

5 January 2019

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General Manager
Central Highlands Council
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Dear Madam

Planning Assessment – Proposed Visitor Accommodation (Standing Camp): Halls Island, Lake Malbena, Walls of Jerusalem National Park

All Urban Planning Pty Ltd has been engaged by Wild Drake Pty Ltd to provide an assessment of a proposal for a small scale standing camp on Halls Island, Lake Malbena under the provisions of the Central Highlands Interim Planning Scheme 2015 (Planning Scheme).

This assessment has been updated to provide an itemised response to Clause E11.7.1 P1 of the Planning Scheme as requested by Council 24 December 2018.

The site is located on leasehold land within the Walls of Jerusalem National Park within the Tasmanian Wilderness World Heritage Area. The accommodation will be accessed via helicopter to a landing site on sheet rock, east of the island within the adjacent Central Plateau Conservation Area.

Proposal

The proposal is described on the plans and information that accompanies the application and includes:

- three purpose built accommodation pods each with a toilet and shower;
- communal pod with guide accommodation, storage and toiletry facilities;
- perforated board walking;
- selective vegetation lancing around the helicopter landing site and pods as described in the Reserve Activity Assessment;
- Access to the site will be via helicopter.

The pods will have a combined floor area of approximately 64m² and will be finished with dark grey walls and roof.

The use is to accommodate a maximum of 6 guests and is restricted to 30 trips annually.

All waste will be captured and exported from the site on outgoing helicopter flights.

The camp will be completely removal if the need arises.

Tasmanian Wilderness World Heritage Area Management Plan 2016 (TWWHA Management Plan 2016)

Parks and Wildlife Service (PWS) advise that the site is managed in accordance with the TWWHA Management Plan, which is a statutory management plan approved under the National Parks and Reserves Management Act 2002 (NPRMA).

Under the management plan:

- the subject land is zoned Self-Reliant Recreation Zone;
- the management plan allows visitor accommodation in the form of a standing camp within the Self-Reliant Recreation Zone;
- the structures as proposed would meet the definition of a standing camp under the current PWS Standing Camp Policy 2006.

On the basis of the above, PWS advise that the proposed development is allowable under the management plan.

Planning Scheme

Under Clause 8.10.1 of the planning scheme the planning authority must, in addition to the matters required by s.51(2) of the Act, take into consideration:

- (a) *all applicable standards and requirements in this planning scheme; and*
 - (b) *any representations received pursuant to and in conformity with s57(5) of the Act,*
- but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.*

Relevantly, a standard is applicable if the site is within the relevant zone and the standard deals with a matter that could affect or be affected by the proposed development; cl.7.5.2.

A standard is defined to mean the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or corresponding performance criterion.

Compliance with a standard is achieved by complying with either the acceptable solution or corresponding performance criterion; cl.7.5.3.

The objective of the standard may be considered to help determine whether the proposed use or development complies with the performance criterion of that standard; cl.7.5.4.

The site is zoned Environmental Management under the Planning Scheme.

The proposed accommodation falls within the Visitor Accommodation Use class and is a Permitted Use given that a reserve management plan under the NPRMA applies.

I approach the associated helicopter access as directly associated and a subservient part of the use and in accordance with Clause 8.2.2 categorise those activities as the same Visitor Accommodation Use Class.

Use Standards (29.3)

Use Standards for Reserved Land (29.3.1)

| Use Standard | Assessment |
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| <p>A1</p> <p>Use is undertaken in accordance with a reserve management plan.</p> | <p>In accordance with advice provided by PWS the proposal meets the definition of a standing camp and is an allowable use within the Self-Reliant Recreation Zone under the TWWHA Management Plan 2016. The proposed use therefore complies with A1.</p> |

Development Standards for Buildings and Works (29.4)

Building Height (29.4.1)

| Development Standard | Assessment |
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| <p>A1</p> <p><i>Building height comply with any of the following:</i></p> <p>(a) <i>as proscribed in an applicable reserve management plan;</i></p> <p>(b) <i>be no more than 7.5 m.</i></p> | <p>The proposed pods will have a maximum height under 4.3m. There are no prescribed heights under TWWHA Management Plan and the proposal therefore comfortably complies with the 7.5m permitted standard under A1.</p> |

Setback (29.4.2)

| Development Standard | Assessment |
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| <p>A1</p> <p><i>Building setback from frontage must comply with any of the following:</i></p> | <p>The planning scheme defines frontage as where a boundary of a lot abut a road. This standard therefore does not apply to the circumstances of this remote proposal.</p> |

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| <p>(a) as proscribed in an applicable reserve management plan;</p> <p>(b) be no less than 30 m.</p> | |
| <p>A2</p> <p><i>Building setback from side and rear boundaries must comply with any of the following:</i></p> <p>(a) as proscribed in an applicable reserve management plan;</p> <p>(b) be no less than 30 m.</p> | <p>The proposal will be sited well clear of all boundaries and therefore complies with A2.</p> |
| <p>A3</p> | <p>I note that the Planning Scheme does not include a Standard A3/P3.</p> |
| <p>A4</p> <p><i>Building setback for buildings for sensitive use (including residential use) must comply with all of the following:</i></p> <p>(a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.</p> | <p>The proposal is surrounded by Environmental Management Zoning and there are no adjacent areas of Rural Resource or Significant Agriculture zoning. The proposal complies with A4.</p> |
| <p>A5</p> <p><i>Buildings setback from the Tasmanian Wilderness World Heritage Area must comply with any of the following:</i></p> <p>(a) as proscribed in an applicable reserve management plan;</p> <p>(b) be no less than 500 m.</p> | <p>The proposal is located within rather than adjacent to the Tasmania wilderness World Heritage Area. I therefore approach the standard on the basis that it does not apply.</p> |
| <p>P5</p> <p><i>Building setback from the Tasmanian Wilderness World Heritage Area must</i></p> | <p>Notwithstanding the assessment A5 above, based on the RAA assessment the proposal will avoid significant impact from the development on the environmental</p> |

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| <p><i>satisfy all of the following:</i></p> <p><i>(a) there is no significant impact from the development on the environmental values of the land within the World Heritage Area;</i></p> <p><i>(b) the potential for the spread of weeds or soil pathogens onto the land within the World Heritage Area is minimised;</i></p> <p><i>(c) there is minimal potential for contaminated or sedimented water runoff impacting the land within the World Heritage Area;</i></p> <p><i>(d) there are no reasonable and practical alternatives to developing close to the land within the World Heritage Area.</i></p> | <p>values of the World Heritage Area and therefore would satisfy P5 if it did apply.</p> |
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Design (29.4.3)

Objective:

To ensure that the location and appearance of buildings and works minimises adverse impact on natural values and on the landscape.

| Development standard | Assessment |
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| <p>A1</p> <p><i>The location of buildings and works must comply with any of the following:</i></p> <p><i>(a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline;</i></p> <p><i>(b) be located within a building area, if provided on the title;</i></p> <p><i>(c) be an addition or alteration to an existing building;</i></p> <p><i>(d) as prescribed in an applicable</i></p> | <p>The proposal will involve some vegetation disturbance and is to be assessed under P1.</p> |

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| <i>reserve management plan.</i> | |
| <p><i>P1</i></p> <p><i>The location of buildings and works must satisfy all of the following:</i></p> <p><i>(a) be located in an area requiring the clearing of native vegetation only if:</i></p> <p><i>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;</i></p> <p><i>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</i></p> <p><i>(iii) the location of clearing has the least environmental impact;</i></p> <p><i>(b) be located on a skyline or ridgeline only if:</i></p> <p><i>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;</i></p> <p><i>(ii) there is no significant impact on the rural landscape;</i></p> <p><i>(iii) building height is minimised;</i></p> <p><i>(iv) any screening vegetation is maintained.</i></p> <p><i>(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.</i></p> | <p>As set out in the accompanying documentation and RAA the modest buildings and works have been sited to minimise disturbance of native vegetation.</p> <p>The building and works have been sited to be hidden in the landscape and are not on a skyline or ridgeline.</p> <p>For these reasons the proposal is considered to satisfy P1.</p> |
| <p><i>A2</i></p> <p><i>Exterior building surfaces must be coloured</i></p> | <p>The pods and boardwalks will be finished in muted bush tones and dark grey and</p> |

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| using colours with a light reflectance value not greater than 40 percent. | comply with A2. |
| <p>A3</p> <p>Fill and excavation must comply with all of the following:</p> <p>(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;</p> <p>(b) extent is limited to the area required for the construction of buildings and vehicular access.</p> | No excavations, earthworks or alteration to natural drainage is proposed. The proposal complies with A3. |

Planning Scheme Codes

The proposed camp is located clear of Code overlays as shown on Figure 1 below. The proposed boardwalk sections are also clear of the overlays. The helicopter landing area is within a Waterway and Coastal Protection Area.

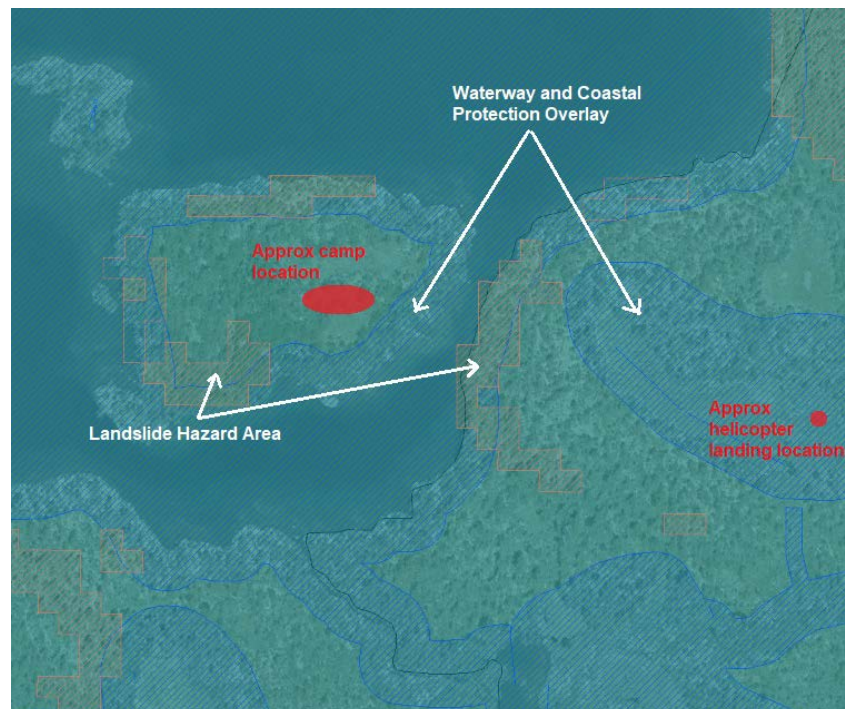


Figure 1 - Planning Scheme Code Overlays (Source: annotated plan from theList)

Stormwater Management Code

This Code applies to all development requiring the management of stormwater.

Stormwater Drainage and Disposal (E7.7.1)

Objective:

To ensure that stormwater quality and quantity is managed appropriately.

| Development Standard | Assessment |
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| <p>A1</p> <p><i>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</i></p> | <p>The proposal collects rainwater to tanks rather than public stormwater infrastructure and therefore is to be assessed under P1.</p> |
| <p>P1</p> <p><i>Stormwater from new impervious surfaces must be managed by any of the following:</i></p> <p><i>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</i></p> <p><i>(b) collected for re-use on the site;</i></p> <p><i>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.</i></p> | <p>The proposal for collection and reuse of water on site satisfies part b) and therefore complies with P1.</p> |
| <p>A2</p> <p><i>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</i></p> <p><i>(a) the size of new impervious area is more than 600 m²;</i></p> | <p>The proposal does not involve any of the types of development identified in parts a-c) and therefore satisfies A2.</p> |

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| <p>(b) new car parking is provided for more than 6 cars;</p> <p>(c) a subdivision is for more than 5 lots.</p> | |
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Waterway and Coastal Protection Code

Buildings and Works (E11.7.1)

Objective:

To ensure that buildings and works in proximity to a waterway, the coast, identified climate change refugia and potable water supply areas will not have an unnecessary or unacceptable impact on natural values.

| Development Standards | Assessment |
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| <p>A1</p> <p><i>Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.</i></p> | <p>The proposal is to be assessed under P1.</p> |
| <p>P1</p> <p><i>Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</i></p> <p>(a) <i>avoid or mitigate impact on natural values;</i></p> <p>(b) <i>mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</i></p> <p>(c) <i>avoid or mitigate impacts on riparian or littoral vegetation;</i></p> <p>(d) <i>maintain natural streambank and streambed condition, (where it exists);</i></p> <p>(e) <i>maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i></p> | <p>The proposed pods are well clear of the overlay areas.</p> <p>The proposed boardwalk areas are also outside the overlay areas. If they were in side areas of Waterway and Coastal Protection it is my assessment that they would comply with P1 in that the permeable boardwalks are to be sited for minimal disturbance over existing tracks and will allow 65% light transmission.</p> <p>The proposal involves some minor vegetation lancing at the helicopter landing Site 2 as assessed in the North Barker addendum report, 14 June 2018.</p> <p>This site is dominated as exposed flat bedrock with various shrubs and sedges occupying the fissures and spaces in the</p> |

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| <p>(f) <i>avoid significantly impeding natural flow and drainage;</i></p> <p>(g) <i>maintain fish passage (where applicable);</i></p> <p>(h) <i>avoid landfilling of wetlands;</i></p> <p>(i) <i>works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.</i></p> | <p>rocks.</p> <p>Some rocks may need to be relocated and a small number of shrubs of <i>L. lanigerum</i> may need to be removed to accommodate the space for the helicopter to safely land.</p> <p>The proposal is considered to avoid and minimise impacts on natural values and satisfy P1 in that:</p> <ul style="list-style-type: none"> a) the landing site has been chosen on an area of exposed bedrock that requires removal of only a small number of shrubs growing in cracks in the rock. The vegetation community is assessed not to be significant; b) the vegetation to be removed is growing in fissures and spaces between the rocks and removal will not cause erosion, sedimentation or runoff impacts on natural values; c) the proposed site has been chosen such that only minimal vegetation removal is required; d) the proposed landing site will not effect streambank and streambed condition; e) the proposed landing site is clear of watercourses and will not effect in-stream natural habitat; f) the proposed landing site on exposed bedrock requires minimal disturbance and will not result in any significant effect on natural flow or drainage; g) the site will not effect fish passage; h) no landfilling is required; and |
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| | i) the minor work at the landing site will not require the use of any heavy machinery and is considered consistent with the ' <i>Wetlands and Waterways Works Manual</i> ' (DPIWE, 2003) and " <i>Tasmanian Coastal Works Manual</i> ." |
| A4 <i>Development must involve no new stormwater point discharge into a watercourse, wetland or lake.</i> | Complies. The proposal does not involve a stormwater point discharge to watercourse, wetland or lake. |

There are no other planning scheme codes of relevance to the proposal. However, to the extent that they apply the proposal is considered to satisfy all requirements.

Conclusion

The proposal has been carefully designed to minimise impacts on the environment and is a permitted use in the Environmental Management Zone. In my assessment the proposal satisfies the relevant provisions of the Planning Scheme and should be approved as a discretionary application pursuant to Section 57 of the Act.

I would be pleased to discuss or clarify any of the above as necessary.

Yours sincerely



Frazer Read

Principal

All Urban Planning Pty Ltd