

Quoin,
3951 Palana Road,
Killiecrankie,
TAS 7255

11/05/16

Dear Sir/Madam,

RE: DEVELOPMENT APPLICATION – QUOIN

Please find attached the relevant paperwork for a Development Application for:

- A new dwelling
- Shedding for agricultural purposes
- Alterations to an existing bunkhouse/visitor accommodation
- Related water tanks and on-site waste water systems
- Internal road networks

This development is substantially different for the recent application for Visitor Accommodation which was refused planning consent through the Planning Tribunal.

Yours faithfully,

Tom and Jo Youl

Planning Report

Proposal

The proposal consists of the following elements:

- Maintenance Shed – for storage of equipment. Marked 1 on the site plan.
- New house for Owner – located within the farming area of the site so as to control both the farming and visitor operations. Marked 2 on the site plan.
- Retain current owner's house (staff house). Marked 3 on the site plan.
- Refurbishment outbuildings – 3 bedroom bunkhouse. Marked 4 on site plan.
- Storage Shed – for farming based equipment. Marked 5 on the site plan.
- Internal Road network
- All related servicing facilities – watertanks; wastewater systems and the like

A full set of plans are attached as **Appendix A**.

Site

The development will take place on part of CT170037/2/3/6, and CT170038/1 – 3951 Palana Road, Killiecrankie. Impacted titles are attached at **Appendix B**.

This is a large grazing property with frontage to Palana Road and running through to the west coast of the Island. The topography of the site is such that the land is relatively flat from Palana Road heading west until the vegetation changes from grazing to coastal scrub. The land then is formed into a series of valleys and rises and then drop off to the shoreline.

Expert studies have been commissioned to consider the matters of flora and fauna; coastal impact and indigenous heritage.

The extent of the property holding is graphically illustrated below.



Title Details

Property Address	3951 PALANA RD KILLIECRANKIE TAS 7255
Property ID	3368046
Title Reference	170038/1

Property Address	3951 PALANA RD KILLIECRANKIE TAS 7255
Property ID	3368046
Title Reference	170037/6

Property Address	3951 PALANA RD KILLIECRANKIE TAS 7255
Property ID	3368046
Title Reference	170037/3

Property Address	3951 PALANA RD KILLIECRANKIE TAS 7255
Property ID	3368046
Title Reference	170037/2

Planning Scheme

The Planning Instrument covering this site is the Flinders Planning Scheme 1994 (Updated 2000)

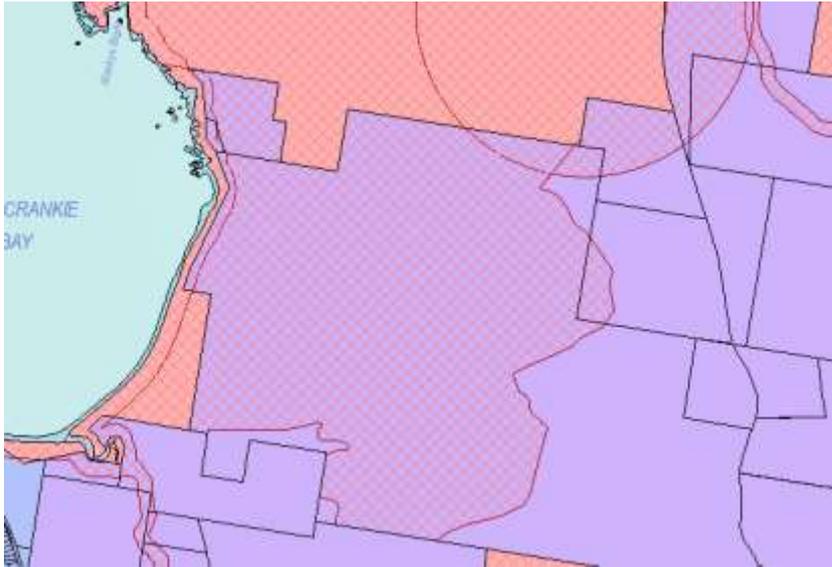
Defined use

Uses are defined within the Planning Scheme in General Classifications and then each use is expanded to give specific examples of the types of use. In this instance the uses proposed fall into the Classification of Residential – House; Tourism – Guest house, Holiday cabin, Holiday flat and tourist operation and Rural – shedding for agricultural purposes and Animal Keeping (horse shelter).

Zoning and Overlays

The whole Quoin property is zoned Rural under the Planning Scheme. Three Planning Scheme overlays apply to the property (or parts of the property), they are the Attenuation Area (north eastern title) Visual Sensitive and Shoreline Waterbody overlays (only first 100m from shoreline).

Dealing with the Attenuation Area – we are advised by Council that this is an old, disused quarry and that the buffer will be removed under the new planning scheme. As such the matter can be ignored. The only building impacted by this buffer is the horse shelter which by its nature is not a sensitive use.



Key – Purple = Rural Zone; Red Hatch = Visually Sensitive; Red Line = Shoreline Water Bodies and Watercourses; Red Circle = Attenuation Area

Use Table for Development

Within the table of uses which relates to the Rural zone both Tourism and Residential are discretionary uses. Agriculture is a Permitted as of Right use and development and thus the agricultural shedding can be eliminated from the assessment as it does not require a planning permit. Animal Keeping is a discretionary use and thus the horse shelter needs assessment.

The alterations to the bunkhouse does not require planning consent due to the nature of the works. As such no further reference is needed to these works.

Zoning

Intent of Rural Zone

(a) The Rural Zone on Flinders Island is intended to maintain the existing rural character of the island which is typified by a pattern of areas of open farmland, typically with shelter belts of remnant vegetation, interspersed with irregular areas of native vegetation and substantial unspoiled landform. On other islands within the Planning Area the zone is intended to preserve the existing character which displays minimal signs of European occupation.

(b) Use and development in the Rural Zone is intended to accommodate agricultural uses and development predominantly, with some compatible non-agricultural uses and development in appropriate circumstances, including tourist operation and rural industries. Forest plantations may be appropriate where they do not adversely affect the character of an area or detract from important views.

The proposal aligns well with the intent of the zone. The zone envisages the integration of tourist operations and rural pursuits in line with the proposal under consideration. A new owner's dwelling will free up the current house to be used as a farm manager's residence. The horse shelter is needed to link to the equestrian arena on the same title.

Desired Zone Character and Zone Guidelines

(a) The use or development of small existing rural lots for the purpose of residential living shall only be approved where such use or development is compatible with any existing or potential agricultural use of that land or surrounding lands.

(b) Use or development should enhance the rural character of the zone. Buildings should be substantial distances from the road frontage and apart, unless inappropriate for operational or topographical reasons. Where land clearance is undertaken it should be visually sympathetic; important trees (or stands of trees) should be retained, important hilltop locations should not be cleared and location of trees and shrubs along fence lines, property boundaries, watercourses and at property entrances is encouraged. Buildings and structures for aquaculture should be sited with regard to the protection of coastal scenery and compatibility with recreational use of the coastline.

(c) Land use or development and management practices shall be environmentally appropriate and shall avoid contamination or despoliation of the land, ground water, water courses, shorelines, lagoons and marshes. Sand-dunes and coastal vegetation and ecologically important areas shall be protected from degradation.

(d) Forestry activities in the zone shall be in accordance with the Forest Practices Code

The proposal aligns well with the Zone Character and Zone Guideline statements. No small lots will be created as a result of this proposal. The proposed buildings are located well back from the road frontages of the subject lands. Here will be no land clearing associated with this development. There will be no contamination or despoliation of land as a result of this development. The proposed use will not generate any pollution – waste water will be addressed through a suitable on-site system designed by experts in this field.

At a distance of 1.5km from the coast there will be no impact on dunes or coastal inundation from any elements in this development.

No forestry activities are proposed with this development.

Subdivision Standards

No subdivision is proposed with this development.

Development Standards

(a) The maximum height of buildings is 8.0 metres unless it can be satisfactorily demonstrated that a higher structure is required for operational, topographic or other justified purposes.

(b) Habitable buildings should be sited and designed to achieve the best solar gain or orientation that the site can provide. Where such design or orientation is not feasible other energy efficient practices, such as insulation, heat pumps or double glazing, should be considered.

(c) Buildings shall be setback a minimum distance of 20 metres from all boundaries.

(d) Regardless of the foregoing minimum setbacks, buildings shall be set back not less than a horizontal distance of 100m from high water mark and 40 m from a perennial watercourse.

(e) Council may relax the setback requirement of the above clause pursuant to the provisions of Clause 3.5 of this Scheme and after giving consideration to:

- i. The particular size, shape, contours or slope of the land and the adjoining land;*
- ii. The adjoining land and uses and zones*
- iii. The position of existing buildings and setbacks in the immediate area;*
- iv. Consideration of any representations received as a result of the notification under Section 57 of the Act.*

(f) The external walls, roof, paving and other large surface areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially screened by landscaping.

(g) A house on any lot which contains only class 4, 5, 6 or 7 land is discretionary and may only be approved if any existing or potential development and use of agricultural land in the vicinity is likely to receive no impact, or only minor impact from the establishment of the residence taking into account:

- (a) The topography of the land;*
- (b) The location of water catchments;*
- (c) The location of neighbouring agricultural pursuits;*
- (d) Buffers created by natural features;*
- (e) Resource sustainability given the objective of the State Protection of Agricultural Land Policy.*

The owner's dwelling is located on the eastern side of a ridge line, off the skyline and not visible from the shore/coast. The buildings are set back more than 20m from all boundaries except the horse shelter (shown on plan at 5.0m setback) where location is driven by function being needed to support the existing horse arena; more than 100m from high water mark and more than 40m from a perennial watercourse. The buildings will be finished in natural colourings using non-reflective materials to blend into the landscape. No buildings will be more than 8m in height. The materials selected for construction will be energy efficient. One of the principles of this development is to create a product that is both functional and sustainable into the future in terms of energy use.

The majority of the land is class 6 and 7 and has limited agricultural potential – the current owners are improving the pasture by employing contemporary farming practices. The non-farm income from the visitor accommodation will supplement the on-farm income.

Matters to Consider in Regard to Use

Use

- (a) Use or development shall not unreasonably impact on any existing or intended use of development of neighbouring land.*
- (b) Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with:
 - (i) the requirements of the intended use, and*
 - (ii) the Zone Intent, or alternatively by**

(iii) an approved Development Plan that has been adopted by Council and inserted as a provision in the Scheme.

(c) Residential Zones shall be protected from encroachment by incompatible use or development.

(d) Rural Industrial operations shall be appropriately located and designed to avoid any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise or visual quality.

(e) Mining and quarrying operations shall be located and carried out in a form which does not conflict with surrounding land use or development, scenic values and the environment.

The applicants own all lands to the north, south and east of the subject site. The impact on adjoining land will be negligible. Indeed a positive aspect of this development will be the diversification of farming practice to open up new product in line with an overall farm plan. The scale of the development, the materials of finish and the specific location of the development have been selected to reduce any impact on more distant neighbouring properties.

The proposal will assist in farm diversification – spreading income and risk across a number of different sectors. As a result the farming operation will be more sustainable in the long term.

Matters listed (b)-(e) do not apply in this instance.

Character

(a) Use and development shall adequately respect the character of, and future intentions for the area in which it is to be located.

(b) Subdivision layout, particularly roads, shall take adequate account of land contours and the need to avoid visual scarring.

(c) Use or development (including public facilities and services) should adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape), landscaping, materials, colours and fencing.

(d) Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.

(e) Where trees are an important element in the character of an area they should be retained.

(f) Signs shall be consistent in type, scale and location, with the intention of the zone, the streetscape and the building or structure on which they are positioned or to which they otherwise relate.

(g) Forestry use or development, particularly plantations, shall be appropriately sited and planned to protect the visual quality and character of the countryside generally, and from important viewing locations in particular.

Great care has been taken with the location of new owner's dwelling to respect the character of the area in which the elements are located. As no subdivision is proposed clause (b) does not apply. The development will not be visible from any public street therefore the impact on streetscape is not relevant. The impact on this land will be negligible. The positive aspect of this development will be the diversification of farming practice to open up new product in line with an overall farm plan. The scale of the development, the materials of finish and the specific location of the development have been selected to reduce any impact on more distant neighbouring

properties. Once the development is established the disturbed areas will be allowed to naturally regenerate.

Clause (d) does not apply as the development does not relate to forestry operations.

Amenity

(a) Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally and particularly the new owners of the lots created by subdivision.

(b) Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance.

(c) Dwellings shall provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space shall provide adequate privacy, be exposed to reasonable levels of sunshine and directly accessible from the dwelling to which it belongs.

As the proposal does not involve new subdivision the provision of Public Open Space does not apply. The new dwelling will have adequate levels of amenity, privacy, sunlight, aspect, views and not be subject to noise intrusion. The same can be said for the manager's dwelling (current dwelling). These statements can be said due to the size of the site and need no further assessment. Private open space around each dwelling is not an issue again due to the size of the land parcel.

Environment

(a) Use or development shall not be allowed to detrimentally affect the environment. All areas, and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent which is consistent with the protection of the values of the area.

(b) Use or Development and land management practices shall be directed towards achieving environmental sustainability, biodiversity and ecological balance, and avoiding environmental damage such as soil erosion, coastal dune erosion, loss of important animal and plant species and increases in vermin populations.

(c) Use or Development shall not be located in areas of unacceptable risk (eg. from fire, flood or landslip). In situations where risk may exist, use and development shall be appropriately sited and designed to provide an acceptable level of protection and safety for future users. In particular:

i. Lands subject to flood risk are those subject to a greater than one in a 100 year flood interval (1% probability), and land, the natural surface level of which is below 3 metres Australian Height Datum (AHD); and

ii. Land which comprises soils of known or suspected instability, has a slope greater than 1 in 4, or is filled or reclaimed land, are deemed to constitute an unstable land hazard; and

iii. Use and development in bushfire prone areas will comply with the provisions of Schedule 7 Development in Bushfire Prone Areas or some other provisions acceptable to Council and the Tasmania Fire Service.

(d) Potentially incompatible Uses or Developments shall be adequately and appropriately located, sited and designed to avoid conflict. Level 2 activities or sources of pollution shall be sited in accordance with the following:

i. Use or Development for a use of land that is a Level 2 activity under the provisions of the Environment Management and Pollution Control Act 1994 shall not be allowed within the lesser distance from a residential zone than that recommended by the Director of Environmental Management.

ii. Use or Development of land that is not a Level 2 activity, but which Council nonetheless considers will or has the potential for environmental harm, shall not be allowed within a lesser distance from a residential zone than that determined by Council after taking into account the advice from the Director of Environmental Management.

iii. A dwelling unit shall not be erected within a lesser distance of any established Level 2 activity or other use of land which Council considers a source of pollution, than that determined by Council taking into account the advice from the Director of Environmental Management.

(e) Activities involving extensive site works, such as quarrying, shall be suitably sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area.

(f) Use or development shall be of a suitable form and siting to avoid any adverse impact on any watercourse and vice versa. Use or development (including the siting of effluent disposal systems) shall be setback a minimum of 40 metres, or such distance as is required, from a watercourse to avoid degradation of water quality.

(g) Use of land in the vicinity of those watercourses identified in Schedule 3 shall provide Riparian Reserves in an appropriate location and form.

The new dwelling has been placed so as to minimise any visual impact to surrounding property. It is located on the eastern side of a ridge line, off the skyline. The horse shelter is located to relate to an existing horse arena.

No works like quarrying is proposed with this application as a result there will be no extensive site works as described in the Planning Scheme. Of the watercourses listed in Schedule 3 Killiecrankie, Eden's and Stoney Creek are in close proximity to the site. None of the mentioned creeks will be impacted by the development due to separation distance, on-site management of stormwater to minimise erosion and construction management practices.

Heritage

(a) Use or Development shall be undertaken in areas and in a manner which conserves items, sites, areas and customs of historic and cultural value.

(b) Any Use or Development carried out on or in the vicinity of an item, site, area, feature or customary activity (including Aboriginal sites and shipwrecks) or conservation value, shall adequately respect its historic and cultural integrity.

(c) The protection and conservation of items, sites, areas, features and customary activities of historic and cultural importance applies to those previously identified and listed in the Scheme, and those which subsequently become known to Council.

(d) Where an item, site, area, feature or customary activity has or may have historic or cultural importance, Council may require a Statement of Cultural Significance to be prepared.

(e) Use or development shall be carried out in accordance with the principles and practices of the Burra Charter.

(f) Use or Development involving any historic building or group of buildings shall adequately respect the design and construction elements of the building(s) and particularly the relationship of spaces, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.

(g) Areas of identified conservation value, including National Parks and Nature Reserves, shall be protected from inappropriate use or development and detrimental land management practices including land clearance, within such areas and adjacent areas outside them.

There are no Heritage listed properties within the subject site titles. This matter has no application in this instance. An indigenous heritage study has been carried out for this development. This study found no artefacts within the subject site titles. The study identified artefacts within Crown Land outside the control of the applicants. Protocols will be established to cease works on the subject site if any remnants are found and the appropriate authorities notified.

Access and Parking

(a) All new lots must be provided with satisfactory pedestrian and vehicular access to a public street.

(b) All Use or Development shall provide satisfactory pedestrian and vehicular access which is suited to the volume and needs of future users.

(c) Buildings and spaces intended for public access shall provide for satisfactory use and access by the disabled; the requirements of the Building Regulations in relation to AS1428.1-1988 shall be met.

(d) Road widths shall be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject and surrounding land.

(e) Footpaths shall normally be required in areas of new subdivision except where low vehicle traffic volumes are anticipated, in which case a footpath one side only or no footpath may be appropriate.

(f) Road intersections shall be kept to a minimum with the use of existing roads, service roads and/or shared driveways being encouraged where appropriate.

(g) Intersections of roads, footpaths and foot crossings and driveways shall provide adequate safety for all users and shall satisfy the relevant requirements of Schedule 4.

(h) New Use or Development shall provide a suitably constructed driveway of a width to provide for the safe ingress and egress of the anticipated volume of traffic associated with the Use or Development

(i) New Use or Development shall provide adequate car parking to provide for the demand it generates and shall be capable of being safely accessed.

(j) On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or on roads which carry significant amounts of traffic.

(k) New Use or Development in Bushfire Prone Areas will require access that complies with the provisions of Schedule 7, Development in Bushfire Prone Areas.

Access to the development will be via the existing farm access from Palana Road. No alterations are proposed to the access or intersection. Parking already exists around the current dwelling and the bunkhouse. A two car garage is proposed as part of the new owner's residence.

The existing and proposed car parking complies with the Planning Scheme.

Services

(a) Use or Development shall be provided with adequate and appropriate services which are suited to the lifestyle requirements of people, the nature of the location, and the ability of the community to provide.

(b) Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal.

(c) In areas not serviced with water use or development shall provide adequate water supply and effluent disposal systems. Each dwelling shall provide a potable water storage facility (minimum capacity of 40kl) to provide for the anticipated number of occupants, and a wastewater disposal system approved by the Council's Environmental Health Officer

(d) Use or Development in the bushfire prone areas will provide fire protection features and water supplies which comply with Schedule 7.

(e) Use or Development shall be appropriately sited, designed and constructed to avoid conflict with service mains (including telephone, power, sewer, water and irrigation channels/pipelines). Buildings shall not be erected over any service main or within any easement providing for same whether utilised or not.

(f) Servicing systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements.

(g) Use or Development shall optimise efficiency in the use of energy and resources. In particular, land should be subdivided on a generally sequential basis (ie. one area is substantially developed before the next is subdivided), common trenching should be used for different services where appropriate, and solar access maximised.

COMMENT – Water supply will be via tanks. Each dwelling and the converted bunkhouse will be serviced by a waste water system designed and located by an appropriately qualified person.

Social Interest

1. Use or Development should demonstrate how it suits the community interest.

2. Use or Development shall have adequate and appropriate types and levels of access to social facilities and services (eg. shops, government agencies, telecommunication, health services and educational facilities).

The development is very much aimed at the farming aspect of this property. A new dwelling for the owners will free up the current dwelling for a farm manager.

The development has the same level of access to services as the current dwelling on site.

Administration

(a) In considering subdivision and/or rezoning proposals, an appropriate balance shall be maintained between current demand and stock available for use or development, and the number of new lots that would be created.

(b) Use or Development proposals should only be approved where the cost to the public of providing and maintaining services is not exceeded by the economic benefit of the use or development to the community.

(c) In considering any proposal, Council shall obtain the advice and opinion of other relevant group(s), individual(s) or organisation(s) with direct interest in the proposal.

(d) A Development Plan for an integrated development may be prepared and adopted by Council for any area in this Scheme, A Development Plan shall include:

- i. The intended use for the land for which the Development Plan has been created;*
- ii. The reason(s) for selection of the area;*
- iii. A map showing clearly the area subject to the Development Plan showing principal physical features, including existing use or development, hills/slopes, trees, watercourses and existing services buildings and improvements;*
- iv. The nature, form and capacity of proposed services including water, sewerage disposal, power, telephone, roads, footways and reserves;*
- v. A plan of subdivision with proposed staging showing lot sizes and layouts, building envelopes where appropriate, and physical features intended to be conserved;*
- vi. Any special provisions to be used to control land use and development in the area (eg. height, form, character, materials, colours etc.);*
- vii. Any other provisions intended to secure the intention of the Plan.*

A Development Plan shall be incorporated into the Scheme by way of a Scheme amendment in accordance with the Act.

The proposal will not upset the supply and demand balance on the Island. Whilst the thrust of this section is directed towards subdivision and lot creation, there is some application to other developments. The thrust of this development is adding to farming activities with a subservient visitor accommodation component.

The development will not create a burden on Council or community services – every effort will be made to make the development sustainable in terms of the services it consumes.

The ability of the Council to develop and adopt a Development Plan for a site/area is noted. At this stage there is no intention or benefit to be gained by incorporating a Master Plan into the Planning Scheme.

Special Area Provisions

Within the Planning Scheme there are a series of Overlays or Special Areas.

A Special Area delineated on the Plan is land of special interest, value or sensitivity. Within Special Areas the provisions of the Scheme may be varied, added to or substituted, to ensure that use or development is appropriate to and compatible with its qualities and values.

There are three Overlays/Special Areas impacting on this site/development:

1. Visually Sensitive Areas
2. Shorelines, Water Bodies and Watercourses
3. Attenuation Area

Visually Sensitive Areas

These areas have been identified in recognition of their contribution to the landscape character and scenic values of the Planning Area.

Important elements in their selection are:

- (a) Visual prominence when seen from public roads, foreshores and coastal waters;
- (b) Undisturbed landforms and natural vegetation;
- (c) Minimal visible evidence of human activity in the form of buildings, structures or works.

The objectives of the Visually Significant Areas are:

- (a) To retain the natural appearance of each Area;*
- (b) To minimise the visual impact of Use or Development;*
- (c) To retain and restore where possible the natural vegetation cover.*

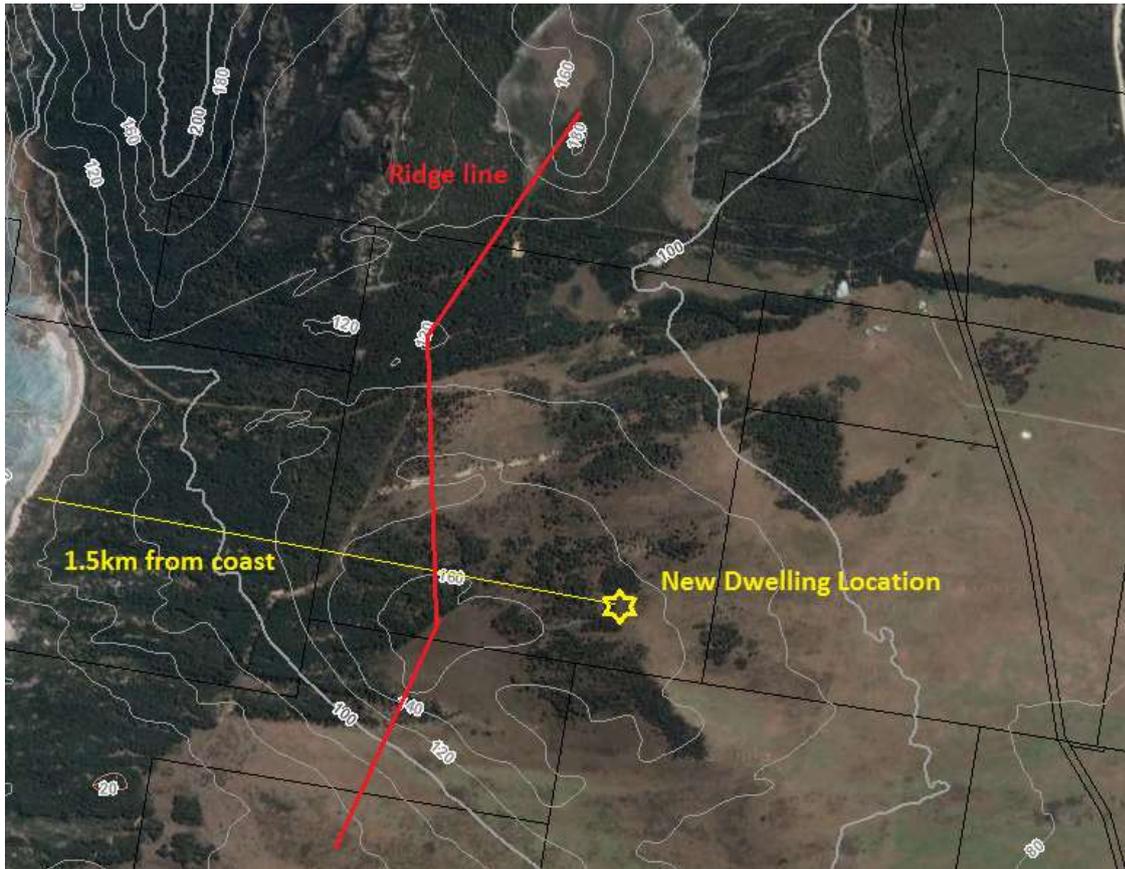
Notwithstanding any other provision in this Scheme, within the Visually Sensitive Areas any application for Use or Development (other than those prohibited within the Zone) shall be considered as a discretionary Use or Development in accordance with Clause 3.5.

In considering an application for Use or development within the Visually Sensitive areas and whether to impose conditions Council shall consider the following matters:

- (a) The objectives listed in Clause 7.2.2*
- (b) The siting, orientation, setbacks, bulk, form, height, scale and external finishes of buildings and structures*
- (c) The visual impact of buildings, clearing, excavation, access, construction, fences, firebreaks or the deposition of fill;*
- (d) The adequacy of proposed landscaping and whether any special works or practices are required to protect the scenic values of the site;*
- (e) Whether development is proposed to be located on skylines or ridgelines.*

The only element of this development which needs assessment in regard to this matter is the new owner's dwelling. All other elements are either existing or are outside the overlay area.

The location of the new dwelling and the location relative to ridge lines and the coast is graphically illustrated below:



Assessing the new dwelling against the criteria for selection of Visual Sensitive areas:

(a) Visual prominence when seen from public roads, foreshores and coastal waters – the dwelling will not be visually prominent when viewed from public roads, foreshores or coastal waters

This matter was discussed at great length during a recent appeal into Visitor Accommodation near the foreshore. Reference was made to the owner's residence and photo montages produced by both sides in the appeal showed the new dwelling as not being a dominant element in the landscape from the beach or from coastal waters.



Source – Miles McCusker – position of Owner's Residence in landscape

(b) Undisturbed landforms and natural vegetation – the development will not disturb landforms or result in land clearing (the area is already cleared);

(c) Minimal visible evidence of human activity in the form of buildings, structures or works – the dwelling is a minimal structure in the environment.

Applying the objective of the overlay to the development:

(a) To retain the natural appearance of each Area – the site cannot be described as natural being land which has been grazed over many decades. The dwelling therefore meets this objective.

(b) To minimise the visual impact of Use or Development – the new dwelling has been located so as to minimise its visual impact. It is located on the eastern side of a ridge line away from the coast. The development meets this objective.

(c) To retain and restore where possible the natural vegetation cover – the key words here are natural vegetation cover and where possible. There is no natural vegetation on this particular site – it is pasture and introduced weed species. It is not possible to restore the natural vegetation on what is a farming property. The development meets the objective.

Shorelines, Water Bodies and Watercourses

The shorelines, water bodies and watercourses identified in Schedule 3 shall be sustainably managed for the protection of water quality, the conservation of aquatic and shoreline habitat and the enhancement of recreational opportunities.

Development (other than that prohibited within the zone) which pertains to a Shoreline, Water Body or watercourse listed in Schedule 3 shall be considered as a discretionary use or development in accordance with Clause 3.5.

Before considering an application pursuant to Clause 7.5.2 council may require additional information, prepared and submitted for Council's consideration by a suitably qualified person(s) to ensure that the proposal is adequately in terms of:

(a) Contours and levels of the natural surfaces in relation to the range of water levels likely to occur in the vicinity of the proposed use or Development

(b) Existing water quality, including seasonal variations;

(c) Quantities and qualities of water that are proposed to be abstracted from or discharged to the sea, a water body or a watercourse listed in Schedule 3;

(d) The likely impact of the proposed use or development on the quality of waters by reason of off-site effects such as erosion, siltation, salination, chemical spray drift, nutrient seepage, seed disposal or other emissions;

(e) The natural, ecological, cultural, recreational and aesthetic qualities of the site.

In considering an application for Use or Development in Shorelines, Water Bodies and Watercourses and whether to impose conditions Council shall consider the following matters:

(a) The siting, orientation, setback, bulk, form, height, scale, materials and external finishes of buildings and structures

(b) The impact upon water quality, foreshore or streamside vegetation and wildlife habitat of building, clearing, excavation, effluent disposal, access construction, fences, firebreaks or the deposition of fill;

(c) Whether land should be acquired by Council as a condition of subdivision or otherwise, to protect the items listed in Schedule 3;

(d) Whether additional fencing or any other special works or practices are required to protect the items listed in Schedule 3;

(e) The design, content and location of signage and interpretative displays.

None of the impacted titles are covered by this overlay and thus this matter needs no further discussion.

Other Planning Scheme Matters

Traffic Impact

There are no alterations proposed to the intersection of the Quoin driveway and Palana Road. Sightlines are good at this intersection. Traffic volumes attracted by the new dwelling and the conversion of the bunkhouse will not place an onerous load on the road network.

Bushfire Considerations

Schedule 7 of the Planning Scheme relates to Development in Bushfire Prone areas. In effect the Schedule relates to subdivision only. As there is no subdivision involved in this development the Schedule strictly does not apply.

Signage

No signs are proposed with this Development Application.

State Policies

Protection of Agricultural Land Policy

The proposal does not impact on productive agricultural land. There is currently no Land Classification data for Flinders. Survey work has been done on a sporadic basis across the Island. Quoin was one of the properties used to ground truth the other findings.

In discussion with those from State Government who undertook this research they advise that the dune area would be given the rating of Class 6/7 land – not suitable for agricultural production, with the site generally described as poorly drained grazing land. There would be areas of the main farming property where Class 5 land is evident.¹

The current owners through applying contemporary farming practices are improving the land and thus the productivity of the farm. The proposed development will allow the work of improving the farm to continue by engaging the services of a farm manger and introducing non-farming income.

¹ Robert Moreton – DPIPWE – Land Classification Project Flinders Island – on going research

State Coastal Policy

The State Coastal Policy is a policy created under the State Policies and Projects Act 1993. State Policies, also known as Tasmanian Sustainable Development Policies, are a new policy mechanism created under the Tasmanian Resource Management and Planning System and they apply across the State.

The central objective of any State Policy is sustainable development. This means that it must address the use, development and protection of natural and physical resources together with the objectives relating to public involvement and the sharing of responsibility in resource management and planning as well as those relating to economic development.

As the nearest development site is 1.5km from the coast this Policy has no application in this instance.

Water Quality Management

The *State Policy on Water Quality Management (1997)*, also known as the Water Quality Policy, provides a framework for the development of ambient water quality objectives and the management and regulation of point and diffuse sources of emissions to surface waters (including coastal waters) and groundwater.

The environmental values to be protected under the Water Quality Policy include:

- Protection of aquatic ecosystems
- Recreational water quality and aesthetics
- Raw water for town drinking water supply
- Agricultural water uses
- Industrial water supply

The Policy also sets sub-values to these broader values.

Water quality objectives may be set for individual surface water and groundwater bodies by first determining which protected environmental values (PEVs) will apply to each body of water.

PEVs for the Flinders Municipal Area were set in 2001/02 following research and public input. The PEV's are based on land tenure.

In this instance the most relevant land tenure is Private Land. The only issues which could impact on the PEV's (hence water quality) are erosion during and after construction and management of waste water.

Protected Environmental Values (PEVs) for the Flinders Municipal Area	
Land Tenure	Protected Environmental Values
Surface Waters flowing through Private Land (including forest on	A: Protection of Aquatic Ecosystems (ii) Protection of modified (not pristine) ecosystems a. from which edible fish are harvested

private land)	<p>B: Recreational Water Quality & Aesthetics (i) Primary contact water quality (Rooks River, North East River, Patriarchs Inlet, Pats River at the mouth, Samphire River at the mouth) (ii) Secondary contact water quality (iii) Aesthetic water quality</p> <p>C: Raw Water for Drinking Water Supply (Pats River offtake, Pats River Storage Dam and between the offtake and the Dam and Cape Barren Island Offtake) (ii) Subject to coarse screening plus disinfection</p> <p>D: Agricultural Water Uses (i) Irrigation (ii) Stock watering</p> <p>That is, as a minimum, water quality management strategies should seek to provide water of a physical and chemical nature to support a healthy, but modified aquatic ecosystem from which edible fish may be harvested; that is acceptable for town drinking water at the Pats River offtake, Pats River Storage Dam and between the offtake and the dam (subject to coarse screening plus disinfection); that is acceptable for irrigation and stock watering purposes; and which will allow people to safely engage in primary contact recreation activities such as swimming at Rooks River, North East River, Patriarchs Inlet, Pats River at the mouth, Samphire River at the mouth and secondary contact recreation activities such as paddling or fishing in aesthetically pleasing waters.²</p>
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During construction effective erosion barriers will be placed between the disturbed areas of the construction site and the relevant watercourses to prevent silt entering the water system. On completion of the construction disturbed surfaces will be re-vegetated to reduce on-going erosion of soils into watercourses.

Waste water will be via on-site waste water treatment systems.

The systems will be over 100m from the shoreline and as a result will have no impact on the coast.

By taking the measures above into account the development will not have any negative impact on the PEVs for this area and the proposal will thus comply with this State Policy.

Conclusion

This is a sound proposal which has been extensively researched and developed well before the matter reached the planning application stage. The new dwelling will allow the owners to continue their plans for improving the farm by employing a farm manager.

The conversion of the bunkhouse building into visitor accommodation will allow a non-farm income to be generated and for this “new” money to be re-invested into farming activities.

There are few planning grounds challenged by this development and there are no reasons not to support the proposal.

² Protected Environmental Values – Flinders Municipal Area Catchments – DPIWE 2002

