
Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 30 July 2012 commencing at 6.00pm

Members attendance

Cr Jan Bonde (Mayor)
Cr Garry Carpenter
Cr Tony van Rooyen
Mr Cor Vander Vlist

Cr Shane Broad
Cr Amanda Diprose
Cr Philip Viney

Members apologies

Ms Sandra Ayton

Employees attendance

Acting Director Development & Regulatory Services (Mr Paul Bidgood)
Land Use Planning Group Leader (Mr Ian Sansom)
Town Planner (Mr Thomas Reilly)

Employee apologies

Nil

Public attendance

Two members of the public attended during the course of the meeting.

CONFIRMATION OF MINUTES OF THE COMMITTEE

46/2012 Confirmation of minutes

The Acting Director Development & Regulatory Services reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 25 June 2012 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2005* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

- Cr Viney moved and Cr Broad seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 25 June 2012 be confirmed.”

Carried unanimously

MAYOR’S COMMUNICATIONS

47/2012 Mayor’s communications

The Mayor reported as follows:

“Under the terms of appointment of the Development Support Special Committee, it acts in agreed circumstances as if it were the Council and, accordingly, as a planning authority under the *Land Use Planning and Approvals Act 1993*.

Members are reminded that the *Local Government (Meeting Procedures) Regulations 2005* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.

In the event that items listed for consideration are referred, under the terms of the Committee’s appointment, to the Council (e.g. any matter the Committee cannot determine unanimously), or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be referred to a meeting of the Council for a decision.”

- Cr van Rooyen moved and Cr Carpenter seconded, “That the Mayor’s report be received.”

Carried unanimously

PECUNIARY INTEREST DECLARATIONS

48/2012 Pecuniary interest declarations

The Mayor reported as follows:

“Members are requested to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.”

The Land Use Planning Group Leader reported as follows:

“The *Local Government Act 1993* provides that a member must not participate at any meeting of a special committee in any discussion, nor vote on any matter, in respect of which the member has an interest or is aware or ought to be aware that a close associate has an interest.

Members are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a member must declare any interest in a matter before any discussion on that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

Cr Bonde reported as follows:

“I will be declaring an interest in respect of the Kindred to North Motton Irrigation Scheme – Application No. DA211293 (Minute No. 52/2012).”

Cr Bonde, having declared an interest, retired from the meeting and left the Chamber for that part of the meeting relating to the consideration, discussion and voting on the matter of the Kindred to North Motton Irrigation Scheme at 6.01pm.

49/2012 Chairperson

The Acting Director Development & Regulatory Services reported as follows:

“Due to the Mayor now being absent from the meeting, a new Chairperson is required to be elected.”

■ Cr Viney moved and Cr Diprose seconded, “That Cr van Rooyen be elected as Chairperson in the absence of the Mayor.”

Carried unanimously

Cr van Rooyen assumed the chair.

ADJOURNMENT OF MEETING

50/2012 Adjournment of meeting

The Acting Chairperson reported as follows:

“In order to effectively consider the reports before this meeting of the Committee it is appropriate that I adjourn the meeting to enable the related documents to be workshopped prior to resumption of the meeting and formal resolution of the agenda items.”

The workshop having been concluded, the Acting Chairperson resumed the meeting.

DEPUTATIONS

51/2012 Deputations

The Acting Director Development & Regulatory Services reported as follows:

“No requests for deputations to address the meeting or to make statements or deliver reports have been made.”

OPEN REPORTS

52/2012 Kindred to North Motton Irrigation Scheme – Application No. DA211293

The Acting Director Development & Regulatory Services reported as follows:

“The Town Planner has prepared the following report:

<i>DEVELOPMENT APPLICATION NO.:</i>	DA211293
<i>APPLICANT:</i>	Pitt & Sherry
<i>LOCATION:</i>	Kindred, Sprent, Forth, Spalford, Abbotsham, Gawler, North Motton and Preston
<i>ZONING:</i>	Rural Living, Environmental Management and Rural Resource Zones
<i>PLANNING INSTRUMENT:</i>	<i>Central Coast Planning Scheme 2005</i> (the Planning Scheme)
<i>ADVERTISED:</i>	27 June 2012
<i>REPRESENTATIONS EXPIRY DATE:</i>	11 July 2012
<i>REPRESENTATIONS RECEIVED:</i>	Three
<i>42-DAY EXPIRY DATE:</i>	1 August 2012
<i>DECISION DUE:</i>	30 July 2012

PURPOSE

The purpose of this report is to consider the Kindred to North Motton Irrigation Scheme (the KNMIS), as further described in planning application number DA211224. The purpose is also to consider three representations made in response to the application.

BACKGROUND

The Planning Report by Pitt & Sherry, dated April 2012 (Annexure 1) provides the following background information:

“In 2008 the Tasmanian State Government established the \$80 million Water Infrastructure Fund (WIF) to enable major investment in Tasmania’s water infrastructure and to meet its National Water Initiative (NWI) obligations. Under the National Partnership Agreement on Water for the Future, the Commonwealth Government agreed to provide up to \$140 million of funding for Tasmania to undertake one or more sustainable irrigation infrastructure projects that will substantially contribute to irrigation water use efficiency.

A suite of regionally significant irrigation projects had been identified through the Tasmanian Water Development Plan developed by the Tasmanian State Government in 2001. The Water Development Plan developed strategic initiatives to manage and develop the State’s valuable freshwater resource. These initiatives included improved environmental outcomes and streamlined administrative requirements for water management. One of the regionally significant projects identified for irrigation development was the Kindred North Motton Irrigation Scheme (KNMIS)..”

DISCUSSION

The application comprises the following documents:

- 1 Planning Report by Pitt & Sherry, dated April 2012 (Annexure 1):

This is a description of the KNMIS, an assessment of compliance with the Planning Scheme and the *Land Use Planning and Approvals Act 1993* (LUPAA), and a summary of the findings of other reports.

- 2 Affected property details (Annexure 2):

This is a list of names and property identification numbers of properties affected by the KNMIS and copies of the folio text and plan for each.

3 Flora and fauna reports:

The flora and fauna reports include the following:

- Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services, dated December 2011 (Annexure 3):

This assessment identifies the flora and fauna present or likely to be present within a corridor 50m either side of the proposed pipeline route. It also anticipates the impacts on those identified species and provides measures to ensure appropriate precautions are taken to avoid or minimise those impacts.

- Aquatic Assessment by GHD, dated March 2012 (Annexure 4):

This is an assessment of the potential risks and impacts associated with the translocation of water from one waterway to another and an assessment of the impacts of waterway crossings on those waterways. It also identifies opportunities to avoid, minimise or offset those impacts. It does not address the impact on the Forth River itself.

- Environment Protection and Biodiversity Conservation Act 1999 Protected Matters Report by the Australian Government Department of Sustainability, Environment, Water, Population and Communities, dated 2 November 2011 (Annexure 5):

The report identifies matters significant to the *Environment Protection and Biodiversity Conservation Act 1999* within the area covered by the KNMIS. These matters include nationally and internationally important flora, fauna, ecological communities and heritage places.

- Sprent Dam Assessment by Tasmanian Irrigation dated September 2011 (Annexure 6):

This is an assessment of the environmental impacts that will or are likely to occur as a result of the construction and consequent filling of the Sprent holding dam. It also identifies opportunities to mitigate those impacts.

4 Aboriginal heritage reports:

The Aboriginal heritage reports include the following:

- Memorandum of Understanding between the Tasmanian Aboriginal Land and Sea Council and the Tasmanian Irrigation Proprietary Limited (undated and unsigned) (Annexure 7):

This is an unsigned copy of the memorandum setting out the understandings of the parties of the principles to be applied to Aboriginal heritage assessment and management matters associated with development activities of Tasmanian Irrigation. A signed copy was not provided with the application but was in existence at the time of the application and is provided at Annexure 8.

- Statement of Aboriginal Significance by Palawa Heritage Services Pty Ltd, undated (Annexure 9):

This is a statement of the likelihood of there being sites of Aboriginal significance within or near the region of the project proposal. It concludes that there is such a likelihood and that further investigations are necessary.

- Aboriginal Cultural Heritage Assessment by Cultural Heritage Management Australia, dated 23 October 2010 (Annexure 10):

This assessment identifies Aboriginal heritage along the proposed pipeline route, the archaeological sensitivity of the study area, the Aboriginal heritage values and, where necessary, opportunities for minimising the impact of the KNMIS on Aboriginal heritage values.

- Aboriginal Heritage Assessment Final by Entura, dated 7 March 2012 (Annexure 11):

This assessment reviews and incorporates the results and recommendations of the Aboriginal Cultural Heritage Assessment by Cultural Heritage Management Australia, dated 23 October 2010. It provides the findings of a field survey of the new pipeline alignment, holding dam and associated infrastructure sites. It also provides management recommendations and precautions to avoid or minimise impacts on Aboriginal heritage values.

5 Historic heritage reports:

The historic heritage reports include the following documents:

- Historic Heritage Assessment Final Report by Entura, dated 16 February 2011 (Annexure 12):

As quoted from the assessment:

“This report documents the results of a historic heritage assessment of the proposed route of the Kindred to North Motton Irrigation Scheme in North-west Tasmania. The assessment has included desk-top database searches and collation of secondary historical sources, targeted stakeholder consultation, and pedestrian ground survey of a 100m corridor along the 34km pipeline corridor...”

- KNMIS Historic Heritage Survey Assessment (Order No. 1661) – P504777 by Entura dated 16 February 2012 (incorrectly dated 2011 on front cover) (Annexure 13):

As quoted from the assessment:

“This report documents the results of a historic heritage assessment of the proposed route of the Kindred to North Motton Irrigation Scheme in North west Tasmania. The assessment reviews a previous assessment undertaken in 2010 for a previous scheme proposal and has included desk-top database searches and collation of secondary historical sources, targeted stakeholder consultation, and pedestrian ground survey of a 20m corridor along 53 km pipeline corridor and proposed locations for a holding dam and pump stations...”

Ian Abernethy, project manager for the KNMIS has advised that the difference between the two historic heritage reports is that the latter addresses the realignment of the pipeline to avoid artefacts and confirms that no European heritage issues arose.

6 Geotechnical Assessment of Proposed Pipeline Route Ground Conditions by Geoton Pty Ltd, dated 20 January 2012 (Annexure 14):

This is an assessment of the ground conditions along the proposed pipeline route and at the two pump station sites. It maps and profiles ground conditions (rock, clay, unconsolidated sediments etc.) and

associated penetrability of the ground along the proposed pipeline route.

- 7 Socio-economic assessment of the proposed Kindred – North Motton Irrigation Scheme by Davey & Maynard dated April 2011 (Annexure 15):

This is an assessment of the likely social and economic impacts (positive and negative) of the project, considering all relevant information, and applying sound economic, financial and public policy principles. The emphasis is on the social and economic benefits and costs of the project.

- 8 Baseline environmental noise assessment by Vipac, dated 7 December 2011 (Annexure 16):

This report measures baseline noises in the vicinity of the proposed pumping station on the Forth River and uses those measurements to determine acceptable noise emission limits for the KNMIS project.

- 9 Basis of design schematic drawing.

This document is extracted below in full:

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- . Map showing KNMIS Infrastructure;
 - . Map showing KNMIS creek crossings;
 - . Map showing KNMIS road crossings;
 - . Map showing KNMIS turning points;
 - . Map showing land tenure within the proposed irrigation district;
 - . Map showing Sprent Dam site;
 - . Map of Sprent Dam – Proposed Borrow Pit Location and Dam Battery Limit/Limit of Work;
 - . Map showing Sprent Dam Site Overview;
 - . Map showing North Motton Pump;
 - . Stream Crossings and Crossings Schedule – Miscellaneous;
 - . Photos of the irrigation district, including the Forth River pump station site and the Sprent Dam site;
 - . Detailed drawings of pump, pipeline, signage and other works.

11 Water assessments:

The water assessments include the following documents:

- . Environmental Water Requirements and Yield Assessment by Entura, dated 14 February 2012 (Annexure 18):

This document provides an assessment of impacts on aquatic values in the Forth River from the operation of the proposed KNMIS. It includes the following:

- Hydrological assessment of the operation of the proposed KNMIS on flows in the Forth River;
 - A statement on the proposed scheme's expected reliability;
 - Impact of the KNMIS on existing water allocations;
 - A hydrological assessment of the expected change in flow regimes;
 - Identification of aquatic values downstream of Paloona Dam; and
 - Predicted impacts of changed hydrology on aquatic values downstream of dam during the operation of the KNMIS.
- . Paloona Power Station Operation by Entura, dated 13 March 2012 (Annexure 19):

This document is an analysis of the outflow from the Paloona dam and power station to assist in determining of flow reliability and availability for the KNMIS.

12 Water access plans (Annexure 20):

This document outlines the processes, the tests and the minimum standards by which access to water from the KNMIS will be granted. It includes the Guidelines for minimum standards for Property Management Planning produced by the Tasmanian Farmers and Graziers Association, the three regional Natural Resource Management branches and the Tasmanian Government. There are three separate guidelines covering water, biodiversity and soil.

13 Wilmot Road Pump Station Proposed Access Assessment by Pitt & Sherry dated November 2011 (Annexure 21):

As the name suggests, this is an assessment of the suitability of the proposed access to the water pump station on the Forth River and recommendations for the construction of that access.

14 Briefing note, Forth River Pump Station Flood Levels by Entura, dated 21 December 2011 (Annexure 22):

This is an investigation into 1 in 50 and 1 in 100 year flood levels at the Forth River pump station for the purposes of informing the planning of the pump station.

15 Tasmanian Irrigation policies (Annexure 23):

The Tasmanian Irrigation policies included are:

- . Drug and Alcohol Policies;
- . Environment Policy;
- . Occupational Health and Safety Policy.

These policies relate to the conduct and the practices of Tasmanian Irrigation and its employees.

The KNMIS requires a permit under the *Water Management Act 1999*, which is administered by the Department of Primary Industries, Parks, Water and the Environment (DPIPWE).

The KNMIS has been issued a permit under the *Environment Protection and Biodiversity Conservation Act 1999*, which is administered by the Australian

Government Department of Sustainability, Environment, Water, Population and Communities. Annexure 24 is a copy of the *Environment Protection and Biodiversity Conservation Act 1999* permit.

The following table is an assessment of the relevant Planning Scheme provisions:

CLAUSE	ASSESSMENT AND COMMENT
OBJECTIVES FOR PLANNING	
2.0 – Objectives for Planning	<p>Consistent/condition.</p> <p>Consideration must be given to the Objectives for Planning. The proposal is consistent with the Objectives for Planning, particularly 2.1(d), (h), (i) and (o), which are that:</p> <p>2.1(d) A safe vehicular and pedestrian network throughout the planning area is to be encouraged.</p> <p>This objective is considered in the assessment against the Road and Rail Schedule below.</p> <p>2.1(h) Important flora and fauna habitats are to be protected from inappropriate use and development.</p> <p>Important flora and fauna habitats have largely been avoided through the design and siting of the KNMIS infrastructure. However, some impacts cannot be totally avoided. The Sprent Dam Assessment by Tasmanian Irrigation, the Aquatic Assessment by GHD, and the Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services each address those impacts and provide recommendations for minimising them. The recommendations include minor re-routes, erosion and sediment control, weed control and water quality monitoring.</p> <p>These recommendations must be implemented to ensure that important flora and fauna habitats are</p>

	<p>protected. Accordingly, it is recommended that the Permit specifically require the implementation of these recommendations with a condition on the draft Permit at Annexure 26 as follows:</p> <ul style="list-style-type: none"> . All recommendations of the Sprent Dam Assessment by Tasmanian Irrigation dated September 2011, the Aquatic Assessment by GHD dated March 2012 and the Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services dated December 2011 must be implemented for the construction and ongoing operation of the Kindred to North Motton Irrigation Scheme. <p>The Department of Sustainability, Environment, Water, Population and Communities has assessed the KNMIS against the requirements of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and has issued a permit. This legislation and permit process aims to protect and manage nationally threatened species and ecological communities. This is a further illustration of consistency with 2.1(h). Annexure 24 is a copy of that permit.</p> <p>2.1(i) The environmental qualities of the coastal and river systems are to be protected.</p> <p>Water for the KNMIS is to be purchased from Hydro Tasmania, who propose to release that water from their existing Palooa Dam allocation. This allocation is currently licenced by DPIPWE.</p> <p>Following the establishment of the proposed KNMIS, minimum environmental flows required under the Hydro's existing licence will need to be maintained below the KNMIS off-take instead of below the Palooa Dam. It is the Hydro's responsibility to maintain this environmental flow.</p> <p>The application indicates that there will be no extraction of water from the Forth River beyond</p>
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	<p>that which has already been allocated to the Hydro. There is proposed to be an increase in flows in the 1.5km stretch between the Paloona Dam and the proposed KNMIS off-take and a return to normal flows below that.</p> <p>As there would be no extraction of water from the Forth River beyond that already allocated to the Hydro, the Environmental Water Requirements and Yield Assessment by Entura dated 14 February 2012 considers that the KNMIS would have no impact on threatened aquatic species, priority species or communities or on aquatic and riparian habitats downstream of the power station.</p> <p>This illustrates consistency with 2.1(i).</p> <p>2.1(o) The cultural heritage, including Aboriginal relics, protected sites and objects and registered places are protected.</p> <p>This objective is considered in the assessment against the Heritage Schedule below.</p>
<p>RURAL LIVING ZONE</p>	
<p>9.1 – Zone Purpose</p>	<p>Consistent/condition.</p> <p>The purpose of the Rural Living Zone is:</p> <p style="padding-left: 40px;">“To provide for residential development on large lots in a non-urban setting where infrastructure services may be limited and residential amenity will be influenced by the rural character of the area.”</p> <p>There are three marginally affected properties in the Rural Living Zone:</p> <ul style="list-style-type: none"> . 36 Pegarah Drive; . 28 and 30 Farquhar Place. <p>In each case, the properties are only affected by the construction corridor either side of the</p>

	<p>pipeline. Discussions with the applicant indicate that there is no intention for the pipeline to be located on any of these properties, nor would the pipeline affect the use and enjoyment of these properties other than some noise produced by machinery during the pipeline construction phase.</p> <p>There are four properties in the Rural Living Zone that are potentially affected by pump noise, the closest being 350m away. The Baseline environmental noise assessment by Vipac dated 7 December 2011 recommends that the noise from the pump station be no more than 30dBA at any noise sensitive premises. In accordance with this recommendation, the following condition is recommended on the draft Permit at Annexure 26:</p> <ul style="list-style-type: none">Noise emission from the Forth River pump station must not exceed 30dBA as measured at any residential dwelling. This is assessed as an equivalent continuous A-weighted sound pressure level integrated over a 10 minute period and free from intrusive characteristics as defined in the Tasmanian Noise Measurement Procedures Manual, First Edition, July 2004, produced by the Environment Division, Department of Primary Industries, Water and the Environment. <p>There are two properties within 500m in the Rural Resource Zone, the closest being 300m away. There are three properties within 500m in the Devonport municipal area, the closest being 250m away. The condition recommended above is adequate to protect the acoustic amenity of these properties.</p> <p>There are no other applicable standards in the Rural Living Zone.</p>
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ENVIRONMENTAL MANAGEMENT ZONE (EMZ)	
14.1 – Zone Purpose	<p>Compliant.</p> <p>The purpose of the EMZ is, “To provide for the protection and management of areas of environmental value such as cultural landscapes, remnant vegetation, fragile landforms, water catchments and areas of recreational value, allowing for complementary use or development where consistent with any strategies for protection and management.”</p> <p>It is also, “To protect the visual attractiveness and ecological values of sensitive and significant coastal, wetland, hinterland or remote locations.”</p> <p>There are two affected properties in the EMZ:</p> <ul style="list-style-type: none"> . Riparian reserve approximately 30m wide running generally parallel with the western bank of the Forth River owned by the Crown (no title). . Property between the riparian reserve and the Wilmot Road. <p>The vegetation on each of these sites has been degraded to some degree by clearance and grazing of stock but it retains some “visual attractiveness” and some supportive value to plant and animal ecologies.</p> <p>A small amount of native vegetation (14 trees) will be removed in order to make way for the off-take, pump station, pipeline, associated infrastructure and vehicular access to it. The local area is well vegetated and the loss of the 14 trees is not likely to significantly impact on environmental values.</p>

USE STANDARDS	
14.3.1 – Water quality	<p>Condition.</p> <p>The provision requires that there be no liquid pollutants discharged to a wetland or watercourse.</p> <p>There are no liquid pollutants produced by the operation of the KNMIS on either of the two lots in the EMZ. Therefore, it is not likely that pollutants will be discharged in proximity to the Forth River. However, as a precaution, a standard condition is recommended as follows:</p> <ul style="list-style-type: none"> . Liquid pollutants must not be discharged within 100m of a watercourse, wetland or other surface waters.
DEVELOPMENT STANDARDS	
14.4.3 A1 – Maximum height	<p>Compliant.</p> <p>The provision requires that buildings not exceed 8m in height.</p> <p>The tallest building proposed is the pump shed, which is proposed to be no larger than 6.5m x 8.5m x 3m in height.</p> <p>A small solar collector is proposed but no height is specified. It is not likely to exceed the 8m maximum.</p>
14.4.3 A2 and P2 – Boundary setbacks	<p>Compliant.</p> <p>The provision requires that setbacks be at least 10m from the frontage and 3m from other boundaries. If they are not, then the siting must provide for the efficient use of the site and be in keeping with the character of the locality.</p> <p>The pump shed is proposed to be located on the riparian reserve owned by the Crown approximately 15m from the boundary with land</p>

	to the west. It is located to enable the efficient operation of the scheme. It is well away from roads and would have no significant impact on the character of the locality.
14.4.3 A3 – Site coverage	Compliant. The provision requires that buildings not exceed 20% site coverage. The off-take, pump station, pipeline and associated infrastructure are no greater than 1% site coverage.
14.4.3 A4 – Cut and fill	Compliant. The provision requires that cut and fill be screened from public view. There is no significant amount of cut and fill proposed.
14.4.3 A5 – Reflectivity	Condition. The provision requires that external finishes be low reflective or screened from public view. A significant amount of the pump shed is clad with colorbond but no colour is proposed so a standard condition requiring the cladding of these sheds to have low reflectivity is recommended as follows: . The external cladding of the pump sheds must have low reflectivity.
14.4.4 A1 and P1 – Access and services	Condition. The provision requires access and services that are appropriate to the intended use. The Acceptable Solution requires accesses to be constructed in accordance with Central Coast Council Municipal Standard Drawing No. SD-1009. This is achievable on the site and is addressed by permit conditions on recommendation of the Environmental Engineer. There is no sewer or town water provided to the site. However, there are no facilities requiring water connection or waste disposal.

	<p>Stormwater from the pump shed will be collected in gutters and disposed of to the Forth River. The appropriate capture and disposal of the stormwater is to be addressed through the building and plumbing permit processes.</p> <p>Electricity will be required for pump operation. Electricity is available to the site and will be provided by Aurora in a manner determined by Aurora. Telecommunications facilities are available, if necessary.</p>
<p>14.4.6 A1 – Vegetation protection</p>	<p>Complies.</p> <p>The provision requires that there be no removal or destruction of native vegetation within 30m of the bank of a wetland or watercourse other than in accordance with the <i>Forest Practices Code 2000</i>.</p> <p>The <i>Forest Practices Code 2000</i> exempts clearance of native vegetation to enable the construction of a building and the carrying out of any associated development if authorised by a planning permit.</p> <p>Given the exempt status of vegetation removal for the development and the limited amount of vegetation clearance required to establish the pump shed and associated infrastructure, the provision is deemed to be satisfied.</p>
<p>RURAL RESOURCE ZONE</p>	
<p>15.1 – Zone Purpose</p>	<p>Consistent.</p> <p>To be consistent with the purpose of the Zone, the KNMIS must:</p> <ul style="list-style-type: none"> . not unreasonably impact upon the productive capacity of agricultural land by either physical obstruction or depriving downstream agricultural uses of water for irrigation; . protect the ecological, cultural and

	<p>landscape values of rural land, wetlands and watercourses.</p> <p>Other than the five properties previously considered in the Rural Living and Environmental Management Zones, the KNMIS is sited entirely within the Rural Resource Zone.</p> <p>The impact upon the productive capacity of agricultural land is summarised in the Planning Report by Pitt & Sherry, dated April 2012 as follows:</p> <p>“...Whilst the construction period may cause some disturbance to the soils and may result in a temporary loss of productivity, the ultimate outcome will be a positive impact on agricultural production. The pipe once in the ground will be covered with soils removed from the trenching – the site will be fully rehabilitated and in a short period of time there will be little above ground evidence of the pipeline...”</p> <p>The only buildings proposed as a result of this development are three small pump station buildings. These are at the maximum 6.5 x 8.5m and 3m in height. These buildings would be unlikely to have a significant impact on the productive capacity of agricultural land by physical obstruction due to their small footprint.</p> <p>The cultural values of the land affected by the KNMIS are influenced by up to 170 years of European land use, resulting in the clearing of formerly dense wet forest to support the development of small farming, based primarily on vegetable growing, predominantly potatoes. Historical themes of early exploration, land settlement, agriculture, transport and communication and forestry are apparent. These themes can potentially be enhanced by the operation of the KNMIS.</p> <p>The ecological, cultural and landscape values of</p>
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	<p>rural land, wetlands and watercourses are addressed above under 2.0 – Objectives for Planning.</p> <p>Overall, the KNMIS is consistent with the objectives of the Rural Resource Zone.</p>
STANDARDS FOR USE	
15.3.1 – Water quality	<p>Compliant.</p> <p>The provision requires that there be no liquid pollutants discharged to a wetland or watercourse.</p> <p>There are no liquid pollutants produced by the operation of the KNMIS. However, as a precaution, a standard condition is recommended, the same as recommended above at 14.3.1 – Water quality.</p>
DEVELOPMENT STANDARDS	
15.4.3 P5 – Utilities on prime agricultural land	<p>Not applicable.</p> <p>The provision allows the KNMIS to be on prime agricultural land where the Resource Planning and Development Commission has confirmed that Principle 4 of the <i>State Policy on the Protection of Agricultural Land 2000</i> has been satisfied.</p> <p>Principle 4 reads as follows:</p> <p>“Provision of public utilities or other infrastructure or a proposal of significant economic benefit to the region may cause prime agricultural land to be converted to non-agricultural use. Such conversion must:</p> <ul style="list-style-type: none"> (i) comply with the planning scheme or amendment; and (ii) have the Resource Planning and Development Commission confirm there is an overriding need for a use or development for community

	<p>benefit and a suitable alternative site is not available.”</p> <p>The interpretation of 15.4.3 P5 has been considered by the Tasmanian Planning Commission. They have advised that this provision is void under Section 13(1) of the <i>State Policies and Projects Act 1993</i> and that the Commission is not required to confirm Principle 4 of the inoperative <i>State Policy on the Protection of Agricultural Land 2000</i>.</p> <p>Nevertheless, the KNMIS is not likely to result in significant areas of alienated agricultural land, primarily as it is proposed to be buried well below ground level. Therefore, as the potential economic benefit outweighs the minimal loss and disruption of agricultural uses on prime agricultural land, the provision is satisfied.</p>
15.4.4 A2 – Maximum height	<p>Compliant.</p> <p>The provision requires that buildings not exceed 10m in height. The highest buildings are the Sprent and North Motton pump sheds, which would not exceed 3m in height.</p>
15.4.4 A3 – Boundary setbacks	<p>Compliant.</p> <p>The provision requires that the Sprent pump shed and the North Motton pump shed be at least 10m from road frontages and rear boundaries and 3m from other boundaries. The proposed setbacks for both sheds are at least 180m from any boundary.</p>
15.4.5 A1 – Access and services	<p>Compliant.</p> <p>The provision requires adequate accesses and services.</p> <p>Access for construction of the pipeline will be via existing farm accesses. Vehicle movements will be more frequent during the construction phase but</p>

	<p>after that will be infrequent and limited to service vehicles.</p> <p>On-site stormwater absorption or disposal is achievable at each of the pump shed sites on the site and will be addressed at the building and plumbing application stages.</p>
15.4.6 A1 – Filling or draining wetlands and watercourses	<p>Compliant.</p> <p>The provision requires that a wetland or watercourse must not be filled, drained or adversely affected.</p> <p>The KNMIS will not involve the filling of a watercourse.</p>
15.4.6 A2 – Effect on flow of wetlands and watercourses	<p>Compliant.</p> <p>The provision requires that there be no adverse effect on the flow into or out of wetlands or watercourses.</p> <p>An adverse impact is considered to be the point where flow dependant aquatic and environmental values, including the flora and fauna within it are materially harmed. At this point the impact becomes adverse.</p> <p>As there will be no extraction of water from the Forth River beyond that which has already been allocated to the Hydro, it is considered that there will be no significant adverse impact on flow of the Forth River. This is discussed in more detail above at 2.0 – Objectives for Planning.</p> <p>The flow of the existing watercourse at the Sprent Dam site will be affected by the dam. However, this is a matter that is subject to environmental assessments by DPIPWE in their assessment under the <i>Water Management Act 1999</i>. It is considered that compliance with a DPIPWE permit will demonstrate compliance with this provision.</p>

<p>15.4.6 A3 – Erosion and sedimentation of wetlands and watercourses</p>	<p>Condition.</p> <p>The provision requires that there be no adverse effect on a wetland or watercourse through increased erosion or sedimentation.</p> <p>During the construction phase, sedimentation would be a significant risk to aquatic and environmental values in the various wetlands and watercourses in the irrigation district. Recommendations for control of this risk and impact mitigation are addressed in Section 8 of the Aquatic Assessment by GHD. The condition recommended above at 2.0 – Objectives for Planning requires the implementation of these recommendations and adequately addresses this risk.</p>
<p>15.4.6 A1 – Native vegetation along wetlands and watercourses</p>	<p>Condition.</p> <p>The provision requires that there be no removal or destruction of native vegetation within 30m of the bank of a wetland or watercourse other than in accordance with the <i>Forest Practices Code 2000</i>.</p> <p>The <i>Forest Practices Code 2000</i> exempts clearing of trees on any land, or the clearance of a threatened native vegetation community on any land, for the purpose of dam works authorised by a dam permit granted under the <i>Water Management Act 1999</i>.</p> <p>As discussed above at 14.4.6 A1 – Vegetation protection, it also exempts clearance of native vegetation to enable the construction of a building and the carrying out of any associated development if authorised by a planning permit.</p> <p>Given the available exemptions and the limited amount of vegetation clearance, the provision is deemed to be satisfied.</p>

APPLICABLE SCHEDULES	
S2 – Road and Rail Line Schedule	<p>Complies.</p> <p>The Road and Rail Line Schedule requires safety of the road system and in particular, that adequate sight distance is provided for new accesses.</p> <p>The only new access to be created is off the Wilmot Road to the Forth River pump station. The Wilmot Road Pump Station Proposed Access Assessment by Pitt & Sherry concludes that the design speed for this Wilmot Road at the proposed access location is 100km/h. According to the report, the required sight distance in both directions is 139m. The available sight distance to the south is 122m and to the north is 146m.</p> <p>The report concludes that the sight distance of 122m to the south is adequate due to the low frequency for use of the access (less than one vehicle per day).</p> <p>Access for construction of the pipeline will be via existing farm accesses. Vehicle movements will be more frequent during the construction phase but after that will be infrequent and limited to service vehicles.</p>
S6 – Land Stability Schedule	<p>Compliant/condition.</p> <p>The Land Stability Schedule requires that the risk to life and property from the provision of infrastructure, the carrying out of works or the removal of vegetation in areas of potential land instability is minimised.</p> <p>The Geotechnical Assessment of Proposed Pipeline Route Ground Conditions by Geoton concludes that at the proposed pipeline nominal founding depth, all the test pits and boreholes revealed suitable founding conditions along the proposed route. The assessment also concludes that each section of the pipeline posed a low slope stability</p>

	<p>risk.</p> <p>Notwithstanding this, the assessment includes a number of recommendations at Sections 9 and 10. These recommendations include minor realignment, appropriate founding of the pipe, pipe alignment, excavation methods, water drainage and erosion mitigation. These recommendations are necessary to maintain the geological integrity of the site and to minimise environmental harm. On this basis, the following condition is recommended:</p> <ul style="list-style-type: none"> . The recommendations at Sections 9 and 10 of the Geotechnical Assessment of Proposed Pipeline Route Ground Conditions by Geoton Pty Ltd dated 20 January 2012 must be implemented during construction and for the duration of the activity.
<p>S8 - Heritage Schedule</p>	<p>Compliant/condition.</p> <p>The Heritage Schedule requires places of cultural significance and historic interest to be protected for current and future generations.</p> <p><i>Aboriginal Cultural Heritage -</i></p> <p>Insofar as Aboriginal cultural heritage is concerned, the Schedule requires that any known or likely relics on the site not be adversely affected.</p> <p>Aboriginal Heritage Tasmania reviewed the Aboriginal Heritage Assessment Final by Entura and determined that the report is acceptable and in accordance with the State Government's Standards and Guidelines.</p> <p>The advice of Aboriginal Heritage Tasmania is that as long as the recommendations of the report are adhered to, the KNMIS will avoid all areas of Aboriginal heritage and therefore there is no need for a permit under the <i>Aboriginal Relics Act 1975</i>.</p>

	<p><i>Historic Cultural Heritage -</i></p> <p>According to the KNMIS Historic Heritage Survey Assessment by Entura the area affected by the proposed irrigation scheme has been subject to 170 years of European land use. The potential exists for sites reflecting key historical themes of early exploration, land settlement, agriculture, transport and communication and forestry to be intersected by the proposed pipeline.</p> <p>However, the results of database searches indicate that the proposed KNMIS pipeline does not directly impact any places currently entered on National, State or local heritage lists.</p> <p>New discoveries of matters of historic cultural heritage during the construction phase are likely to range from low to local significance. New discoveries of Aboriginal Cultural Significance are likely to range from low to high significance. The KNMIS Historic Heritage Survey Assessment by Entura recommends that new discoveries with the potential for meeting heritage criteria be dealt with in accordance with the Tasmanian Heritage Council Pre-Development Assessment Guidelines protocol. In accordance with this protocol, the following condition is recommended:</p> <ul style="list-style-type: none"> . In the event of a new discovery of heritage value with the potential for meeting Aboriginal or historic cultural heritage criteria the following actions must be taken: <ul style="list-style-type: none"> ➤ Cease all construction activities within 100m of the place immediately; ➤ Arrange for a qualified specialist to assess the places significance and determine appropriate actions; ➤ Notify Heritage Tasmania or Aboriginal Heritage Tasmania,
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	<p>whichever is applicable, of the find and the proposed course of action; and</p> <ul style="list-style-type: none"> ➤ Seek guidance on the measures or steps that should be taken from Heritage Tasmania.
S11 – Car Parking Schedule	<p>Compliant/condition.</p> <p>The Car Parking Schedule requires adequate and suitably designed and constructed car parking. Utilities are required to have one car parking space per employee.</p> <p>Once the KNMIS is established, the number of employees is unlikely to exceed three at any one time with a possible two employees at any pump shed site.</p> <p>The Planning Report by Pitt & Sherry says that provision will be made for two off-site car parking spaces at each pump station (total of six spaces).</p> <p>The Planning Scheme requires parking spaces in the Environmental Management Zone and the Rural Resource Zone to have all-weather construction. Therefore, a condition is recommended as follows:</p> <ul style="list-style-type: none"> . Two all-weather car parking spaces are to be provided for each pump station.

CONSULTATION

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . 180 site notices were posted;
- . an advertisement was placed in the Public Notices section of “The Advocate” newspaper;
- . adjoining owners were sent a letter advising of the application and inviting comment.

The application was referred to the Council’s Planning and Assessment Team.

Any relevant comments received from the Planning and Assessment Team are included in this report.

Three representations were received, copies of which are attached at Annexure 25. Each matter is addressed in the same order it is raised:

MATTER RAISED	RESPONSE
SUBMISSION 1	
<p>Formal objection against the pipeline going through property</p>	<p>The representation is an objection to the KNMIS passing through the land owner's property and does not provide grounds that would inform a decision about compliance with the Planning Scheme.</p> <p>The land owner's consent is not required in order for an application to comply with the <i>Land Use Planning and Approvals Act 1993</i> and be able to be determined. To comply with the <i>Land Use Planning and Approvals Act 1993</i>, the applicant need only have notified the affected land owners of the intention to lodge the application. From the content of the representation and the declaration of the applicant on the application form, it appears that this has been done.</p>
SUBMISSION 2	
<p>Concern about deleterious impacts on water quality, in particular sediment levels, and flows during the construction phase of the pump station</p>	<p>This matter can be resolved provided the mitigation measures outlined the Sprent Dam Assessment by Tasmanian Irrigation, the Aquatic Assessment by GHD and the Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services are implemented.</p> <p>The condition proposed on the draft Permit mentioned above at 2.0 – Objectives for Planning is considered to be sufficient to protect the representor's interest.</p> <p>See also assessment above at 15.4.6.</p>

Details of stakeholder engagement not included in the application	<p>The report mentions that details of stakeholder consultation are included in the report. As stated by the representor, these details are not apparent in the report.</p> <p>While stakeholder engagement is a matter relevant to the objectives of the resource management and planning system generally, it is not a matter that affects compliance with the Planning Scheme.</p>
Insufficient information to assess potential impacts on water supply catchments and off-takes	The Sprent Dam Assessment by Tasmanian Irrigation, the Aquatic Assessment by GHD and the Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services address the construction phase of the KNMIS and contain measures for maintaining water quality. This is considered to be sufficient information to determine the application.
Impact of KNMIS on wetlands and watercourses	See first comments above for the first matter raised in this representation. See also assessment above at 15.4.6.
SUBMISSION 3	
Impact on representor's property	The representation objects to the impact of the KNMIS on the representor's property. However, the KNMIS pipeline is over 500m away from the representor's property and would have no impact on it.

IMPACT ON RESOURCES

This report has no impact on resources other than the usual resources in assessment of the application and preparation of a report. Additional resources required in the event of an appeal are unknown.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- . Adopt an integrated approach to land use planning

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment.

The proposal is consistent with these strategies and key actions.

CONCLUSION

The application complies with all relevant Standards, Objectives, Purpose of Zone statements and any other requirements specified in the Planning Scheme.

RECOMMENDATION

It is recommended that the application be approved in accordance with the draft Permit at Annexure 26.'

The Acting Director Development & Regulatory Services further reported as follows:

"The Town Planner has prepared the following report to be read in conjunction with the previously issued agenda:

'PURPOSE

The purpose of this report is to consider conditions of approval from Cradle Mountain Water (CMW) for the Kindred to North Motton Irrigation Scheme (KNMIS) further described in Council application number DA211293 and discussed at Agenda Item 6.1 for the meeting to be held on 30 July 2012. The purpose is also to correct an error in the agenda at pages 31 and 32.

BACKGROUND

An application for the KNMIS was received, advertised and assessed in the report at Agenda Item 6.1.

DISCUSSION

Conditions of approval from Cradle Mountain Water –

During the assessment phase of DA211293 it became apparent that CMW had been notified of DA211293 by an adjoining owner's letter rather than a planning referral under the *Water and Sewerage Industry Act 2008*. The Town Planner met with Cameron Parker, Development Coordinator and Peter Triffitt, Operations Manager both of CMW to discuss the matter. At that

meeting, it was agreed that CMW would provide the Council with conditions of approval for the draft Permit for DA211293. CMW provided the conditions of approval in Form 02 dated 27 July 2012, which is attached at Annexure 26.

Error in the agenda at pages 31 and 32 –

At pages 31 and 32 of the agenda, the response to the first and third matters raised of Submission 2 are in error. It is suggested that the measures outlined the Sprent Dam Assessment by Tasmanian Irrigation, the Aquatic Assessment by GHD and the Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services are adequate to protect the interest of CMW.

However, while these documents contain mitigation measures aimed at maintaining water quality, they do not specifically address the issue of sediment levels in the Forth River and do not provide adequate information to be sure that the interests of CMW are protected.

Nevertheless, inclusion of the conditions of Form 02 is mandatory in any planning permit and it is considered that they are adequate to ensure that the interests of CMW are protected.

CONSULTATION

Council and CMW staff have consulted each other regarding the matters outlined above.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2009–2014 includes the following strategies and key actions:

The Shape of the Place

- . Adopt an integrated approach to land use planning

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment.

The proposal is consistent with these strategies and key actions.

CONCLUSION

The Cradle Mountain Water conditions outlined in Form 02 must be included on the draft Permit for DA211293. Doing so is consistent with the *Water and Sewerage Industry Act 2008* and the *Central Coast Planning Scheme 2005*.

RECOMMENDATION

That an additional condition be added to the draft Permit for the Kindred to North Motton Irrigation Scheme requiring compliance with the conditions of Form 02 issued by Cradle Mountain Water at Annexure 26.’

The report is supported.”

The Acting Director Development & Regulatory Services reported as follows:

“Copies of the annexures referred to in the Town Planner’s report have been circulated to all members.”

■ Cr Broad moved and Cr Viney seconded, “That the application for the Kindred to North Motton Irrigation Scheme is approved subject to conditions and notes listed on the draft Permit at Annexure 26 (a copy being appended to and forming part of the minutes).”

Carried unanimously

53/2012 Chairperson

The Acting Chairperson vacated the Chair and the Mayor returned to the meeting at 6.14pm.

Closure

There being no further business, the Mayor declared the meeting closed at 6.14pm.

CONFIRMED THIS DAY OF , 2012.

Mayor

(pb:jar)

Appendices

Minute No. 52/2012 - Draft Permit - Kindred to North Motton Irrigation Scheme

QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* provides (in part) as follows:

. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendation provided to the Development Support Special Committee within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

(ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.



Cor Vander Vlist
ACTING GENERAL MANAGER

Appendices



I, LISA MACKRILL (name)
Executive Services Officer, do certify that this is the
1st. page of 7 pages comprising the Planning
Permit granted at and referred to in the Minutes of
the Meeting of the Council numbered 52/2012
and held on the 30/07/2012.
(signed) [Signature] Dated 03/08/2012.

PO Box 220
19 King Edward Street
Ulverstone Tasmania 7315
Tel (03) 6429 8900
Fax (03) 6425 1224
admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

PLANNING PERMIT

(DISCRETIONARY) (S57 Land Use Planning & Approvals Act 1993)

To: Pitt & Sherry
PO Box 1409
LAUNCESTON TAS 7250

Details of Planning Application:

Property Address: Wilmot Road, Forth (next to Paloona Road) Permit No: **DA211293**
to Harveys Road, North Motton Wilmot Rd
Wilmot Rd
Forth 7310

Development/Use: Kindred, North Motton Irrigation Scheme - an irrigation scheme drawing water from the Forth River (just upstream of the Paloona Road), to be made available to a proposed Kindred, North Motton Irrigation District - District includes Kindred, Sprent, Forth, Spalford, Abbotsham, Gawler, North Motton & Preston - works include three pump stations, a holding dam and a pipeline

Zone: Use Class: Utilities

Decision:

The Development Support Special Committee (DSSC), at its meeting held on 30/07/2012 (Minute No. 52/2012) made a decision on the above mentioned application.

The decision is reproduced as follows:

Approved with Conditions. Authorised by Development Support Special Committee (DSSC).

- 1 The development must be substantially in accordance with the application for this permit, unless modified by a condition of this permit.
- 2 The development must be in accordance with Form 02 dated 27 July 2012 by Cradle Mountain Water, which is attached to and forms part of this permit.
- 3 All recommendations of the Sprent Dam Assessment by Tasmanian Irrigation dated September 2011, the Aquatic Assessment by GHD, dated March 2012 and the Vegetation and Fauna Habitat Assessment by North Barker Ecosystem Services, dated December 2011 must be implemented for the construction and on-going operation of the Kindred to North Motton Irrigation Scheme.
- 4 Noise emission from the operation of the Kindred North Motton Irrigation Scheme must not exceed 30 dBA as measured at any residential dwelling. This is assessed as an equivalent continuous A-weighted sound pressure level integrated over a 10 minute period and free from intrusive characteristics as defined in the Tasmanian Noise Measurement Procedures Manual, First Edition, July 2004, produced by the Environment Division, Department of Primary Industries Water and Environment.
- 5 Liquid pollutants must not be discharged within 100m of a watercourse, wetland or other surface waters.
- 6 The external cladding of the pump sheds must have low reflectivity.
- 7 The recommendations at sections 9 and 10 of the Geotechnical Assessment of Proposed Pipeline Route Ground Conditions by Geoton Pty Ltd, dated 20 January 2012 must be implemented during construction and for the duration of the activity.

- 8 In the event of a new discovery of heritage value with the potential for meeting Aboriginal or historic cultural heritage criteria the following actions must be taken:
 - a) Cease all construction activities within 100m of the place immediately;
 - b) Arrange for a qualified specialist to assess the places significance and determine appropriate actions;
 - c) Notify Heritage Tasmania or Aboriginal Heritage Tasmania, whichever is applicable, of the find and the proposed course of action; and
 - d) Seek guidance on the measures or steps that should be taken from Heritage Tasmania.
- 9 Two all-weather car parking spaces are to be provided for each pump station.
- 9 All pipeline crossings of Council roads must be bored, unless approved otherwise by the Council's Director Engineering Services.
- 10 Engineering design drawings and construction methodologies are required for for pipeline crossings of all Council roads. Construction is not to commence until the relevant design drawings and construction methodology for the pipeline crossings of all Council roads has been approved by the Council's Director Engineering Services.
- 11 Any proposed variation from the approved plans or specifications for the pipeline crossings of Council roads must be approved by the Council's Director Engineering Services prior to undertaking any of such works.
- 12 A Road Reserve Permit must be issued by the Council's Public Safety Co-ordinator, or his representative, prior to any works or activity being undertaken within the road reservation. Application forms are available from the Council's Engineering Services Department and a fee applies.
- 13 Any proposed traffic control and management to be implemented as part of the works is to be forwarded to the Council's Environmental Engineer, or his representative, for approval prior to the commencement of work. Work must not commence until this approval has been obtained.
- 14 The location of the access off Wilmot Road to the proposed pump station must be in accordance with the recommendations of the Pitt & Sherry Tasmanian Irrigation Pty Ltd Wilmot Road Pump Station Proposed Access Assessment report of November 2011.
- 15 Any access and driveway must be constructed generally in accordance with Standard Drawing SD-1009 Rural Roads - Typical Standard Access (copy enclosed), to the satisfaction of the Council's Director Engineering Services or his representative.
- 16 Any damage or disturbance to roads, verges, stormwater infrastructure or existing services must be rectified, noting that this work will be undertaken by the Council at the property owner's/developer's cost, unless alternative arrangements are approved by the Council's Director Engineering Services or his representative.
- 17 Compliance is required with the commitments outlined in the Environmental Protection Requirements by Tasmanian Irrigation dated May 2012.
- 18 The activity endorsed by this permit must be carried out in accordance with the requirements of the Environmental Management and Pollution Control Act 1994, and Regulations made thereunder.
- 19 Compliance is required with the conditions outlined in the Environment Protection and Biodiversity Conservation Act 1999 permit dated 18 July 2012.

Please note:

- 1 A planning permit remains valid for two years. If the use or development has not substantially commenced within this period an extension may be granted if a request is made before this period expires. If the permit lapses, a new application must be made.
- 2 A planning permit does not circumvent the need for any other approvals, such as a building permit or a licence under State legislation.
- 3 Minor amendments to permits may be approved by the Council under Section 56 of the Land Use Planning Approvals Act 1993.



LISA MACKRILL (name)
 Executive Services Officer, do certify that this is the
 3rd page of 7 pages comprising the Planning
 Permit granted at and referred to in the Minutes of
 the Meeting of the Council numbered 52/2012
 and held on the 30/07/2012.
 (signed) *[Signature]* Dated 03/08/2012.

Permit No: DA211293

4 Building and plumbing permits are required for the proposed development. A copy of this planning permit should be given to your building surveyor.

If you wish to appeal against any of the permit conditions, you must lodge an appeal with the Resource Management and Planning Appeal Tribunal, GPO Box 2036, Hobart 7001 within 14 days from the date of this advice (refer s.61 of the Land Use Planning and Approvals Act 1993). The appeal must be in writing and lodged with the prescribed fee - please contact the Tribunal (ph 6233 6464) about procedures and further information regarding lodgement of an appeal.

Name:	Signed:	Date:
Ian Sansom	<i>[Signature]</i>	02 August 2012

Title:	LAND USE PLANNING GROUP LEADER	Permit No:	DA211293
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CRADLE MOUNTAIN WATER

162 Pumping Station Road, Forth, TAS, 7310
PO Box 3147DC, Ulverstone, TAS, 7315
Phone: 13MYWATER Fax: (03) 6498 7935
Email: development@cmwater.com.au
Web: www.cmwater.com.au



cradle
mountain
WATER

DEVELOPMENT PERMIT CONDITIONS / SUBMISSION

To: 1 Local Authority
 Address
 Suburb, Postcode

For: 2 Applicant
 Address
 Suburb, Postcode



Cradle Mountain Water accepts no responsibility for accuracy of content in Conditions if the following are 'cut and pasted', retyped or copied into any Council issued Permit. Accuracy of content will only be ensured by Cradle Mountain Water if this sheet (which forms Part B to Council's Planning Permit) is as a separate attachment only.

1. DETAILS OF WORK: DA2012.0206 – Kindred/North Motton Irrigation Scheme

DESCRIPTION OF THE WORK:

The application proposes to develop a licence access irrigation scheme servicing the Kindred/North Motton Rural Area.

The proposal includes an extraction facility located on the Forth River with an off take of approximately 33ML/day. The proposal seeks construct additional pipelines and storage facilities throughout CMW catchment areas to the west of the Forth River.

Cradle Mountain Water (CMW) drinking water catchments of the Forth River & Lake Isandula lie within the proposal scope.

2. CMW SUBMISSION (TO BE INCLUDED IN ANY STATUTORY APPROVAL):

GENERAL CONDITIONS:

- Any damages caused to the existing CMW infrastructure during the construction period is to be repaired and reinstated at the expense of the developer and shall be to the satisfaction of the CMW;

I, <u>LISA MACKRILL</u> (name)
Executive Services Officer, do certify that this is the
<u>41</u> page of <u>7</u> pages comprising the Planning
Permit granted at and referred to in the Minutes of
the Meeting of the Council numbered <u>52/2012</u>
and held on the <u>30/07/2012</u> .
<u>[Signature]</u>
(signed) Dated <u>03/08/2012</u>

THIS PAGE FORMS PART B TO THE PERMIT - ATTACH THIS SHEET SEPARATELY TO COUNCIL'S PERMIT

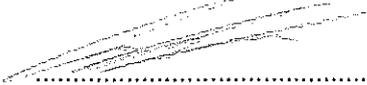
2. Appropriate risk mitigation measures are to be taken during construction and any heavy vehicle activity onsite to limit point loads to 12kN (unaltered pipe cover) or less within 3 meters of any CMW infrastructure. Measures may include but are not limited to:
 - Heavy Vehicle Traffic Management
 - Bridging/placement of suitable additional cover material
3. Prior to commencement of works the developer is to indemnify CMW and its customers from any loss or damage as a result of any interference with/damage to CMW assets caused by works or activity within potable water catchment areas.
4. Prior to commencement of works the developer is to indemnify CMW and its customers from any loss or damage as a result of any interference with water quality in the vicinity of treatment off-take points caused by works or activity within potable water catchment areas.
5. Prior to commencement of works the developer is ensure adequate environmental management controls are established and implemented to prevent silt and sediment carriage to water courses within CMW potable water catchment areas.
6. Prior to commencement of operation of the Kindred, North Motton Irrigation Scheme the developer is provide a detailed report from a suitably qualified person assessing the impact silt and sediment generated by the operation of the proposed irrigation scheme. The report is to detail recommendations to mitigate the impact silt and sediment carriage to water courses within CMW potable water catchment areas.
7. All infrastructure services crossing CMW mains and communication equipment/lines shall be installed perpendicular to CMW mains maintaining minimum separations and shall comply to WSAA standards & CMW specification;
8. Prior to commencement of works, detailed construction plans of all proposed works in conflict with CMW assets, prepared by a suitable qualified engineer, demonstrating compliance with WSAA Water Supply Code of Australia and CMW requirements, must be submitted and approved by CMW. In the case of discrepancies or items not covered in the WSAA standards, details must be to the satisfaction of CMW. Design calculations to confirm design are to be provided if requested by CMW;
9. All works in conflict with CMW assets are to be constructed under the supervision of a qualified engineer in accordance with WSAA Water Supply Code of Australia. The qualified engineer is to certify that the works have been constructed in accordance with the approved plans and WSAA standards;

I, <u>LISA MACKRIU</u> (name) Executive Services Officer, do certify that this is the 5th page of <u>7</u> ... pages comprising the Planning Permit granted at and referred to in the Minutes of the Meeting of the Council numbered <u>52/2012</u> and held on the <u>30/07/2012</u> . <u>[Signature]</u> (signed) Dated <u>03/08/2012</u>
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DEVELOPMENT ADMINISTRATION FEE

10. Prior to the Sealing of the Final Plan of Survey, payment of \$975 (inc GST) must be made to the Tasmanian Water & Sewerage Corporation (North West region) Pty Ltd (CMW) for the assessment of the development and assigning of planning permit conditions;

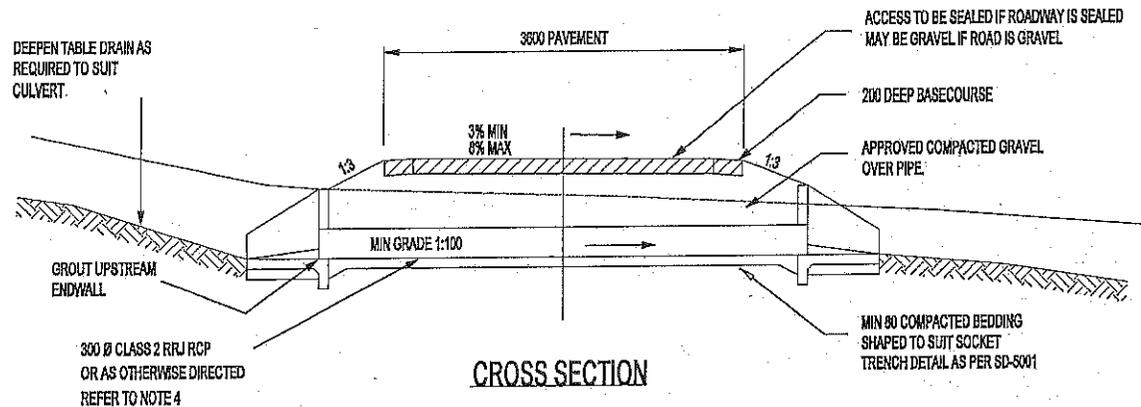
3. SIGNED:


.....
Cameron Parker
Development & Assessment CMW

27 July 2012
Date:

I, <u>LISA MACKELL</u> (name)
Executive Services Officer, do certify that this is the <u>6th</u> page of <u>7</u> pages comprising the Planning Permit granted at and referred to in the Minutes of the Meeting of the Council numbered <u>52/2012</u> and held on the <u>30/07/2012</u> .
 (signed)
Dated <u>03/08/2012</u> .

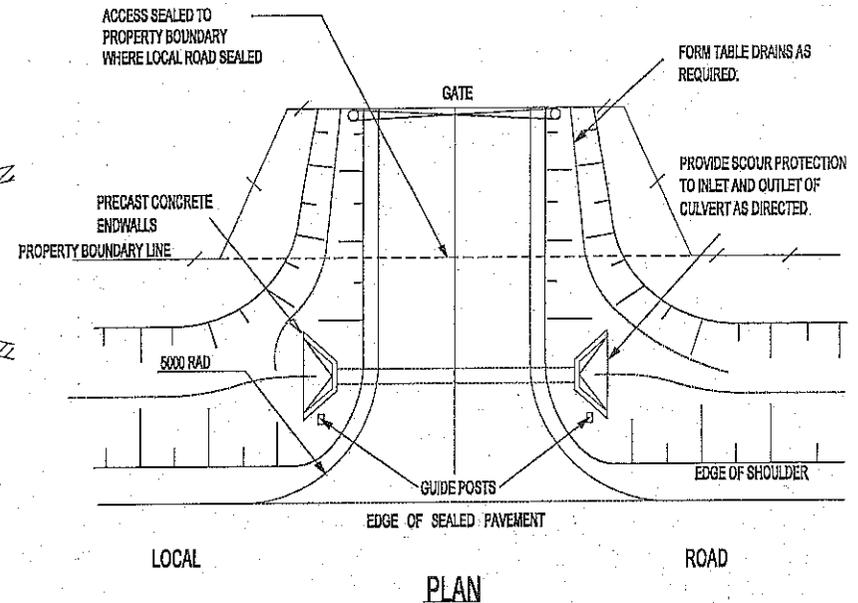
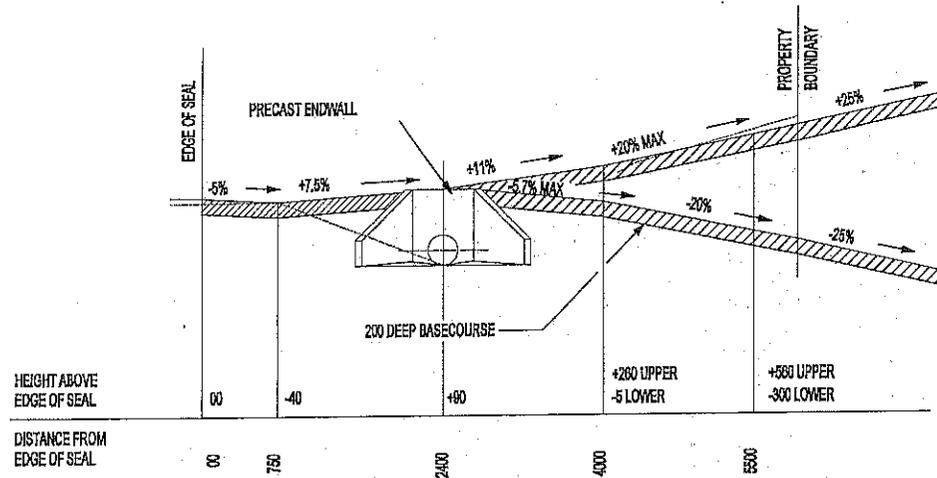
THIS PAGE FORMS PART B TO THE PERMIT - ATTACH THIS SHEET SEPARATELY TO COUNCIL'S PERMIT



NOTES

1. ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS NOTED
2. PRECAST ENDWALL TO BE WINGED TYPE OR OTHER APPROVED TYPE
3. SHALLOW DISH CROSSING MAY BE USED AS AN ALTERNATIVE
4. MIN CLEAR COVER OVER DRIVEWAY CULVERTS SHALL BE:

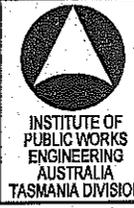
PIPE CLASS	MIN COVER
-CLASS 2	600
-CLASS 3	400
-CLASS 4	300
5. INSTALL GUIDEPOSTS AT CULVERT ENDS REFER SD-1010



1. LISA MACKRILL (name)
 Executive Services Officer, do certify that this is the 7th page of ...7... pages comprising the Planning Permit granted at and referred to in the Minutes of the Meeting of the Council numbered 52/2012 and held on the 30/07/2012.

(signed) [Signature] Dated 03/08/2012

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DRAWING TITLE TASMANIAN COUNCILS' SUBDIVISION STANDARD DRAWING RURAL ROADS - TYPICAL STANDARD ACCESS		
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