NUTES OF THE SPECIAL PLANNING COMMITTEE MEETING OF THE CENTRAL HIGHLANDS COUNCIL HELD IN THE BOTHWELL COUNCIL CHAMBERS AT 9.00AM ON TUESDAY 26th NOVEMBER 2019

1.0 PRESENT

Clr Allwright (Chairperson), Mayor Triffitt, Clr Poore & Clr Bailey (Proxy)

IN ATTENDANCE

Clr Bowden, Clr Campbell, Clr Honner, Mrs L Eyles (General Manager), Ms J Tyson (Senior Planning Officer), Mr G Rogers (Manager DES) & Mrs J Housego (Minutes Secretary), P Headlam, M Headlam, D Jones, M Foster, D Foster, T Smith, B Headlam, J Headlam, W Jaygo, J Jago, P Devine, M McTye, A Williamson, S Riely, J O'Connor, F Read, C Selkirk, B Gleeson, J Jones

2.0 APOLOGIES

Clr Cassidy

3.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman requests Councillors to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) in any item of the Agenda.

Nil

4.0 QUESTION TIME & DEPUTATIONS

The following people made deputations to DA 2019/62: Resource Development (Aquaculture) – Hamilton Reticulation Aquaculture System Hatchery: 56 & 90 Woodmoor Road, House:

Michael Foster, Deborah Foster, Peter Headlam, James Headlam, Peter Devine, Derek Jones, Tim Smith

Clr Cassidy arrived at 10.15am.

6.0 DA2019/62: RESOURCE DEVELOPMENT (AQUACULTURE) – HAMILTON RECIRCULATING AQUACULTURE SYSTEM HATCHERY: 56 & 90 WOODMOOR ROAD, OUSE

Report by

Jacqui Tyson (Senior Planning Officer)

Applicant

Tassal Operations Pty Ltd

Owners

Tassal Operations Pty Ltd - (90 Woodmoor Road, CT251957/1)

Triffett Holdings Pty Ltd - (56 Woodmoor Road, CT36657/2 and CT36657/5)

HEC (Hydro Tasmania) - (Part of lake foreshore, CT84290/1)

Lawrenny Water Trust - (Water race, CT122993/3)

Background – Other Permits

Council have considered other Development Applications relating to the subject land recently.

DA2019/25:

On the 18th June 2019 the Council approved a development application (DA2019/25) for the realignment of boundaries between three existing titles (CT251957/1, CT36657/2 and CT122993/3) that are part of this proposal. The proposal plans that form part of this DA show the new boundaries. Once the process is completed the hatchery will be sited on the new title owned by Tassal.

DA2019/20:

A development application for a pump station and irrigation infrastructure for 56 and 90 Woodmoor Road was approved under delegation in May 2019.

Proposal

Overview

The development application seeks approval for the establishment of a new freshwater recirculating aquaculture system hatchery facility for finfish (Atlantic salmon) and associated infrastructure at 56 and 90 Woodmoor Road, Ouse. The hatchery and associated infrastructure will occupy a footprint of approximately 7.8ha of the land.

The hatchery operation involves incubating eggs and then growing the young fish in freshwater tanks for 8-12 months, until they are ready to be transferred to saltwater fish farms around the State.

Recirculating aquaculture systems (RAS) are indoor, tank based systems in which fish are grown at high densities under controlled conditions. The water in the system is recirculated through the fish tanks and a series of water treatment methods used to remove waste products, before the cleaned water is returned to the fish tanks.

The proposed RAS comprises a series of recirculating concrete tanks, pumps and filters all housed in a steel-structured, temperature controlled building. The maximum standing biomass (quantity of fish held at one time) would be 750 tonnes with a maximum annual production of 1,400 tonnes of fish.

The wastewater flows from the proposed facility are predicted to be 158 ML per year. Wastewater will be treated and stored in a new purpose-built dam on the site and irrigated as part of an agricultural reuse scheme on an adjacent farming property.

The hatchery will operate 24 hours, 7 days a week to maintain continuous monitoring of fish health and growth. However, normal working hours for staff operations will be 7am to 6pm, 7 days. There will be staff onsite at all times, with onsite accommodation provided. This allows for efficient monitoring and action at all hours if necessary.

The elements of the proposal are described in more detail below.

Hatchery building and infrastructure

The hatchery will be housed in a large building with a floor area of approximately 13000m^2 (169.5m long and 78.3m wide). The building will have a gable roof with a maximum height of 8.7m from the finished surface level. The building will be finished in Colorbond, with 'Pale Eucalypt' coloured roof and 'Paperbark' coloured walls. Precast concrete will be used for the footings and the lower section of some walls. The administration section of the building will be constructed from painted concrete blockwork or panel.

The hatchery building will be located in the north eastern section of the site. The building will be setback 157m from the Lyell Highway and a minimum of 326m from the nearest side boundary, to the south east.

The main hatchery building will contain the following:

- 3 egg incubation areas;
- A start feed tank room with 12 tanks (for the smallest hatched fish);
- 3 smolt tank rooms, with 9 tanks in each room;
- 4 biofilters, one for each smolt tank room and one for the start feed tank room;
- Plant room with oxygen and ozone generators;
- Feed storage room; and
- Office/administration area and staff amenities.

A range of ancillary infrastructure and associated buildings will be located within the curtilage of the hatchery building, mostly sited along the western elevation and northern end of the building. These include:

- Liquid oxygen stores;
- Chiller pump and switch room, housed in 12m long, 6m wide, 4.2m high Colorbond shed;
- Chiller system;
- Generator fuel storage;
- Generator;
- Maintenance workshop, housed in 20m long, 12m wide, 6.6m high Colorbond shed;
- Solids removal plant with tanks and a 17m long, 7m wide, 4.2m high open sided shed;
- Intake water treatment 'cook' system (to treat intake water from Meadowbank Lake);
- 3 treated intake water storage tanks;
- 2 high voltage power transformers; and
- 300 kL firefighting water storage tank and pump.

Water supply, Irrigation reuse and Dam

Fresh water for the hatchery will be drawn from Meadowbank Lake. The pump station (as approved in DA2019/20) will be located inside the property boundary, to the west of a group of existing pump stations situated around the drainage line near the boundary with 5987 Lyell Highway.

The new pump station will be housed within a small shed (3m long, 4m wide and 2.4m high). The shed will house two 45kw pumps, housed in concrete chambers below the natural ground level to minimise noise emissions. A power supply will be provided, with a new pole nearby on the subject land. The pump station will be capable of supplying up to 650 mega litres of water per annum, to the hatchery and irrigation network. The pump station is expected to work continuously for 6-8 months of the year during irrigation season and as needed during autumn/winter.

The water will then be transferred to the hatchery via a network underground pipes. Intake water will be treated in a plant to ensure it is safe for use and then stored in tanks before entering the fish tanks. The hatchery operation is expected to use around 0.4 mega litres of water per day, with an annual demand of less than 160 mega litres.

Waste water from the hatchery will be directed to a treatment plant and then to storage tanks, before discharge into a purpose-built reuse water dam to be constructed adjacent to the hatchery building. Wastewater is generated from the cleaning and flushing of the recirculation filtration system. The quantity of reuse water to be generated is around 158 mega litres per year or 18 cubic metres per hour.

Water from the reuse dam will then be mixed with fresh water from Meadowbank Lake and used to irrigate approximately 90 hectares of farm land on 56 and 90 Woodmoor Road through a permanent irrigation scheme of three centre pivot irrigators. The main pump station (located just south of the reuse dam) will power this operation. This pump station will also be housed within a small shed (approximately 3m long, 4m wide and 2.4m high).

The irrigation network will have a fail-safe design to prevent any back flow to Meadowbank Lake or the hatchery in power outages or the like. The irrigation arrangements will be subject to a legal agreement between Tassal and the landowners. The EPA will monitor the irrigation as part of the overall hatchery development.

The reuse dam will have a capacity of 120 mega litres. Construction of the dam requires approval from the Department of Primary Industries, Parks, Water and Environment under the *Water Management Act 1999*. In this case the Minister's delegate has advised that the consequence category of the dam is "Low" and has provided conditions to be included on any permit issued by Council.

Solid waste is collected by a contractor and taken to a licensed composting facility.

A summary flowchart of the hatchery water management process, copied from the Environmental Impact Statement, is provided in Figure 1 below.

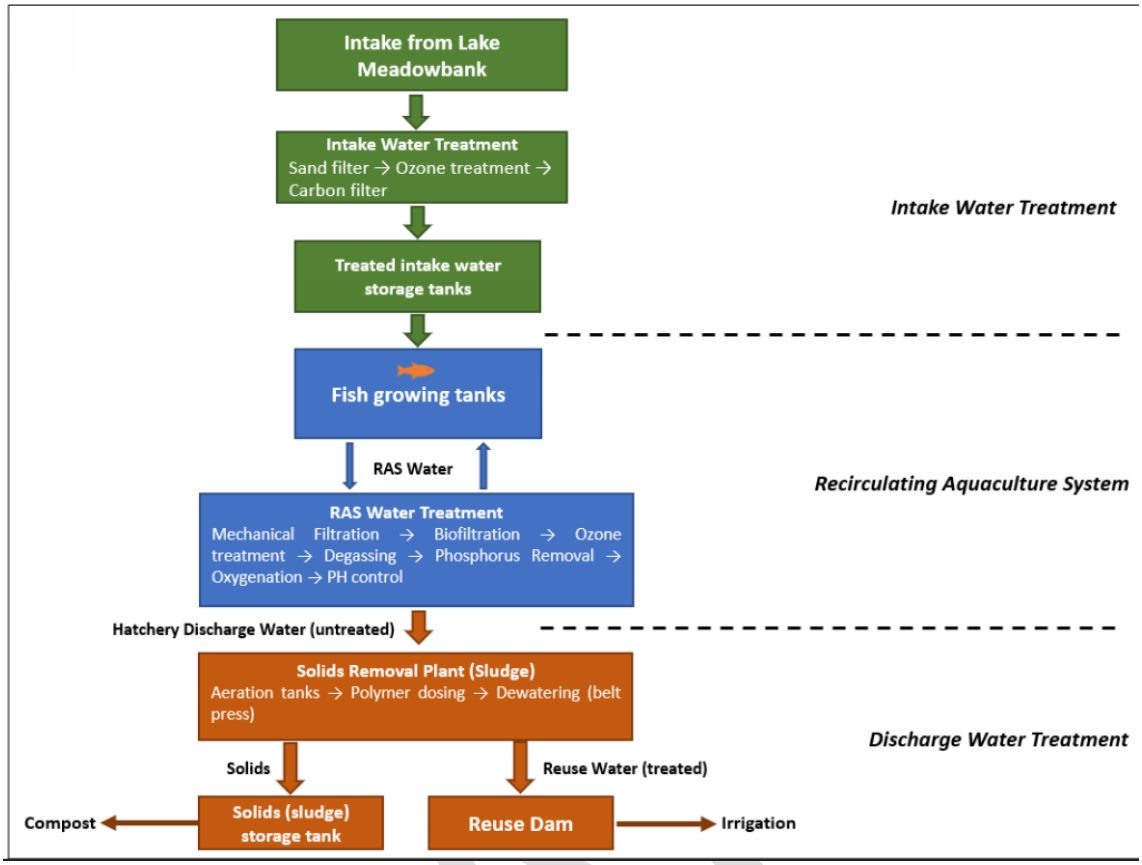

Fig 1. Hatchery summary flowchart (Source: Tassal EIS).

Earthworks and Landscaping

Construction of the hatchery building and surrounding curtilage will require significant earthworks, with up to 3.8m of cut from the western side of the site and up to 2.8m of fill on the eastern side. The cut will set the hatchery complex into the landscape.

Excess fill will be used to construct earth berms for noise and visual attenuation around the eastern and southern sides of the hatchery compound and the dam wall (see further below). No material will be taken offsite.

Significant landscaping is proposed, with trees to be planted along sections of the frontage and south eastern side boundary, on the earth berms around the hatchery building, along the access driveway and between the building and dam and the Lyell Highway. Over time, the landscaping will assist to soften the appearance of the hatchery building from the Lyell Highway and neighbouring properties.

Staff Accommodation

The proposal includes development of a single storey residential building for staff accommodation. The building includes a self-contained manager's apartment, four bedrooms with ensuites and communal living and kitchen space and decks.

The residence will be sited approximately 100m east of the hatchery building, 129m from the Lyell Highway frontage and over 250m from the south eastern side boundary.

The residence will have an onsite wastewater system. The residence will share the main entry from the Lyell Highway and a 7 space carpark will be provided.

Access and Parking

The proposed hatchery will utilise a new access from the Lyell Highway, initially approved in DA2019/25 for the realignment of the property boundaries.

The Traffic Impact Assessment and advice from the Department of State Growth indicates that a turn treatment is required for the hatchery development to ensure safe access for heavy vehicles. As such, the Department of State Growth has advised that a new access permit will be required for the alterations to the new access. Conditions addressing this matter are included below.

A bitumen internal road will be constructed to provide access to the accommodation dwelling and then continue to the hatchery, extending around the perimeter of the building.

The internal access road will be designed to accommodate heavy vehicles. There will be four (4) truck loading bays around the hatchery building.

A compacted gravel carpark for 17 cars will be provided at the northern end of the hatchery building.

Traffic

The traffic to be generated by the proposal includes:

- Light vehicles (staff, visitors and deliveries) – 20 cars day;
- Heavy vehicles
    - Feed delivery – 1 per week
    - Solid waste removal by contractor – 5 per week
    - Deliveries – 2-3 per week
    - Smolt transport to sea – 55 trucks per week for 12 weeks a year (three 4 week blocks in March-April, July-August and October-December).

The application is supported by a Traffic Impact Assessment (TIA), which concludes that the vehicle movements can be accommodated by the upgraded access and the surrounding road network.

As mentioned above, the key findings of the TIA include a recommendation that the access driveway be provided with a basic left turn (BAL) treatment to provide for deceleration of trucks accessing the site via left turn from the Lyell Highway. A condition to this effect is included in the recommendation.

Stormwater

Stormwater from the buildings and hardstand areas will be captured and directed to the existing dams on the land via pipes, pits and swale drains.

The new reuse dam will have a perimeter swale drain to capture overland runoff and divert it to existing natural watercourses, leading to the existing dam and eventually to Meadowbank Lake. This avoids the reuse dam overfilling from stormwater runoff.

Environmental matters

The key risks assessed by the EPA include the discharge water treatment, storage and reuse, noise and odour emissions and biosecurity risks. These matters are all addressed in detail in the Environmental Impact Statement (EIS) and other application documents.

The conditions imposed by the EPA include management and monitoring of these matters.

Application

The development application includes a comprehensive package of information, plans and supporting documents, listed below:

- Environmental Impact Statement (EIS) (Tassal Operations Pty Ltd, September 2019);
- Planning Report (AllUrbanPlanning, 5 September 2019);
- Plan set (Tassal, July 2019);
- Traffic Impact Assessment (Midson Traffic Pty Ltd, August 2019);
- Natural Values Assessment (Enviro-dynamics, 30th July 2019);
- Recycled Water Irrigation and Environmental Management Plan (Macquarie Franklin, September 2019);
- Preliminary Geotechnical Investigations – Hatchery Building (William C Cromer Pty Ltd, 19 August 2019);
- Groundwater Prospectivity (William C Cromer Pty Ltd, 7 August 2019);
- Site and Soil Evaluation Report for Domestic Wastewater Management (William C Cromer Pty Ltd, 17 July 2019);
- Air Emission Assessment (Tarkarri Engineering Pty Ltd, 17 September 2019);
- Noise Impact Assessment (Environmental Dynamics, 4 September 2019);
- Visual Impact Assessment (Environmental Dynamics, 30 August 2019);
- Bushfire Hazard Report (Andrew Welling, Enviro-dynamics, 28 August 2019);
- Aboriginal Heritage Assessment Report (Stuart Huys and Rocky Sainty, 25 April 2019); and
- Hamilton RAS Hatchery – Stakeholder Engagement Plan (Tassal)

Statutory Status - Level 2 Activity

Under Tasmania's Resource Management and Planning System, the State Environment Protection Authority (EPA) has statutory responsibility for environmental impact assessment of proposed developments and activities that may have significant impact on environmental quality. Development proposals for large industry (Level 2 Activities) are referred by Council to the Board of the EPA for environmental impact assessment and determination.

Environmental matters that may be considered by the Board in its assessment of a Level 2 Activity include, but are not limited to:

- Noise emissions
- Air emissions and air quality
- Natural values (including flora and fauna, weeds and diseases and geoconservation)
- Water emissions and quality (including stormwater management)
- Groundwater
- Waste management – including liquid and solid waste and controlled wastes
- Management of environmentally hazardous materials
- Land contamination
- Monitoring
- Decommissioning and rehabilitation

This proposal is a Level 2 Activity as it involves finfish farming, which has been added to the Level 2 Activities in Schedule 2 of the *Environmental Management and Pollution Control Act 1994*.

In this case the proposal has been assessed by the EPA as a class 2B activity. An Environmental Impact Assessment and associated documentation has been prepared by the applicant according to the EPA's general and project specific guidelines issued for this project in May 2019.

The EPA Board considered the proposal, including representations, at their meeting held on Monday 5th November 2019. The EPA later determined to grant an Environmental Licence, subject to conditions (ie approve the proposal). The licence will be issued by the Board, following the granting of a permit by the Planning Authority, if the proposal is approved. The Planning Authority must not include in the permit any condition which is inconsistent with, or which extends the operation of, any of the conditions of the environmental licence.

If the proposal is approved, the EPA will continue to monitor the activity regularly throughout the life of the hatchery, in accordance with the conditions of the Environmental Licence.

Use classification

The proposal involves more than one use class under the Central Highlands Interim Planning Scheme 2015.

Resource development for aquaculture is a Permitted use in the Zone. *Aquaculture* is a defined term, meaning:

> *Use of land to keep or breed aquatic animals, or cultivate or propagate aquatic plants, and includes the use of tanks or impoundments on land.*

The irrigation of farm land is classed as Resource development for agricultural use, which is a No Permit required use in the Rural Resource Zone. Agriculture is a defined term, meaning:

> *Use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture, intensive tree farming and plantation forestry.*

The applicant takes the view that the irrigation infrastructure and dam could be further classified in the Utilities use class, as a minor utility, as the infrastructure is significant and it serves both the aquaculture and agriculture uses. Minor utility is defined as:

> *Use of land for utilities or local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water pipes, retarding basin, telecommunications lines or electricity substation and power lines up to but not exceeding 110Kv.*

While this is a reasonable position, the author of this report prefers to take the approach of treating the irrigation infrastructure as part of the proposed Resource development *aquaculture* and *agriculture,* uses as it is largely ancillary to those elements of the proposal.

The proposed manager's residence/staff accommodation building is directly associated with and subservient to the hatchery. As such, it is categorised under the *Resource development* use class and is not considered as a separate *Residential* use.

Subject site and Locality.

56 and 90 Woodmoor Road are farms located on the northern side of Lake Meadowbank, approximately half way between the townships of Ouse and Hamilton.

The proposal site also includes part of the Meadowbank Lake foreshore, owned and managed by the Hydro Tasmania and part of a title containing an unused water race owned by the Lawrenny Water Trust. All owners are aware of this development application.

The land is located on the southern side of the Lyell Highway. The main development site is relatively flat, with elevations between 100-110m AHD. The development site it visually and topographically separated from Meadowbank Lake by the Sendace Hills and Tent Hill.

The locality is largely characterised by productive farming land. Some titles also developed with dwellings and/or for Visitor accommodation purposes.

Meadowbank Lake is located to the south west of the Land. Meadowbank Lake is owned and managed by Hydro Tasmania as part of the Derwent River hydropower scheme. Meadowbank Lake is a popular site for recreational purposes including boating, fishing and water skiing.

Hamilton is the nearest town, located approximately 4.5km to the east of the Land. Ouse is located 8.5km north west of the Land and Ellendale around 15km south.

Kimbolton coal mine is located on the northern side of the Lyell Highway, just to the north east of the Land.

Woodmoor Road which is a category 5 road for which the Central Highlands Council is the road authority. The Lyell Highway is a category 3 road for which the Department of State Growth is the road authority.

The site and surrounding land is zoned Rural Resource.

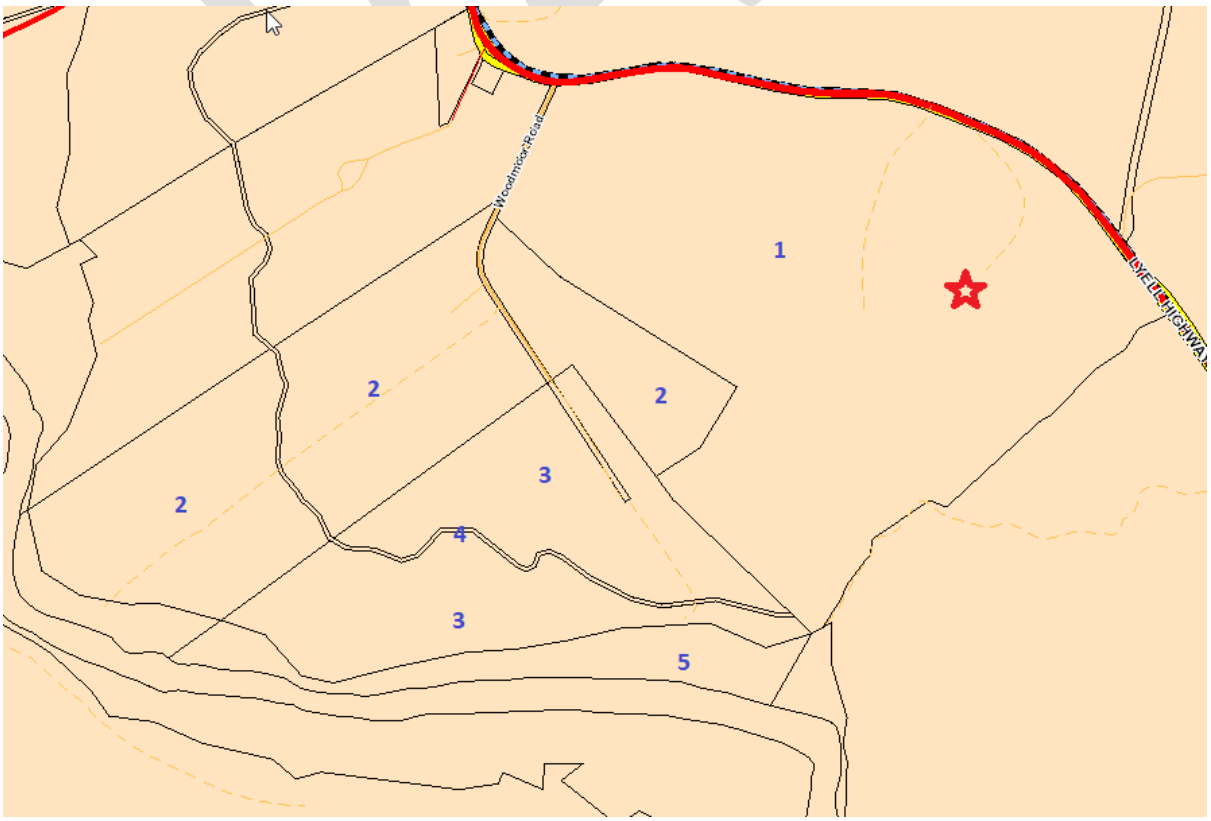

Fig 2. Location and zoning of the subject land and surrounds in the Rural Resource zone (Cream). The approximate location of the hatchery building is marked with a red star. The titles involved in the DA are marked with blue numbers: 1 – CT36657/2, part of 56 Woodmoor Road, 2 - CT36657/5, part of 56 Woodmoor Road, 3 – CT251957/1, 90 Woodmoor Road, 4 – CT122993/3, water race and 5 – CT84290/1, Hydro lake foreshore (Source: LISTmap).

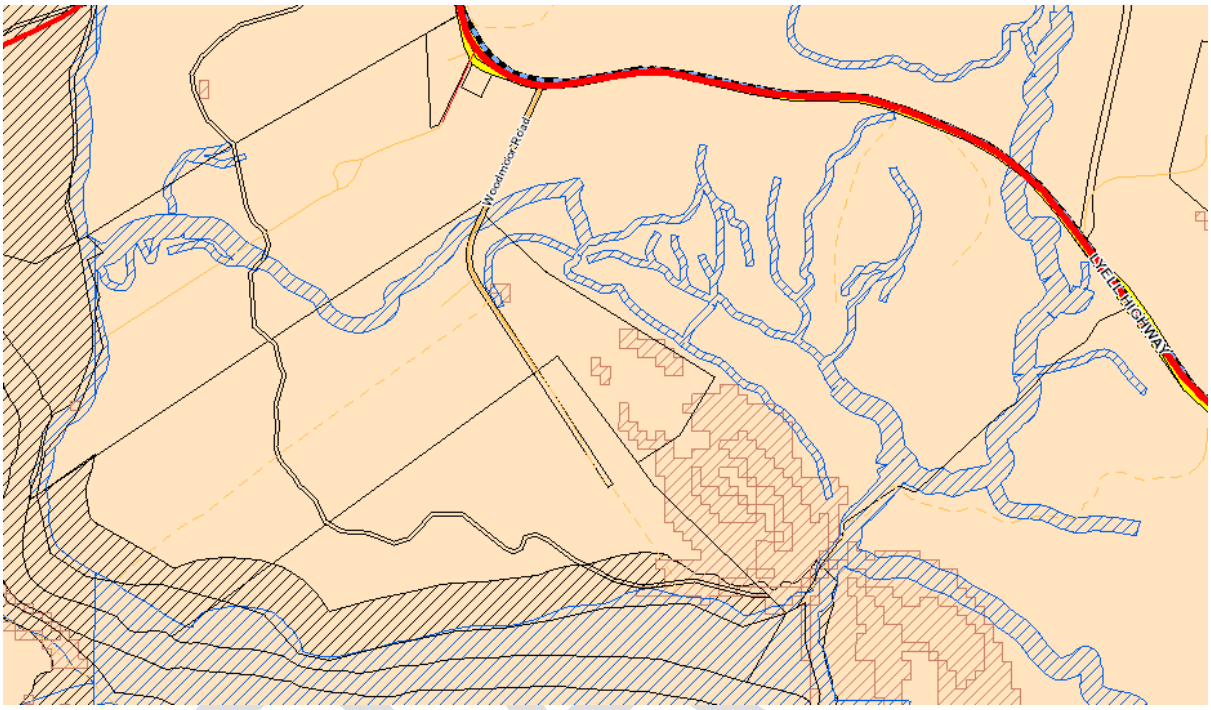

Fig 3. Zoning and planning overlays. The overlays include Waterway Protection Area (blue hatch), Landslide Hazard Areas (brown hatch) and the Lake Meadowbank Specific Area Plan (black hatch). (Source: LISTmap).

Fig 4. Aerial image of the subject sites and surrounding area (Source: LISTmap).

Exemptions

Nil

Special Provisions

Nil

Rural Resource Zone - Use standards

No use standards are applicable to this proposal.

Rural Resource Zone - Development standards

The proposal must satisfy the requirements of the relevant development standards of the Rural Resource Zone, as follows:

26.4.1 Building height To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 Building height must be no more than: 8.5 m if for a residential use.	**P1** Building height must satisfy all of the following: (a) be consistent with any Desired Future Character	The proposed hatchery building will have a maximum height of 8.7m and the oxygen tanks will have a height of 9.5m.

10 m otherwise.	Statements provided for the area; (b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy; (c) if for a non-residential use, the height is necessary for that use.	The proposal complies with the Acceptable Solution A1, as the height does not exceed 10m.

26.4.2 Setback To minimise land use conflict and fettering of use of rural land from residential use, maintain desireable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 Building setback from frontage must be no less than: 20 m.	**P1** Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following: (a) the topography of the site; (b) the size and shape of the site; (c) the prevailing setbacks of existing buildings on nearby lots; (d) the location of existing buildings on the site; (e) the proposed colours and external materials of the building; (f) the visual impact of the building when viewed from an adjoining road; (g) retention of vegetation.	The proposed hatchery complex is setback approximately 157m and the staff accommodation is setback 129m from the Lyell Highway frontage. The proposed setbacks comply with the Acceptable Solution A1.
A2 Building setback from side and rear boundaries must be	**P2** Building setback from side and rear boundaries must	The hatchery complex is sited 326m from the south

no less than: 50 m.	maintain the character of the surrounding rural landscape, having regard to all of the following: (a) the topography of the site; (b) the size and shape of the site; (c) the location of existing buildings on the site; (d) the proposed colours and external materials of the building; (e) visual impact on skylines and prominent ridgelines; (f) impact on native vegetation.	eastern side boundary and will be 116m from the western side boundary (once the boundary reorganisation titles are issued). The proposed staff accommodation is setback over 250m from the south eastern side boundary. The proposed setbacks comply with the Acceptable Solution A2.
A3 Building setback for buildings for sensitive use must comply with all of the following: (a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m; (b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.	**P3** Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following: (a) the topography of the site; (b) the prevailing setbacks of existing buildings on nearby lots; (c) the location of existing buildings on the site; (d) retention of vegetation; (e) the zoning of adjoining and immediately opposite land; (f) the existing use on adjoining and immediately opposite sites; (g) the nature, frequency and intensity of emissions produced by primary industry uses on adjoining and immediately opposite lots; (h) any proposed attenuation measures;	This standard is not applicable to the proposal. The proposal does not include a sensitive use and is not within 100m of from a plantation forest, Private Timber Reserve or State Forest and is not within 200m of land zoned Significant Agriculture.

	(i) any buffers created by natural or other features.	
A4 Buildings and works must be setback from land zoned Environmental Management no less than: 100 m.	**P4** Buildings and works must be setback from land zoned Environmental Management to minimise unreasonable impact from development on environmental values, having regard to all of the following: (a) the size of the site; (b) the potential for the spread of weeds or soil pathogens; (c) the potential for contamination or sedimentation from water runoff; (d) any alternatives for development.	This standard is not applicable to the proposal. There is no land zoned Environmental Management near the site.

26.4.3 Design To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 The location of buildings and works must comply with any of the following: (a) be located within a building area, if provided on the title; (b) be an addition or alteration to an existing building; (c) be located in and area not require the clearing of native vegetation and not on a skyline or ridgeline.	**P1** The location of buildings and works must satisfy all of the following: (a) be located on a skyline or ridgeline only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not	The proposal complies with the Acceptable Solution A1 (c). The development is not located on a skyline or ridgeline and does not require clearing of native vegetation.

	greater than 40 percent for all exterior building surfaces; (b) be consistent with any Desired Future Character Statements provided for the area; (c) be located in and area requiring the clearing of native vegetation only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.	
A2 Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.	**P2** Buildings must have external finishes that are non-reflective and coloured to blend with the rural landscape.	The hatchery building (and other smaller sheds) will be finished in Colorbond colours 'Pale Eucalypt' and 'Paperbark' The Light Reflectance Value of 'Paperbark' is 58 percent, exceeding 40 percent. Therefore assessment against the Performance Criteria is necessary. The building finishes are all non-reflective and the colours have been chosen specifically to blend with the surrounding rural landscape. The application includes a Visual Impact Assessment, which supports the chosen colours and finishes. The proposal complies with Performance Criteria P2.
A3 The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required	**P3** The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of	The proposal will require approximately 3.8m of cut and 3m of fill as shown on the proposal plans.

for building foundations.	the following: (a) does not have significant impact on the rural landscape of the area; (b) does not unreasonably impact upon the privacy of adjoining properties; (c) does not affect land stability on the lot or adjoining areas.	Assessment against the Performance Criteria is necessary. (a) The proposed cut will effectively position the complex into the landscape. Excess fill will be used to create earth berms that will be landscaped, assisting to visually screen the site. A Visual Impact Assessment has been provided with the proposal, which includes assessment of the visual impact when viewed from the road and adjoining properties. The report finds that the overall landscape impact of the proposal will be neutral. (b) The proposed hatchery is sited over 320m and the managers residence over 250m from the nearest property to the south east. Landscaping will also be installed along the boundary and around the hatchery, providing further screening between the properties. Overall, it is considered that the proposal will not negatively impact the privacy of adjoining properties. (c) The proposed earthworks will be designed and built in accordance with qualified engineering advice. There is no identified land slide risk or land stability issues in the development area. The proposal will not impact the stability of the site or surrounding area. The proposal complies with Performance Criteria P3.

Codes

E1 - Bushfire Prone Areas Code

The proposal is subject to the Bushfire Prone Areas Code because it is a hazardous use, defined in the Code as where:

(a) the amount of hazardous chemicals used, handled, generated or stored on a site exceeds the manifest quantity as specified in the Work Health and Safety Regulations 2012;

or

(b) explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the Explosives Act 2012.

In this case the amount of hazardous chemicals stored onsite (compressed oxygen and methanol) exceeds the manifest quantity as specified in the Work Health and Safety Regulations 2012.

E1.5.2 Hazardous Uses Hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 No Acceptable Solution.	**P1** A hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy and bushfire hazard management plan as specified in A2 and A3 of this Standard; and (e) other advice, if any, from the TFS.	The Bushfire Hazard Report (Andrew Welling, Enviro-dynamics, 28 August 2019) submitted with the application addresses the Performance Criteria P1 and determines that the proposal complies.
A2 An emergency management strategy, endorsed by the TFS or accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable	**P2** No Performance Criterion.	The Bushfire Hazard Report (Andrew Welling, Enviro-dynamics, 28 August 2019) submitted with the application addresses the Acceptable Solution A2 and determines that the proposal

risk that is specifically developed to address the characteristics, nature and scale of the use having regard to: (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; and (b) available fire protection measures to: (i) prevent the hazardous use from contributing to the spread or intensification of bushfire; (ii) limit the potential for bushfire to be ignited on the site; (iii) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and (iv) reduce risk to emergency service personnel.		complies.
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	**P3** No Performance Criterion.	A Bushfire Hazard Report including a bushfire hazard management plan (Andrew Welling, Enviro-dynamics, 28 August 2019) has been provided with the application in accordance with Acceptable Solution A3.

E3 - Landslide Code

Part of the site around Tent Hill is covered by areas of Low and Medium Landslide Hazard risk.

The proposed hatchery and staff accommodation buildings are located well clear of the Landslide Hazard Areas.

The proposal does include an irrigation pipeline and access along the eastern side of Tent Hill, within areas of Low and Medium Landslide Hazard risk, so assessment against the relevant standard is required.

E3.7.1 Buildings and Works, other than Minor Extensions To ensure that landslide risk associated with buildings and works for buildings and works, other than minor extensions, in Landslide Hazard Areas, is: (a) acceptable risk; or (b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**

A1 No Acceptable Solution.	**P1** Buildings and works must satisfy all of the following: (a) no part of the buildings and works is in a High Landslide Hazard Area; (b) the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.	Assessment against the Performance Criteria is required. (a) There are no areas of High Landslide Hazard on the site and therefore no works within such an area. (b) The works proposed within the Low and Medium landslide risk areas are minor and considered to be within the scope of acceptable risk.

E5 – Road and Railway Assets Code

The proposal is subject to this Code as it involves upgrade and intensification of the use of the existing access from the Lyell Highway, recently constructed as part of the reorganisation of boundaries under DA2019/25.

The Lyell Highway is a category 3 road for which the Department of State Growth is the road authority. Advice from the Department of State Growth has been received in regard to this application.

The application documents include a Traffic Impact Assessment (Midson Traffic Pty Ltd, August 2019).

The proposal is assessed against the relevant standards below.

E5.5.1 Existing road accesses and junctions To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	**P2** Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative	Assessment against the Performance Criteria is required. The Traffic Impact Assessment finds that the volume of traffic to be generated by the proposed use and development can be accommodated without safety issues or unreasonable impact to the safety of the road, provided that a basic left turn (BAL) treatment is provided, so that trucks entering the site can decelerate safely before turning. The Department of State Growth (road authority) has advised that a new access

	access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.	works permit will be required before these works are undertaken. Conditions addressing these matters are included in the recommendation below.

E5.6.4 Sight distance To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	**P1** The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.	The TIA assesses the sight distance for the access in section 4.4. The speed limit on this section of the Lyell Highway is 100km/h so the Safe Intersection Sight Distance shown in Table E5.1 is 250m. The TIA identifies that the available sight distance exceeds 300m in both directions, satisfying the Acceptable Solution A1.

E6 - Parking and Access Code

This Code applies to all use and development.

The proposal is assessed against the relevant use standards below.

E6.6.1 Number of Car Parking Spaces To ensure that: (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport. (b) a use or development does not detract from the amenity of users or the locality by: (i) preventing regular parking overspill;

(ii) minimising the impact of car parking on heritage and local character.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1; except if: (i) 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;	**P1** The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following: (a) car parking demand; (b) the availability of on-street and public car parking in the locality; (c) the availability and frequency of public transport within a 400m walking distance of the site; (d) the availability and likely use of other modes of transport; (e) the availability and suitability of alternative arrangements for car parking provision; (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces; (g) any car parking deficiency or surplus associated with the existing use of the land; (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site; (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity; (j) any verified prior payment of a financial contribution in lieu of parking for the land; (k) any relevant parking plan for the area adopted by Council;	Table E6.1 does not specify a number of car spaces for the Resource development use class. The proposal includes dedicated parking areas for the hatchery complex and staff accommodation that will be sufficient to meet the requirements of the use, as demonstrated in the TIA. The proposal meets the Acceptable Solution A1.

	(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;	
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability To ensure that a use or development provides sufficient accessible car parking for people with a disability.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	**P1** No Performance Criteria.	The proposal includes accessible parking spaces in both of the proposed parking areas, in accordance with A1.

The proposed access and car parking has been designed to demonstrate comply with the relevant development standards including access design, passing bays, layout, lighting, landscaping and surface treatments.

Conditions are included in the recommendation below in regard to this matters.

E7 – Stormwater Management Code

This Code applies to all use and development. The proposal is assessed against the relevant standards below.

E7.7.1 Stormwater Drainage and Disposal To ensure that stormwater quality and quantity is managed appropriately.		
Acceptable Solutions	**Performance Criteria**	**OFFICER COMMENT**
A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	**P1** Stormwater from new impervious surfaces must be managed by any of the following: (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 (b) collected for re-use on the site; (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and	Stormwater will be managed onsite, with drainage to be directed to swale drains and then disperse to natural watercourses in accordance with the Performance Criteria.

	managed to minimise the risk of failure to the satisfaction of the Council.	
A2 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: (a) the size of new impervious area is more than 600 m2; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	**P2** A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.	The proposed stormwater management system incorporates water sensitive urban design principles and complies with A2.
A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	**P3** No Performance Criteria.	The stormwater management system is designed to comply with the requirements of A3.

E11 – Waterway and Coastal Protection Code

There are a number of Waterway Protection Areas on the site, following natural drainage lines.

Both the hatchery complex and staff accommodation buildings are located outside these overlay areas. There are access roads, pipelines and the dam located within Waterway Protection Areas.

As the proposal is a Level 2 activity, it is exempt from assessment under this Code in accordance with Clause E11.4.1 (a).

Lake Meadowbank Specific Area Plan

Part of the subject land is located within the Lake Meadowbank Specific Area Plan (SAP) overlay.

The purpose of this specific area plan is to provide for the use and development of the land immediately adjoining Lake Meadowbank for recreational purposes whilst maintaining environmental quality consistent with Local Area Objectives and Desired Future Character Statements for the area.

The proposed hatchery and majority of the associated infrastructure and development are located outside of the SAP area. The only parts of the proposal that are within the SAP area are a small section of irrigation pipe work and part of the area to be irrigated with reuse water. The pump station already approved in DA2019/20 is also within the SAP area.

F1.4 Use Table

The irrigation within the SAP area is considered to be part of the *Resource development* use class, specifically for agricultural use, which is Discretionary under the SAP use table. The proposal is considered to be suitable for the site as agricultural use is consistent with the existing use of the land and surrounding area and the values of Lake Meadowbank will be protected, as detailed in the application documents.

The proposed use of the approved pump station and water reticulation pipelines within the SAP area will serve the agriculture and aquaculture uses of the site. The SAP Use Table specifies that the *Resource development* use class is Discretionary, with the qualification '*Only if an agricultural use'.* The SAP does not specify the status of other sub uses of the *Resource development* use class, including aquaculture. There are no uses are listed in the Prohibited section of the SAP Use Table, which means no uses are Prohibited in the SAP area.

To determine the status of aquaculture, it is therefore necessary to refer back to the Use table of the underlying zone, in this case the Rural Resource Zone. The status of the *Resource development* use class in the Rural Resource Zone Use Table, Clause 26.2 is:

> *No Permit Required Only if agriculture, bee keeping, crop production, forest operations in accordance with a Forest Practices Plan, horse stud or tree farming and plantation forestry in accordance with a Forest Practices Plan.*
>
> *Permitted* *Except where No Permit Required or Discretionary*
>
> *Discretionary* *Only if intensive animal husbandry*

Aquaculture is not listed under the No Permit Required or Discretionary qualifications, so it falls in the Permitted use category.

As mentioned previously, the applicant considers that the irrigation infrastructure can be classified under the *Utilities* use class. *Utilities* is a Permitted use in the SAP Use Table.

Under either interpretation the proposed use and development can proceed within the Lake Meadowbank Specific Area Plan.

F1.5 Application Requirements

This section of the SAP requires an Aboriginal Heritage Assessment or statement from Aboriginal Heritage Tasmania to be provided with all discretionary Development Applications.

In this case the applicant has provided an Aboriginal Heritage Assessment Report completed by suitably qualified people (Stuart Huays, Archaeologist Cultural Heritage Management Australia and Rocky Sainty, Aboriginal Heritage Officer).

The site outcomes/recommendations from the Aboriginal Heritage Assessment are copied below:

> **Recommendation 1**
>
> No Aboriginal sites were identified during the field survey of the proposed Tassal fish farm hatchery development at 56 Woodmoor Road, Ouse. A search of the AHR shows that there are no registered Aboriginal sites that are located within or in the immediate vicinity of the study area, and it is assessed that there is a low potential for undetected Aboriginal heritage sites to be present.
>
> On the basis of the above, it is advised that the proposed development will have no impacts on known Aboriginal sites, and therefore there are no Aboriginal heritage constraints, or legal impediments to the project proceeding.
>
> **Recommendation 2**
>
> It is assessed that there is generally a low potential for undetected Aboriginal heritage sites to occur within the study area. However, if, during the course of the proposed development works, previously undetected archaeological sites or objects are located, the processes outlined in the Unanticipated Discovery Plan should be followed (see section 11). A copy of the Unanticipated Discovery Plan (UDP) should be kept on site during all ground disturbance and construction work. All construction personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the Aboriginal Heritage Act 1975 (the Act).
>
> **Recommendation 3**
>
> Copies of this report should be submitted to Aboriginal Heritage Tasmania (AHT) for review and comment.

The Aboriginal Heritage Assessment meets the requirements of F1.5 of the SAP.

F1.6 and F1.7 – Development Standards

The SAP provides standards relating to Camping Areas and Caravan Parks (F1.6) and Tourism Operations and Visitor accommodation (F1.7).

None of these standards are relevant to the assessment of this proposal.

Representations

The proposal was advertised for 28 days (as required for Level 2B proposals) from 8th December 2018 until 24th December 2018.

A total of eighty five (85) representations were received from members of the public. One of the representations was fully in support of the proposal. Some were partially supportive of the move toward a recirculating hatchery as an improvement to existing flow-through hatcheries in the area, though still had concerns about the specifics of this proposal.

Submissions were also received from agencies, including the Department of State Growth in regard to traffic and DPIPWE in regard to the dam approval. Hydro Tasmania provided advice that they have no objection to the proposal.

The matters raised in the representations are presented in the table below. The issues relevant to the Council assessment are presented first and the environmental matters (addressed by the EPA) are then presented in approximate order of how often they were mentioned by representors.

As a Level 2 project, the issues raised in regard to environmental matters are assessed and monitored by the EPA. Appendix 2 of the EPA Environmental Assessment Report provides detailed breakdown of the representations. The Environmental Assessment Report and Environmental Licence conditions are appended to this report and are available online at https://epa.tas.gov.au/assessment/assessments/tassal-operations-pty-ltd-hamilton-recirculatory-aquaculture-system-hatchery-ouse

Issue 1
Recreational Value of Meadowbank Lake

Concerns that the proposal would impact the recreational and scenic values of the lake, including water quality, noise and visual amenity.

Values identified in the submissions include:

- Water sports, particularly water skiing (clubs and others)
- Fishing and trout stocks
- Camping/holiday homes
- General scenic/recreational value
- Tourism value
- Long term users
- Access to lake side recreational area adjacent to the site

Examples	**Officer comments**
As a Recreational Fisherman and Camper who has used the area for many years I am concerned by the possibility of Lake Meadowbank and the Derwent River being contaminated by chemical biproducts. Such a reduction in the status of Meadowbank Lake and the region as a whole as a tourist, holiday or recreation destination would also have negative effects on any number of local businesses including service stations, accommodation providers, restaurants, food outlets, shops, farm shops and others. It only needs a single incident to sully the name of an area or region and forever cause people to link an area with a bad memory. *The area is one on the prime visual ones in the Derwent Valley, and highly recognised as a popular picnic and recreational precinct. In particular, it is an important angling and water-skiing lake.* As a family we have enjoyed Meadowbank Lake for many years as a water ski destination and holiday destination.	The recreational values of Meadowbank Lake are recognised, supported and promoted by Council. The main hatchery complex will not be visible from Meadowbank Lake. The environmental management of the proposal under the EPA is expected to protect these values. With regard to the lake side recreational area located near the pump station and used by adjoining land owners – this site is located on Hydro owned land and access to it currently relies on land that is part of this application (currently 56 Woodmoor Road, future Tassal lot). Council have no jurisdiction over this situation.

Issue 2
Traffic and Access from Lyell Highway

Concerns regarding the increased traffic to the site and safety of Lyell Highway.

Examples	**Officer comments**
This facility would also increase heavy traffic on the already stressed Lyell Highway. *6 Trucks at night and 12 during the day will have a huge impact on the amenity of the residences closest to the hatchery. This quantity relative to the current situation will result in a profound increase in traffic flow in the immediate area*.	The proposal is accompanied by a Traffic Impact Assessment and has been considered by the road authority, Department of State Growth. The proposal is not expected to impact the safety or efficiency of the road, subject to the upgrade of the access point with a turn lane as required in the recommended conditions.
Issue 3 ***Internal access road*** Concerns relating to lack of information regarding the construction standard for the internal rural access road and impacts of these works.	
Example	**Officer comments**
Part of the DA is to create a pipeline and access road from the hatchery, around the side of Tent Hill to the lakes edge, to the pumpstation. This road is of major significance. It does not get a mention in this DA, nor the previous DAs! It is proposed to traverse across the Eastern side of Tent hill which is an extremely steep slope to the point that there is already evidence of land sliding. In order to retain the hill both above and below the road an extensive batter would be required.	The application does not include detailed plans of the internal access road to the pump station/lake side. A condition is included in the recommendation to require plans of the road to be submitted to Council for approval prior to construction.
Issue 4 ***Previous approvals*** Concerns regarding the previous DAs for the site for a pump station/irrigation infrastructure (DA2019/20) and boundary reorganisation (DA2019/25), including that the proposals should have all been included in one DA and that the separation of the DAs was misleading/non transparent.	
Examples	**Officer comments**
The fact that the previous two DAs were stepping stones was understood by many people since May, it was only at this point that the information became available for everybody to see. *If Tassal had disclosed within the Pumpstation DA that the intended use of this pumpstation was for Aquaculture it would have been refused by council.* Their previous planning applications in this area have not been transparent. They knew what their overall plans were all along but they have applied for things in small stages, each of which was likely to get approved whereas applying for the whole project at once may not have been. This suggests to me that the applicants may not be being transparent now. *The current DA appears to be but the next one of a series made progressively by Tassal over the past six months or so (DAs 2019/20/25 and 62 etc) and which together might be seen as seeking approval for the overall development by*	The concerns of the representor are noted and while it is evident that the three proposals (DA2019/20 – pump station/irrigation, DA2019/25 – boundary reorganisation and this DA) are related to some extent, it is considered that it is reasonable to consider them as separate valid applications.

stealth. There seems to be lack of consultation with the local property owners, and an almost deliberate covering up of any actual linkage between these various DAs.	

Issue 5
Use Class status and Lake Meadowbank SAP

Concerns that the proposal uses an incorrect use class (Utilities) and that Aquaculture is prohibited within the Lake Meadowbank Specific Area Plan.

Examples	**Officer comments**
Within this DA Tassal are seeking to change the classified use for the pumpstation from "Agriculture" to "Utilities". This is because under the "Specific Area Plan" (SAP) that applies to roughly 75 meters of the land surrounding the lake Aquaculture is NOT permitted. This means that if Tassal had disclosed within the Pumpstation DA that the intended use of this pumpstation was for Aquaculture it would have been refused by council.	The use classification and status of Resource development – aquaculture is considered in the body of this report. In summary, aquaculture is not prohibited in the Lake Meadowbank SAP and the use classification of the irrigation infrastructure does not impact whether this DA can be approved.

Issue 6
Pump station shed

Concerns that the proposal includes a large pump station shed close to Lake Meadowbank.

Examples	**Officer comments**
In this DA the pumpstation has grown to a whopping 20 x 12 x 4. 8mtr High shed *A pump shed of this proportion would be unprecedented on the lakes edge – and a complete eyesore which is completely inappropriate*	There appears to have been some confusion regarding the size of the pump shed to be constructed adjacent to Meadowbank Lake. The pump shed near the lake shore will be a 3m x 4m and 2.8m high, similar to existing pump stations near the lake. The larger shed referred to in the representations (20m x 12m x 4.8m) is the chiller pump shed, to be located in the hatchery complex.

Issue 6
Tassal – Reputation

Concerns regarding Tassal operations generally and the 'track record' of the company.

Examples	**Officer comments**
My concern is regarding the very nature of the company involved. The effect of fish farm operations in Tasmania and world wide on the local environment has been widely negative, ranging from the poisoning of Macquarie Harbour to dead zones and the destruction of local environments, the diverting of water supplies and causing costs to local councils and people. *Government bodies such as the EPA have demonstrated with salmon-farming in Macquarie Harbour and the Derwent Estuary that they are not able to adequately monitor or prevent harm arising from salmon farms.*	This concern cannot be considered in the assessment of the Development Application.

Issue 7
Application process/Consultation

Concerns that pre-application consultation did not include many users/land owners around Lake Meadowbank.

Concerns that the process has been secretive/misleading.

Examples	**Officer comments**
I have very strong reservations about the process that Tassal have adopted to make this application and have serious doubts about all aspects of this plan. At no point, have we been contacted by TASSAL or been involved in any consultation. This is a concern to us as we have a holiday home on the lake in close proximity to the proposal and are highly disappointed that we have not be included in any consultations whatsoever.	This concern is noted. While it is unfortunate that some interested parties were not involved in pre-application consultation. However, this process is optional and does not form part of the statutory requirements for a proposal.

Issue 8
Inappropriate site

Concerns regarding site selection and that alternatives should be considered.

Examples	**Officer comments**
Doesn't seem to be any reason why the hatchery needs to be located near Meadowbank Lake. Alternatives should be considered. *This hatchery should be built in a location away from the lake in a place where drainage is not into any major watercourse. Water can be easily piped to that location, possibly even from Meadowbank Lake, as long as the hatchery was far enough away from the lake or any major watercourse.* I feel that this location is unsuitable for this development.	Council must consider the proposal before it, there is no power to consider other sites or options. The EIS provided by the applicant states that 14 sites were initially considered for this project and evaluated against various criteria, including infrastructure, economic and environmental variables. The proposed site met the desired characteristics to the greatest extent.

Issue 9
Visual Impacts

Concerns regarding the visual impact of the proposal including:

- from the road/surrounding area
- from neighbouring properties
- from Meadowbank Lake; and
- light pollution at night.

Examples	**Officer comments**
I am concerned about the visual impact of the project, Firstly of an enormous shed and development in a fairly open area which is visible from many locations in the valley and is out of place in this largely rural area. *I object to the visual impact of the proposed large pumping shed very close to the lake. Small agricultural irrigation structures are to be expected in a rural area but this is large and very close to the lake.*	The proposed development will certainly be visible from the road and neighbouring properties. The design includes earth berms and landscaping to partially screen the hatchery complex. The colours of external building materials have been selected to blend with the surrounding landscape as much as possible.

	The application documents include a visual impact assessment. With regard to views from Meadowbank Lake, the only part of the development that will be visible from the lake is the small pump station building. External lighting will be positioned and baffled to avoid light spill to neighbouring properties. Overall, it is considered that the visual impact of the proposal is mitigated to an acceptable degree.
Issue 10 ***Hydro – Management of Lake Meadowbank water levels and priority for users*** Concerns regarding how the water needs of the proposal will be balanced with other users during droughts or lake draw downs.	
Examples	**Officer comments**
It would be interesting to know how (and why) Hydro plan on managing Tassal and its water demands (at a rate of 650 ML/year) when the water resources are stretched. When Hydro choose to lower the level of Meadowbank Lake for maintenance of the dam wall or other reasons, as the water retracts the lake reverts back to the original route of the river over a few of days. Tassal are aware of this and seek to build a suction pipeline that will extend as far as it needs to ensure it can always suck water. *What about water security for other users during droughts.* Given that we now have extremes of climate occurring in Australia and water supplies may be limited in the future, should we be allowing more aquaculture to be located on our fresh water supplies in Tasmania?	Hydro Tasmania own and manage Meadowbank Lake, including rights to take water. Hydro Tasmania have advised that they have no objection to the proposal subject to the implementation of the monitoring and management measures proposed in the EIS and as required by the EPA.
Issue 11 ***Devalue properties*** Concerns that the proposal will devalue surrounding properties.	
Examples	**Officer comments**
Tassal's hatchery, as it stands, will devalue neighbouring properties immensely. I am also concerned about the impact this noise could have on the, as yet undeveloped, sites on my property. It could negatively affect their desirability and value.	The concern is noted, however property values are not a planning consideration.
Issue 12 ***Environmental Impacts on Water Quality***	

Concerns regarding the potential environmental impacts relating to the water quality of Lake Meadowbank and wider catchment area.

Specific concerns include:

- Leaching, run off and spray drift of recycled water
- Drinking water quality as a source for Hobart and locals
- Farming/irrigation water quality
- Increased nutrients leading to toxic algal blooms and/or increase in lake weeds
- Salinity/sodicity of soils and water
- Onsite wastewater treatment (for staff residence and amenities)

Examples	**Officer comments**
Unfortunately, the reality of irrigation is that run---off will occur to some degree. Particularly on undulating ground typical of the Derwent Valley, water will follow the natural water courses of the ground – this is simply part of nature. *Concerned by the possibility of Lake Meadowbank and the Derwent River being contaminated by chemical biproducts (ie Nitrates, Phosphorous and possibly some Antibiotics) associated with Fishery Operations*. The proposal reveals that the terrain and the rock strata will inevitably mean that this product will find its way back to Meadowbank Lake *Inadequate attention given to potential for runoff and spray drift entering the lake Throughout the EIS the proponent clearly implies that there is no possibility of run-off or spray drift of treated waste water entering into Meadowbank Lake.* I do not want to be pumping tainted water for irrigation on my property. *This is a plan to distribute the domestic water being us ed by humans in the hatchery and in the staff residenc e, onto the grounds surrounding the hatchery. This wa ter will include human effluent and has the potential to make its way into the small dam or the drains leading to it or those drains that carry water to Meadowbank Lake.*	The matters raised are in relation to environmental considerations, which have been assessed by the EPA. See Environmental Licence Conditions EF1-EF5, M1-M7 and SW1-2.

Issue 13
Noise

Concerns regarding noise from the proposal, including the hatchery building, pump station and traffic.

Examples	**Officer comments**
The noise produced from this pumpstation will have a devastating impact on the local environment and amenity, completely ruining the enjoyment of the neighbour's recreational area to the East and to anyone wishing to create a recreational area to the West. Its impact will be far reaching as it will be heard on the other side of the lake as well, particularly at Sound carries across water and the prevailing NW winds carry sound towards the closest residence. I am also concerned about noise from what will need to be a very large pumping system near the lake's edge. The noise, potentially 24 hours a day, will be transmitted over the lake	The matters raised are in relation to environmental considerations, which have been assessed by the EPA. See Environmental Licence Conditions N1-N5.

surface through the air affecting other lake users and the owners of homes, caravans and other accommodation in the area *Also of concern is the noise from the 24 hour a day's pumping system. Again noise carries across the lake and we would like to be assured that adequate noise insulation would be part of the proposed development for the pump house.* 6 Trucks at night and 12 during the day will have a huge impact on the amenity of the residences closest to the hatchery.	

Issue 14
Odour

Concerns regarding odour impacts from the proposal.

Examples	**Officer comments**
Please consider the possible odour emissions in summer and how they might impact on those living close by and those visiting the recreational area. *Of course, with a fish factory comes fish effluent and th e remains of uneaten food, these produce a horrible o dour!* Being a fish farm, the hatchery will produce 3 sources of odour: The smell from fish effluent, the smell from the uneaten fish food and the smell from fish mortalities.	The matters raised are in relation to environmental considerations, which have been assessed by the EPA. See Environmental Licence Conditions A1-A5.

Issue 14
Flora and Fauna

Concerns regarding impacts on flora and fauna in the area.

Examples	**Officer comments**
Who will stop impacts of the hatchery on soil, flora and fauna? *I am further concerned that impact assessments on flora and fauna etc. have been restricted to the immediate area of the proposed sheds etc. when the effects will be more widespread.* Nowhere does it acknowledge the wildlife, the platypus, the wedge tailed eagles, the grey goshawk or the mammals that exist there. The roadworks have not considered any native vegetation.	The matters raised are in relation to environmental considerations, which have been assessed by the EPA. See Environmental Licence Condition FF1.

Issue 15
Emergency management/Unexpected occurrences

Concerns regarding management of the site during emergencies such as a flood, fire or dam failure.

Concerns regarding potential for accidents and the like.

Examples	**Officer comments**
There are also weather extremes which will means reduced	The matters raised are in relation to

water (with Tassal wanting to use it at the expense other others) in times of drought and flooding which will cause pollution. *The Proponents Environmental Assessments is based on History (Rainfall, Temperatures etc.) but with our climate changing rapidly statistics like these become unreliable. Extreme Weather Events that we now see all over Australia may dump five inches of rain in 24 hours in the dam or 40 Degree heat accompanied by 100km winds may start an unmanageable bushfire as seen a few years ago on the opposite side of the lake.* Although the Proponents has included Fire prevention equipment and surplus water will they have enough manpower to protect a large facility from a wildfire. Very little help is available from other sources due to isolation.	environmental considerations, which have been assessed by the EPA. See Environmental Licence Condition OP2 - Contingency Management.

Conclusion

The proposal for a recirculating aquaculture system hatchery and associated infrastructure and development at 56 and 90 Woodmoor Road, Ouse is assessed to comply with the applicable standards of the Rural Resource Zone and Codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

Aquaculture for finfish is a Level 2 Activity and environmental assessment of this proposal has been undertaken by the EPA, in accordance with the statutory requirement. The EPA have determined to grant an Environmental Licence for the proposed activity, subject to issuing of a permit by Council and conclusion of any appeals that may arise.

The proposal was advertised for public comment and eighty five (85) representations were received from the public. The concerns of the representors have been addressed in the EPA assessment and this report (where relevant to the planning consideration).

It is recommended that Council approve the development application, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2019/62 in accordance with the requirements of the Land Use Planning and Approvals Act 1993 (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the Judicial Review Act 2000 and the Local Government (Meeting Procedures) Regulations 2015. Section 25 (2) of the Local Government (Meeting Procedures) Regulations 2015 states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2019/62 in accordance with one of the following options:

1. **Approve in accordance with the Recommendation:-**
   In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority Approve the Development Application for the Hamilton Recirculating Aquaculture System Hatchery at 56 and 90 Woodmoor Road, Ouse (CT251957/1, CT36657/2, CT36657/5, CT84290/1 and CT122993/3) subject to conditions in accordance with the Recommendation.

2. **Approve with altered conditions:-**
   In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority Approve the Development Application for the Hamilton Recirculating Aquaculture System Hatchery at 56 and 90 Woodmoor Road, Ouse (CT251957/1, CT36657/2, CT36657/5, CT84290/1 and CT122993/3), subject to conditions as specified below.

   Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

   Alteration to Conditions:-

3. **Refuse to grant a permit:-**
   In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority Refuse the Development Application for the Hamilton Recirculating Aquaculture System Hatchery at 56 and 90 Woodmoor Road, Ouse (CT251957/1, CT36657/2, CT36657/5, CT84290/1 and CT122993/3), for the reasons detailed below.

   Should the Planning Authority opt to refuse to grant a permit contrary to the officerRecommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

   Reasons :-

RECOMMENDATION FROM PLANNING COMMITTEE

Moved **Clr Poore** Seconded **Clr Bailey**

THAT the Planning Committee recommends approval in accordance with Option 1:

1. **Approve in accordance with the Recommendation:-**
   In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority Approve the Development Application for the Hamilton Recirculating Aquaculture System Hatchery at 56 and 90 Woodmoor Road, Ouse (CT251957/1, CT36657/2, CT36657/5, CT84290/1 and CT122993/3) subject to conditions in accordance with the Recommendation.

Recommended Conditions

General

1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the land Use Planning and Approvals Act 1993.

Approved Use

3) The staff accommodation is approved as ancillary to the *Resource development (aquaculture)* use only. It must not be used for any other purpose or intensified without prior Council approval.

External finishes

4) All external building materials associated with the development are to be of types and colours specified in the approved plans, unless otherwise approved.

5) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's Senior Planning Officer.

Landscaping

6) Before any work commences submit a landscape plan prepared by a landscape architect or other suitable person must be submitted to and approved by Council's Senior Planning Officer. The landscape plan must show the areas to be landscaped, the form of landscaping, plants species, estimates of mature height and growth habit and any required maintenance. The landscaping plan shall form part of the permit when approved.

7) The landscaping works must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's Senior Planning Officer within six (6) months of the first use of the development. All landscaping must continue to be maintained to the satisfaction of Council's General Manager.

Parking & Access

8) At least seventeen (17) parking spaces for the hatchery and six (6) parking spaces for the staff accommodation must be provided on the land at all times for the use of the occupiers in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.

9) Unless approved otherwise by Council's General Manager the internal private driveway and areas set-aside for parking and associated access and turning must be provided in accordance the endorsed drawings, Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and include all of the following;

    - A minimum trafficable width of 3m.
    - Provision for two way traffic.
    - Constructed with a durable all weather pavement.
    - Drained to an approved stormwater system.
    - Line-marking or some other means to show the parking spaces.

10) Adequate manoeuvring space must be provided in accordance with Standards Australia (2002): Australian Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Standards Australia, Sydney to ensure that heavy trucks or articulated vehicles may leave the site in a forward direction.

11) The loading and unloading of goods from commercial vehicles must only be carried out on the land in accordance with Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney.

12) All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's General Manager.

13) Prior to any works commencing, design drawings of the proposed internal rural access road are to be submitted to and approved by Council's General Manager.

14) All works required by a Traffic Impact Assessment (TIA) in respect of access to the land must be completed to the satisfaction of Council's General Manager before the use commences, specifically a basic left turn (BAL) treatment is to be provided from the Lyell Highway in accordance with the requirements of the Department of State Growth.

Access to State Roads

15) All work on or affecting the State Road, including drainage, must be carried out in accordance with a valid permit provided by the Transport Division of the Department of State Growth. No works on the State Road shall commence until the Minister's consent has been obtained and a permit issued in accordance with the Roads and Jetties Act 1935 (contact permits@stategrowth.tas.gov.au.)

Stormwater

16) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Councils General Manager.

Services

17) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Aboriginal Heritage

18) The recommendations of the Aboriginal Heritage Assessment Report Final Version 1 (Cultural Heritage Management Australia, 25/4/2019) must be implemented during construction, including:

- If during the course of the proposed development works, previously undetected archaeological sites or objects are located, the processes outlined in the Unanticipated Discovery Plan should be followed;
- A copy of the Unanticipated Discovery Plan (UDP) should be kept on site during all ground disturbance and construction work; and
- All construction personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the Aboriginal Heritage Act 1975.

Dam Works

19) The permit holder must submit a Notice of Intent (Attachment 1) to commence dam works (see Note 2) to the Department (see Note 1) before dam works commence. Dam works must not commence prior to the nominated start date on this notice, unless otherwise authorised by the Department.

20) The Notice of Intent to commence dam works must be signed by the permit holder, the person constructing the dam (the contractor) and the site supervising engineer, confirming that these persons have read and understand the permit and conditions.

21) Dam works must be carried out in accordance with the Water Management (Safety of Dams) Regulations 2015 and the Water Management Act 1999.

22) The works must be carried out in accordance with the following report:

"Tassal Operations Pty Ltd Engineering Pre-Construction Report Recycled Water Storage Dam Hamilton Recirculating Aquaculture System" Consultants Macquarie Franklin August 2019

23) Notwithstanding condition 4, the dam must contain a clay and or HDPE liner which must have a maximum in-situ permeability of 1x10-9 m/s throughout the full depth of the liner. In-situ testing for verification of permeability must be carried out in accordance with AS1289.

24) A person with a minimum of Class 1 competence (the "site engineer") (see Note 3) must be in charge of all earth works and be responsible for:

• Conducting quality control tests and sampling in the field;

• Verification of all quality control testing; and

• Completion of documentation of all relevant activities including engineering design,

construction and quality assurance activities.

25) Within 14 days of the completion of dam works the permit holder must submit to the Department a "Work-as-Executed" report, prepared by the site engineer, setting out as-constructed details of compliance with conditions including all items required to be supervised by the site engineer at Condition 5.

Note: Conditions 18 – 24 above provided by the Water Management and Assessments Branch, Department of Primary Industries, Parks, Water & Environment (Contact: anna.harper@dpipwe.tas.gov.au or 6165 3019).

The following advice applies to this permit:

a) This permit does not imply that any other approval required under any other legislation has been granted.

b) This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 is required to be obtained prior to construction.

Notes relating to Dam Conditions:

Note 1: References to the "Department" mean the Department of Primary Industries, Parks, Water and Environment or its successor responsible for administration of the Water Management Act 1999. Where a permit condition requires a submission to, or authorisation from, the Department, the relevant contact officer is the Section Head Dams Administration Water Management and Assessment Branch

Note 2: "dam works" includes clearing, scraping and excavations at the dam site, other than test pits.

Note 3: Site Engineer means a person with a minimum of Class 2 competence, as prescribed under the Water Management (Safety of Dams) Regulations 2015.

Carried

For the Motion: Clr Allwright, Clr Poore, Clr Bailey

Against the Motion: Mayor Triffitt

7.0 OTHER BUSINESS

Nil

8.0 CLOSURE

There being no further business the meeting closed at 10.35am