considered that a Little Penguin Management Plan could be achieved and not impede the proposed development. It was accepted that a Management Plan may delay or alter timing of when construction works could occur and may also result in additional cost to the developer, as the Management Plan may require specific scheduling of works so as not to impact any Little Penguin colony, and some preventative measure would need to be implemented.

Upon the Commission’s request, it was agreed by the applicant to engage Dr Perviz Marker, who has undertaken a Little Penguin Management Plan for 6 Johnsons Beach Road, Penguin.

This Management Plan objective is to maintain the penguins ‘activity and access to the site and to minimise disturbance to the penguins in the site. It includes recommendations (section 8.3 of this report) that outlines specific protection requirements during and after construction including fencing, lighting, vegetation and pet management.

**Outcome:**

The Planning Authority would not object to the Little Penguin Management Plan being included as a condition on the Permit, in place of condition No.16.



## **6 JOHNSONS BEACH ROAD, PENGUIN CARAVAN PARK EXPANSION**

### **SUPPLEMENTARY TRAFFIC IMPACT ASSESSMENT - JAN 2024**







## 6 Johnsons Beach Road, Penguin Caravan Park Expansion

### SUPPLEMENTARY TRAFFIC IMPACT ASSESSMENT

- Draft 3
- Jan 2024

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Traffic & Civil Services  
ABN 72617648601  
1 Cooper Crescent  
RIVERSIDE  
Launceston TAS 7250 Australia  
P: +61 3 634 8168  
M: 0456 535 746  
E: [Richard.burk@trafficandcivil.com.au](mailto:Richard.burk@trafficandcivil.com.au)  
W: [www.trafficandcivil.com.au](http://www.trafficandcivil.com.au)



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DRAFT



## Document history and status

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<b>Name of document:</b>	6 Johnsons Beach Rd TIA
<b>Document version:</b>	Draft 3
<b>Project number:</b>	



# 1. Introduction

## 1.1 Background

Visitor accommodation expansion is proposed at the Penguin Caravan Park at 6 Johnsons Beach Road, Penguin.

A Traffic Impact Assessment has been prepared by Howarth Fisher and Associates (March 2022) to assess the proposal in terms of traffic safety, efficiency and planning scheme requirements.

This supplementary Traffic Impact Assessment is to cover aspects of the proposal and TPS-Central Coast not detailed in the previous TIA and to respond to representations received by Central Coast Council.

## 1.2 Objectives

This TIS is prepared to assist in the planning and design of sustainable development that considers traffic safety, capacity, equity and social justice, economic efficiency, the environment and future development.

## 1.3 Scope of Traffic Impact Assessment (TIA)

This TIA considers in detail the following aspect of the proposal:

- Impact of the proposal on Johnson Street / Main Road junction, Penguin.
- Assessment of the TPS – Central Coast - Parking & Sustainable Transport Code C2
  - C2.6.1 – Construction of Parking Areas
  - C2.6.2 – Design and layout of parking areas
  - C2.6.5 – Pedestrian access
  - C2.6.6 – Loading bays.
- Assessment of the TPS – Central Coast - Road & Railway Assets Code C3
  - C3.5.1 Traffic Generation at a vehicle crossing, level crossing or new junction.
- Response to representations



#### 1.4 References

- Tasmanian Planning Scheme – Central Coast
- Howarth Fisher and Associates TIA (March 2022)
- Environmental Noise and Ground Vibration report prepared by Tarkarri Engineering (March 2022).
- Austroads Guide to Road Design Part 4A Unsignalised and Signalised Inter. 2021
- Austroads Guide to Traffic Man. Part 6: Inter., Interchanges & Crossings 2020.

#### 1.5 Statement of Qualifications and Experience

This TIA has been prepared by Richard Burk, an experienced and qualified traffic engineer in accordance with the requirements of the Department of State Growth's guidelines and Council's requirements. Richard's experience and qualifications include:

- 36 years professional experience in road and traffic engineering industry
  - Director Traffic and Civil Services Pty Ltd since May 2017
  - Manager Traffic Engineering, Department of State Growth until May 2017.
  - Previous National committee memberships of Austroads Traffic Management and State Road Authorities Pavement Marking Working Groups
- Master of Traffic, Monash University, 2004
- Post Graduate Diploma in Management, Deakin University, 1995
- Bachelor of Civil Engineering, University of Tasmania, 1987

A handwritten signature in blue ink, appearing to read 'Richard Burk'.

Richard Burk

BE (Civil) M Traffic Dip Man. MIE Aust CPEng  
Director Traffic and Civil Services Pty Ltd



## 1.6 Glossary of Terms

AADT	Annual Average Daily Traffic - The total number of vehicles travelling in both directions passing a point in a year divided by the number of days in a year.
Acceleration Lane	An auxiliary lane used to allow vehicles to increase speed without interfering with the main traffic stream. It is often used on the departure side of intersections.
Access	The driveway by which vehicles and/or pedestrians enter and/or leave the property adjacent to a road.
ADT	Average Daily Traffic – The average 24-hour volume being the total number of vehicles travelling in both directions passing a point in a stated period divided by the stated number of days in that period.
Austrroads	The Association of Australian and New Zealand road transport and traffic authorities and includes the Australian Local Government Association.
Delay	The additional travel time experienced by a vehicle or pedestrian with reference to a base travel time (e.g. the free flow travel time).
DSG	Department of State Growth – The Tasmanian Government Department which manages the State Road Network.
GFA	Gross Floor Area
Intersection Kerb	The place at which two or more roads meet or cross. A raised border of rigid material formed at the edge of a carriageway, pavement or bridge.
km/h	Kilometres per hour
Level of Service	An index of the operational performance of traffic on a given traffic lane, carriageway or road when accommodating various traffic volumes under different combinations of operating conditions. It is usually defined in terms of the convenience of travel and safety performance.
m	Metres
Median	A strip of road, not normally intended for use by traffic, which separates carriageways for traffic in opposite directions. Usually formed by painted lines, kerbed and paved areas grassed areas, etc.
Movement	A stream of vehicles that enters from the same approach and departs from the same exit (i.e. with the same origin and destination).
Phase	The part of a signal cycle during which one or more movements receive right-of-way subject to resolution of any vehicle or pedestrian conflicts by priority rules. A phase is identified by at least one movement gaining right-of-way at the start of it and at least one movement losing right-of-way at the end of it.



Sight Distance	The distance, measured along the road over which visibility occurs between a driver and an object or between two drivers at specific heights above the carriageway in their lane of travel.
Signal Phasing	Sequential arrangement of separately controlled groups of vehicle and pedestrian movements within a signal cycle to allow all vehicle and pedestrian movements to proceed.
SISD	Safe Intersection Sight Distance – The sight distance provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle on a minor road approach moving into a collision situation and to decelerate to a stop before reaching the collision point.
Speed	Distance travelled per unit time.
85th Percentile	The speed at which 85% of car drivers will travel slower and 15% will travel faster. A control method that allows a variable sequence and variable duration of signal displays depending on vehicle and pedestrian traffic demands.
Traffic-actuated Control	A control method that allows a variable sequence and variable duration of signal displays depending on vehicle and pedestrian traffic demands.
Traffic Growth Factor	A factor used to estimate the percentage annual increase in traffic volume.
Trip	A one-way vehicular movement from one point to another excluding the return journey. Therefore, a vehicle entering and leaving a land use is counted as two trips. (RTA Guide to Traffic generating Developments).
Turning Movement	The number of vehicles observed to make a particular turning movement (left or right turn, or through movement) at an intersection over a specified period.
Turning Movement Count	A traffic count at an intersection during which all turning movements are recorded.
Vehicle Actuated Traffic Signals	Traffic signals in which the phasing varies in accordance with the detected presence of vehicles on the signal approaches.
vpd	vehicles per day – The number of vehicles travelling in both directions passing a point during a day from midnight to midnight.
vph	vehicles per hour – The number of vehicles travelling in both directions passing a point during an hour.

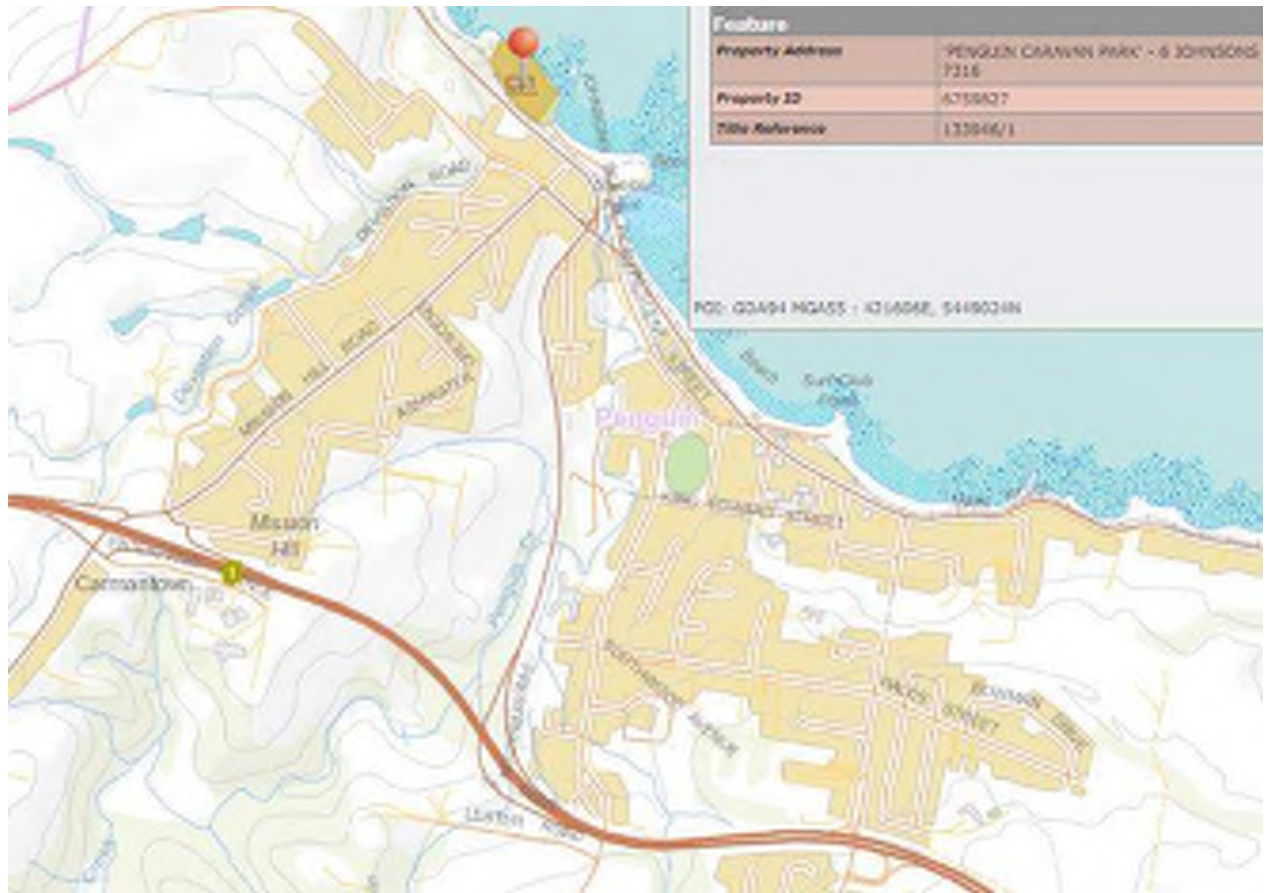




## 2. Site Description

The Penguin Caravan Park at 6 Johnsons Beach Road is accessed via Main Road in Penguin. The access and property location are shown in Figure 1.

Figure 1 – 6 Johnsons Beach Road, Penguin



Source: LISTmap, DPIWVE

### 3. The Proposal

#### 3.1 Description of Proposed Development

The proposal involves addition of visitor accommodation and service buildings, see plans in Appendix A and as shown in Figure 2 including:

- 40 \* 2-bedroom apartments
- 21 \* 3-bedroom modular homes
- Function centre
- Café / Restaurant / Manager Office.

Figure 2 – Proposed visitor accommodation at Penguin Caravan Park.







**Figure 3 – Aerial view of Penguin Caravan Park.**



*Source: LISTmap, DPIPWE*



### 3.2 Council Planning Scheme

This TIA responds to the Tasmanian Planning Scheme – Central Coast. Figure 4 shows the property zoning.

**Figure 4 – 6 Johnsons Beach Road is zoned Open Space**



Source: LISTmap, DPIPWE

### 3.3 Road Network Owner Objectives

The Central Coast Council objective for Johnsons Street and the Council Road network is to maintain traffic safety and efficiency.

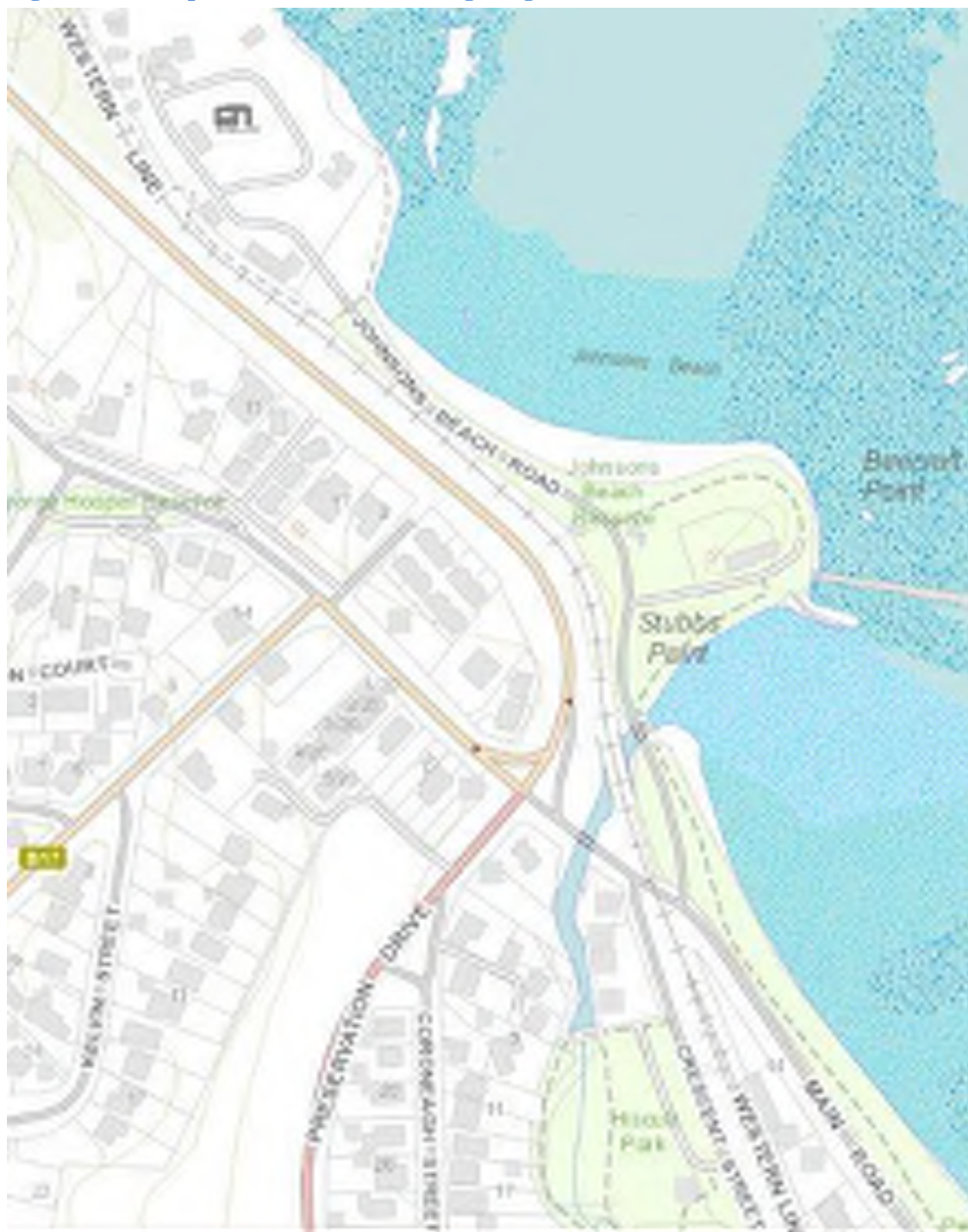


## 4. Existing Conditions

### 4.1 Transport Network

The local transport system consists of Preservation Drive, Main Road, Johnsons Beach Road, Crescent Street and Tasrail's Western Line, see Figure 5. All roads in the vicinity are Council Roads and none are part of the Tasmanian 26m B Double Network, see Appendix B.

**Figure 5 – Transport Network surrounding Penguin Caravan Park**



Source: LISTmap, DPIWVE



#### **4.1.1 Preservation Drive**

Preservation Drive has a sub arterial function linking Penguin with the Bass Highway and has an 80km/h speed limit. The road has a width of some 11.5m.

#### **4.1.2 Western Line**

The Tasrail Western Line operates regularly with low frequency freight transport. The only location where there is a pedestrian desire line is between Preservation Drive and Johnsons Beach Road, midway along Johnsons Beach. This location is managed with pedestrian facilities, see Appendix E.

#### **4.1.3 Main Road**

Main Road has a collector road function with a 50km/h speed limit in the vicinity of Preservation Drive and Johnsons Beach Road. The road is 10m wide with footpath along the West side. AADT is estimated at 4,103 (Feb 2014) from the earlier TIA.

#### **4.1.4 Johnsons Beach Road**

Johnsons Beach Road is a No Through Road that provides access to Johnsons Beach and the Penguin Caravan Park. The road has a 10km/h Shared Zone West of Penguin Creek, and the General urban Speed Limit of 50km/h applies East of Penguin Creek.

The road has a 5m wide seal and footpath East of Penguin Creek.

Traffic activity is estimated at 352 vpd (2024) due to the Penguin Caravan Park and Johnsons Beach, the boat ramp and pontoon are estimated to generate some 150vpd.

AADT is estimated at 500vpd (2024).

#### **4.1.5 Crescent Street**

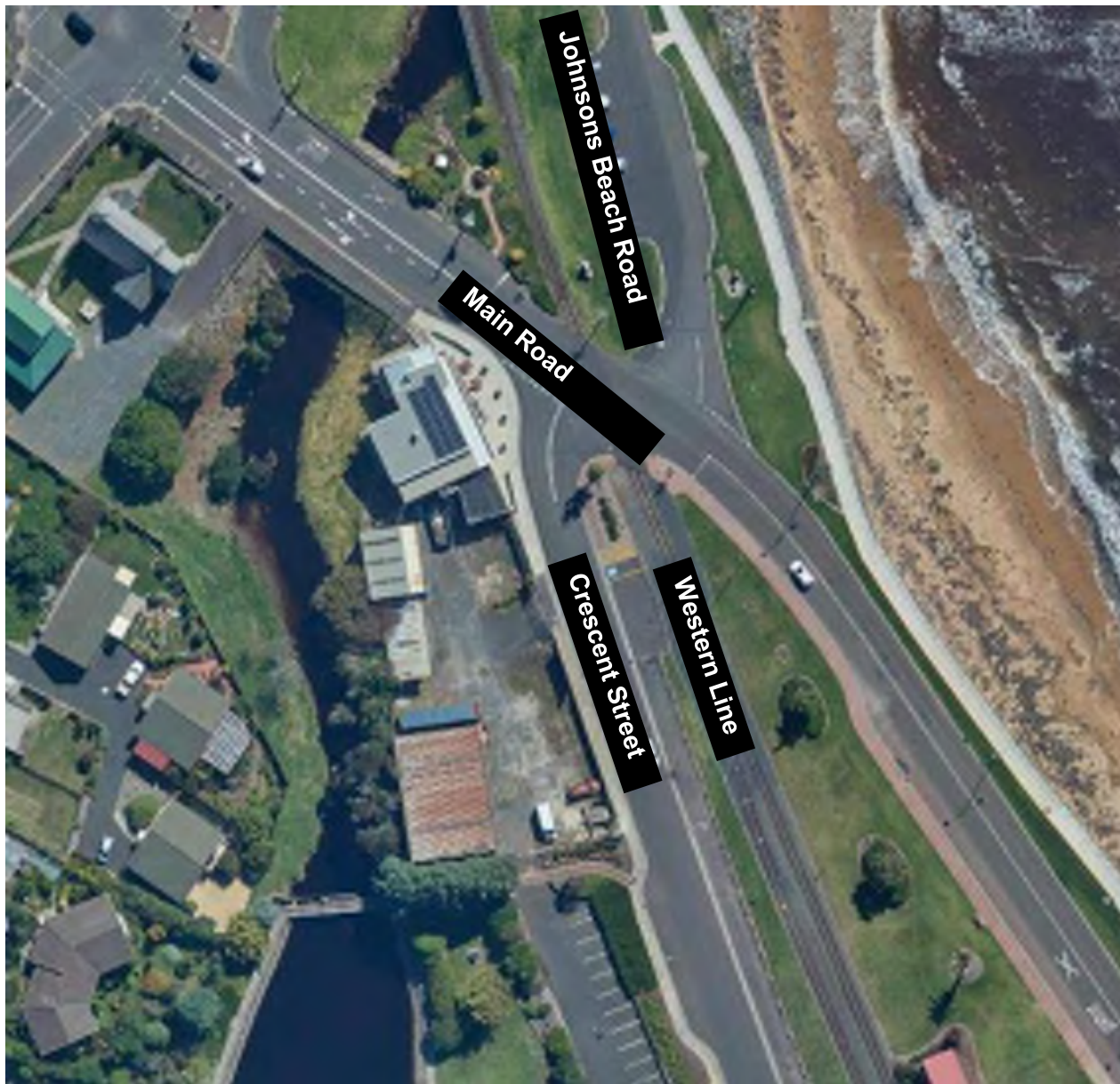
Crescent Street is a residential street. The road has a 6m wide seal and footpaths both sides.

#### **4.1.6 Main Rd / Western Line / Johnsons Beach Rd / Crescent St junctions**

The junctions, level crossing and approaches are shown in Figures 6-13.



Figure 6 – Aerial view of the Main Rd / Johnsons Beach Rd & Crescent St junctions



Source: LISTmap, DPIPWE





**Figure 7 – Johnsons Beach Road approach to Main Road.**



Source: Google Maps

**Figure 8 – Looking right along Main Road from Johnsons Beach Road.**



Sight distance  
right is 97m.

Source: Google Maps

**Figure 9 – Looking left along Main Road from Johnsons Beach Road.**



Sight distance  
left is 200m.

Source: Google Maps





**Figure 10 – Main Road Northern approach to proposed junction**



*Source: Google Maps*

**Figure 11 – Main Road Southern approach to proposed junction**



*Source: Google Maps*



Figure 12 – Looking right along Main Road from Crescent Street.



Sight distance right is > 97m.

Source: Google Maps

Figure 13 – Looking left along Main Road from Crescent Street.



Sight distance right is 97m.

Source: Google Maps

## 4.2 Sight Distance Summary

Safe Intersection Sight Distance (SISD) requirements are summarised in Figure 14

Figure 14 – Sight Distance requirements

Junction	Speed		Road frontage sight distance		
	Limit (km/h)	Environment (km/h)	Austroads SISD (m)	Available	
				Left(m)	Right(m)
Main - Johnsons Beach	50	50	97	200	97
Main - Crescent	50	50	97	97	> 97

Austroads Compliant



### 4.3 Crash History

See original TIA.

### 4.4 Traffic Activity

See original TIA.

### 4.5 Road Safety

#### 4.5.1 Road safety review

From site inspection it was observed that the Main Road approaches to the Johnsons Beach Road junction delay through traffic. There is insufficient width to pass a propped right turner to Johnsons Beach Road.

Johnsons Beach Rd seal width varies from 5.0 to 5.5m wide. 5.5m is the minimum recommended width.

#### 4.5.2 Austroads Safe System Assessment

Johnsons Beach Road has been assessed with the Austroads Safe System assessment framework. This framework involves consideration of exposure, likelihood and severity to yield a risk framework score. High risk crash types and vulnerable road user crash types are assessed for each site and aggregated to provide an overall crash risk. Crash risk is considered in terms of three components:

- Exposure (is low where low numbers of through and turning traffic) i.e. 1 out of 4
- Likelihood (is low where the infrastructure standard is high) i.e. 1 out of 4
- Severity (is low where the speed environment is low) i.e. 1 out of 4

The Austroads Safe System Assessment process enables the relative crash risk of an intersection or road link to be assessed. Road users are considered along with the most common crash types. Crash risk score is an indication of how well the infrastructure being assessed satisfies the *safe system objective which is for a forgiving road system where crashes do not result in death or serious injury*.

From safe system assessment, Johnsons Beach Road was found to be well aligned with the safe system objective with a crash risk score of 23/448, see Figure 16, which is a low risk, see Figure 15.

**Figure 15 – SSA score relationship with crash risk,**





Figure 16 Safe System Assessment of Johnsons Beach Road

Safe System Assessment		Existing Johnsons Beach Road					
Exposure	Run-off-road	Head-on	Intersections	Other	Pedestrian	Cyclist	Motorcyclist
<b>Justification</b> (AADT 500 vpd)	Low traffic volume, one crash on curve.	Low traffic volume, no crashes	Low traffic volume, two crashes at Main Road junction where estimated AADT is some 4,442 vpd (2022)	Western Rail Line low freight transport frequency	Moderate pedestrian activity during tourist season, no pedestrian crashes. Rail line not near pedestrian desire lines	Low cyclist activity during tourist season, no cyclist crashes.	Low traffic volume and no motorcyclist crashes.
	<b>Score / 4</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>
<b>Likelihood</b>	Narrow road with seal width of 5m with grass verges	Narrow road with seal width of 5m with grass verges	Offset simple junction layouts with Level Crossing between	Pedestrian facility provided.	10km/h Shared Zone, limited footpaths	10km/h Shared Zone, limited footpaths	Consistent sealed road surface.
	<b>Justification</b>	<b>Score / 4</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>Severity</b>	Low speed environment for cars and trucks	Low speed environment for cars and trucks	50km/h Speed Limit on Main Road	Railway crashes are severe	Low to moderate speed environment for vulnerable road users with 10km/h Shared Zone on Johnsons Beach Road.	Low to moderate speed environment for vulnerable road users with 10km/h Shared Zone on Johnsons Beach Road.	Low to moderate speed environment for vulnerable road users with 10km/h Shared Zone on Johnsons Beach Road.
	<b>Justification</b> (10 to 40 km/h speed environment)	<b>Score / 4</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Product</b>	<b>Total Score / 64</b>	<b>2</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>1</b>
	<b>Total / 448</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>
							<b>23</b>



## 5. Traffic Generation and Assignment

This section of the report describes how traffic generated by the proposal would be distributed within the adjacent road network as of 2032.

### 5.1 Background Traffic Growth

Background traffic growth on local road network is assumed to be 1.0%.

Estimated Main Road AADT:

- 4,103 vpd (2014)
- 4,442 vpd (2022)
- 4,900 vpd (2032)

### 5.2 Traffic Generation

Existing Penguin Caravan Park traffic generation – 352 vpd & 40 vph.

Estimated Penguin Caravan Park traffic generation – 476 vpd & 49 vph.

Increase in traffic due to the proposal – 124 vpd & 9 vph.

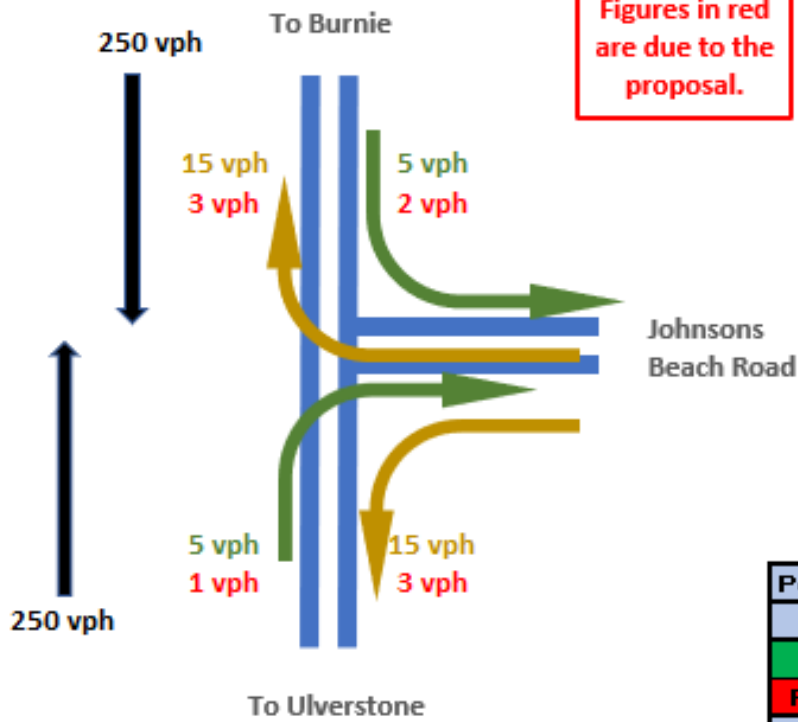
### 5.3 Trip Assignment

Traffic Assignment for 2032 at the Main Road / Johnsons Beach Road intersection is shown in Figure 17.



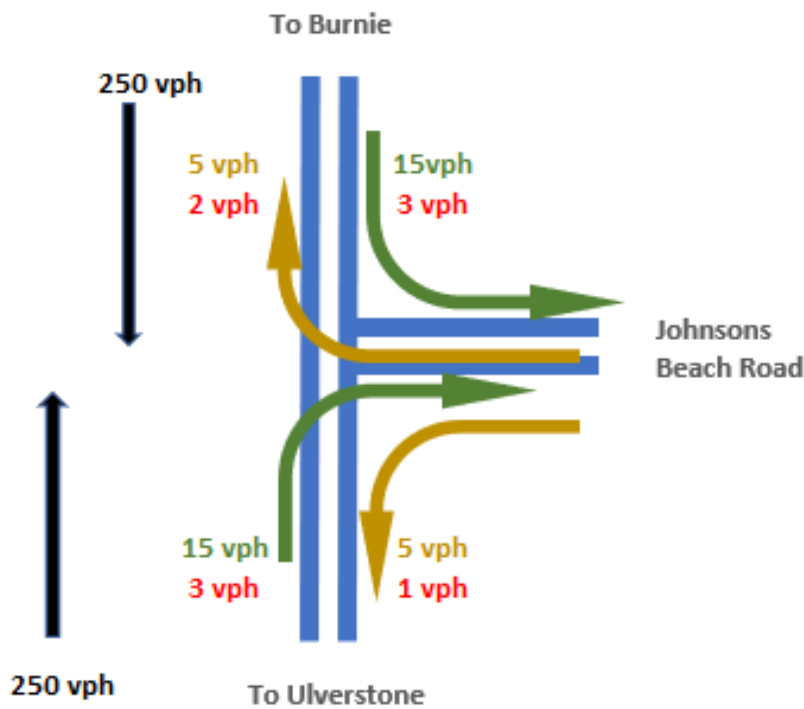
Figure 17 – Main Road / Johnsons Beach Road intersection 2032

AM Peak 2032



Figures in red are due to the proposal.

PM Peak 2032



Peak Hour Movement Summary		
AM	Turns	TEF
Left In	7	250
Right In	6	507
PM	Turns	TEF
Left In	18	250
Right In	18	518

TEF | Total Effected Flow



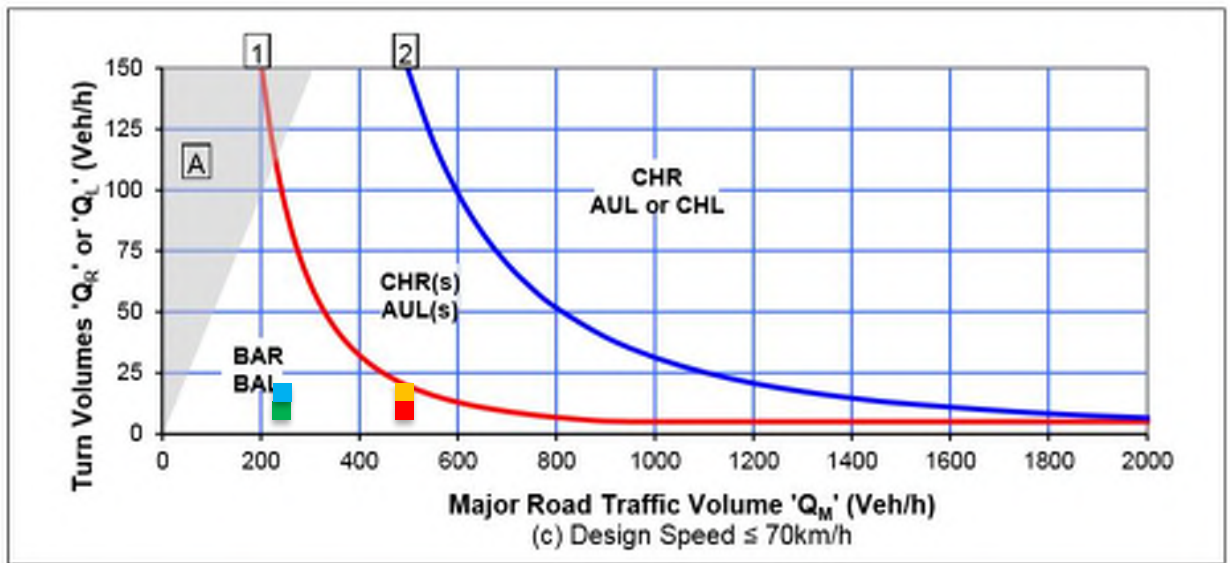
### 5.4 Junction warrants

The junction standard technically warranted for the Main Road / Johnsons Beach Road junction is based on Austroads Guidelines which take into account the standard of the road, speed limit, through & side road traffic in accordance with Austroads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings – 2020.

As can be seen in Figure 18 a Basic Right (BAR) junction layout is technically warranted. A BAR requires a minimum 6.0m of trafficable width at the Southern approach to the junction. Similar is inferred for the Northern approach to Crescent Street. See Appendix D for an Urban BAR layout.

The existing junction has a simple junction layout with 4.3m of trafficable width at the Southern approach to the junction, see Figure 19. There is insufficient width for a through vehicle to pass a propped right turner to Johnsons Beach. Figure 20 shows how the junctions could be upgraded to meet Austroads guidelines for a Urban BAR junctions.

Figure 18 – Austroads guidelines – Main Road / Johnsons Beach Road junction



Peak Hour Movement Summary		
AM	Turns	TEF
Left In	7	250
Right In	6	507
PM	Turns	TEF
Left In	18	250
Right In	18	518

TEF | Total Effected Flow





Figure 19 Aerial view of the Main Rd / Johnsons Beach Rd & Crescent St junctions



Figure 20 Main Rd / Johnsons Beach Rd & Crescent St junction widenings concept



### 5.5 Junction capacity

The junction warrant indicates that the junction will operate at a fraction of capacity. Degree of Saturation at the junction is estimated at will be less than 30% of capacity. Consequently the junction is estimated to operate at Level of Service (LOS) A with the proposal. See Appendix C for descriptions of LOS.



## 6. Tas Planning Scheme – Central Coast

### 6.1 Parking and Sustainable Transport Code C2

#### C2.6.1 Construction of parking areas

##### *Acceptable Solution A1*

All parking, access ways, manoeuvring and circulation spaces must:

- (a) be constructed with a durable all-weather pavement,
- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) excluding all uses in the Rural Zone, Agricultural Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Public Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

The site is zoned Open Space and as shown in Figures 21, 22 & 23, all proposed driveways and parking spaces are to be sealed and drained to the public stormwater system.

**A1 is satisfied.**

**Figure 21 – Penguin Caravan Park Driveway – typical 3 bed modular unit parking**





Figure 22 – Penguin Caravan Park Driveway – 2 bed apartment parking



Figure 23 – Penguin Caravan Park Driveway – function centre parking





## C2.6.2 Design and layout of parking areas

### *Acceptable Solution A1.1*

*Parking, accessways, manoeuvring and circulation spaces must All parking, access ways, manoeuvring and circulation spaces must either:*

*(a) comply with the following:*

- i. *have a gradient in accordance with Australian Standard AS 2890 Parking facilities, Parts 1-6. Satisfied – the site has grades less than 5%.*
- ii. *Provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces. Satisfied – vehicles can turn within the site.*
- iii. *Have an access width not less than the requirements in Table C2.2. Satisfied - The proposal provides 101 car parking spaces motorcycle parking spaces . In accordance with Table C2.2 a driveway width of 5.5m is required and provided on the main driveway. The minor driveway is 3.3m wide with passing bays at 30m spacings compliant with Table C2.2.*
- iv. *Have car parking space dimensions which satisfy the requirements in Table C2.3. Not Satisfied – The access & manoeuvring width requirement is 6.4m and 5.6 to 5.8m is provided, see Figure 24.*

**Figure 24 – Central carpark dimensions**







- v. *Have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces.*  
Not Satisfied – 6.4m of width is required and 5.6 to 5.8m is proposed.
  - vi. *Have a vertical clearance of not less than 2.1 metres above the parking surface level.*  
Satisfied.
  - vii. *Excluding a single dwelling, be delineated by line marking or other clear physical means.* Satisfied.
- (b) *Or comply with Australian Standard AS 2890 Parking facilities, Parts 1-6.*  
**Satisfied.**

**A1.1 is satisfied** as (b) requirements are met.

#### **Acceptable Solution A1.2**

*Parking spaces provided for use by persons with a disability must satisfy the following:*

- (a) *Be located as close as practical to the main entry point to the building.* Satisfied.
- (b) *be incorporated into the overall car park design.* Satisfied.
- (c) *be designed and constructed in accordance with Australian/ New Zealand Standard AS/NZS 2890.6-2009 Parking facilities - Off-street parking for people with disabilities.*

**A1.2 is satisfied**, see original TIA.

#### **C2.6.5 Pedestrian access**

##### **Acceptable Solution A1.1**

*Applies to uses that require 10 or more car parking space must:*

- (a) *have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:*
  - i. *a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or*
  - ii. *protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and*
- (b) *be signed & line marked at points where pedestrians cross access ways or parking aisles.*

Specific pedestrian facilities are not included in the proposal in keeping with the existing pedestrian management at the Penguin Caravan Park. **A1.1 is not satisfied.**



### **Performance Criteria P1**

*Safe and convenient pedestrian access must be provided within parking areas, regarding:*

- (a) the characteristics of the site.*
- (b) the nature of the use*
- (c) the number of parking spaces*
- (d) the frequency of vehicle movements*
- (e) the needs of persons with a disability*
- (f) the location and number of footpath crossings*
- (g) vehicle and pedestrian traffic safety*
- (h) the location of any access ways or parking aisles*
- (i) any protective devices proposed for pedestrian safety.*

Factors relevant for provision of safe pedestrian access include:

- Safe System Assessment
- Shared Zone signage
- Site layout, contours and the relative position of units and associated parking spaces
- availability of alternative parking spaces

### **Safe System Approach**

This approach involves application of a Safe System Assessment Framework for identifying and reducing crash risk for all road users. This framework involves consideration of risk exposure, likelihood and severity to yield a risk framework score. The proposed development risk scores are as follows:

- Pedestrian exposure is moderate (moderate number of pedestrians) i.e. 2 out of 4
- Crash likelihood is moderate (no formal separation ) i.e. 2 out of 4
- Crash severity is low (10km/h speed environment) i.e. 1 out of 4

This yields a safe system score of 4 /64. This represents a low risk provided a low-speed environment is maintained.

### **Signage**

Formal signage of shared zones is a recognised pedestrian safety improvement where there is a mix of pedestrian, local access traffic only and situation where this is no kerb separation between pedestrians and vehicles. This is because Shared Zone signage includes provision of a regulatory speed limit to keep speed to an appropriate level.

Shared Zone signage is considered appropriate for the Penguin Caravan Park. Figure 25 shows Shared Zone signage standards.



Figure 25 – Shared Zone signage standards, AS1742.1-2014



**Site layout**

These Shared Zone signs have been provided by Council on Johnson Beach Road at Penguin Creek, see Figures 26 & 27.

**P1 is satisfied.**

Figure 26 – Looking West along Johnsons Beach Rd from Penguin Creek



Source: Google Maps



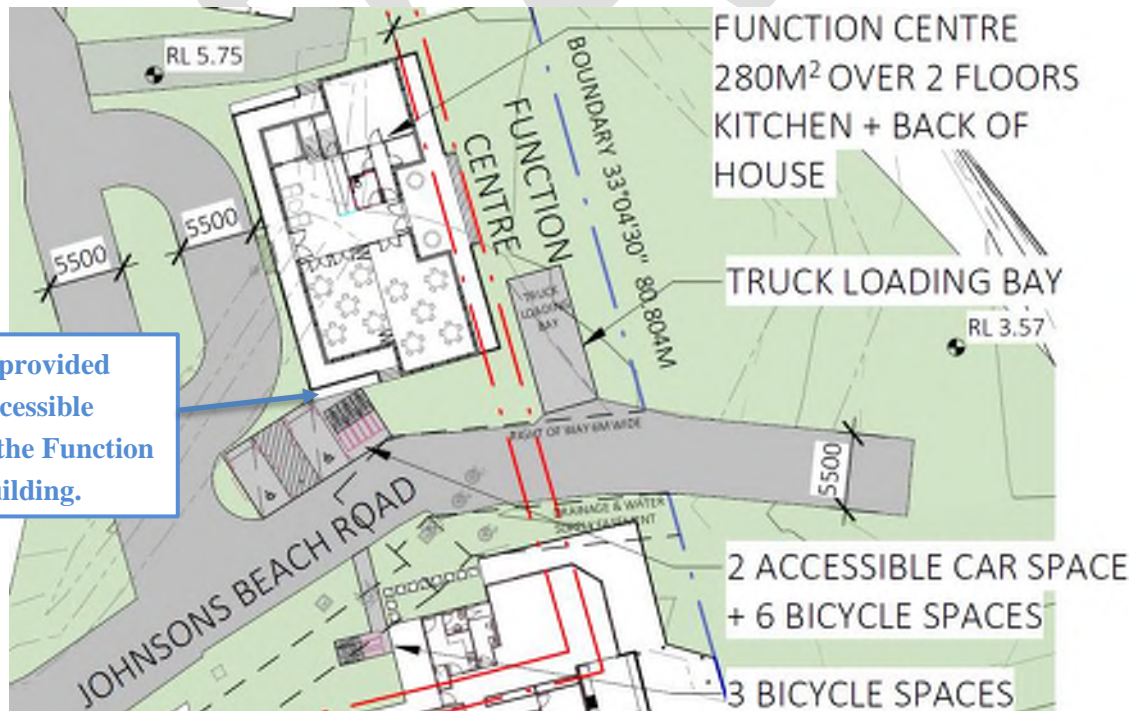
Figure 27 – Looking East along Johnsons Beach Rd at Penguin Creek



Source: Google Maps

**A1.2:** In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.

Figure 28 – Function Centre and facilities.



**A1.2 is satisfied**, see Figure 28.





### **Code C2.6.6 Loading Bays**

***Acceptable solution A1:** The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 – 2002, *Parking Facilities, Part2: Parking facilities -Off Street commercial vehicle facilities, for the type of vehicles likely to use the site.**

A 4m wide by 9.8m long truck Loading Bay is proposed beside the Function Centre, see Figure 28. This loading zone is provided for deliveries and waste management.

**A1 is satisfied.**

***Acceptable solution A2:** The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with AS2890.2-2002, *Parking Facilities, Part2: Parking Facilities -Off Street commercial vehicle facilities.**

Design vehicle turning paths for 8.8m rigid trucks accessing the loading bays are attached to Appendix B of the original TIA.

**A2 is satisfied.**

DRAFT





## 6.2 Road and Railway Assets Code C3

### C3.5.1 Traffic Generation at a vehicle crossing, level crossing or new junction.

See original TIA and note:

- Section 5.2 of the TIA should note that the *Acceptable Solution is not satisfied* as the proposal is estimated to generate 124 vpd where 40 vpd is the acceptable increase.
- Section 5.3 of the TIA should note that the Performance Criteria *is satisfied*.

DRAFT



## 7. Traffic Impact Analysis

### 7.1 Environmental

No adverse environmental impact is anticipated.in terms of:

- Visual Impact
- Pedestrian Amenity
- Hazardous Loads
- Air Pollution , Dust and Dirt and Ecological Impacts
- Heritage and Conservation

Noise and vibration due to Western Line operation may disaffect visitor however proposed mitigations detailed in the Environmental Noise and Ground Vibration report prepared by Tarkarri Engineering (March 2022) treat the situation.

### 7.2 Impact on road users

The estimated increase Johnson Beach Rd traffic will have a very minor impact on road users.

**Public Transport** - No impact.

**Delivery Vehicles** - Negligible impact as the proposal caters for 8.8m rigid trucks with an accessible loading bay.

**Pedestrians and Cyclists** - Vulnerable road users will be exposed to increased traffic however the 10 Km/hr Shared Zone sufficiently mitigates crash risk.

A pedestrian facility is provided for pedestrians to cross the Western Line between Preservation Drive bus stops and Johnsons Beach Road, see Appendix E.

### 7.3 Road Infrastructure Standards

The proposal involves widening of the Penguin Caravan Park internal driveway to a sealed width of 5.5m consistent with AS/NZS 2890.1 – Off Street Car parking – Section 2.5 Design of Circulation Roadways.

Regarding Section 5.4 – Environmental Capacity , of the original TIA:

- The road capacity guidelines in Table 4.6 are relevant.
- Two-way traffic flow is physically possible on a 5m wide road but not recommended because there is a high risk of:
  - Vehicles tracking off the edge of the road due to human error and offset tracking effects with vehicles towing trailers.
  - Crashes e.g. Head On or Side Swipe type crashes with oncoming vehicles especially if towing trailers.
- The 5 to 5.5m width of Johnsons Beach Road is a legacy issue.



## 7.4 Transport Planning Considerations

Tasrail plans for the Western Line are unknown however the close proximity to the Penguin Caravan Park is mitigated by recommendations within the Environmental Noise and Ground Vibration report prepared by Tarkarri Engineering (March 2022).

## 7.5 Liveability, Safety and Amenity Guidelines

The basic requirements necessary for the safety and amenity of a residential area:

- Residential precincts need to be bounded by traffic routes and/or natural barriers to minimise conflict.
- Direct vehicular and pedestrian access should be avoided from single dwelling units onto road with over 2,000 vehicles per day.
- Effective street lengths should be less than 200-250m in order to achieve typical vehicle speeds of 40km/h.
- Cyclist and pedestrian demands should be catered for separately using path or cycle networks.

To maximise the liveability, safety and amenity of the local area, road and street network layout should be such that:

- A minimum of 60% of lots should abut residential streets with less than 300vpd passing traffic.
- A minimum of 80% of lots should abut residential streets with less than 600 vpd passing traffic.
- A maximum of 5% of single dwelling lots should abut residential streets with between 1,000-2,000 vpd passing traffic.
- A maximum of 1% of single dwelling lots should abut local streets or collectors with less than 3,000 vpd passing traffic, and
- No single dwelling lot should abut a route with more than 3,000 vpd passing traffic.

These guidelines are from *TE&M Chapter 2.2: Design of New Urban Networks*.

The proposal satisfies the liveability, safety and amenity targets described above.



## 8. Representations

Expressed traffic concerns and responses are summarised in Figure 29.

Figure 29– Summary of representations regarding traffic concerns

Rep.	Expressed Traffic Concerns	Response
4	Overcrowded with traffic	Proposal increases traffic from 352 to 476 vpd i.e 35% increase. Capacity of 5.5 m road is 5,000 vpd
	Narrow road more dangerous with more traffic	Increasing width from 5.0 to 5.5m within a 10km/h Shared Zone has minimal impact on traffic speed.
	Emergency access ?	Fire fighting access width requirement is 4m
	Limited car parking in Penguin	The Penguin Caravan Park parking does not effect on or off street parking at Penguin.
9	Dangerous intersections	The Main Road / Johnsons Beach Road intersection has been assessed
	Narrow road more dangerous with more traffic	Increasing width from 5.0 to 5.5m within a 10km/h Shared Zone has minimal impact on traffic speed.
14	More traffic with vulnerable road users	The increase in traffic is relatively low and should not effect vulnerable road users as the speed limit is 10km/h
	Where is bike pathway	This is a separate issue.
15	Narrow road more dangerous with more traffic	Increasing width from 5.0 to 5.5m within a 10km/h Shared Zone has minimal impact on traffic speed.
	Fence between rail line at caravan park	Has merit.
18	Parking supply and demand	Proposal satisfies parking supply and demand
	Pedestrian and accessible access	The Penguin Caravan Park operates within a Shared Zone of 10km/h. Accessible parking is provided to the function centre.
20	Increase in vehicular and ped traffic	Proposal increases traffic from 352 to 476 vpd i.e 35% increase. Pedestrian activity increase is estimated to be similar
	Is shared vehicle and pedestrian access safe?	Shared zones provide a low speed environment for vulnerable road users where crash risk is very low.
26	Increased traffic noise	Railway noise would be more of an issue and has been assessed as low.
	Main Road / Johnson Beach Road junction	The Main Road / Johnsons Beach Road intersection has been assessed
	Master plan recommends junction upgrade	It is agreed that a junction upgrade can be justified for current operation.
	Rail movements	Rail movements are low but consistent and managed with active signals at the Level Crossing.
	TIA concerns:	
	(a) sight distance for Crescent St	Crescent Street has adequate sight distance
	(b) Impact of extra traffic on junction	The traffic due to the proposal has minimal impact on the Main Road / Johnsons Beach Road Junction
	(c) Effluent dump access for caravans	To be checked.
	(d) Peds crossing Johnsons Beach Road	Johnsons Beach Road West of Penguin Creek is within a 10 km/h Shared Zone.
	(e) Tourist buses	To be checked.
30	Road widening and increased speed	Increasing width from 5.0 to 5.5m within a 10km/h Shared Zone has minimal impact on traffic speed.
	Parking demand and supply	Proposal satisfies parking supply and demand
31	C3.5.1 is not satisfied, function centre impact	Proposal meets Performance Criteria for C3.5.1
	impact on road network safety & efficiency	The Main Road / Johnsons Beach Road intersection has been assessed



## 9. Recommendations and Conclusions

This supplementary traffic impact assessment (TIA) has been prepared to further assess the issues raised by the Council request for information regarding the Penguin Caravan Park visitor accommodation expansion at 6 Johnsons Beach Road, Penguin.

The assessment has reviewed the existing road conditions and crash history. The reported five - year crash history shows no evidence of a crash propensity on Johnsons Beach Road.

Austrroads Safe System Assessment indicates the proposal is safe with a low crash risk.

The current Penguin Caravan Park AADT is estimated at 352 vpd (2022) and estimated to increase by 124vpd (2032) with the proposal.

Crash risk due to the mix of vehicles and vulnerable road users is mitigated by a 10km/h Shared Zone.

The Main Road / Johnson Beach Road junction technically warrants a Basic Right (BAR) junction layout in accordance with Austrroads junction layout guidelines for existing traffic operation. The proposal increases traffic activity by some 35%. The junction is estimated to continue to operate at LOS A with the proposal in 2032, which is the highest LOS.

The sealed width of Johnson Beach Road varies between 5 and 5.5m wide with lawn verges. A 5.5m seal width is the minimum width for two-way traffic flow on an access road.

A pedestrian facility is provided for pedestrians to cross the Western Line between Preservation Drive bus stops and Johnsons Beach Road, see Appendix E.

Evidence is provided to demonstrate that Tasmanian Planning Scheme – Central Coast requirements can be satisfied for:

- **Parking & Sustainable Transport Code C2**
  - C2.6.1 – Construction of Parking Areas
  - C2.6.2 – Design and layout of parking areas
  - C2.6.5 – Pedestrian access
  - C2.6.6 – Loading bays.
- **Road & Railway Assets Code C3.**
  - C3.5.1 Traffic Generation at a vehicle crossing, level crossing or new junction.



The traffic concerns expressed in 9 of the representations received have common concerns:

- Increase in traffic on Johnsons Beach Road, at the Main Road junction and for pedestrians to contend with.  
**Response:** *the estimated increases traffic by some 35% i.e 124 vpd is low and not a traffic safety or capacity concern. Council could consider upgrading the Main Road junction to BAR standard for the existing operation.*
- Narrow width of Johnsons Beach Road.  
**Response:** *Johnsons Beach Road seal width varies between 5 and 5.5m. Council could consider widening the road to 5.5m throughout for existing operation.*
- Parking supply and demand.  
**Response:** *The original TIA demonstrates that the proposal meets the TPS requirements and is considered reasonable.*
- Pedestrian safety.  
**Response:** *Johnsons Beach Rd has a 10km/h Shared Zone West of Penguin Creek. At this speed risk to pedestrian safety is low and would remain low with vehicle & pedestrian traffic generated by the proposal being low.*

Individual issues raised include:

- Emergency access.  
**Response:** *The Penguin Caravan Park caters for fire truck access.*
- Fence between the rail line and caravan park.  
**Response:** *The Environmental Noise and Ground Vibration report prepared by Tarkarri Engineering (March 2022) includes recommendations to mitigate rail noise that do not require a fence.*

*A pedestrian facility is provided for pedestrians to cross the Western Line between Preservation Drive bus stops and Johnsons Beach Road, see Appendix E.*

*Otherwise there does not appear to be a pedestrian desire line across the Western Line. Penguin Caravan Park traffic and pedestrian movement and activity areas are separate. The proposal does not trigger the need for a fence.*

- Increased traffic noise.  
**Response:** *The increased traffic noise due to the 35% increase in traffic is not a concern.*



- Rail movements.  
**Response:** *The earlier TIA and the Environmental Noise and Ground Vibration report prepared by Tarkarri Engineering (March 2022) take into account rail movements.*
- Sight distance at Main Road / Crescent Street junction.  
**Response:** *The junction meets Austroads Safe Intersection Sight Distances (SISDs) requirements.*
- Effluent dump access for caravans.  
**Response:** *This will be checked.*
- Tourist bus access.  
**Response:** *The developer will be consulted whether tourist bus access is required, and access modified to suit if required.*

In summary the representations do not identify any traffic safety or capacity issues to prevent the proposal from proceeding, also see Figure 29.

**Recommendations:**

- *Double sign the Shared Zone and End Shared Zone signage, see Figures 26 & 27.*

**Suggestions for Council Consideration:**

- *Council consider upgrading the Main Road / Johnsons Beach Road and Crescent Street junctions to Urban BAR layouts, see Figure 20 concept for retrofit of BAR junctions which are technically warranted for existing operation.*
- *Council consider widening Johnsons Beach Road to a minimum width of 5.5m for existing operation.*

Overall, it has been concluded that the proposal will not create any traffic issues and traffic will continue to operate safely and efficiently along Johnsons Beach Road. Based on the findings of this report and subject to the recommendations above, the proposal is supported on traffic grounds.



## Appendices

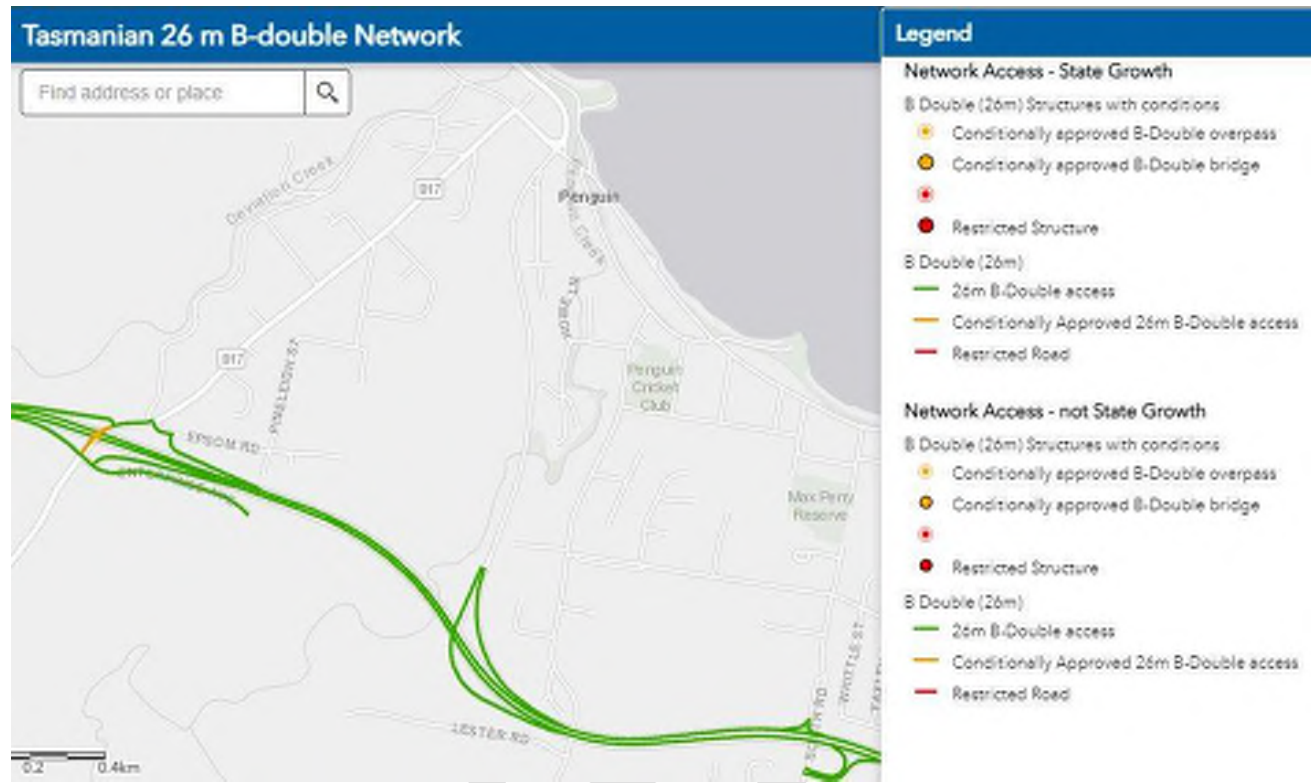
DRAFT







## Appendix B – Tas. 26m B Double Network



Source: DSG website



## Appendix C – Austroads LOS Descriptions

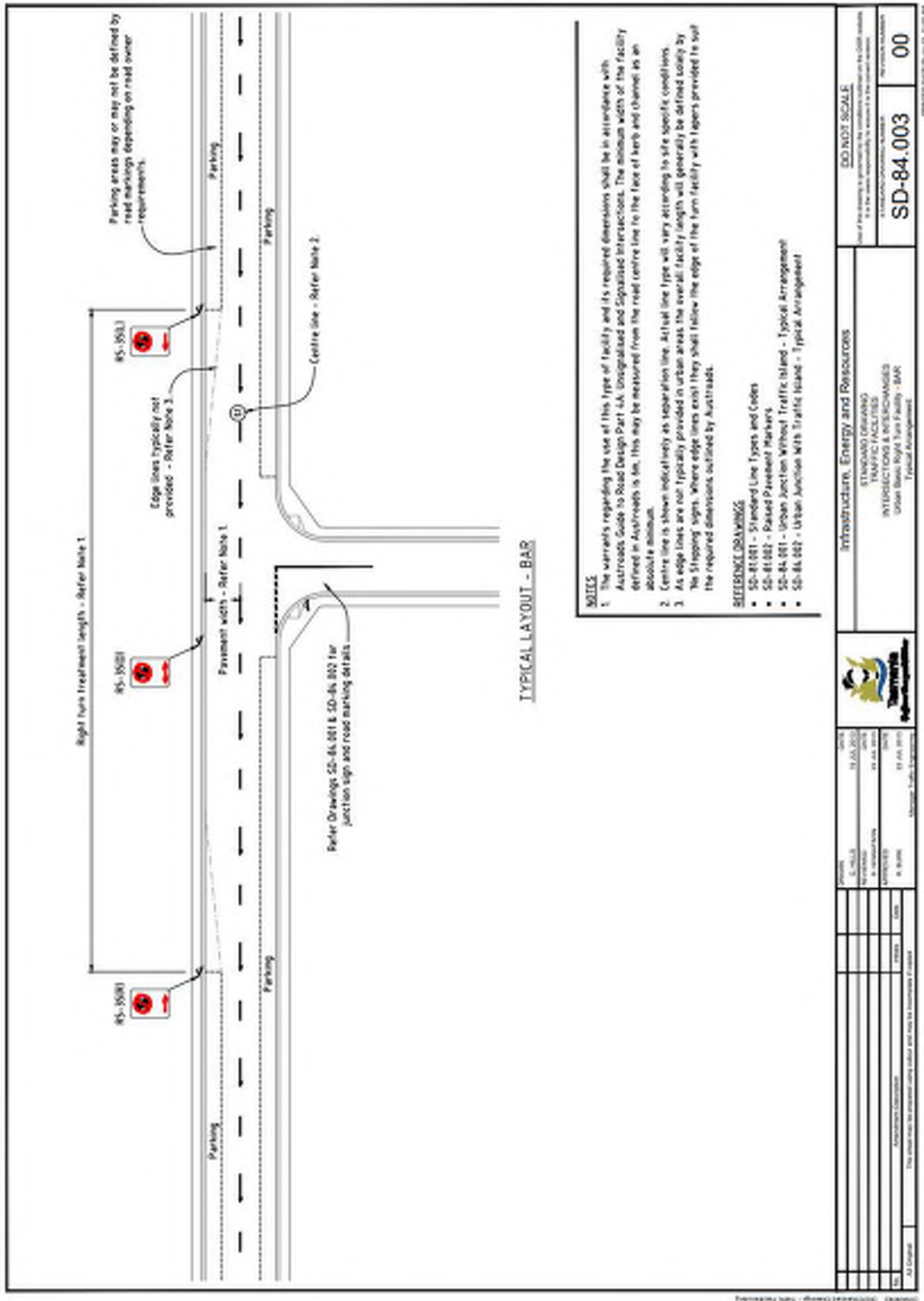
<b>Level of service A</b>	A condition of free-flow in which individual drivers are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to manoeuvre within the traffic stream is extremely high, and the general level of comfort and convenience provided is excellent.
<b>Level of service B</b>	In the zone of stable flow where drivers still have reasonable freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience is a little less than with level of service A.
<b>Level of service C</b>	Also in the zone of stable flow, but most drivers are restricted to some extent in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience declines noticeably at this level.
<b>Level of service D</b>	Close to the limit of stable flow and approaching unstable flow. All drivers are severely restricted in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience is poor, and small increases in traffic flow will generally cause operational problems.
<b>Level of service E</b>	Traffic volumes are at or close to capacity, and there is virtually no freedom to select desired speeds or to manoeuvre within the traffic stream. Flow is unstable and minor disturbances within the traffic stream will cause breakdown.
<b>Level of service F</b>	In the zone of forced flow, where the amount of traffic approaching the point under consideration exceeds that which can pass it. Flow breakdown occurs, and queuing and delays result.







# Appendix D – Austroads Urban BAR junction



**NOTES**

- The warrants regarding the use of this type of facility and its required dimensions shall be in accordance with Austroads Guide to Road Design Part 4A, Unsignalized and Signalized Intersections. The minimum width of the facility defined in Austroads is 10m, this may be measured from the road centre line to the face of kerb and channel as an absolute minimum.
- Centre line is shown indicatively as separation line. Actual line type will vary according to site specific conditions.
- As edge lines are not typically provided in urban areas the overall facility length will generally be defined solely by 'No Stopping' signs, where edge lines exist they shall follow the edge of the turn facility with legends provided to suit the required dimensions outlined by Austroads.

**REFERENCE DRAWINGS**

- SD-81-001 - Standard Line Types and Codes
- SD-81-002 - Raised Pavement Markers
- SD-84-001 - Urban Junction Without Traffic Island - Typical Arrangement
- SD-84-002 - Urban Junction With Traffic Island - Typical Arrangement

PROJECT NO: DATE: DRAWN BY: CHECKED BY: APPROVED BY:		SD-84.003	00
PROJECT TITLE: PROJECT LOCATION:		SD NOT SCALE	
PROJECT NUMBER:		PROJECT NUMBER:	
Infrastructure, Energy and Resources			
STANDARD DRAWING			
TRAFFIC FACILITIES			
INTERSECTIONS & INTERCHANGES			
Urban Signal Type Facility - BAR			
Typical Arrangement			

Final drawing title - (Drawing) (Project) (Drawing) (Drawing)



## Appendix E – Western Line / Pedestrian facility

Preservation Drive Northern approach to bus stops, pedestrian refuge island and Western Line pedestrian facility to Johnsons Beach, Johnsons Beach Road and the Penguin Caravan Park.

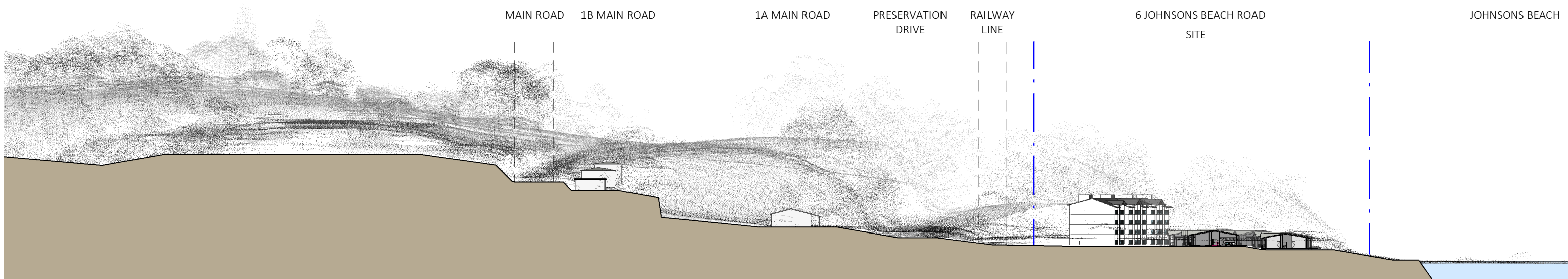


Source: Google Maps

Johnsons Beach Road Northern approach to Western Line pedestrian facility and Preservation Drive and bus stops.



Source: Google Maps



Dickson Rothschild  
 D.R. Design (NSW) Pty. Ltd.  
 65-69 Kent St,  
 Millers Point, Sydney, NSW 2000  
 ABN: 35 134 237 540  
 Phone: +61 2 8540 8720

Nominated Architects:  
 Robert Nigel Dickson  
 NSW ARB #5364  
 Fergus William Cumming  
 NSW ARB #7233  
 www.dicksonrothschild.com.au

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REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE FOR REVIEW	06/02/2024	HS	ND

PROJECT  
**Penguin Short Stay Accomodation and Function Centre**  
 6 Johnsons Beach Road, Penguin TAS 7316

CLIENT  
**RAYLAND DEVELOPMENTS**

Development Application  
 D:\21-033-DA-0-R21-Current\CEN-V3\_hshah83692.rvt

DRAWING  
**SITE CONTEXT SECTION - 3**

PROJECT NO.	DRAWING NO.	REVISION	DATE
21-033	DA-0-404	A	06/02/2024

NOT TO SCALE  
 DRAWN: HS  
 AUTHORISED: ND



PRINTED: 6/02/2024 2:41:41 PM





PP 01 - EXISTING SITE PHOTOGRAPH



PP 02 - PHOTOMONTAGE





PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE

LANDSCAPE TO BE CONFIRMED

SUBJECT SITE  
6 JOHNSONS BEACH ROAD

SITE PICTURE: IMG\_1294  
LOCATION: VIEW 03  
NEARMAP ESTIMATED RL: 3.00 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:48 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L C Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE

SUBJECT SITE  
6 JOHNSONS BEACH ROAD

PT 03  
LOCATION OF  
EXISTING BUILDING

PT 04  
(RL 5.52)

PT 05  
(RL 5.61)

PT 06  
CREST (RL5.43)

PT 07  
LINE OF HORIZON  
AS REFERENCE

PT 01  
(RL 4.00)

PT 02  
(RL 4.00)

SITE PICTURE: IMG\_1294  
LOCATION: VIEW 03  
NEARMAP ESTIMATED RL: 3.00 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:48 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L C Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 05 - PHOTOMONTAGE REFERENCE  
BASIS





PP 01 - EXISTING SITE PHOTOGRAPH



PP 02 - PHOTOMONTAGE



LANDSCAPE TO BE CONFIRMED

PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE





SITE PICTURE: IMG\_1281  
LOCATION: VIEW 06  
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EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:42 PM  
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SURVEYOR: L. C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

CENTRAL COAST COUNCIL LAND USE <b>PLANNING</b>	
Received:	07/02/2024
Application No:	0243/2023
Site No:	477769

SUBJECT SITE  
6 JOHNSONS BEACH ROAD

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE

**d** Dickson Rothschild  
Architecture Urban Design  
Planning Interior Design





SUBJECT SITE  
6 JOHNSONS BEACH ROAD PENGUIN

PHOTO CAMERA  
LOCATION 4

PHOTO CAMERA  
LOCATION 6

PHOTO CAMERA  
LOCATION 5

PHOTO CAMERA  
LOCATION 7

PHOTO CAMERA  
LOCATION 8

PHOTO CAMERA  
LOCATION 3

PHOTO CAMERA  
LOCATION 2

PHOTO CAMERA  
LOCATION 1

W RIDGE RD

MAIN ROAD

PRESERVATION DR

JOHNSONS BEACH RD


DEVIATION RD

MISSION HILL RD



6<sup>th</sup> February 2024

Carolyn Harris  
Central Coast Council  
PO Box 220  
ULVERSTONE TAS 7315

	<b>CENTRAL COAST COUNCIL LAND USE PLANNING</b>
Received:	07/02/2024
Application No:	DA2022107
Doc ID:	477766



Dear Carolyn,

## RESPONSE TO COMMISSION DIRECTIONS - 6 JOHNSONS BEACH ROAD, PENGUIN

I am writing in response to the letter received from the Tasmanian Planning Commission on the 28<sup>th</sup> November 2023 requesting further information in response to the draft amendment (LPS 2022-003) and permit (DA 2022-107) at 6 Johnsons Beach Road, Penguin.

The following is in response to those enquiries.

### Consistency of the draft amendment with the LPS criteria

*Section 40M of the Land Use Planning and Approvals Act 1993 (the Act) requires the draft amendment to satisfy the LPS criteria under section 34(2).*

1. *With reference to section 34(2)(b), the Commission invites the planning authority to submit a more detailed explanation for the draft SSQ with reference to the sections 32(3) and 32(4) criteria of the Act.*

- *An explanation relating to section 32(3) could detail whether the proposed SSQ modifies, substitutes, or adds to the existing qualification in the Open Space Zone Use Table.*

Please refer to the amended planning report prepared by Ireneinc, which has been updated to assist the Planning Authority's response to the above directions.

An Economic Needs & Impact Assessment has also been prepared by Location IQ to assist with the above.

2. *With reference to section 34(2)(d), the planning authority is requested to submit a comprehensive assessment of the draft amendment against the State Coastal Policy, including, but not limited to, the following sections:*

*1.4 Hazards*

*2.1 Coastal Uses and Development*

*2.3 Tourism*

*2.4 Urban Development*

*2.6 Public Access and Safety*

*2.8 Recreation*

The planning report has been updated to provide a further assessment against the above sections of the State Coastal Policy, outlined in section 5.4.1.

## Development application

1. (a) *The planning authority is requested to provide an assessment of a number of standards, including:*

- *Open Space Zone 29.4.1 Building height P1*
- *Open Space Zone 29.4.2 Outdoor Storage Areas P1*
- *Parking and Sustainable Transport Code C2.6.1 Construction of parking areas P1*
- *Parking and Sustainable Transport Code C2.6.2 Design and layout of parking areas P1*
- *Parking and Sustainable Transport Code C2.6.5 Pedestrian access P1*
- *Parking and Sustainable Transport Code C2.6.6 Loading bays P2*
- *Road and Railway Assets Code C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area*
- *Natural Assets Code*
- *Coastal Erosion Hazard Code C10.5.1 Uses within a high coastal erosion hazard band*
- *Coastal Erosion Hazard Code C10.5.3 Critical use, hazardous use or vulnerable use P1.1, P1.2, and P4*
- *Coastal Erosion Hazard Code C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area*
- *Coastal Inundation Hazard Code C11.5.1 Use within a high coastal inundation hazard band P1.1 and P1.2*
- *Coastal Inundation Hazard Code C11.5.2 Uses located within a non-urban zone and within a medium coastal inundation hazard band P1.1 and P1.2, noting that the medium hazard band applies to the site*
- *Coastal Inundation Hazard Code C11.5.3 Uses located within a non-urban zone and within a medium coastal inundation hazard band P1, noting that the low hazard band applies to the site*
- *Coastal Inundation Hazard Code C11.5.4 Critical use, hazardous use or vulnerable use P1.1, P1.2, and P4*

Please refer to the amended planning report (Ireneinc) which provides a further assessment against the above provisions where necessary for assistance.

In addition, photo montages and additional scaled cross sections have been prepared by the project architects. These documents assist in assessing the height, bulk and form of the proposal in the context of the surrounding area.

Regarding the Coastal Inundation Hazard Code, the Section 8A Guidelines indicate the hazard mapping can be modified in accordance with a report by a suitably qualified person which justifies a change to these areas, noting specific thresholds. The GES report indicates there is no high or medium erosion risk on the site due to the seawall.

2. *The planning authority is requested to review the status of the sewage works at Dial Point (300m from the subject site) and, if operational, complete an assessment against Attenuation Code C9.5.2 Sensitive use within an attenuation area.*

Written advice from TasWater has been received and accompanies this request. The advice confirms the sewage works at Dial Point was converted by Central Coast Council into a sewage transfer pumpstation.

It is understood that a general attenuation buffer of 20-40m is often applied to pump stations, for noise and odour. However, the subject site is located approximately 257m south-east of the pump station and therefore the attenuation buffer for the Dial Point SPS would not extend into the site.

#### **Land ownership**

1. *The GES report indicates the role the boulder wall plays in protecting the site. It also states that, should maintenance be required, it should be done in a timely manner (p100). The importance of the boulder wall is also referred to in the application report (p59). The boulder wall appears to be partly outside the site boundary and within Crown land.*

*The planning authority is requested to provide a submission as to whether the consent of the relevant Minister has been obtained for the making of the application so far as it concerns the boulder wall, or why such consent was not required.*

The seawall was originally constructed prior to our client's current ownership of the site. However, an Authority was granted by the Crown in 2015 to undertake repair/upgrade works to the seawall and comprehensive engineering plans were assessed by the Crown.

A copy of this authority has been provided to Council.

As no works are proposed to the seawall as part of this amendment/development application, no further consent regarding the seawall was required.

2. *Permit condition 3 requires the implementation of the GES report.*

*The planning authority is requested to provide a submission advising who would be responsible for undertaking such work so far as it concerns the boulder wall. If it is intended that the owner of the proposed development has the power to do so, please include advice on whether any legal agreements are in place with the Crown to ensure permanent power to undertake such works on Crown land.*

*Alternatively, if it is intended the Council or the Crown will be responsible for the permanent maintenance of the boulder wall, please provide evidence of any agreements or other arrangements in place.*

The authority provided by the Crown in 2015 stipulates that the owner of the site (Remon Enterprises) is responsible for the ongoing maintenance of the seawall, subject to a formal licence for access and maintenance of the wall on Crown Land.

As part of this combined amendment/permit application, Crown Consent was granted to formalise the existing access to the site, which passes over a portion of Crown Land. A license application was also submitted, however it is our understanding that the Crown are generally reluctant to grant licenses until there is some degree of certainty that a permit for the use/development will be granted and works are scheduled to commence.

Although a license application was submitted in 2015 for ongoing access/maintenance of the seawall, it is anticipated that a license to access/maintain portions of the seawall on Crown land can also be addressed as part of this agreement.

### **Traffic Impact Assessment (TIA)**

*The Commission notes that the planning authority have stated that Central Coast Council Infrastructure Services has checked the TIA and accepts the conclusions and recommendations as reflected in the conditions. However, it remains unclear whether the planning scheme requirements are satisfied and representors concerns are adequately addressed.*

*In addition to the requests outlined in part 1 of the Development application section above, the planning authority is requested to provide advice as to:*

- *how the permit implements the conclusions and recommendations of the TIA; and*
- *whether the TIA addresses the concerns raised by representors (see representations 3, 4, 9, 14, 18, 20, 26, 30, 31) and whether any of the representors concerns warrant further consideration in an updated TIA.*

Whilst the Planning Authority will provide a response to item 1, a further Traffic Impact Assessment has been prepared to respond to the abovementioned representations and provide additional responses to the relevant criteria, to assist the planning authority.

### **Little Penguin habitat**

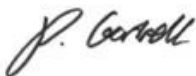
*The Commission notes that the permit conditions include a requirement that ‘prior to any works commencing, the applicant must provide Council with a Little Penguin and Shorebirds Management Plan’.*

*The Commission considers that a plan of this nature has the potential to result in a planning permit not being able to be carried out and ought to have informed the initial assessment of the proposal. The planning authority is requested to provide advice to the Commission regarding the anticipated operation of this condition.*

A penguin expert has been engaged by the applicant to prepare the required report.

If you have any further queries in relation to any of the above, please contact me on 6234 9281.

Yours sincerely,



Phil Gartrell

Senior Planner

**IRENEINC PLANNING & URBAN DESIGN**



NOTES:  
 OUTDOOR LIVING OF THE SHORT STAY  
 ACCOMMODATION HOUSE BUILDING TO UTILISE THE  
 BARRIER EFFECT OF THE BUILDING -AS PER ACOUSTIC  
 REPORT PREPARED BY TARKARRI ENGINEERING.

**CENTRAL COAST COUNCIL**  
**LAND USE PLANNING**

Received: **07/02/2024**  
 Application No: **DA2022107**  
 Doc ID: **477751**

**21 X 3 BEDROOM SHORT STAY ACCOMMODATION**  
**13M X 8M = 104M<sup>2</sup> WITH 2 CAR SPACES**



**SHORT STAY ACCOMODATION**  
**APARTMENT**  
**10 UNITS PER FLOOR**  
**75m<sup>2</sup> PER UNIT**  
**TOTAL 4 STOREY = 40 UNITS**

**1** SITE PLAN  
 DA-0-301 1 : 600

Dickson Rothschild  
 D.R. Design (NSW) Pty. Ltd.  
 65-69 Kent St,  
 Millers Point, Sydney, NSW 2000  
 ABN: 35 134 237 540  
 Phone: +61 2 8540 8720  
 This drawing and design is subject to D.R. Design (NSW) Pty Ltd copyright and may not be reproduced without prior written consent. Contractor to verify all dimensions on site before commencing work. Resolve all discrepancies with the Architect before proceeding. Figured dimensions to be taken in preference to scaled drawings. All work is to conform to relevant Australian Standards and other Codes as applicable, together with other Authorities' requirements and regulations.

Nominated Architects:  
 Robert Nigel Dickson  
 NSW ARB #5364  
 Fergus William Cumming  
 NSW ARB #7233  
 www.dicksonrothschild.com.au

REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE FOR REVIEW	30/03/2021	NF	ND
B	ISSUE FOR REVIEW	25/08/2021	AT	ND
C	ISSUE FOR REVIEW	06/09/2021	AT	ND
D	ISSUE FOR REVIEW	10/03/2022	HF	PO
E	ISSUE FOR REVIEW	05/04/22	PB	PO
F	ISSUE FOR REVIEW	01/11/2023	HF	PO



PROJECT  
**Penguin Short Stay Accommodation and Function Centre**  
 6 Johnsons Beach Road, Penguin TAS 7316

CLIENT  
**RAYLAND DEVELOPMENTS**

DRAWING  
**SITE PLAN**

PROJECT NO.	DRAWING NO.	REVISION	DATE
21-033	DA-0-111	F	01/11/2023

SCALE @ A3  
 1 : 600

DRAWN	AUTHORISED
HF	ND



Development Application  
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PRINTED: 6/02/2024 2:58:53 PM





PP 01 - EXISTING SITE PHOTOGRAPH



PP 02 - PHOTOMONTAGE





PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE



LANDSCAPE TO BE CONFIRMED



SUBJECT SITE  
6 JOHNSONS BEACH ROAD

SITE PICTURE: IMG\_1289  
LOCATION: VIEW 01  
NEARMAP ESTIMATED RL: 2.62 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:47 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L. C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE

 **Dickson Rothschild**  
Architecture Urban Design  
Planning Interior Design



SUBJECT SITE  
6 JOHNSONS BEACH ROAD

PT 04  
EXISTING BUILDING

PT 03  
PP RL(4.39)

PT 07  
LINE OF HORIZON  
AS REFERENCE

PT 02  
PEDESTRIAN  
CROSSING


PT 05  
CREST (RL 3.49)

PT 06  
CREST (RL 4.82)

PT 01  
FOOTPATH

SITE PICTURE: IMG\_1289  
LOCATION: VIEW 01  
NEARMAP ESTIMATED RL: 2.62 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
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SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 05 - PHOTOMONTAGE REFERENCE  
BASIS

 CENTRAL COAST COUNCIL  
LAND USE **PLANNING**

Received: 07/02/2024  
Application No: DA2023181  
Site No: 477157



PP 01 - EXISTING SITE PHOTOGRAPH

 **Dickson Rothschild**  
Architecture Urban Design  
Planning Interior Design

CENTRAL COAST COUNCIL  
LAND USE **PLANNING**  
Received: 07/02/2024  
Application No: DA2023181  
Site No: 477157



PP 02 - PHOTOMONTAGE



CENTRAL COAST COUNCIL  
LAND USE **PLANNING**

Received: 07/02/2024  
Application No: DA2022181  
Site No: 477157

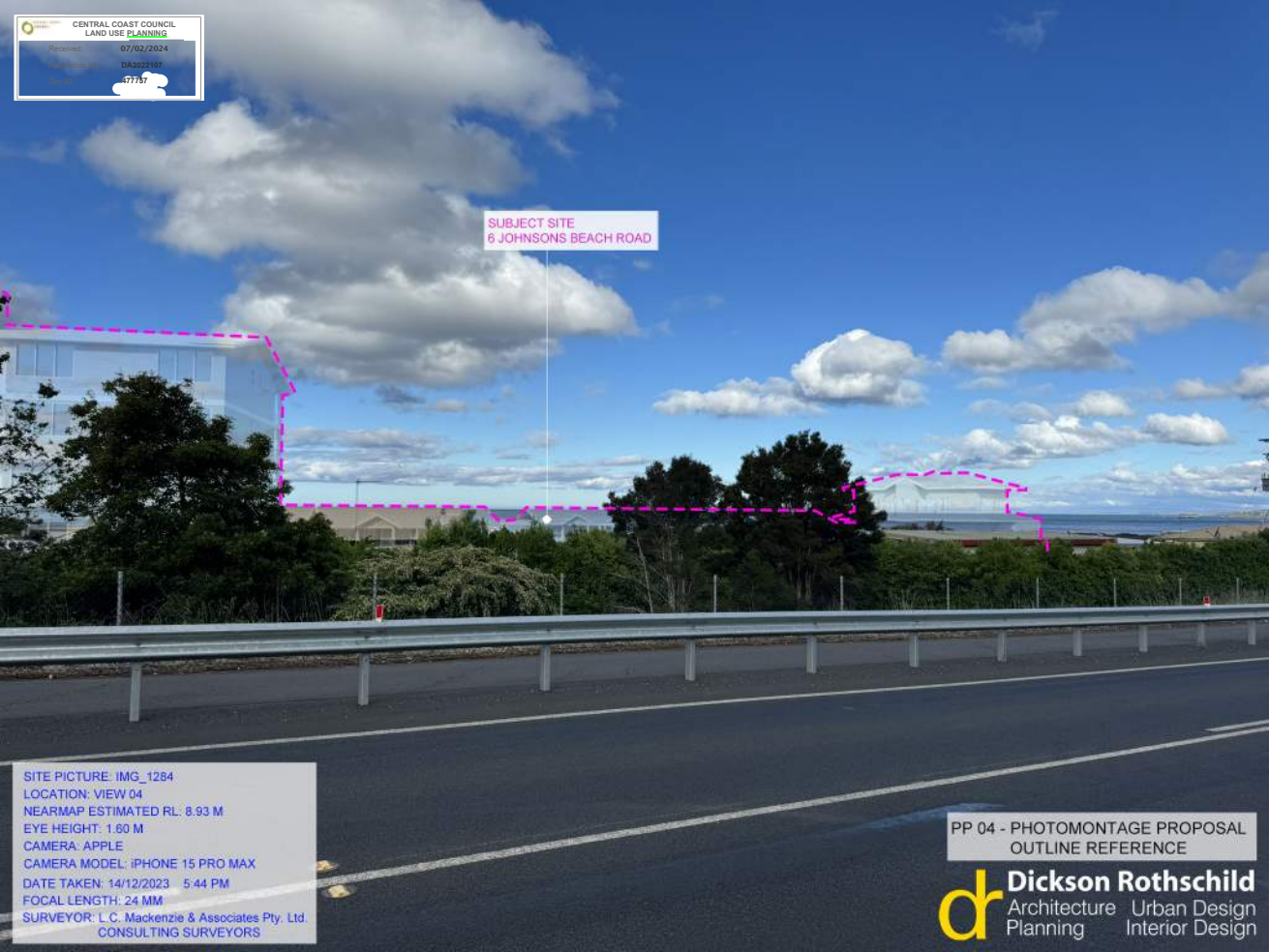


PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE

LANDSCAPE TO BE CONFIRMED

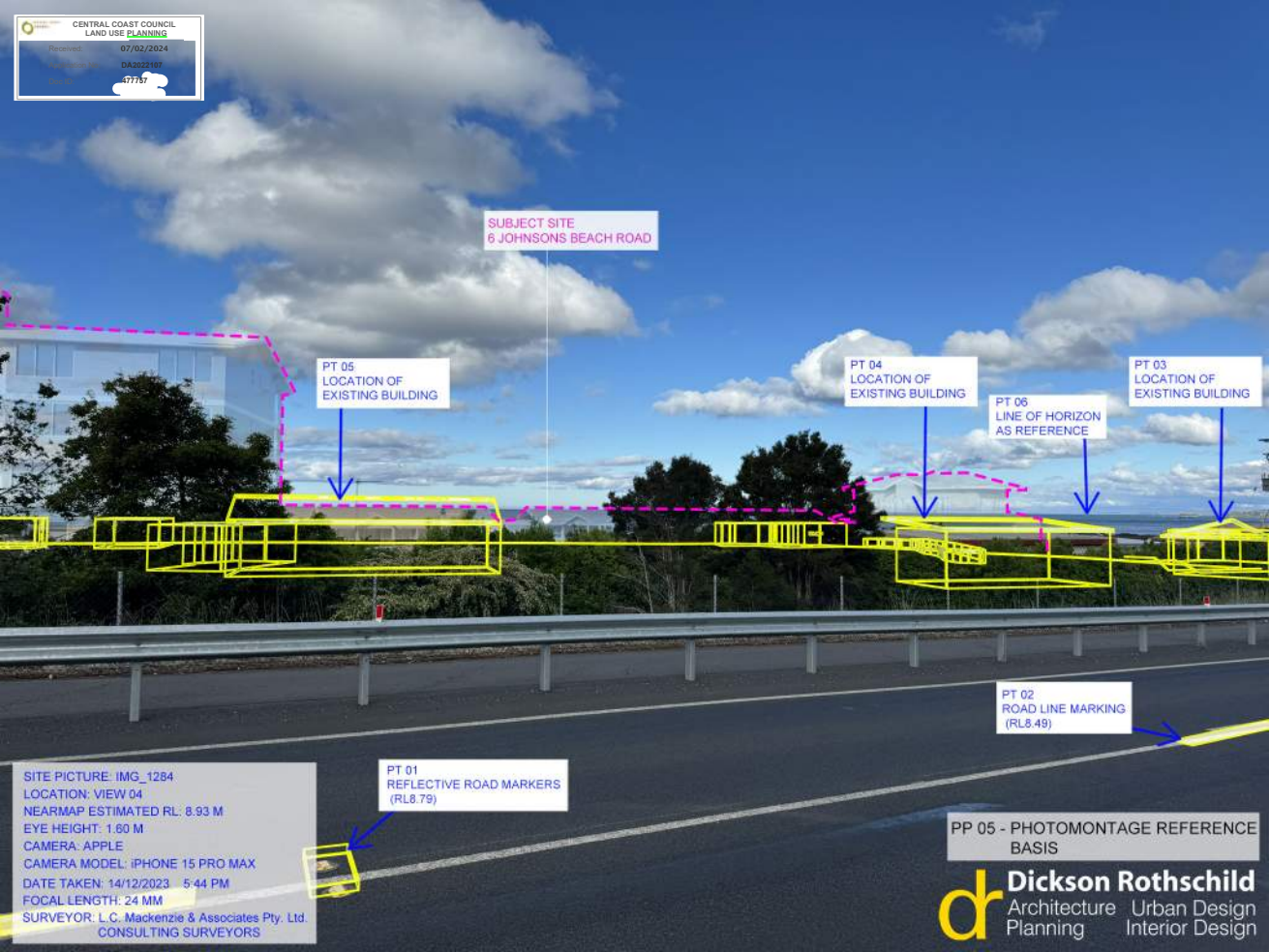
**dr** **Dickson Rothschild**  
Architecture Urban Design  
Planning Interior Design

SUBJECT SITE  
6 JOHNSONS BEACH ROAD



SITE PICTURE: IMG\_1284  
LOCATION: VIEW 04  
NEARMAP ESTIMATED RL: 8.93 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:44 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L. C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE



SUBJECT SITE  
6 JOHNSONS BEACH ROAD

PT 05  
LOCATION OF  
EXISTING BUILDING

PT 04  
LOCATION OF  
EXISTING BUILDING

PT 05  
LINE OF HORIZON  
AS REFERENCE

PT 03  
LOCATION OF  
EXISTING BUILDING

PT 02  
ROAD LINE MARKING  
(RL8.49)

PT 01  
REFLECTIVE ROAD MARKERS  
(RL8.79)

SITE PICTURE: IMG\_1284  
LOCATION: VIEW 04  
NEARMAP ESTIMATED RL: 8.93 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:44 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 05 - PHOTOMONTAGE REFERENCE  
BASIS





PP 01 - EXISTING SITE PHOTOGRAPH





PP 02 - PHOTOMONTAGE





PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE

LANDSCAPE TO BE CONFIRMED



SUBJECT SITE  
6 JOHNSONS BEACH ROAD



SITE PICTURE: IMG\_01  
LOCATION: VIEW 07  
NEARMAP ESTIMATED RL: 8.49 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 12/01/2024  
FOCAL LENGTH: 24 MM  
SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE



SUBJECT SITE  
 6 JOHNSONS BEACH ROAD

PT 05  
 LOCATION OF  
 EXISTING BUILDING

PT 06  
 LINE OF HORIZON  
 AS REFERENCE

PT 01  
 (RL 6.61)

PT 04  
 PP (RL 6.09)

PT 02  
 (RL 6.32)

PT 03  
 (RL 6.21)

PT 07  
 (RL 5.48)

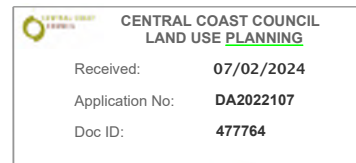
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 DATE TAKEN: 12/01/2024  
 FOCAL LENGTH: 24 MM  
 SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
 CONSULTING SURVEYORS

PP 05 - PHOTOMONTAGE REFERENCE BASIS



31 January 2024

Phil Gartrell  
Irene Inc Planning & Urban Design  
Senior Planner  
49 Tasma Street  
North Hobart TAS 7001



## Needs & Impacts Analysis

### 6 Johnsons Beach Road, Penguin

This letter presents an analysis of the overall need and demand for short-stay accommodation, within the town of Penguin on the northern coast of Tasmania.

The proposal seeks to redevelop the existing Penguin Caravan Park site at 6 Johnsons Beach Road in Penguin for modern short-stay accommodation and associated facilities.

The Penguin Caravan Park (refer Figure 1) currently comprises:

- 25 long term rental cabins
- 20 campsites
- Management office
- 22 caravan powered sites.
- A café/restaurant

The proposal seeks to provide short-stay accommodation apartments, as well a function centre and associated amenities, including (refer Figures 2 – 3) the following:

- 40 short-stay accommodation units
- 21 three-bedroom cabins (each with 2 car parking spaces)
- A function centre (280 sq.m), as well as kitchen and back of house area.
- A tennis court.
- A car park comprising approximately 57 car spaces, 3 motorcycle spaces, 2 accessible bays, and 9 bicycle spaces.

Based on the above, the proposed redevelopment is estimated to result in the net addition of some 19 short stay accommodation units/options (from 42 currently to 61), including a transition from caravan and camping berths to more traditional and contemporary accommodation facilities.

As part of the application, the Tasmanian Planning Commission have requested the following information to make a determination on:

- *The anticipated social and economic benefit of the proposal, including evidence for that anticipated benefit; and*
- *Whether this benefit is to the State, region, or municipal area.*

The Memorandum serves to address the Commission's request and demonstrate the need for short-stay accommodation, as well as the anticipated impacts and benefits.

## Regional & Local Context

The Penguin Caravan Park is situated on the northern coast of Tasmania, around 95 km north-west of Launceston (refer Map 1), within the Central Coast Council Local Government Area (LGA). Positioned along the Bass Highway, the town of Penguin provides convenient access to nearby coastal areas and attractions.

The site subject site boasts a frontage of more than 250 metres to the coastline, offering stunning views of Bass Strait and the surrounding natural landscape. The total site area spans approximately 16,881 sq.m.

The Bass Highway serves as a crucial east-west route, connecting towns and cities along the northern coast of Tasmania.

The region is known for its tourism appeal, with attractions such as the iconic Penguin Observation Centre and scenic coastal walks drawing visitors. In terms of local context (refer Map 2), key features include:

- The surrounding mix of tourist, parklands, coastline, and recreational facilities.
- The town centre, local shops, and other amenities located 1 km to the south-east of the site, along Main Road.
- Several schools on the southern fringe of the Penguin urban area.

Penguin encompasses a diverse range of dwellings, including residential houses, vacation cottages, and commercial establishments like cafes, restaurants, and souvenir shops. Together with the caravan park, this combination plays a significant role in supporting the regional tourism economy.

Overall, the Penguin Caravan Park occupies a picturesque location, with substantial tourism appeal for the region. The proximity of the site to key attractions and the coastal setting positions it as a valuable asset within the local community and the broader tourism industry of Tasmania.

## Planning & Strategy

### Overview

Planning regulations and other strategies include a range of relevant considerations for the subject site and proposal, which play a crucial role in evaluating the anticipated social and economic benefits of the project.

These planning aspects include zoning regulations; the Visitor Economy Strategy; Central Coast Caravans & Camping By-laws; and the Cradle Coast Regional Land Use Strategy. The dominion of each document also provides insights into anticipated impacts and benefits – be that at a State, region, or local level.

### Central Coast Local Provisions Schedule & Tasmanian Planning Scheme

The subject site is currently zoned 'Open Space' (29), the primary purpose of the zone is to allocate land for open space, emphasising passive recreation and natural amenities.

Discretionary uses, such as community meeting and entertainment, crematoria and cemeteries, emergency services, food services, general retail and hire, pleasure boat facilities, resource development, sports and recreation, tourist operations, transport depot and distribution, vehicle parking, and visitor accommodation have specific qualifications and conditions. The use standards for discretionary prevent unreasonable loss of amenity to adjacent sensitive uses.

Both the existing caravan park and proposed short stay accommodation facility would be considered 'Visitor Accommodation' under the Planning Scheme, the objective of which is that it must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:

*(a) the privacy of adjoining properties;*

*(b) any likely increase in noise to adjoining properties;*

*(c) the scale of the use and its compatibility with the surrounding character and uses within the area;*

*(d) retaining the primary residential function of an area;*

*(e) the impact on the safety and efficiency of the local road network; and*

*(f) any impact on the owners and users rights of way*

## **2030 Visitor Economy Strategy**

The purpose of this strategy is to provide a collective longer-term vision for Tasmania's visitor economy. This includes clarity to the community on what it can expect, and clarity to industry and government on agreed priorities and accountabilities to achieve this vision - for the benefit of Tasmania.

The strategy aims to promote and protect Tasmania through a visitor economy that prioritises the natural environment, prosperity, and positive impacts on island life. The focus is on managing growth responsibly and achieving a positive impact by maximising benefits, minimising harm, and sharing advantages broadly.

The strategy outlines eight key directions, including climate-conscious travel; proactive growth management; maximising visitor contributions; building brand awareness; supporting sustainable events; investing in infrastructure; attracting a skilled workforce; and fostering collaboration among industry, government, and local communities.

## **Central Coast Caravans & Camping By-law**

The Central Coast Council meeting on 20 November 2023 discussed a proposed by-law (Caravans and Camping By-law No 1 of 2023) aimed at regulating camping on land owned or controlled by the Central Coast Council in Tasmania. The Director of Corporate Services presented the purpose, background, and discussion points.

The background highlighted an increasing demand for short-term, low-cost camping in the area, prompting the need for regulation. The proposed by-law, under section 145 of the Local Government Act 1993, seeks to prohibit free camping and regulate selected sites through a permit system.

The discussion emphasised the importance of balancing community needs while ensuring socially, economically, and environmentally responsible camping. Without the by-law, effective control of public spaces would be challenging, leading to potential issues such as environmental degradation and conflicts.

The proposed by-law outlines designated areas for camping, including established caravan parks, "overnight parking areas" with a permit, and areas authorised by the General Manager. The Council plans to gather public feedback through various channels, including newspapers, newsletters, social media, and its website.

The conclusion urged the Council to resolve its intent to make the by-law, forwarding the draft documents to the Director of Local Government for certification. The resolution, which included amendments to camping duration limits, was carried

unanimously and by absolute majority. The formal decision by the Council is anticipated in early 2024 after the completion of the statutory process.

The report highlighted the resource, financial, and risk impacts associated with unregulated camping, emphasising the need for the by-law to protect natural values and manage potential conflicts. This aligns with the Central Coast Strategic Plan, focusing on community well-being, environmental conservation, and sustainable infrastructure.

Overall, the Council aims to address the growing trend of camping in the region responsibly by implementing a by-law that balances community interests with environmental preservation.

### **Cradle Coast Regional Land Use Strategy (2010 – 2030)**

The purpose of the Cradle Coast Regional Land Use Strategy is to address regional planning issues in the North West region of Tasmania. The Framework promotes the wise use of resources, a prosperous economy, sustainable communities, and planned infrastructure. It encourages innovative approaches while maintaining the separate, compact nature of settlement, while also prioritising healthy communities, and protection of irreplaceable assets. A key emphasis is the best use of land, and the alignment of regional planning policies with broader state and national strategies.

The document discusses the economic significance of tourism in the Cradle Coast Region of North West Tasmania within the broader context of land use planning – acknowledging the recent shift towards a more regional focus.

Tourism is viewed as a catalyst for new businesses and a means to diversify the economy and the Framework recognises the need for sustainable development. Land use planning is deemed crucial for ensuring tourism appeal without disrupting other economic activities.

Land use planned for Visitor Accommodation (3.3.6) aims to facilitate a range of options for high-capacity accommodation in major settlement centres and key tourist locations. This is through designated sites for camping, caravan, and mobile home use, as well as restricting permanent settlement within designated tourist sites and facilities.

The document suggests integrating tourism facilities into the general fabric and activity of centres to enhance liveability – with the goal of supporting sustainable tourism development in the Cradle Coast Region.

### **Central Coast Tourism Accommodation Strategy (2018)**

The Central Coast Visitor Accommodation Strategy aimed to boost lodging options in North West Tasmania. It supports the creation of a Central Coast Investment Prospectus, showcasing the region's uniqueness to attract developers. Anticipating increased demand, the strategy emphasises a balanced supply of accommodation and proactive site development in collaboration with landowners.

Aligned with regional and national tourism goals, it recognises global trends favouring authentic experiences and outdoor activities. The strategy integrates with various local, regional, and state plans, fostering collaboration among stakeholders.

It aligns with the Council's vision for a vibrant community and complements national strategies, and at the local level - the strategy supports the community's vision, emphasising a unique brand approach to compete in tourism markets.

It envisions a future where visitor accommodation is well-supported, contributing to a thriving Central Coast with a strong identity and positive economic impact. Guiding principles include collaboration, innovation, and learning, aiming to create a resilient and vibrant destination.



## Summary

The conversion of the Penguin caravan park into a contemporary short-stay accommodation facility aligns seamlessly with the regulatory and strategic landscape outlined in various planning documents – including at a local, broader region, and State level.

This includes compatibility with the zoning regulations; the preservation of open space; prevention of unreasonable impacts on adjacent uses; and a commitment to responsible growth – prioritising the natural environment and positive impacts on island life.

The proposal recognises and responds to the economic significance of tourism in the region by offering a sustainable development that is integrated with tourism facilities and the general fabric of the area. This aligns strategically with the vision and priorities outlined in the planning documents and ensures that the anticipated social and economic benefits of the proposal contribute positively to the State, region, municipal area, town, and more – as outlined subsequently.

## Study Area Population

To assess need for the proposed short-stay accommodation facility (subject development), two study areas have been defined to reflect the areas of relevance (Map 3):

- The **Local Study Area** incorporates the suburbs of Penguin and Preservation Bay. The local study area had a population of 4,316 persons as at the 2021 Census.
- The **Broader Study Area** broadly represents the Central Coast Local Government Area and is based on granular Statistical Areas Level 1 (SA1) geographical areas. The broader study area had a population of 23,029 persons as at the 2021 Census.

To forecast future population growth throughout the study areas, it is important to consider official population projection sources, with key points to note as follows:

### Tasmania's Population Strategy (2022 – 2052)

- The latest Tasmanian population projections were released as draft projections in November 2023, and provide a low, medium and high series for each Tasmanian Local Government Areas (LGAs). The projections have been prepared for a 30-year period, ranging from 2022-23 to 2051-52.
- Noting that the estimated resident population of Central Coast used as the base was 23,345 (30 June 2022), projections for the Central Coast LGA are as follows:
  - *Low series: 20,706 persons by 2052, or average decline of 88 persons per year*
  - *Medium series: 23,644 persons by 2052, or average growth of 10 persons per year*
  - *High series: 26,560 persons by 2052, or average growth of 107 persons per year*
- The Strategy notes that medium series projections illustrate a scenario where broad average trends for future migration, fertility, and mortality continue into the long term, however, it is contended that these projections should be considered conservative, particularly with recent population growth greatly exceeding the broad averages.

### Actual ABS Census Data

- Official data from the ABS Census provides an actual account of population growth across the broader study area (Central Coast LGA) over the 2001 – 2021 period.
- Over the 20-year period between 2001 – 2021, the population grew by an average of 143 persons per year (this is greater than the high forecast average of 107).
- Furthermore, over the most recent five-year inter-census period (2016 – 2021), population growth reached 301 persons per year - nearly three times the long-term high population forecast by Tasmania's Population Strategy.

The key implication is that official projections are considered conservative and at-odds with recent population growth throughout the area. Actual ABS Census data demonstrates that consistent levels of high population growth are possible, and it is likely that this level of demand will continue into the future. It is contended that population growth will remain in line with the high series forecast (Tasmania's Population Strategy), provided sufficient housing supply is available.

Charts 1 - 2 illustrate new dwelling approvals data for the period from 2011/12 to 2022/23 across the defined study areas, sourced from the Australian Bureau of Statistics. This information is broken down into approvals for houses, and other dwellings – which refers to multi-unit developments. Across the broader study area, an average of 79 new dwellings have been approved supplied each year over the 12 years, of which 94% were houses.

Charts 3 - 4 detail the total value of all building approvals throughout the broader study area over the past six years (2017/18 – 2022/23), further demonstrating the residential nature of the area. As a guide, more than 69% (\$171 million) of approvals value has been attributed to new housing development, and some 7.7% (\$19 million) for alterations and additions. A total of \$57.7 million in approvals have been for non-residential development (23.3%).

Based on a review of official projections, Census and historical data, as well as investigations into development throughout the region, the Broader Study Area population is projected to increase to 25,279 persons in 2041 (Table 1), reflecting an average annual growth rate of 108 persons (0.4%).

It is important to note that this forecast has been aligned with the high-series projections in the Tasmania Population Strategy (official) but is still considered to be conservative based on population growth of the past 20 years (as above).

## Study Area Socio-Economic Profile

Table 2 outlines the socio-economic profile of residents for the defined study areas, compared with the Tasmanian average. Key characteristics include the following:

- The average age of residents throughout both the local (44.6 years) and broader (44.8) study areas is older than the Tasmanian (42.0) and Australian (39.5) averages. The average age has also increased markedly over the past decade, up from 41.1 years of age in the broader study area as at 2011.
- The population is predominantly Australian born, representing 91.1% of the local study area and 91.2% of the broader study area - much higher than the Tasmanian (85.1%) and Australian (72.0%) averages.
- The average household size is in-line with the Tasmanian average at 2.3 persons per household, for both the local and broader study area level.
- There are a higher proportion of couples without children and lone persons across the local and broader study area. A combined 43.6% of local and 44.4% of broader study area households are families with no children.

- Average income levels are slightly lower than the benchmarks, on both a per capita and household basis.
- The study area labour force is primarily made up of white-collar workers (63% - 64%).
- Household ownership levels in the study areas (79.5% local; 78.2% broader) are somewhat higher than the Tasmanian benchmark (71.8%).
- Houses are the dominant dwelling type, at 91.0% and 90.5% of the local and broader study areas respectively. This is higher than the Tasmania average (88.8%). Car ownership is also high (96% and 97% across the study areas).

Overall, the study area reflects a slightly older, Australian-born population, that own their own home. This is typical of a coastal retiree market (lone persons and couples without children). As outlined subsequently, the existing caravan park is likely to attract a similar demographic to the resident population, however, the proposed short-stay accommodation is expected to appeal to a broader base – including more affluent, younger families and more. This offers the prospect of diversity and exposure to a younger, dynamic market.

## Tourism

### Economic Contribution

Tourism Tasmania highlights that the tourism industry plays a significant role in Tasmania's economy, contributing approximately \$2.59 billion indirectly (6.7% of the Gross State Product or GDP) and \$1.38 billion directly (3.5% of GDP). Moreover, tourism supports about 37,300 jobs in Tasmania, accounting for 12.1% of total employment, the highest share in the country.

In the Central Coast Local Government Area (LGA), the Gross Regional Product was estimated at \$1.02 billion in 2021/22, reflecting substantial growth from \$534 million in 2001. This economic output encompasses various sectors, with a notable portion coming from the tourism and hospitality industry or the 'visitor economy'.

The visitor economy spans sectors like accommodation, hospitality, transport, cultural and recreational services, and retail. The economic benefits derived from tourism in the Central Coast, however, extend across the local area to different regions of Tasmania.

As depicted in Chart 5, total tourism sales in the Central Coast Council LGA reached \$49.6 million in 2021/22, with a total value added of \$24.8 million, representing around 3.1% of the region's total industry. Tourism employment in the region was estimated at 481 jobs (including 319 direct and 162 indirect), comprising 6.3% of regional employment. These figures remain impacted by the pandemic, however, have rebounded strongly and would be expected to have grown rapidly over the period to 2022/23 (data not yet available) – in-line with improved State visitation data (outlined subsequently).

Tourism is therefore a vital contributor to the local, regional, and broader State economy, a recognition emphasised in the Council's 'Destination Action Plan' – which notes the strategic positioning of the Central Coast an attractive destination for visitors to use as a base for overnight stays while exploring day trips in the North West (including journeys into the hinterland, Gunns Plains and the Leven Canyon).

Council's initiatives to influence and promote the tourism industry align with and complement broader national, State, and regional strategies, while also seeking to distinguish the Central Coast as a unique destination with enhanced, distinctive places and a sense of community identity.

### Visitors

Tourism plays a pivotal role in the economic, social, and cultural landscape of Tasmania, making it a cornerstone of the growth and development. The unique blend of natural wonders, diverse landscapes, and cultural heritage has positioned it as a sought-after destination, attracting visitors from around the world.

Across the State, 1.28 million visitors were recorded in 2022/23, staying a total of 11.98 million nights, and spending a combined \$3.85 billion (refer Table 3). While tourism had been heavily-impacted by the pandemic, total visitation levels are now just -3% lower than in 2018/19, while total nights and expenditure are higher. In 2022/23, key metrics were as follows:

- **Domestic:** 1.12 million visitors stayed a total of 10.32 million nights, and spent a combined \$3.35 billion, which was up between +10% to +70% on pre-pandemic levels (or an average annual growth rate of around 3.9% over the period since 2006).
- **International:** 0.16 million visitors stayed a total of 1.66 million nights, and spent a combined \$0.5 billion, which was up between -4% to -63% below pre-pandemic levels (or an average annual growth rate of around 3.4% over the period since 2006).

The Central Coast LGA also records tourism data through Tourism Research Australia, but has not been published since pre-pandemic (2018/19), during which the region recorded (refer Table 4):

- **Domestic Day Trippers:** 129,000 visitors, with total expenditure of \$10 million (\$78 per visitor). This accounted for the highest proportion of visitors (65%), but just 33% of visitor days/nights, and 23% of expenditure.
- **Domestic Overnight:** 65,000 visitors staying a total of 230,000 nights (4.0 nights per visitor) and spending a combined \$31 million (\$476 per visitor). Domestic overnight visitation is the most significant tourist segment, making up one-third (33%) of visitors, but 59% of visitor days/nights, and 72% of expenditure.
- **International:** 4,000 visitors staying a total of 32,000 nights (8.0 nights per visitor) and spending a combined \$2 million (\$374 per visitor). This represented just 2% of visitors, 8% of days/nights, and 5% of expenditure.

In the absence of current tourism data for the Central Coast LGA, State data (Table 3) has been used as a guide in order to estimate visitation levels both now (2022/23) and over the forecast period (2040/41). As show in Table 4, growth assumptions adopted for the purposes of this analysis could generally be considered conservative (below long-term averages), and key points to note are as follows:

- **Visitors:** a total of 212,000 visitors are estimated across the Central Coast LGA in 2022/23, including 70,000 domestic overnight visitors, and 2,000 international visitors. This figure is projected to reach 303,000 by 2040/41 – reflecting a net additional 91,000 visitors, or an average annual growth rate of 2.0% (5,000 visitors).
- **Visitor Nights/Days:** a total of 323,000 nights and 140,000 daytrips across the Central Coast LGA in 2022/23. This figure is projected to reach 466,000 nights and 199,000 daytrips by 2040/41. This reflects a net additional 143,000 nights (and 60,000 daytrips) or an average annual growth rate of 2.0% (8,000 nights and 3,000 daytrips).

The estimated 463,000 visitor days/nights in 2022/23 equates to a permanent resident population of 1,260 (i.e. divided by 365 days in a year) across the Central Coast Region the Gold Coast, or 5.4% of the LGA (broader study area) population.

Overnight visitation to the Central Coast region represents around 2.7% of total visitor nights across Tasmania. Importantly, the nature of visitation to the State means that exploring Tasmania does not typically include just one location, but rather a journey or roadtrip. When people travel around the island, they bring economic benefits to various regions. Small towns, and local businesses all benefit as visitors move from place to place and tourism contributes to multiple communities.



## Accommodation

Based on data from Tourism Tasmania, there were a total of 1.34 million available accommodation nights across Tasmania in 2022, including 126,000 across the North West region in which the subject site is located. Key points to note are described as follows (refer Table 5):

- **Occupancy:** the average occupancy rate across both the North West region and State was recorded at 66% for 2022. The North West region recorded the equal sixth-highest occupancy rate of the sixteen regions – and reflected a substantial increase since the pandemic (48% in 2020).
- **Average Daily Rate (ADR):** the Average Daily Rate across the North West was \$261 in 2022 (+\$105 or +67% since 2020). This was around -12% lower than the State average (\$296) and was the second lowest of the sixteen regions.
- **Revenue:** the Revenue per Available Room (RevPAR) equated to \$173 (State average was \$196), or a combined \$21.8 million in 2022 for the North West region.

The key implication is that the North West region is a popular and well-established tourist accommodation market that has strong occupancy levels - as compared with other regions and broader State averages. The ADR is consistently lower than these same benchmarks, however, which is likely attributable to the quality or type of offering that is currently available – including a higher proportion of budget-friendly or inferior facilities.

Applying the current occupancy rate of 66% to the Central Coast LGA (broader study area) tourism projections outlined previously, the projected net demand for 143,000 occupied nights would require an additional 217,000 available nights by 2040/41. Based on assumed full-year operation (365 days), this would equate to demand for net additional 594 accommodation beds/places over the period (a net additional 33 places per year).

The proposed redevelopment of the Penguin Carvan Park (net addition of 19 short stay accommodation units/options) would therefore contribute to this established and growing demand across the region, and negligible impacts on surrounding facilities would swiftly be ameliorated over the short term.

## Customer Segments

Accommodation also plays a crucial role in shaping the overall travel experience, and the preferences of tourists or visitors can vary widely based on their needs, interests, and budget. As outlined subsequently, different types of accommodation cater to diverse tastes, making the choice of where to stay an essential part of trip planning. Data from Tourism Tasmania demonstrates this point (Charts 6 – 9), with key points to note for the year to September 2023 as follows:

- **Accommodation Type:** hotels and motels are the most common accommodation type across both the North West region (31%) and State (34%). Caravan Parks accommodation was more prevalent (13%) within the North West than across Tasmania (8%).
- **Trends:** hotel utilisation has recovered since the pandemic to reach record high levels in September 2023 (+4.7% vs. September 2019), however, caravan park (-5.9%) and guest house/BnB/Airbnb (-59%) remains lower.
- **Age:** age bracket utilisation varies across different accommodation types, however, hotels/motels have a lower proportion of visitors aged 55+ (48%) as compared with caravan parks (51%) and guest house/BnB/Airbnb (52%).
- **Travel Party:** couples with no children were the most common travel party, and indexed highest for caravan parks (44%), followed by guest houses (44%) and then hotels (39%). Hotels and motels attracted the highest proportion of

visitation from families with both older (26%) and younger (10%) kids, in relative terms. This also implies a larger travel party (household size).

- **Income:** hotel and motel users were generally more affluent, with some 48% of respondents earning more than \$150,000 in household income.

In summary, hotels or motels emerge as a particularly attractive option for travellers, showcasing resilience in post-pandemic recovery, diverse demographic appeal, and a larger, affluent customer base.

## Short-stay Accommodation Supply

The short-stay accommodation market in Tasmania is diverse, catering to a wide range of preferences and travel styles from luxury seekers to budget-conscious individuals, and those who seek a more intimate nature-centric experience. The classification of accommodations in the region can generally be grouped into three key categories, as examined below.

### **Airbnb & Private Residence**

Private residence accommodation involves the rental of an individual's home, apartments, or room for short-term accommodation.

Airbnb is the largest marketplace in this category, founded in 2008 to connect individuals with lodging options, via hosts. The platform's offering typically includes entire homes, private rooms, and shared spaces that cater to various travel preferences and budgets. Tasmania's Airbnb market also includes a range of unique and unconventional accommodation, such as converted barns, historic cottages, and eco-friendly retreats. These listings offer guests the chance to stay in distinctive and memorable spaces that reflect a region's character.

Map 4 and Table 6 provide an illustration of the current (January 2024) Airbnb listings within the region, highlighting a total of 160 Airbnb residences within the broader study area, with 54 of these falling within the local study area. A total of 436 beds (324 rooms) are used for the purpose of short stay accommodation through Airbnb.

The majority of Airbnb residences are situated along the coast – and typically occupy residential zoned land.

The considerable number of Airbnb listings within the study areas pose evidence of the popularity of the region for tourists and visitors, but also pose a risk to the availability and affordability of residential dwellings within Penguin and the Central Coast LGA. This is because residential dwellings being utilised for short-term accommodation of visitors would otherwise be available for purchase or long-term rental for existing or prospective residents.

As a guide, known Airbnb listings alone (not including other platforms such as Stays) make up 3.2% and 1.8% of existing dwellings across the local and broader study areas, respectively.

### **Caravan Parks & Camping**

Tasmania's natural beauty attracts travellers who seek a connection to the outdoors. For these types of tourists and intrastate travellers, caravan parks and campgrounds in picturesque locations can prove popular, laid-back experience.

Typical facilities of this type include campsites, caravan sites, and sometimes cabins. Some caravan parks in Tasmania are specifically designed to cater to families (offering playgrounds, recreational activities, and communal spaces) and aim to create a family-friendly atmosphere.

The existing Penguin Caravan Park site currently comprises 22 powered caravan sites and 20 campsites.

Map 5 and Table 7 provide an illustration of the current caravan parks and camping facilities within the region, highlighting ten other facilities within the broader study area, and several others just beyond the extent of the study area.

While there are not a substantial number of camping and caravan parks within the area, it must be noted that caravan parks typically have significant capacity when factoring in non-powered berths, camping areas, and other. Further, users of caravan parks and camping areas are innately mobile and also have the ability to utilise other forms of short term accommodation.

In this sense, users have the ability to easily transfer visitation to nearby alternatives or take up lodging within permanent accommodation facilities (cabins, apartments etc). On the other hand, camping and caravan parks are not viable options for many other travel parties – particularly those without the requisite vehicles or equipment.

### **Hotels, Motels, Services Apartments & More**

Tasmania's hotel and motel scene also reflects a dynamic range of options catering to diverse preferences.

At the luxury end, Tasmania features a selection of high-end hotels that provide travellers with top-tier amenities, exceptional dining, and personalised services. These establishments, strategically located in tourist hotspots like Hobart, Launceston, and Cradle Mountain, cater to those seeking a premium experience.

More boutique hotels are generally smaller in scale and focus on creating a unique and intimate atmosphere. With distinctive designs, artwork, and personalised services or experiences, these accommodations offer a more curated or personalised stay and can also include farm stays, bed and breakfasts, serviced apartments and the like.

There are also a range of budget-friendly stays across the hotel and motel landscape – which provide comfortable and affordable options without compromising on essential amenities, ensuring a practical yet enjoyable lodging experience.

The existing Penguin Caravan Park site currently comprises 25 long-term rental cabins that would fall under this classification. As outlined previously, the proposed development at Penguin seeks to provide 40 short-stay accommodation apartments and 21 three-bedroom cabins - as well associated amenities.

Map 6 and Table 8 present a comprehensive overview of the existing hotels, motels, serviced apartments, bed and breakfasts, hostels, and more within the study area. Presently, there are only ten other facilities within the local study area and 18 additional ones across the broader study area, totalling 29. These facilities offer approximately 100 and 259 rooms, respectively, figures that fall short when compared to the extensive Airbnb pool, which encompasses 110 and 324 rooms.

Notably, the prevalence of boutique hotels, serviced apartments, and bed and breakfasts in the region results in accommodation facilities with small capacities, typically averaging between 6 to 10 beds. This limited variety and choice for short-stay accommodation in the Penguin area and its surrounds highlight the need for a development that can bring about a transformative change.

The proposed development at the Penguin site, with its 40 short-stay accommodation apartments and 21 three-bedroom cabins, is poised to be the largest short-stay accommodation offering in the region. This presents a unique opportunity for the Penguin community, introducing unparalleled variety and choice. In a landscape dominated by boutique facilities and private residential Airbnb listings, the development stands out as an opportunity for diversity, offering a scale and range of options of traditional but modern, affordable short-stay accommodation that are currently lacking.

The significance of this proposed development lies in its potential to make a meaningful contribution to the local hospitality sector. By filling the void in short-stay accommodation options and surpassing the current offerings in size and variety, the

project represents not only a boost to the local economy but also an enhancement of the overall tourist experience. The development would not only add more room nights to the market (and cater to substantial and growing demand), but also elevate the tourism economy within Penguin, the Central Coast LGA, and North West Region.

## Proximity to Attractions & Infrastructure

The subject site is exceptionally well-suited for accommodation facilities due to its strategic location, inherent tourism appeal, and established role as an accommodation facility.

The substantial frontage to the coastline offers breathtaking views of Bass Strait and the surrounding natural landscape, enhancing its allure for visitors. The region's tourism attractions and scenic coastal walks, further contribute to the site's appeal.

The site forms a natural extension of the Penguin town settlement and the proposed development would only enhance the attractiveness and amenity of the area. The site's proximity to the town centre, local shops, and other amenities also highlight its suitability for redevelopment, creating a seamless and convenient experience for guests.

Although the site boasts a considerable size, the proposed plan is characterised as conservative. This is because it refrains from overcrowding lots within the boundaries and instead adopts a thoughtful and restrained approach, featuring spacious design that harmonise with the distinctive character of the area - making it a unique and attractive choice for prospective visitors.

Beyond quantitative visitor accommodation demand, the site presents a qualitative advantage by offering diverse and high-quality options in a highly sought-after tourist area. The proposed development aligns seamlessly with the existing urban development pattern, enhancing the town's offering without compromising its character, and therefore contributing positively to both placemaking and economic aspects.

## Lack of Alternate Sites

New opportunities for similar development are not present within the local and broader study area.

The total site area of approximately 16,881 sq.m provides ample and space for redevelopment within appropriately zoned and an ideally positioned location.

Consequently, the subject site emerges as an unparalleled prospect for short stay accommodation facilities, distinguished by its distinctive location and expansive size, and offering a scale and context unmatched by any alternatives in the broader study area. This will enable the proposal to provide a reliable and impactful addition to accommodation supply.

## Housing Availability & Affordability

It is understood that Penguin Caravan Park is home to several (at least 20) long-term residents across around 15 permanent structures (buses, camps, or other). This is at-odds with the role of the Caravan Park as a visitor accommodation facility, but a function of the well-documented housing crisis throughout Tasmania, and many other parts of Australia. This has been compounded by factors such as high house prices, contributing to declining vacancy rates, and rising median rents.

Tasmania's social housing waiting list has hit an all-time high as a result, with 4,701 applicants as of January 2024. The situation has led people to reconsider acceptable living arrangements and there has been an increase in unconventional housing options, such as sheds, caravan parks, and tiny homes – many of which are being advertised at high prices



The experience across Tasmania and other Australian states has demonstrated that the use of Airbnb and similar platforms for tourist accommodation in residential-zoned dwellings has had a detrimental impact on housing supply and availability. The conversion of residential properties into short-term rentals exacerbates housing shortages and can drive up rental prices – particularly in popular tourist destinations and urban areas where demand for short-term accommodation is high.

Research commissioned by Shelter Tasmania indicates that a significant portion of short-stay properties in Tasmania's major cities, Launceston and Hobart, were formerly available for long-term rentals. The findings highlight concerns that the rise of short-stay platforms like Airbnb has had a disproportionate impact on the availability of rental homes for local residents in need. In response, the City of Hobart has approved a new 'Airbnb tax' to discourage short-stay accommodation and address the housing crisis, imposing double rates for homeowners using properties for such purposes.

As property owners opt for lucrative short-term rentals over long-term leases, the residential housing stock available for permanent residents diminishes, leading to a reduction in overall housing supply. This has significant implications for local communities, as it can contribute to increased housing unaffordability, displacement of long-term residents, and a sense of instability within neighbourhoods.

This is considered to be the case for Penguin, the Central Coast LGA, North West Region, and indeed Tasmania as a whole.

The challenges associated with managing short-term rental supply make it crucial for policymakers to strike a balance that ensures the responsible and sustainable use of residential properties for tourism purposes, while safeguarding the housing needs of the local population.

The subject proposal will make a meaningful contribution by providing short-term accommodation on land that is intended for visitor accommodation and promoting the use of residential-zoned land for residential uses.

## Employment

The proposed development would result in a range of important economic advantages which will be of direct benefit to the local community. The employment impacts and contributions are described as follows (refer Tables 9 – 11):

- **Ongoing Employment Generation:** the proposed short stay accommodation development at Penguin is anticipated to employ 15 staff on an equivalent full-time basis. This figure aligns with typical employment yield benchmarks.

The Penguin Caravan Park currently employs 2 staff on a equivalent full-time basis, meaning that this would reflect a net additional 13 ongoing jobs (Table 9).

Based on Average Weekly Earnings data released by the ABS in May 2023 (Cat. 6302.0 Table 10h – Accommodation & Food Services), the net additional permanent employees would earn annual combined salary/wages of some \$0.93 million. This reflects salary/wages for the local economy, as a direct result of the proposed development alone.

- **Construction** of the entire development is estimated to incur total capital costs of approximately \$28 million, generating significant employment within the construction and associated industries during the development of the project.

By using the appropriate ABS Input/Output Multipliers that were last produced in 1996/97 and a deflated estimated total capital cost of construction of \$12.6 million (i.e. in 1996/97 dollars), it is estimated that the construction period of the proposed retail component (in isolation) would directly create 88 full-time, part time and temporary jobs over the development timeline (refer Table 10).

- **Multiplier Effect:** overall, the total short stay accommodation development is estimated to directly generate 101 jobs, including (refer Table 11):
  - **Ongoing Employment:** 13 jobs
  - **Construction Phase:** 88 jobs

In addition to this direct employment, multiplier effects will flow through the local economy and indirectly generate additional employment opportunities through ancillary businesses/suppliers that support the development and services, as well as additional consumption expenditure by workers employed within the precinct (spending wages).

Again, by using the appropriate ABS Input/Output Multipliers that were last produced in 1996/97 and adjusting for inflationary and other changes to present, it is estimated that an additional 154 jobs will be created indirectly.

Overall, approximately 255 jobs are likely to be created both directly and indirectly because of the subject development (including ongoing employment, construction and multiplier effects). These jobs would include additional people employed at a permanent, local level (Penguin), in construction (likely from the broader region), as well as throughout Tasmania via multiplier effects

## Summary & Conclusions

This Assessment highlights the clear need for additional, contemporary short stay accommodation facilities within Penguin, the broader Central Coast LGA and Northwest region. Key points to note are as follows:

- **Planning & Strategy:** the conversion of the Penguin caravan park into short-stay accommodation aligns with local, regional, and State planning documents, meeting zoning regulations, preserving open space, preventing impacts on adjacent uses, and promoting responsible growth.

The proposal supports the economic importance of visitation, integrating sustainable development with tourism facilities and aligning with the overall vision for positive social and economic impacts on various levels.

- **Study Area Resident Population:** to assess need for the proposed short-stay accommodation facility two study areas have been defined, including the Local Study Area (Penguin and Preservation Bay) and the Broader Study Area (Central Coast Local Government Area).

The broader study area had a population of 23,029 persons as at the 2021 Census and based on a review of official projections, Census data, as well as investigations into development - the Broader Study Area population is projected to increase to 25,279 persons in 2041, reflecting average annual growth of 108 persons (0.4%).

The socio-economic profile of the study areas reflect a slightly older, Australian-born population, that own their own home. This is typical of a coastal retiree market (lone persons and couples without children). The existing caravan park is likely to attract a similar demographic to the resident population, however, the proposed short-stay accommodation is expected to appeal to a broader base – including more affluent, younger families and more. This offers the prospect of diversity and exposure to a younger, dynamic market.

- **Tourism & Visitor Economy:** tourism is a vital contributor to the local, regional, and broader State economy. The visitor economy spans sectors like accommodation, hospitality, transport, cultural and recreational services, and retail. The economic benefits derived from tourism also extend across local areas to different regions of Tasmania.

In the Central Coast Local Government Area (LGA), total tourism sales reached \$49.6 million in 2021/22, with a total value added of \$24.8 million (3.1% of total industry). Across Tasmania's, tourism contributed approximately \$2.59 billion indirectly (6.7% of the Gross State Product or GDP) and \$1.38 billion directly (3.5% of GDP). Moreover, it supports about 37,300 jobs, accounting for 12.1% of total employment, the highest share in the country.

Based on data from Tourism Tasmania, the North West region has a popular and well-established accommodation market that has strong occupancy levels as compared with other regions and broader State averages. Based on projected visitation levels, there is estimated to be demand for a net additional 594 accommodation beds/places across the North West region over the period (33 places per year).

The proposed redevelopment of the Penguin Caravan Park (net addition of 19 short stay accommodation units/options, and greater capacity) would therefore contribute to this established and growing demand across the region, and negligible impacts on surrounding facilities would swiftly be ameliorated over the short term.

Importantly, the nature of visitation to the State means that exploring Tasmania does not typically include just one location, but rather a journey or roadtrip. When people travel around the island, they bring economic benefits to various regions. Small towns, and local businesses all benefit as visitors move from place to place and tourism contributes to multiple communities.

- **Short Stay Accommodation Supply:** the short-stay accommodation market is diverse, encompassing three key categories, namely Airbnb listings; caravan parks and camping; and more traditional motels, hotels and similar.

There are currently a total of 160 Airbnb residences within the broader study area (54 within the local study area), comprising a total of 436 beds (324 rooms) used for the purpose of short stay accommodation through Airbnb.

Caravan parks and camping facilities, while not numerous, attract nature-centric travellers and intrastate visitors seeking a laid-back experience. There are around ten facilities within the broader study area, and several others just beyond. Users have the ability to easily transfer visitation to nearby alternatives or take up lodging within permanent accommodation facilities (cabins, apartments etc). On the other hand, camping and caravan parks are not viable options for many other travel parties – particularly those without the requisite vehicles or equipment.

Tasmania's hotel and motel scene caters to diverse preferences, ranging from luxury to budget-friendly stays. Notably, the prevalence of boutique hotels, serviced apartments, and bed and breakfasts in the region has resulted in accommodation facilities with smaller capacity, typically averaging between 6 to 10 beds.

The proposed development at the Penguin Caravan Park site, with 40 short-stay accommodation apartments and 21 three-bedroom cabins, stands out as the local area's largest offering, addressing the limited variety in short-stay accommodation options and presenting a transformative change for the Penguin community.

The project represents not only a boost to the local economy but also an enhancement of the overall tourist experience. Reflecting this, the Average Daily Rate (ADR) across the North West is consistently lower than benchmarks, which is attributable to the quality or type of offering that is currently available (higher proportion of budget-friendly or inferior facilities). The development will therefore not only add room nights to the market (and cater to demand), but also elevate the tourism economy within Penguin, the Central Coast LGA, and North West Region.

- **Location & Alternate Sites:** the subject site is strategically positioned for accommodation facilities, boasting a substantial coastline frontage with stunning views of Bass Strait and the natural landscape. Its proximity to Penguin town settlement, local attractions, and coastal walks enhances its appeal. The proposed development complements

the area's distinctive character, avoiding overcrowding and harmonising with the existing urban development pattern. New opportunities for similar development are not present within the local and broader study area and the site.

- **Housing Availability:** the Penguin Caravan Park currently hosts around 20 long-term residents in permanent structures, reflecting the broader housing crisis in Tasmania. The state's social housing waiting list has reached a record high, and the use of platforms like Airbnb for tourist accommodation in residential-zoned dwellings has exacerbated the housing shortage, particularly in popular tourist destinations.

The proposed development at Penguin Caravan Park aims to address this issue by increasing short-term accommodation supply, easing the strain on residential areas and contributing to responsible and sustainable tourism development (as outlined in the Cradle Coast Regional Land Use Strategy).

The challenges associated with managing short-term rental supply highlight the need for policymakers to strike a balance between tourism growth and safeguarding the housing needs of the local population. The subject proposal makes a meaningful contribution by providing short-term accommodation on land that is intended for visitor accommodation and promoting the use of residential-zoned land for residential uses.

- **Employment:** approximately 255 jobs are likely to be created both directly and indirectly because of the subject development (including ongoing employment, construction and multiplier effects). These jobs would include additional people employed at a permanent, local level (Penguin), in construction (local and broader region), as well as throughout Tasmania via multiplier effects.

In conclusion, the current state of the caravan park site indicates a need for revitalisation. The proposed contemporary short-stay accommodation facility aligns seamlessly with planning documents at the local, regional, and State levels, demonstrating a strategic response to the evident demand for increased accommodation across the Central Coast and North West regions.

Beyond regulatory and strategic alignment, the project is poised to deliver significant social and economic benefits, emanating from the local area, and extending throughout the North West Region. The redeveloped site is anticipated to generate approximately 255 jobs directly and indirectly, on both a local and broader scale. Additionally, it has the potential to help address the housing crisis by presenting a viable alternative to platforms like Airbnb and contributing to the responsible and sustainable development of tourism.

The proposal recognises and addresses the economic importance of tourism in the region, offering a sustainable development that harmonises with tourism facilities and the overall fabric of the area. This alignment strategically adheres to the vision and priorities outlined in relevant planning documents, ensuring that the expected social and economic benefits of the proposal positively impact the town, region, and Tasmania.







FIGURE 3. PENGUIN SHORT STAY ACCOMMODATION – PROPOSED DEVELOPMENT (RENDERS)

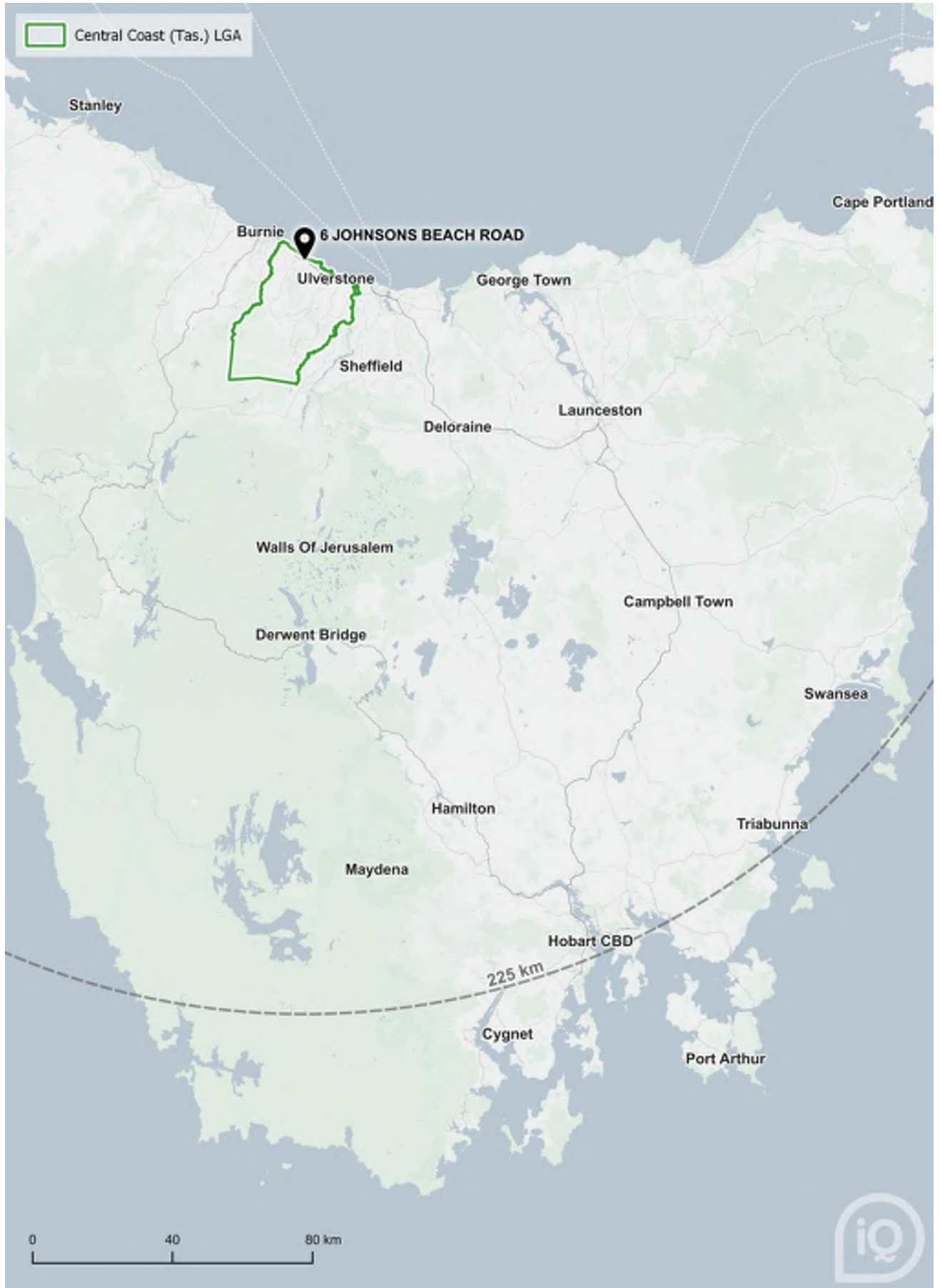


**FRONT ELEVATION**



**REAR ELEVATION**

MAP 1. PENGUIN REGIONAL CONTEXT





MAP 2. PENGUIN LOCAL CONTEXT



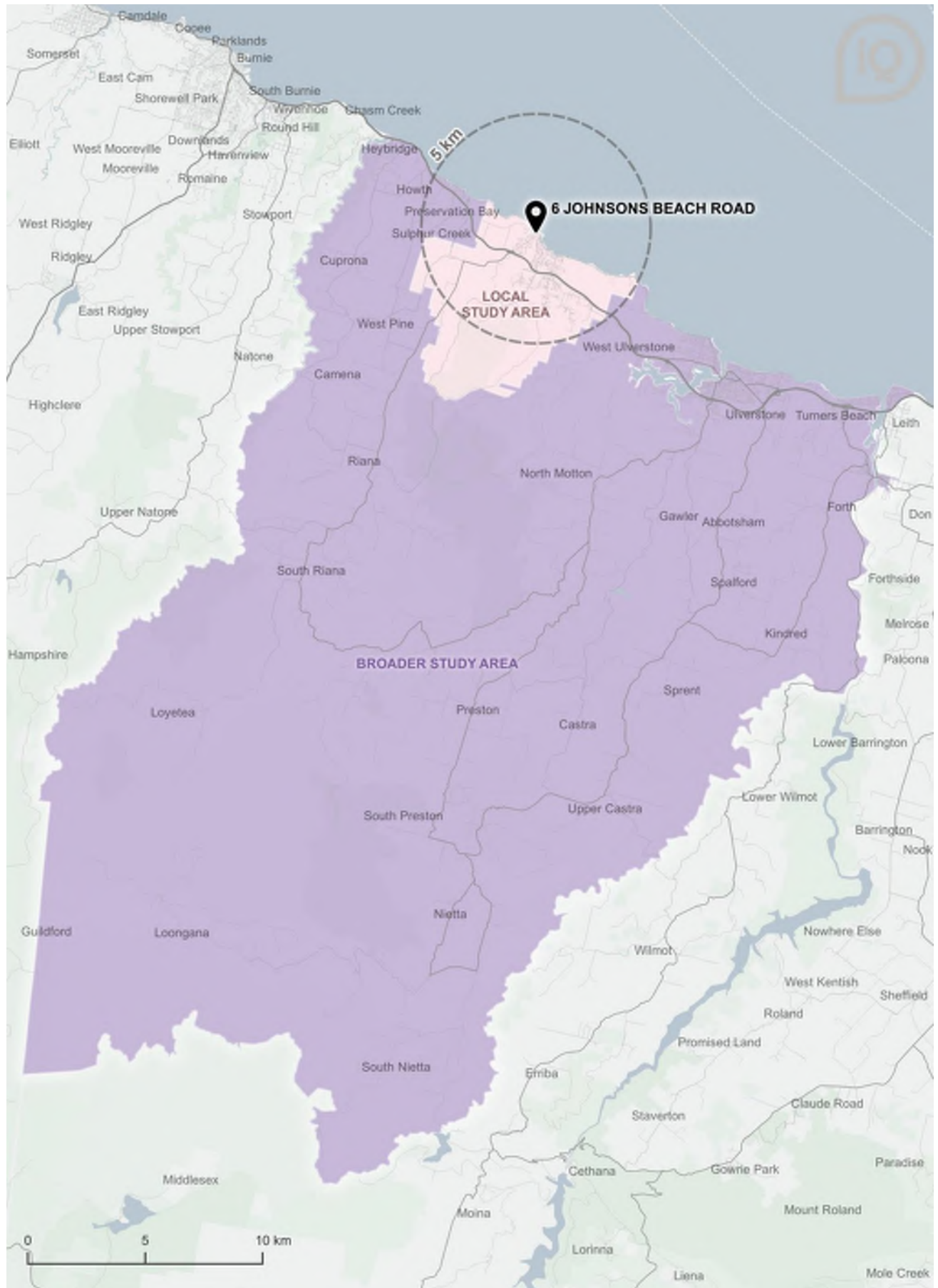
■ Site   ■ Retail   ■ Community   ■ Accommodation

PhotoMap by nearmap.com





MAP 3. PENGUIN STUDY AREA



**TABLE 1. STUDY AREA POPULATION, 2011 – 2041**

Population	Actual			Forecast					Change 2023-41
	2011	2016	2021	2023	2026	2031	2036	2041	
Local Study Area	4,109	4,006	4,316	4,416	4,566	4,666	4,766	4,866	450
Broader Study Area	22,148	21,524	23,029	23,329	23,779	24,279	24,779	25,279	1,950

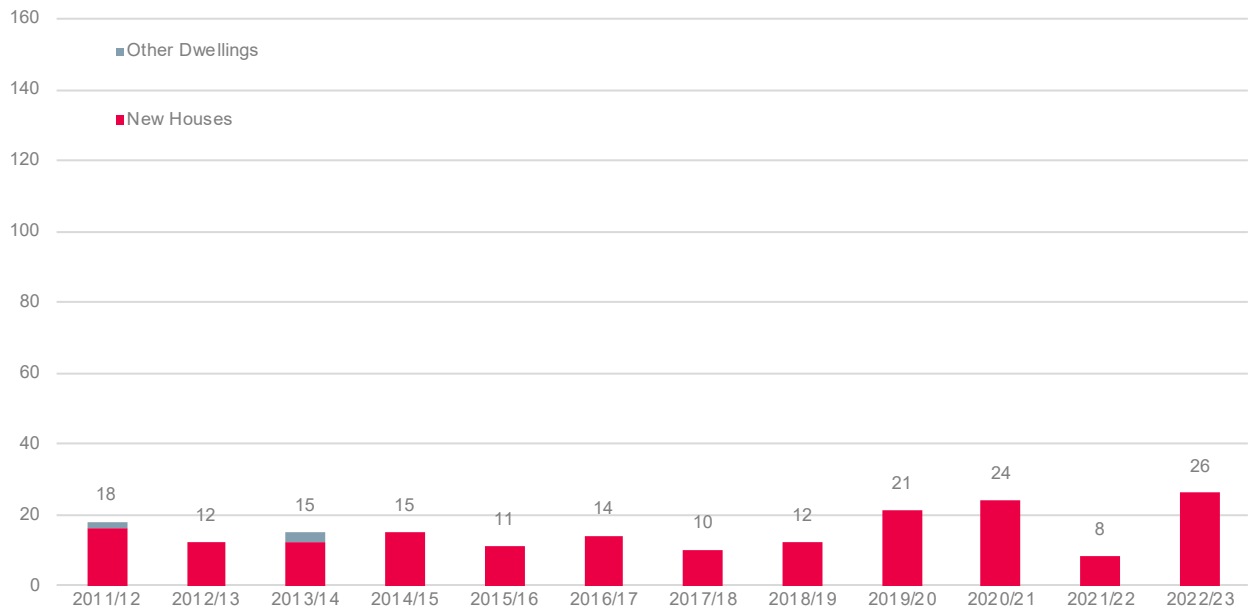
Average Annual Change (No.)	Actual		Forecast					Change 2023-41
	2011-16	2016-21	2021-23	2023-26	2026-31	2031-36	2036-41	
Local Study Area	-21	62	50	50	20	20	20	25
Broader Study Area	-125	301	150	150	100	100	100	108

Average Annual Change (%)	Actual		Forecast					Change 2023-41
	2011-16	2016-21	2021-23	2023-26	2026-31	2031-36	2036-41	
Local Study Area	-0.5%	1.5%	1.2%	1.1%	0.4%	0.4%	0.4%	0.5%
Broader Study Area	-0.6%	1.4%	0.6%	0.6%	0.4%	0.4%	0.4%	0.4%
<i>Australian Average</i>	1.6%	1.2%	2.4%	1.6%	1.3%	1.2%	1.1%	1.3%

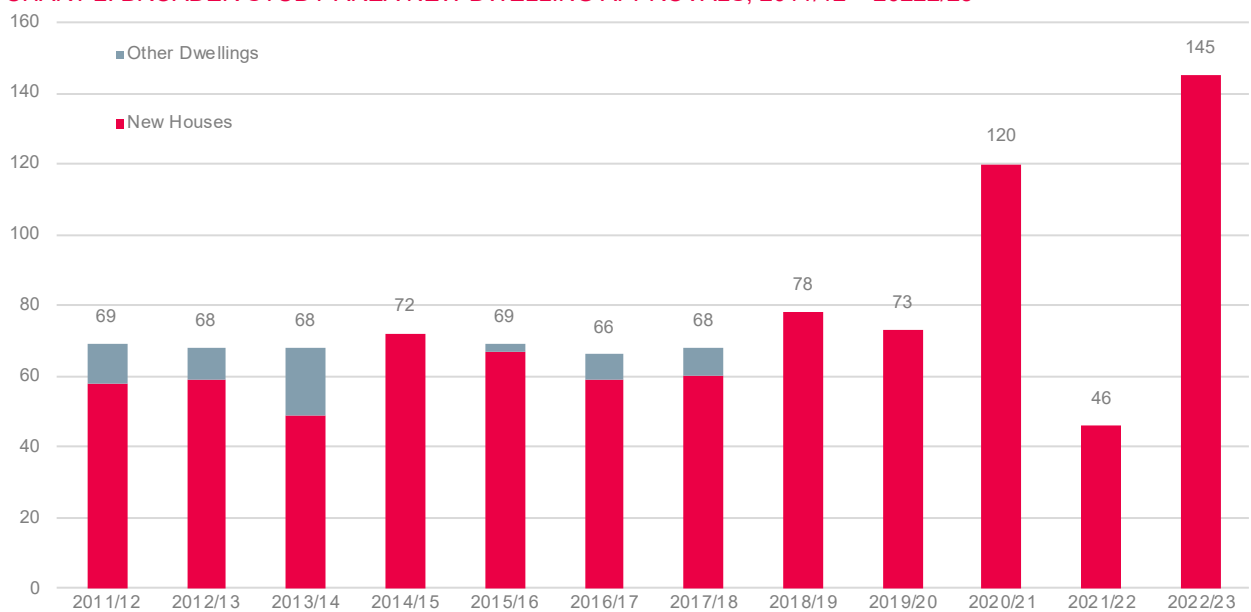
*All figures as at June and based on 2021 SA1 boundary definition.  
Sources : ABS; Tas. Department of Treasury and Finance*

**CHART 1. LOCAL STUDY AREA NEW DWELLING APPROVALS, 2011/12 – 2022/23**



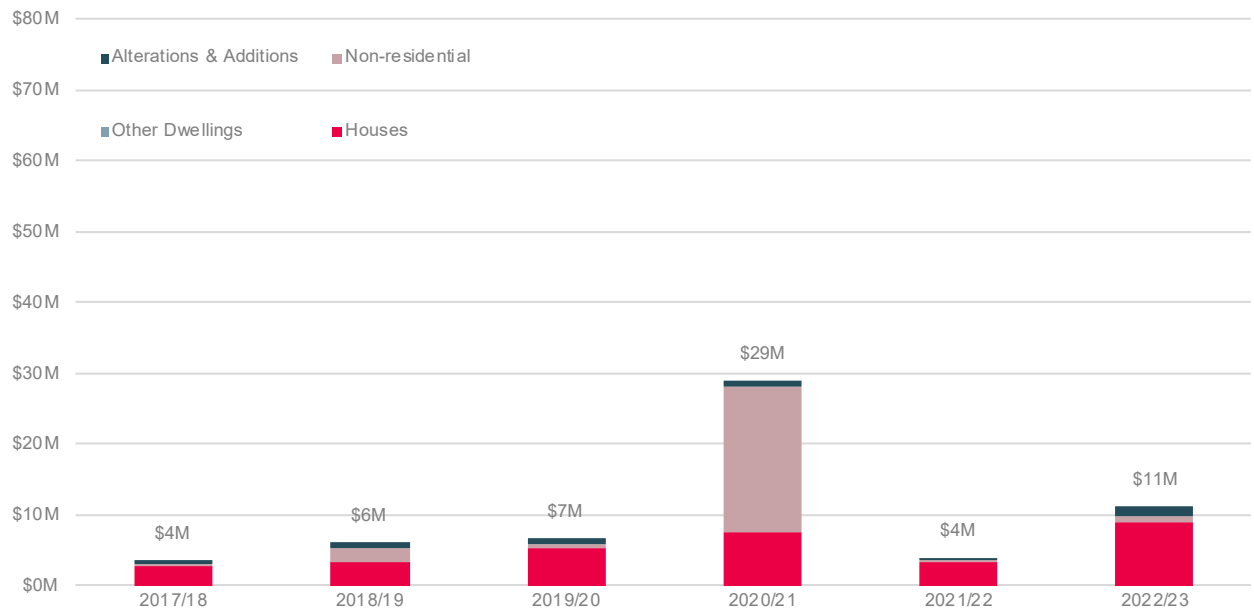
Source: ABS

**CHART 2. BROADER STUDY AREA NEW DWELLING APPROVALS, 2011/12 – 2022/23**



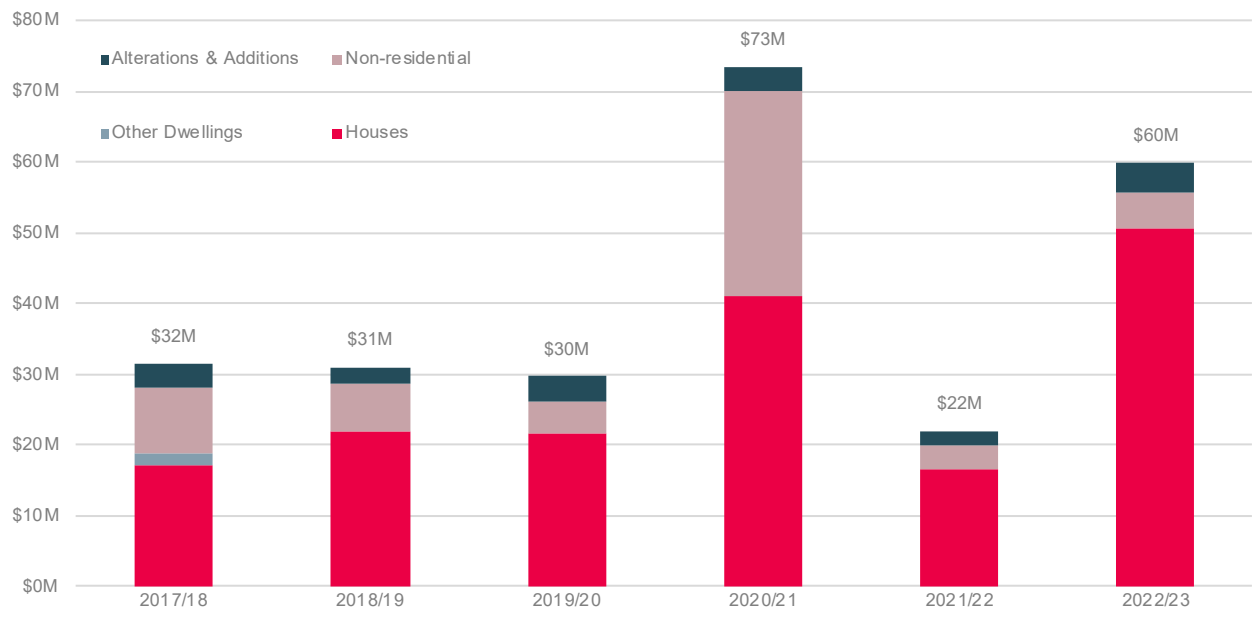
Source: ABS

**CHART 3. LOCAL STUDY AREA VALUE OF NEW BUILDING APPROVALS (\$M), 2011/12 – 2022/23**



Source: ABS

**CHART 4. BROADER STUDY AREA VALUE OF NEW BUILDING APPROVALS (\$M), 2011/12 – 2022/23**



Source: ABS

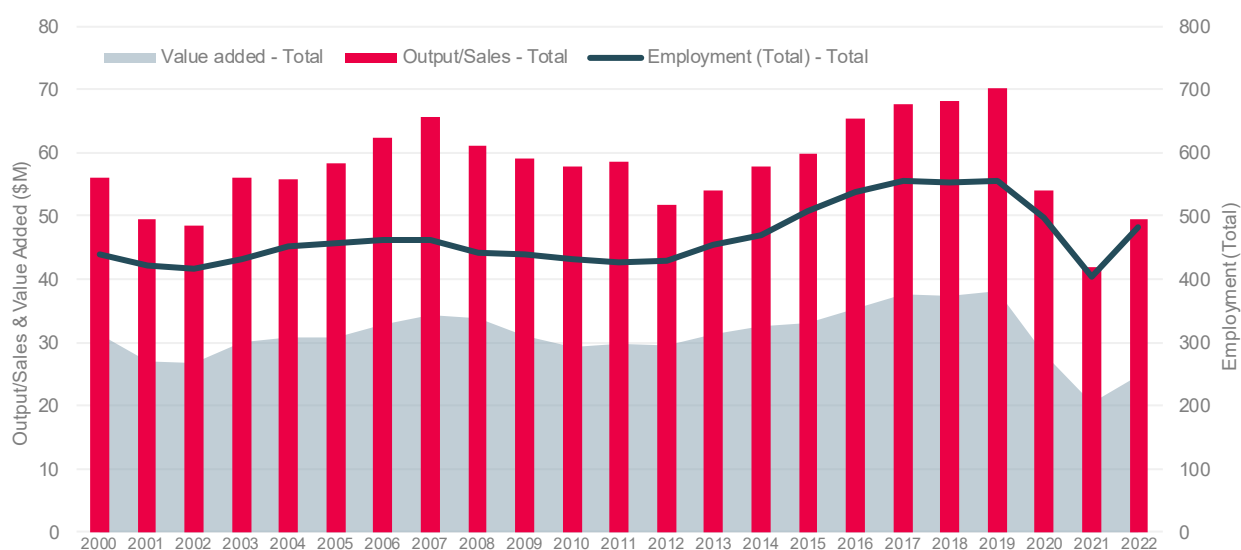


TABLE 2. SOCIO.ECONOMIC PROFILE, 2021 CENSUS

Characteristic	Local Study Area	Broader Study Area	Tasmania Average	Australia Average
<b>People</b>				
<b>Age Distribution (% of Pop'n)</b>				
Aged 0-14	15.1%	15.1%	16.3%	18.0%
Aged 15-19	5.7%	5.5%	5.3%	5.7%
Aged 20-29	9.7%	10.1%	12.6%	13.3%
Aged 30-39	10.5%	10.4%	13.1%	14.6%
Aged 40-49	12.3%	11.0%	11.6%	13.0%
Aged 50-59	14.7%	14.6%	13.2%	12.5%
Aged 60+	32.0%	33.3%	27.8%	23.0%
Average Age	44.6	44.8	42.0	39.5
<b>Birthplace (% of Pop'n)</b>				
Australian	91.1%	91.2%	85.1%	72.0%
Overseas	8.9%	8.8%	14.9%	28.0%
• Asia	0.9%	1.2%	5.9%	12.1%
• Europe	5.6%	5.4%	5.2%	7.2%
• Other	2.4%	2.2%	3.8%	8.7%
<b>Family</b>				
Average Household Size	2.3	2.3	2.3	2.5
<b>Family Type (% of Pop'n)</b>				
Couple with dep't children	36.5%	34.7%	36.9%	44.2%
Couple with non-dep't child.	7.7%	7.8%	7.0%	7.7%
Couple without children	30.1%	30.8%	28.0%	23.8%
Single with dep't child.	8.1%	8.6%	9.8%	8.6%
Single with non-dep't child.	3.5%	3.9%	4.0%	4.0%
Other family	0.5%	0.7%	0.9%	1.0%
Lone person	13.5%	13.6%	13.3%	10.8%
<b>Employment</b>				
<b>Income Levels</b>				
Average Per Capita Income	\$46,248	\$44,517	\$47,367	\$55,301
Per Capita Income Variation	-2.4%	-6.0%	n.a.	n.a.
Average Household Income	\$89,707	\$81,594	\$89,498	\$109,594
Household Income Variation	0.2%	-8.8%	n.a.	n.a.
<b>Housing</b>				
<b>Tenure Type (% of Dwellings)</b>				
Owned	79.5%	78.2%	71.8%	67.4%
Rented	19.8%	20.5%	26.5%	30.8%
Other Tenure Type	0.7%	1.3%	1.7%	1.8%
<b>Dwelling Type (% of Dwellings)</b>				
House	91.0%	90.5%	88.0%	72.6%
Semi-detached	6.9%	8.0%	6.1%	12.6%
Apartment	0.0%	0.3%	5.3%	14.2%
Other Dwelling Type	2.1%	1.3%	0.6%	0.5%

Sources: ABS Census of Population and Housing 2021

CHART 5. CENTRAL COAST LGA TOURISM VALUE, 2000 - 2022



Source: Economy.id; NEIR

TABLE 3. TASMANIA TOURISM DATA (STATE), 2005/06 – 2022/23

Financial Year	Domestic			International			Total			
	Visitors ('000)	Nights ('000)	Expend. (\$M)	Visitors ('000)	Nights ('000)	Expend. (\$M)	Visitors ('000)	Nights ('000)	Expend. (\$M)	
<b>Tasmania</b>										
2006	711	n.a.	n.a.	106	n.a.	n.a.	816	6,609	\$1,168	
2011	746	5,140	\$1,303	149	2,910	\$257	895	8,050	\$1,560	
2016	946	6,790	\$1,682	224	3,410	\$368	1,170	10,200	\$2,050	
2019	Pre-Covid	1,020	6,370	\$1,972	300	4,510	\$528	1,320	10,880	\$2,500
2021	Covid	573	5,643	\$1,446	4	187	\$14	577	5,830	\$1,460
2023		1,122	10,320	\$3,345	158	1,660	\$508	1,280	11,980	\$3,853
<b>Ave. Annual Growth Rate (%)</b>										
2006- 2011	1.0%	-	-	7.1%	-	-	1.9%	4.0%	6.0%	
2011 - 2016	4.9%	5.7%	5.2%	8.5%	3.2%	7.4%	5.5%	4.8%	5.6%	
2016 - 2019	2.5%	-1.3%	3.2%	6.0%	5.8%	7.5%	2.4%	1.3%	4.0%	
2016 - 2021	-9.6%	-3.6%	-3.0%	-55.5%	-44.0%	-48.0%	-13.2%	-10.6%	-6.6%	
2021 - 2023	40.0%	35.2%	52.1%	535.7%	197.9%	502.4%	49.0%	43.3%	62.5%	
<b>2006 - 2023</b>	<b>3.9%</b>	<b>-</b>	<b>-</b>	<b>3.4%</b>	<b>-</b>	<b>-</b>	<b>3.8%</b>	<b>5.1%</b>	<b>10.5%</b>	
<b>2011 - 2023</b>	<b>3.5%</b>	<b>6.0%</b>	<b>8.2%</b>	<b>0.5%</b>	<b>-4.6%</b>	<b>5.8%</b>	<b>3.0%</b>	<b>3.4%</b>	<b>7.8%</b>	
<b>2019 - 2023</b>	<b>2.4%</b>	<b>12.8%</b>	<b>14.1%</b>	<b>-14.9%</b>	<b>-22.1%</b>	<b>-1.0%</b>	<b>-0.8%</b>	<b>2.4%</b>	<b>11.4%</b>	

Source: Tourism Research Australia & Tourism Tasmania Annual Reports 2006 - 2023

**TABLE 4. CENTRAL COAST LGA TOURISM DATA, 2018/19 (2022/23 ESTIMATE)**

Category	Domestic Day Trippers	Domestic Overnight	International	Total Visitors
<b>Visitor Numbers</b>				
Visitors ('000)	129	65	4	<b>198</b>
Visitor Nights/Days ('000)	129	230	32	<b>390</b>
Average length of stay (nights)	0	4.0	8.0	<b>n.a.</b>
Expenditure (\$M)	\$10	\$31	\$2	<b>\$42</b>
Average expenditure per visitor (\$)	\$78	\$476	\$374	<b>\$215</b>
Average expenditure per day/night (\$)	\$78	\$134	\$49	<b>\$124</b>
<b>Projections</b>				
<b><u>2022/23 Estimates</u></b>				
Visitors ('000)	140	70	2	<b>212</b>
<i>State Ave. Ann. Growth Rate (2019 - 2023)</i>	<i>2.0%</i>	<i>2.0%</i>	<i>-15.0%</i>	
Visitor Nights/Days ('000)	140	307	17	<b>463</b>
<i>State Ave. Ann. Growth Rate (2019 - 2023)</i>	<i>2.0%</i>	<i>7.5%</i>	<i>-15.0%</i>	
Average length of stay (nights)	0	4.4	7.9	<b>n.a.</b>
<b><u>2040/41 Projected</u></b>				
Visitors ('000)	199	100	4	<b>303</b>
<i>Ave. Ann. Growth Rate (2023 - 2041)</i>	<i>2.0%</i>	<i>2.0%</i>	<i>3.0%</i>	
Visitor Nights/Days ('000)	199	438	28	<b>666</b>
<i>Ave. Ann. Growth Rate (2023 - 2041)</i>	<i>2.0%</i>	<i>2.0%</i>	<i>3.0%</i>	
Average length of stay (nights)	0	4.4	7.9	<b>n.a.</b>

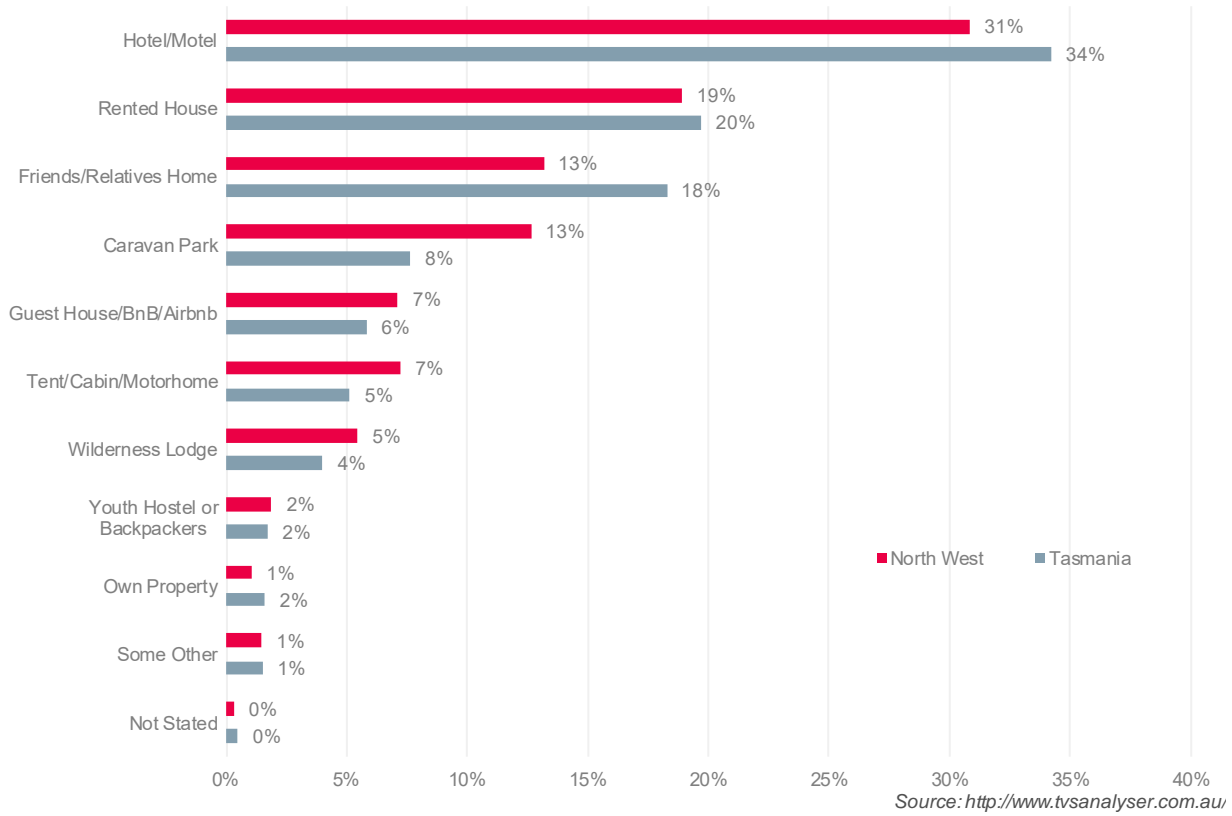
Source: Tourism Research Australia, 2019; Tasmania Annual Reports 2006 - 2023

**TABLE 5. ACCOMMODATION DATA, NORTH WEST REGION & TASMANIA (2020 – 2023)**

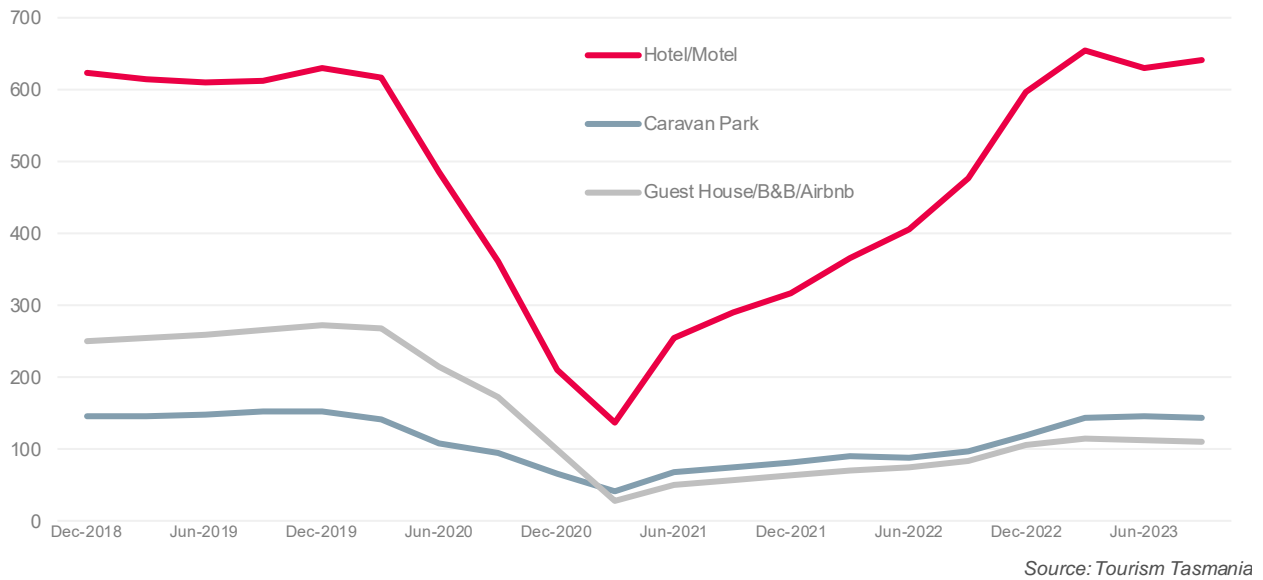
Component	North West Region				Tasmania			
	2020	2021	2022	2023	2020	2021	2022	2023
Supply (nights available)	118,800	101,800	114,400	126,000	1,246,600	1,035,700	1,147,600	1,336,800
Demand (nights booked)	57,500	58,800	72,300	83,800	662,400	577,600	694,000	886,700
Occupancy (%)	48%	58%	63%	66%	53%	56%	60%	66%
ADR (\$)	\$156.00	\$186.00	\$246.00	\$261.00	\$178.00	\$220.00	\$289.00	\$296.00
RevPAR (\$)	\$75.00	\$107.00	\$156.00	\$173.00	\$94.00	\$123.00	\$175.00	\$196.00
Revenue (\$M)	\$9.00	\$10.90	\$17.80	\$21.80	\$117.70	\$127.10	\$200.50	\$262.10

Source: Tasmania Tourism Snapshot (2020 - 2023)

**CHART 6. PROPORTION OF RESPONDENTS BY ACCOMMODATION TYPE, REGION COMPARISON 2023**

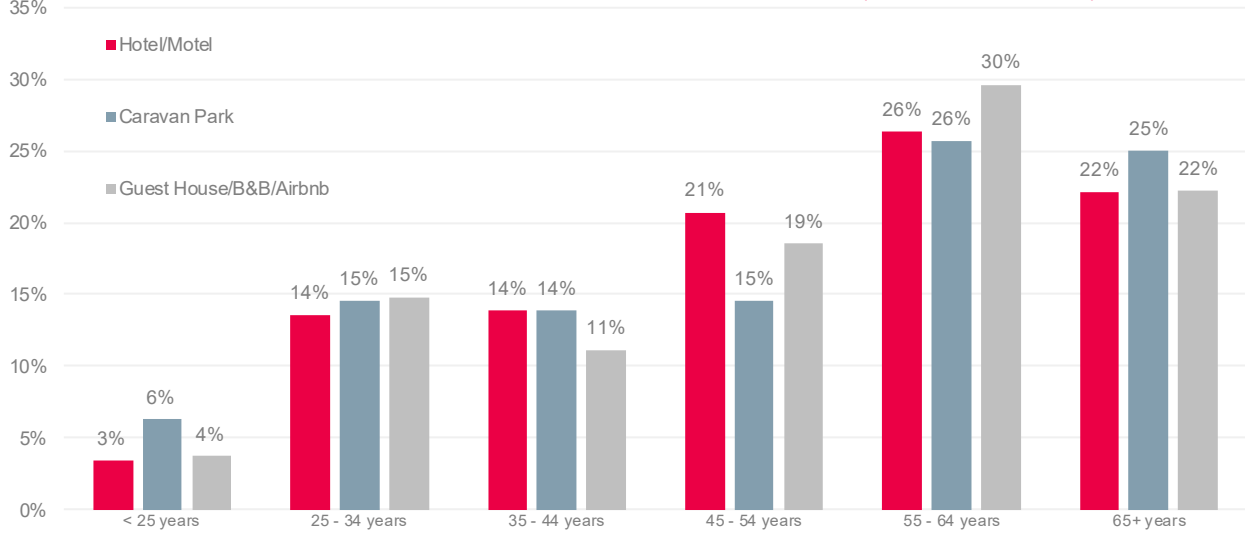


**CHART 7. MONTHLY VISITOR RESPONDENTS BY ACCOMMODATION TYPE, TASMANIA (YEAR TO SEP-2023)**



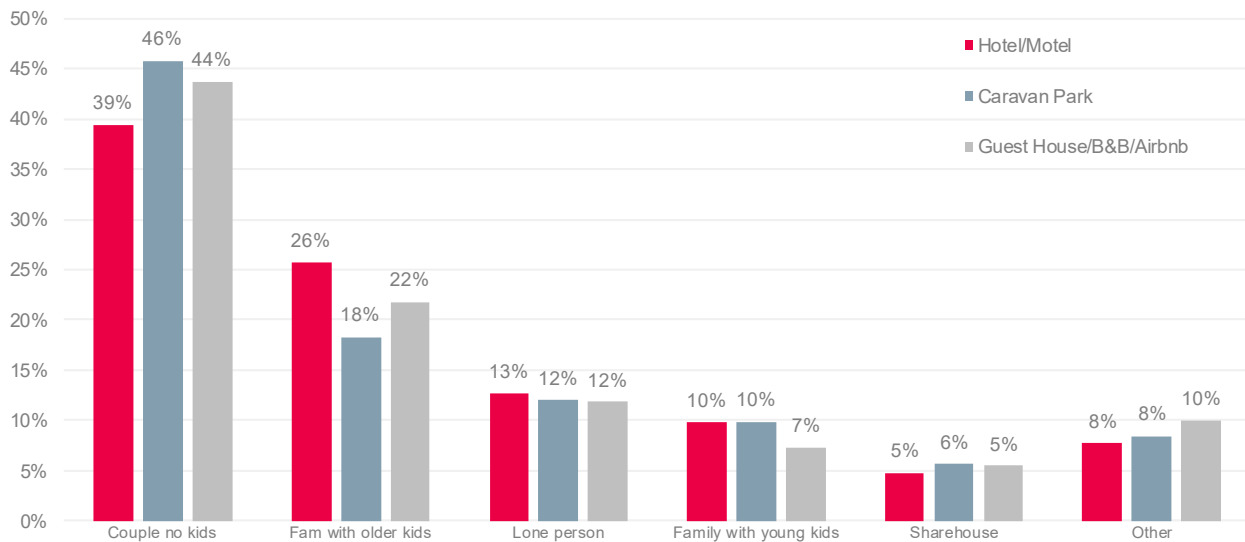


**CHART 8. VISITOR RESPONDENTS BY ACCOMM. TYPE & AGE, TASMANIA (YEAR TO SEP-2023)**



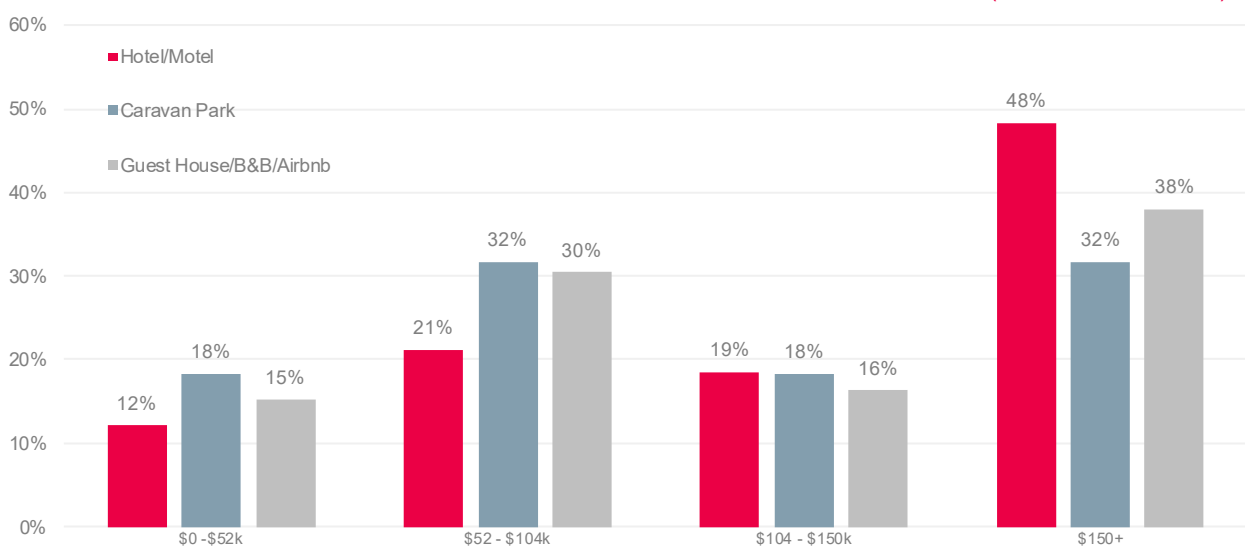
Source: Tourism Tasmania

**CHART 9. VISITOR RESPONDENTS BY ACCOMM. TYPE & TRAVEL PARTY, TASMANIA (YEAR TO SEP-2023)**



Source: Tourism Tasmania

**CHART 9. VISITOR RESPONDENTS BY ACCOMM. TYPE & TRAVEL PARTY, TASMANIA (YEAR TO SEP-2023)**



Source: Tourism Tasmania

**TABLE 6. AIRBNB LISTINGS**

Accommodation Type / Metric	Local Study Area	Broader Study Area	Tasmania (State)
<b>Airbnb</b>			
<b>Facilities (no.)</b>	54	160	5972
<b>Beds</b>			
• Total	156	436	16,318
• Average	2.89	2.73	2.73
<b>Bedrooms</b>			
• Total	110	324	12,874
• Average	2.04	2.03	2.16
<b>Pricing / Review</b>			
• Ave. per Night	\$215	\$194	\$253
• Ave. Star Rating	4.85	4.87	4.83

Source: Location iQ databases; ABS; Airbnb; Hotels.com

**TABLE 7. CARAVAN PARKS & CAMPSITES**

Name	Address	Type	Powered Sites	Ave. Price per Night
<b>Local Study Area</b>				
Penguin Caravan Park	6 Johnsons Beach Rd, Penguin	Caravan Park & Camping	22	\$35 - \$55
Midway Point	Preservation Dr, Sulphur Creek	Campsite	n.a.	0
<b>Elsewhere Broader Study Area</b>				
Apex Beachside Holiday Park Ulverstone	Queen St, West Ulverstone	Caravan Park & Camping	91	\$35
Wings Wildlife Park	137 Winduss Rd, Gunns Plains	Caravan Park & Camping	10	\$10
Pioneer Park Camping Ground	1399 Pine Road, Riana	Caravan Park & Camping	10	\$12 - \$26
OC Ling Caravan Park	45 Esplanade, Turners Beach	Caravan Park & Camping	12	\$20 - \$25
Big4 Ulverstone Caravan Park	57 Water St, Ulverstone	Caravan Park & Camping	71	\$52 - \$66
Leven River Camping	210 Purtons Rd, North Motton	Campsite	n.a.	\$25 - \$30
Paton Park Scout Camp	630 Allison Rd, North Motton	Campsite	n.a.	\$0
Leven Canyon Picnic Area	Leven Canyon Road, Nietta	Campsite	n.a.	\$0

Source: Location iQ Databases; caravanparkstasmania.com

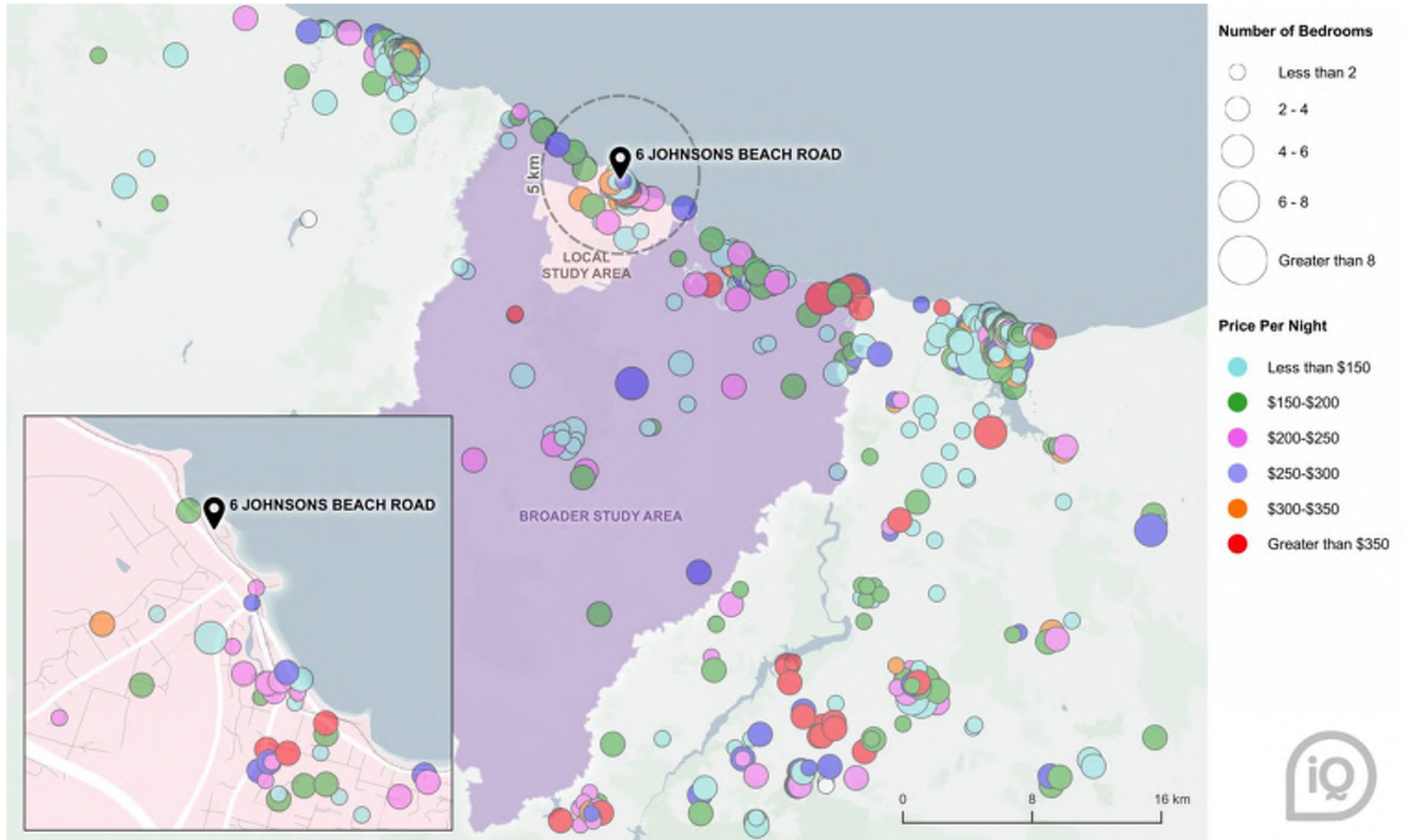
**TABLE 8. HOTELS, MOTELS & OTHER**

Name	Address	Type	Rooms / Apartments	Ave. Price per Night
<b>Local Study Area</b>				
Penguin Caravan Park	6 Johnsons Beach Rd, Penguin	Holiday Park	25	\$130 - \$180
Penguin Waterfront Escape	68a Main Rd, Penguin	Apartments	3	\$200 - \$300
The Madsen Boutique Hotel & Apartments	6A King Edward St, Penguin	Boutique Hotel & Apartments	11	\$150 - \$350
Penguin Beachfront Apartments	52 Main Rd, Penguin	Apartments	2	\$190 - \$220
High on Penguin	13 Kelvin St, Penguin	Bed & Breakfast	1	\$280 - \$320
Empty Nest Accommodation	36-42 Main Rd, Penguin	Bed & Breakfast	4	\$200 - \$310
Penguin Hotel	84 Main Rd, Penguin	Hostel	24	* \$30-50
Penguin - Neptune Grand	84 Main Rd, Penguin	Hostel	24	* \$30-50
Farmlet By The Sea	224 Main Rd, Penguin	Bed & Breakfast	1	n.a.
Glenbrook House & Cottage B&B	89/91 Browns Ln, Penguin	Bed & Breakfast	1	\$130 - \$150
The Rustic Hut Bush Retreat	851 Ironcliffe Rd, Penguin	Boutique Hotel	4	\$245 - \$275
<b>Elsewhere Broader Study Area</b>				
Black Rock Retreat	77 Reynolds Rd, Howth	Boutique Hotel	1	\$345 - \$395
Blueberry B&B	260 Cuprona Rd, Heybridge	Bed & Breakfast	1	n.a.
Inglenook by THE Sea	360 Preservation Dr, Sulphur Creek	Bed & Breakfast	2	* n.a.
Kaydale Lodge	250 Loongana Rd, Nietta	Boutique Hotel	3	\$140 - \$180
Furners Hotel	42 Reibey St, Ulverstone	Boutique Hotel	12	n.a.
The Lighthouse Hotel	33 Victoria St, Ulverstone	Boutique Hotel	25	\$125 - \$250
Beachway Motel & Restaurant	1-5 Heathcote St, Ulverstone	Motel	29	\$200 - \$250
Amarè Beachside Luxury	43 Esplanade, Turners Beach	Boutique Hotel	2	\$400 - \$500
Ulverstone Waterfront Apartments	8 Tasma Parade, Ulverstone	Apartments	4	\$200 - \$250
Seasonal South Motel & Function Centre	49-51 Eastland Dr, Ulverstone	Apartments	15	\$70 - \$120
Ulverstone River Edge Apartments	7 Helen St, West Ulverstone	Boutique Hotel	5	\$180 - \$250
Ulverstone River Retreat Accommodation	37 Lobster Creek Rd, Ulverstone	Bed & Breakfast	2	\$150
Winterbrook House Bnb	28 Eastland Dr, Ulverstone	Bed & Breakfast	1	\$150 - \$200
Boscobel Of Tasmania	27 South Rd, West Ulverstone	Bed & Breakfast	4	\$250 - \$350
Beachway Motel & Restaurant	1-5 Heathcote St, Ulverstone	Motel	27	\$90 - \$200
Gollan House	Unit 3/58 King Edward St, Ulverstone	Boutique Hotel	1	n.a.
Moonlight Bay Accommodation	139 Penguin Rd, West Ulverstone	Bed & Breakfast	8	n.a.
BIG4 Ulverstone Holiday Park	57 Water St, Ulverstone	Bed & Breakfast	17	\$165 - \$200

Source: Location iQ Databases; hotels.com

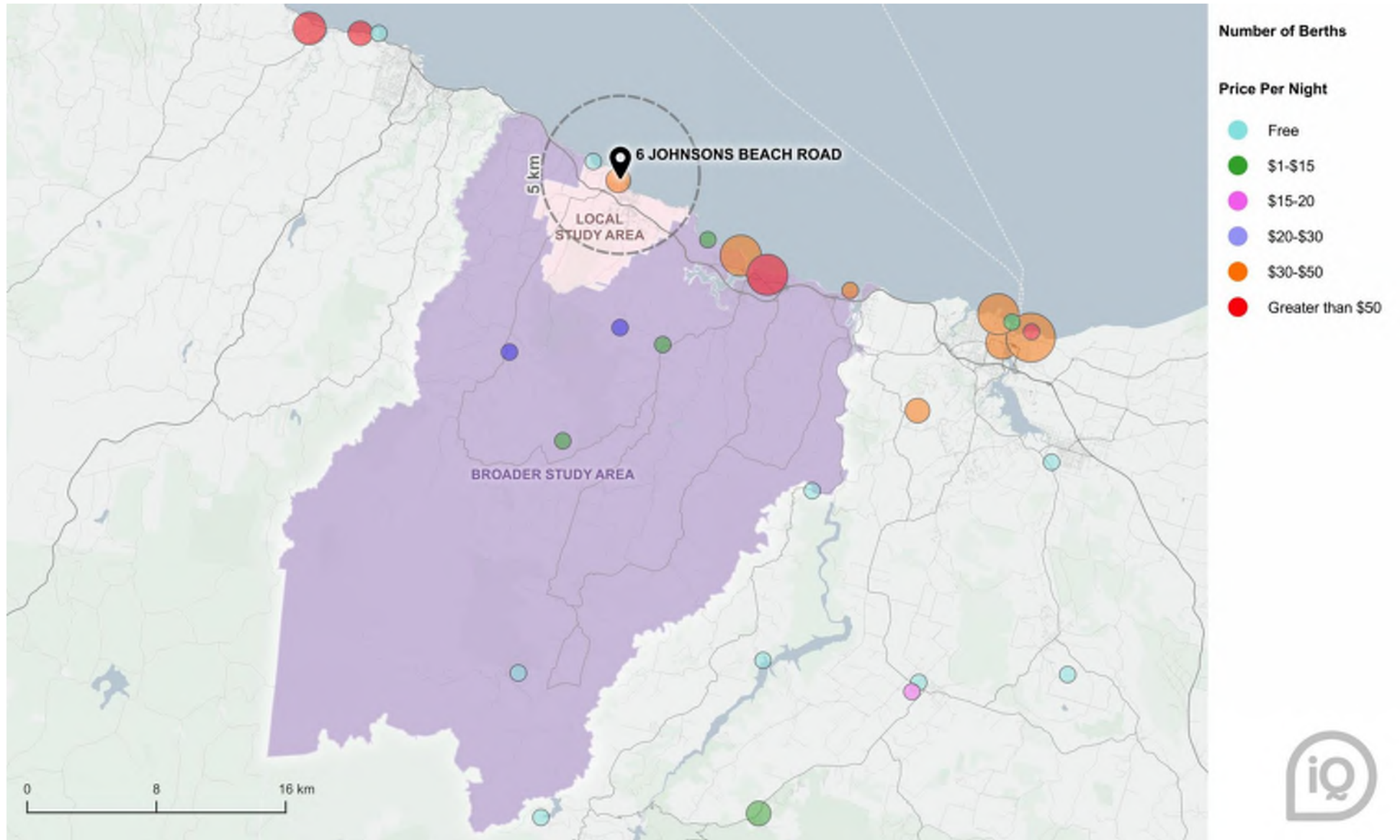
Estimated \*

MAP 4. AIRBNB LISTINGS

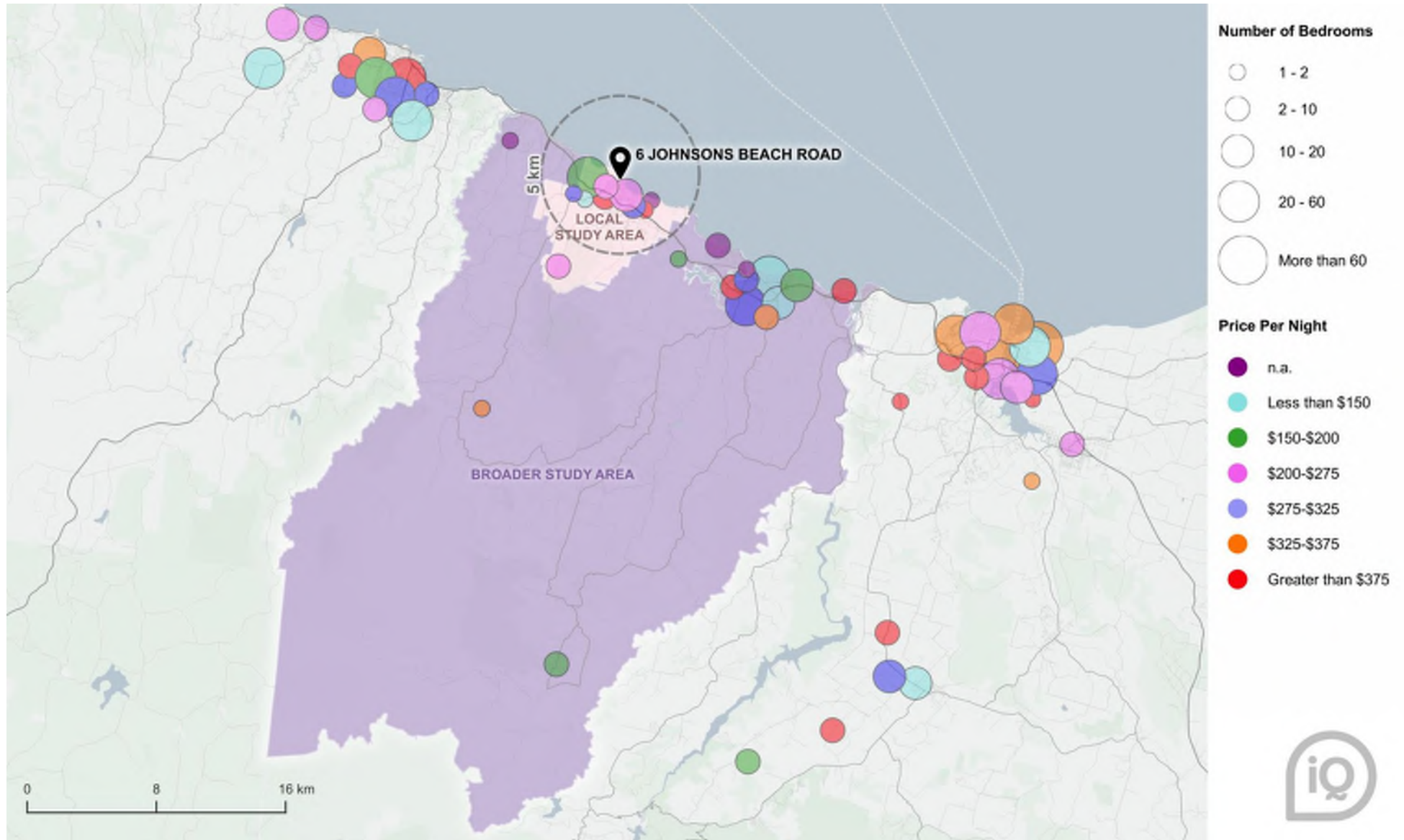




MAP 5. CARAVAN, CAMPING & RV-FRIENDLY LOCATIONS



MAP 6. HOTELS



**TABLE 9. EMPLOYMENT TABLES: ONGOING EMPLOYMENT-GENERATION**

Component	Employment Potential	
	Indic. Total Jobs	Net Increase <sup>1</sup>
<b>Short Stay Accommodation</b>		
Staff / Employment	15	13

1. Indicates the estimated number of net additional ongoing jobs as a result of the proposed development  
 Source : Australian National Accounts: Input-Output Tables 1996-97

**TABLE 10. EMPLOYMENT TABLES: CONSTRUCTION-GENERATED FUTURE ADDITIONAL EMPLOYMENT**

Metric	Total Development
<b>Estimated Capital Costs of Construction</b>	
Estimated Capital Costs 2022/23 (\$M)*	\$28.0
Estimated Capital Costs 1996/97 (\$M)	\$12.6
<b>Direct Employment Generation</b>	
Construction Jobs per \$1 million (2021/22)	3.15
<b>Total Construction Jobs<sup>1</sup></b>	<b>88</b>

Source : Australian National Accounts: Input-Output Tables 1996-97  
 Employment totals include both full-time and part-time work. Indicates the estimated number of jobs over the life of the construction project plus ongoing multiplier effects, for the equivalent of one year

**TABLE 11. EMPLOYMENT TABLES**

Metric / Category	Est. Net Employment Increase <sup>1</sup>	Employment Multiplier Effects	Total Employment
<b>Ongoing Employment from Planned Development</b>			
Staff / Employment	13	12	25
<b>Construction Phase</b>			
Direct Employment Generation	88	141	229
<b>Net Additional Employment</b>		<b>154</b>	<b>255</b>

1. Net increase includes an allowance for reduced employment levels at impacted centres estimated at 10% of the total increase



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**Contact Us**

(02) 8248 0100

Level 27 | 25 Martin Place


Sydney NSW 2000

[locationiq.com.au](http://locationiq.com.au)



6 JOHNSONS BEACH ROAD, PENGUIN



 <b>CENTRAL COAST COUNCIL</b> <b>LAND USE PLANNING</b>	
Received:	<b>07/02/2024</b>
Application No:	<b>DA2022107</b>
Doc ID:	<b>477765</b>

## 6 JOHNSONS BEACH ROAD, PENGUIN

---

### **Planning Scheme Amendment Request**

### ***Tasmanian Planning Scheme - Central Coast***

Last Updated - January 2024

Author - Michela Fortini / Phil Gartrell

Review - Irene Duckett

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#### **TASMANIA**

49 Tasma Street, North Hobart TAS 7000

Tel 03 6234 9281

Fax 03 6231 4727

Mob 0418 346 283

Email [planning@ireneinc.com.au](mailto:planning@ireneinc.com.au)

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## EXECUTIVE SUMMARY

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This reports forms part of a request for an amendment to the *Tasmanian Planning Scheme - Central Coast*. A request for an amendment to the Scheme are to be made in accordance with the requirements of the Act under Section 32 and 34. For amendments which include a permit application, additional requirements are set out under S40T.

The subject land is located at 6 Johnsons Beach Road, Penguin. The site currently supports an existing caravan park.

The report is divided into two parts. Part A deals with the proposed amendments to the Planning Scheme including consideration against strategic documents, the requirements of LUPAA, and the relevant State Policies.

The proposed amendment seeks to modify the existing use qualification for Visitor Accommodation within the Open Space zone, to allow visitor accommodation (other than for camping and caravan park or overnight camping).

Part B deals with an application for development of Visitor Accommodation and a Function Centre. This section will consider the relevant provisions of the *Tasmanian Planning Scheme - Central Coast* (as if amended).

The application is accompanied by the following documentation:

- Certificate of Title & Schedule of easements
- Architectural set, Dickson Rothschild Architecture, March 2022
  - DA-0-001, COVER SHEET, REV D, 05/04/22
  - DA-0-101, SITE LOCAION PLAN, REV B, 10/03/22
  - DA-0-103, SITE SURVEY, REV A, 06/09/2021
  - DA-0-111, SITE PLAN, REV E, 05/04/22
    - Amended - REV. F (2023)
  - DA-0-401, SITE SECTIONS, REV C, 10/03/22
    - Amended - REV. X (2024)
  - DA-0-941, EXTERNAL FINISHES AND MATERIALS, REV B, 05/04/22
  - DA-0-951, SHADOW ANALYSIS - SHEET 1, REV A, 05/04/22
  - DA-0-952, SHADOW ANALYSIS - SHEET 1, REV A, 05/04/22
  - DA-0-211, FUNCTION CENTRE GROUND FLOOR PLAN, REV B, 06/09/21
  - DA-0-212, FUNCTION CENTRE LEVEL 1 FLOOR PLAN, REV B, 06/09/21
  - DA-0-963, ROOF PLAN, REV B, 06/09/21
  - SK01 FUNCTION CENTRE IMPRESSION, FRONT ELEVATION
  - SK01 FUNCTION CENTRE IMPRESSION, LEFT SIDE ELEVATION
  - SK01, FUNCTION CENTRE IMPRESSION, REAR ELEVATION
  - SK01 FUNCTION CENTRE IMPRESSION, RIGHT SIDE ELEVATION
  - DA-0-211, GROUND FLOOR PLAN, REV B, 10/03/22
  - SK01 APARTMENT IMPRESSION, REAR ELEVATION

- DA-0-211, FLOOR AND ROO PLAN, REV C, 10/03/22
- SK01 HOUSE IMPRESSION, FRONT ELEVATION
- SK01 HOUSE IMPRESSION, REAR ELEVATION
- Demolition Plan
- Photo Montages - as requested by Tasmanian Planning Commission (2023).
- Aboriginal Heritage Search Record
- Unanticipated Discovery Plan
- Planning report, Ireneinc Planning and Urban Design, April 2022
  - Amended January 2024.
- Coastal Vulnerability Assessment, Geo-Environmental Solutions, July 2021
- Traffic Impact Assessment, Howarth Fisher and Associates, March 2022
  - Supplementary Traffic Impact Assessment, Traffic & Civil Services 2024.
- Acoustic Report, Takarri Engineering, March 2022

The amendment will bring the site into greater conformity with the intent of the Cradle Coast Regional Land Use Strategy (CCRLUS) and the Central Coast Strategic Plan, which will be detailed further in this report.

# INTRODUCTION

Ireneinc Planning and Urban Design has been engaged to prepare an amendment to the planning provisions for the land at 6 Johnsons Beach Road, Penguin. This report forms part of the request for an amendment to the *Tasmanian Planning Scheme - Central Coast*. In accordance with the Savings and Transitional Provisions of Schedule 6 of the Land Use Planning and Approval Act 1993 (the Act), requests for amendments to the Scheme are to be made in accordance with the former requirements of the Act under S40T. This report includes the strategic background and consideration of the proposed amendment against the requirements of LUPAA and the State policies.

The proposed amendment is to modify existing use qualifications for Visitor Accommodation within the Open Space zone, to facilitate the proposed development.

## 1.1 SITE DESCRIPTION

The site is located at 6 Johnsons Beach Road, Penguin, and has a title reference of:

- CT 133946/1

The site is approximately 1.683 hectares in area and is located between the railway reserve and coastal frontage, with access from Johnsons Beach Road as illustrated by the following figure:

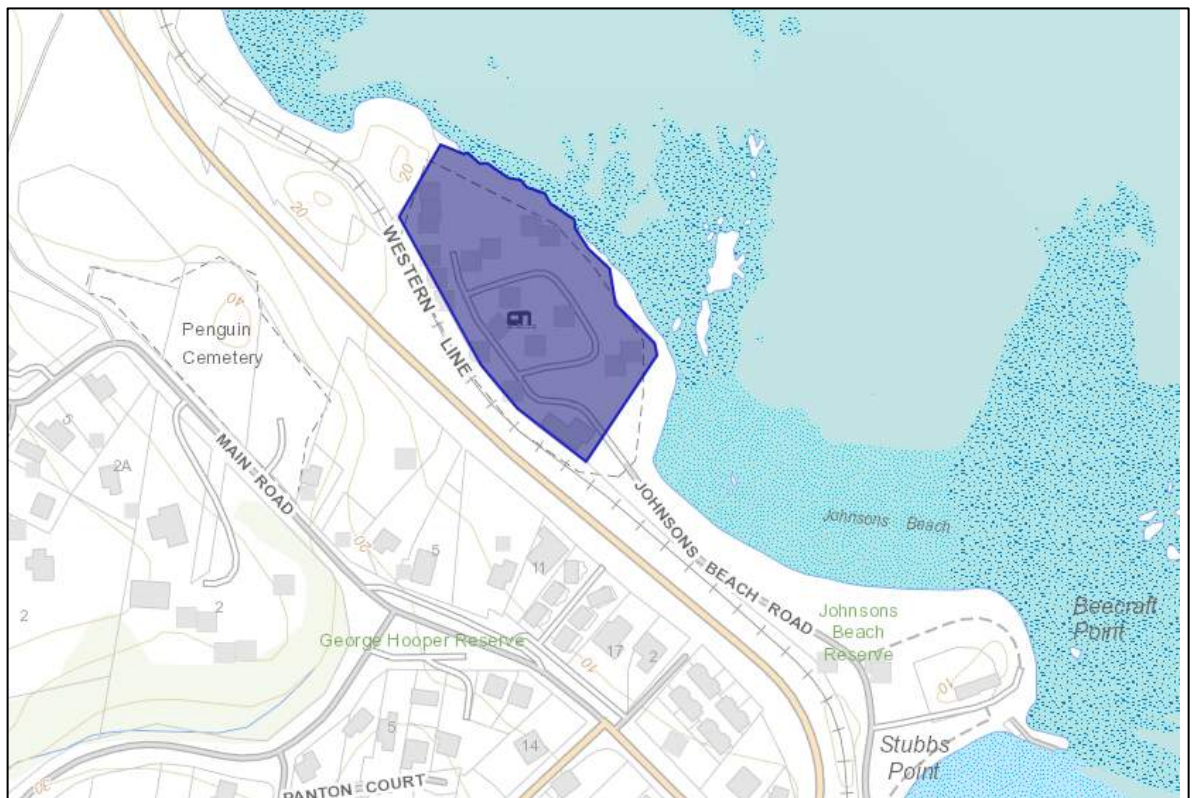


Figure 1 - Site Location (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

The site is predominantly cleared of vegetation and currently accommodates 25 long term rental cabins, 22 caravan/campervan powered sites, 20 campsites, a café/restaurant and a managers office. These features are illustrated in the following figure:





Figure 2: Aerial photo of existing structures on site (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

#### 1.1.1 Surrounding Land

The subject site is situated to the northwest of the township of Penguin and is surrounded by a range of land uses and development.



Figure 3: Zoning indicating surrounding land use (source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania).



Following the coastline to the northeast of the site, the land is zoned Environmental Management. Much of this environmental area along the foreshore is buffered by the Open Space Zone. Here, the open space zone provides for passive recreation and landscape amenity between development and the foreshore. Johnsons Beach reserve forms part of the Johnsons Beach Reserve Masterplan, which provides a framework for the improvement of recreational areas. The site, despite being zoned Open Space, is precluded from all local masterplans pertaining to open space.

Directly adjoining the southwestern boundary of the site is a Utilities zone reserved for the Western Line railway corridor. The railway line runs through Penguin, and there are a number of existing buildings which are in close proximity to it.

Adjacent to the railway line, the land to the west is zoned Community Purpose, which contains the Penguin Cemetery. This cemetery forms part of the community's heritage, with hundreds of early pioneer burials.

The land to the south of the railway line is predominantly zoned General Residential.

Approximately 150m south of the site is the Main Road, linking the site to the town centre (approximately 1.2km) which is zoned Local Business. The site is also linked by beach, and coastal walkway. The town centre is the main local service centre, which provides a number of amenities including supermarkets, cafes, a pharmacy and a number of other retail and commercial services.

#### 1.1.2 Topography

As shown in the following hill shade figure, the site has a relatively flat topography with a variance of less than 5m across its entirety.



Figure 4: Hill shade map with cadastre and 5m contours (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

### 1.1.3 Services

The site is fully serviced by water and sewerage.

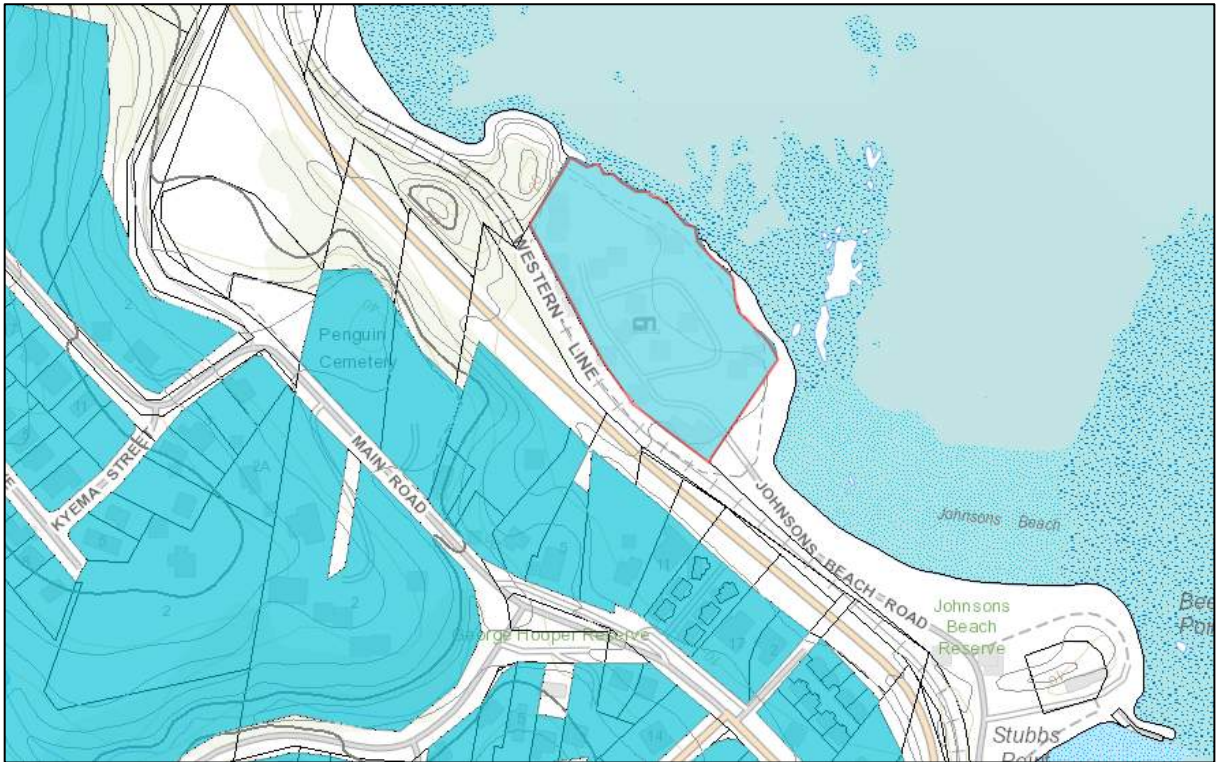


Figure 5: Water (blue) serviced land (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

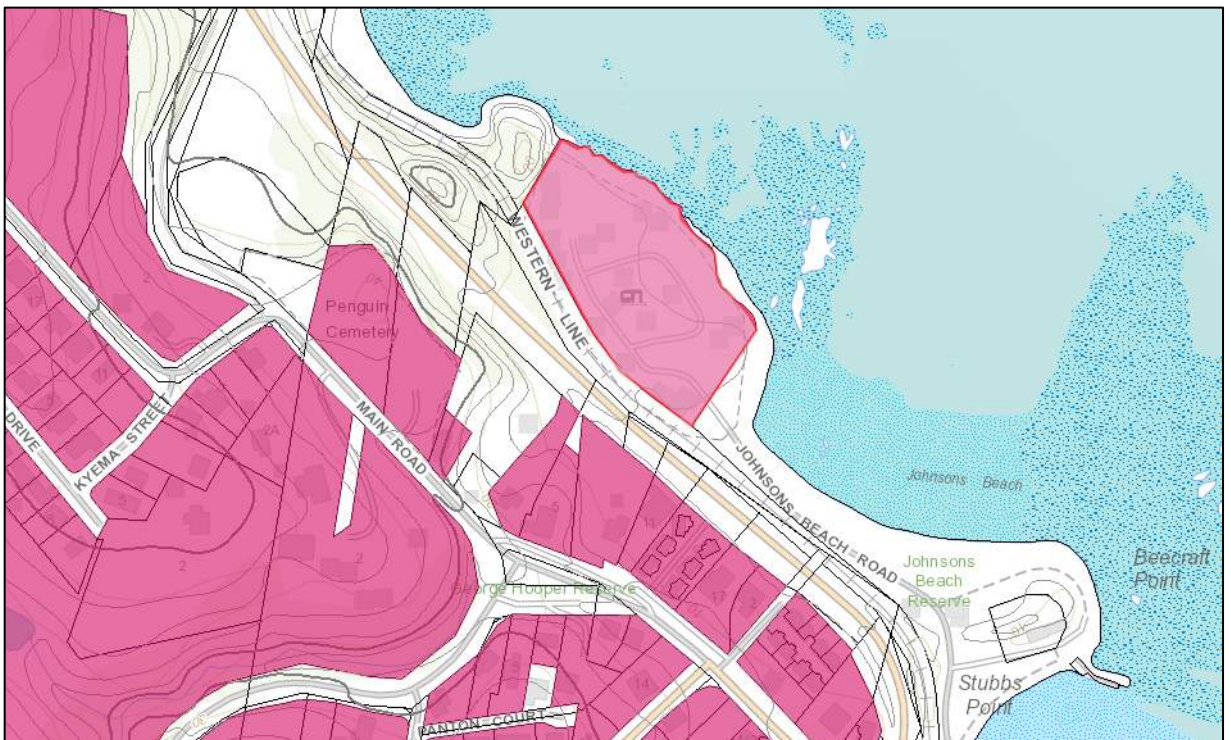


Figure 6: Sewer (pink) serviced land (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)



#### 1.1.4 Natural Values

The site is heavily modified and clear of substantial vegetation.

TasVeg 4.0 mapping of the site indicates that the land is mapped as a modified land (FUR) Urban Area. A Natural Values Atlas search of the property indicates that there are no identified threatened flora or fauna communities on the site.

However, Little Penguins have been known to frequent the area. As such, a survey is being prepared to determine the presence of any Little Penguins. If it is confirmed, a management plan is also to be prepared.



Figure 7: State aerial photo with Tas Veg 4.0 overlay (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

#### 1.1.5 Aboriginal heritage

An Aboriginal Heritage property search for the site identifies no registered Aboriginal relics or apparent risk of impacting Aboriginal relics. The Aboriginal Heritage Search Record as well as the Unanticipated Discovery Plan are attached as part of this proposal.

#### 1.1.6 European Heritage

The site is not listed on the Tasmanian Heritage Register and is not subject to the local Historic Heritage Code.

#### 1.1.7 Bushfire Risk

The site is located within 100m of land potentially prone to bushfire, and therefore the Bushfire-Prone Areas Code applies. The proposed amendment to the Planning Scheme will not result in changes to the way that the Code applies to the site. The risk is further addressed through a bushfire assessment in Part B (development application).

### 1.1.8 Traffic and access

The site has frontage to Johnsons Beach Road, which is accessible from the eastern portion of the site. Johnsons Beach Road provides connection to the Main Road, which is a primary transport corridor providing links between the surrounding suburbs and the Penguin Town Centre. The proximity of the site to the Penguin Beach foreshore ensures a high level of accessibility to points of interest within the locality.



Figure 8: Movement network (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © the State Government of Tasmania)



# PART A - PLANNING SCHEME AMENDMENT

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## 2. PLANNING SCHEME PROVISIONS

---

### 2.1 PREVIOUS PLANNING SCHEME PROVISIONS

Under the previous scheme - the *Central Coast Interim Planning Scheme 2013* - the proposal was zoned Recreation. Under the previous qualifications, the proposal was a discretionary use. Assessment against the previous scheme is explicated below:

Under the Recreation zoning of the *Central Coast Interim Planning Scheme 2013*, the **Zone Purpose Statements** of the Recreation zone were as follows:

*18.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.*

The proposed use of the site is for self-contained cabins and apartments. Together with the family-oriented nature of the accommodation, and proximity to the coast and recreational areas, the accommodation provides for vehicular parking, enabling the transportation of outdoor sporting accessories, such as bicycles, surfboards and kayaks, and are therefore more directly associated with outdoor sporting activities than other forms of accommodation. As there is no formal recreational use of the land, but rather the immediately adjacent coastal reserve and beach, the development of the site would not impact adversely on the recreational use of the land.

Under the zoning of the *Central Coast Interim Planning Scheme 2013*, the **Local Area Objectives** stated:

*18.1.2 Provide convenient and accessible opportunity for organised recreation events, structured physical activity, competitive sport, and hobbies or pursuits to meet municipal, sub-regional or regional requirements.*

As outlined above, the proposal provides supporting accommodation and convenient and accessible opportunity for physical activity, hobbies and pursuits on a municipal, sub-regional and regional level.

Under the zoning of the *Central Coast Interim Planning Scheme 2013*, the **Desired Future Character Statements** were as follows:

*18.1.3 Use or development on recreation land -*

- (a) may occur on natural and modified sites in urban and rural settings for indoor and outdoor activity.*
- (b) is not required to be comparable with development on adjacent land.*
- (c) may involve large outdoor facilities and highly modified sites, and include buildings and structures for administration, club room and change facilities, grandstands and spectator mounds, light towers and score boards, and facilities for vehicle parking.*
- (d) may involve indoor facilities in large buildings with distinctive typology, bulk and height, and include expansive external area for vehicle parking; and*
- (e) may impact on amenity of use on adjacent land through factors associated with the occupational and operational practices of recreation, including attendance by large numbers of people, high traffic volume and expansive vehicle parking, a large workforce or client base, duration and frequency of events, extended or intermittent hours of operation, and a readily apparent visual or operational presence within an urban or rural setting*

The proposed development was consistent with these statements.

Under the *Central Coast Interim Planning Scheme 2013*, the proposal fell under the use classification of Visitor Accommodation, Food Services, and Community Meeting and Entertainment. These uses were discretionary uses until the Tasmanian Planning Scheme came into effect.

The use class of Visitor Accommodation was as follows:

*use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.*

Visitor accommodation was therefore a discretionary use in the zone.

The definition of food services use class was as follows:

*use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.*

The use class was discretionary only if compliant with the following, otherwise prohibited:

*provide for the participants and spectators of a sports and recreation use on land within the zone; and not including a drive through in.*

The subject land is now subject to the *Tasmanian Planning Scheme - Central Coast*, and is therefore subject to the provisions of the new scheme. The following are relevant to any proposed use and development for the site.

## 2.2 EXISTING ZONING

The subject site is zoned Open Space. The land to the south-east, known as Johnsons Beach Foreshore, is also zoned Open Space. The Utilities zone borders the southern boundary of the site which covers the Western line railway corridor. Land located to the south of the Utilities is predominantly zoned General Residential, with a section of community purpose to the west.

## 2.3 OTHER RELEVANT PROVISIONS

Codes that may apply to future use and development on the site are described below. The provisions of the Codes will be addressed in Part B (development application) for the proposed redevelopment of the site.

### 2.3.1 Bushfire Prone Areas Code

The subject site is within 100m of potential bushfire prone vegetation on surrounding land. However, advice from Tasmanian Fire Service has indicated they do not consider the site bushfire prone.



Figure 9: Site indicating bushfire prone area (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

### 2.3.2 Coastal Erosion Hazard Code

The site is subject to the Coastal Erosion Hazard (high) overlay. This code covers approximately 7000 m<sup>2</sup> of the eastern portion of the site as seen in the figure below.

Therefore, all future use or development within this code must be assessed to comply with the applicable standards.

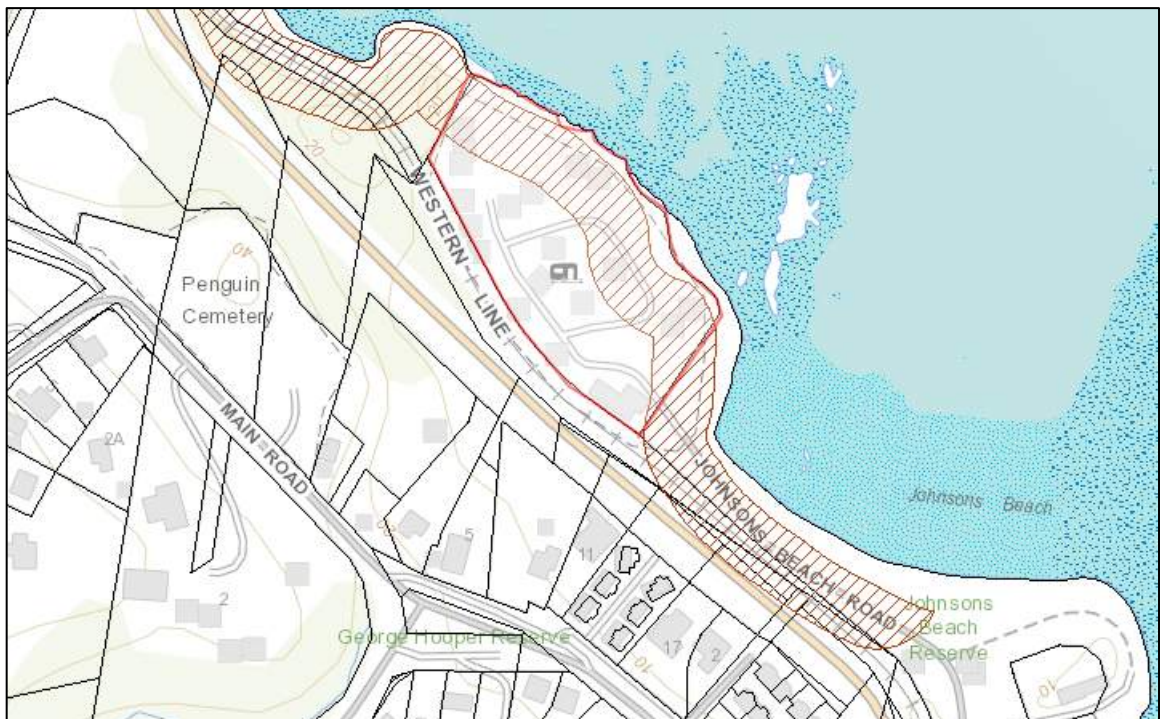


Figure 10: Topographic map with cadastre and Coastal Erosion overlay (hatched red lines) (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)



### 2.3.3 Coastal Inundation Hazard Code

The site is subject to high, medium and low risk Coastal Inundation Hazard areas. This code is applicable to approximately 600m<sup>2</sup> along the eastern portion of the site as seen in the figure below. Any works within the Inundation Hazard code will need to satisfy the applicable standards.



Figure 11: Topographic map with cadastre and Coastal inundation overlay (hatched blue lines) (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

### 2.3.4 Parking and Sustainable Transport Code

The standards of this code provide requirements for the continued safety and efficiency of the road network based on the uses being undertaken on the site. These require compliance with Australian Standards in regard to the design of junctions, accesses, maintaining sight lines and level crossings. The provisions of the Code will be addressed in the Development Application process for any proposed future use and development of the site.

### 2.3.5 Rail Corridor

The site is immediately adjacent to the Western line railway corridor, which is subject to the *Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016*. The act requires a referral to State Growth (DSG) for all new development within 50m of the rail corridor.

### 3. STRATEGIC ANALYSIS

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The following is an assessment of the strategic documents that are relevant to the future use and development of the subject land and site. Consideration is given to the *Cradle Coast Regional Land Use Strategy 2010-2030* (CCRLUS) as the key regional strategic document, and the Central Coast Strategic Plan as the key local strategic document.

#### 3.1 THE CRADLE COAST REGIONAL LAND USE STRATEGY 2010-2030

The *Cradle Coast Regional Land Use Strategy 2010-2030* (CCRLUS) is a regional plan that sets out the strategy and policy framework to manage change and growth in the Cradle Coast Region of Tasmania over the next 10 years. The document provides overarching strategic policies, directions, and actions to guide economic, social, and cultural growth throughout the Region.

The CCRLUS includes Regional Planning Policies to address the management of regional growth. The purpose of the CCRLUS is to guide land use and development in the region and as such the policies of the CCRLUS needs to be considered in relation to the proposed amendment. The following strategic policies are addressed as being particularly relevant to the proposal.

##### 3.1.1 Wise Use of Resources

Land use outcomes for the Wise Use of Resources are identified in the CCRLUS to ensure use and development maintains, safeguards, and enhances the natural resources of the Region. The strategy includes relevant policies for climate change mitigation and adaptation, water and land management.

#### **2.3 Land Use Policies for a Changing Climate**

- b) *Promote compact and contained settlement centres which allow reduced dependency on private vehicle use and the length of daily journeys by providing communities with ready local access to daily needs for employment, education, health care, retail and personal services and social and recreation facilities, including*
  - i. *a greater mix and less dispersal or segregation in the nature and distribution of land use*
  - ii. *provision of local activity centres where there is a concentrated mix of activity for shopping, working, studying, recreation and socialising clustered at readily accessible locations*
  - iii. *improvement in the level of internal connectedness and convenience for pedestrian, cycle and public transport options*

The location of the site in relation to Penguin ensures that the proposal meets land use policies for climate. The site will promote compact and contained settlement due to its proximity of the Penguin town centre (approximately 1.2km) which is 3 minutes by car, 4 minutes by bicycle, and a 13-minute walk. The site is well connected to pedestrian links along Johnsons Beach and the Penguin Beach foreshore. The overall proximity to the town centre will reduce dependency on private vehicles for visitors to the area. The site is in a well-positioned location to promote greater activity within Penguins local service centre.

The proposal is therefore considered to enhance policy outcomes.

#### **2.5 Land Use Policies for Land**

- a) *Recognise land is an irreplaceable and exhaustible resource*

- b) *Ensure the sustainable use or development of land in accordance with capability to provide the greatest economic and social for the region's communities benefit at least cost to natural values*
- c) *Identify land for*
  - i. *protection and conservation*
  - ii. *primary production*
  - iii. *economic activity*
  - vi. *tourism and recreation*

The CCRLUS recognises the inextricable connection between the land and sustainability of human cultural and economic systems. Land capability information indicates that the site is a heavily modified urban area, and is therefore not considered usable for primary production. There are also no identified areas for protection and conservation of natural values.

Redevelopment will provide supporting accommodation and convenient and accessible opportunity for physical activity, hobbies, and pursuits on a municipal, sub-regional and regional level. By enabling the redevelopment of visitor accommodation, the proposed amendment will provide a high level of amenity, bringing economic and social benefit to the community. The proposal is therefore considered to adhere to policy outcomes by ensuring that the use and development of the land is of the highest and best use.

#### **2.7 Land Use Policies for Conservation**

- f) *Require settlement development and growth has regard to likely adverse effect on areas of natural conservation value, including remnant vegetation, waterways and water bodies, and coastal systems*

The site is recognised as a heavily modified urban area, with a number of existing dwellings and a coastal batter that has been implemented along the sites coastal interface. This lends weight to the appropriateness of the land for development, as it is unlikely that the proposal will adversely impact local coastal systems and natural conservation values beyond the existing modifications. Hence ,the proposal is in accordance with the land use policy for conservation.

#### **2.8 Land Use Policies for Coastal Management**

- a) *Place limits on the expansion of urban and residential use and development within the coastal zone to avoid linear settlement patterns and encroachment onto areas of intact coastal environment*
- c) *Minimise or avoid use or development in areas subject to high levels of coastal hazard*
- e) *Require intensification and redevelopment within established settlements ensure continued and undiminished physical and visual public access to beaches, headlands and waterways*

The site is surrounded by the Johnsons Beach foreshore precinct, which is buffered from residential encroachment by the railway line. The site represents the only freehold parcel on the coastal edge of the railway line, and is located within the existing urban area. Due to these existing restrictions, the proposed amendment will not result in linear developments along the coastline. The proposed redevelopment would promote intensification within an existing settlement area, reducing overall sprawl along the foreshore.

Whilst a portion of the site is located within a high-risk area, the coastline has been heavily modified since 2016 in order to manage hazards of inundation and erosion. A Coastal Vulnerability Assessment prepared by GES in July 2021 has detailed that coastal erosion at the site is considered negligible

due to the construction of a boulder wall along the coastal interface. The site therefore retains an acceptable level of risk from coastal forces.

### 3.1.2 Support for Economic Activity

The CCRLUS states that the economy of the Cradle Coast Region is not self-contained and is dependent on economic flows at the inter-regional, national, and global level. Therefore, there is an imperative for the region to support economic activity by recognising the connectedness between the success of economic endeavour and security of access to resources, an attractive lifestyle, and health of the environment. A key outcome for the strategy is to expand economic activity in order to remain competitive and secure, hence the following policies are determined as relevant to the proposal.

#### **3.3.1 Economic Activity**

- c) *Ensure locations for employment use accommodate new forms and changing patterns of economic activity*
- d) *Promote provision of employment land in locations where -*
  - i. *land is physically capable of development*
  - ii. *transport access and utilities can be provided at reasonable economic, social and environmental cost*
  - iv. *sufficient separation can be provided to buffer impact on natural values, economic resources and adjoining settlement*

The CCRLUS recognises that the majority of settlement growth in the region is expected to occur in existing urban centres - including townships such as Penguin. As a result, more employment opportunities will be required to cater for steady growth in these regional townships.

Tourism in Tasmania currently contributes to almost 5% of GDP and employs some 6.2% of the workforce. Tourism in the Cradle Coast Region continues to show modest but steady growth in visitor numbers. Tourism and visitor services are recognised as an emerging economic strength; however, considerable infrastructure development is required.

The site is already used for visitor accommodation and is therefore considered physically capable of redevelopment for this purpose. The size of the site and its relative proximity and access to local services speaks to the appropriateness for redevelopment. The site is buffered from adjoining settlement by the western railway line and dense vegetation aligning the southern and western boundary of the site.

The accompanying Needs & Demand analysis prepared by Location IQ confirms that the proposal will result in a significant economic benefit to the municipal area and wider region, providing over 200 direct and indirect employment opportunities. The proposal will also alleviate the current and increasing demand for short-term accommodation across the State.

As the proposal seeks to enhance economic and employment activity through redevelopment, it is in accordance with economic policies.

#### **3.3.5 Sustainable Tourism**

- a) *facilitate tourism operations and facilities in locations that -*
  - i) *leverage attraction and uniqueness of authentic experience in natural and wild places, including iconic destinations*
  - ii) *integrate with other economic activity, including agriculture and mining*



- iii) *capitalise on natural and cultural heritage and landscapes*
- iv) *provide choice and diversity in character, distribution and scale*
- b) *protect attributes which attract and enhance tourism experience in the vicinity of designated tourist trails, identified points of interest and high value environmental, cultural and scenic sites*
- g) *avoid alienation and displacement of local communities and significant change in local character, function and identity*
- h) *ensure regulatory requirements and approval processes do not unduly direct or restrain the location, nature and flexibility of tourism operations and visitor accommodation*

Whilst the proposed development is not considered a ‘tourist operation’, it will provide additional short-term accommodation options within the area. Shortfalls in short-term accommodation across the State has resulted in a record number of existing dwellings being converted into visitor accommodation, particularly in the south of the State.

However, this is also the case in more regional areas and tourist hot-spots which rely heavily on seasonal tourism influxes.

The proposal will support existing and future tourism operations by leveraging the attraction of the coastal experience. Its location ensures that future development is well positioned within proximity to other economic activities (restaurants, cafes, shops etc) in Penguin. The proposed amendment will facilitate a range of accommodation choices, including self-contained units and apartments, enabling a broader audience to visit the area.

Whilst the amendment will necessitate the expansion of visitor accommodation operations, it will also provide a function centre, along with options to re-establish the previous restaurant/café on the site, that is both accessible and beneficial to the broader community.

Regulatory requirements will be assessed in further detail in Part B (development application) of this report.

### **3.3.6 Visitor Accommodation**

- a) *facilitate a range of visitor accommodation options*
- b) *locate high-capacity accommodation in major settlement centres and key tourist locations*
- c) *designate sites for camping, caravan and mobile home use*
- d) *restrict permanent settlement within designated tourist sites and facilities*

The proposed amendment will facilitate the redevelopment of high-capacity short term accommodation within a main regional growth area. An array of accommodation options will be provided as part of the plans for redevelopment, including self-contained units and apartments. The site will no longer provide camping and caravan facilities, however there are a number of sites that currently provide these facilities within 2.5km of the site.

### **3.1.3 Places for People - Liveable and Sustainable Communities**

The CCRLUS identifies the settlements of the Cradle Coast as being small, geographically dispersed and having distinctive identities. Strategy priorities are directed towards improvement in liveability and sustainability within communities. The strategy encourages a greater mix of jobs to allow people opportunity to work and access daily services in locations closer to where they live.

As the proposal will add employment opportunities to the area, the following statement policies are relevant.

#### **4.5 Land Use Policies for facilitating access to business and community services.**

*Land use planning processes -*

- a) *Require each settlement area facilitate a mix of use and development of a nature and scale sufficient to meet for basic levels of education, health care, retail, personal services and social and economic activity and for local employment opportunities for the convenience of the local resident and catchment population*

The proposed amendment and development proposal will contribute to a mix of uses, including the redevelopment of visitor accommodation, a function centre, and a restaurant/cafe. In doing so, not only will an array of employment opportunities arise, but the sites overall use will be enhanced to promote economic activity within the region. The proposal is therefore considered to provide a positive social and economic boost and support businesses in the community.

#### **4.9 Land Use Policies for Active Communities**

*Land use planning processes -*

- a) *Assist implementation of the Tasmanian Open Space Policy and Planning Framework 2010 and the Cradle Coast Regional Open Space Strategy 2009 and other related sport and recreation plans and strategies endorsed by government agencies and planning authorities*
- b) *Recognise recreation, leisure and wellbeing opportunities are integrated with settlement activity and do not always require a discrete land allocation, such as urban trails and walkways as detailed in the North West Coastal Pathway project*
- d) *Facilitate opportunity for recreation and open space land within all settlement, nature conservation and resource areas in accordance with population requirements and environmental capacity*
- e) *require adequate open space and recreation capacity is available or planned to meet requirements from new development applying a process consistent with that outlined in Appendix 3 of the Tasmanian Open Space Policy and Planning Framework 2010*

At a state level, The Tasmanian Open Space Policy and Planning Framework establishes a vision for open space across the state. According to the framework:

*Tasmania will have a diverse, comprehensive and sustainable open space system, providing health and well-being, environmental, sport and recreation, social, and economic benefits. The open space system will be developed and managed in response to the needs of the Tasmanian community and visitors, whilst respecting our unique environment.*

The proposed use of the site is for Visitor Accommodation, Food Services, and Community Meeting and Entertainment. Together with the family-oriented nature of the accommodation, and proximity to the coast and recreational areas, the accommodation provides for vehicular parking, enabling the transportation of outdoor sporting accessories, such as bicycles, surfboards and kayaks, and are therefore more directly associated with outdoor sporting activities than other forms of accommodation. There is currently no formal recreational use of the land, however the use supports the well-developed recreational facilities immediately adjacent within the coastal reserve and beach, therefore enhancing the recreational potential of the region. Here, open space is an important land use, central to the Tasmanian way of life, that incorporates social, environmental and economic values. As such, the proposed amendment is considered consistent with the process that is outlined in Appendix 3 of the Tasmanian Open space Policy and Planning Framework 2010.

Here it is important to note that under the Central Coast Strategic Plan 2014-2024 and the Open Space and Recreation Plan 2012-2022, a master plan must be developed for all Regional and District

open spaces. Whilst 6 Johnsons Beach Road is zoned Open Space, it is absent from any reference in these statutory documents.

At a regional level, the Central Coast Open Space and Recreation Plan 2012-2022 provides strategic direction for the provision and management of open space in the region. Here it is important to note that under the Central Coast Strategic Plan 2014-2024, a master plan must be developed for all Regional and District open spaces. Whilst 6 Johnsons Beach Road is zoned Open Space, it is precluded from any reference in these statutory documents. As the site is not highlighted under the open space classification mapping as seen in the figure below, the proposed amendment therefore does not conflict with outcomes in the plan.

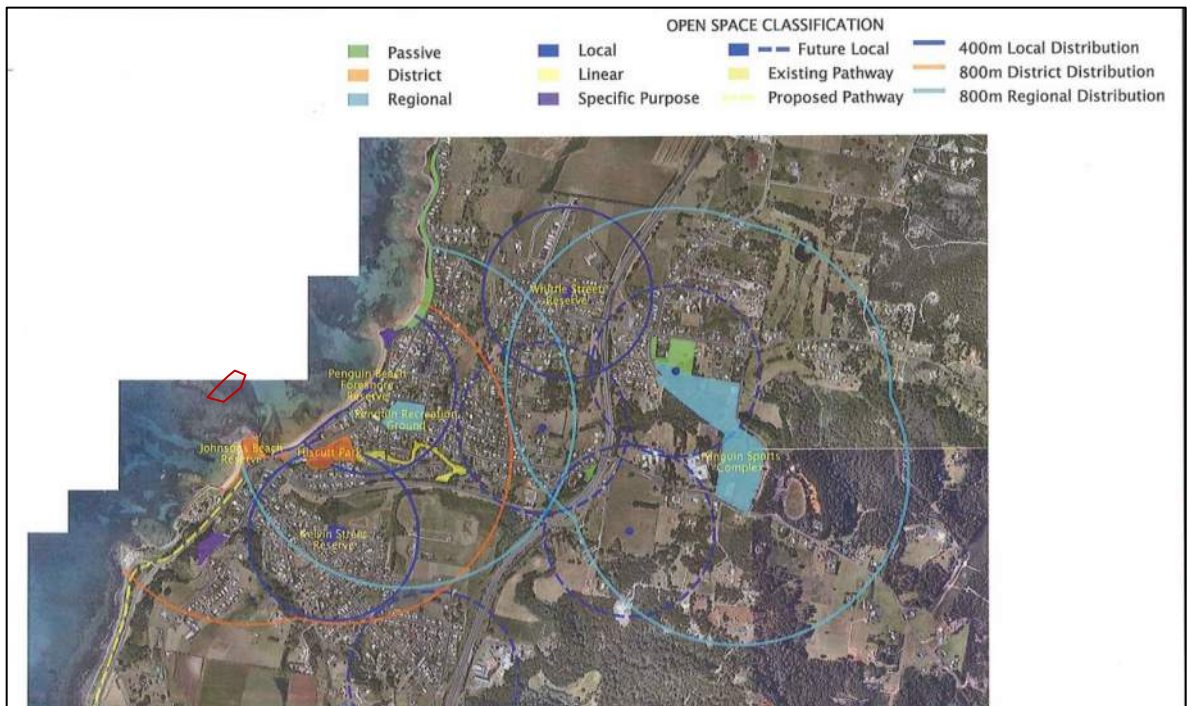


Figure 12: Open Space Classification with the site outlined in red (source: Central Coast Open Space and Recreation Plan).

### 3.2 PLANNED PROVISION FOR INFRASTRUCTURE - SUPPORT FOR GROWTH AND DEVELOPMENT

The CCRLUS highlights that land use for development must be coordinated and integrated with the provision of infrastructure that is commensurate with capacity demand.

#### 5.3 Land use policies for Integrated Land Use and Infrastructure Planning

- (b) Recognise existing and planned infrastructure provision for services and utilities
- (c) Promote compact contained settlement areas to-
  - (i) Assist climate change adaptation and mitigation measures
  - (ii) Optimise investment in infrastructure provision
- (d) Direct new and intensified use or development to locations where there is available or planned infrastructure capacity and function appropriate to the need of communities and economic activity
- (e) Require the scale and sequence of growth and development be in accordance with arrangements for the provision of infrastructure

- (f) Require use or development optimise capacity and function in available and planned infrastructure services and utilities*

The proposal is considered highly in accordance with the policy for the provision of infrastructure and services. The location of the site and proximity to services ensures that existing infrastructure can be optimised by future redevelopment on the land. In doing so, redevelopment will promote compact and contained settlements that optimise existing functions.

Land use acknowledges a clean, reliable, and secure water supply as a fundamental resource for the Region's environmental, economy, and human systems.

Land use assists arrangements for capture, storage and distribution of urban water supplies and the collection, treatment, and disposal of wastewater.

The features of the site such as its location, topography and servicing are therefore considered to highly align with policy outcomes.

#### **5.4 Land Use Policies for Transport Systems - Rail Transport**

- a) Recognise the strategic significance for Tasmanian import and export trade of the regional rail links to Western Junction and Melba for freight movement*

The site is located adjacent to the Western rail line which runs through the township of Penguin. Here, it is important to note that there are currently sensitive uses on site. The proposal will be setback a minimum of 8m from the corridor boundary. This is a significantly greater setback than the positioning of the existing sensitive uses onsite. This will reduce the likely interaction between the sensitive uses and the railway operation.

There is also vegetation screening between the railway line and the sensitive uses. The surrounding area has hills that are covered by masses of vegetation, acting as a natural screening, particularly from the northern end of the site.

According to the Noise and Vibration Report provided by Takari Engineering, the use of the railway line for trains is considered "infrequent" (Noise and Vibration Report, 2022). The railway line is currently utilised by freight services only. The frequency of the service is four (4) freight train services per day six days per week. There are two (2) northbound and two (2) southbound services, operating six (6) days per week. There are no services between noon on Saturday until noon on Sunday. The services operate through Penguin at 3.45am, 10am, 12.15pm and at 8.30pm. This limits the exposure of the sensitive uses to disturbance from train noise and vibration.

As highlighted in the accompanying Traffic Impact Assessment provided by Howarth Fisher and Associates, the number of trips generated across the railway crossing by the development is anticipated to be less than 10% of existing conditions.

#### **5.6 Land Use Policies for Supply Water**

- a) Require growth and development has secure access to water supply and wastewater disposal system that -*
- (i) are sustained by the water resources upon which such services rely.*
  - (ii) are economically viable*
  - (iii) protect human and environmental health*
- b) Facilitate water conservation and water use efficiency including water sensitive urban design, stormwater and wastewater re-use, and on-site water storage*
- c) Require reticulated water supply and wastewater disposal systems as the priority arrangement for servicing of settlement areas unless*



- (i) *reticulated services are not available or planned or are not of sufficient capacity*
- (ii) *alternative water supply and/or wastewater disposal systems that provide are at least as effective as a reticulated system; and*
- (iii) *site conditions are suitable for long-term operation of alternate systems, without human or environmental health impact*

The site accords with the policy for supply water as the site is fully serviced with reticulated sewer, stormwater and water. The site is of a location and size that will allow for water sensitive urban design principles to be undertaken where required. Therefore, future redevelopment of the land will be able to facilitate water conservation and use efficiency.

### 3.3 CENTRAL COAST STRATEGIC PLAN 2014-2024

The Central Coast Strategic Plan has been reviewed as part of this assessment. The document generally provides high-level strategic goals and milestones to be achieved through a number of existing mechanisms such as the Planning Scheme.

Four platforms have been identified as the basis for future economic and social development in Central Coast. They include:

***Liveability:***

*Encompasses notions such as quality of life, the character of our place, ease of living, the health and well-being of our community who live here, and the sense of security afforded by living and working in a given community.*

The strategies to achieve this goal relate to enhancing liveability through the Penguin Urban Design Guidelines. These guidelines seek to improve the value and use of open space by encouraging creative approaches to new developments. Such initiatives highlight a growing capacity for good design principles to create more holistic and liveable places. The plan also seeks to promote health care and active lifestyles through the provision of active and passive recreation programs combined with actions to manage and conserve the local environment. The strategies bear similarities with the CCRLUS regarding land use planning and urban design strategies to enhance the vibrancy, accessibility and safety of community hubs through design and liveability projects.

***Sustainability:***

*The Council and its community need to have within their control and/or at their disposal the capability and resources to meet the needs of the community now and into the future. This means building into planning and decision-making processes an implicit consideration of the environmental, social and economic sustainability of all development, now and into the future.*

This platform relates to the Central Coast LGA continuous improvement of sustainability initiatives and the protection and enhancement of natural values. This platform also seeks to generate greater social and economic outcomes from sustainable development by leveraging opportunities from our natural environments.

***Innovation***

*There is an increasing recognition of the importance of the role of innovation and entrepreneurship in social and economic growth. In our community there are people with intelligence, entrepreneurial spirit and ideas who are transforming, or with support, can transform these ideas into reality. This implies:*

- *Self-growth, community spirit, innovation and entrepreneurship are drivers of growth and prosperity.*

- *People should be placed front and centre, and our focus should be on facilitating personal and collective growth;*
- *Focusing efforts on supporting and empowering the next generation of innovators and entrepreneurs; and*
- *A spirit of reciprocity where capable communities organise themselves to help people turn their ideas into reality.*

This platform aims to build community capacity to facilitate local businesses and creative entrepreneurship. This includes boosted place marketing and management of place making infrastructure. This strategic direction relates to building capacity and creativity within and beyond council apparatuses by attracting investment and supporting business to captivate a range of audiences.

***Distinctiveness:***

*This is about the qualities and combinations of qualities that define an area's identity and what makes a place different from other places. Central Coast shares many qualities and attributes with the rest of the Cradle Coast Region. Our challenge is to define, cultivate, protect and grow the attributes that matter most to us. This is ultimately what defines the distinctiveness and special character of Central Coast and its community.*

The character of places such as Penguin are largely influenced by their relationship with the coastline. This platform relates to the enhancement of values and connecting people with many of the region's distinctive qualities. It also relates to the formation and retention of well-connected and easily accessible places. As highlighted within the Strategic Framework for Settlement and Investment 2008, it is important that each of the precincts, places and subregions within the Council area can maintain their own distinctiveness to develop their own competitive advantage and provide choice for residents and visitors.

### 3.4 CENTRAL COAST COUNCIL - CAMPING BY-LAW (DRAFT)

Central Coast Council currently manages a number of public reserves, vacant land and recreation grounds, some of which are owned by the Crown but managed by Council.

A number of these areas are used for informal camping and caravans, without any management processes in place. Due to a sharp increase in the use of these areas, Council is currently preparing a Camping By-Law, which will implement a permit system and restrictions/management objectives to formalise ongoing use of these sites.

Whilst the existing Penguin Caravan Park is a private operation, the proposed redevelopment will provide additional accommodation options within Penguin, which will assist in alleviating the demand for short-term accommodation in the locality and wider region.

The current and future demand for short-term accommodation has increased significantly over the last several years across the state, particularly following the Covid 19 pandemic. The accompanying economic needs & demand assessment outlines the above in detail, indicating the proposed redevelopment will assist to address a demonstrated shortfall of short-term accommodation.

## 4. AMENDMENT FORMAT

### 4.1 INTENT OF THE PROPOSED AMENDMENT

The intent of the amendment request is to facilitate the redevelopment of visitor accommodation, specifically on the site 6 Johnsons Beach Road, and to remove the current qualification that restricts visitor accommodation to camping/caravan facilities.

The requested amendment aligns with the strategies for development as set out in regional and local government residential land use strategies, primarily the CCRLUS and the Central Coast Strategic Plan.

#### 4.1.1 Zoning

The site is currently zoned Open Space and no change to the zoning is proposed, as seen in the below figure:



Figure 13: Site outline red with cadastre and existing zoning (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)

#### 4.1.2 Use

The current use of the site is for Visitor Accommodation, which is defined as follows:

*use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpacker's hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.*

Under the State Planning Provisions, Visitor Accommodation is a discretionary use within the Open Space Zone.

Despite this, the proposed Visitor Accommodation use is restricted by the use qualifications, specifying that Visitor Accommodation may only be permissible if for camping and caravan park or overnight camping areas.

### Open Space Zone

#### 29.2 - Use Table

<i>Discretionary</i>	
<i>Use Class</i>	<i>Qualification</i>
<i>Visitor Accommodation</i>	<i>If for camping and caravan park or overnight camping areas.</i>

However, the proposal requests that the qualifications for the use class be modified, as per below, to remove the restriction of Visitor Accommodation as solely for camping/caravan purposes. In doing so, the amendment will facilitate the redevelopment of existing Visitor Accommodations on site.

## 4.2 SITE SPECIFIC QUALIFICATIONS

A site-specific amendment is the most appropriate means of achieving this, whilst also ensuring that the Open Space Zoning remains. Retaining the existing zone ensures that a buffer remains between the General Residential zone and the foreshore.

## 4.3 SPECIFIC AMENDMENT

The following changes are proposed to the *Tasmanian Planning Scheme -Central Coast*. No changes are proposed to the mapping. The following is a description of changes to the Ordinance.

Insert the following Site-Specific Qualification into the LPS in the following way:

### NOR - Site-specific Qualifications

Reference Number	Site Reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions.
CCO-29.1	6 Johnsons Beach Road, Penguin		An additional qualification for the Discretionary Use Class of Visitor Accommodation for this site is:  <i>“If for short or medium-term accommodation at 6 Johnsons Beach Road.”</i>	



## 5. ASSESSMENT UNDER LUPAA

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### 5.1 SECTIONS 32 AND 34

Section 34(2) highlights the Local Provisions Schedule criteria, which requires amendments to the planning scheme be considered against the following:

- 1) *In this section - relevant planning instrument means a draft LPS, an LPS, a draft amendment of an LPS and an amendment of an LPS.*
- 2) *The LPS criteria to be met by a relevant planning instrument are that the instrument -*
  - (a) *contains all the provisions that the SPPs specify must be contained in an LPS;*  
*and*
  - (b) *is in accordance with section 32; and*
  - (c) *furtheres the objectives set out in Schedule 1; and*
  - (d) *is consistent with each State policy; and*
  - (da) *satisfies the relevant criteria in relation to the TPPs; and*
  - (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; and*
  - (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; and*
  - (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; and*
  - (h) *has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

Section 34(2)(b) requires amendments to be in accordance with section 32, which states:

...

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

The amendment seeks to insert an additional qualification for the discretionary use class of Visitor Accommodation, as outlined in section 4.2 and 4.3 of this report.

In accordance with section 32 (4)(a), it must be demonstrated that the use or development to which the provision relates is of significant social/economic benefit to the region/municipal area.

The accompanying Economic Impact Assessment demonstrates the proposal will result in a significant benefit to the municipal area and wider region.

In addition, the proposed amendment is consistent with the objectives set out in Schedule 1 of LUPAA and the State Policies, with a response provided in section 5.3 of this report.

A response to the relevant goals and strategic directions of the CCRLUS and the Central Coast Strategic Plan have also been provided in section 3 of this report.

With respect to section 34(2)(Da), the Act states:

*(2A) A relevant planning instrument satisfies the relevant criteria in relation to the TPPs if -*

*(a) where the SPPs and the relevant regional land use strategy have not been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made - the relevant planning instrument is consistent with the TPPs, as in force before the relevant planning instrument is made; and*

*(b) whether or not the SPPs and the applicable regional land use strategy have been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made - the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3) , as to the manner in which the TPPs are to be implemented into the LPSs.*

*(3) An amendment of an LPS, or a draft amendment of an LPS, is taken to meet the LPS criteria if the amendment of the LPS, or the draft amendment of the LPS, if made, will not have the effect that the LPS, as amended, will cease to meet the LPS criteria.*

The proposed amendment is consistent with section 34.

## 5.2 SECTION 40T

For a permit application that requires an amendment of the Local Provisions Schedule, Section 40T also applies, stating the following:

- 1) *A person who requests a planning authority under section 37 to amend an LPS may also, under this subsection -
  - (a) make an application to the planning authority for a permit, which permit could not be issued unless the LPS were amended as requested; and
  - (b) request the planning authority to consider the request to amend the LPS and the application for a permit at the same time.*
- 2) *An application for a permit under subsection (1) is to be in a form, if any, approved by the Commission.*
- 3) *A planning authority must not refuse to accept a valid application for a permit, unless the application does not include a declaration that the applicant has -
  - (a) notified the owner of the intention to make the application; o
  - (b) obtained the written permission of the owner under subsection (6) .*
- 4) *For the purposes of subsection (3) , a valid application is an application that contains all relevant information required by the planning scheme applying to the land that is the subject of the application.*
- 5) *If -
  - (a) an undertaking is in respect of a combination of uses or developments or of one or more uses and one or more developments; and
  - (b) under a planning scheme any of those uses or developments requires a permit to be granted -person may, in the one application under subsection (1) , apply to the planning authority for a permit with respect to the undertaking.*

- 6) An application for a permit under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land and the relevant planning scheme does not provide otherwise -
- (a) be signed by each owner of the land; or
  - (b) be accompanied by the written permission of each owner of the land to the making of the request.
- 7) Subsection (6) does not apply to an application for a permit to carry out mining operations, within the meaning of the Mineral Resources Development Act 1995, if a mining lease or a production licence which authorises those operations has been issued under that Act.

The permit application has been prepared to ensure consistency with the provisions of Section 40T.

### 5.3 SCHEDULE 1 OBJECTIVES OF LUPAA

The objectives are considered in the following tables:

#### 5.3.1 Part 1- Objectives of the Resource Management and Planning System Tasmania

PROVISION	RESPONSE
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The proposal is located within an existing modified urban area and is not anticipated to result in any impacts on natural or physical resources or natural processes.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	The proposal will facilitate additional use without the need to rezone. This will ensure that the purpose and character of the open space zone is maintained. The amendment will enable the development for visitor accommodation which is in line with the overall policy of the CCRLUS.
<i>(c) to encourage public involvement in resources management and planning; and</i>	The process required for the assessment of amendments to planning schemes provides interested parties with an opportunity to make representations during public exhibition as well as attending subsequent hearings. This process additionally provides Council and subsequently the TPC to consider issues raised during the assessment.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	The proposal is aimed at enhancing/supporting economic development within the locality by providing additional short and long term employment opportunities.
<i>(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.</i>	The assessment process promotes the involvement of the public as well as local and state government.

### 5.3.2 Part 2 - Objectives of the Planning Process Established by this Act

PROVISION	RESPONSE
<i>(a) to require sound strategic planning and co-ordinated action by State and local government; and</i>	The amendment has been prepared with respect to relevant strategic outcomes of state and local government.
<i>(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;</i>	The proposal seeks to amend the planning scheme standards and has been prepared with respect to the existing provisions of the scheme and demonstrates consistency with the relevant objectives and policies of the Act.
<i>(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;</i>	The existing planning scheme has been written giving effect to this objective and consequently relating to use and development of the subject land will need to comply with the relevant codes which protect natural and environmental values.
<i>(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;</i>	This is achieved through the existing planning mechanisms and amendment process.
<i>(e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals;</i>	This is achieved through the existing planning mechanisms and amendment process.
<i>(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;</i>	The proposal seeks to enable future development to provide high amenity spaces for visitors.  As such, visitors will be provided with efficient access to open space, and a safe environment for working, living and recreation.
<i>(g) to conserve those buildings and areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;</i>	The proposal does not alter any matter related to any area of historic or cultural significance.
<i>(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</i>	The amendment and proposed development will not impact existing public infrastructure.



<i>(i) to provide a planning framework which fully considers land capability.</i>	The proposed amendment considers land capability.
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## 5.4 STATE POLICIES

The following are the state policies and have been considered as part of this application.

### 5.4.1 The State Coastal Policy 1996

The *Tasmanian State Coastal Policy 1996* applies to all land within 1km of the high-water mark. The purpose of the policy is to ensure that:

- *Natural and cultural values of the coast shall be protected;*
- *The coast shall be used and developed in a sustainable manner;*
- *Integrated management and protection of the coastal zone is a shared responsibility.*

Specifically, in relation to the proposed development, the following main principles are relevant:

PRINCIPLE	RESPONSE
<i>Natural and Cultural values of the coast shall be protected.</i>	The site is mapped as modified land (FUR) Urban Areas. The site has no identified cultural values for Aboriginal Heritage, and no identified threatened fauna or flora on site.  Due to the already heavily modified coastal interface, it is unlikely that redevelopment will further impact the values along the coastline.
<i>The coast shall be used and developed in a sustainable manner.</i>	This principle recognises: ‘The economic and social values of tourism and recreation in the coastal zone’. The amendment would enable the development of suitable tourism and recreation values in the coastal zone through locating development and use where it can gain advantage from its coastal location, and also continue to improve access to the coast. The amendment would ensure the adjoining Johnsons Beach foreshore remains available and accessible to the public.
<i>Integrated management and protection of the coastal zone is a shared responsibility.</i>	The amendment will need to be publicly advertised; and approved by local and state government before being initiated to satisfy that provisions effectively manage the coast responsibly.

The proposed amendment does not alter the provisions within codes related to the protection of the coastal environment. The analysis of the site has identified that there is sufficient capacity for tourism development that will not likely conflict with the natural and aesthetic qualities of the coastal zone in accordance with the Policy.

It is noted the site is already developed as a caravan park, however the following sections have been addressed:

## **1.4 - Coastal Hazards**

*1.4.1 - Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.*

*1.4.2 - Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1.*

*1.4.3 - Policies will be developed to respond to the potential effects of climate change (including sea-level rise) on use and development in the coastal zone.*

The site is identified as at risk from coastal erosion and smaller areas are identified as at risk from inundation.

However, the site is already utilised as a caravan park and substantial works were undertaken in 2015/2016 to repair/reinforce an existing seawall that runs along the western boundary of the site. Sections of the wall also extend into Crown land. A works authority was granted by the Crown in 2015 for these works to be undertaken, a copy has been provided to Council.

In addition, the coastal risk assessment report prepared by GES indicates that due to the seawall, the erosion risk across the site is negligible.

## **2.1 - Coastal Uses and Development**

*2.1.1 - The coastal zone shall be used and developed in a sustainable manner subject to the objectives, principles and outcomes of this Policy. It is acknowledged that there are conservation reserves and other areas within the coastal zone which will not be available for development.*

The site does not form part of any conservation reserves and supports existing development.

*2.1.2 - Development proposals will be subject to environmental impact assessment as and where required by State legislation including the Environmental Management and Pollution Control Act 1994.*

The development is not a Level 1 or 2 activity under EMPCA.

*2.1.3 - Siting, design, construction and maintenance of buildings, engineering works and other infrastructure, including access routes within the coastal zone will be sensitive to the natural and aesthetic qualities of the coastal environment.*

The proposal seeks to redevelop an existing site, which is heavily modified and supports an existing caravan park. New buildings have been sited to provide buffers from the coastline and additional landscaping will be provided across the site to improve the natural and aesthetic qualities of the site.

*2.1.4. Competing demands for use and development in the coastal zone will be resolved by relevant statutory bodies and processes, in particular the Land Use Planning Review Panel, the Resource Management and Planning Appeal Tribunal and the Marine Farming Planning Review Panel. Planning schemes, marine farming development plans and other statutory plans will provide guidance for resource allocation and development in accordance with this Policy.*

Not applicable.

*2.1.5. The precautionary principle will be applied to development which may pose serious or irreversible environmental damage to ensure that environmental degradation can be avoided, remedied or mitigated. Development proposals shall include strategies to avoid or mitigate potential adverse environmental effects.*

The proposal is not anticipated to result in any greater environmental impacts in the coastal zone, as sewer and stormwater will be connected to existing public/TasWater infrastructure. The proposal also does not require the clearance of any identified native vegetation.

*2.1.6. In determining decisions on use and development in the coastal zone, priority will be given to those which are dependent on a coastal location for spatial, social, economic, cultural or environmental reasons.*

The site is already utilised as a formal caravan park, including a café/restaurant. The proposal seeks to redevelop the site and has been prepared in accordance with the relevant requirements under the *Tasmanian Planning Scheme - Central Coast*.

*2.1.7. New industrial developments will be encouraged to locate in specified industrial zones.*

Not applicable.

*2.1.8. Extraction of construction materials, mineral, oil, and natural gas deposits in the coastal zone will be allowed provided access to areas is allowed under the provisions of the Mining Act 1929.*

*2.1.9 Exploration will be conducted in accordance with environmental standards under relevant legislation and the Mineral Exploration Code of Practice. Adequate rehabilitation shall be carried out.*

*2.1.10. Extraction will be subject to the Quarry Code of Practice and environmental assessment as required by State legislation including the Environmental Management and Pollution Control Act 1994. Adequate rehabilitation shall be carried out.*

*2.1.11. Extraction of sand will be provided for by zoning of appropriate areas in planning schemes.*

*2.1.12. Timber harvesting and reforestation in the coastal zone will be conducted in accordance with the Forest Practices Code and have regard to this Policy.*

*2.1.13. Whole farm planning and sustainable farming activities will be encouraged on agricultural land in the coastal zone and in coastal catchments in order to minimise problems such as erosion, sedimentation and pollution of coastal waters including surface and ground waters.*

*2.1.14. Management arrangements for commercial and recreational fisheries will be further developed in accordance with the objectives, principles and outcomes of this Policy, through a management planning framework designed to maintain sustainability and diversity of fish resources and their habitats and promote economic efficiency under the Living Marine Resources Management Act 1995.*

*2.1.15. Harvesting of marine plants shall be conducted in a sustainable manner in accordance with relevant State legislation and this Policy.*

Not applicable.

*2.1.16. Water quality in the coastal zone and in ground water aquifers will accord with the requirements and guidelines established by the Environmental Management and Pollution Control Act 1994 or the Environment Protection (Sea Dumping) Act 1987 (as appropriate) and any other relevant State and Commonwealth Policies and statutes.*

Untreated overland flow and/or stormwater can impact on water quality. Stormwater from the proposed development will be directed to the existing Council stormwater pipe which runs through the site, as outlined in the accompanying concept stormwater plan and report.

It is acknowledged that further detail design will be required to identify on-site treatment devices to ensure consistency with the State Stormwater Quality requirements.

*2.1.17. Waste discharge into the coastal zone, including offshore waters, or likely to affect groundwater aquifers, must comply with provisions of the Environmental Management and Pollution Control Act 1994 or the Environment Protection (Sea Dumping) Act 1987 (as appropriate) and any relevant State and Commonwealth Policies.*

All waste is to be discharged via existing sewer infrastructure.

*2.1.18. Where oil pollution occurs in the coastal zone, and, or, offshore areas, the National Plan to combat Pollution of the Sea by Oil, Tasmanian Supplement, will apply. Efforts to prevent or mitigate maritime accidents and pollution shall be based upon relevant ANZECC and other guidelines.*

Not applicable.

*2.1.19. Every effort will be made to prevent the introduction of foreign marine organisms and species. Relevant Commonwealth provisions for quarantine and ballast water or other ship discharges shall apply.*

Not applicable.

### **2.3 - Tourism**

*2.3.1. Tourism use and development in the coastal zone, including visitor accommodation and other facilities, will be directed to suitable locations based on the objectives, principles and outcomes of this Policy and subject to planning controls.*

*2.3.2. Tourism development proposals in the coastal zone will be subject to environmental impact assessment as required by State legislation including a water safety assessment to indicate the level and type of lifesaving facilities and personnel required to protect people.*

*2.3.3. Opportunities for tourism development will be identified wherever strategic planning occurs for the coastal zone or any part of it.*

*2.3.4. Tourism development will be located where there is environmental capacity and where it does not significantly conflict with the natural and aesthetic qualities of the coastal zone.*

The proposal is not specifically considered a 'tourism' development, although it will provide expanded accommodation options for tourists traveling along the north-west coast. The site supports an existing, lawful caravan park and previous coastal works have been undertaken to address coastal hazards, ensuring the site remains suitable for ongoing visitor accommodation.

### **2.4 - Urban and Residential Development**

*2.4.1. Care will be taken to minimise, or where possible totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas.*



*2.4.2. Urban and residential development in the coastal zone will be based on existing towns and townships. Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon development and unrelated cluster developments along the coast.*

The site is heavily modified and currently used as a caravan park. Whilst the immediate coastal foreshore around the site may be considered a sensitive area, the application does not propose any works beyond the north-eastern boundary with the coast.

The site is already serviced by stormwater infrastructure and reticulated sewer and water.

*2.4.3. Any urban and residential development in the coastal zone, future and existing, will be identified through designation of areas in planning schemes consistent with the objectives, principles and outcomes of this Policy.*

The site is not a greenfield site, it is already developed and forms part of the immediate urban area.

## **2.6 - Public Access and Safety**

*2.6.1. The public's common right of access to and along the coast, from both land and water, will be maintained and enhanced where it does not conflict with the protection of natural and cultural coastal values, health and safety and security requirements.*

*2.6.2. Public access to and along the coast will be directed to identified access points. Uncontrolled access which has the potential to cause significant damage to the fragile coastal environment and is inconsistent with this Policy will be prevented.*

The site is privately owned and there are only small sections of Crown Land along which the existing seawall crosses. These areas are not wide enough, nor do they directly adjoin suitable public land for access to be provided along the frontage of the site.

No new public access points to the coast are proposed.

*2.6.3. Agreements between landowners, landholders and councils or State Government to grant public access to the coast, and Aborigines access to Aboriginal sites and relics in the coastal zone over private and public land will be encouraged and shall be considered when preparing plans or approving development proposals.*

It is acknowledged that a coastal pathway between Penguin and Sulphur Creek has been constructed, however the pathway utilises an area along the eastern side of Preservation Drive which is separated from the subject site by the Western Railway Line.

As such, the proposed development does not impact on this walkway or existing public access to Johnsons Beach.

*2.6.4. Public facilities such as life saving facilities and essential emergency services, parking facilities, toilet blocks, picnic sites, rubbish disposal containers, boat ramps and jetties will be provided at appropriate locations consistent with the objectives, principles and outcomes of this Policy to facilitate access to and enjoyment of the recreational amenity of the coast and estuarine foreshores.*

No new public facilities are proposed.

*2.6.5. Councils will ensure that there will be a coastal safety assessment for any new coastal development likely to attract people to the coast to indicate the level and type of lifesaving facilities and personnel required.*

Again, this policy appears to relate to instances where public infrastructure/development is proposed. This proposal is being undertaken on private land.

*2.6.6. Developer contributions will be encouraged in respect to the costs of providing public access and safety services for the community.*

The draft permit issued by Central Coast Council includes conditions requiring upgrades to parts of Johnsons Beach Road, to ensure the public infrastructure used to access the site is suitable to cater for the proposed development and provide ongoing benefits to public users of this infrastructure.

## **2.8 - Recreation**

*2.8.1. Recreational use of the coastal zone will be encouraged where activities can be conducted in a safe and environmentally responsible manner.*

*2.8.2. Suitable recreation opportunities will be identified through strategic planning and may be provided in appropriate locations where they do not adversely affect sensitive coastal ecosystems and landforms or in designated areas where such effects can be remedied or mitigated.*

*2.8.3. Special recreational vehicle areas may be established as an environmental protection measure and as a means of limiting unauthorised motor vehicle activity in environmentally sensitive areas.*

The development is being undertaken on private land and is not expected to impact on recreational use of public foreshore areas to the south-east of the site along Johnsons Beach Road.

The proposal does not include any new public recreational facilities.

### 5.4.2 The State Policy on Water Quality Management 1997

The purpose of this Policy is:

*To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.*

The Policy applies to:

*all surface waters, including coastal waters, and groundwaters, other than:*

*(i) privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or*

*(ii) waters in any tank, pipe or cistern.*

The proposal is required to be considered against the relevant objectives of the Policy and consider the sustainable management of surface and ground water resources.

The objectives of this policy are to:

*(a) focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;*

*(b) ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives and that pollutants discharged to waterways are reduced as far as is reasonable and practical by the use of best practice environmental management;*

- (c) ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community;
- (d) facilitate and promote integrated catchment management through the achievement of objectives (a) to (c) above; and
- (e) apply the precautionary principle to Part 4 of this Policy.

The proposal is consistent with this policy as it has been designed with respect to its proximity to coastal water. The proposed development considers the potential impacts related to sea level rise and inundation to minimise impact on water quality in Part B (development application) of this report. The amendment allows for consideration of water quality in accordance with the respective codes of the planning scheme and the *Central Coast Stormwater System Management Plan 2020*.

#### 5.4.3 The State Policy on the Protection of Agricultural Land 2009

The purpose of this Policy is:

*To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.*

The Objectives of the Policy are:

*To enable the sustainable development of agriculture by minimising:*

- (a) conflict with or interference from other land uses; and
- (b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

The land is not categorised for its agricultural potential as it is within an established urban environment. This policy is therefore not considered relevant for the purpose of this application.

#### 5.4.4 National Environment Protection Measures (NEPMs)

NEPMs are taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation and given effect in Tasmania through the State Policies and Projects Act.

The current NEPMs are:

- Air Toxics
- Ambient Air Quality
- Assessment of Site Contamination
- Diesel Vehicle Emissions
- Movement of Controlled Waste
- National Pollutant Inventory
- Used Packaging

The Codes within the Scheme deal in detail with the relevant matters (such as noise). As such, assessment is undertaken against the appropriate Use and Development Standards in Part B (development application).

## PART B - DEVELOPMENT APPLICATION

### 5.5 PROPOSAL

The site is predominantly cleared of vegetation and currently accommodates 25 long term rental cabins, 22 caravan/campervan powered sites, 20 campsites, a café/restaurant and a manager's office.

The redevelopment proposes the following uses on the site:

- Visitor Accommodation.
- Food Services; and
- Community Meeting and Entertainment

As such, proposal is to include the following:

- Apartments, consisting of 40 units (75m<sup>2</sup> per unit), across 4 storeys.
- 21 three-bedroom cabins, floor area of 104m<sup>2</sup>, with 2 car parking spaces each.
- Function centre with a floor area of 280m<sup>2</sup> plus kitchen and back of house, over 2 storeys.
- Existing building reused as gateway, café/restaurant and managers office.
- Central tennis court
- Service parking area with 57 car parking spaces and 3 motorcycle spaces.
- 2 accessible car parking spaces and 9 bicycle spaces at the entrance of the site.



Figure 14: Proposed masterplan layout (site plan) (Dickson Rothschild Architects, 2022).



## 5.6 SITE DESCRIPTION

As outlined in section 1.1 of this report, the site is located at 6 Johnsons Beach Road, Penguin and has a total area of approximately 1.683ha. The site supports an existing caravan park/short-stay accommodation, which adjoins the coast to the north-east and the existing railway line to the west.

The site has access from Johnsons Beach Road as illustrated by the following figure:

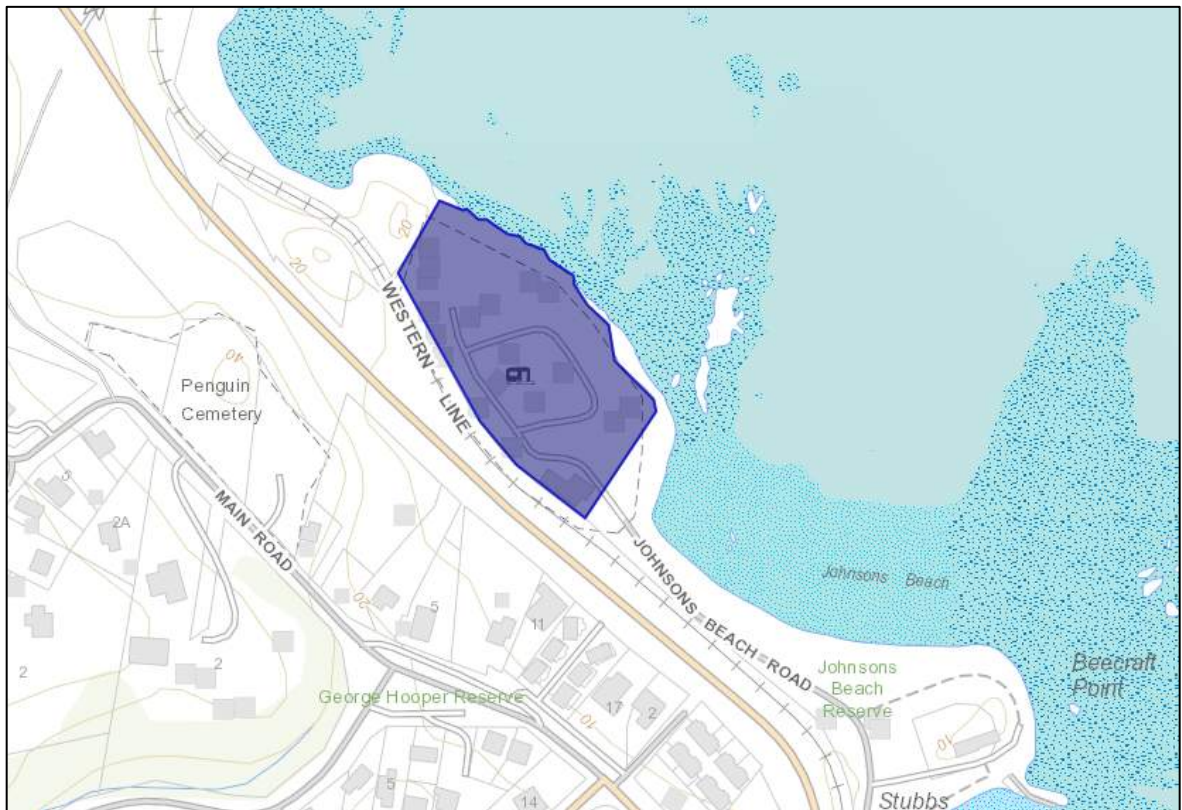


Figure 15 - Site plan (source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania).

### 5.6.1 Easements

The site is subject to a right of carriage way for the benefit of the Central Coast Council. The site is also subject to:

- A drainage easement.
- A sewer rising main and water supply easement; and
- A sewerage pumping station and water supply easement.

## 5.7 ZONING

The proposed use and development of visitor accommodation falls within the provisions of the Open Space Zone of the *Tasmanian Planning Scheme - Central Coast*. Relevant provisions for use and development for this site are addressed in the following sections.

These standards have been addressed on the basis that the amendment has been approved.



Figure 16: Site outline red with cadastre and existing zoning as Open Space (green) (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

### 5.7.1 Zone Purpose Statements

The zone purpose statements for the Open Space Zone are as follows:

#### **29.1.1 Zone Purpose Statements**

*29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.*

*29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.*

The proposal is for self-contained short and medium stay cabins and apartments. Together with the family-oriented nature of the accommodation and proximity to the coast and recreational areas, the accommodation provides for vehicular parking, enabling the transportation of outdoor sporting accessories, such as bicycles, surfboards and kayaks, and are therefore more directly associated with outdoor activities than other forms of accommodation.

The potential to encourage greater recreational use of the adjacent coastal reserve and beach will improve the passive recreational potential of the area.

## 5.8 USE

The proposal falls into the use classification of Visitor Accommodation, Food Services, and Community Meeting and Entertainment.

The use class of Visitor Accommodation is as follows:

*use of land for providing short or medium term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment complex.*

Visitor accommodation under the Open Space zone is discretionary only if compliant with the following, otherwise prohibited:

*If for camping and caravan park or overnight camping areas, or only if for short or medium-term accommodation at 6 Johnsons Beach Road.*

The definition of Food Services use class is as follows:

*use of land for selling food or drink, which may be prepared on the premises, for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.*

The use class within this zone is discretionary.

The function centre falls within the use class of Community Meeting and Entertainment and is defined as:

*use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.*

The use class within this zone is discretionary.

## 5.9 USE STANDARDS

### 29.3.1 Discretionary uses

**Objective:** that a use listed as Discretionary, does not cause an unreasonable loss of amenity to adjacent sensitive uses.

#### SCHEME STANDARDS

**A1** Hours of operation for a use listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must be within the hours of:

- a) 8:00am to 10:00pm if within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone; or
- b) 6:00am to midnight, otherwise.

#### COMMENTS

##### A1

As the site is located within 50m of a General Residential zone, the function centre, restaurant facilities and visitor accommodation will require adherence to the above hours of operation.

Due to the nature of the proposed development, these requisites are able to be met.

## 5.10 DEVELOPMENT STANDARDS

### 29.4.1 Building height, setback and siting

**Objective:** That building bulk, height, form and siting:

- a) is compatible with the streetscape;
- b) does not cause unreasonable loss of amenity to adjacent properties;
- c) respects the natural and landscape values of the site; and
- d) minimises opportunities for crim and anti-social behaviour through setback of buildings.

#### SCHEME STANDARDS

**A1** - Building height must be no more than 10m.

**P1** - Building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:

- a) the topography of the site;
- b) the height, bulk and form of existing buildings on the site and adjacent properties;
- c) the bulk and form of proposed buildings;
- d) the requirements of the proposed use;
- e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;
- f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties and
- g) any overshadowing of adjacent public places.

#### COMMENTS

##### **A1**

The cabins have a height of approximately 5m, and the function centre will have a maximum height of 10m. The 4-storey apartment building will have an approximate height of 14.8m at its highest point and will therefore require assessment against the performance criteria.

##### **P1**

The performance criteria require an assessment of the impact of building height on the amenity of adjacent properties. Adjacent is a defined term in the planning scheme, as indicated below.

##### *Amenity*

*means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.*

The elements that contribute to 'amenity' is often wide ranging and can depend on the qualities of the given locality, site and/or the pre-dominant land use. The matters for which regard must be given are quite specific, although not exhaustive.



It is anticipated the primary residential amenity concerns will arise from perceived visual impacts caused by the height of the 4-storey apartment building and whilst not relevant, what impacts this may have on views to the coastline.

The term 'adjacent' is also defined in the scheme, as follows:

*Adjacent*

*means near to, and includes adjoining.*

The development site does not directly *adjoin* any residential properties, however the properties to the west/south-west of the site could be considered as *adjacent* properties, by virtue of being *nearby*.

However, it is noted these properties are separated from the subject site by the full width of Preservation Drive, the Western Railway line and public land on either side. This amounts to a minimum separation distance of approximately 50m, between the western boundary of the subject site and the nearest residential dwelling at 11 Main Road.

The following provides a response to each of the criteria outlined in P1.

**a) Topography**

The topography model drawings and site sections demonstrate the relationship between the proposal and the existing residential dwellings and topography surrounding the site. As seen in the drawings below, there is an increasing gradient from the coast heading inland. The subject site is at the lowest point of the contour map (between 4m-5m AHD), with the contours increasing on the western side of Preservation Drive, between 5m and 20m AHD.

As the proposed accommodation is situated directly alongside the coast, the subject site is approximately 2m lower than the nearby residences to the south/south-west.

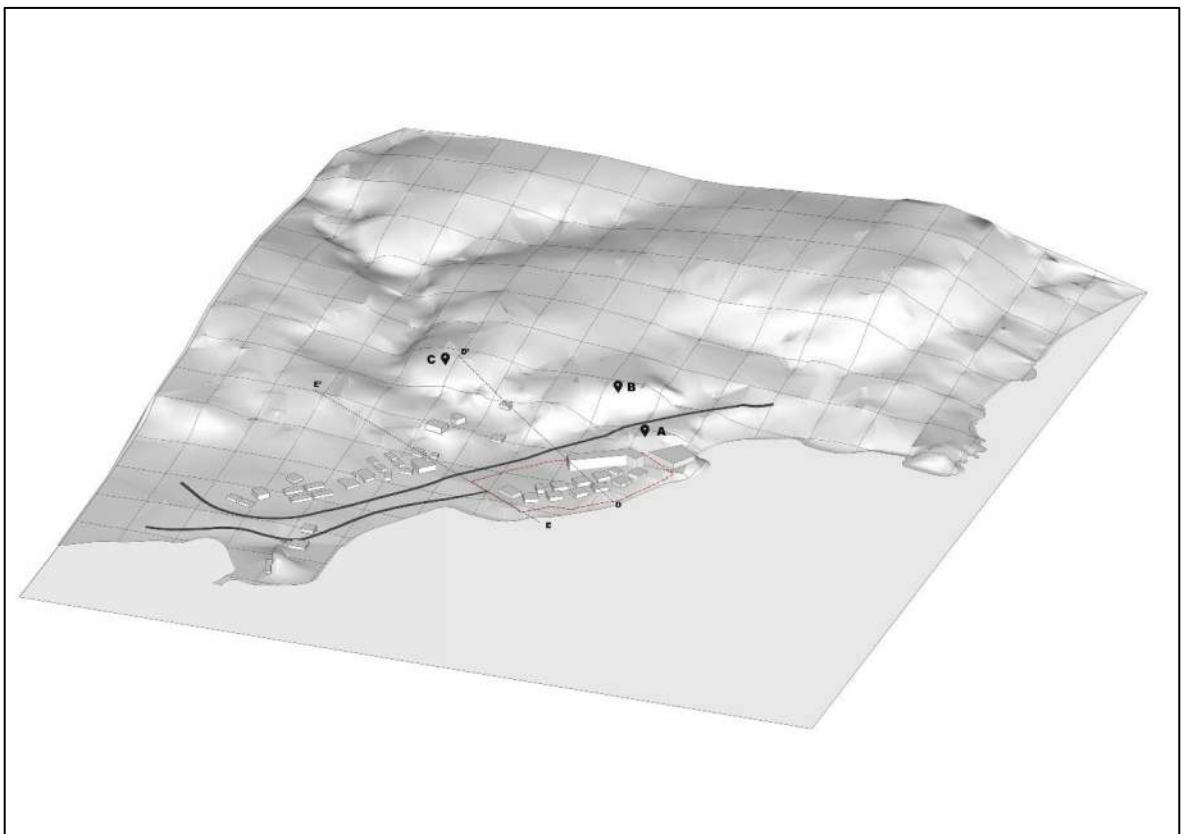


Figure 17: Topographic model (source: Ireneinc).

The section diagram above illustrates the rise in topography to the south/south-west and the hills to the immediate west of the site which represent significant topographical elements.

These elements are also visible in the accompanying montages, which assists in reducing the perceived height, bulk of the proposed buildings.

***b) Height, bulk and form of existing buildings on the site and adjacent properties***

All existing buildings on the site are one-storey, consisting of 25 long term rental cabins, a café/restaurant and a manager’s office and an amenities block (showers/toilets).

As the site does not directly adjoin any private land, adjacent properties are taken to be those on the western side of Preservation Drive, as shown in the following images.



Figure 18: Street view looking south-west to adjacent properties along Preservation Drive (source: Google Street View 2023)



Figure 19: Street view looking north-west to adjacent properties along Preservation Drive (source: Google Street View 2023)

Buildings on these properties primarily consist of residential single and multiple dwellings, varying between 1 and 2 storeys in height.

It is noted most of the adjacent properties are elevated approximately 2m above Preservation Drive, with ground floors higher than existing buildings on the subject site.

Due to the topographic variance across the site and the nature of the existing development (for cabins, caravan and camping facilities) the existing buildings do not adversely impact the amenity of the adjacent residential properties.

**c) The bulk and form of proposed buildings**

The proposal includes a four-storey apartment building, providing 40 units along with 21 x two-storey, three-bedroom cabins. A two-storey function centre is also proposed. All other proposed buildings are one-storey in height.

Due to the significant separation distance between the proposed buildings and adjacent properties to the west/south-west, there is no impact arising from overshadowing or overlooking. This is confirmed by the shadow diagrams accompanying the application.

There are several notable hills to the immediate west of the site that serve as a backdrop to the site, ranging from 10m AHD up to 30m AHD. This most notably includes the hill beside Preservation Drive (Hill A) that is over 30m in height, and the hill beside the Penguin Cemetery (Hill B) that is over 40m in height. The four-storey apartment building is situated well below these landforms; however, these features do provide a vertical scale which mitigates the scale of the proposed buildings. The proposed four-storey apartment building is situated well below these landform features and is effectively shielded by Hill A and Hill B, as detailed in section D-D' below.

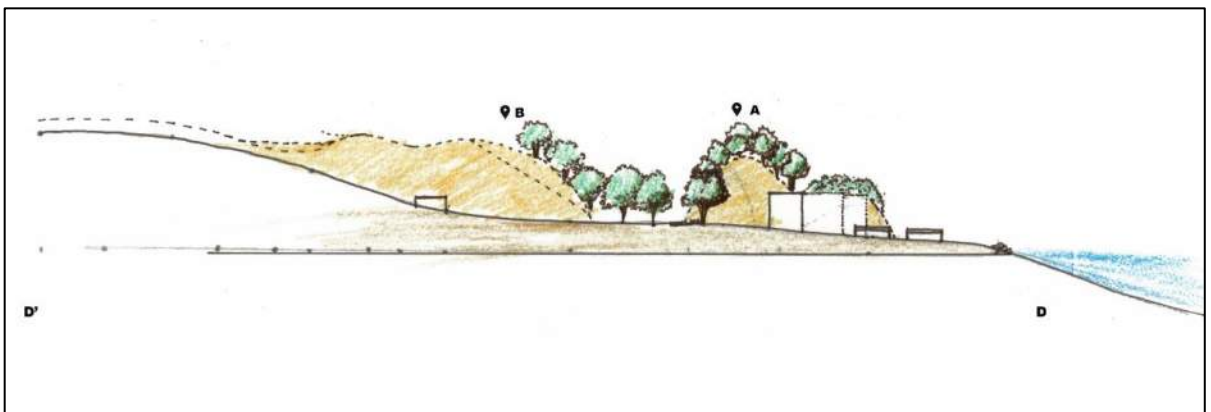


Figure 20: Drawing demonstrating rising topography (source: Ireneinc 2021)

As demonstrated in the figure below, section E-E' highlights that due to the rising topography, the nearby residence at 5 Main Road, Penguin is level with the height of the proposed accommodation building.

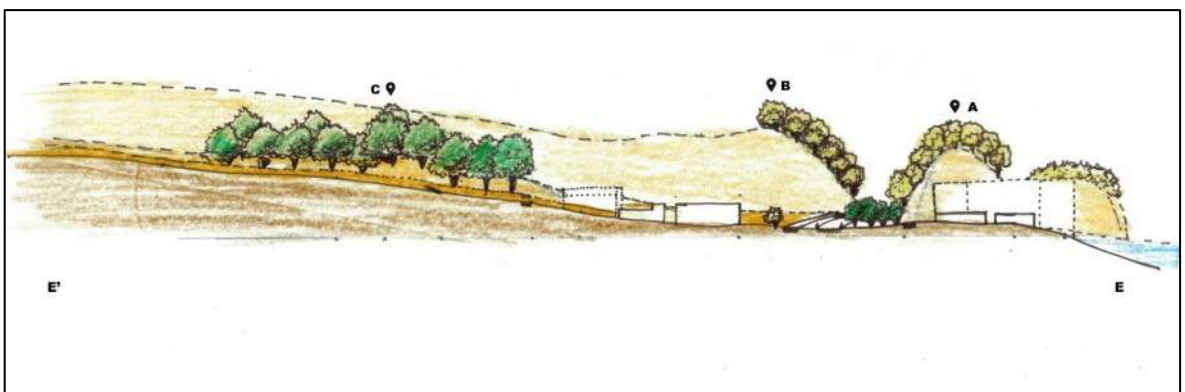


Figure 21: Drawing demonstrating rising topography (source: Ireneinc, 2021).

In addition, the distance between the proposed apartment building and the nearest residential dwelling (at 1A Main Road, Penguin) is approximately 94m.

Further sections and montages have been prepared to illustrate the height of the apartments, as outlined below.

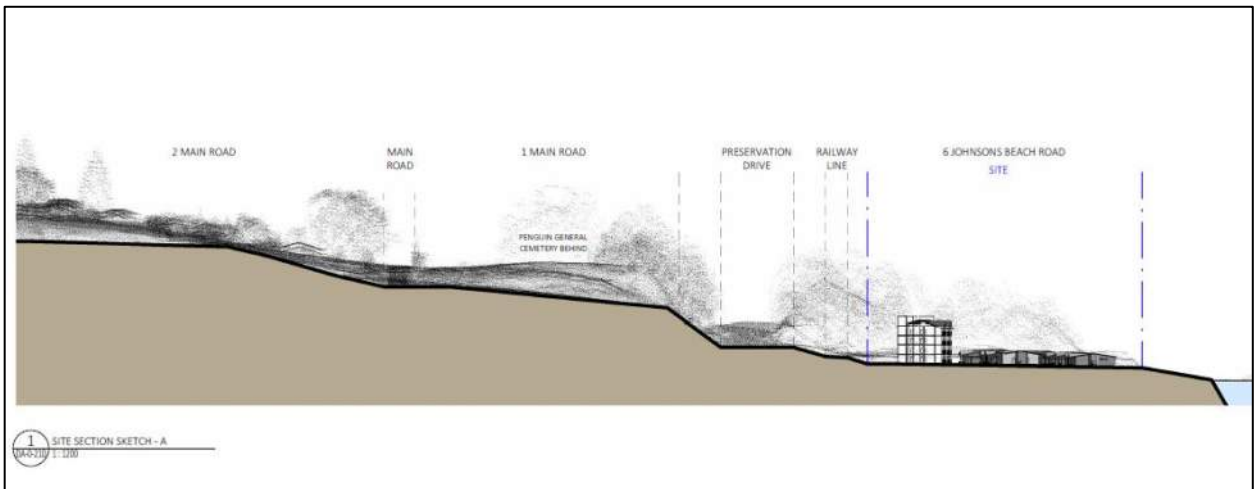


Figure 22: Section A - taken through the subject site and along the northern side of 1 Main Road.

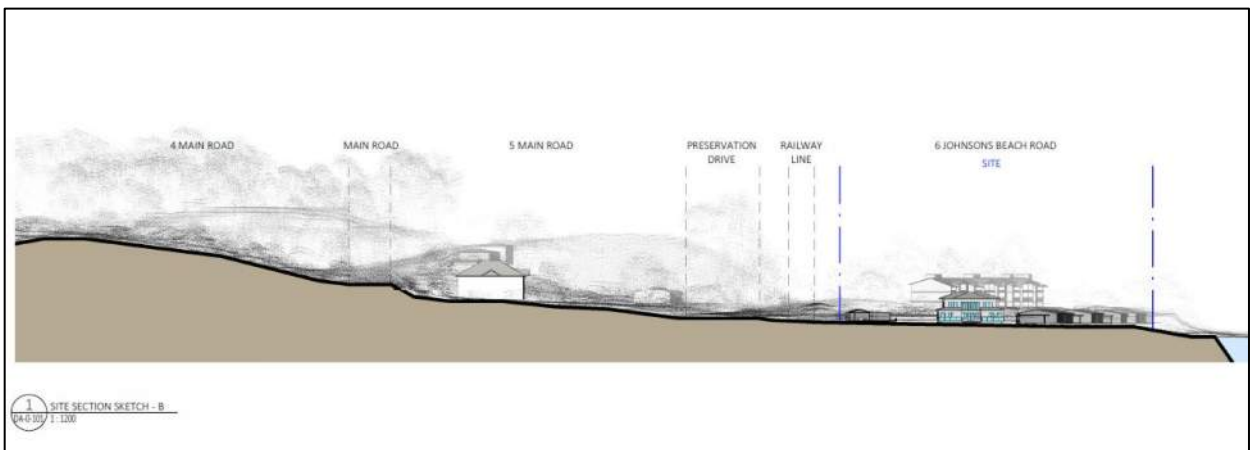


Figure 23: Section B - through the subject site and 5 Main Road. Buildings north of the section line are also shown for context - noting the apartment building is located approximately 92m north-west of the point in which the section is drawn.

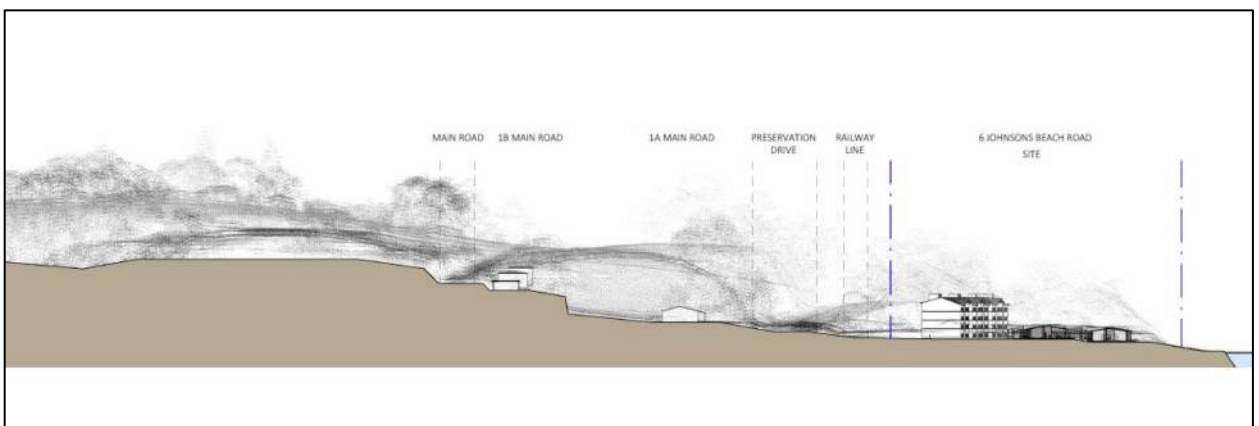


Figure 24: Section C - taken through the site and the south-eastern side of 1A and 1B Main Road.



The sections illustrate the topographic context and gradient variations in the immediate area and the height difference between the site and adjacent properties along Main Road, demonstrating the key impact these features have on the perception of building height.

The following viewpoints provide additional context regarding the siting, height and scale of the development from publicly accessible areas.

#### Viewpoint 01 - Montage from Coastal Walkway



Figure 25: Montage from View Point 01, illustrating proposed development

This viewpoint is located approximately 218m south-east of the site.

The key existing visual elements within the view include:

- The transition from the coastal landform to the significant and heavily vegetated hillside which rises to the west adjacent to the site; and
- The elevated natural ground level which the subject site is located; and

The proposed 4 level apartment building has been deliberately sited on the western side of the site to sit below the dominant hillside and rising landform to the north-west. The existing vegetation cover and significant tree canopy mitigates the visual scale and bulk of the building from this location.

The proposed one-storey apartments provide a reasonable transition in height from the coastal seawall, progressing to the proposed function centre, reinforcing the landform change evident from this location.

When viewed in the context of the landform, the provision of one-storey buildings along the coast, transitioning to the taller apartment building provides an appropriate increase height that responds to the topography.

From this viewpoint, the proposal will not have any impact on adjacent residential amenity, as there are no residential properties with direct views to the site from this location.

Viewpoint 02 - South-eastern end of Johnsons Beach Road, looking north-west toward the site

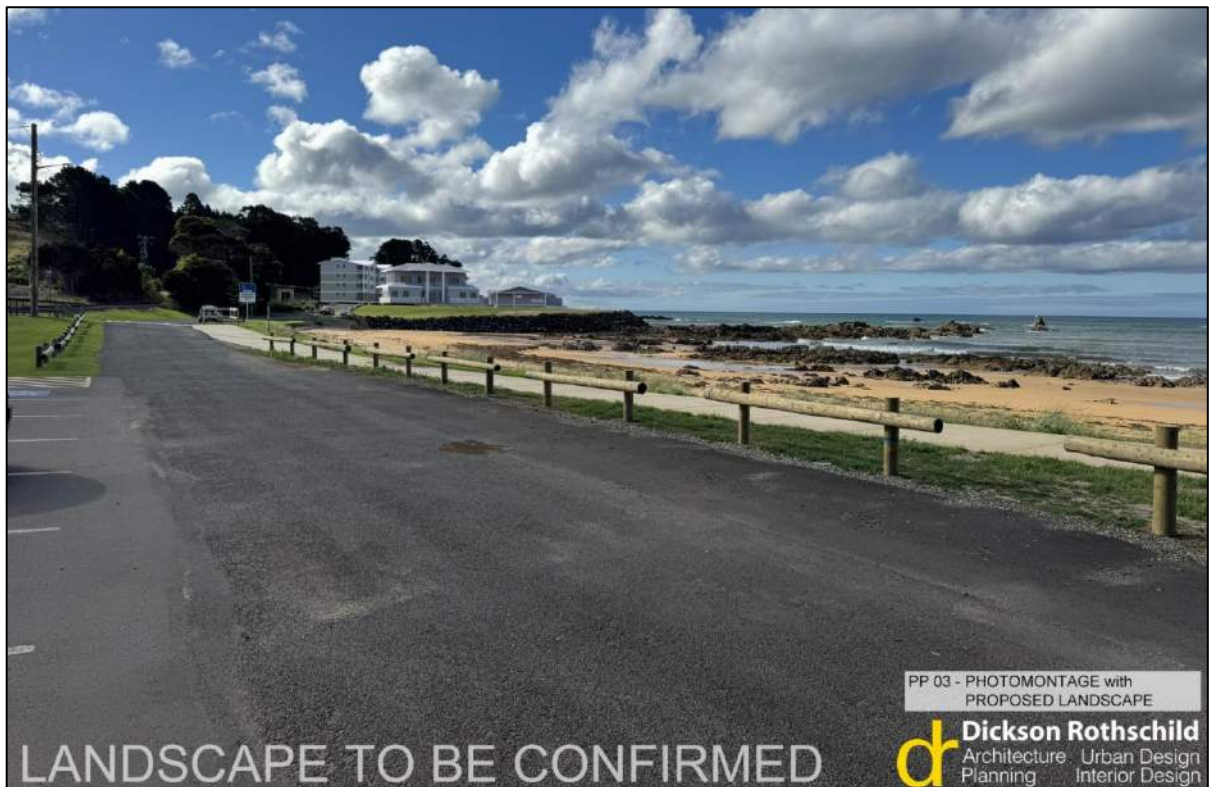


Figure 26: Montage from viewpoint 02 - looking north-west

From this viewpoint, similar observations can be made. The siting of the apartment building on the western side of the site gives the appearance of the 4-level apartments being ‘tucked’ into the taller landform adjoining the site to the west. Coupled with existing vegetation, the landform provides a significant physical backdrop to the site which mitigates the bulk, height and scale of the apartments.

The transition to lower buildings toward the coastline also reinforces the height transition, presenting an overall height and scale that is appropriate for the location.

**Viewpoint 03 - Northern end of Johnsons Beach Road, looking toward the site**



**Figure 27: Montage from the end of Johnsons Beach Road.**

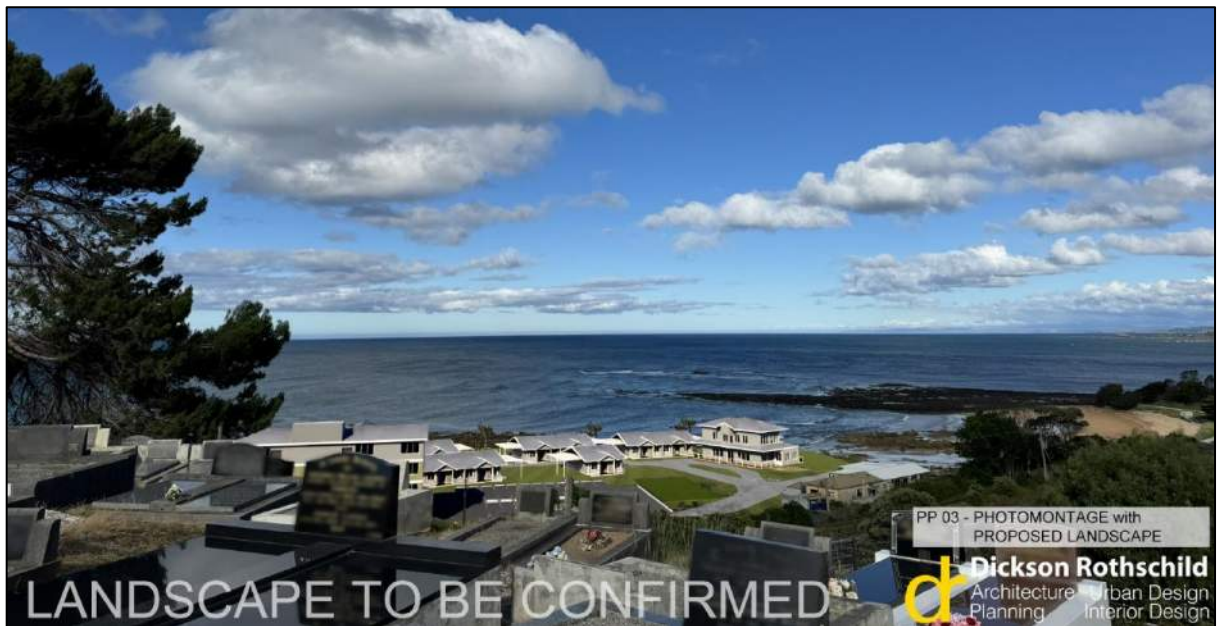
This viewpoint illustrates the form of the function centre in greater detail, noting that the proposed 4-level apartment building is setback approximately 68m to the north of the function centre.

The view again demonstrates the transition in height from the one-storey apartments along the coastline, to the function centre and the 4-storey apartment building to the west. The function centre appears taller due to its location in the foreground.

The existing café/restaurant is also visible in the left-hand corner of montage, which is also a one-storey building. It is again evident that the 4-storey apartment building sits below the dominant hillside to the west, respecting the landform rise. It is noted that a landscaping plan will be developed, which will soften visual scale of the proposal and improve the overall the visual qualities of the site.



**Viewpoint 06 - Montage looking east toward the site, from the nearby Penguin Cemetery**



**Figure 28: Montage from the south-eastern edge of the Penguin Cemetery, looking toward the site.**

This view is taken from the south-eastern edge of the Penguin Cemetery.

Due to the significant topographical change between the subject site and the montage location, the proposed four-storey apartment building sits well below the horizon and does not appear as a significant built element, by virtue of height, scale or bulk.

The retention of significant open space across the site (subject to a detailed landscaping plan) generally retains the recreational characteristics of the foreshore area. The following viewpoints/montages specifically assist in determining the potential impacts on adjacent residential properties.



## Viewpoint 04 - Montage from western side of Preservation Drive, looking toward the site

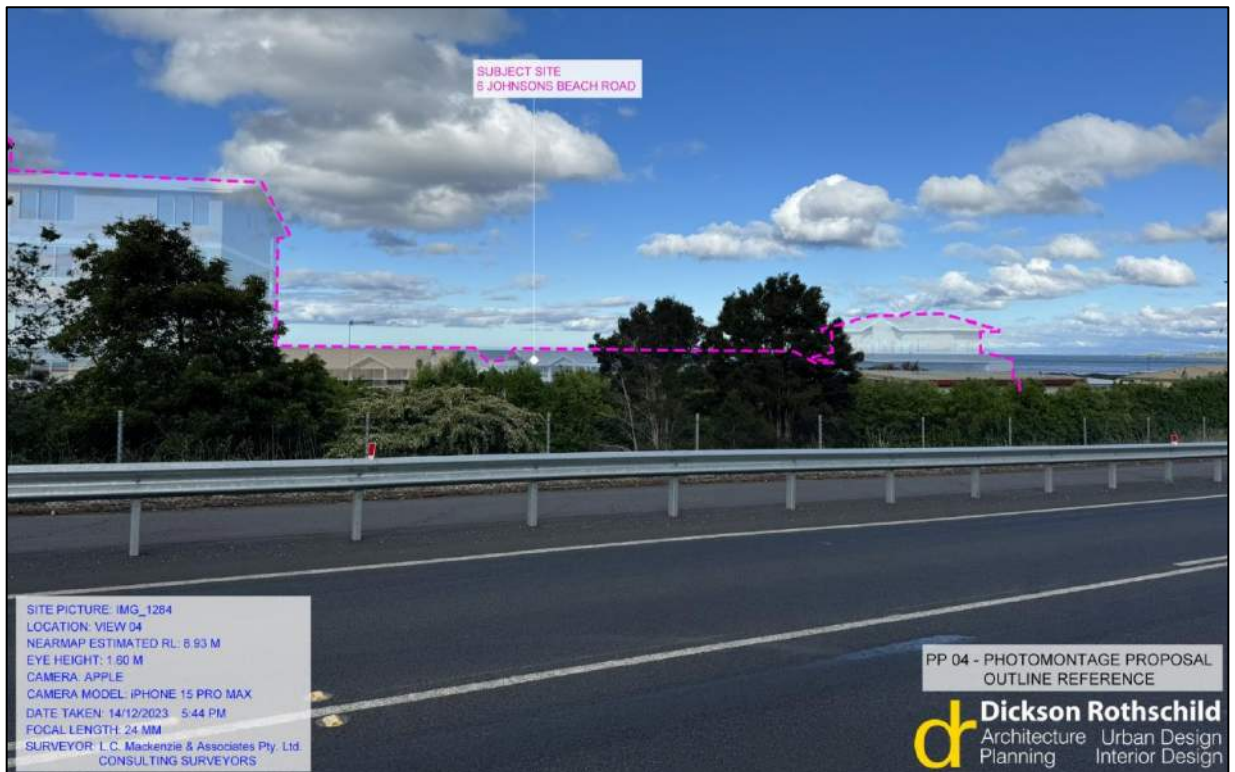


Figure 29: Montage with proposed outline and shaded buildings.

This viewpoint is taken from the western side of the road reservation, adjacent the north-western corner of the residential property at 1A Main Road. The viewpoint is approximately 65m north-west of the existing dwelling at 1A Main Road.

When considering the potential amenity impacts on adjacent properties, the key elements to consider are:

- The perceived height of the four-storey apartment from each viewpoint and corresponding dwelling, and what impact this has on amenity broadly, but also on views (although views are not a matter raised by the performance criteria).
- Potential for overlooking/loss of privacy; and
- Any mitigating factors

The dominant foreground element is the roadway and existing vegetation on the north-eastern side of the road, located between Preservation Drive and the Western Railway line. The canopy height does provide a degree of existing screening of the site and the coastline and progressively increases in height and density height to the north (outside left of the image above), toward the landform and hills noted previously.

The corner of the proposed apartment building will be visible from this location and extend above the horizon line, although the existing vegetation does provide a reasonable degree of screening. The effect of this screening increases further to the north-west.

The proposed function centre will also obscure a portion of the horizon from this location; however, it is noted this building complies with the permitted height of 10m.

The following assesses potential view lines and view fields for each property. View angles have been determined by a red line, determined by the orientation of windows/balconies.

The view field is determined by the anticipated viewing angles afforded from windows/balconies, considering factors that may impede the viewing angles, such as existing vegetation and other structures.

### 1A Main Street

1A Main Street is a one-storey dwelling, with a 31m (approx.) setback from the western edge of Preservation Drive.

The extent of windows along the western elevation appears limited to two small windows on the north-eastern side of the dwelling. Based on the window orientation, views through the centre of the subject site will be possible, as illustrated below.



**Figure 30: Approximate view lines from 1A Main Street. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

Primary views to the north-east from 1A Main Street, through the centre of the site will remain relatively unimpeded, as proposed buildings along the view line (red) are one-storey. The 4-storey apartment building is within the north-western view field. However, a review of Google Streetview and accompanying montages indicate the bulk will be predominately screened by taller, denser vegetation between Preservation Drive and the Western Line.

Views within the north-eastern view field will remain relatively unimpeded, with the angle somewhat restricted by existing vegetation on the adjoining property to the south-east. The separation between the apartment building and 1A Main Street also mitigates potential for overlooking/loss of privacy to the dwelling and associated private open space.

Given the above, the perceived height/bulk of the proposed buildings do not present a height or scale that results in any unreasonable impact on nearby residential properties.

The following viewpoint is relevant in assessing potential impacts on the following adjacent dwellings, within proximity to Preservation Drive:

- 11 Main Road - setback 12m (approx.) from the edge of Preservation Drive; and

- 13-15 Main Road (Units 5 & 6) - setback 13m (approx.) from the edge of Preservation Drive.

**Viewpoint 07 - Montage looking north-west toward the site, from the north-eastern corner of 9 Main Road.**



**Figure 31: Montage from Location 7, looking toward the proposed development from north-eastern corner of 9 Main Road.**

This viewpoint is located approximately 120m south-east of the proposed 4-storey apartment building and approximately 80m from the proposed function centre.

From this location, the offset siting of the apartment building presents oblique viewing angles of the southern and western elevations which assists to reduce the perceived scale/bulk. The choice of light external materials and colours also assists to reduce the visual presence of the building.

The siting of the building in the north-western corner of the site ensures interpretation of the dominant horizon line is generally maintained, as are views of the dominant hillside/landform rise to the north-west of the site. The proposed function centre also extends above the horizon line, however this is limited to the upper level and does not appear as a significant element, given the length and width of the subject site, retaining views to the horizon line.

The following considers potential view lines from 11 Main Road and Units 5 and 6, at 13-15 Main Road.



### 11 Main Road

11 Main Road is a two-storey multiple dwelling with a balcony and extensive windows at first floor level across the north-eastern elevation. These windows extend around the north-western corner of the building, presenting a wide viewing angles, as illustrated below.



**Figure 32: Approximate view lines/view-field from 11 Main Street. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

The proposed apartment building will be visible from 11 Main Road. However, only the south-western elevation will be visible, with a width of approximately 15m and a height of approximately 14.8m. Whilst the potential view field to the north-west is quite broad, the orientation of the apartment building ensures very little of the western elevation will be visible.

The distance in which the apartment building is separated from 11 Main Road (approximately 135m) is also a significant factor as the perception of height and scale reduces as distance increases. This also ensures no impacts on privacy or overlooking of private open space.

Given the considerations above, the perceived height/scale of the apartment building is not anticipated to result in any unreasonable impact on the amenity of 11 Main Road.

### 13-15 Main Road - Units 5 & 6

13-15 Main Road comprises of eight (8), single-storey multiple dwellings.

Units 5 and 6 are in close proximity to Preservation Drive, along the lowest site contour. Unit 5 has two windows along the north-eastern elevation. Unit 6 has three windows along the north-western elevation.

Unit 6 will have a direct view toward the south-eastern elevation of the proposed apartment building. The approximate view lines and view fields are illustrated below.





**Figure 33: Approximate view lines/view-field from Units 5 and 6, at 13-15 Main Street. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

Views from Unit 5 will be somewhat restricted by the orientation of the north-east facing windows and an existing outbuilding in the north-western corner of the site. It appears direct views to the proposed function centre will be screened by existing vegetation on the northern side of Preservation Drive and the Western Railway line.

Whilst a portion of the south-eastern face of the apartment building may be visible, the viewing angle appears restricted to a such a degree that the perceived height/scale of the apartment building is unlikely to have a significant amenity impact.

Unit 6 has a more pronounced oriented to the north-west and possesses additional windows along that elevation. However, the broader viewing angle appears somewhat restricted by Unit 5. Whilst these windows are likely to have a direct view of the apartment building, the views are restricted to the south-eastern face of the apartment building.

However, the physical separation between the north-western elevation of Unit 6 and the proposed apartment (approx. 180m), substantially mitigates the perceived height/scale of the building for the reasons outlined previously.

The north-eastern elevation of Unit 6 also provides an additional window and doorway onto an outdoor deck, providing unimpeded views toward the beach and coastline. Due to the separation distance, there is no potential for overlooking or loss of privacy. Therefore, the perceived height/scale of the apartment building is not anticipated to result in any unreasonable impact on the amenity of Units 5 and 6, at 13-15 Main Road.

The following viewpoints/montages assist in determining potential impacts on the following properties:

- 1 & 1B Main Road (single dwellings); and

- 3 Main Road

**Viewpoint 05 - Montage from Main Road, toward the subject site**



**Figure 34:** Montage from the driveway between 1 and 1B Main Street, looking toward the site.

This viewpoint is taken from the top of the south-western driveway to 1A Main Street. The adjoining property to the west (left of image) is 1B Main Street.

From this viewpoint, the significance of the landform rise from the coast and the dominant hillside to the north-west obscures a large proportion of the four-storey apartment building. Whilst lower-level vegetation also provides a degree of screening, a substantial portion of the apartment building will remain visible.

Whilst the height of the proposed apartment building is not insignificant from this location, it does sit well below the horizon line and the dominant hillside to the north-west of the site. However, it is noted the dwellings at 1A, 1B, 3, 5 and 9 Main Street sit slightly below driveway/road level within the 7-10m AHD contours (approx.).

For context, the proposed development sits across the 4-4.5m AHD contours.

**1 Main Road**

1 Main Road supports a two-storey single dwelling, with windows are generally located along the east/north-eastern elevation, providing views out toward the coast.

Several large floor-to-ceiling windows are evident across the second floor, in two locations and oriented to the north-east. The anticipated primary view lines and view fields are identified below.





**Figure 35: Approximate view lines/view-field from 1A Main Road. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

Due to the orientation of the north-east facing windows, primary view lines are likely directed through and over the central and south-eastern portions of the subject site, where development height is ranges between 1 and 2 storeys.

Montage 05 illustrates the apartment building will be visible within the view field, however these views appear restricted to the south-eastern portion of the apartments. This is due to the steep landform rise to the north-east of the dwelling at 1 Main Road, which serves as a screening element, obscuring portions of the lower levels. Taller and denser vegetation in this area and between the subject site and Preservation Drive also provides screening.

It is noted that 1 Main Street is significantly elevated above the subject site, with the dwelling sited on the 20-25m contour. The section diagrams and montages demonstrate views to the coastline and horizon are maintained, with the apartment building sitting below the dominant hillside to the north-west.

The perceived height of the apartment building is significantly mitigated by the separation distance between 1 Main Street and the apartment building (approx. 136m). The immediate hillside to the north-west of the site demonstrates the way landform/topography can mitigate or accentuate height. In this instance, the hillside extends well above the proposed apartment building and assists in mitigating the perceived height/scale of the apartment when interpreted from 1 Main Road. The separation distance and elevation also assist in mitigating potential noise emissions from the proposed development and an appropriate buffer between residential use at 1 Main Road and activities on the subject site.

Given the above factors, the proposed apartment building does not appear to present a height or scale that would unreasonably impact on the views/visual qualities of the area that contribute to the amenity of 1 Main Road.

### 1B Main Road

1B Main Road is a two-storey single dwelling, with windows generally located along the east/north-eastern elevation, providing views out toward the coast. Windows along this elevation consist of standard rectangular windows at both ground level and across the second floor.

The anticipated primary view lines and view fields are identified below.



**Figure 36: Approximate view lines/view-field from 1B Main Road. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

Based on the orientation of the north-east facing windows, primary view lines are likely directed through and over the central section of the site, with view fields extending across the north-eastern portion of the subject site, including the proposed apartment building.

Interpretation of the north-western side of the apartment building are somewhat screened by existing vegetation, however the montages indicate a reasonable portion of the south-western aspect of the apartment building will be visible.

However, the building is sited such that the full height and length of the south-western elevation is angled away from 1B Main Road. Coupled with the significant separation distance (approx. 158m), the perceived height is significantly ameliorated.

It is noted that 1B Main Road is also significantly elevated above the subject site, with the dwelling sited along the 20m contour. The section diagrams and montages demonstrate views to the coastline and horizon are maintained, with the apartment building sitting below the dominant hillside to the north-west. The view field further east appears generally unobstructed.

Overall, the perceived height of the apartment building is significantly mitigated by the separation distance between the dwelling and the apartment building (approx. 158m). The dominant hillside to the north-west provides context as to the way landform/topography mitigates the height of the apartment building, presenting an overall scale much greater than the apartment building. The

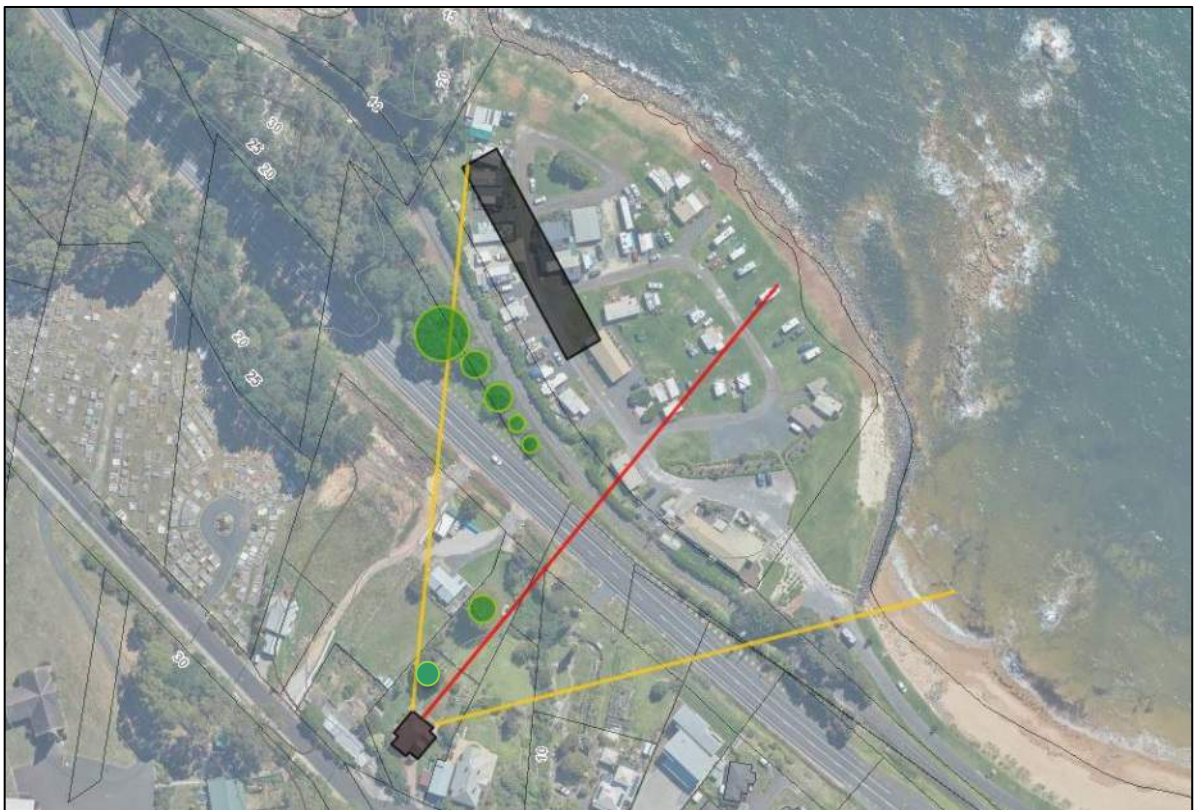


proposed apartment building does not appear to present a height or scale that would unreasonably impact on the views/visual qualities of the area that contribute to the amenity of 1B Main Road.

### 3 Main Road

3 Main Road supports a three-storey dwelling, with windows along the east/north-eastern elevation across each level providing views to the coast.

Windows across the lower floor and ground floor appear to be relatively standard square and rectangular windows, as are the windows on the upper level. However, only one window is provided on the upper floor on the north-eastern elevation. The dwelling appears to have views over some lower-level vegetation on the adjoining site at 1A Main Street, from windows to the upper floor. However, a large tree in the northern corner of the site will restrict views from the lower levels of the dwelling. The approximate view lines and view fields are illustrated below.



**Figure 37: Approximate view lines/view-field from 3 Main Road. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

The view field from the upper levels is relatively broad, particularly to the east/south-east. The view field to the north-east is somewhat restricted by trees along the boundary between 3 Main Road and 1A Main Road, along with a large tree in the northern corner of the site.

The separation distance between the apartment building and the dwelling is 141m (approx.). Again, the separation distance and siting of the apartment building reduces the perceived height/scale of the building, with the bulk of the building offset from the orientation of the dwelling at 3 Main Street.

Whilst a portion of the south-eastern face of the apartment building may be visible, the viewing angle appears restricted to a such a degree that the perceived height/scale of the apartment building is unlikely to have a significant amenity impact.

3 Main Road is also located predominantly between the 15 and 20m AHD contours, such that the proposed apartment building sits well below the upper levels and associated windows of the dwelling along the north-eastern elevation. This is demonstrated in the accompanying section drawings.

Therefore, the perceived height/scale of the apartment building is not anticipated to result in any unreasonable impact on the amenity of 3 Main Road.

The following viewpoint assists in determining potential impacts on the adjacent properties at:

- 5 Main Road; and
- 9 Main Road.

Although the following montage also depicts 11 Main Road, potential impacts on that property have been considered in the context of Viewpoint 07, given that viewpoint is closer to the north-eastern elevation of the dwelling.

#### Viewpoint 08 - Montage looking north-west toward the site, adjacent to 9 and 11 Main Road



Figure 38: Montage looking north toward the site from Main Road, between 11 Main Road and 9 Main Road.

This view is taken approximately 191m from the south-western edge of the proposed four-storey apartment building and approximately 152m from the proposed function centre.

The proposed apartment building does not extend above the dominant hillsides to the immediate north-west of the site and the overall scale of the development steps down to one-storey apartments through the central and eastern portions of the site, retaining views and interpretation of the horizon line and Bass Strait.

However, the primary north/north-eastern elevations of both properties shown above at 9 and 11 Main Road are closer to the subject site than the viewpoint location above. Both properties also have upper levels providing broad, elevated viewing angles in which the proposed apartment building will be visible.



The following provides an assessment of the approximate view lines and viewing angles from the abovementioned properties.

### 5 Main Road

5 Main Road supports a single storey dwelling oriented to the north/north-east. The dwelling is located on the 15m AHD contour, indicating a ground level difference of approximately 10m above the subject site.

The north/north-eastern elevation supports approximately three windows, providing broad views across the subject site and out to the coast. These windows are located approximately 144m from the south-western corner of the proposed apartment building.

The approximate view lines and view fields are illustrated below.



**Figure 39: Approximate view lines/view-field from 5 Main Road. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)**

The potential view field to the north-west is relatively broad, due to the siting of the dwelling on a higher topographical contour. However, it appears several trees on the adjoining properties may partially obscure views of the apartment building.

Further vegetation between the site and Preservation Drive is also anticipated to assist in screening the long south-western elevation of the apartment building. The perceived height/scale is also mitigated through the siting and orientation of the building, presenting an off set viewing angle with the bulk of the building angled away from the direct viewing line.

This is also the case with the south-eastern elevation of the apartment building, which is also offset from the primary view line from 5 Main Road.

Whilst the south-eastern and western elevations of the apartment building will be visible, the viewing angles created by the siting of the building will mitigate the perceived height/scale of the apartment building. Broad views to the north-east from the dwelling will be retained, with viewing lines extending over the one-storey apartments and the roof of the proposed function centre, allowing continue interpretation of the horizon and broader coastline.

These mitigating factors are enhanced by the physical separation between 5 Main Road and the proposed apartment. Combined, the factors indicate the height of the proposed apartment building is sufficiently mitigated such that the potential amenity impacts are not unreasonable.

### 9 Main Road

9 Main Road comprises of a single, two-storey dwelling. The property is divided into two titles, with the northern most lot supporting landscaping and gardens.

The dwelling is oriented to the north/north-east and is sited between the 5m and 10m AHD contours. The proposed apartment building is located across the 4m-5m AHD contour.

The north/north-eastern elevation supports several windows across the first and second floors. The second-floor windows (including a balcony) appear to be to a bedroom. Additional windows are also located along the north-western elevation, providing views across the subject site and out to the coast. These windows are located approximately 146m from the south-western corner of the proposed apartment building.

The approximate view lines and view fields are illustrated below.



Figure 40: Approximate view lines/view-field from 9 Main Road. Red line indicates primary view orientation. Orange lines indicate an approximate field of view. Green circles indicate existing vegetation. Black area indicates approximate 4-storey building location (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania)



It appears direct views of the proposed function centre will be possible within the primary view line. The apartment building will also be visible due to the viewing angle to the north-west. The viewing angle to the north-east is somewhat restricted by the adjoining building at 11 Main Road.

The northern aspect of 9 Main Road does not possess any substantial vegetation of a height or density that would assist to screen views of the apartment building. However, the siting and orientation of the apartment building is such that the long south-western elevation is oriented away from 9 Main Road, serving to significantly reduce the apparent scale of the building.

The siting of the development also ensures a significant portion of the view field between the function centre and the apartment building will remain clear of any substantial built elements. Additional landscaping will be implemented at ground level across the subject site, which will improve the visual qualities of the site and mitigate the perceived height/scale of the development.

Again, the physical separation between the north-western and north-eastern elevations of 9 Main Road and the proposed apartment (approx. 142m), ensures no impacts arising from overlooking or a loss of privacy to private open space.

***d) The requirements of the proposed use***

The proposal will provide for visitor accommodation, a function centre and food services use. The proposed use/development is not dissimilar to that already supported on the site and new buildings have been designed and sited to minimise amenity impacts on adjacent residential properties to the west/south-west.

The function centre will operate in accordance with the hours of operation specified in the draft permit. Day to day operation of the site is not expected to generate significant additional noise levels over existing, particularly given all guests will be accommodated within the proposed buildings, rather than existing tent/caravan sites.

Demand for overnight accommodation in Penguin and the wider Central Coast area has increased substantially in recent years, with many informal overnight camping/parking areas seeing increased activity. In order to accommodate this and provide necessary controls, Council have prepared a draft Camping Policy to manage caravans/overnight camping in the municipal area.

The revitalisation of the site at 6 Johnsons Beach Road, providing additional accommodation will assist in relieving pressure on existing formal and informal camping areas by providing overnight accommodation with on-site, private amenities.

Whilst powered/un-powered camping/caravan sites will not be provided, it is anticipated the proposed development will provide a welcome alternative for visitors passing through the area. The accompanying economic report outlines the current demand and shortfall for accommodation across the north-west coast, indicating strong support for additional short-term accommodation, to minimise the loss of long-term residential accommodation for short stay.

***e) Sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties; and***

***f) The privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties and any overshadowing of adjacent public places.***

As outlined previously, the minimum separation distance between the new buildings and existing residential properties is approximately 84m at the shortest point. This is the approximate distance between the proposed function centre and nearest adjacent residential dwelling at 11 Main Road, Penguin.

The separation distance between the central accommodation building, to the nearest adjacent residential dwelling at 1A Main Road is approximately 94m. Measured boundary to boundary, the subject site and 1A Main Road are approximately 43m apart.

The hills to the north-west of the site are heavily vegetated and provide screening between the development and the nearby residences along Westridge Road, Warren Drive and Kyema Street.

The significant physical separation from residential properties to the west/south-west, combined with existing vegetation screening (to the north-west) and the site location on the lower topographical contour ensures no unreasonable impacts arise from overshadowing or overlooking to adjacent properties.

As demonstrated in the accompanying shadow diagrams, no over-shadowing will occur onto the Johnsons Beach public foreshore.

### Summary

The proposed development will present additional built forms visible from adjacent residential properties and public areas. Whilst the height of the apartment building is not insignificant, the following factors identified above significantly mitigate potential amenity impacts to a degree that is not unreasonable:

- Topography
  - The site sits on the lowest topographical contour, before the landform rises significantly to the south-west and to the north/north-west.
  - The hillsides to the immediate north-west provide an appropriate backdrop to the site and sits well below these landforms.
  - Except for 1B Main Street and Units 5-6 at 13-15 Main Street, all other adjacent properties to the south-west are significantly higher in elevation than the subject site.
- Vegetation screening
  - Existing vegetation between the site and Preservation Drive assists to screen a considerable portion of the south-western façade of the apartment building.
  - Vegetation on adjacent properties also assists in maintaining privacy on adjacent properties, whilst also screening views/interpretation of the proposed development.
  - Additional landscaping will be provided on the site, to enhance the visual qualities of the site.
- Siting and design;
  - The siting of the apartment building in the north-west of the site creates substantial separation distances from adjacent properties, mitigating and/or entirely avoiding potential for overlooking/loss of privacy.
    - Separation distance also assists in reducing potential noise emissions, although this is not expected to increase over existing given all guests will now be accommodated within the buildings.
  - The orientation of the apartment building presents oblique viewing angles which reduce the perceived bulk and scale, and generally maintain views over the site to the horizon.
  - Siting below and adjacent to the dominant hillside respects the landform/topography, mitigating the perceived height/scale of the building.

Given the above, the height and overall scale of the development will not result in any unreasonable impacts on residential amenity of adjacent properties.

#### **A2**

*Buildings must have a setback from a frontage of:*

- a) not less than 5m; or*
- b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, whichever is the lesser.*

#### **COMMENTS**

#### **A2**

a) Primary frontage is defined as the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations. The site has frontage to Johnsons Beach Road, which shows on the title plan as a public road. Setbacks under the acceptable solutions are to be 5m. As no building aligns with the frontage there is no frontage setback requirement. The proposal shows a setback of 8m from the boundary which transects this frontage. By either interpretation, the proposal complies with the Acceptable Solutions.

The site also shares a boundary with the Western Railway Line. The planning scheme does not define road, but the Local Government Building and Miscellaneous Provisions Act defines road as:

- (a) any land subject to a right of way for wheeled vehicles; and*
- (b) any land which obviously appears to be regularly used for the passage of wheeled vehicles; and*
- (c) any land made ready to be regularly so used, together with any adjoining path;*

This excludes railway corridor as road frontage, and therefore this does not constitute a frontage, nor require a setback.

#### **A3**

*Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone not less than:*

- a) 3m; or*
- b) Half the wall height of the building,*

*Whichever is the greater.*

#### **COMMENTS**

The site and proposed buildings do not directly adjoin any residential zones. The site is separated from the nearest residential zone to the west/south-west by the railway corridor which is zoned Utilities.

Therefore, A3 is not applicable.

## 6. CODES

The site is subject to several overlays under the *Tasmanian Planning Scheme - Central Coast*. The following will need to be addressed as part of any subsequent development across the site.

### 6.1 PARKING AND SUSTAINABLE TRANSPORT CODE

The Parking and Sustainable Transport code applies to all use and development on site.

#### 6.1.1 Use Standards

##### **C2.5.1 Car Parking Numbers**

**Objective:** that an appropriate level of car parking spaces are provided to meet the needs of the use.

##### **SCHEME STANDARDS**

##### **A1**

the number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

- a) The site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;
- b) The site is contained within a parking precinct plan and subject to clause C2.1;
- c) The site is subject to Clause C2.5.5; or
- d) It relates to an intensification of an existing use or development or a change of use where:

- a) The number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or

- b) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C-B)$$

*N* = Number of on-site car parking spaces required

*A* = Number of existing on-site car parking spaces

*B* = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

*C* = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

##### **A1**

Table C2.1 prescribes the number of parking spaces required for different use classes. As per the table, the car parking requirements for the proposal are as follows:



Use class	PARKING REQUIREMENTS
	CAR
Community meeting and entertainment (function centre)	1 space per 15m <sup>2</sup> of floor area, or 1 space per 3 seats, whichever is greater.
Food services (restaurant)	1 space per 15m <sup>2</sup> of floor area (including any outdoor dining areas) + 6 queuing spaces for drive-through (if applicable).
Visitor Accommodation	1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater
Business and Professional Use	1 space per 40m <sup>2</sup>

The parking spaces provided on site are as follows:

	FLOOR AREA (M2)	SPACES REQUIRED
Function centre	280	19
Managers offices	50	1
Restaurant/café	200	13
Visitor accommodation	21 short stay & 40 units	61
		<b>Total required: 94</b>

A total of 94 parking spaces are required to satisfy the acceptable solutions. As there are 101 parking spaces proposed as part of the development, acceptable solutions are met.

### C2.5.2 Bicycle Parking Numbers

*Objective: that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.*

#### SCHEME STANDARDS

##### A1

*Bicycle parking spaces must:*

- a) *be provided on the site or within 50m of the site; and*
- b) *be no less than the number specified in Table C2.1.*

##### P1

*Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:*

- a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and
- b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

**COMMENTS**

**A1**

Table C2.1 prescribes the number of parking spaces required for different use classes. As per the table, the bicycle parking requirements for the proposal are as follows:

Use class	PARKING REQUIREMENTS
	Bicycle
Community meeting and entertainment (function centre)	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
Food services (restaurant)	1 space per 75m <sup>2</sup> floor area.
Visitor Accommodation	No requirement.
Business and Professional Services	1 space per 500m <sup>2</sup>

The bicycle parking spaces provided on site are as follows:

	FLOOR AREA (M2)	SPACES REQUIRED
Function centre	280	6
Managers offices	50	0
Restaurant/café	200	3
Visitor accommodation	21 short stay & 40 units	0
		<b>Total required: 9</b>

A total of 9 bicycle parking spaces are required. These have been provided in accordance with the acceptable solutions.

**C2.5.3 Motorcycle Parking Numbers**

*Objective: that the appropriate level of motorcycle parking is provided to meet the needs of the use.*

**SCHEME STANDARDS**

**A1**

*the number of on-site motorcycle parking spaces for all uses must:*

- a) be no less than the number specified in Table C2.4; and
- b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.

**P1**

Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:

- a) the nature of the proposed use and development;
- b) the topography of the site;
- c) the location of existing buildings on the site;
- d) any constraints imposed by existing development; and
- e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.

**COMMENTS**

**A1**

Table C2.4 requires:

- 1 motorcycle space per 40 carparking spaces, and
- an additional 1 space for every additional 20 car parking spaces.

As such, a total of 3 motorcycle spaces are required to satisfy this provision. These have been provided in accordance with the acceptable solutions.

**C2.5.4 Loading Bays**

*Objective: that adequate access for goods and delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.*

**SCHEME STANDARDS**

**A1**

a) a Loading bay must be provided for uses with a floor area of more than 1000m<sup>2</sup> in a single occupancy.

**COMMENTS**

**A1**

The site has been designed to cater for an 8.8m service vehicle with a truck loading bay located near the function centre. As per the accompanying TIA, these met the required standards.

6.1.2 Development Standards

**C2.6.1 Construction of parking areas**

*Objective: that parking areas are constructed to an appropriate standard.*

**SCHEME STANDARDS**

**A1**

All parking, access ways, maneuvering and circulation spaces must:

- a) *Be constructed with a durable all-weather pavement*
- b) *Be drained to the public stormwater system, or contain stormwater on the site; and*
- c) *Excluding all uses in the rural zone, agriculture zone, landscape conservation code, environmental management zone, recreation and open space zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimize entry of water to the pavement.*

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**COMMENTS**

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**A1**

All parking and access ways on-site will be upgraded to better service the new infrastructure.

- a) These will be constructed with an all durable weather pavement.
- b) The parking areas will be drained via gravity to public infrastructure within Johnsons Beach Road and is therefore compliant with A1.
- c) As the site is within the open space zone, (c) is not applicable.

**C2.6.2 Design and layout of parking areas**

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**Objective:** *that parking areas are designed and laid out to provide convenient, safe and efficient parking.*

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**SCHEME STANDARDS**

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**A1.1**

*Parking, access ways, maneuvering and circulation spaces must either:*

- a) *Comply with the following:*
  - (i) *Have a gradient in accordance with Australian Standard AS 2890 - Parking Facilities, Parts 1-6;*
  - (ii) *Provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;*
  - (iii) *Have an access width not less than the requirements in Table C2.2;*
  - (iv) *Have car parking space dimensions which satisfy the requirements in Table C2.3;*
  - (v) *Have a combined access and maneuvering width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;*
  - (vi) *Have a vertical clearance of not less than 2.1m above the parking surface level; and*
  - (vii) *Excluding a single dwelling, be delineated by line marking or other clear physical means; or*
- b) *Comply with Australian Standard AS 2890 - Parking Facilities, Parts 1-6.*

**A1.2**

*Parking spaces provided for use by persons with a disability must satisfy the following:*

- a) *Be located as close as practicable to the main entry point to the building;*
  - b) *Be incorporated into the overall car park design; and*
-



- c) *Be designed and constructed in accordance with the Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, off-street parking for people with disabilities.*

#### COMMENTS

##### A1.1

b) As per the Traffic Impact Assessment submitted by Howarth Fisher and Associates, the *parking areas have been designed in accordance with Australian Standard AS 2890 - Parking Facilities, Parts 1-6.*

##### A1.2

There are 6 accessible parking spaces provided on site.

(a) 2 spaces are located adjacent to the function center and café/restaurant. 2 are located in the central car parking area, adjacent to the apartment building. A further 2 have been provided in association with two of the one-storey apartments.

(b) These have been integrated into the overall car parking design.

(c) These spaces have been designed in accordance with the Australian standards.

The proposal complies with A1.1 and A1.2.

#### C2.6.3 Number of accesses for vehicles

**Objective:** *that:*

- a) *Access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;*
- b) *Accesses do not cause an unreasonable loss of amenity of adjoining uses; and*
- c) *The number of accesses minimise impacts on streetscape.*

#### SCHEME STANDARDS

##### A1

*the number of accesses provided for each frontage must be:*

- a) *No more than 1; or*
- b) *No more than the existing number of accesses,*

*Whichever is the greater.*

##### P1

*the number of accesses for each frontage must be minimized, having regard to:*

- a) *Any loss of on-street parking; and*
- b) *Pedestrian safety and amenity;*
- c) *Traffic safety;*
- d) *Residential amenity on adjoining land; and*
- e) *The impact on streetscape.*

#### COMMENTS

A1

- (a) It is proposed that the existing access to Johnsons Beach Road be retained. The access will be widened to 5.5m in order comply with municipal standards.

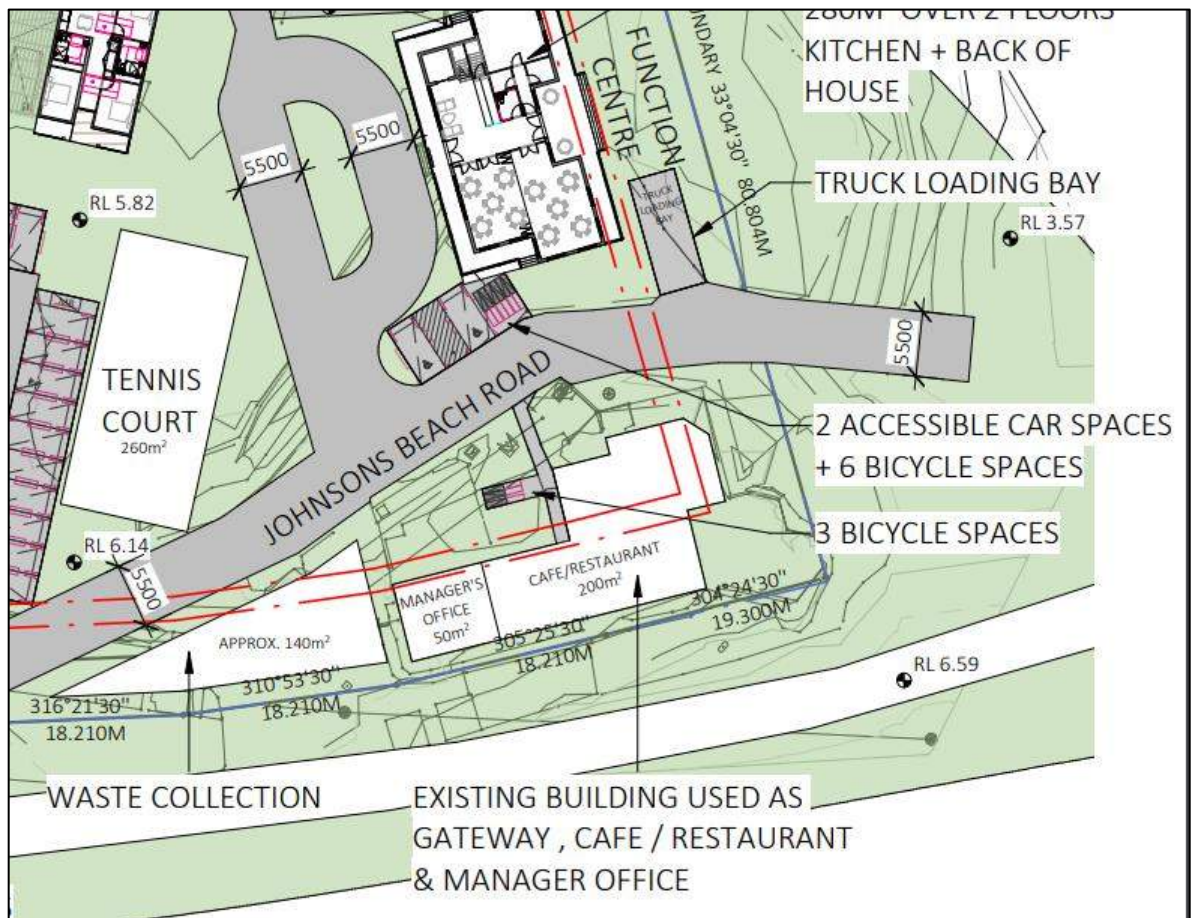


Figure 41: Proposed masterplan layout (Dickson Rothschild Architects, 2022).

C2.6.5 Pedestrian Access

**Objective:** that pedestrian access within parking areas is provided in a safe and convenient manner.

SCHEME STANDARDS

A1.1

uses that require 10 or more car parking spaces must:

- a) Have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:
  - i. A horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
  - ii. Protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and
- b) Be signed and line marked at points where pedestrians cross access ways or parking aisles.

A1.2

*In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point of the building.*

**P1**

*Safe and convenient pedestrian access must be provided within parking areas, having regard to:*

- a) The characteristics of the site;*
- b) The nature of the site;*
- c) The number of parking spaces;*
- d) The frequency of vehicle movements;*
- e) The needs of persons with a disability;*
- f) The location and number of footpath crossings;*
- g) Vehicle and pedestrian traffic safety;*
- h) The location of any access ways or parking aisles; and*
- i) Any protective devices proposed for pedestrian safety.*

**COMMENTS**

**A1**

Dedicated pedestrian footpaths are not provided, instead, the proposal will have a shared vehicle and pedestrian environment. As such, assessment against the performance criteria is required.

**P1**

There is a dedicated footpath for the first section into Johnsons Beach Road, with a shared pedestrian / vehicle environment thereafter, and no dedicated pedestrian footpaths. Pedestrians are required to walk on the sealed road pavement and share the space with vehicles or walk along the grassed area on either side. There is a good network of adjacent pedestrian linkages along Main Road and in the area generally. Given the limited vehicle flow along Johnsons Beach Road, there is a safe shared vehicle and pedestrian environment.

On the site itself, safe and convenient pedestrian is provided by:

- a) The speed restriction in the Penguin caravan car park to 8km/hr.
- b) The site predominantly caters for families and young children. The low speed limits reflect shared pedestrian/vehicle nature of this site.
- c) There are 101 carparking spaces on site.
- d) The development will generate a maximum of two (2) additional trips during the evening peak period and an additional twenty-nine (29) daily based on 100% occupancy of units and facilities. This represents worst case scenario conditions, given that there will not be functions held on a daily basis and many of the functions will not be at capacity numbers. The frequency of vehicle movements is considered acceptable within the planning scheme.
- e) Parking areas are provided in close proximity to the function centre, café and accommodations to promote ease of accessibility.
- f) Due to the low speed limit and shared pedestrian/vehicular nature of the road, no crossings are provided.

- g) The site has sufficient space for pedestrians to walk along the grassed area on either side of the road network.
- h) The main parking aisle is located centrally as seen on the site plan. With the majority of cars concentrated in this area, it minimises movement across other portions of the site.
- i) All shared areas will be marked to improve safety for pedestrians and vehicles:
  - Walkways within a shared area will be marked with unbroken longitudinal lines on both sides of the walkway.
  - Other vacant non trafficked areas shall be outlined with unbroken lines.
  - All line marking will be non-slip.

The site will be a shared pedestrian and vehicle zone.

The supplementary TIA outlines the Safe System Assessment Framework for identifying and reducing risk for all road users. The assessment indicates the proposed development achieves a low-risk, provided a low-speed environment is maintained as proposed.

The report also states shared zone signage is necessary, to maintain safety and efficiency. Share zone signs have already been provided by Council along Johnsons Beach Road.

The proposal complies with P1.

#### **C2.6.6 - Loading bays**

**Objective:** *That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.*

#### **SCHEME STANDARDS**

**A1** - *The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2-2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities, for the type of vehicles likely to use the site.*

**P1** - *Loading bays must have an area and dimensions suitable for the use, having regard to:*

- (a) the types of vehicles likely to use the site;*
- (b) the nature of the use;*
- (c) the frequency of loading and unloading;*
- (d) the area and dimensions of the site;*
- (e) the topography of the site;*
- (f) the location of existing buildings on the site; and*
- (g) any constraints imposed by existing development.*

#### **COMMENTS**

As outlined in the supplementary TIA, a 4m wide by 9.8m long truck Loading Bay is proposed beside the Function Centre. This loading zone is provided for deliveries and waste management and complies with A1.



*A2 - The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 - 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities.*

*P2 - Access for commercial vehicles to and from the site must be safe, having regard to:*

- (a) the types of vehicles associated with the use;*
- (b) the nature of the use;*
- (c) the frequency of loading and unloading;*
- (d) the area and dimensions of the site;*
- (e) the location of the site and nature of traffic in the area of the site;*
- (f) the effectiveness or efficiency of the surrounding road network; and*
- (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.*

#### **COMMENTS**

The TIA prepared by Howarth Fisher provides turning paths for 8.8m rigid trucks accessing the loading area, as shown in appendix B of the TIA.

The proposal complies with A2.

## **6.2 ROAD AND RAILWAY ASSETS CODE**

Due to the increase in the amount of vehicular traffic, the site is subject to the Road and Railway Assets code. The site is also located within 50m of the boundary of a rail network, and is therefore subject to railway attenuation considerations.

A Traffic Impact Assessment has been provided as part of this assessment.

### **6.2.1 Use Standards**

#### **C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction**

***Objective:** to minimise any adverse effects on the safety, and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.*

#### **SCHEME STANDARDS**

***A1.2** - For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.*

***A1.3** - For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.*

***A1.4** - Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:*

- a) The amounts in Table C3.1; or*

b) Allowed by a license issued under part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.

**A1.5** - Vehicular traffic must be able to enter and leave a major road in a forward direction.

**P1** - Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative access to a road;
- (f) the need for the use;
- (g) any traffic impact assessment; and
- (h) any advice received from the rail or road authority.

**COMMENTS**

**A1.2**

No new vehicle crossings are proposed.

**A1.3**

No new private level crossings are proposed.

**A1.4**

There is a level crossing located on Main Road to the north of the intersection with Johnsons Beach Road. The level crossing is subject to active control, with flashing lights providing the warning to approaching drivers, which are triggered by an approaching train. There will be an intensification in the use of the level crossing and the access to the site via Johnsons Beach Road.

Location of vehicular traffic	Amount of acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)	
	Vehicles up to 5.5m long	Vehicles longer than 5.5m long
Vehicle crossing on major roads and private level crossings	10% or 10 vehicle movements per day, whichever is the greater	10%
Vehicle crossings on other roads	20% or 40 vehicle movements per day, whichever is the greater	20% or 5 vehicle movements per day, whichever is the greater

The TIA states the site currently generates 352 vehicle trips per day. The proposed development will generate an additional 124 trips per day based on 100% occupancy rates, representing the worst-case scenario.

However, the function centre will not be operating continuously and will be mainly operating on weekends. As such, the increase in movements would meet the acceptable solution.

However, a response to the performance criteria has been provided in the accompanying TIA for the worst-case scenario.

### **A1.5**

Due to the creation of a continuous internal route, traffic will be able to enter and exit in a forward direction.

The proposal therefore complies with the acceptable solution.

### **P1**

(a) Given the location of the development, it is anticipated that the visitors of the function centre will also be staying in the visitor accommodation and will therefore not all on the impose additional trips. Given the strict drink driving laws, the visitors to the function centre will be likely accessing the site through sustainable transport options or ride sharing transport.

(b) There will be a number of multipurpose trips associated with the proposed development, notably many people attending the restaurant and / or function centre on the site will also be staying at the visitor accommodation on the site.

As all trips were calculated independently it is anticipated that there has been some double or triple counting.

(c) Johnsons Beach Road is a local access road with a narrow cross section width, it has a low traffic volume and subject to a low speed limit. The proposed uses at the site are similar to those which have already been provided. It is not anticipated that for part there will be a significant change in trip generation.

(d) Johnsons Beach Road is a local access road with a narrow cross section width, it has a low traffic volume and subject to a low speed limit. The main function of an access road is to provide access to land uses located along its length as opposed to catering for a through traffic function.

(e) This is the only access to a road available.

(f) The redevelopment involves for the most part an upgrade to the existing land uses located at the site.

(g) This report constitutes a traffic impact assessment report.

(h) TasRail have been consulted in the preparation of this report.

The proposal complies with P1.

## 6.2.2 Development Standards

### **C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area.**

**Objective:** to minimise the effects of noise, vibration, light and air emissions on sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.

#### **SCHEME STANDARDS**

##### **A1**

Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:

- a) Within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;
- b) An extension which extends no closer to the existing or future major road or rail network than:
  - i. The existing habitable building; or
  - ii. An adjoining habitable building for a sensitive use; or
- c) Located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the Noise Measurement Procedures Manual, 2<sup>nd</sup> edition, July 2008.

##### **P1**

Habitable buildings for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimize adverse effects of noise, vibration, light and air emissions, from the existing or future major road or rail network, having regard to:

- a) The topography of the site
- b) The proposed setback
- c) Any buffers created by natural or other features
- d) The location of existing or proposed buildings on the site;
- e) The frequency of use of the rail network;
- f) The speed limit and traffic volume of the road;
- g) Any noise, vibration, light and air emissions from the rail network or road
- h) The nature of the road;
- i) The nature of development;
- j) The need for development;
- k) Any traffic impact assessment;
- l) Any mitigating measures proposed;
- m) Any recommendations from a suitably qualified person for mitigation of noise; and
- n) Any advice received from the rail or road authority.

#### **COMMENTS**

The proposed development will require the creation of multiple additional dwellings, therefore assessment against the performance criteria is relied upon.



P1

The site is immediately adjacent to the Western line railway corridor, which is subject to the *Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016*. The act requires a referral to State Growth (DSG) for all new development within 50m of the rail corridor.



Figure 42: Western Line railway corridor (Source: I Duckett, 2021)

*57. Applications for discretionary permits that relate to land within corridor or adjoining land*

*(1) If an application is made, other than by a responsible manager, for a permit for a discretionary development wholly or partly on a corridor or wholly or partly on a part, of adjoining land, that is within 50 metres of a corridor -*

*(a) the relevant planning authority must, when notice of the application is given under section 57 of the Land Use Planning and Approvals Act 1993 , refer the application to the Minister; and*

*(b) the Minister may, within the 14-day or further representation period allowed under section 57(5) of the Land Use Planning and Approvals Act 1993 , give the planning authority the advice on the application that the Minister thinks fit and in so doing may recommend that, if granted, the permit should be made subject to the conditions, of the kind referred to in section 56(2)(b) , recommended by the Minister in the advice.*

*(2) If the Minister fails to give to the planning authority advice under subsection (1) in relation to an application, the planning authority may determine the application without further reference to the Minister.*

*(3) If the Minister gives to the planning authority advice under subsection (1) in relation to an application -*

*(a) the planning authority is to have regard to the advice in determining the application; and*

*(b) the advice is to be taken to be a representation made under section 57(5) of the Land Use Planning and Approvals Act 1993 in relation to the application; and*

*(c) without limiting the discretion of the planning authority if it approves the application, the planning authority may grant the permit subject to any conditions, relating to the corridor safety and use objectives, that are recommended by the Minister (with or without modification).*

*(4) When a planning authority complies with section 57(7) of the Land Use Planning and Approvals Act 1993 for an application referred to in subsection (1) , it must also give the Minister notice of its decision, whether or not the Minister has given it advice on the application.*

*(5) The failure of a planning authority to comply with subsection (1) in relation to an application does not invalidate a permit for the development but, in any such case, the Minister has the same right of appeal against the grant of the permit as a person who made representations in relation to the application.*

It is important to note that the line runs through Penguin, and there are a number of existing buildings which are in close proximity to the railway line. The potential noise of the regular freight service has become an accepted part of the character and amenity of Penguin.

Table C3.2 details acceptable noise levels within a road or railway attenuation area. For railways, a 24-hour Leq and Lmax noise level of 65 dB(A) and 87dB(A) Lmax assessed as a single event maximum sound pressure level. A noise and ground Vibration study has been submitted as part of this application. The effects of noise, vibration and light to habitable buildings are minimised as below:

a) The topography of the site is explained in depth in section 3.2 of this report. The topography between the rail line and the habitable buildings are relatively even, with a gradient of less than 2m.

b) The proposed development will be setback a minimum of 8m from the corridor boundary. This is a significantly greater setback than the positioning of the existing sensitive uses onsite. The proposed development will have a better outcome than the existing development in this regard.

c) There is vegetation screening between the railway line and the sensitive uses. The surrounding area has hills that are covered by masses of vegetation, acting as a natural screening, particularly from the northern end of the site.

d) The existing buildings are located in closer proximity to the rail line. The proposed dwellings will have a new road situated between the railway line and the sensitive uses. This additional distance will reduce the impact of the rail on the sensitive uses onsite.

e) According to the acoustic report, the use of the railway line for trains is considered “infrequent” (Noise and Vibration Report, 2022). The railway line is currently utilised by freight services only, despite the location of a passenger station. TasRail has advised that the frequency of the freight services is four (4) freight train services per day six days per week using this line. There are two (2) northbound and two (2) southbound services, operating six (6) days per week. There are no services between noon on Saturday until noon on Sunday. The services operate through Penguin at 3.45am, 10am, 12.15pm and at 8.30pm. This limits the exposure of the sensitive uses to disturbance from train noise and vibration.

f) As demonstrated in the TIA, the number of additional trips generated by the development is anticipated to be less than 10%. This should not adversely impact the operation of the railway line as a result.

g) As per the accompanying acoustic assessment, air pollution impacts are not assessed due to the infrequent nature of train movements on the western line.

The acoustic report highlights that peak velocity levels of trains were below the trigger level of ground vibration at all times.

The acoustic report highlights that the maximum train horn noises exceed the planning scheme criteria by 8dB (at 95 dBA). Mitigation measures have been proposed to address train horn-noise levels that exceed scheme requirements.

h) Not applicable.

i) The site has existing sensitive uses. Many of the existing permanent sites encroach over the corridor boundary. The proposed development would have a greater setback from the boundary and will be built to a higher construction standard to reduce noise intrusion. The accompanying demolition plan clarifies that these buildings will be removed, and the proposed development will be contained within the site boundaries.

j) The need and appropriateness of the upgrading of the site is described in detail in section 3 of this report against the relevant strategic considerations for the region.

k) A traffic impact assessment has been submitted as part of this application.

l) The acoustic report proposes a number of mitigation methods to minimise the impact of noise as seen in section 5.2 of the report. These include providing building layouts that can create a barrier effect to outdoor living spaces, and construction materials of a higher density (ie roofing, windows, glazed doors and thick plasterboard). These have been included as part of the architectural set provided by Dickson Rothschild.

m) The Noise and Vibration report details that provided recommendations regarding building construction materials is adhered to, the noise and vibration of the railway will not negatively impact the sensitive uses onsite.

n) Advice was sought from TasRail and is included in the accompanying noise and vibration assessment prepared by Takarri Engineering.

### 6.3 NATURAL ASSETS CODE

The code covers several overlays used in the LPS, including:

- Priority Vegetation Overlay;
- Future Coastal Refugia Overlay; and
- Waterway and Coastal Protection Overlay.

The site is not mapped as being subject to the Priority Vegetation Overlay, or the Future Coastal Refugia Overlay, nor is it mapped under the Waterway and Coastal Protection Overlay.

However, where the Waterway and Coastal Protection area has not been mapped in the LPS, a 40m buffer from the high-water mark applies. As such, the following portion of the site is subject to the Waterway and Coastal Protection Overlay. The area subject to the Code is shown below.





Figure 43: Extent of the waterway and coastal protection area guidance map, indicating a 40m buffer from the high-water mark (source: [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) © State of Tasmania).

### 6.3.1 Development Standards

#### **C7.6.1 - Buildings and works within a waterway and coastal protection area or a future coastal refugia area**

**Objective:** 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.

#### **SCHEME STANDARDS**

**A1 - Buildings and works within a waterway and coastal protection area must:**

- (a) be within a building area on a sealed plan approved under this planning scheme;
- (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or
- (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.

**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.*

#### COMMENTS

The site is currently used as a caravan park, with substantial vehicle and pedestrian use. There is little or no existing vegetation on the site, aside from landscaping undertaken by current and previous owners. A review of TasVeg and threatened vegetation communities mapping indicates the site is classified as modified land and there are no identified native vegetation communities.

The site is heavily modified, with the coastal interface managed via an existing man-made seawall, which was repaired in 2016.

Notwithstanding the above, a response to the performance criteria has been provided.

#### P1

- (a) The proposed development is not anticipated to result in any additional erosion, siltation or sedimentation and any future construction works will be required to be undertaken in accordance with a Soil and Water Management Plan and Construction Environmental Management Plan.  
  
Runoff will be managed via the proposed stormwater management system, to avoid unmanaged runoff from the site.
- (b) There does not appear to be any substantial littoral or riparian vegetation on the site.
- (c) n/a
- (d) n/a
- (e) The proposed development is not anticipated to impede natural flow or drainage.
- (f) n/a
- (g) n/a
- (h) The site is already developed as a caravan park. Whilst new buildings are proposed, the site is already heavily modified.
- (i) No substantial cut or fill is proposed.
- (j) The proposal responds to the shape and size of the site, leaving substantial areas clear of development to allow future landscaping which will improve the physical and visual qualities of the site.

- (k) The proposed development is setback from the existing coastal seawall and is not anticipated to have any additional impact on coastal processes.
- (l) It is accepted the existing seawall may require periodic repair work but will only be undertaken where and when required.
- (m) & (n) The seawall was repaired in 2016 and works were required to be undertaken in accordance with environmental best practice and the Tasmanian Coastal Works Manual.

The proposal complies with P1.1.

*A3 - Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.*

*P3 - 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.*

#### **COMMENTS**

Stormwater will be directed to the existing DN1200 stormwater pipe which runs through the centre of the site, as preferred by Council. This pipe has an existing outfall beyond the existing seawall and no new stormwater discharge points are proposed.

Detailed plans will be conditioned on any subsequent permit.

The proposal complies with A3.

## 6.4 COASTAL EROSION HAZARD CODE

The site is subject to the Coastal Erosion Hazard (high) overlay. This code covers approximately 7300 m<sup>2</sup> of the western portion of the site as seen in the figure below.

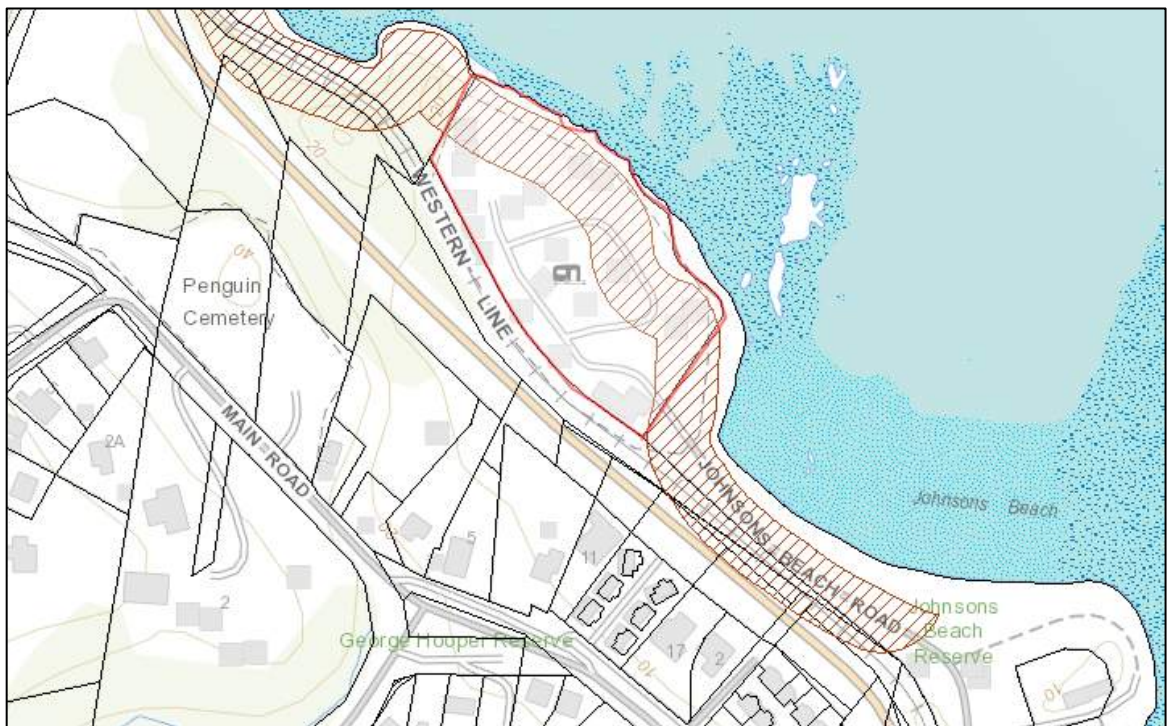


Figure 44: Topographic map with cadastre and Coastal Erosion overlay (hatched red lines) (Source: www.theLIST.tas.com.au © State of Tasmania)

### 6.4.1 Use Standards

#### **C10.5.1 Use within a high coastal erosion hazard band**

**Objective:** that use within a high coastal erosion band:

- a) Is reliant on a coastal location; and
- b) Can achieve and maintain a tolerable risk from coastal erosion

#### **SCHEME STANDARDS**

##### **A1**

No acceptable solution.

##### **P1.1**

A use within a high coastal erosion hazard band must be for a use which relies upon a coastal location to fulfill its purpose, having regard to:

- a) The need to access a specific resource in a coastal location;
- b) The need to operate a marine farming shore facility;
- c) The need to access infrastructure available in a coastal location;
- d) The need to service a marine or coastal related activity
- e) Provision of an essential utility or marine infrastructure;
- f) Provision of open space or for marine-related educational, research or recreational facilities;

- g) Any advice from a state authority regulated entity or a council; and
- h) The advice obtained in a coastal erosion hazard report.

**P1.2**

A coastal erosion hazard report also demonstrates that:

- a) Any increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or
- b) The use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.

**COMMENTS**

**P1.1**

The site has existing use rights for visitor accommodation. The proposal is for visitor accommodation, food services and function centre use. The proposed uses do not rely on a coastal location in order to fulfil its purpose. However, the Coastal Vulnerability Assessment prepared by GES in July 2021 has detailed that coastal erosion at the site is considered a negligible risk due to the construction of a boulder wall along the coastal interface. This effectively changes the risk level to acceptable within the lifetime of the proposed development.



Figure 45: Images of coastal protection works (source I Duckett, 2021)

**P1.2**

a) According to the coastal vulnerability report, the proposed development will not result in an increased risk that will require specific hazard reduction or protection measures due to the existence of the boulder wall.

b) The level of risk to the site is determined to be acceptable within the lifetime of the proposed development (until 2066), provided that the recommendations outlined in the report are adhered to. The following recommendations are provided:

- Geotechnical assessment should be carried out to assess the foundation conditions for the proposed development at the site;
- Assessment of the site soils for acid sulphate potential;
- The proposed development should not encroach any further toward the sea than shown in the plans received by GES (Project no 21-033, Drawing no. DA-0-111, Revision A, dated 30/03/2021) (See Appendix 6).



No further specific hazard reduction or protection measures are required. These recommendations can be conditioned on any subsequent permit to satisfy council requirements. The proposal is therefore considered to meet the performance criteria.

#### 6.4.2 Development Standards

##### **C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area**

**Objective: that:**

- a) Buildings and works, excluding coastal protection works, within a coastal erosion hazard area, can achieve and maintain a tolerable risk from coastal erosion; and
- b) Buildings and works do not increase the risk from coastal erosion to adjacent land and public infrastructure.

#### **SCHEME STANDARDS**

##### **A1**

No acceptable solution.

##### **P1.1**

Buildings and works, excluding coastal protection works, within a coastal erosion hazard area must have a tolerable risk, having regard to:

- a) Whether any increase in the level of risk from coastal erosion requires any specific hazard reduction or protection measures;
- b) Any advice from a state authority, regulated entity or a council;
- c) And the advice contained in a coastal erosion hazard report

##### **P1.2**

A coastal erosion hazard report demonstrates that:

- a) The buildings and works:
  - i) Do not cause or contribute to any coastal erosion on the site, on adjacent land or public infrastructure; and
  - ii) can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific coastal erosion protection works.
- b) Buildings and works are not located on actively mobile landforms, unless for engineering or remediation works to protect land, property and human life.

#### **COMMENTS**

According to the Coastal Vulnerability Assessment, the existing seawall contains adequate boulder armoring. Therefore, the risk is considered acceptable for the life of the proposed development.

The proposal therefore meets acceptable solutions.

#### 6.5 COASTAL INUNDATION HAZARD CODE

The site is subject to high, medium and low risk Coastal Inundation Hazard areas. This code is applicable to approximately 600m<sup>2</sup> along the western portion of the site as seen in the figure below.

The site plan indicates that proposed works will not encroach on the portion of land that invokes this code.

Furthermore, the Coastal Vulnerability Assessment submitted as part of this assessment concludes that the risk of inundation is confined by the construction of the armoured wall along the foreshore.

Assessment against the provisions of this overlay is therefore not applicable.

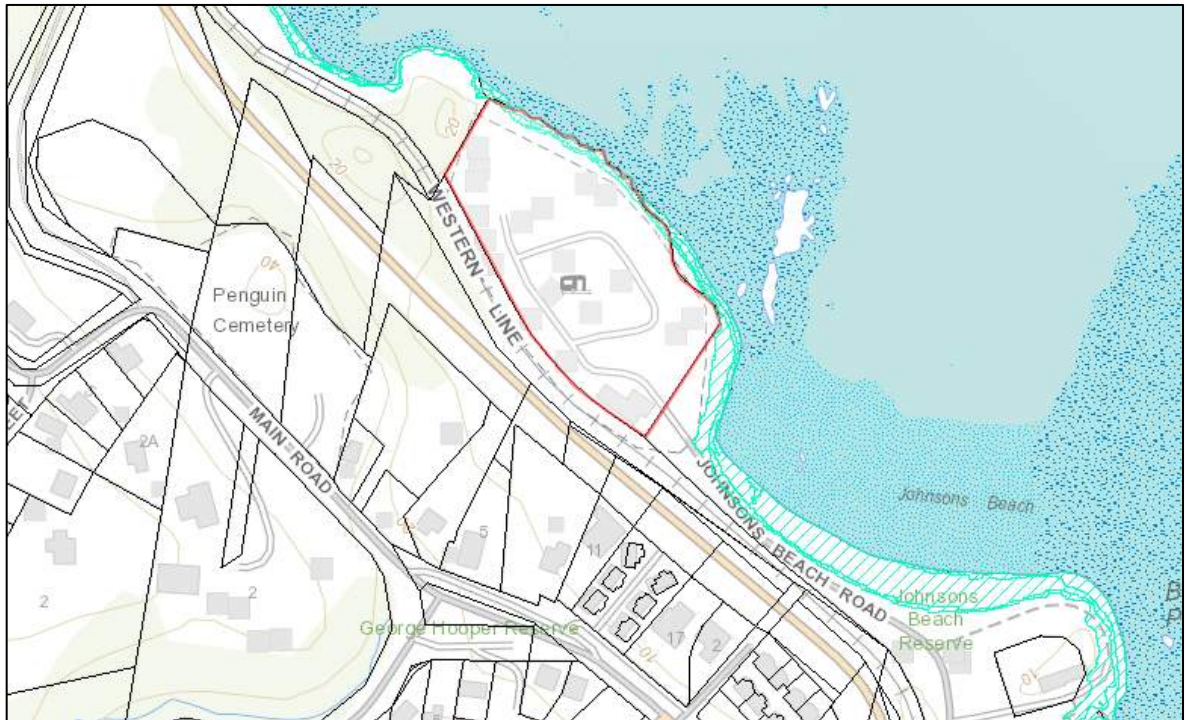


Figure 46: Topographic map with cadastre and Coastal inundation overlay (hatched blue lines) (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

## 6.6 BUSHFIRE PRONE AREA CODE

This code is applicable to areas that are prone to bushfires. Bushfire prone areas is defined as:

- a) *land shown on an overlay map in the relevant Local Provisions Schedule, as within a bushfire-prone area; or*
- b) *where there is no overlay map in the relevant Local Provisions Schedule, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.*

There is overlay mapping that occurs across the municipality under the LPS. Whilst the proposal is within proximity to a strand of vegetation, the site is not specifically mapped and does not therefore require consideration of bushfire provisions.

Advice from TasFire was provided to the planning authority, indicating no assessment was required.



Figure 47: Standing vegetation exceeding 1 ha (Source: [www.theLIST.tas.com.au](http://www.theLIST.tas.com.au) © State of Tasmania)

This code is only applicable to subdivision and hazardous or vulnerable uses.

## 6.7 STORMWATER CONSIDERATIONS

The provisions for stormwater are considered under the *Central Coast Stormwater System Management Plan 2020*. The Council has not developed specific measurable technical or community levels of service at this point of time.

Provisions for development are therefore not disclosed within this plan.

Notwithstanding, a concept stormwater plan and report accompany the application.

## 7. SUMMARY

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This application is for a combined permit and amendment and has been prepared under section 40T of the *Land Use Planning and Approvals Act 1993*.

The application seeks to modify existing use qualifications under the Open Space Zone, allowing discretionary Visitor Accommodation and Function Centre use specifically on the site of 6 Johnsons Beach Road, Penguin.

The amendment request will remove the current qualification that restricts visitor accommodation to camping/caravan facilities for this specific site. The requested amendment aligns with the strategies for development as set out in regional and local government residential land use strategies.

The amendment has been assessed against the relevant criteria under the following statutory documents:

- Cradle Coast Regional Land Use Strategy; and
- Central Coast Strategic Plan;

The proposal has also been assessed against the objectives and requirements of the Land Use Planning and Approvals Act, particularly the State Policies, Schedule 1 Objectives and the provisions of Section 34.

The intent is to facilitate the redevelopment of existing Visitor Accommodations on site. These facilities will be upgraded to include a Function Centre, restaurant/café and carpark. The business will provide substantial benefits to the community through a myriad of employment and economic opportunities, as well as the benefit of local community facilities, as outlined in the accompanying Economic Need & Demand Assessment.



19 February 2024

Our ref.: LPS2022003 and  
DA2022107

Mr Nick Heath  
Delegate (Chair)  
Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS 7001

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

Dear Mr Heath

LPS2022003 AND DA2022107 – TASMANIAN PLANNING SCHEME – CENTRAL COAST  
COUNCIL

Please find the following documentation in relation to your letter dated  
28 November 2023:

- 1 Statement addressing each section of your letter from the planning authority.
- 2 Letter dated 6 February 2024 from Ireneinc Planning & Urban Design.
- 3 Revised Planning Report by Ireneinc Planning & Urban Design dated  
January 2024.
- 4 Revised Site Plan by Dickson Rothschild Architecture dated  
1 November 2023.
- 5 Site Context Section 2 and 3 by Dickson Rothschild Architecture dated  
6 February 2024.
- 6 Photo camera location points by Dickson Rothschild Architecture.
- 7 Montages x 8 sets by Dickson Rothschild Architecture.
- 8 Needs & Impacts Analysis by Location iQ dated 31 January 2024.
- 9 Little Penguin Management Plan by Dr Perviz Marker dated February 2024.
- 10 Supplementary Traffic Impact Assessment by Traffic & Civil Services dated  
January 2024.
- 11 Documentation relating to the Seawall including:

PO Box 220  
19 King Edward Street  
Ulverstone Tasmania 7315  
Tel 03 6429 8900

[admin@centralcoast.tas.gov.au](mailto:admin@centralcoast.tas.gov.au)  
[www.centralcoast.tas.gov.au](http://www.centralcoast.tas.gov.au)

- (a) Letter from Crown Land dated 15 December 2015;
- (b) Sea Wall Sketch Certification by Umbrella Group Consulting Engineers dated 12 November 2015;
- (c) Seawall Plans (6 pages) by Umbrella Group Consulting Engineers;
- (d) Map of the Subject Area
- (e) Unanticipated Discovery Plan; and
- (f) Weed and Disease Planning and Hygiene Guidelines.

12 Email from TasWater dated 19 January 2024.

If you have any queries or require additional information, please contact me, Carolyn Harris on 6429 8954.

Yours sincerely



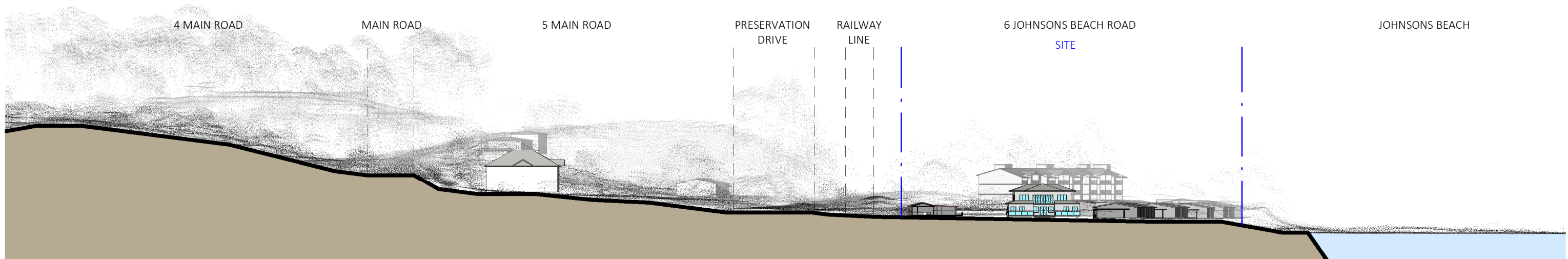
Carolyn Harris  
MANAGER LAND USE PLANNING (ACTING)

Encl.

Received: **07/02/2024**

Application No: **DA2022107**

Doc ID: **477752**



**1** SITE SECTION SKETCH - B  
 DA-0-101 1:1200

Dickson Rothschild  
 D.R. Design (NSW) Pty. Ltd.  
 65-69 Kent St,  
 Millers Point, Sydney, NSW 2000  
 ABN: 35 134 237 540  
 Phone: +61 2 8540 8720

Nominated Architects:  
 Robert Nigel Dickson  
 NSW ARB #5364  
 Fergus William Cumming  
 NSW ARB #7233  
 www.dicksonrothschild.com.au

This drawing and design is subject to D.R. Design (NSW) Pty Ltd copyright and may not be reproduced without prior written consent. Contractor to verify all dimensions on site before commencing work. Resolve all discrepancies with the Architect before proceeding. Figured dimensions to be taken in preference to scaled drawings. All work is to conform to relevant Australian Standards and other Codes as applicable, together with other Authorities' requirements and regulations.

REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE FOR REVIEW	15/01/2024	HS	ND
B	ISSUE FOR REVIEW	06/02/2024	HS	ND

PROJECT  
**Penguin Short Stay Accomodation and Function Centre**  
 6 Johnsons Beach Road, Penguin TAS 7316

---

CLIENT  
**RAYLAND DEVELOPMENTS**

Development Application  
 D:\21-033-DA-0-R21-Current\CEN-V3\_hshah83692.rvt

DRAWING  
**SITE CONTEXT SECTION - 2**

PROJECT NO.	DRAWING NO.	REVISION	DATE
21-033	DA-0-403	B	06/02/2024

SCALE @ A3  
**1 : 1200**

DRAWN  
 HS

AUTHORISED  
 ND



PRINTED: 6/02/2024 2:54:06 PM



PP 01 - EXISTING SITE PHOTOGRAPH





PP 02 - PHOTOMONTAGE



PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE

LANDSCAPE TO BE CONFIRMED

SUBJECT SITE  
6 JOHNSONS BEACH ROAD

SITE PICTURE: IMG\_1287  
LOCATION: VIEW 02  
NEARMAP ESTIMATED RL: 3.51 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:46 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L. C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE





SUBJECT SITE  
6 JOHNSONS BEACH ROAD

PT 03  
PEDESTRIAN  
CROSSING

PT 04  
LOCATION OF  
EXISTING BUILDING

PT 06  
CREST (RL 4.82)

PT 07  
LINE OF HORIZON  
AS REFERENCE

PT 02  
PP

PT 05  
CREST (RL 3.49)

PT 01  
PARKING LOT  
STRIPPING

SITE PICTURE: IMG\_1287  
LOCATION: VIEW 02  
NEARMAP ESTIMATED RL: 3.51 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:46 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 05 - PHOTOMONTAGE REFERENCE  
BASIS





PP 01 - EXISTING SITE PHOTOGRAPH



PP 02 - PHOTOMONTAGE



PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE

LANDSCAPE TO BE CONFIRMED

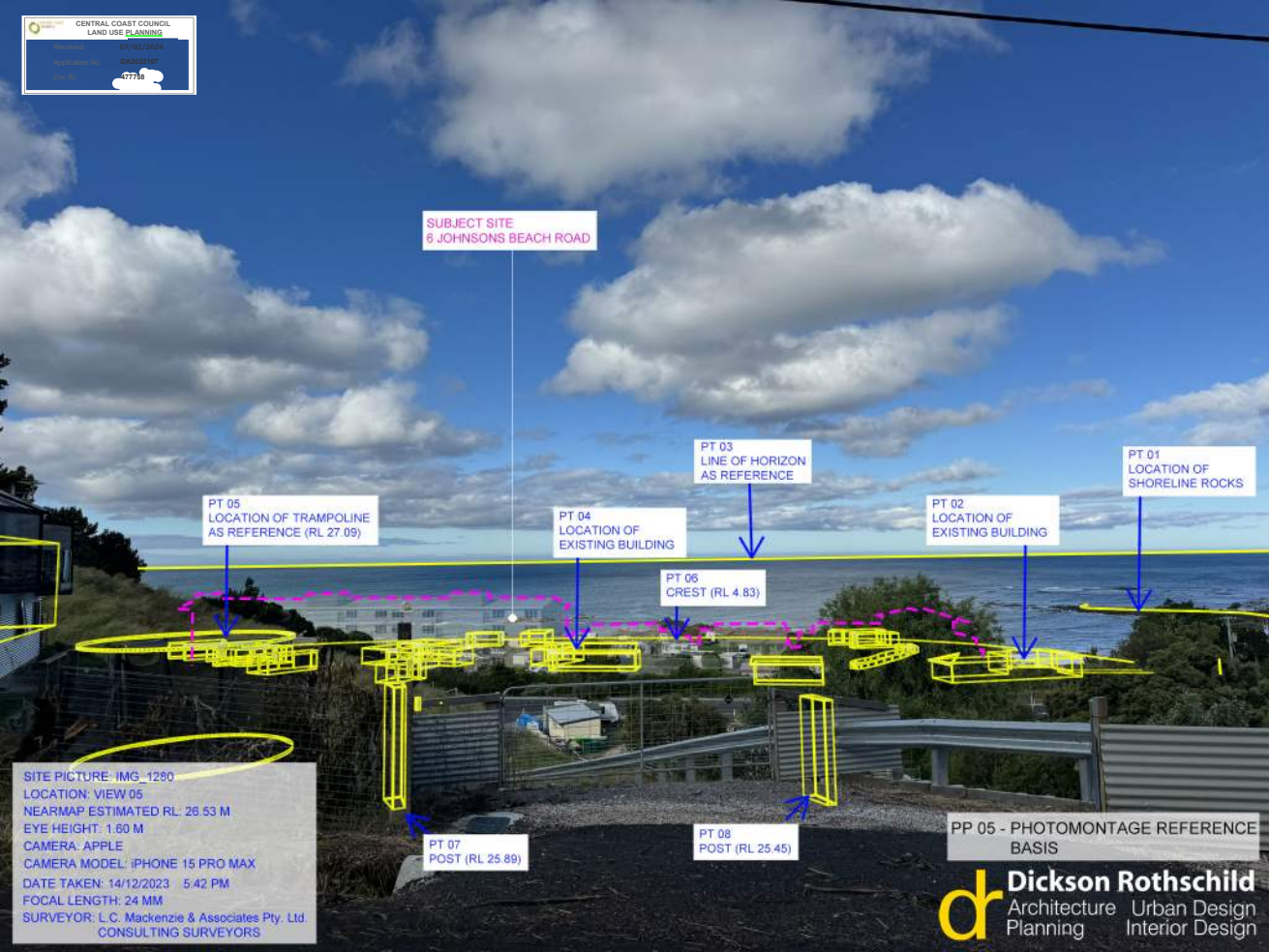


SUBJECT SITE  
6 JOHNSONS BEACH ROAD

SITE PICTURE: IMG\_1280  
LOCATION: VIEW 05  
NEARMAP ESTIMATED RL: 26.53 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:42 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L C Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE





SUBJECT SITE  
6 JOHNSONS BEACH ROAD

PT 05  
LOCATION OF TRAMPOLINE  
AS REFERENCE (RL 27.09)

PT 04  
LOCATION OF  
EXISTING BUILDING

PT 03  
LINE OF HORIZON  
AS REFERENCE

PT 02  
LOCATION OF  
EXISTING BUILDING

PT 01  
LOCATION OF  
SHORELINE ROCKS

PT 06  
CREST (RL 4.83)

PT 07  
POST (RL 25.89)

PT 08  
POST (RL 25.45)

PP 05 - PHOTOMONTAGE REFERENCE  
BASIS

SITE PICTURE - IMG\_1280  
LOCATION: VIEW 05  
NEARMAP ESTIMATED RL: 26.53 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 14/12/2023 5:42 PM  
FOCAL LENGTH: 24 MM  
SURVEYOR: L. C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS





PP 01 - EXISTING SITE PHOTOGRAPH





PP 02 - PHOTOMONTAGE





PP 03 - PHOTOMONTAGE with  
PROPOSED LANDSCAPE

LANDSCAPE TO BE CONFIRMED



SUBJECT SITE  
6 JOHNSONS BEACH ROAD



SITE PICTURE: IMG\_02  
LOCATION: VIEW 08  
NEARMAP ESTIMATED RL: 12.41 M  
EYE HEIGHT: 1.60 M  
CAMERA: APPLE  
CAMERA MODEL: IPHONE 15 PRO MAX  
DATE TAKEN: 12/01/2024  
FOCAL LENGTH: 24 MM  
SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
CONSULTING SURVEYORS

PP 04 - PHOTOMONTAGE PROPOSAL  
OUTLINE REFERENCE



SUBJECT SITE  
 6 JOHNSONS BEACH ROAD

PT 02  
 LOCATION OF  
 EXISTING BLDG

PT 05  
 LOCATION OF  
 EXISTING BUILDING

PT 06  
 LINE OF HORIZON  
 AS REFERENCE

PT 01

PT 03  
 PP (RL 11.28)


PT 04  
 KERB (RL 11.62)

PP 05 - PHOTOMONTAGE REFERENCE  
 BASIS

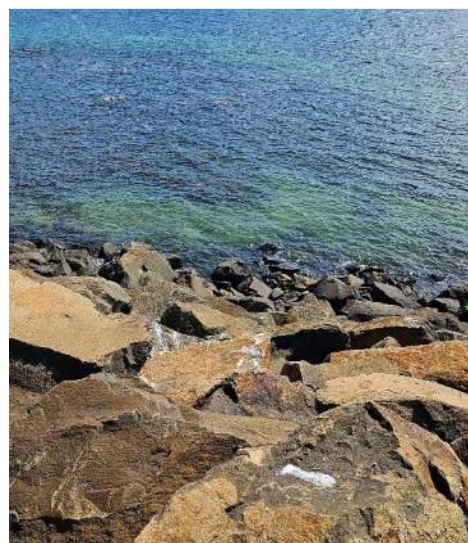
SITE PICTURE: IMG\_02  
 LOCATION: VIEW 08  
 NEARMAP ESTIMATED RL: 12.41 M  
 EYE HEIGHT: 1.60 M  
 CAMERA: APPLE  
 CAMERA MODEL: IPHONE 15 PRO MAX  
 DATE TAKEN: 12/01/2024  
 FOCAL LENGTH: 24 MM  
 SURVEYOR: L.C. Mackenzie & Associates Pty. Ltd.  
 CONSULTING SURVEYORS



# Little Penguin Management Plan for 6 Johnsons Road, Penguin

 **CENTRAL COAST COUNCIL**  
**LAND USE PLANNING**

Received: 14/02/2024  
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Dr Perviz Marker

February 2024



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## 1 Objectives

This document provides a survey and report on the presence of Little Penguins for the proposed development at the 6 Johnsons Road, Penguin, as requested by Ireneinc.on 18 January 2024.

A Little Penguin Management plan is also outlined.

## 2 Little Penguins

Little Penguins are a coastal nesting seabird found around much of the Tasmanian and Bass Strait islands' foreshores (Marchant and Higgins 1990). One of the strongholds of Little Penguins' distribution in Tasmania is along the north-west coast of Tasmania. Little Penguins require suitable habitat for nesting during the breeding and moulting seasons.

The birds occupy coastal areas up to 500 m from the shore, where they nest in various natural habitats, including shallow and deep burrows, rock crevices, or underneath any sort of vegetative cover that forms a burrow structure. They also nest in anthropogenic structures such as concrete culverts, coastal buildings, or any static items, including man-made igloos and nest-boxes (Weerheim *et al.* 2003, Lunney and Burgin 2004, Marker 2016).

Vegetation of all descriptions (native and introduced) can be used by penguins for burrows during the breeding and moulting season; birds typically return to the same burrows over years. Careful management is needed when removing vegetation, old logs, weeds and refuse, because penguin burrows and nesting material can be inadvertently destroyed, particularly during the construction phase of the revetment. Vegetation has different effects on burrow temperature, but generally it acts as insulation and protects the birds from heat stress (Robert Coudert *et al.* 2004, Marker 2016), particularly during high(er) temperatures. Artificial burrows have been used as alternative nesting sites and Little Penguins adopt them readily since they provide a protective nesting cavity (Marker 2016).

## 3 Conservation status of Little Penguins

The following listings give an overview of the legislative status of Little Penguins at international to state levels.

### 3.1 International

Little Penguins are listed as being of Least Concern on the IUCN Red List of Threatened Species (IUCN 2022).

### 3.2 Commonwealth of Australia

Little Penguins are not listed as a threatened species under the *Environment Protection and Biodiversity Conservation Act 1999* but are listed on the Marine Appendix to the Act.

### 3.3 Tasmania

Little Penguins are listed in Schedule 1 (Protected Wildlife) of the *Nature Conservation (Wildlife) Regulations 2021* under the *Nature Conservation Act 2002*. In 2019, they were listed as Sensitive Wildlife within declared Sensitive Areas under the *Dog Control (Sensitive Wildlife and Areas) Order 2019*, Figure 1.



Figure 1: Map showing Sensitive Wildlife Area (pink polygon) as declared under the Dog Control (Sensitive Wildlife and Areas) Order 2019. Base map is the 1:50,000 Tasmap topographic series with 10km grid (<https://maps.thelist.tas.gov.au>. Cooe Point is part of this section from Wynyard to Devonport. (Reproduced from the 'Guidelines for works and management of Little Penguin habitats 2023' in prep)

## 4 Life history

Little Penguins begin breeding between 2 and 3 years old, generally returning to the colony from which they fledged. Their typical annual cycle can be summarised by the following stages:

**Burrow attendance**—Between June (but sometimes as early as May) and August, male penguins return to their colonies to reconstruct old burrows, dig new ones and attract females.

**Courtship**—From June onwards, male and female penguins secure pair bonds and spend several days at their selected nest site, approximately one month before egg laying.

**Pre-laying exodus**—Males and females leave their nest site for 1–2 weeks during which time the female penguins accumulate energy reserves for the breeding season.

**Egg laying and incubation**—Males return to the nest site before females to defend territories and reduce the risk of losing paternity. Once females arrive at the nest site, they generally remain in the nest for approximately five days before laying their clutch. Incubation can last up to 35 days.

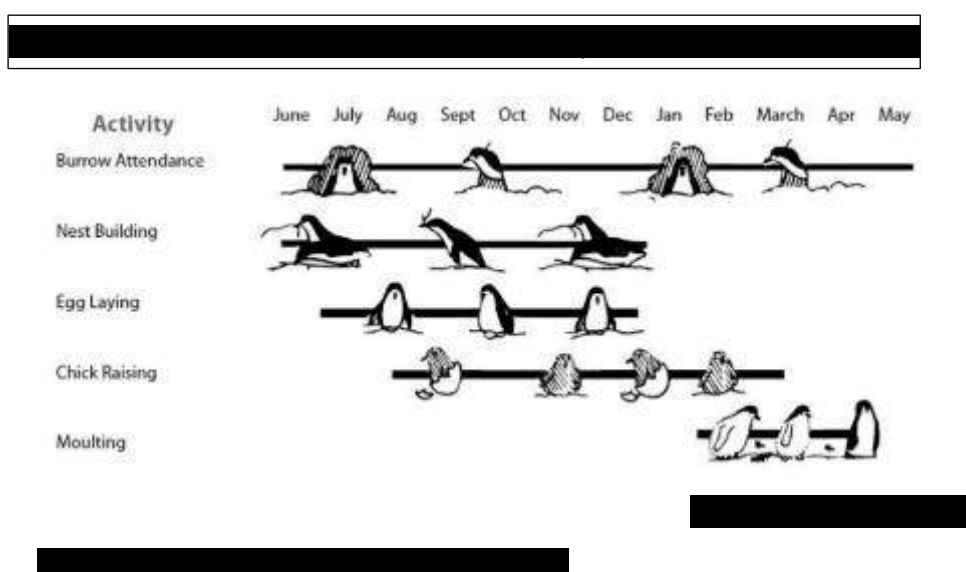
**Chick raising**—This is divided into two parts: the guard stage, in which parents look after the chicks for, on average, 14–21 days, though this can vary with availability of food, proximity to the colony and prevailing weather conditions (Chiaradia and Kerry 1999).

The post-guard stage follows, in which both parents forage at sea, leaving the nest unguarded during the day. Throughout the chick-raising period, parents allocate time and energy to undertake foraging trips of varied duration to meet the dual food demands of chicks and themselves (Hoskins *et al.* 2008). At 8–10 weeks of age the chicks have sufficiently matured: their plumage has been waterproofed, and they are ready to leave their nest site.

**Moulting**—After the breeding season, adults undertake a foraging trip to accumulate sufficient reserves to sustain them during their annual moult (renewal of feathers by the shedding of old feathers), which usually occurs between January and March, and lasts approximately 17–20 days.

**Post moult**— Adults spend most of this time at sea, but return to their colonies periodically during the non-breeding period. Eventually they increase the time spent at the colony in preparation for the next breeding season.

The following diagram (Figure 2) summarises the annual cycle of the Little Penguin. It should be noted that the breeding season of Little Penguins is asynchronous with birds beginning to breed at various times over several months, but the season usually peaks over the months of November, December and January.



## 5 Timing of works

In view of the annual cycle being as described, works in penguin areas are best undertaken outside the breeding and moulting seasons—that is, generally from April to August (Marker and Wind, 2003). Because there is increasing variability in the onset of their breeding cycle, it is best to inspect the site before every works program begins; breeding seasons may begin earlier or later in any particular year. For instance, chicks were recorded as early as July along the north-west coast in 2019 (PF Marker unpublished data)

Current monitoring efforts around the state are recording Little Penguins ashore from May to August more frequently than in the past, so a careful approach is now required for working in penguin habitat at any time of the year. However, works during the main breeding and moulting seasons (October to March) should be avoided as much as possible to minimise disturbance to penguins.

## 6 Indicators of Little Penguins presence

The presence of Little Penguins can be identified by indicators, comprising:

- footprints in the sand,
- penguin splashes or guano (white faecal streaks 3-5cm long)
- burrows in the substrate,
- feathers visible at entrances to burrows, especially during the moult stage,
- well-worn runways in the vegetation, and
- vocalisations.

## 7 Survey of site

The site is a caravan park consisting of permanent cabins and travelling mobile homes. There is a rocky foreshore leading to a mown grassed area with patches of a variety of vegetation through the site.

As part of the works, a survey of the proposed works area was undertaken on 30 January 2024 and in the evening of 10 February 2024, to ascertain the presence/absence of Little Penguins in the site. All indicators of Little Penguins found were logged with Garmin GPSMAP 64sx in UTM coordinates based on the WGS 84 map datum. The logged data are shown in Appendix 2 and are mapped in Figure 4 with a drawing of the proposed development (Figure 5).

The survey logged the presence of white splash (guano) and footprints where there was a sandy substrate (Figure 3). Penguins are known to be present in this area, but the request to survey meant that it was very late in the breeding season and any chicks present had more than likely departed. Detection levels were also low. Ongoing monitoring in the northwest has shown the absolute number of birds and the number of birds breeding this year is low compared to previous years.

From anecdotal information and the survey undertaken here, it is quite likely that there is a small population of Little Penguins, but it is very hard to give an estimate of the number.







Figure 4: Map showing the presence of Little Penguin footprints (pink) and white guano splashes (pale green)



Figure 5: Proposed development at 6 Johnsons Road, Penguin supplied by Ireneinc.

## 8 Management protocols to mitigate/minimise and avoid impacts to penguins.

As penguins may be present in the work zone and consequently may require removal, a permit is required before any work commences. The location of the burrows of penguin presence (Figure 3) will require identifying and relocation of any penguin present. It was very difficult to identify the location of the burrows under the vegetation or even under the fixed caravan/cabins where holes were present during the survey.

The NRE's Conservation Assessment (CAS) section will need to be contacted for advice and permit:

[ConservationAssessments@nre.tas.gov.au](mailto:ConservationAssessments@nre.tas.gov.au) A permit to take products of wildlife under the *Nature Conservation Act 2002* (NCA) will be needed and can be applied for at the following link [https://nre.tas.gov.au/conservation/development-planning-conservation-assessment/permit-to-take-threatened-species-\(for-consultants-development-related-activities\)](https://nre.tas.gov.au/conservation/development-planning-conservation-assessment/permit-to-take-threatened-species-(for-consultants-development-related-activities)).

All checks for penguin activity in the construction zone and for the presence of penguins on site, **must** be undertaken **daily**, by an experienced penguin biologist, approved by NRE or a trained person.

### 8.1 Protocols for work site

#### Checks for penguin activity before the commencement of the works program in a site:

- All checks for penguin activity and presence of penguins on site, and all handling or relocation of penguins **must** be undertaken **daily**, either by an experienced penguin biologist or by someone who has been trained by an experienced penguin biologist;
- White splash presence will provide an initial location for where to look for penguin burrows and any occupants;
- A careful check for voids with loose feathers may indicate the presence of a moulting bird once late January commences;
- Placement of a fence along the perimeter of the construction site with silt fencing fixed into the ground, to prevent access by penguins into the work site.

#### Checks for penguin activity before the commencement of the works on daily basis:

- **Fence off works material** if left in the area with silt fencing to prevent its use for nesting, shelter or overnight resting sites.
- **Daily** checks for penguins' presence in and around any machinery and material left on site overnight **must** be undertaken before any activities on site;
- The site and boundary **must** be checked **daily** for any new penguin activity entering the construction site. If white splash is detected, greater efforts **must** be made to check more thoroughly as a penguin(s) may be present on site. Any penguin(s) found will need to be relocated to neighbouring habitat in adjacent vegetation away from the works area, before daily activity begins. An artificial burrow may be necessary. See Appendix 2 for nest box design.
- Any material left nearby or onshore should be fenced off to prevent its use for nesting, shelter or overnight resting sites.



- The use of Silt fencing is recommended as a temporary measure. The barrier mesh should be wide enough to allow 100 mm to be dug into the sand or fixed in the ground with steel star pickets (or similar) to prevent penguins burrowing under the barrier, and 300 mm above the ground. The barrier mesh will need to be staked at regular intervals to maintain some stiffness and prevent its collapse. The barrier mesh will prevent penguins accessing the construction zone overnight. This will need to be checked frequently to ensure it does not collapse for any reason (Figure 6).



*Figure 6: Temporary silt fence 300 mm width with 100 dug into the ground or folded in with rocks placed on the folded side*

## 8.2 Protocols for presence of Little Penguins

### Protocols for encounters with any penguins in construction zone

Depending on the timing of construction (works should occur from the end of April until the end of August to the greatest extent possible). As penguins are encountered their status in their life cycle will need to be determined:

- a) adult bird(s) with normal feathers,
- b) adult bird(s) sitting on egg(s),
- c) adult bird(s) with chick(s),
- d) chick(s) on their own,
- e) penguins (chicks/adults) in poor condition.

The following recommendations are made for burrows and penguins in the construction zone:

#### **a) Adult bird(s) with normal feathers**

Depending on the life cycle of the Little Penguin, it is possible that one or two penguins found in a burrow may be non-breeding birds (any time of the year) or a newly moulted bird (typically late January–April). As distinguishing between these birds is difficult, it is best to treat them with the same response.

#### **Response/Action:**

Artificial nest boxes will be needed for displaced penguins. A **NRET-approved penguin biologist** will move the bird(s) into an artificial burrow or nest box in neighbouring vegetation in the site.

#### **b) Adult bird sitting on egg(s)**

A burrow found with an adult bird sitting on egg(s) is vulnerable to disturbance.

#### **Response/Action:**

An artificial burrow is to be provided and sited in nearby vegetation in the site. Adult(s) and egg(s) are to be carefully moved by the **NRET-approved penguin biologist** (only) to the artificial burrow. The burrow is to be monitored with minimal disturbance by the penguin biologist or trained personnel to ensure that the second parent returns to the old burrow and is moved to the new burrow with the sitting adult. However, this has resulted in the eggs being abandoned and is not a highly desirable outcome.

### **c) Adult bird(s) with chick(s)**

A burrow found with an adult bird and chick(s) indicates that the chick is a young chick less than 3 weeks old, with the second parent out to sea foraging and expected to return in the evening in a day or two before swapping over guarding the chick. However, this is also a vulnerable stage for the parent and small chicks, and has resulted in parents abandoning the chicks.

#### **Response/Action:**

A **NRET-approved penguin biologist** to move the bird(s) into an artificial burrow or nest box in neighbouring vegetation in the site after the second parent returns.

#### **i) 1 adult and chick(s)**

A night-time monitoring station may need to be set up to watch for the returning parent. The returning parent should be allowed to feed the chicks. Once feeding has been completed, it would be best to remove the family group (parents and chicks) to a new burrow or nest box that has been established in preparation.

The burrow/nest box should be monitored for a few days to ensure that the parents are still in guard stage or may have moved to post-guard stage but are still returning to feed the chicks on a regular basis.

However, this response may need to be reviewed and the chick(s) may need to be taken to a wildlife carer if monitoring shows that the parent birds have abandoned the chicks and do not return to feed them following the move.

#### **ii) 2 adults and chick(s)**

Adult(s) and chick(s) are to be carefully moved by the NRET-approved penguin biologist (only) to the artificial burrow or nest box. The burrow/nest box is to be monitored with minimal disturbance by the penguin biologist and trained volunteers. The replacement burrow/nest box should be located in nearby vegetation in the colony. However, this response may need to be reviewed and the chick(s) may need to be taken to a wildlife carer if monitoring shows that the parent birds have abandoned the chicks and do not return to feed them following the move.

### **d) Chick(s) on their own**

A burrow where chick(s) are found on their own indicates that the chick(s) are in post-guard stage where both parents are out to sea and foraging during the day.

#### **Response/Action:**

An artificial burrow is to be provided and sited in nearby vegetation. Night time monitoring will need to take place to ensure the parent birds return to feed the chicks. Adult(s) and chick(s) are to be carefully moved by the **NRET-approved penguin biologist** (only) to the artificial burrow or nest box. The burrow is to be monitored with minimal disturbance by the penguin biologist and volunteers to confirm that the parents are attending at night to feed the chicks. The replacement artificial burrow should be located in nearby vegetation in the penguin colony. However, this response may need to be reviewed and the chick(s) may need to be taken to a wildlife carer if monitoring shows that the parent birds do not return and if follow-up checks confirm lack of parental feeding.

### **e) Penguins: chicks/adults) in poor condition**

All birds (adults or chicks) should be inspected for body condition and general health by the **NRET-approved penguin biologist** (only).

#### **Response/Action:**

Any birds found to be in poor condition or injured will need to be taken into care, and a vet can examine the bird and make recommendations. An approved Seabird carer by NRE in the Burnie area will be notified, which will be Kathy Grieveson.

Note that all birds taken into care will need resourcing for their care as they will need to be fed daily for a number of weeks.



### 8.3 Recommendations to protect Little Penguins long term.

The objective is to maintain penguins' activity and access to the site and to minimise disturbance to the penguins in the site. It is not possible to restrict access just to the foreshore area.

#### Buildings proposed.

It is recommended that wooden lattices or equivalent product is used to close off any access to penguins under the buildings especially if the cabins are built on concrete foundations with ground access. Penguins are capable of utilising any void that is available for nesting.

#### Fencing post the construction phase

A fence around the perimeter of the foreshore is not recommended as penguins require access to habitat for nesting. The coastal zone is classified as potentially 'High' Coastal Erosion Hazard (Figure 7) and restricting penguins to this vulnerable coast is not recommended.

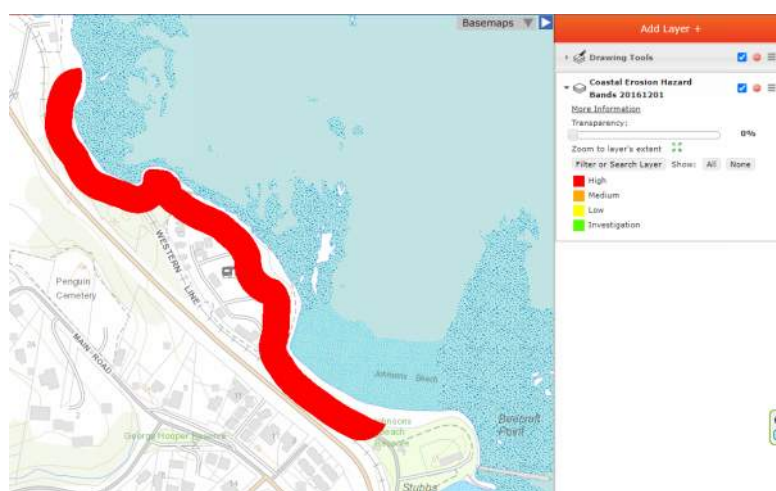


Figure 7: Map showing coastal erosion bands – sourced from the List.  
<https://maps.thelist.tas.gov.au/listmap/app/list/map>

If any fencing is needed around the cabins, then it is recommended that the fences need to consist of material that prevents penguins digging under or crawling through spaces in the fence.

As the cabins are in a dedicated site, it is recommended that a minimum 900 mm permanent sturdy fence is used with a chain link mesh that is buried into the ground by 100 mm. (Figure 8).



Figure 8: Permanent sturdy close cross mesh wire fence minimum 1200 mm high with 100 mm dug into the ground to prevent penguin access.

## Lighting of the site

### **During construction**

Illumination of coastal sites may be required for safety and security reasons during construction. If additional nocturnal lighting is required, the illumination extent and intensity should be kept to a minimum, red or sodium (yellow-orange) lighting should be used. Any illumination of penguins on the rocky foreshore areas is not recommended. As penguins are less sensitive to red light, its use would reduce the potential for light spill which would deter penguins use of the foreshore and their return to the site. All efforts to minimise light spill onto the foreshore should be made during construction and after construction whether the penguins are active or not.

### **Post construction**

Any external lighting on the site should be downward in spill and should not extend into the foreshore or area where penguins are located. The same recommendations for lighting during construction applies to the development after construction. An example of effective penguin friendly lighting can be seen in the West Park landscaped area in Burnie.

If the development proposal includes nocturnal artificial lighting CAS recommends the inclusion of the following document [National Light Pollution Guidelines for Ecological Communities](#).

## Pets

Mammalian predators such as dogs and cats have been responsible for the declines of Little Penguin population throughout Australia (Dann 1992), including Tasmania. There have been frequent dog attacks in Little Penguin colonies over the years, resulting for example in 2019, 170 birds were killed in one year, in a spate of various dog attacks, and 17 in the Burnie colony in 2021.

Much of the distribution of Little Penguin colonies in a large part of Tasmania is urban or peri-urban in a meaning that these threats are more likely to occur if appropriate actions are not put in place to manage dogs and cats within penguin colonies.

It is strongly suggested that any dogs are banned from this development site. If dogs are to be kept, they must be contained within the confines of the cabins and any associated enclosed courtyard. Any domestic cats are kept within the house, or a cat run and not allowed to roam outside.

## Vegetation

It is recommended that native plants are used in the garden and plants determined as weeds such as *Agapanthus* sp and other potential garden escapees are not used to prevent spread into the habitat.

The use of herbicides/pesticide or any other chemicals in aerosol format should not be used on windy days to prevent the carriage of particles into the burrows and foreshore.

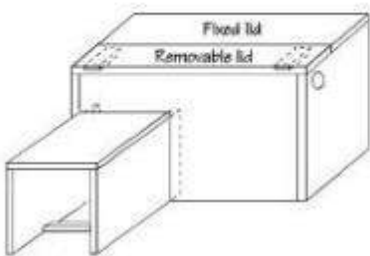
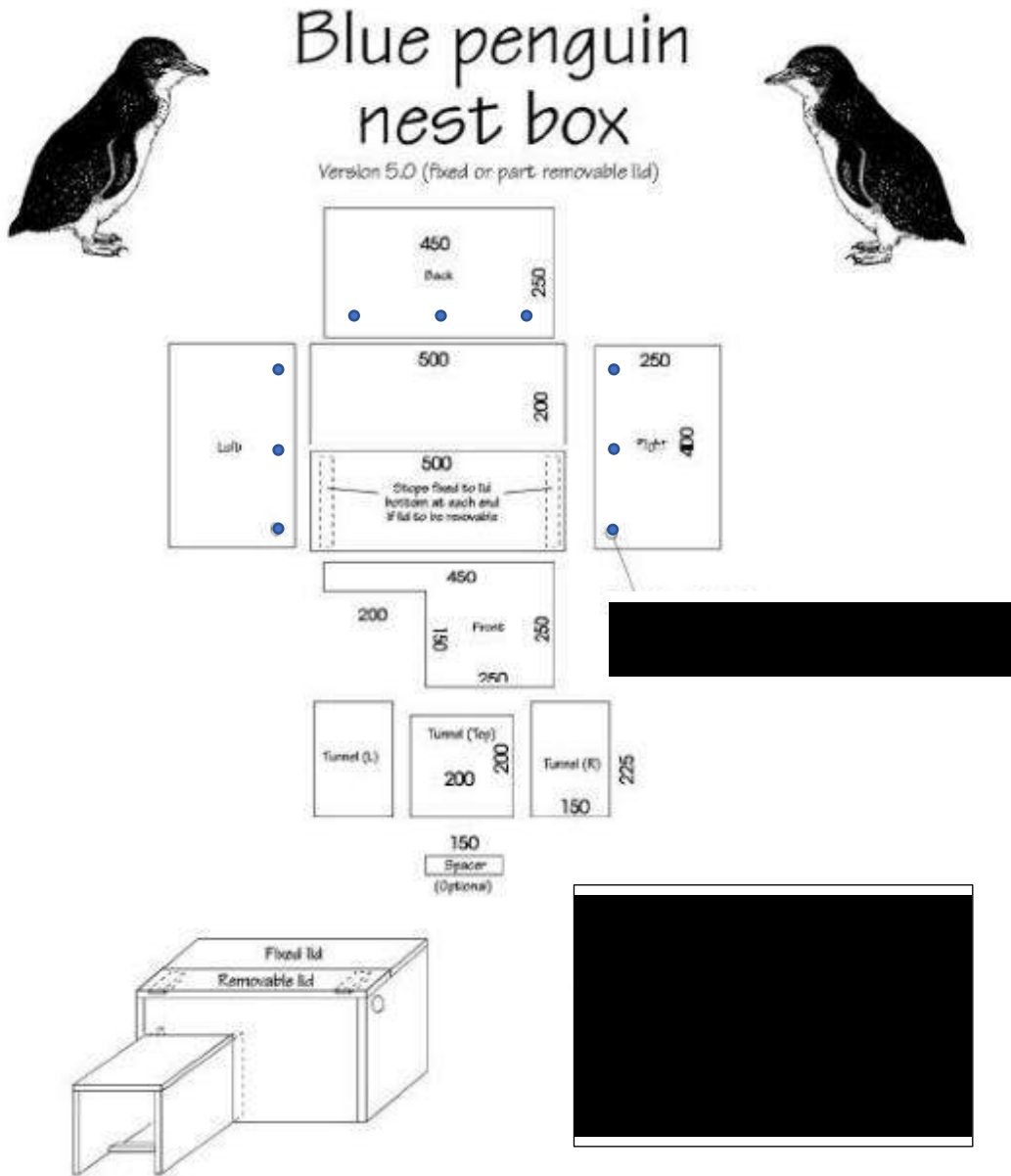
## 9 References

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- Ropert-Coudert, Y., Cannell, B. and Kato, A. 2004. 'Temperature inside nest boxes of Little Penguins'. *Wildlife Society Bulletin* 32, 177–82.

# 10 Appendix

## 10.1 Nest box design

Little Penguin nest box design specification used in New Zealand with some modifications to ventilation provided on sides and backs of boxes. These box designs will be needed if penguins need to be relocated. Careful installation can ensure their use over many years.



Dave Houston  
Oamaru Field Centre  
Department of Conservation  
Box 388, Oamaru, New Zealand  
dhouston@doc.govt.nz



## 10.2 GPS data (UTM coordinates based on WGS 84 map datum).

ID	lat	lon	ele	time	name	desc	CreationTime
1	-41.1066	146.0674	10.048204	2024-01-30T00:02:28Z	856	S	2024-01-30T00:02:28Z
2	-41.1066	146.0674	17.87501	2024-01-30T00:06:27Z	857	S	2024-01-30T00:06:27Z
3	-41.1062	146.0672	18.102222	2024-01-30T00:09:06Z	858	S	2024-01-30T00:09:06Z
4	-41.106	146.0671	18.910824	2024-01-30T00:10:29Z	859	S	2024-01-30T00:10:29Z
5	-41.1058	146.0669	14.98909	2024-01-30T00:16:12Z	860	S	2024-01-30T00:16:12Z
6	-41.1055	146.0663	17.035294	2024-01-30T00:18:33Z	861	S	2024-01-30T00:18:33Z
7	-41.1055	146.0662	17.103495	2024-01-30T00:19:09Z	862	S	2024-01-30T00:19:09Z
8	-41.1054	146.0662	16.78772	2024-01-30T00:20:59Z	863	S	2024-01-30T00:20:59Z
9	-41.1054	146.0661	17.024658	2024-01-30T00:22:47Z	864	F	2024-01-30T00:22:47Z
10	-41.1054	146.066	17.456743	2024-01-30T00:23:00Z	865	F	2024-01-30T00:23:00Z
11	-41.1054	146.066	16.319445	2024-01-30T00:24:12Z	866	F	2024-01-30T00:24:12Z
12	-41.1054	146.066	16.097546	2024-01-30T00:24:55Z	867	F	2024-01-30T00:24:55Z
13	-41.1053	146.0659	16.447006	2024-01-30T00:25:32Z	868	F	2024-01-30T00:25:32Z
14	-41.1053	146.0659	16.88496	2024-01-30T00:26:46Z	869	F	2024-01-30T00:26:46Z
15	-41.1053	146.0657	15.775295	2024-01-30T00:28:35Z	870	F	2024-01-30T00:28:35Z
16	-41.1066	146.067	16.642307	2024-01-30T00:47:04Z	871	F	2024-01-30T00:47:04Z
17	-41.1065	146.0672	14.278359	2024-01-30T00:50:55Z	872	F	2024-01-30T00:50:55Z
18	-41.1064	146.0662	15.469656	2024-01-30T00:57:16Z	873	S	2024-01-30T00:57:16Z
19	-41.106	146.0657	16.882402	2024-01-30T01:13:14Z	874	S	2024-01-30T01:13:14Z
21	-41.1066	146.0666	1.829478	2024-02-10T09:34:50Z	892	S	2024-02-10T09:34:50Z
22	-41.1065	146.0666	10.319183	2024-02-10T09:35:09Z	893	S	2024-02-10T09:35:09Z

S – White splash (guano)

F – Penguin footprints

---

**From:** Boyle, David <David.Boyle@taswater.com.au>  
**Sent:** Friday, 19 January 2024 11:33 AM  
**To:** Phil Gartrell  
**Subject:** RE: Advice regarding STP at Dial Point, Penguin Service Advice SI 2024/00039-CC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Phil,

This used to be a sewage treatment plant for Penguin in Council's ownership days. It was converted by Central Coast Council into a transfer sewage pumpstation and all of Penguin is pumped to Ulverstone sewage treatment plant. The redundant pasveer ditches are now utilised as emergency storage.

Cheers

**David Boyle**  
Senior Development Assessment Officer



M +61 436 629 652  
E [david.boyle@taswater.com.au](mailto:david.boyle@taswater.com.au)  
A GPO Box 1393, Hobart, TAS 7001  
A 36-42 Charles Street, Launceston, TAS 7250

[taswater.com.au](http://taswater.com.au)

---

**From:** Phil Gartrell <phil@ireneinc.com.au>  
**Sent:** Monday, January 15, 2024 6:01 PM  
**To:** TasWater Development Mailbox <Development@taswater.com.au>  
**Subject:** Advice regarding STP at Dial Point, Penguin

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender.

Good afternoon,

We are seeking written confirmation from TasWater on the current status of the sewerage facilities at Dial Point, Penguin.

Information available on TasWater's Asset Information Portal indicates that the site currently supports a pump station only, but no lagoons or treatment facilities (despite the presence of empty aerobic lagoons). Is TasWater able to confirm the above?

Kind regards,

Phil Gartrell  
Senior Planner  
ireneinc PLANNING & URBAN DESIGN  
49 Tasma Street

North Hobart TAS 7001  
Tel 044-888-5997  
Office 6234-9281  
Email [phil@ireneinc.com.au](mailto:phil@ireneinc.com.au)  
Web [www.ireneinc.com.au](http://www.ireneinc.com.au)

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# Weed and Disease Planning and Hygiene Guidelines

*Preventing the spread of weeds and diseases in  
Tasmania.*



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For further details, refer to [www.egovernment.tas.gov.au](http://www.egovernment.tas.gov.au)

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# I. Introduction

The *Weed and Disease Planning and Hygiene Guidelines* are a tool to provide guidance to those undertaking developments in Tasmania that may result in the introduction, spread and establishment of weeds and diseases. These guidelines aim to ensure that effective management programs are developed that consider and mitigate weed and disease risk.

Weeds and diseases are a serious threat to our environment, agriculture and community. Weeds alone cost Australians more than \$4 billion dollars every year, not including the impacts to natural assets and the environment. These guidelines are an important and necessary tool to assist in the protection of Tasmania's sustainable productive capacity and natural ecosystems.

## The guidelines aim to:

- Improve weed and disease management planning in Tasmania.
- Increase the number of industry based plans covering weed and hygiene management that are being implemented.
- Improve weed and disease hygiene practices at the planning and operational level.
- Provide the necessary tools to allow for effective and informed planning tailored to the situation.

## In the context of these guidelines:

A **'weed'** is considered a plant (or plant like organism e.g. algae) that requires some form of action to reduce its harmful effects on the environment, economy, human health and/or amenity.

A **'pathogen'** is a living microorganism such as bacterium, virus or fungi that causes diseases in plants and animals. Examples include cinnamon fungus (*Phytophthora cinnamomi*), myrtle rust (*Puccinia psidii*), fire blight (*Erwinia amylovora*) and chytrid fungus (*Batrachochytrium dendrobatidis*).

**'Developments'** or **'works'** are those activities that may result in disturbance to the land, including major development projects, subdivisions, road construction, quarries, and infrastructure construction for irrigation, dams, power, telecommunication and water supply. These developments can occur on either public or private land.

**'Other activities'** are those that may be smaller in scale and result in potentially less disturbance to the landscape but still pose some level of risk in relation to the introduction, spread and establishment of weeds and diseases. The consequences of such activities can still be significant. 'Other activities' include:

- movement of machinery and vehicles,
- agricultural and forestry practices,
- parks and reserve maintenance,
- land rehabilitation
- road and utility maintenance,
- transport of stock, soil or other quarry materials,
- scientific research and monitoring programs and visiting remote areas where access is limited to boat, helicopter or light aircraft.

## Who are these guidelines and templates designed for?

These guidelines are applicable to:

- State and local government authorities responsible for review and assessment of development projects,



- Developers and consultants responsible for producing a Development Proposal and Environmental Management Plan (DPEMP) and / or a Construction and Environmental Management Plans (CEMP).

Industry has an important role in preventing the introduction and spread of weeds and diseases. Contractors and other operational staff can reduce the impacts of weeds and diseases by implementing effective machinery and equipment hygiene practices.

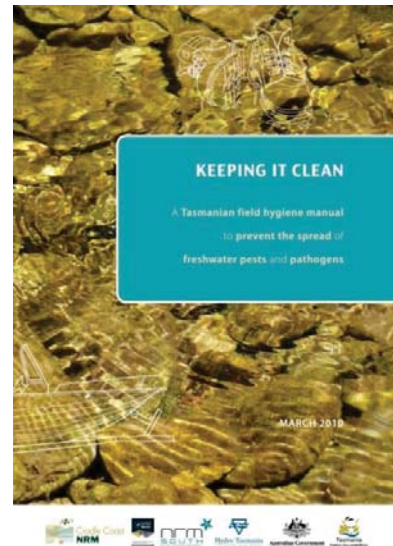
These guidelines can be used to inform a range of other land managers in planning works or activities that involve the potential introduction, spread and establishment of weed and diseases. This includes State Government Reserve Activity Assessments (RAAs), local government planning and approvals, community weed management plans and property based management plans.

### Related Documents

***[Keeping it Clean](#) – A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens.***

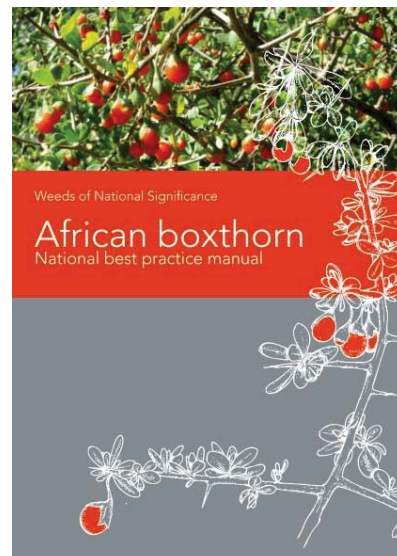
This manual provides information on how to prevent the spread of freshwater pests and pathogens in Tasmanian waterways, wetlands, swamps and boggy areas. It is intended primarily for people who work in these areas, but will also help recreational visitors to understand the risks and act accordingly.

The manual complements these guidelines, which covers a broader of range of situations (terrestrial and freshwater) and is principally targeted at developments.



### ***[Weeds of National Significance \(WoNS\) best practice manuals](#)***

Best practice manuals have been produced for the majority of WoNS species (e.g. African boxthorn). These manuals provide information on the ecology and biology of the weed, planning, general information on management and control and case studies. Whilst some of the best practice manuals relate to species not present in Tasmania, they still contain information that may be useful for a particular development, such as with aquatic weeds.



**These guidelines relate to you if:**

<p><b>You are producing a DP&amp;EMP*</b></p> <p><i>Weeds have been identified as an issue and there is a requirement to:</i></p> <ul style="list-style-type: none"> <li>• Identify declared and significant environmental weeds.</li> <li>• Identify initial weed management issues.</li> <li>• Recommend hygiene protocols relevant to the development.</li> </ul> <p><i>Disease has been identified as an issue and there is a requirement to:</i></p> <ul style="list-style-type: none"> <li>• Identify diseases and pathogens.</li> <li>• Identify initial disease and pathogen issues.</li> <li>• Recommend hygiene protocols relevant to the development</li> </ul>	<p><b>You are producing a CEMP*</b></p> <p><i>Required to develop a weed and disease management plan.</i></p> <ul style="list-style-type: none"> <li>• Prepare detailed information about presence and distribution.</li> <li>• Prepare detailed information on control and management.</li> <li>• Communicate information to site managers, contractors and other staff.</li> </ul> <p><i>Required to develop a weed and disease hygiene plan.</i></p> <ul style="list-style-type: none"> <li>• Prepare detailed information about hygiene issues.</li> <li>• Prepare detailed hygiene protocols.</li> <li>• Communicate information to site managers, contractors and other staff.</li> </ul>	<p><b>You are producing a plan for a property, business or local area.</b></p> <p><i>Do you manage a quarry or topsoil and gravel business, and need to:</i></p> <ul style="list-style-type: none"> <li>• Identify weed and disease issues within the business footprint.</li> <li>• Develop a weed management and weed hygiene plan.</li> <li>• Implement a control program for declared and environmental weeds.</li> <li>• Quarantine areas or material that is infected with pathogens such as phytophthora</li> <li>• Provide cleandown equipment.</li> <li>• Maintain a log detailing destination of soil, gravel and sand.</li> </ul> <p><i>Are you developing a property management plan, and need to:</i></p> <ul style="list-style-type: none"> <li>• Identify declared and significant environmental weeds.</li> <li>• Map identified weeds and important agricultural assets or environmental values.</li> <li>• Develop management and control prescriptions.</li> <li>• Develop a hygiene plan for the property addressing the movement of vehicles, machinery and materials.</li> <li>• Implement a control program and hygiene plan and monitor success</li> </ul> <p><i>Are you developing a local area weed management plan, and need to:</i></p> <ul style="list-style-type: none"> <li>• If working on public land seek the necessary permissions.</li> <li>• Identify and map weed and disease issues.</li> <li>• Seek advice on appropriate control and management options.</li> <li>• Develop weed management and hygiene plan.</li> <li>• Implement plan and monitor outcomes.</li> </ul>
<p><b>*DP&amp;EMP = Development Proposal and Environmental Management Plan</b></p>	<p><b>*CEMP = Construction and Environmental Management Plan</b></p>	

## 2. Legislative Responsibilities

The following section describes the relevant legislation and codes of practice relating to the control, management and use of declared weeds, and risks associated with the spread of pathogens.

### Relevant government policy, legislation and codes of practice

#### **Weed Management Act 1999**

The *Weed Management Act 1999* (WMA) is the primary legislation relating to weeds in Tasmania. The legislation provides for the control and eradication of declared weeds to minimise the deleterious effects of weeds on the sustainability of Tasmania's productive capacity and natural ecosystems. The WMA and other Acts mentioned can be viewed at the Tasmanian Legislation Online website - <http://www.thelaw.tas.gov.au>

[Sections 56 and 57](#) (see box on next page) of the WMA are particularly relevant to developments and the potential risk of spreading declared weeds – with 56(1c) and 56(1g) being the most relevant. Section 57 applies to anyone intending to bring machinery or equipment into Tasmania that might be used on developments.

#### **Permits (Weed Management Act) –**

A permit may be required in order to undertake a specific activity that may contravene the WMA, for example transporting declared weeds for disposal. DPIPWWE can issue permits and these will be assessed and issued on a case by case basis incorporating any relevant conditions.

Each declared weed has a statutory weed management plan that details the regulatory framework for the control and eradication of that weed under the WMA. The plans identify zones (containment or eradication) and industry specific hygiene measures that should be implemented in relation to a particular species. For example, hygiene and weed management requirements for aquatic weeds are different to those weeds that may be spread through stock feed. Copies of the statutory weed management plans can be viewed via the Weeds Index on the DPIPWWE web site at <http://www.dpipwe.tas.gov.au/weeds>

Those involved in developments or other activities have a responsibility to take measures to ensure that any declared weeds present on the site are controlled and that such weeds are not spread further within or off the site. For example, when introducing material such as gravel and soil to a site, all measures must be taken to ensure that this material is free of any weed propagules. These guidelines will be useful in providing instruction to prioritise the management of declared weeds.

[Section 3](#) has further information about declared weeds.

#### **Seeds Act 1985**

The *Seeds Act 1985* lists a range of prohibited seeds and regulates and controls their production, supply and sale. It also provides for the testing of seed lots for contamination.

### **56. Sale, purchase, propagation, use, & c., of declared weed prohibited**

- (1) A person must not –
- (a) sell a declared weed or any material or thing containing or carrying a declared weed; or
  - (b) purchase or offer to purchase a declared weed or any material or thing containing or carrying a declared weed; or
  - (c) grow, propagate or scatter a declared weed; or
  - (d) store a declared weed or any material or thing containing or carrying a declared weed; or
  - (e) hire or offer for hire any material or thing containing or carrying a declared weed; or
  - (f) use a declared weed or any material or thing containing or carrying a declared weed; or
  - (g) deal with a declared weed or any material or thing containing or carrying a declared weed in any manner that is likely to result in the spread of the declared weed.

### **57. Importation of declared weed**

- (1) A person must not import or allow to be imported into Tasmania any declared weed.
- (2) A person must not import or allow to be imported into Tasmania, otherwise than in accordance with any prescribed measures, any feed grain for animals that may be carrying a declared weed.
- (3) A person must not import or allow to be imported into Tasmania, otherwise than in accordance with any prescribed measures, any livestock that may be carrying a declared weed.

### **Plant Quarantine Act 1997**

The *Plant Quarantine Act 1997* (PQA) provides for the border control of plants, pests and diseases that are prohibited from entry into Tasmania. Inspections and surveillance to ensure compliance with the Act are undertaken by Biosecurity Tasmania at all points of entry into Tasmania. This includes the clearance of passengers, cargo, mail, plants/plant products, animals/animal products, aircraft and ship waste.

Those bringing in vehicles, machinery and materials into the State are to ensure that there is no contamination by a weed, pest or disease prohibited under the PQA. Lists of all pests and diseases prohibited under the PQA are published in the [Plant Biosecurity Manual](#) which is updated regularly and available on the DPIPWE Biosecurity Tasmania website. Weed species declared under the *Weed Management Act 1999* are duplicated in the PQA manual.

**Permits** (eg *Land Use & Planning Appeals Act 1993*, *Environmental Management and Pollution Control Act 1994*)

Environmental pathogens are not specifically covered under legislation. However, the regulator, at State or local government level may require as a permit condition that an assessment to identify the presence or the risk of introduction of a pathogen is undertaken. The permit may also require actions to mitigate any introduction or spread to be developed.

### **Industry Codes of Practice**

You may also need to refer to a Codes of Practice or standard operating procedures for the relevant industry. These prescribe the manner in which certain activities should be conducted so as to protect the environment. Examples include: the [Forest Practice Code](#) (2000), [Quarry Code of Practice](#) (1999) and [Mineral Exploration Code of Practice](#) (2012).



### 3. Weeds, Diseases and Pathogens – Key Issues

#### Declared weeds

A declared weed is a plant species that has been listed under Tasmania's *Weed Management Act 1999*. There are currently 115 species listed.

Not all declared weeds are present in Tasmania. There are species that have been assessed as having the potential to cause harm to Tasmania's environment and agricultural productivity if they were to establish in the State. Such species are known on the mainland and could easily be introduced to the state through contaminated vehicles and machinery and feed and fodder. Some examples include creeping knapweed (*Acroptilon repens*), silver-leaf nightshade (*Solanum elaeagnifolium*) and heliotrope (*Heliotropium europaeum*). Additionally, some of the weeds are declared as part of national agreements to limit the sale and trade of species between states.

Some of the declared weeds are naturalised and limited in their distribution within the State. There is an opportunity to eradicate or reduce the future impact of these weeds. These weeds are regarded as high priorities for control and include Chilean needle grass (*Nassella neesiana*), cut-leaf nightshade (*Solanum triflorum*), African feather grass (*Pennisetum macrourum*) and orange hawkweed (*Pilosella aurantiaca*).

Around a third of the declared weeds are present across the state in varying degrees of density. Some examples include Spanish heath (*Erica lusitanica*), gorse (*Ulex europaeus*), Californian thistle (*Cirsium arvense*) and ragwort (*Senecio jacobaea*). There are areas in the state, such as the World Heritage Area, national parks, reserves and conservation areas and agricultural areas where many of these species are not present. Effective weed hygiene practices are important to ensure that such species are not spread further and allowed to establish in new areas.

A list of the declared weeds can be found at <http://dpiwwe.tas.gov.au/invasive-species/weeds/weeds-index/weeds-index-declared-weeds>



Cut-leaf nightshade



Bathurst burr

Paterson's curse

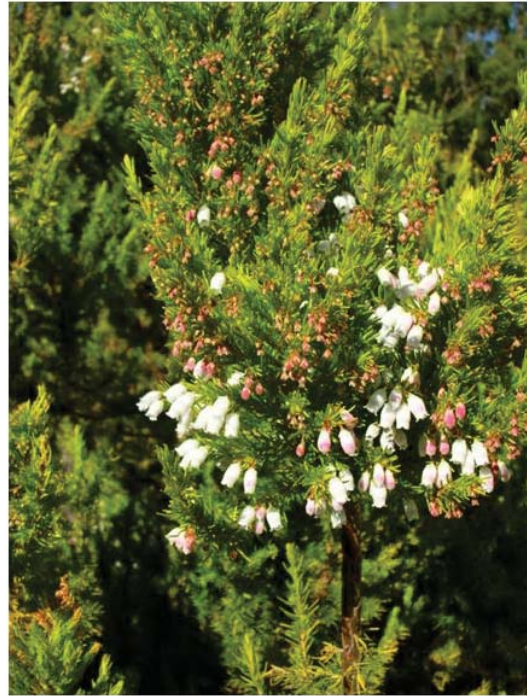


Ragwort





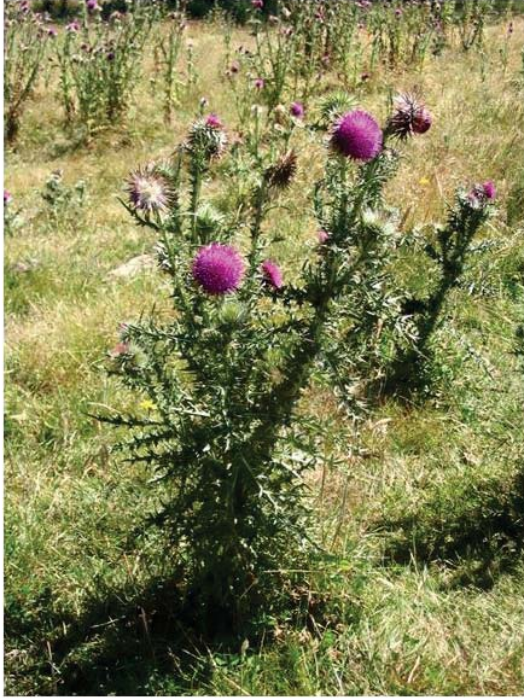
St Johns wort



Spanish heath



Gorse



Nodding thistle



Variegated thistle



Cotton thistle





African feather grass



Serrated tussock

Chilean needle grass



## Aquatic weeds

Tasmanian rivers are relatively free of serious aquatic weed problems. Two aquatic plants, the common Canadian pondweed (*Elodea canadensis*) and less common parrot's feather (*Myriophyllum aquaticum*) are found in Tasmania.

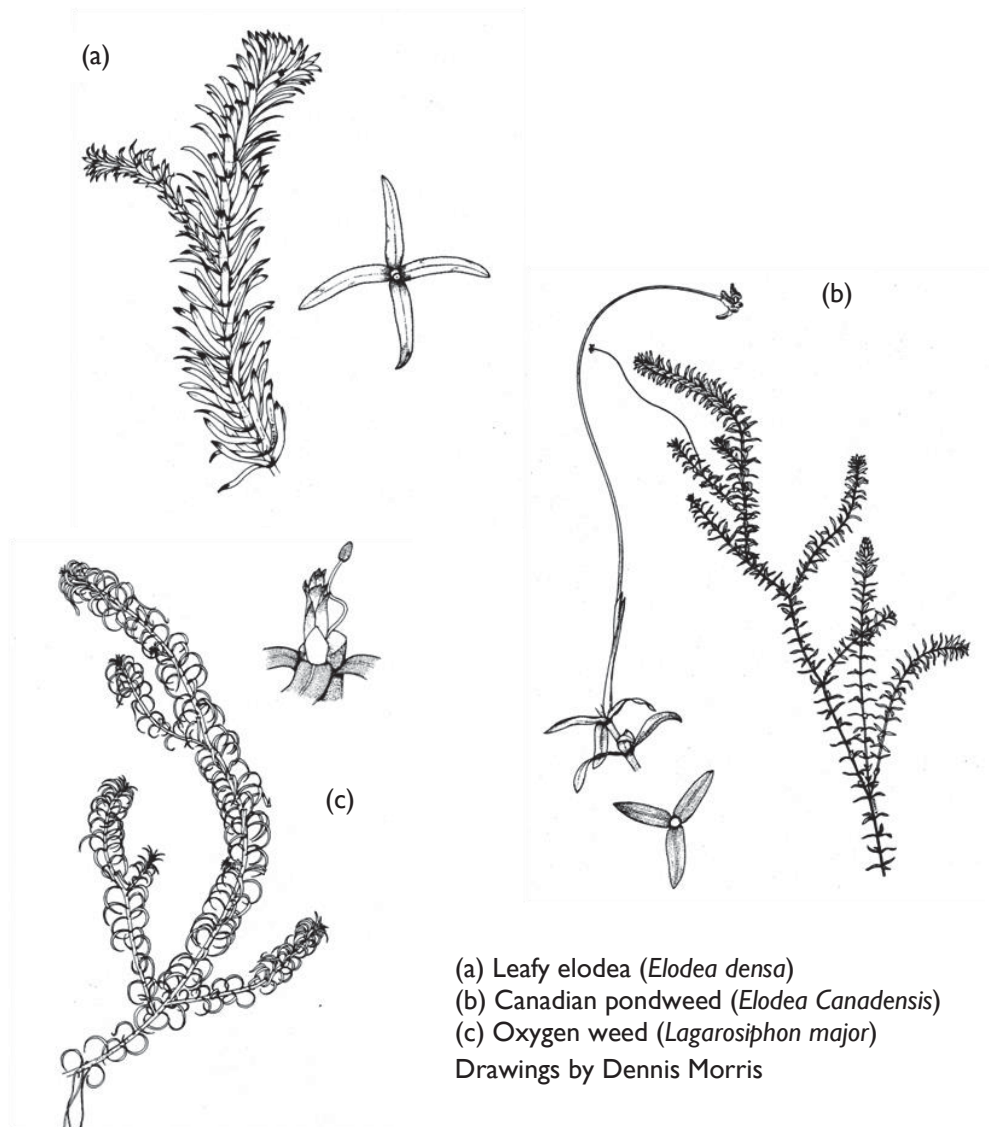
However there are a number of other aquatic weeds that cause problems on the Australian mainland and in New Zealand that are currently not known to occur in Tasmania, but if introduced could become serious problems. These include hydrilla (*Hydrilla verticillata*), Brazillian waterweed (*Egeria densa*) and lagarosiphon (*Lagarosiphon major*). All are declared under the Tasmanian Weed Management Act 1999.

These aquatic weeds are particularly difficult to manage because they are able to propagate via a number of different mechanisms including seeds, but more commonly, tubers, turions (apical or axillary growing tips), stolons and stem fragments (see examples on following page). Some of this vegetative material is able to survive in sediments and germinate when conditions are suitable.

There are many different ways that aquatic weeds can be spread in Tasmania. They have been introduced through the ornamental and aquarium trade, usually as a result of the dumping of unwanted fish tank water. Aquatic weed material can attach to fishing gear, boating equipment, trailers and even within clothing. This material can be transferred along irrigation drains and in pipelines, both within or between catchments. Once established, the weeds can out-compete native species, choking waterways, lakes and dams. Plant material can also block irrigation pipes, pumps and alter the waterway's nutrient and light regimes.



Parrots feather



Aquatic weeds - Examples of vegetative propagules: (C) Two double-nodes separated by 6 short internodes in *Egeria densa*, (D1) Germinating tuber of *H. verticillata*, (D2) Growing buds of *E. densa*. (Source: Alfasane, 2010)



### Environmental or troublesome weeds that are not declared

Non-declared 'environmental' weeds refer to weed species not listed under the *Weed Management Act 1999*. Many of these species can have impacts on the natural environment, agricultural values and the community and so it is appropriate to manage these weeds through effective hygiene practices and control measures.

Environmental weed examples include many species originally introduced as ornamentals such as blue periwinkle (*Vinca major*), foxglove (*Digitalis purpurea*) and watsonia (*Watsonia meriana*) that have spread into natural areas from the illegal dumping of garden waste. Many of these species are the subject of volunteer community weed control programs.

Other non-declared weeds include species that impact on cropping, grazing and other agricultural enterprises, including being toxic to stock. These include capeweed (*Arctotheca calendula*), hemlock (*Conium maculatum*) and spear thistle (*Cirsium vulgare*).



Montbretia  
Photo: English Country Garden

Foxglove







Capeweed



Periwinkle



Watsonia

## Pathogens and plant-like pests

Pathogens and the diseases that result can be very difficult to eradicate, and once detected, containment may be the only practical management solution. Prevention is the most effective management strategy, and that can be best achieved by having strong biosecurity and hygiene measures in place.

### **Phytophthora**

*Phytophthora* ('fy-toff-thora') root rot is also known as cinnamon fungus; jarrah dieback; wildflower dieback and by its scientific name *Phytophthora cinnamomi*. It is a water mould (like a fungus) that attacks the roots of susceptible plants, in many cases killing the plants. In some native plant communities, epidemic disease can develop causing the death of large numbers of plants.

It is believed to have been introduced to Tasmania following European settlement and is now well established in many areas of moorland, heathland and dry eucalypt forest in the state. *Phytophthora* has the potential to alter the ecology of these vegetation types. Many different species of plants are affected by *Phytophthora* root rot, such as grass trees, white waratah and Christmas bells.

Some threatened plant species in Tasmania are known to be declining as a result of *Phytophthora* and more threatened species could also be affected should the pathogen spread.

*Phytophthora* may spread with the movement of infected soil or plant material by people or animals and may be transported by water moving through the soil or in creeks. People can transport the pathogen to new areas on dirt adhering to vehicles, items they are carrying or footwear. Unfortunately this pathogen is hidden from view within plant roots and its symptoms can be difficult to recognise in the field.

Information Source: DPIPWE Website  
<http://dpiipwe.tas.gov.au/biosecurity/plant-biosecurity/pests-and-diseases/phytophthora>

Additional information can be found in the *Keeping It Clean* manual.



Native grass trees affected by *Phytophthora* (Photo: Tim Rudman)

### **Chytrid frog disease**

Chytrid (pronounced kit-rid) fungus (*Batrachochytrium dendrobatidis*) causes the disease known as chytridiomycosis or chytrid infection which currently threatens Tasmania's native amphibians. The fungus infects the skin of frogs destroying its structure and function, and can ultimately cause death. Sporadic deaths occur in some frog populations, and 100 per cent mortality occurs in other populations.

Chytrid infection has been devastating to frog species causing extinctions worldwide. The international trade of frogs probably brought the fungus to Australia from Africa. The disease has now been recorded in four regions in Australia - the east coast, southwest Western Australia, Adelaide, and more recently Tasmania. In mainland Australia chytrid has caused the extinction of one frog species, and has been associated with the extinction of three others. In addition, the threatened species status of other frogs has worsened through severe declines in numbers.

The movement of infected frogs, tadpoles and water are known to be key agents of spread. The fungus (or infected frogs or tadpoles) can be spread by people in water and mud on boots, camping equipment and vehicle tyres, as well as in water used for drinking, or spraying on gravel roads or fighting fires.

Information source: DPIPWE (website).  
<http://dPIPWE.tas.gov.au/biosecurity/animal-biosecurity/animal-health/wildlife/frog-disease-chytrid-fungus>

For more information on chytrid frog disease and its distribution visit the DPIPWE website or read the Keeping It Clean manual.

**Platypus mucor disease**

*Mucor amphibiorum* is a native Australian fungus previously restricted to mainland Australia but has spread widely in northern Tasmania since 1982. It is likely that the fungus was introduced to Tasmania via infected frogs transported from the mainland. It causes a deadly ulcerative infection in Tasmanian platypuses.

It is currently not known how the mucor disease is spread and the risk of spread through movement of contaminated water or soil while undertaking activities and fieldwork in wetlands and waterways is unclear. However it is recommended that when handling platypus in the field specific hygiene protocols be applied. These protocols and further information about the mucor disease can be found on the DPIPWE website or in the *Keeping it Clean* manual.

Information Source: DPIPWE Website -  
<http://dPIPWE.tas.gov.au/wildlife-management/animals-of-tasmania/mammals/echidnas-and-platypus/platypus/platypus-fungal-disease>



Platypus mucor disease  
(Photo: Annie Phillips)



## Plant-like Pests - Didymo

Didymo (*Didymosphenia geminata*) is a freshwater algae (diatom) that is native in the northern hemisphere, but has now established in New Zealand's South Island and Chile. Didymo starts life as a microscopic, single cell organism that forms stalked colonies and rapidly multiplies to form dense mats on the streambed. Once established it is extremely difficult to eradicate. It can be transported on gear that is used in contaminated streams and lakes – boat gear, fishing gear, waders, felt boots, packs and kayaks.

The dense mats that are formed alter the stream ecology, affecting the river's health, degrading the fishing quality of the river and fouling equipment such as motors, pumps and traps.

Information Source: DPIPWE Website [http://dpiipwe.tas.gov.au/biosecurity/aquatic-pests-and-diseases/aquatic-biosecurity-threats/didymo-\(rock-snot\)](http://dpiipwe.tas.gov.au/biosecurity/aquatic-pests-and-diseases/aquatic-biosecurity-threats/didymo-(rock-snot))

For additional information on Didymo and its distribution visit the DPIPWE website or read the *Keeping It Clean* manual.



A didymo frustule  
(Photo: Sarah Spaulding)



Live cell of *Didymosphenia geminata* showing the mucilage stalk (Photo: Sarah Spaulding)



Didymo coating rocks and river bed in NZ.  
(Photo: Sarah Graham)



## 4. Developing a Management Plan for Weeds and Diseases

### What is a Weed and Disease Management Plan?

A weed and disease management plan covers the management and control of weeds and diseases for a particular area or site. It identifies relevant issues and specifies actions to be taken in order to remove or reduce the threat. Management plans may need to be produced for developments (eg. subdivisions, irrigation, roads, mines etc.), reserves, farms, quarries and residential properties.

### Do you need a Management Plan?

It is in your interest to consider whether you need a management plan. If there are potential weed or disease issues, dealing with them in a timely and effective manner will save money and resources into the future. Depending on the issues at your site and the proposed activities, you may only need a weed or a disease management plan.

Generally, if the weed or disease issue is not complex then the plan may be relatively simple. The more complex the

issues, the more detail usually required.

In deciding if you need a management plan, consider whether there is an existing weed or disease problem (this may require a detailed survey), and whether the development or activity itself could create a problem. Remember that soil disturbance can lead to germination of weeds, while importing materials (for example, soil, gravel, water, plant material) can bring weeds and diseases onto a site.

If there are declared weeds at the site, or there is a potential that declared weeds could be spread to the site (eg. from a quarry) then the land manager and contractors will have a legal obligation to control those weeds and prevent any spread. Whilst there is no legislation covering the spread of environmental pathogens, permit conditions may require that the developer consider the hygiene and management issues.

A template for weed management plans can be found in [appendix 1](#) and guidance on hygiene management in [appendix 2](#).

A Weed and Disease Management Plan should cover as a minimum:

- Over-arching set of objectives
- Assessment of the distribution of declared and environmental weeds and diseases.
- Accurate map of weeds and diseases
- An assessment of the potential impact of the weeds and diseases
- Short and longterm priorities for management and control of weeds and diseases.
- Strategies for managing weeds and disease spread associated with the development.
- Strategies for ongoing monitoring and control of weeds associated with the development.
- Identification of appropriate herbicides and other methods for weed control.
- Methods to prevent disease spread (see also *Keeping it Clean – A Tasmanian field hygiene manual*).

## **Producing a Management Plan**

Production of a management plan may be the responsibility of the landholder or land manager, the proponent of a development or the project officer coordinating activities. Whilst there is no set design for a management plan, all management plans will have similar elements:

### ***Description of project, development or activity and site***

Describe the proposed activity, development or land use, (eg. roadwork, dam, farm, mine, quarry) and detail the aims and objectives of the management plan.

### ***Site description and location***

Describe the site, including operational areas, stockpiling areas, cleardown areas and other ancillary and administrative areas. Most of these areas can be shown on maps, although some may need to be accompanied with detailed descriptions. There should also be maps that show the general location of the development, showing north, clear legends and the location relative to Tasmania as a whole.

### ***Weed and disease issues***

Identify and document existing and potential weed and disease issues at the site. The plan should provide a summary of declared weeds and significant non-declared weeds.

This should include an inventory of any previously recorded weeds and diseases via database searches and previous reports. In most situations a detailed onground survey of weeds and visual assessment for evidence of disease at the site will be required.

Timing of the survey needs to be considered, as some weeds are either not present (eg. annual weeds) or are not easily identifiable (eg. not flowering) all year. All survey work should be undertaken by a competent specialist in the field.

### ***Recording and mapping of existing weed and disease distribution***

Weed and/or disease locations should be shown on maps as well as being documented in a spreadsheet with coordinates (this table would be found in the appendices of the plan). Maps should be clear, contain obvious features such as roads, towns, hills and rivers to help identify locations.

### ***Map of existing assets to be protected***

Weeds and disease maps should be overlaid on to maps showing assets and areas requiring protection. This could include areas of ecological or conservation significance or important agricultural values. Advice should be sought as to appropriate permits that may be required in relation to values present and works proposed.

#### **Things to remember:**

- Identify known weed and disease issues through literature and database searches (this should include records for adjoining areas).
- Survey the relevant area and document observed weeds and diseases.
- Where required collect soil and or water samples to detect disease pathogens.
- Prioritise weeds – declared weeds; significant environmental weeds.
- Check identification of weed or disease symptom if uncertain.
- Be careful not to spread the weeds or disease when surveying.

### **Assess and document weed and disease risks and impacts**

Once weed and disease surveys have been completed, an assessment of the potential impacts of those threats will help in establishing priorities for management and control. For example, if there is a Zone A declared weed growing in an area where construction work may cause it to be spread, then it would be a priority for control. A risk assessment tool is provided in [Appendix 2](#).

### **Setting short and long term priorities**

Using collected information for species or diseases present, distribution, density, impacts, legislative responsibilities, determine short and long term management priorities – what weed species (or diseases) should be controlled and what are of less concern.

### **Relevant legislation**

There is a range of legislation, legislative instruments and codes of practice in Tasmania which may be relevant to your project. The plan should list all legislation, permit conditions, codes of practice and technical documents relevant to the plan and how they have been addressed. The summary of weeds present at the site should also include the listings of the weeds within the *Weed Management Act 1999*.

See [Section 2](#) for further information about legislation.



Example of Spanish heath Zone A and Zone B areas in northwest Tasmania

### **Legislated priorities – declared weed zoning**

Management requirements for declared weeds vary between weed species and municipality. All declared weeds are categorized as either Zone A or Zone B and these are listed in the statutory management plans for each declared weed. In general, a Zone A weed would be a higher priority for control than a Zone B weed. The statutory weed management plans can be viewed on the DPIPWE website:

DPIPWE Website:

<http://dipwe.tas.gov.au/invasive-species/weeds/weeds-index/weeds-index-declared-weeds>

**Zone A municipality – Eradication is required.** Land managers should be actively eradicating the weed on their properties.

**Zone B municipality – Containment is required.** Land managers must take efforts to prevent the weed from spreading from their properties.

### **Other relevant documents or strategies**

Other strategies such as Weeds of National Significance (WONS) strategies and best practice manuals, regional or municipal weed plans may be useful to refer to. There may also be other technical documents relevant to the specific site and/or development that have been produced from previous surveys. Property management plans, rivercare plans and vegetation management plans can all be sources of useful information.

### **Hygiene management activities**

The weed and disease management plan should identify any potential hygiene management issues. For example, if there is likely to be vehicle and machinery moving on and off site or if materials such as soil, sand or gravel imported onto or exported from the site then there is a risk of spreading weeds or diseases. If this is likely to be the case then a hygiene management plan should be developed.

The development of a hygiene management plan is covered in [Section 5](#) of this guideline.

### **Strategies for managing the weeds and diseases**

Control information can be detailed in tabular form and should describe methods for control (eg. herbicides, physical removal, burning, cultivation, etc), timing of control activities and frequency, methods for checking/monitoring infestations to determine effectiveness, and any follow-up measures.

If weed material cannot be safely disposed of on-site (eg. deep burial) then alternative means of disposal should be identified. This may involve arranging for incineration, deep burial or composting at a refuse centre. Where this material requires transportation from one site to another a permit may be required.

### **Operational management zones**

For sites with more complex weed infestations, such as multiple weed species spread across a number of areas, management zones will need to be developed and documented on maps. Weed management zones may reflect the presence or absence of particular weeds, different management and control priorities, short term and long term priorities, and stockpiles.

The plan should also delineate all quarantine areas, traffic control zones and cleandown areas. The means by which zones are to be sign-posted and maintained on the ground (eg. signs, barriers, fencing) should also be detailed. Once weeds and diseases have been identified for a site or area management and control strategies can be developed. This should include appropriate removal methods and information on the type of herbicides and how they are to be used (see following map).

### **Monitoring and review**

Addressing weed and disease management issues at a site does not stop with the completion of a development and associated works. A management plan needs to consider ongoing monitoring at a site. Post-development monitoring is particularly important where there has been soil disturbance, importation of materials (soil, gravel, sand, etc.), changes to drainage patterns, or removal of vegetation. Any of these actions can lead to the germination of dormant seed, or to the establishment of wind-blown weeds/seeds on recently exposed soil.

The timeframe for monitoring will vary depending on factors such as the presence of soil seed banks, the possibility for complete eradication of infestations and the likelihood of re-infestation from adjoining areas. Monitoring at a site may have no specified end date and be ongoing.

A monitoring program should identify:

- Personnel involved;
- Frequency and time-of-year of inspections;
- Reporting protocols;
- Response to weed or disease incursions.





Weed map showing management zones (Source: EcoTas)

## 5. Developing a Hygiene Plan

We all have a responsibility not to spread weeds and diseases. Weed seeds and pathogens can travel sight unseen in materials such as soil, sand, gravel and water, in mud on footwear, or lodged in nooks and crannies on machinery, vehicles and other equipment.

Prevention is the most cost-effective form of management.

It is easy to overlook the risk of accidentally spreading weeds and diseases; however this can lead to long-term and expensive consequences. Failure to carry out adequate hygiene measures can result in crop losses, stock damage or permanent environmental degradation, often incurring substantial cost to the land owner or manager.

### What is a hygiene plan?

A hygiene plan addresses the potential introduction and spread of weeds and/or diseases as a consequence of a development or activity. It identifies specific actions in order to avoid, mitigate and reduce the potential spread of weeds and diseases. A hygiene plan targets:

- Vehicles, machinery and equipment
- Materials such as soil or gravel
- Recreational equipment and clothing
- Feed and fodder

Examples where a hygiene plan might be needed include developments or work sites, conservation reserves, farms, and quarries. In fact, any site which can be clearly delineated in area and which has an existing or potential weed or disease problem, and where activities may lead to the spread of those weeds, should have a hygiene plan.

The hygiene plan can be a stand-alone document or it could be included as part of a weed management plan.

A template for developing a weed and disease management plan, which includes hygiene management, can be found in [appendix 1](#). Operational considerations for hygiene management are in [appendix 2](#).

A Weed and Disease Hygiene Plan should cover as a minimum:

- Cleandown protocols when travelling between clean and contaminated areas within the development footprint.
- Cleandown protocols for vehicles and machinery entering or leaving the site.
- Location and management of cleandown areas and facilities, including management of effluent.
- Logbooks detailing adherence to hygiene protocols.
- Material hygiene (soils, gravel, plant material etc.) – ensuring that no materials contaminated with weed propagules (seed, propagative vegetative material), pathogens or other pests are imported into or exported from the site.

### **Do you need a hygiene plan?**

It is in your interest to consider the issue of hygiene management. Remember, you may be the one who has to deal with any weed and disease problems on a site into the future. Always be conservative with respect to hygiene measures and potential weed and disease problems, and always think long term.

If your development or activity has identified any existing or potential weed or disease issues then it is likely you will need to develop a hygiene plan. The type and scale of this plan will depend on the complexity of your project.

If there are declared weeds at the site, or there is a potential that declared weeds could be spread to the site (eg. from a quarry) then the land manager and contractors will have a legal obligation to prevent any spread.

The project may involve bringing machinery in from the mainland and may therefore be the subject of requirements under the *Plant Quarantine Act* (refer to the current [Plant Biosecurity Manual](#)).

### **Planning ahead**

Development of a hygiene plan allows you to consider:

- Type of hygiene issues that need to be managed.
- Possible alternatives to avoid hygiene problems.
- Coordination and timing of works and hygiene management actions.
- Site access issues and vehicular and machinery movements.
- Development of works schedule - working from clean to dirty areas.
- Identify no-go areas to avoid disturbance and weed infestations.
- Selection of appropriate equipment and machinery.
- Identification of stockpile sites.
- Identification of cleandown sites and methods.
- On site resources, ie access to water and other facilities.

- Communications and training for staff, contractors and other visitors.

### **Producing a hygiene plan**

Production of a hygiene plan may be the responsibility of the landholder or land manager, the proponent of a development or the project officer for a specific activity. Each hygiene plan will differ depending on the nature and size of the site or development, and on the weed and disease problems involved.

### **Elements of a hygiene plan**

#### ***Identify weed and disease risks***

This could be in a table format, and should identify issues, such as:

- vehicle and machinery movement,
- import and export of materials such as soils, sand or gravel and other products,
- disturbance to sites and vegetation,

where they occur and state how (where possible) they will be managed. Solutions might include sourcing soil and sand from accredited sources, sourcing pathogen free water (eg. from treated systems, rainwater tanks), designated parking and storage areas, minimising disturbance, fencing areas including vegetation etc..

#### ***Identify hygiene management zones***

Maps should clearly identify the location of all hygiene related infrastructure including:

- clean down areas,
- effluent drains and sumps,
- quarantine zones,
- stockpile areas,
- solid waste storage areas,
- work areas, traffic routes, parking and storage areas.

Stockpile areas refer to areas where soil, gravel and sand is stored prior to use at the site or for removal from the site. Waste storage areas refer to the storage of weed material or other material that is contaminated with weeds or diseases and is to be appropriately disposed of or treated.

### **Operational Procedures**

Operational hygiene protocols for each zone and the works site in general need to be documented. These include:

- Staff and contractor induction procedures.
- Cleandown protocols for vehicle, machinery and equipment movement between clean and contaminated areas within the site and also entering or leaving the site.
- Vehicle and machinery inspection procedures.
- Logbook to document sources and movement of material on or off site (soils, gravel etc.).
- Logbooks to document vehicle and machinery cleandown activities.
- Other issues specific to project.

Operational information relating to hygiene management can be found in [appendix 2](#).

### **Avoiding the importation of contaminated materials**

Raw materials such as soil, sand, gravel and water may be contaminated with weed seed or with plant and animal pathogens. Material from a quarry infested with gorse may well contain gorse seed which can remain dormant for many years, leading to the spread of the weed to other sites. Similarly, water sourced from ponds or dams containing the amphibian fungal disease chytrid can lead to the spread of this disease to un-contaminated water bodies.

Because many weed seeds and most plant and animal pathogens are either inconspicuous or invisible to the naked eye, it is extremely difficult to know whether a given load of material is contaminated or clean. Thorough testing of the source material to exclude contamination, or sterilising is often not feasible.



Temporary cleandown area



Nevertheless, the chance of importing contaminated material to a site can be significantly reduced by keeping in mind the following:

**What you can do to reduce contamination risks -**

- Ensure that there are no declared weeds and significant environmental weeds on the site from where you are obtaining material. There is a high risk of contamination of material such as sand, gravel, soil and water when sourced from a site which is clearly infested with a particular weed or disease.
- Keep in mind that the presence of some weeds and most pathogens will not always be obvious. For example, a weed may be present at a site as dormant seed in the soil or as tiny propagules in water, or present but not conspicuous (for example, not in flower).
- Investigate the hygiene measures in place at a prospective quarry or other source-point for raw materials. Shop around for the safest option.
- Wherever possible, source material from companies or sites which have been subject to some form of assessment for weed and disease hygiene. Don't be shy to ask questions of the supplier. Some industry groups have sought accreditation to demonstrate that their operations maintain sound hygiene practices. Where possible request a vendor declaration demonstrating their product is free of weeds or pathogens.
- Where there is a known risk or plants or animals sensitive to disease present, water should either be treated or sourced from rainwater tanks.
- If you encounter a problem with imported materials carrying weeds or diseases, inform the source company of the problem immediately and notify any relevant authorities.

## 6. Communicating the plan

### Communicating your hygiene plan

The key to implementing a weed management and hygiene plan is to be able to effectively communicate it to everyone who will be involved in the operational components of a development. These include site managers and supervisors, on-site staff and contractors using vehicles operating machinery and equipment. The information needs to be easily understood and readily accessible, and may need to be produced in different forms depending on the target audience.

### Training

Training is a key requirement for ensuring staff are aware of their different levels of responsibility and aware of the relevant aspects of weed and disease hygiene management. This training can be provided through external organisations or even facilitated through the relevant Government or Natural Resource Management organisations. Training needs to be tailored towards the needs of the organisation, their legislative responsibilities and the roles and responsibilities of staff.

### Induction

Contractors and other visitors to a site need to be aware of the hygiene protocols operating at that site. As part of the general site induction process, new visitors to a site need to be made aware of the site hygiene protocols, exclusion areas and clean-down procedures.



### Toolbox training

Many organisations have weekly toolbox meetings where they discuss issues such as work place health and safety and other matters relating to operational activities. These meetings also provide an opportunity to inform staff and reinforce requirements relating to weed and disease hygiene management protocols and how they should be implemented.

### What documents need to be provided to operational staff?

A hygiene management plan forms the overarching document and contains all of the relevant information required to manage weed and disease hygiene at a site. However the plan may be a large, complex document that doesn't lend itself to be easily implemented by individual staff. Consequently, a subset of documents based on the plan will need to be provided to staff, including:

- Summary of hygiene protocols.
- Check lists.
- Maps detailing clean-down locations, quarantine areas and treatment areas.
- List of available clean-down resources and their locations.
- Information on clean-down procedures for specific machinery and vehicles (kept with the relevant machinery and vehicles).

Log books should be kept with vehicles, and depending on the nature of business and the vehicle/machinery use detail:

- Driver details and dates of travel
- Incoming and outgoing soil, gravel and sand delivery details (source and delivery locations; type of material; known contaminants).
- Record of clean-down activities for the vehicle/machinery

## 7. Case Studies

### Case Study I

#### Weed hygiene - Underground Powerline

An infrastructure project undertaken by power company Jemena (now Zinfra) through Launceston's eastern suburbs in winter 2011 provides a good example of practical weed management through project planning and vehicle, machinery and equipment hygiene. A power cable was to be laid underground across a floodplain in winter. During the planning phase, consultants identified weeds, potential plant pathogens and threatened flora and fauna as issues. Additional information for the area was collected from DPIPWE's Natural Values Atlas and DPIPWE's Regional Invasive Species Management Section regarding other potential weed management issues.

DPIPWE also provided information on best practice weed management procedures. Out of this came a practical approach from Jemena and the contractors for vehicle and machinery movement that limited the spread of weeds within the project and adjoining areas.

Using the weed presence and density maps the planners and project manager identified management zones within which any weed infested area, such as a gorse patch, could be isolated from neighbouring weed free areas. Each zone had a single entry/exit point and vehicles going in and out through this point had to be inspected.

Where a vehicle or machine had remained on the constructed road surface in good weather it required no more than a quick inspection. However, any piece of equipment or machinery that had direct contact with weeds or soil was treated as potentially carrying propagules that might be transferred from one site to another. These items were subjected to cleandown. The degree of cleandown was determined by the level of contamination. Site conditions were also important in determining the degree of cleandown. Where the site was dry and firm and there was little or no standing weed presence a machine may have needed no more than a brush / blow down or light hosing.



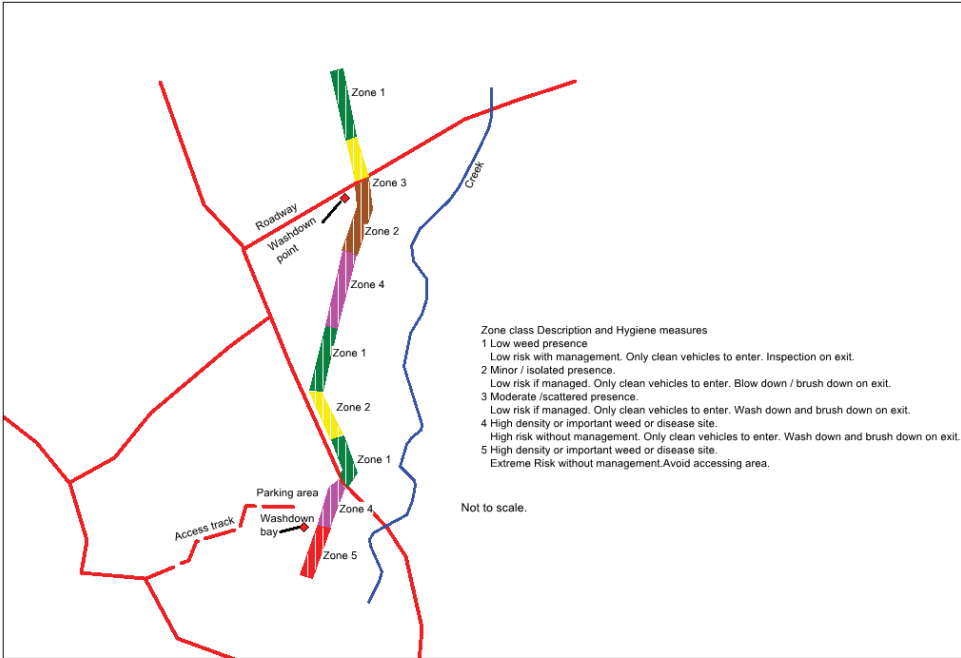
Cleaning down digging machinery

For the most part, Jemena’s project was implemented through winter, much of it on an already wet floodplain alongside the North Esk River. To cope with this Jemena and the contractor installed temporary cleandown bays at the entry/exit points of each of the management zones (see site map). The cleandown bays consisted of a pad of heavy, coarse roadbase material built up about 300mm and big enough to fit a cleandown rig and any large machine used in the project. This pad drained into a sump lined with geofabric constructed at its downslope edge to catch run-off and sediment. When full, the sump was pumped out and material disposed of at Launceston City Council’s refuse landfill. At completion of works, the roadbase pads were removed and disposed of as landfill. Cleandown bay locations can be monitored over time and any weeds controlled.



Top photo: Temporary cleandown bay  
 Bottom photo: Geofabric lined cleandown sump

Example site map: work zones based on weed and disease risk





## Case Study 2

### Weed management and hygiene plans for a residential development.

In 2010 Waverley Tasmania Pty Ltd purchased a derelict timber mill site at St Leonards on the south-eastern fringe of Launceston with a view to developing the site as urban residential land. The site of approximately 40 hectares includes a gully which adjoins park land managed by Launceston City Council. The north side of the property bounds residential development, while its southern neighbours include several peri-urban grazing/lifestyle blocks.

Weed management and hygiene planning was a requirement of the local government's planning permit for the demolition phase of the property development. This case study is based on the weed management plan developed for the site (Povey, 2010).

#### Development of the Weed Management Plan

The initial phase of the project involved a desk top study and field investigation to identify the natural values and potential threats to these values, such as weeds. Background information came from a search of the DPIPWE [Natural Values Atlas](#) (NVA); from review of the Statutory Weed Management Plans (SWMP) for each of the declared weeds present and from discussion with the relevant specialists. The second phase of work involved detailed site inspections to identify and record site features including weed presence and density.



DPIPWE's NVA Home Page  
(new users can register at site)

The mill weed management plan summarises information from relevant SWMPs into a table identifying:

- the name of the weed;
- it's status within the site (whether declared or not);
- its zoning under the *Weed Management Act 1999*; and consequently
- the objective for each weed within the municipality.

A Natural Values Atlas (NVA) report provides information on the presence of native flora and fauna, weeds, phytophthora and chytrid at a site and areas adjacent to the site. This information should be accessed as part of the impact assessment and construction planning components of a development. The NVA database can be accessed via DPIPWE's web site.

#### Setting objectives for weeds at the site

Six significant weed species were identified by the plan. Five of these are declared weeds (which property managers are required by law to control) and one, hawthorn, is a non-declared significant environmental weed. The declared weeds present are:

- Paterson's curse
- Gorse
- Blackberry
- English broom
- Canary broom

The woody weeds occurred predominantly within a degraded woodland area surrounding the old sawmill. Paterson's curse infested road edges, and any cleared land amongst the bush and across open spaces between the mill and bushland and was identified as a significant weed on the site. The SWMP for Paterson's curse identifies Launceston Municipality as a "Zone A" area ie. an eradication zone. The St Leonards area is one of relatively few areas of intense infestation of this aggressive weed in the state. Eradication from this site will contribute to its eventual eradication from St Leonards.

One of the first steps in the control of Paterson's curse is to prevent spread through preventing seed set of plants germinating on site and to ensure that Paterson's curse material does not leave this site (e.g. as seed in soil). This last point, in particular, is a critical reason for the development of the accompanying weed hygiene plan.

Each of the remaining declared weeds are classified as Zone B in the municipality and therefore containment is the primary objective. It should be noted that where a weed can be eradicated from a site, regardless of its zoning, this should be attempted. Broom is an example of this, where its eradication is feasible due to low presence and density on the property. The plan also provides objectives for the significant, non-declared environmental weeds. Again all are summarised in a table identifying:

- The weed;
- its extent on the property; and
- objectives for control on the site.

### Weed Survey

The location of weeds found during flora and fauna surveys were recorded using a handheld GPS.

A map was then produced identifying site features, native vegetation and weed infestations. Each infestation was assigned a density. Density classes were those used for monitoring Weeds of National Significance (WONS), as tabled in *A Field Manual for Surveying and Mapping Nationally Significant Weeds* (McNaught et al, 2006):

Density Class Number	Percent Cover Range or Description
1	Absent
2	Less than 1%
3	1 – 10%
4	11 – 50%
5	Greater than 50%
6	Present (density unknown)
7	Not known (or uncertain)
8	Not assessed

### Weed Control Strategies and Methods

The plan provides a brief weed control strategy for each of the major weeds. The control strategies are linked to the SWMP objectives to eradicate or contain the weed; the density of the weed on the site; and its location and proximity to neighbouring properties.

For Paterson's curse this means control across the entire property, at least annually. For a "Zone B" weed, like gorse, control areas are prioritised according to the objectives of the SWMP (e.g. proximity to boundaries). A key priority is to protect and improve over time, the condition of any area of native bush being retained at the site.

Many of the weed species on the site are known to have long seed viability making regular monitoring and follow-up control a key to success in these works. The plan also recommends and describes a range of different methods to control each species. Additional information is provided from DPIPW's website including permits and suitable, registered herbicides.

### Timeline and Budget

The plan provides a timeline, in table form, for actions and likely costs for particular areas e.g. a separate timeline for Paterson's curse; the urban development area; and the areas of native vegetation. The table identifies weed control actions that need to

start prior to demolition at the site. Importantly, each timeline includes reference to relevant sections within the plan and to actions from the hygiene plan that will need to be implemented concurrently.

#### **Tasmanian Weed Management Act 1999**

The mill plan makes reference to the *Weed Management Act 1999* including landholder responsibility to *'take all reasonable measures to control the impact and spread of a weed...'* and makes particular mention of the offences identified under [Section 56](#) of the Act (including that it is an offence to... *'grow, propagate, scatter or transport a declared weed (including "deal with ... any material or thing ... carrying the weed in any manner that is likely to result in the spread of the declared weed",* such as soil). This highlights the proponents responsibilities to prevent the spread of declared weeds.

#### **Development of the Weed Hygiene Plan**

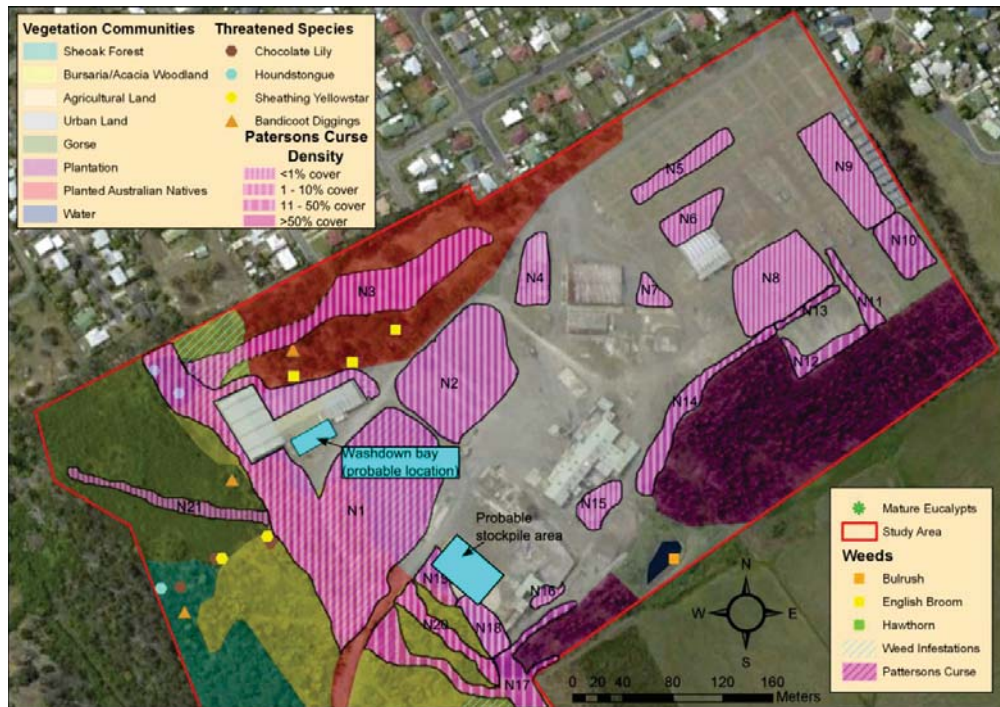
A weed hygiene plan was developed to reduce the risk of weeds being introduced onto or exported off the site. The hygiene plan is a key document that ensures that the *Weed Management Act 1999* is not contravened.

It is a succinct, practical document that requires all consultants and contractors to follow. The document is designed to be included in site inductions for all people entering the site.

It is essential that hygiene plans are easy to understand and easily communicated to a range of people, which this plan achieves. There is a very heavy presence of Paterson's curse across the whole site including the demolition area. The area includes a lot of bare soil and degraded pasture containing a large soil seed bank. The potential for machinery, vehicles, footwear, clothing and equipment to carry viable weed seed off site, particularly in soil and mud, is very high.

To avoid this happening, prescriptions are provided for frequency of cleandown, management of effluent, keeping of records, stockpiling and handling soil and demolition refuse, on-site and off-site disposal (requiring a permit to transport weed material from DPIPWE). A general, stepwise, cleaning inspection and cleandown procedure is provided together with checklists for systematic inspection and cleaning of the various kinds of machinery and equipment likely to be used on site.

A weed map of the site is included and helps personnel identify areas to be avoided, locations for stockpiling refuse and spoil prior to on-site burial and/or off-site disposal and includes the location of the on-site cleandown facility. In this case the cleandown facility will be located adjacent to previous infrastructure to utilise existing water points. A large area of concrete pad exists which can be drained to a central collection point. Material can then be disposed of by collection and burial.



Site map – The Old Mill – St Leonards, Launceston (courtesy Bushways Environmental Consultancy)

Paterson's curse rosettes at the St Leonards site (Photo: Anna Povey)





## 8. Appendices

[Appendix One:](#) Weed Management Plan Template

[Appendix Two:](#) Hygiene as Part of Weed and Disease Management Planning



Paterson's curse (*Echium plantagineum*) - drawing Dennis Morris

**APPENDIX ONE: WEED MANAGEMENT PLAN TEMPLATE**

**COMPANY NAME**

# Name of Project

---

Weed and Disease Management Plan (including options for hygiene management)

**AUTHOR**

**Date**

Type the abstract of the document here. The abstract is typically a short summary of the contents of the document

# I Document History and Distribution

## Version Control

Version	Date	Author	Notes

## Distribution

Version	Recipient	Date	Notes

### USE OF TEMPLATE (DELETE IN YOUR DOCUMENT)

This template outlines the structure of a Weed and Disease Management Plan with options for including hygiene management. In particular circumstances, the plan may only focus on weeds or diseases, not necessarily both. The format of the template consists of a text box that details the information that should be included for that section and an example of the sort of information that could be provided in italics after the text box, for example:

- *suggested wording where possible to ensure inclusion of important elements and reduce time spent on preparing the report;*

Text in boxes are guidance to the type of project related information that needs to be included in that section.

This template is intended as an example of a weed management plan - ultimately, the content and structure of a weed management plan will be driven by the nature of the development and the legal requirements of the development permits.

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# I. INTRODUCTION

This section should include a summary of the project, description of the location, nature and size of the project and provide sufficient detail of the various stages of the project so that it can be clearly understood. A map of the site(s) with legend and geographic locators should also form part of this section.

## I.1 Purpose and Scope

*The purpose of this Weed and Disease Management Plan (WDMP) is to detail requirements for the management of weeds associated with the construction of **Name of Project**. The WDMP identifies site specific mitigation measures and environmental controls for weed management to ensure weeds and diseases are effectively managed during works and into the future. The WDMP identifies measures to control, eradicate and prevent the spread of declared weeds and environmental weeds.*

## I.2 Background, Aims and Objectives

Describe the proposed activity (development or land use, roadwork, dam, farm, mine, quarry etc).

*This WDMP aims to provide a detailed methodology for mitigating and managing impacts associated with the presence, emergence and spread of weeds, throughout the project.*

*The objectives of the Weed and Disease Management Plan are to:*

- *Record the distribution of weeds declared under the Weed Management Act 1999.*
- *Record the distribution of significant, non-declared, environmental and agricultural weed species.*
- *Record the presence and distribution of pathogens.*
- *Provide control measures for identified weeds and pathogens and prevent new weeds and pathogens from establishing and spreading.*
- *Establish an ongoing monitoring and control program for weeds and pathogens into the future for the site.*

## I.3 Site Description and Location

Describe the site, including operational areas, stockpiling areas, cleandown areas and other ancillary and administrative areas. These areas should be shown on maps, although some may need to be accompanied with detailed descriptions. The maps should also show the general location of the development, showing north, clear legends and the location relative to Tasmania as a whole (See template [appendix a](#)).

## I.4 Supporting Documents and Consultation

You should refer to sources and documents including desktop studies eg. NVA reports, botanical surveys, field investigations and consultation undertaken in relation to the project.

## I.5 Glossary

**EXAMPLE ONLY** Table 1. Glossary

<b>Abbreviations</b>	<b>Definitions</b>
DPIPWE	Department of Primary, Industries, Water and Environment
EPA	Environment Protection Agency
WoNS	Weed of National Significance
NVA	DPIPWE's Natural Values Atlas

## 2 LEGISLATION, STRATEGIES AND PLANS

There are a range of legislative and regulatory instruments and codes of practice in Tasmania which may be relevant to your project. The plan should list all relevant legislation, codes of practice and technical documents and how they apply to the plan.

Other strategies such as Australian Government Weeds of National Significance (WONS) strategies and best practice manuals as well as regional or municipal weed plans may also be relevant. Previous weed management or vegetation management reports for the site or adjacent areas as well as property management plans and rivercare plans may contain relevant information.

DPIPWE's Natural Values Atlas contains distributional data for weeds, *Phytophthora*, chytrid and native flora and fauna. There is a public access point, but users need to register. It's important to note that the absence of records for a site does not mean that there are no weeds there, rather that no one has surveyed the area or put the data into the NVA.

**EXAMPLE ONLY - Table 2. Legislation, strategies and plans**

<b>Legislation, Strategy, Code of Practice</b>	<b>Application</b>
<i>Eg. Weed Management Act 1999</i>	<i>The Weed Management Act 1999 is the primary legislation relating to declared weeds in Tasmania</i>
<i>Eg. Cradle Coast Regional Weed Management Strategy</i>	<i>Principal framework for weed management in the Cradle Coast region with the aim of identifying priorities and weed management actions within the region</i>
<i>Eg. Keeping it Clean – A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens</i>	<i>Provide guidance on hygiene management and to reduce the risk of spreading environmental diseases</i>

### **3 EXISTING AND POTENTIAL WEED AND DISEASE ISSUES**

Weeds, diseases and other pests have the potential to establish and/or spread across the project site during construction. Increased weed colonisation could potentially have some impact on the ecological values of adjacent remnant vegetation through displacement of native species and degradation of fauna habitat.

Weeds may be introduced and spread by construction vehicles or by contaminated soil or materials brought into the construction area (eg. Vehicles, machinery, equipment, clothing and boots)

#### **3.1 Recorded Weed Species**

A weed assessment was undertaken on behalf of the project proponent in (DATE). The following areas were surveyed and distribution of weeds shown on Map XX. Each of the recorded species was classified according to their status under the Weed Management Act 1999, and (where appropriate) as per the following strategies (eg. Weeds of National Significance, Regional Weed Management Strategy, priority environmental weeds etc.).

##### **Declared weeds:**

This information should go in the appendices of the plan with a brief summary here. Any significant weed species or weeds requiring special management attention should be discussed here.

Declared weeds in Tasmania are plants that have been declared under the Weed Management Act 1999. The legislation requires that these species be controlled or eradicated according to the relevant statutory management plan.

XX number of declared weeds were recorded during the survey and/or identified from other sources. Detailed management strategies for environmental weeds are provided in template [appendix b](#).

### **Environmental weeds:**

This information should go in the appendices of the plan with a brief summary here. Any significant weed species or weeds requiring special management attention should be discussed here.

*Although many common weeds are not listed under legislation, and are therefore not legally required to be controlled they have the potential to pose a threat to the ecological and agricultural assets present in the project area and interfere with different stages of the development. Common 'non-declared' weeds include species such as cape weed (*Arctotheca calendula*) and scotch thistle (*Cirsium vulgare*).*

*XX number of environmental weeds were recorded during the survey and/or identified from other sources. Detailed management strategies for environmental weeds are provided in template [appendix b](#).*

Weed distribution should be shown on maps as well as being documented in a list, usually in the appendices. Data, including coordinates, that has been collected should be made available to the Natural Values Atlas. Maps should be clear, contain obvious features such as roads, towns, hills and rivers to help identify locations.

## **3.2 Recorded Diseases or Symptoms**

*Appropriate site controls (**provide detail**) will be implemented to ensure that causing pathogens such as *Phytophthora cinnamomi* (*Phytophthora*) and amphibian chytrid fungus (*Chytrid*) are not introduced to the project area, and if detected, within the project area, that quarantine measures will be instigated to ensure that it is contained.*

*The main activities at risk of introducing or spreading *Phytophthora* and *Chytrid* include:*

- *Through soil, sand gravel or other materials attached to vehicles and machinery used as part of the development works.*
- *Importing water or soil, sand, and gravel material for construction purposes (eg. roading, landscaping, filling, bedding etc.).*
- *Spreading the pathogen/disease from infected sites (contaminated) to uninfected (clean) sites.*



## 4 IDENTIFY MANAGEMENT PRIORITIES

Once the weed and disease surveys have been completed, an assessment of the potential impacts of those threats will help to identify priorities for management and control. For example, if there is a declared weed growing in an area that will allow it to be easily spread as part of the construction work, then it would be a high priority for control and a focus on hygiene management.

Priorities for weed control, that is, which species are high, medium or low priorities, should be detailed in the schedules for weed management, (template [appendix c](#)). Those priorities should also be clearly shown on the weed management maps (as zones).

## 5 MANAGEMENT AND CONTROL OF WEEDS AND DISEASES

Once weeds and diseases have been identified for a site or area, management and control strategies can be developed. This includes appropriate removal methods (including herbicide use information). Different weeds require different approaches to control, including the type of herbicides to be used. These should be documented.

Control information can be detailed in tabular form (template [appendix c](#)) and should describe methods for:

- Weed control in detail (e.g. herbicides, physical removal, burning, cultivation, etc.);
- timing and frequency of control activities;
- strategy for monitoring infestations to determine effectiveness, and any necessary follow-up measures into the future.

If weed material cannot be safely disposed of on-site (e.g. deep burial) then alternative means of disposal should be identified. This may involve arranging for incineration, deep burial or composting at a refuse centre. If declared weeds require transportation from one site to another a permit may be required.

Hygiene measures to prevent spread of weeds and diseases should be incorporated into the plan - detailed information on hygiene management is contained in [Appendix 2](#).

## 6 COMMUNICATION AND REPORTING

The key to successful implementation of a weed management plan is ensuring that staff, contractors and visitors are all aware of their responsibilities in relation to weed management and hygiene. The weed management plan needs to be easily understood and be accessible to those who have responsibilities in relation to weed management. Tool box meetings and other workplace information sessions (eg induction) provide an opportunity to inform people on the site of their responsibilities. Signs, posters and maps also help to inform people.

Regular reporting and logging of weed control activities; vehicle, machinery and soil/sand/gravel movement into and out of the site; cleandown activities; and incidents ensures accountability and an ability to trace the source of a problem, allowing for quick mitigation to occur.

## 7 MONITORING

Rarely does the need for weed management finish when the development is completed. The presence of weed propagules, disturbance created and the movement of vehicles and materials all have the potential to encourage the persistence of weeds. A monitoring and control program should be developed and indicate:

- Personnel involved;
- frequency and time-of-year of inspections;
- reporting protocols;
- response to weed or disease discoveries (e.g. responsibility and procedure for control).

Ongoing weed control maybe the responsibility of the developer or the management of the development. The key point is that the responsibility to control declared weeds does not finish when the development has been completed.

Post-development monitoring is essential and particularly important where there has been soil disturbance, importation of materials (water, soil, gravel, sand, etc.), changes to drainage patterns, or removal of vegetation. Any of these actions can lead to the germination of dormant seed, or to the establishment of wind-blown weeds/seeds on recently exposed soil. Importation of materials can also result in the establishment of pathogens.

The timeframe for monitoring will vary depending on factors such as the presence of soil seed banks, the possibility for complete eradication of infestations and the likelihood of re-infestation from adjoining areas. Monitoring at a site may have no specified end date and be ongoing.

### **As an example:**

*The following weed and disease monitoring activities will be undertaken at areas directly impacted by construction within the project area. These activities will involve:*

- *Monitoring and weed control measures undertaken by a licensed weed contractor at least four times (early spring, late spring, summer, autumn) in the first year following construction of the project.*
- *Monitoring and weed control measures undertaken by a licensed weed contractor twice per year (mid-late spring, mid-late autumn) in the subsequent four years following the project.*
- *Monitoring vegetation condition and collecting soil samples to detect signs of Phytophthora once every two years in autumn.*

## Appendix a: Weed Management Plan – Site Plan

- Include site map and any other relevant maps eg: proposed routes for pipelines or roads, location of threatened species or vegetation communities.
- Ensure the map/site plan has a legend, north arrow and contextual reference for the location of the site.
- Show all relevant weed management and hygiene management points:
  - entry and exit points
  - cleandown areas
  - quarantine/exclusion zones
  - Control points/areas
  - traffic ways
  - designated parking areas
  - material storage areas for soil, sand and gravel

### SITE PLAN

## Appendix b: Recorded Declared and Environmental Weed Species

### Example Only

Common Name	Scientific Name	Status*	Municipal Zone A or B	Map Zones
gorse	<i>Ulex europaeus</i>	Declared	B	Zones 1, 6 & 8
boneseed	<i>Chrysanthemoides monilifera</i>	Declared	A	Zones 3, 4 & 7
sweet pittosporum	<i>Pittosporum undulatum</i>	Environmental	n/a	Zones 2, 6, & 7

\*Declared or non-declared (eg environmental, agricultural)



## Appendix c: Options for Weed Management.

### Example Only

Management Zone*	Weed	Control method	Chemical	Timing	Frequency of control
1	Gorse	Cut and paint with herbicide	Glyphosate	Spring to early summer	1 treatment with follow up and monitor and respond in subsequent years
1	Pampas grass	Foliage spray	Glyphosate	Spring, summer or autumn to actively growing plants	1 treatment with follow up
2	Spanish heath	Cut and paint with herbicide	Glyphosate	Prior to seed set	1 treatment with follow up
2	Ragwort	Boom spray, foliar application	Lontrel, marker dye, surfactant	Nov – Feb	1 treatment with follow up
3	Slender thistle	Boom spray - rosette	MCPA	April to September	2 treatments throughout this time period
3	Gorse	Spot spray, foliar application	Grazon Extra, marker dye and surfactant	Spring to early summer	2 treatments throughout this time period
Etc.					

\*Based on priorities for weed management

## APPENDIX 2: Hygiene as Part of Weed and Disease Management Planning

As part of the planning for your specific activity or development you will have identified existing and potential weed and disease issues. The next step will be to determine which activities pose a risk of spreading these weeds and diseases. Of these activities, what can and cannot be avoided?

The level of risk associated with a particular activity will influence how and when hygiene measures will need to be applied. The risk matrix table on the following page will help assess the level of risk for a particular activity and the degree to which hygiene measures should be applied. From this you can develop a list or table of actions to implement to either avoid the spread of a weed and disease or mitigate the risk.

### EXAMPLE

A construction site that is heavily infested with gorse requires an excavator on site. Risk assessment identifies that there is a high risk of machinery contamination *via* soil and plant material. To avoid contamination the following actions are prescribed:

- excavator cleaned down on site at completion of the job;
- all other vehicles allocated a specific parking area away from infested area and work zone;
- control access of other vehicles on site.

As long as these prescriptions are followed, only the excavator will require to be cleaned down. This saves time and money by not needing to clean down other vehicles - these may only need a visual check.

### High risk situations and activities where weed spread must be avoided:

- Working within a specified quarantine area.
- Visiting locations known to be free of weeds and diseases
- Visiting areas containing significant values
- Visiting a remote area where access is only by boat, helicopter or light plane
- Transporting machinery to an island
- Operating machinery along roadsides or along river banks
- Operating in an area affected by a weed or disease that has been assessed as a high priority and should be contained
- Transporting weeds or materials (ie soil or gravel) known (or assessed as likely) to be contaminated with weed propagules or diseases.
- Moving machinery out of a local area of operation
- Moving machinery between properties

All of the above activities would require some kind of kind of hygiene measure to be implemented before, during or after the activity has taken place. This may involve cleaning of vehicles and machinery, equipment, clothing and people. The frequency of clean down operations (thus decreasing costs and time) can be reduced by planning and coordinating timing and order of works or activities.

## Risk Assessment Matrix

Recommended actions for grades of risk	
Grade	Risk mitigation actions
A	Mitigation actions, to reduce the likelihood and seriousness, to be identified and implemented as soon as the project commences as a priority.
B	Mitigation actions, to reduce the likelihood and seriousness, to be identified and appropriate actions implemented during project execution.
C	Mitigation actions, to reduce the likelihood and seriousness, to be identified and costed for possible action if funds permit.
D	To be noted - no action is needed unless grading increases over time.
N	To be noted - no action is needed unless grading increases over time.

Rating for Likelihood and Seriousness for each risk			
L	Rated as Low	E	Rated as Extreme (Used for Seriousness only)
M	Rated as Medium	NA	Not Assessed
H	Rated as High		

Grade: Combined effect of Likelihood/Seriousness					
		Seriousness			
		low	medium	high	EXTREME
Likelihood	low	N	D	C	A
	medium	D	C	B	A
	high	C	B	A	A

Change to Grade since last assessment			
NEW	New risk	↓	Grading decreased
—	No change to Grade	↑	Grading increased

Source: Tasmanian Government Project Management Guidelines

## Selecting a clean down site

Cleaning down aims to prevent the spread of weeds or plant and animal pathogens. It is most effective where access can be managed with entry points, roads or tracks under controlled use restrictions. In selecting a site, consider the following:

- Locating the clean down site at the edge, or nearby, to any areas where weeds or pathogens need to be contained. Choose sites where land slopes back into an infested area or away from areas susceptible to infestation or the pathogen.
- Ensuring run-off will not enter any watercourse or water body - a buffer of at least 30m is desirable.
- Avoiding sensitive vegetation or wildlife habitat eg. remnant native vegetation and threatened species.
- Selecting mud free sites (e.g. well grassed, gravel, bark or timber corded) which are gently sloped to drain effluent away from the clean down area.
- Allow adequate space to move tracked vehicles
- Potential hazards, eg. powerlines
- Consultation with landowner and/or site manager.

***\*Note that low loaders are not a suitable platform for cleaning machinery.***

Wherever there are large quantities of effluent or there is a risk of runoff, the clean down area should be bunded and a sump constructed to safely dispose of the effluent. Take particular care where the effluent is likely to be contaminated with oils.

Mark or record the clean down sites with the landowner or manager for subsequent monitoring and weed control.

## Consider your safety

Before undertaking any clean down work you will need to inspect the site or area for anything that will endanger personnel safety. Vehicles and machinery should be immobilised prior to cleaning down - check ignition, brakes and wheel chocks. Lower implements to ground and secure hatches. Wear appropriate Personnel Protective Equipment (PPE).

## Equipment for vehicle and machinery inspections

Where regular vehicle and machinery inspections are required, it is useful to keep a set of tools to assist you with the task. Weed seeds, plant material and soil can become lodged in areas that are hard to see and difficult to access. The following tools may help you:

- Mirrors
- Tools to remove covers or guards (eg sockets, spanners)
- Torch
- Probe or rod
- Wire
- Safety glasses
- Gloves
- Tray and bags for contaminated material
- Books or identification guides
- Checklist for critical inspection points
- Camera



## **Cleandown equipment**

### ***Personal and small tool wash equipment***

Where work is being undertaken in sensitive areas, especially where plant or animal pathogens are a known risk, portable wash baths for washing footwear and small tools should be used. Wash baths can be made from a fish box (or other suitably sized plastic box) fitted with an open weave plastic doormat, a scrubbing brush, pair of safety gloves, glasses, detergent or fungicide, and a container of clean water. For backpacking, a 2 litre bottle, scrubbing brush, safety gloves and glasses can be used for small tools and boot washing.

See page 42 for further detail about detergents and fungicides



Where field clean down is a regular practice, equipment should be carried for that purpose. Large commercial wash units are available, though in many instances small self-assembled systems will be adequate. In industries that use bushfire slip-on units, these are ideal, allowing more flexible choice of clean down sites. Small fire pumps or portable high pressure wash units are suitable. A shovel, crow bar and stiff brush are also required. Farm workshops should also have suitable clean down equipment. Where a blowdown only is required, onboard compressors or portable blower vacuum may be used along with a small brush.

### ***Vehicle wash bays***

Purpose built wash bays should be used whenever possible. These clean down facilities include effective effluent management systems to protect the environment. Commercial clean down facilities are available at most major towns and a few livestock sale yards.



### ***Portable vehicle wash equipment***



### **Clean down standards and procedures**

General check of clothing and boots for mud, seeds and other plant material

(For more detail, refer to the *Keeping it Clean* manual)

#### **Small tools and portable wash baths**

1. Site the washbath just outside the infected area or at the departure point for the vehicle or aircraft.
  2. Remove all loose mud and dirt from the object to be cleaned.
  3. Use the recommended safety equipment if washing with a fungicide (safety gloves and glasses).
  4. Part fill the washbath with clean water, a depth of about 4cms is adequate for boot washing. Mix a solution of detergent or fungicide as required (see below).
  5. Clean boots, gaiters and equipment with the scrubbing brush.
  6. Effluent containing registered products such as fungicides must be disposed of in accordance with label recommendations. Otherwise wherever possible contain the effluent for appropriate *off-site* disposal. Small quantities of effluent not containing registered chemical products may be spread away from watercourses at the site of soiling.
  7. A final rinse or wipe with fungicide or methylated spirits can be used for sterilisation of scientific equipment.
1. Locate site and surface or construct bunding (if required).
  2. Safely park the vehicle free of any hazards eg electrical power lines.
  3. Check the vehicle, inside and out, for where dirt, plant material including seeds are lodged. Pay attention to the underside, radiators, spare tyres, foot wells and bumper bars.
  4. Remove any guards, covers or plates as required.
  5. Knock off large clods of mud, use a crow bar if required and sweep out the cabin.
  6. Use a vacuum or compressed air where available for removing dried plant material like weed seeds and chaff in radiators and other small spaces where this material lodges. Brush off dry material if no other facilities are available.
  7. Clean down with a high pressure hose and stiff brush/crowbar. Use only freshwater, preferably from a treated source or rainwater tank, if washing down in the field.
  8. Start with the underside of the vehicle, wheel arches, wheels (including spare). Next do the sides, radiator, tray, bumper bars etc and finally upper body. Some vehicles may need to be moved during clean down e.g. tracked machinery.
  9. If using vehicle ramps, ensure ramps load rating matches the vehicle, are placed on a hard level surface, cannot slide forward when mounting and that the handbrake is on and grounded wheels are chocked when in use.
  10. Clean any associated implements, e.g. buckets.

#### **For vehicles and machinery:**

Note: DO NOT apply water to harvesters or other equipment that may be damaged by water.

11. Check there is no loose soil or plant material that could be readily dislodged or removed.
12. In wash bays, steam treat or rinse off vehicle with clean water.
13. Wash effluent away from vehicle. Do not drive through wash effluent.

### **Custom standards**

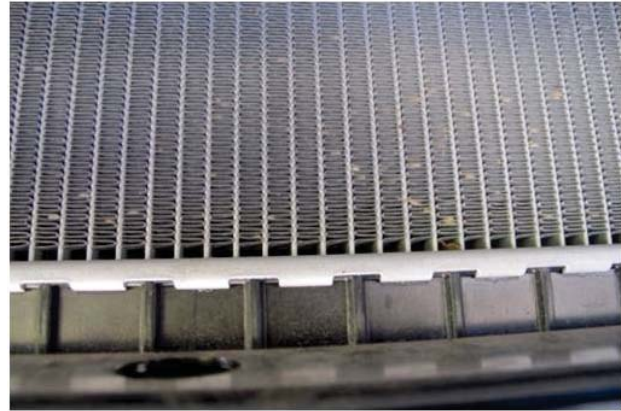
Customised clean down standards may be required under particular management plans or job specifications where the control of a serious weed or pathogen is required. For example, particular disinfectants may need to be applied and greater attention to soil accumulation behind protective plates and covers may be specified. Similarly landholders and managers may require specific clean down requirements.

Sometimes contamination is obvious, other times not so obvious.



An inspection will help you determine if your vehicle or machine requires cleaning. Save time and identify and clean only contaminated parts of the machine.





Vehicle cleandown - the less obvious places weeds hide in, including vehicle radiators



Portable washdown unit



Sump to drain cleandown effluent



**Disinfectant Guide** (see also the Keeping it Clean manual)

### **Water disinfection for *Phytophthora* root rot and chytrid frog disease**

#### **Water Tankers (fire fighting, cleandown)**

Where water for operational activities is bought into *Phytophthora* or chytrid management zones or other areas of native vegetation sensitive to *Phytophthora* the water should be disinfected to prevent the introduction of these diseases. This situation will normally only occur during fire fighting operations where water is drawn from a different catchment.

Disinfection of water is most easily undertaken using a product containing a quaternary ammonium compound (quat) such as benzalkonium chloride (a general name for a variety of different compounds of alkyldimethylbenzylammonium chlorides). Examples include Phytoclean™ or F10™. These products should be used in accordance with the manufacturer's safety instructions and mix rates. The concentration of the mixture can be tested using quat check papers such as Hydrion.

**Note:** These chemicals should not be mixed with other chemicals. It is especially dangerous to mix chlorine based compounds, eg. chlorine bleach, with any ammonia-based compounds, including quats as toxic vapours can result.

The mixed solution should be allowed to stand a few minutes for disinfection to be completed. Fire fighting need not be delayed as there will be adequate time for disinfection on route to the fire. Where chlorine-based products are used, equipment should be rinsed with fresh water following use as chlorine is corrosive.

**Note:** Fire fighting foams or detergents will neutralise chlorine treatments. This will not be a problem provided that tanks do not become contaminated with foam or detergent is not added to the tanks to make "wet water". Sterilisation will occur in the tank prior to foam induction.

#### **Clothing and field equipment**

Fungicides such as Phytoclean™ or F10™ should be added to washbaths to control the spread of *Phytophthora cinnamomi* or chytrid if:

- sterilising tools used for *P. cinnamomi* or chytrid sampling
- entering or washing down within a *P. cinnamomi* or chytrid management zone
- entering a population of threatened species that is susceptible to *P. cinnamomi*.

DPIPWE (website). **Phytophthora**  
<http://dpiipwe.tas.gov.au/biosecurity/plant-biosecurity/pests-and-diseases/phytophthora>



**Didymo cleaning procedures (Herbourg 2009; NZ Ministry for Primary Industries website ):**

Removal of plant fragments or dirt should either take place when leaving the site or in a location where run-off is not going into a water body. **DO NOT** clean the gear with water from the site you are leaving as you might just re-contaminate it, unless you use additional disinfection procedures afterwards. **DO** clean your gear **BEFORE** you leave to go to a freshwater area.

**Level 1: General disinfection procedures followed whenever possible as you move to a new site:**

- When leaving a waterbody, remove any visible plants and animals from your gear and boat.
- Remove any mud and dirt since they might contain Didymo
- Eliminate water from any conceivable item before you leave the visiting area

**Level 2: Field gear disinfection procedures:**

To disinfect your waders, nets, sieves, buckets, floats, gloves, etc., use **ONE** of the following procedures. Make sure that all parts of the equipment get fully submerged or soaked for the whole time period required:

**Non-absorbent items**

Submerge all gear in hot water (45°C plus - uncomfortable to touch) for at least 20 minutes, or until soaked through.

OR

Soak in a 2% solution of household bleach for 1 minute (one small cup or 200mls with water added to make 10 litres)

OR

Soak or spray all surfaces for at least one minute in 5% dishwashing detergent or nappy cleaner (two large cups or 500mls with water added to make 10 litres);

**Absorbent items**

Felt-soled waders or other absorbent materials need to soak (45°C plus) for 45 minutes

Hot water plus detergent: soak for 30 minutes in hot water kept above 45 °C containing 5% dishwashing detergent or nappy cleaner;

OR (non-absorbent or absorbent items)  
Freeze all gear until solid (> 4hrs)

**\*NOTE – bleaches are not always appropriate as they can be corrosive on some materials and require rinsing because they foam.**

There are a number of commercial disinfectant products that will kill Didymo and are being used in sensitive areas in Tasmania, these include:

Phytoclean® at a 2% solution or F10® Super Concentrate at a 1% solution. Check the Material Safety Data Sheets to check that they are suitable for the intended use. For further information refer to the *Keeping It Clean* manual.

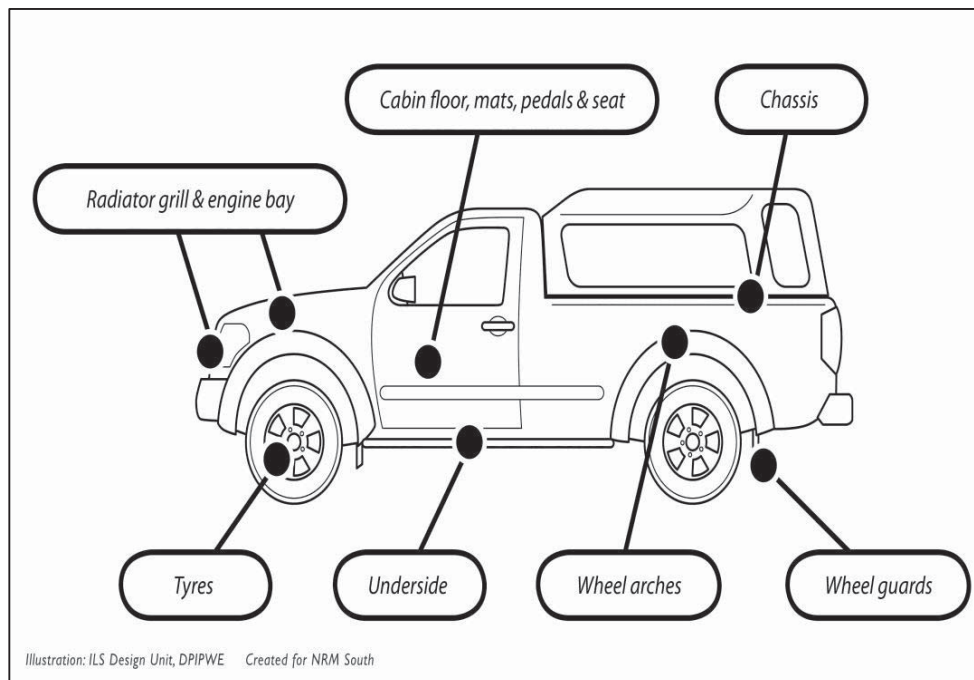
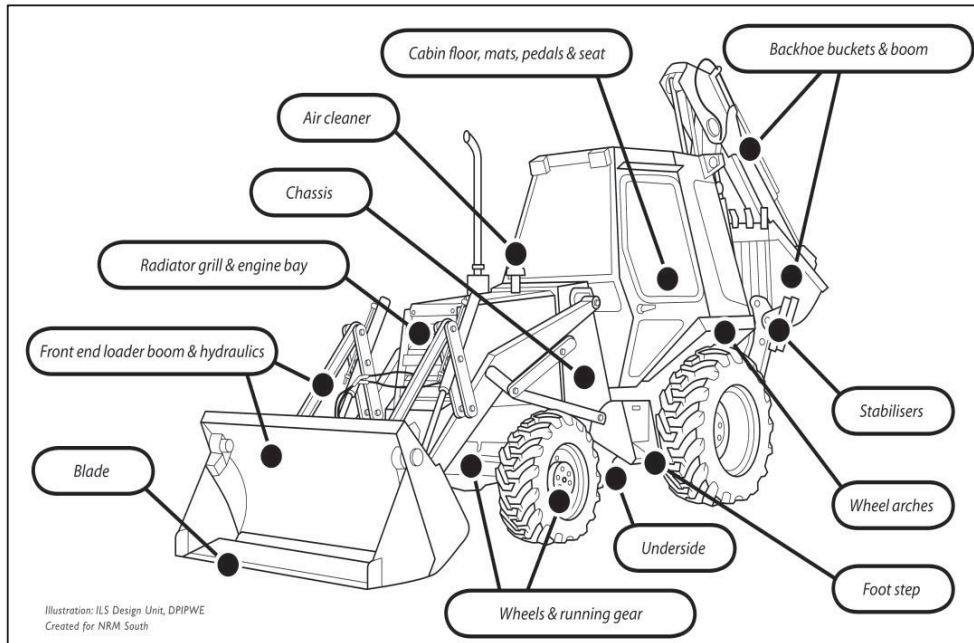
**\*NOTE - this advice is intended for didymo. The measures listed here may not be effective for other invasive aquatic pests.**

## Cleandown check lists for specific vehicles and machinery

(Based on:

Far North Coast Weeds (NSW) Machinery and Vehicle cleandown checklist;

Queensland Dept. Natural Resources - Queensland checklist for Inspection Procedures)



**Examples of cleaning points - Excavator and 4wd (source: Keeping it Clean manual)**

CLEANING/INSPECTION LIST FOR UTILITY/4WD				
<b>Date:</b>		<b>Site:</b>		
<b>Vehicle:</b>		<b>Registration/ID:</b>		
Area	Contamination point	Inspected	Cleaned	Method
Engine bay	Front grill			
	Radiator and other cooling cores or fins			
	Grill or recess under wipers			
	Engine mounts			
	Top of gearbox			
	Battery recess/tray			
	Any recesses on engine or manifold			
	Air cleaner (including element)			
Cabin	Footwells			
	Carpets and mats			
	Seats			
	Tool boxes			
	Air vents			
Wheels and arches	Tyre treads			
	Rims and wheel caps			
	Wheel arches			
	Mud flaps and brackets			
	Brakes			
Tray	Body of tray (especially any recesses)			
	Mats and toolboxes			
	Around fuel tank caps			
Under carriage	Chassis rails			
	Struts and stabilisers			
	Steering components			
	Axels and differentials			
	Spare tyre and mounts			
	Guards			
	Fuel Tank			
Attachments	Bull bar			
Cleaning method: Mechanical (M), Compressed Air (CA), Vacuum (V), High Pressure Water (HPW), Low Pressure Water (LPW)				
<b>Inspected by:</b>		<b>Signature:</b>		
<b>Cleaned by:</b>		<b>Signature:</b>		





## CLEANING/INSPECTION LIST FOR TRACK TYPE DOZERS

Date:		Site:		
Vehicle:		Registration/ID:		
Area	Contamination point	Inspected	Cleaned	Method
Engine	Check radiator core and engine area for residues.			
	Remove and check the air filter/cleaner (these often require destruction where they are clogged with QRM).			
	Check carefully the void space between the oil and radiator cores.			
	Battery Box - Lift/remove the battery to check for contamination (battery box may be at side/rear or under seat).			
Drivers cab	Check externally under and around driver's cab.			
	Check under mats in cab.			
	Remove/lift seat; remove/lift floor pans to allow checking to top of transmission.			
	Check air conditioner filter (if fitted) – shake/tap filter to check if clean			
	Check externally under and around driver's cab.			
	Check under mats in cab.			
Body	Belly plates should be removed to allow inspection and cleaning			
	Rear plates at back of dozer should be removed to allow inspection and cleaning.			
	Hydraulic cover plates should be removed to allow inspection and cleaning.			
Tracks/track frame	Examine tracks carefully.			
	Ensure inspection/cover plates are removed to allow inside track area.			
	Check idler wheels (these support the tracks).			
Fuel cells	Are removable therefore dirt etc can pack between the tank and the frame.			
Blade	Ensure that edge of blade top/bottom is not split – this allows soil to be packed very tightly in the hollow.			
	Check cutter points/wear blades.			
	Check carefully the pivot points and adaptors at the rear of the front blade – these allow the blade to change height and angle. Sometimes soil has compacted and is difficult to dislodge.			

Area	Contamination point	Inspected	Cleaned	Method
	Check trunction arms			
	Check all hollow sections			
Ripper support frame is usually hollow	Check carefully if any contaminants have entered this section. The tynes may need to be removed.			
Tynes	Tynes need careful inspection. Contamination may often be removed by water blasting, but tynes may need to be removed in some cases.			
Ripper points	A pin holds on the ripper points. Dirt can compact under the ripper points.			
All areas	Check if any sections or channels are hollow and determine if there is a possible entry point for contamination. Check if plates are covering a compartment or space that may have collected dirt/trash.			
Cleaning method: Mechanical (M), Compressed Air (CA), Vacuum (V), High Pressure Water (HPW), Low Pressure Water (LPW)				
<b>Inspected by:</b>		<b>Signature:</b>		
<b>Cleaned by:</b>		<b>Signature:</b>		







## Useful Resources and References

### Hygiene Management

Allan, K., & Gartenstein, S. (2010). *Keeping it Clean – A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens*. NRM South, Hobart  
<http://dpiuwe.tas.gov.au/invasive-species/weeds/weed-hygiene/keeping-it-clean-a-tasmanian-field-hygiene-manual>

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### Mapping Weeds

Atlas of Living Australia:  
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### Websites

Department of Primary Industries, Parks, Water and Environment  
Declared Weed Information – legislation, weed identification and control options:  
[www.dpipwe.tas.gov.au/weeds](http://www.dpipwe.tas.gov.au/weeds)

Department of Primary Industries, Parks, Water and Environment  
Plant Biosecurity Manual:  
<http://dpiwwe.tas.gov.au/biosecurity/plant-biosecurity/plant-biosecurity-manual>

Ministry for Primary Industries - Information on didymo including cleaning equipment:  
[www.biosecurity.govt.nz/pests/didymo](http://www.biosecurity.govt.nz/pests/didymo)

Tasmanian Legislation Online – *Weed Management Act* and Regulations as well as other relevant legislation.  
<http://www.thelaw.tas.gov.au>

Weeds Australia  
Home of the national weed strategy:  
[www.weeds.org.au](http://www.weeds.org.au)

Weeds Australia  
Weeds of National Significance Best Practice Manuals.  
<http://www.weeds.org.au/WoNS/>

Weeds Cooperative Research Centre (CRC) guides and factsheets.  
<http://www.dpi.nsw.gov.au/agriculture/pests-weeds/weeds/publications/weeds-crc-pubs>

## Glossary

**Control:** involves actions to remove a weed infestation or to contain it and prevent spread to other areas.

**Containment:** preventing a weed or disease from spreading to a new area, perhaps with quarantine measures enforced in order to prevent further spread. Containment may be an adjunct to or an approach used in an eradication campaign.

**Declared weed:** Plant species that is declared under the *Tasmanian Weed Management Act 1999*.

**Developments or works:** activities that may result in disturbance to the land, including major development projects, subdivisions, road construction, quarries, and infrastructure construction for irrigation, dams, power, telecommunication and water supply. These developments can occur on either public or private land.

**Disease:** is the result of an infection by a pathogen that adversely affects an organism. Examples include dieback (*Phytophthora cinnamomi*), fire blight on fruit (*Erwinia amylovora*), chytridiomycosis or chytrid frog disease (*Batrachochytrium dendrobatidis*), myrtle rust (*Puccinia psidii*).

**Environmental weed:** Plant species that have an adverse impact on the environment, including native flora and fauna.

**Eradication:** the elimination of a weed incursion species from an area. Eradication requires that the seed bank is eliminated and the species is no longer being detectable.

**Establishment:** the weed incursion species persists, for the foreseeable future, within any area and where it is not feasible (whether in terms of technical feasibility or a cost: benefit analysis) to eradicate the weed species.

**Incursion:** the detection of a species in a place where it has not previously been found.

**Infested area:** declared under the *Weed Management Act 1999* to prevent the spread of a weed into a new area. Includes powers to control access and movement.

**Invasive species:** an exotic species that establishes a wild population and spreads beyond the place of introduction and becomes abundant.

**Native species:** a species found within its native range (in Australia this means that it is indigenous to Australia).

**Naturalised species:** a species with a free-living self-sustaining population outside its native range.

**Pathogen:** a living microorganism such as bacterium, virus or fungi that causes diseases in plants and animals. Examples include *Phytophthora cinnamomi*, *Puccinia psidii* (myrtle rust), *Erwinia amylovora* (fire blight) and *Batrachochytrium dendrobatidis* (chytrid frog disease).

**Propagule:** spores, seeds, fruits or vegetative parts capable of producing a new plant.

**Quarantine area:** established under the *Plant Quarantine Act 1997* in order to prevent the spread of a pest to new areas. Includes powers to control access and movement.

**Rehabilitation:** actions that seek to quickly repair damaged ecosystem function, particularly productivity. Indigenous species and ecosystem structure and function are the targets for rehabilitation.

**Weed:** a plant (or plant like organism eg. algae) that requires some form of action to reduce its harmful effects on the environment, economy, human health and/or amenity.



A scenic landscape featuring a river or stream flowing through a lush green area. The water is clear and reflects the surrounding trees and sky. On the left bank, there is a dense forest of tall, thin trees with green foliage. In the foreground, a large, bushy tree with light-colored, possibly white or pale green, flowers or leaves dominates the view. The right bank is covered with tall, thin reeds or grasses. The overall scene is peaceful and natural.

*KEEP TASMANIA FREE OF WEEDS, PESTS AND DISEASES*



# Unanticipated Discovery Plan

## For proponents and consultants dealing with Aboriginal Heritage in Tasmania

This paper provides a Plan that should be followed when dealing with unanticipated discoveries of Aboriginal Cultural Heritage such as sites and objects. The plan provides guidance to project personnel so that they may meet their obligations with respect to Aboriginal heritage in accordance with the *Aboriginal Relics Act 1975* and the *Coroners Act 1995*.

The Unanticipated Discovery Plan is in two sections. The first section primarily explains mitigation strategies that should be employed when any Aboriginal Cultural Heritage sites or items are discovered excluding skeletal remains (burials), while the second process deals specifically with skeletal remains (burials).

### Discovery of Cultural Heritage Items

- Step 1: Any person who believes they have uncovered Aboriginal Cultural Heritage material should notify all employees or contractors that are working in the immediate area that all earth disturbance works must cease immediately.
- Step 2: A temporary 'no-go' or buffer zone of at least 10m x 10m should be implemented to protect the suspected Aboriginal Cultural Heritage site or relics. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected Aboriginal Cultural Heritage relics have been assessed by a recognised Aboriginal Heritage Officer or Archaeologist.
- Step 3: Aboriginal Heritage Tasmania (AHT) in Hobart (ph 6233 6613) needs to be notified and consulted as soon as possible and informed of the discovery. AHT will then provide further advice in accordance with the *Aboriginal Relics Act 1975*.

### Discovery of Skeletal Material

- Step 1: Call the Police immediately. Under no circumstances should the suspected skeletal remains be touched or disturbed. The area must now be considered a crime scene. It is a criminal offence to interfere with a crime scene.
- Step 2: Any person who believes they have uncovered skeletal material should notify all employees or contractors that are working in the immediate area that all earth disturbance works must cease immediately.
- Step 3: A temporary 'no-go' or buffer zone of at least 50m x 50m should be implemented to protect the suspected skeletal remains. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected skeletal remains have been assessed by the Police and or Coroner.
- Step 4: Should the skeletal remains be determined to be of Aboriginal origin, the Coroner will contact the Tasmanian Aboriginal Land and Sea Council (TALSC) to arrange for repatriation of the remains, as per the *Coroners Act 1995*.



## **Guide to the most common sites of Aboriginal Significance**

### **Stone Artefact Scatters**

Stone artefacts are the tangible evidence found in regard to past Aboriginal lifeways. Stone artefacts indicate areas that were used by Aboriginal People, either for camping, hunting or other activities such as the manufacture of stone tools. Archaeologists can also determine the duration a site may have been occupied, the amount of times that the site may have been occupied, and the number of people that the area may have supported at any given time.

Some stone artefacts are the result of Aboriginal People fracturing or 'flaking' fine-grained rocks to produce sharp cutting or scraping implements. These were then used, for example, for cutting up animals and then scraping the hides. Volcanic rocks such as basalt were flaked and then ground down to form axes for a number of chopping and cutting tasks. The results of such activities can be seen in the archaeological record (i.e. scatters) in the form of modified stones such as cores, retouched flakes, hammerstones and flaked pieces. From these scatters, by understanding site density and frequency patterns, inferences can be made in relation to past Aboriginal lifeways.

### **Shell Middens**

Shell middens by definition are prehistoric refuse pits. They are the leftover waste of resources exploited which formed the basis of Aboriginal diet. Midden sites can range in size from large mounds to small scatters of shell. Middens usually also contain as well as shell, the remains of animals exploited for food as well as artefacts of stone, bone and shell. These sites are usually found near waterways and coastal areas.

### **Rockshelters**

Rockshelters can either be shelters which contain archaeological deposits from living floors or art rock shelters, and may occur in any area of rocky terrain. Sediments on the floor of the rockshelter can contain preserved stratified deposits of archaeological material. Art types found in rockshelters can vary greatly. It can be in the form of painting, stencils of body parts, tools and equipment, or engravings. Style variations in painting can cover animal or human figurines, supernatural beings, and geometric patterns. Engravings can have similar variations as they can depict tools, humans, human parts, animals and birds and their tracks, geometric patterns and supernatural beings. Pecking is also a form of engraving.

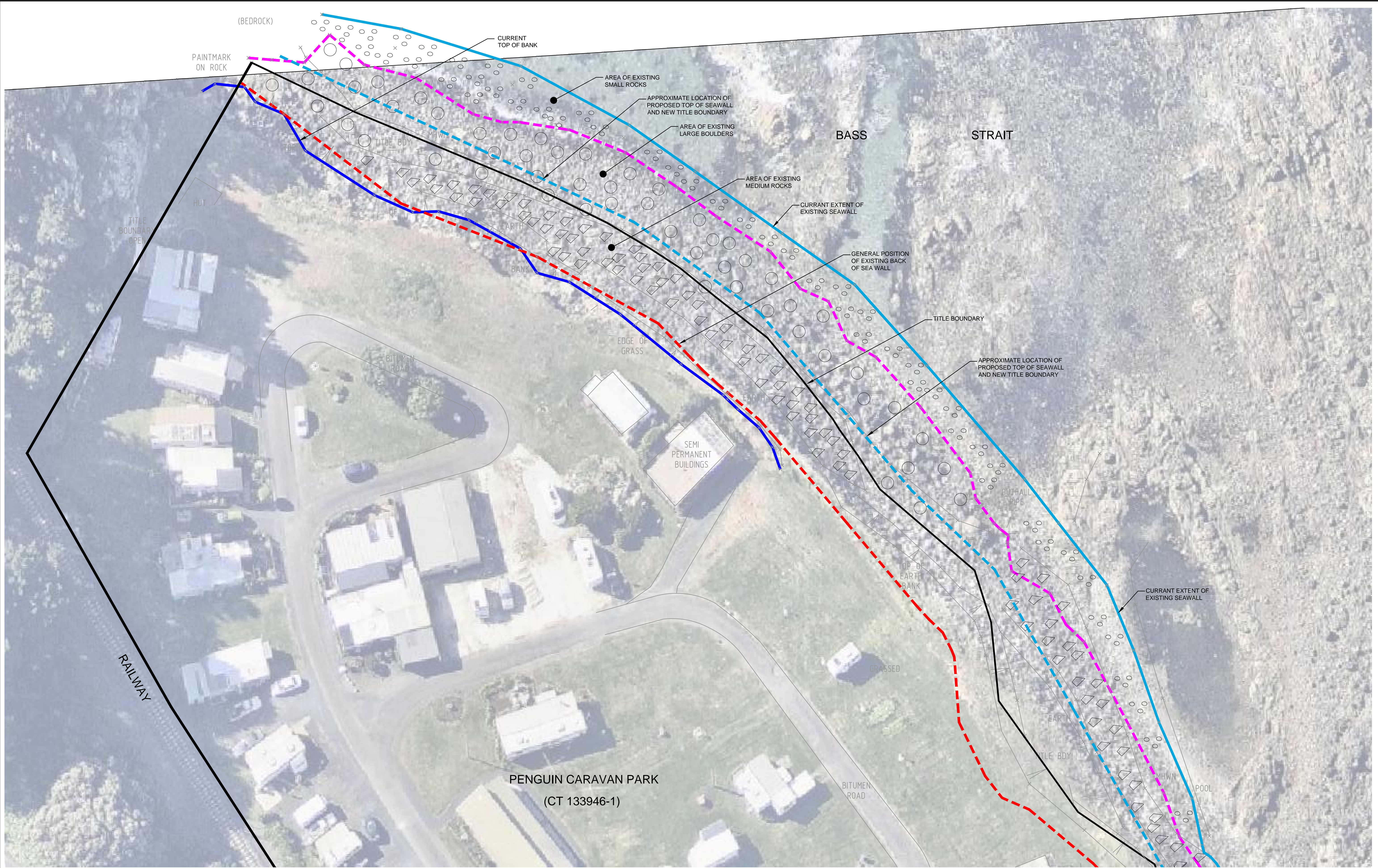
### **Quarries or Stone Procurement Sites**

Quarry sites occur where outliers of suitable tool-making stone appear. A quarry can be generally recognised by evidence of human manipulation and extraction of suitable material and the debris left by the processing of the suitable material. Some quarries can cover vast areas with extremely high amounts of lithic discard. Ochre or pigment was also quarried.

### **Burials**

Burials can occur anywhere, though they are generally found close to areas where there was a high population concentration. Burials can occur where there are soft sediments such as sand hills, they can be found in caves and rockshelters and sometimes they can be associated with hollow trees.

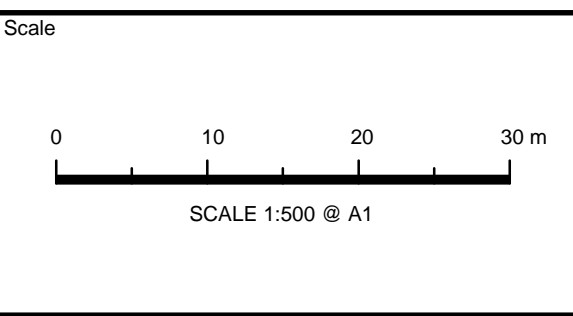




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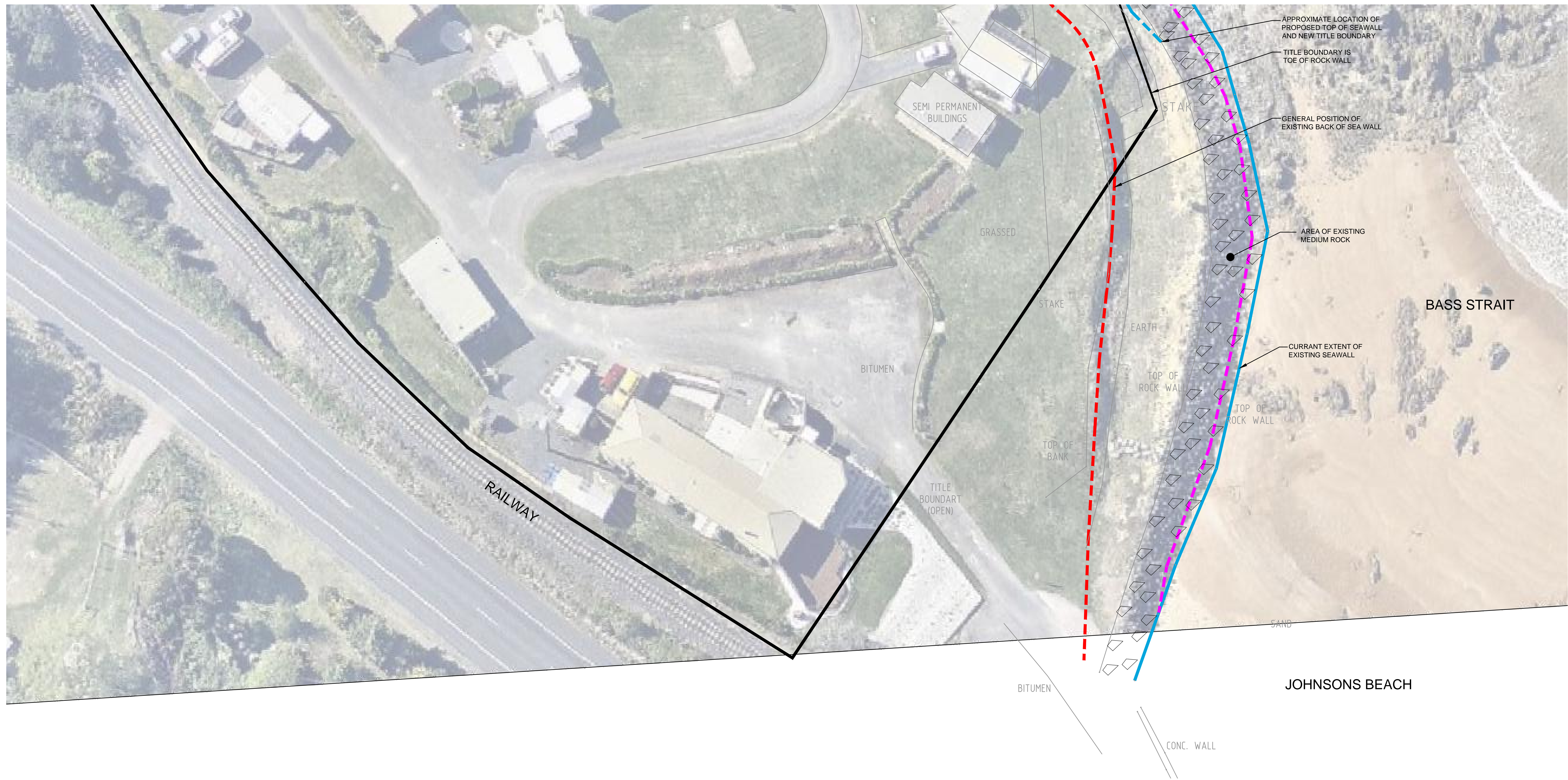



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Project  
**PENGUIN CARAVAN PARK, TASMANIA**  
**PROPOSED SEAWALL**

Drawing Title				
<b>PROPOSED SEAWALL CONCEPT</b>				
Scale	A1	Project No.	Dwg. No.	Issue
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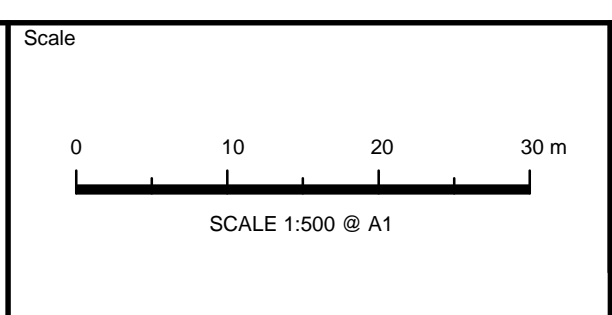




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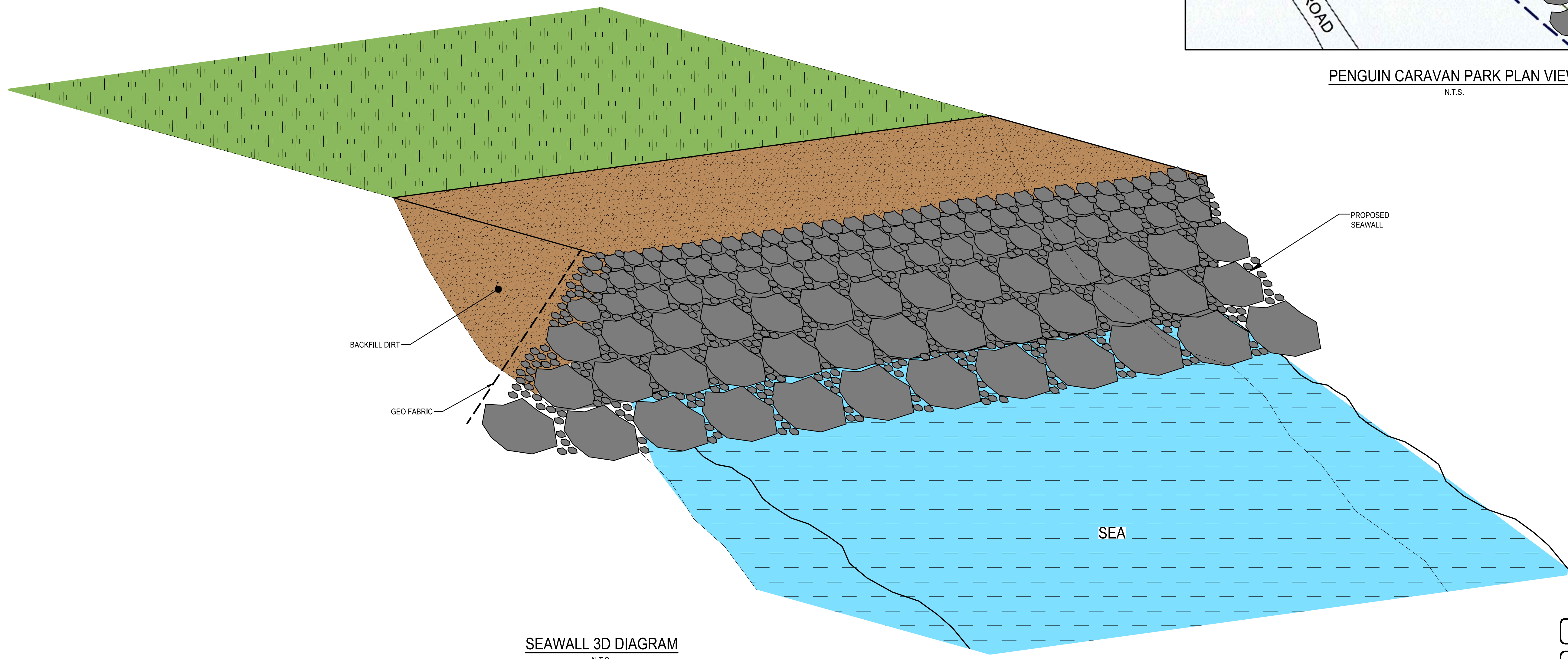
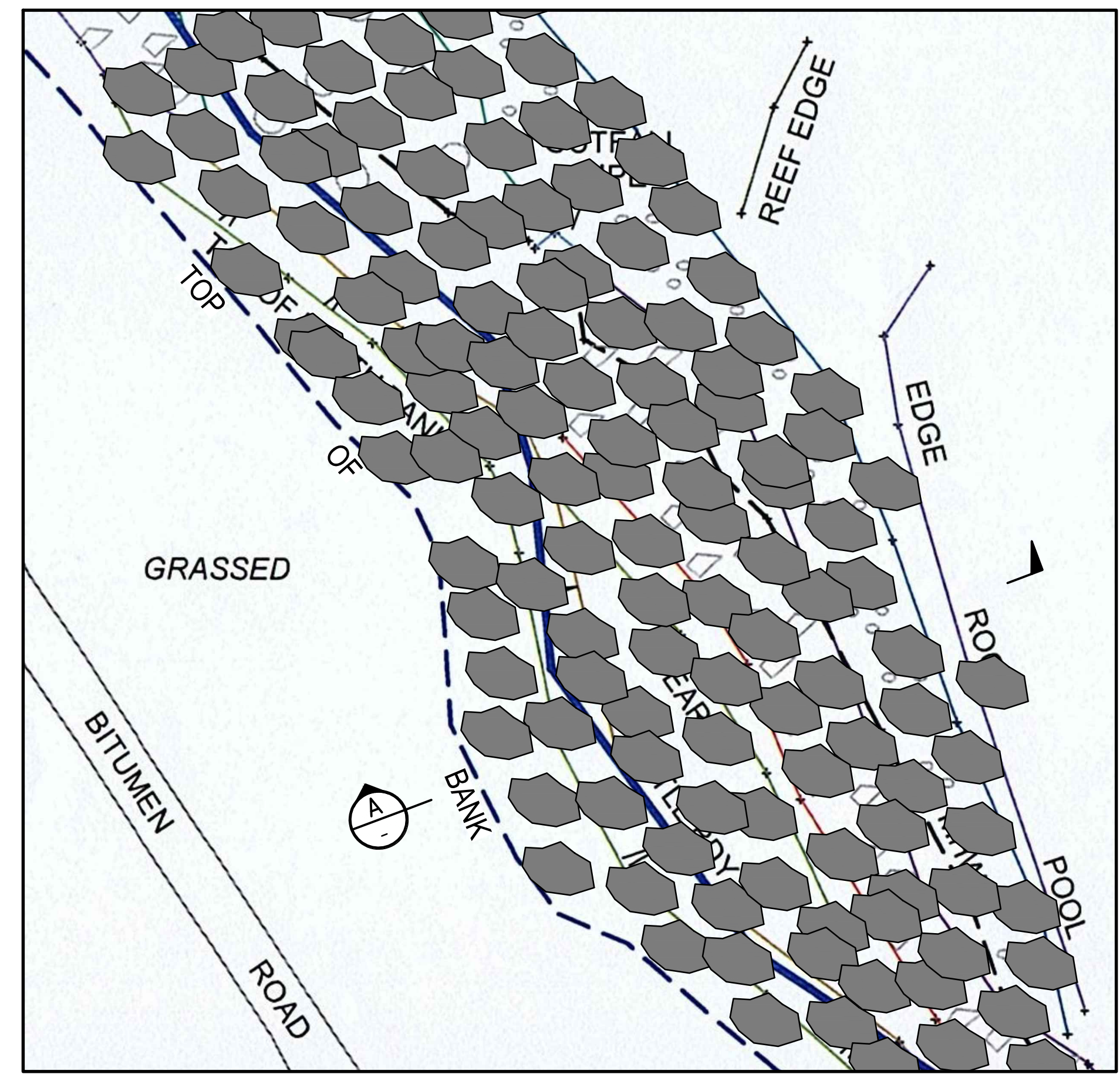
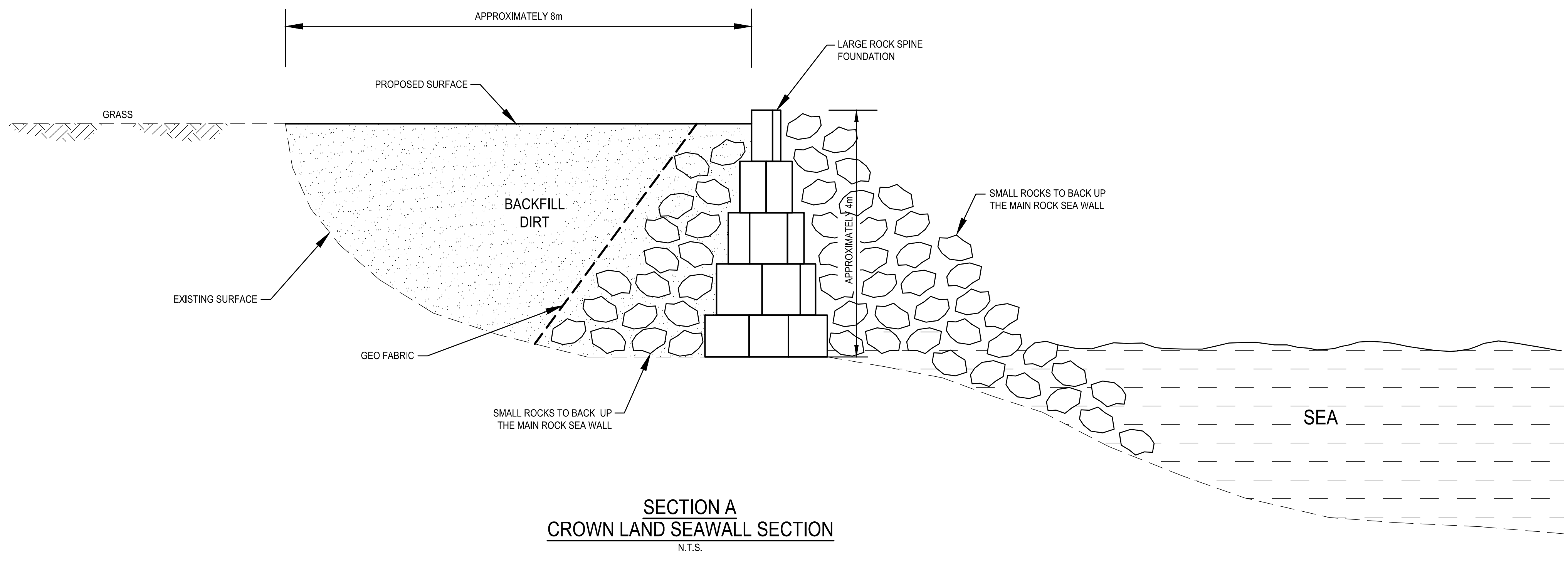
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Client  
**Mr. William Takataka**

Scale

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PROPOSED SEAWALL ALTERATIONS  
FOR INFORMATION ONLY**

Drawing Title  
**PROPOSED WALL DETAILS**

Scale	A1	Project No.	Dwg. No.	Issue
N.T.S.		UMB13010.CIV.SK	01	A





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NSW 2153

PO Box 3579  
Parramatta  
NSW 2124

**Sea Wall Sketch Certification**

**Our Reference: UMB13010**

**Council DA No: NA**

**12<sup>th</sup> November 2015**

**Re: Penguin Caravan Park, Tasmania  
Proposed Sea Wall Maintenance**

Pursuant to the provisions of the Environmental Planning and Assessment Regulations of Australia, we hereby certify that the **concept design** has been checked and complies with:

- a) Council Regulations;
- b) Crown Land Requirements;
- c) Normal Engineering Practice.

We are appropriately qualified and competent in this area of practice, and such can certify that the concept nature of the below documents comply with the above regulations:

- UMB13010.CIV.SK-01 (revA)

Prior to construction, the contractor is to seek further engineering advice, further detailed design and organise construction supervision at various milestones of the proposed works to ensure compliancy with the above regulations.

Name of Certifier: **John Koek**

Qualifications: **BE (Civil), MIEAust, RPEQ 3607**


Signature: .....

# MAP OF SUBJECT AREA

## LOCALITY: Johnsons Beach Road, Penguin



**PLAN IS FOR ILLUSTRATION  
PURPOSES ONLY**

 Lease area subject to application

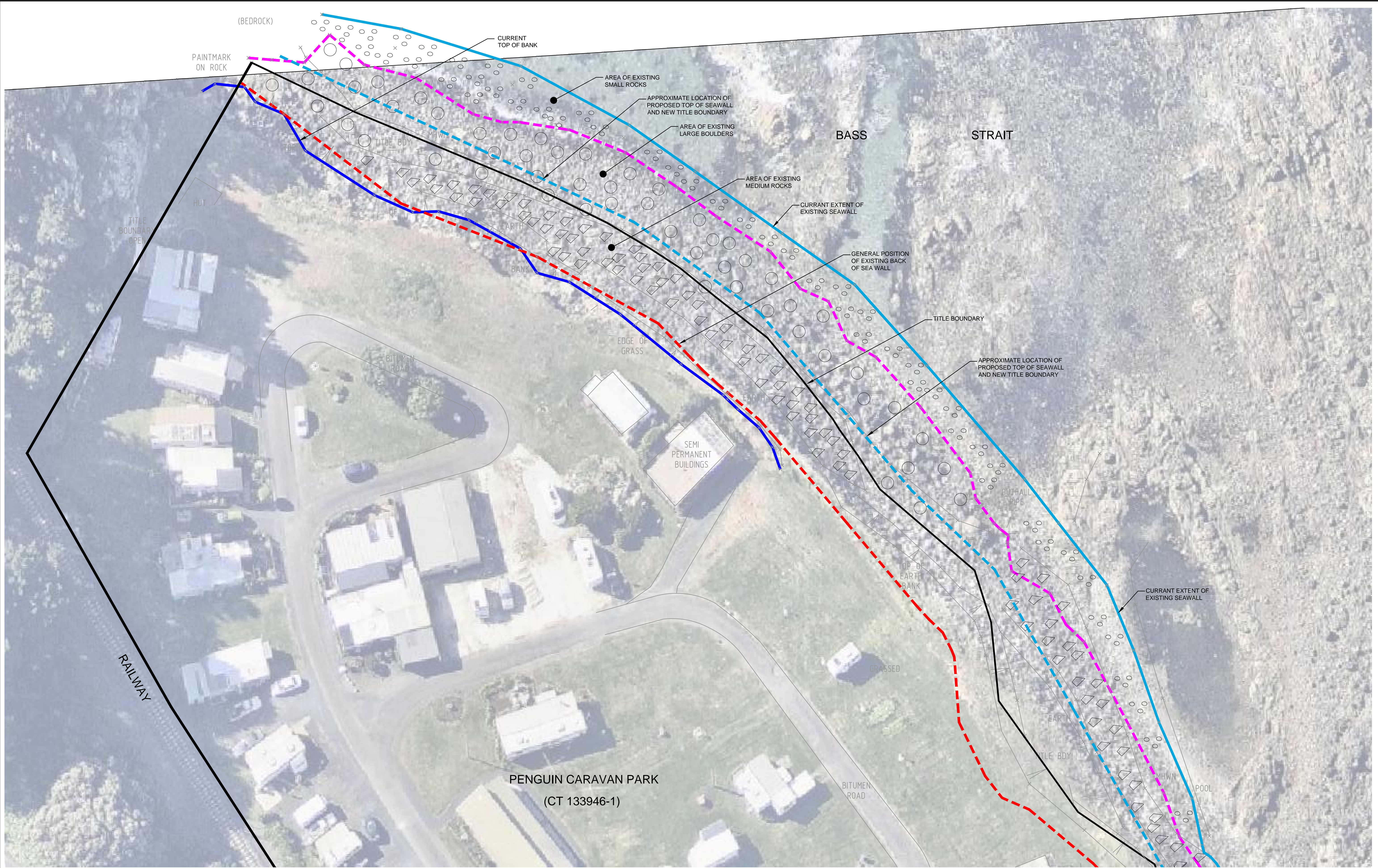
 Locality Point

**File number: 225826**

### Locality Plan



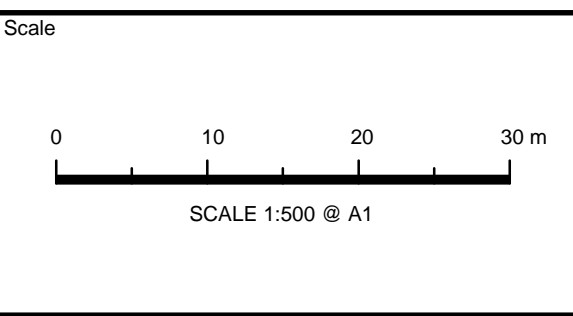




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Architect

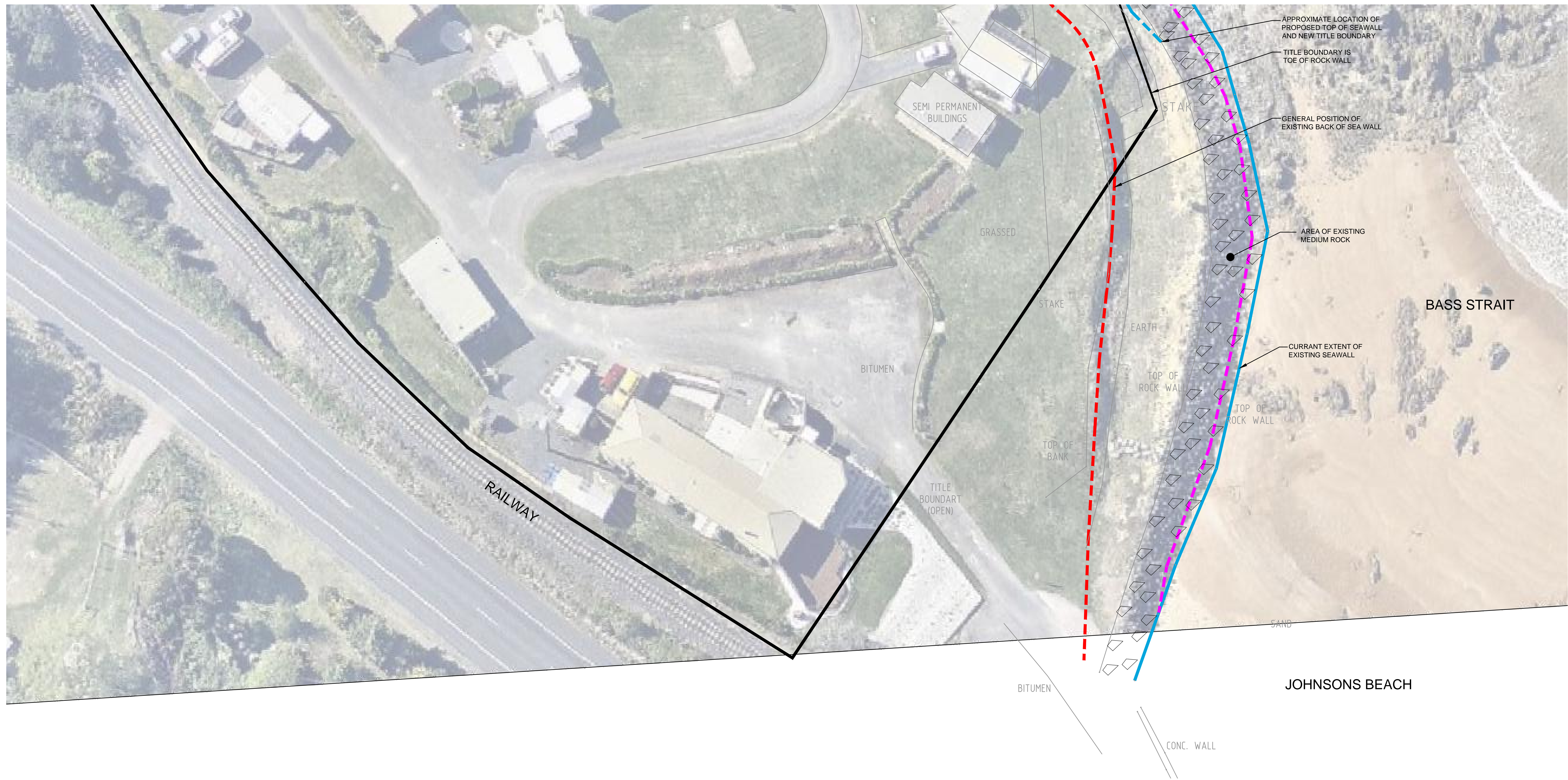


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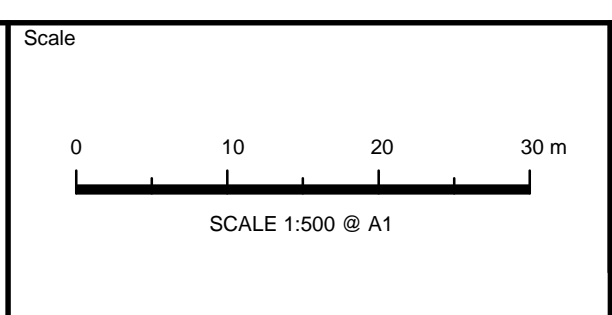




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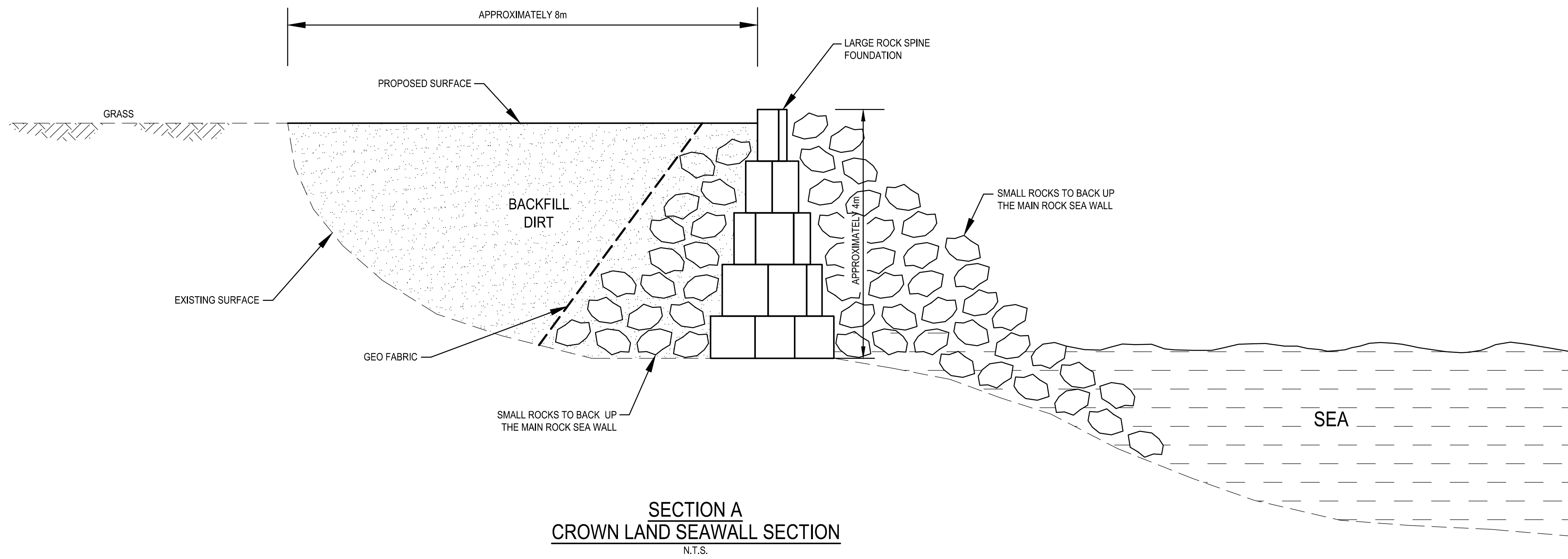
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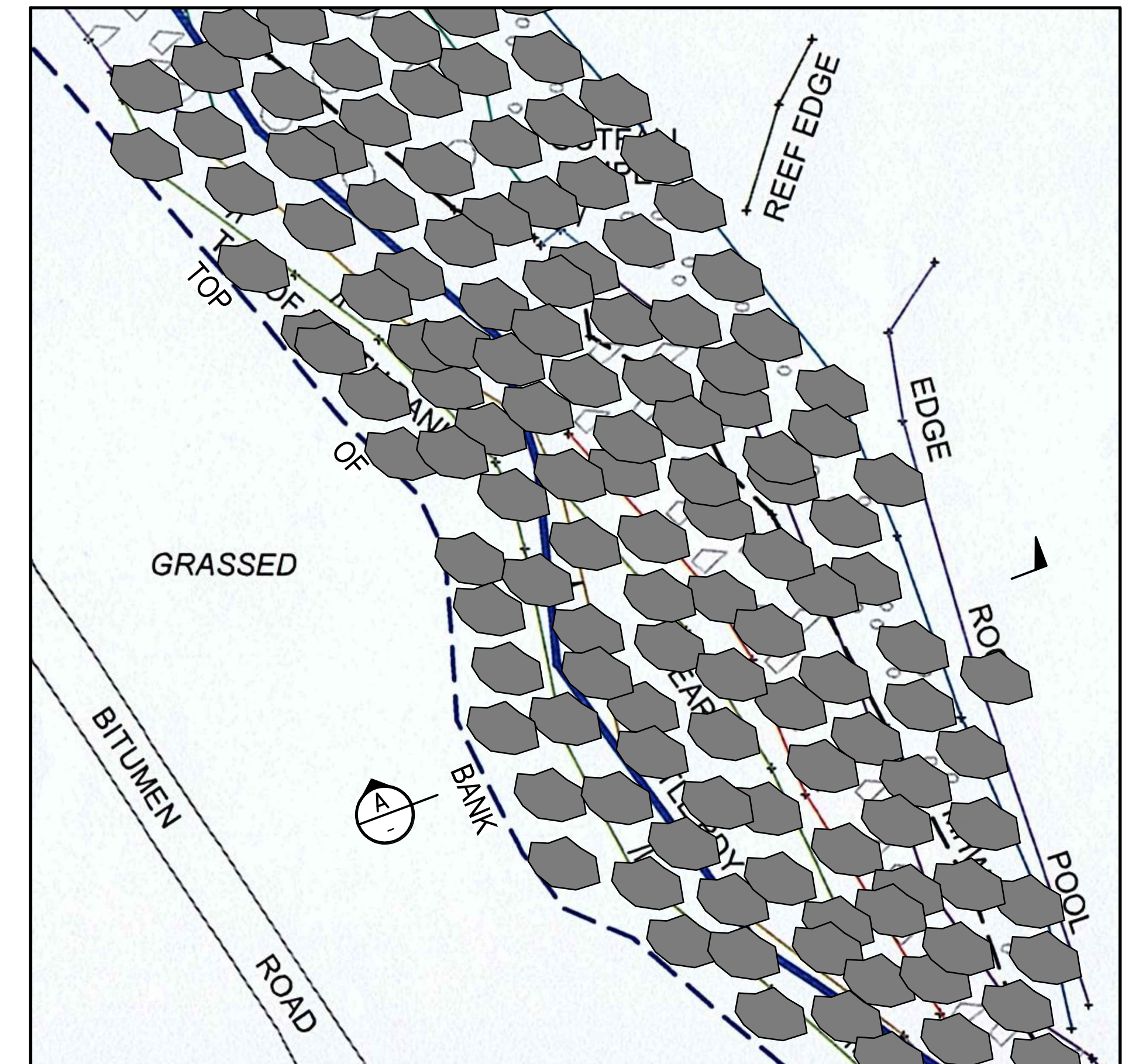
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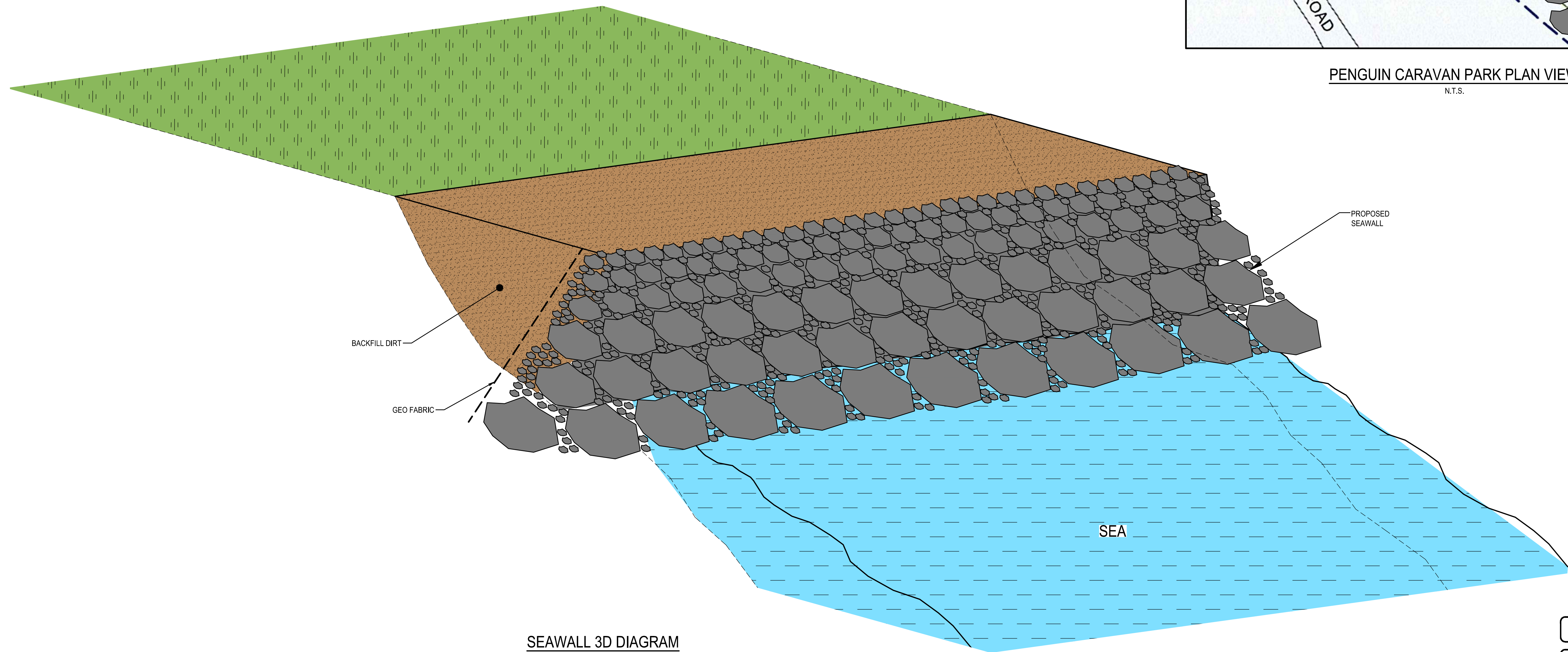




SECTION A  
CROWN LAND SEAWALL SECTION  
N.T.S.



PENGUIN CARAVAN PARK PLAN VIEW  
N.T.S.



SEAWALL 3D DIAGRAM  
N.T.S.

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PROPOSED SEAWALL ALTERATIONS  
FOR INFORMATION ONLY**

Drawing Title  
**PROPOSED WALL DETAILS**

Scale: A1  
Project No.: UMB13010.CIV.SK  
Dwg. No.: 01  
Issue: A



Department of Primary Industries, Parks, Water and Environment

GPO Box 44, Hobart TAS 7001

Ph 1300 368 550

Web [www.dpipwe.tas.gov.au](http://www.dpipwe.tas.gov.au)

Enquiries: Jesse Walker

Ph: (03) 6165 4673

Fax: (03) 6173 0226

Email: [cls.enquiries@dpipwe.tas.gov.au](mailto:cls.enquiries@dpipwe.tas.gov.au)

Our ref: LM-LM-AU-CW-248515 (H488736)



Remon Enterprises Pty Ltd  
1 Johnsons Beach Road  
PENGUIN TAS 2161

Email to: [Raymond.Laoulach@hotmail.com](mailto:Raymond.Laoulach@hotmail.com)

Dear Mr Laoulach,

**CROWN LAND ADJACENT TO 1 JOHNSONS BEACH ROAD, PENGUIN  
REPAIR OF ROCK SEAWALL**

Pursuant to section 3 of the *Crown Lands Act 1976* Remon Enterprises Pty Ltd ('Remon Enterprises') and, its agents, contractors and sub-contractors, is authorised to repair a rock seawall on Crown land adjacent to the property situated at 1 Johnsons Beach Road, Penguin (refer to enclosed plan marked "Proposed Seawall Concept") subject to the following conditions:

1. No repair works to the existing rock seawall are to commence until planning, building or any other permits required by the Central Coast Council, if any, have been obtained by Remon Enterprises and supplied to this office.
2. The proposed repair works must be undertaken in accordance with the enclosed diagram marked as "Proposed Wall Details", and in accordance with Central Coast Council requirements, if any.
3. The top of the rock seawall must be constructed on the alignment of the 'Title Boundary', as identified on the enclosed plan marked "Proposed Seawall Concept", rather than the dashed blue line marked as "Approximate Location of Proposed Top of Seawall and New Title Boundary", and must not exceed the existing ground height (grassed area) of CT 133946/1.
4. The proposed repair works of the rock seawall must not:
  - a) extend beyond the boundary marked in blue and noted as "Current Extent of Existing Seawall" on the enclosed plan marked as "Proposed Seawall Concept"; or
  - b) be undertaken south of the most south-easterly corner of CT 133946/1.
5. The proposed repair works must comply with the requirements of the 'Tasmanian Coastal Works Manual', published by the Department of Primary Industry Parks Water and Environment (DPIPWE), December 2010.
6. The proposed repair works must comply with the 'Weed and Disease Planning and Hygiene Guidelines' (enclosed).
7. Should evidence be discovered of penguins actively nesting in the rock wall, or in the exposed earth bank on Crown land above the wall, works must cease immediately and advice sought from Policy & Conservation Advice Branch of DPIPWE.



8. Should Aboriginal cultural heritage sites or objects be discovered, works must cease immediately and Aboriginal Heritage Tasmania must be contacted for advice (Ph. 6165 3152). See attached 'Unanticipated Discovery Plan', which provides guidance to project personnel so that they may meet their obligations with respect to Aboriginal heritage in accordance with the *Aboriginal Relics Act 1975* and the *Coroners Act 1995*.
9. At the conclusion of the proposed repair works Remon Enterprises must supply this office with an 'as constructed' survey identifying the extent of the rock seawall on Crown land.
10. Remon Enterprises must undertake maintenance and ongoing responsibility for the rock seawall structures on Crown land.
11. Remon Enterprises (and its agents, contractors and sub-contractors) must hold Public Liability Insurance for the proposed works.
12. The issuing of this Authority does not imply that approvals required under any other legislation, regulation or by-law has been granted. Requirements of relevant authorities must be complied with, including, but not limited to, Worksafe Tasmania and the Environment Protection Authority.
13. Persons entering or conducting activities on Crown land pursuant to this Authority do so entirely at their own risk. Liability is not accepted by the State of Tasmania or DPIPWE for any injury, loss or damage suffered by any such persons, whether resulting from negligence or any other cause.
14. This authority is valid for six (6) months from the date of this letter OR until a lease between the Crown and Ramon Enterprises for the use and maintenance of the rock seawall is entered into.

Crown Land Services is continuing to assess your lease application. Please note that Remon Enterprises will be required to enter into a lease for the use and maintenance of the rock seawall on Crown land, if approved by the Minister (or delegate).

If a Development Application (DA) is required, the Crown will need to sign the DA lodgement form and provide a letter of landowner (Crown) consent prior to lodgement. If a DA is required please forward to this office a complete copy of the requisite DA form together with all documents to be submitted to Council.

Should Remon Enterprises (or, where relevant, its agents, contractors and sub-contractors) depart from the requirements of this Authority the Department may seek to remove all improvements and rehabilitate the Crown land at Remon Enterprises' cost.

If you require more information please contact the officer nominated at the head of this correspondence.

Yours sincerely,



Andrew Roberts  
**Manager**  
**Crown Land Services**

<sup>15</sup>  
~~10~~ December, 2015