



DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION

**FERN TREE
LOCAL AREA PLANNING
PROVISIONS**

Volume 2

June 2000

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1. LOCAL AREA PLANNING PROVISIONS FOR FERN TREE

1.1 Introduction

This Local Area Planning Provisions (LAPP) document (Vol 2) follows from the Background Documentation (Vol 1) which provided a detailed analysis of all relevant background information on environmental, social, economic and cultural issues within the Study Area.

This June 2000 version of Volume 2 has been modified following community consultation on the draft Fern Tree Local Area Planning Provisions - November 1999 version.

The LAPP has been prepared following the completion of the various tasks required by the brief under the following topics:

- Environmental Performance and Values
- Development Resources and Planning
- Transport Services
- Infrastructure Services
- Recreation and Open Space
- Commercial and Community Services

The LAPP are a means of bringing together background information and analysis, identifying the objectives for the future of the Study Area and the outline of the actions and statutory controls that may be put in place to assist in the achievement of those objectives.

One option for the third stage of the project will be the preparation of the planning scheme amendment documents which will be implemented through the process set out in the Land Use Planning and Approvals Act 1993 (Appendix 1). The other option is to use the study outcomes as the policy basis in the formulation of a new City of Hobart Planning Scheme.

The range of planning issues in the Background Documentation suggests that the LAPP should be based around the development of a number of objectives for the Study Area that address:

- landscape and environmental improvement;
- infrastructure;
- access and traffic management;
- commercial and community facilities and services.

These objectives would then help determine an overall planning framework (the LAPP) to guide the future development of the Fern Tree area.

2. PLANNING FRAMEWORK

2.1 THE RESOURCE MANAGEMENT AND PLANNING SYSTEM

In 1993 the Tasmanian Government introduced a suite of legislation called the Resource Management and Planning System (RMPS). This system provides the context for all resource management and planning in Tasmania.

The legislation introduced in 1993 and related legislation introduced in subsequent years includes:

- The Land Use Planning and Approval Act 1993;
- The Environmental Management and Pollution Control Act 1994;
- The State Policies and Projects Act 1993;
- The Historic Cultural Heritage Act 1995; and
- The Resource Management and Planning Appeal Tribunal Act 1993.

The overall purpose of this system is to achieve sustainable development through the implementation of a series of objectives. These objectives are set out in Section 1.3.2 of the Background Documentation (Volume 1).

The system also has a series of objectives for the planning process. These objectives provide guidance on the preparation and implementation of the Fern Tree LAPP. The objectives are:

- a) *to require sound strategic planning and co-ordinated action by State and local government; and*
- b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and*
- c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and*
- d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and*
- e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and*
- f) *to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and*
- g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and*

- h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and*
- i) to provide a planning framework which fully considers land capability.*

The RMPS also requires the State Government to prepare State Policies which are to be implemented through local planning schemes. The only State policies finalised so far are the State Coastal Policy, State Policy on Water Quality Management and the State Policy on the Protection of Agricultural Land.

These matters will guide the format and content of the LAPP. The outcomes of any Plan will need to be in accordance with the requirements of the legislation and the RMPS.

3. LANDSCAPE AND ENVIRONMENTAL IMPROVEMENT

3.1 INTRODUCTION

This section provides a framework for objectives and actions relating to landscape and environmental improvement. The objectives/actions are based on the background information collected, documented and analysed in the initial stages of the project and the outcomes from public consultation conducted during the preparation of the background documentation.

The matters to be addressed are:

- a) landscape values;
- b) conservation values;
- c) cultural heritage;
- d) open space and recreation; and
- e) environmental hazards.

3.2 LANDSCAPE VALUES

3.2.1 Visual Analysis

The landscape values of Fern Tree have been assessed from both a physical and cultural point of view. The report by D Elton (1997) *Fern Tree Catchment Mapping, Habitats and Hazards* (see Background Document - Vol 1 Appendix A) includes a visual analysis of the landscape and its sensitivity to further development and change. The assessment divides the area into visual character units (See Map 1) and describes the character of each unit in terms of its landscape, development pattern and visual prominence.

Elton (1997) considers that the study area forms an important forested backdrop to the City's regional setting with the natural areas forming a continuum with the upper slopes of Wellington Park. On a more local level the qualities of the landscape and setting of the Fern Tree area are of sufficient importance to the local and regional community that particular management objectives need to be put in place to manage changes in the landscape over time.

3.2.2 Cultural Landscape

The report by G Sheridan (1998) *The Historical Evolution and Cultural Heritage of Fern Tree*, details the historical evolution of the Fern Tree landscape since European settlement and identifies aspects of that landscape which have cultural value. Sheridan (1998) considers that Fern Tree has significant landscape values due to the combination of a variety of features such as the sense of enclosure and intimacy along a winding mountain road with spectacular outward vistas, the natural environment, dramatic scenery and exotic gardens.

Sheridan (1998) also carried out an assessment of the ability of the landscape to visually accommodate change without adverse impacts on the landscape values (Visual Absorption Capability See Map 1A). This assessment showed that the capacity of the landscape to absorb change varies considerably throughout the area and even along the same road. Some areas are extremely sensitive and will not accept change without a reduction of the present landscape qualities. Other areas have a greater ability to absorb change however that change needs to be managed to preserve the character of Fern Tree.

A number of key vista points have also been identified (Sheridan, 1998) which offer panoramic outward views. Several of these are found along Huon Road and the importance of these views also needs to be recognised in the future management of the area.

3.2.3 Community Views

The household survey conducted in January 1998 highlighted the importance of the landscape qualities of the area to the local community. Ninety percent of respondents identified the natural bushland setting as being one of the reasons they choose to live in Fern Tree. When asked to rate the condition of the local environment in regard to scenic values and views 94% of respondents said it was good or very good. The design and location of houses and subdivision of bushland areas were identified as being important to the future planning of the area.

The community workshop held in May 1998 identified the following problems/threats and issues which may impact on the landscape qualities of the area:

- subdivision of land ;
- over-clearance of house blocks;
- overhead powerlines; and
- siting of houses within the bush context.

Ideas and opportunities for better managing issues which may impact on the landscape values were:

- put powerlines underground particularly around the Summerleas/Huon Road junction;
- properties along the Pipeline Track should have vegetation clearance controls; and
- improve siting and design of houses in bushland areas.

3.3 CONSERVATION VALUES

3.3.1 Flora

A botanical survey of the area was undertaken by A J North & Associates (1998), (see Background Document - Vol 1 Appendix C - *Botanical Survey of Hobart Bushland - Stage 3 Fern Tree*). The survey found several plant species of conservation significance including *Bedfordia aff. Linearis* and *Brachyglottis brunonis* which is also listed as rare. Patches of remnant rainforest species were identified as being important due to their local significance.

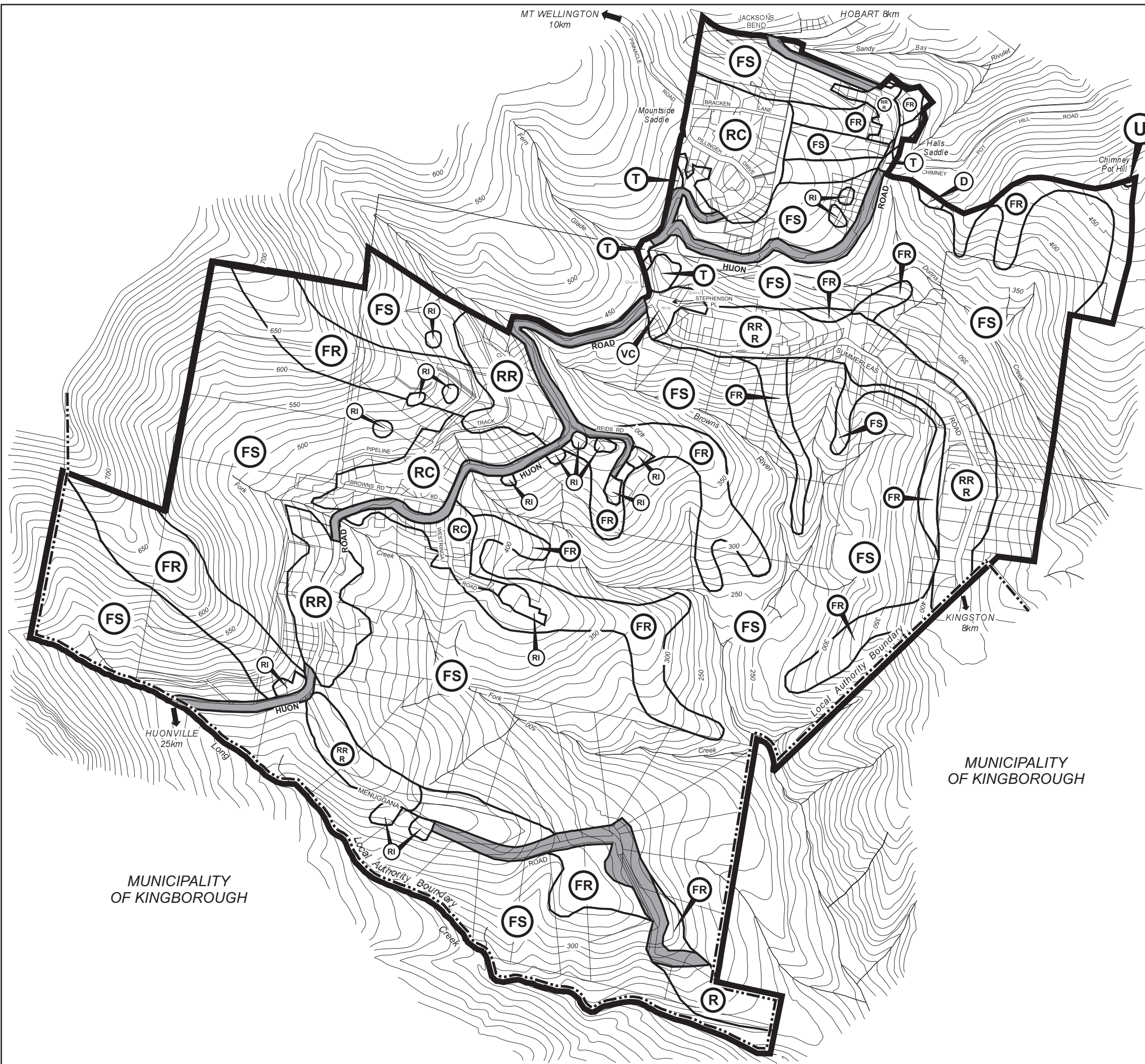


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KEY TO VISUAL UNIT CLASSIFICATIONS

- D Damaged
- FR Forest Ridge
- FS Forest Slope
- R Rural
- RC Rural Cluster
- RI Rural Isolated
- RR Rural Residential
- RRR Rural Residential Ridge
- T Tourist
- U Utility
- V Village Centre
- Road Corridor



Contour interval: 10 metres

Contours supplied by the Department of Environment and Land Management

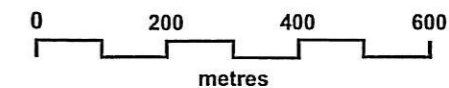


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- Boundary of study area
- Outward extending vista points
- Pipeline Track
(With 20 metre buffer)
- Huon Road
(With 50 metre buffer in
northern section)
- VAC* - 1/2**
Areas with very low VAC
(extreme sensitivity to change).
Change not recommended.
Includes also Pipeline Track,
North Huon Road
- VAC* - 3/4**
Sensitive areas. Small amount
of change only allowable.
Strict guidelines to be adhered
to.
- VAC* - 5/6**
Areas with moderate VAC
levels. Can absorb some
changes. Guidelines to be
adhered to.
- VAC* - 7/7+**
Areas with moderate/higher
levels of VAC. Change can
occur. Guidelines to be
followed.

* Visual Absorption Capability

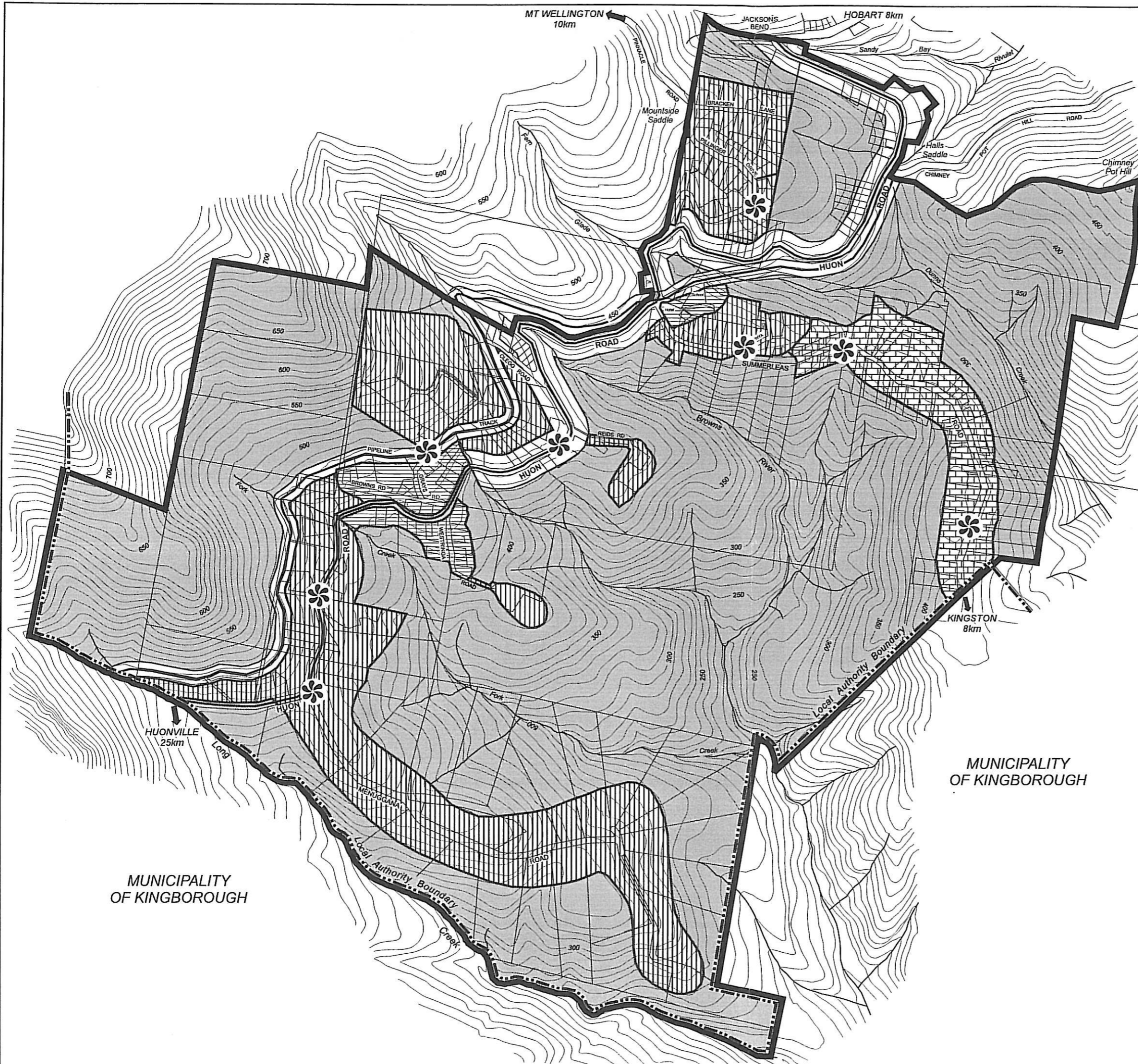


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Map 1A

AREAS OF DIFFERENT
VISUAL ABSORPTION CAPABILITY
SENSITIVITIES



MUNICIPALITY
OF KINGBOROUGH

MUNICIPALITY
OF KINGBOROUGH

No plant communities were considered to be in critical or urgent need for further conservation based on the area of those communities already reserved on public land within Tasmania. Several plant communities were however identified as having some conservation significance and their location is shown on Map 2.

The survey also identifies threats to the viability and integrity of native vegetation in the Fern Tree area. These include land clearance, fire and weed infestation.

3.3.2 Fauna

An assessment of the fauna values within the Study Area was undertaken by Brereton (1998) (see Background Document - Vol. 1 Appendix D - *Fern Tree Local Area Plan Fauna and Habitat Overview*). Map 3 shows the location of significant faunal habitats.

The assessment found that there are a large number of species of conservation significance which have been recorded from the Fern Tree area. Most of the significant faunal species are associated with the wet forest and wet gully habitats which are mostly located along drainage lines. The assessment recommends several measures to maintain the faunal values within the area. These include the protection of significant habitats from development, controls over vegetation removal and fire management planning which considers the need to maintain faunal habitats.

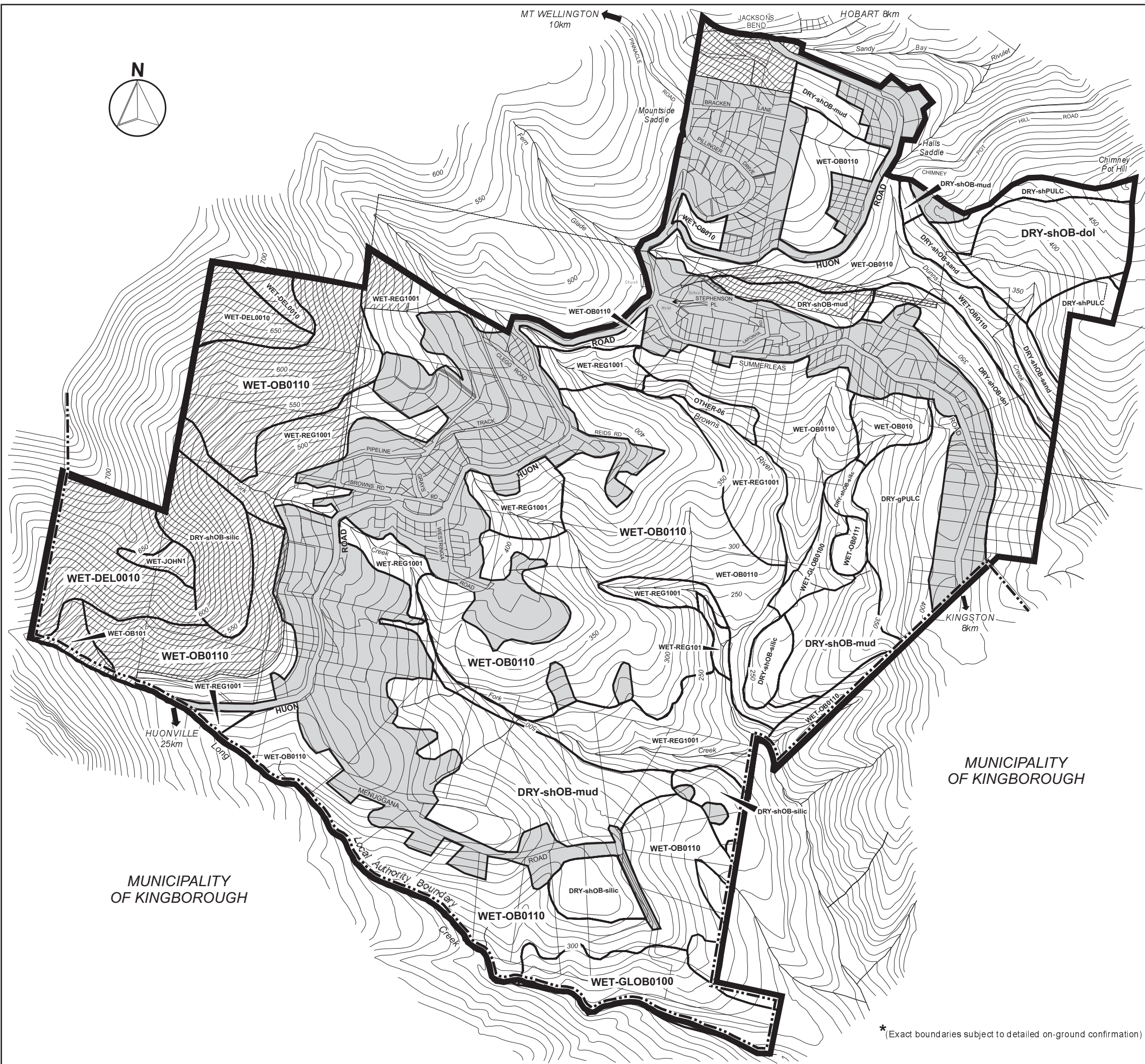
3.3.3 Community Views

The results of the household survey and community workshop on 28th May 1998 indicate that conservation of the flora and fauna values of the area are a concern of the local community. Ninety percent of respondents to the survey gave the natural bushland setting as a reason for choosing to live in Fern Tree. Issues of concern regarding the conservation of natural values included;

- spread of weeds into bushland;
- clearance of bushland;
- impact of pets on native animals;
- protection of remnant bush; and
- recreational impacts in bushland areas.

At the community workshop ideas/opportunities put forward for better managing the natural resources/local environment in Fern Tree included;

- improve mechanisms for fire management to protect rainforest species;
- weed eradication programs and education of community about appropriate garden planting eg. encourage active local Holly removal day;
- encourage active involvement in Landcare group;
- get powerlines underground to improve aesthetics, fire safety and reduce wind risks;
- provision of native plants to encourage an increased awareness of Tasmanian plants;
- consider re-instating the walking track but not at the expense of erosion;

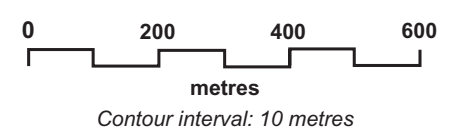


FERN TREE LOCAL AREA PLANNING PROVISIONS (Volume 2)

- DRY-shOB-dol** Shrubby *E. obliqua* dry sclerophyll forest doleritic
- DRY-shOB-mud** Shrubby *E. obliqua* dry sclerophyll forest argillaceous
- DRY-shOB-silic** Shrubby *E. obliqua* dry sclerophyll forest siliceous
- DRY-shPULC** Shrubby *E. pulchella* forest
- DRY-gPULC** Grassy *E. pulchella* woodland
- OTHER-06** *Bedfordia salicina* - *Olearia argophylla* closed scrub
- WET-DEL0010** *E. delegatensis* - *Olearia phlogopappa* - *Olearia viscosa* sub-alpine wet sclerophyll forest
- WET-GLOB0100** *E. globulus* - *Bedfordia salicina* - *Beyeria viscosa* wet sclerophyll forest
- WET-JOHN1** *E. johnstonii* wet sclerophyll forest
- WET-OB010** *E. obliqua* - *Olearia lirata* - *Pultenaea juniperina* wet sclerophyll forest
- WET-OB0110** *E. obliqua* - *Acacia dealbata* - *Olearia argophylla* wet sclerophyll forest
- WET-OB0111** *Eucalyptus obliqua* - *Melaleuca squarrosa* - *Monotoca glauca* wet sclerophyll forest
- WET-OB101** *E. obliqua* - *Nothofagus cunninghamii* - *Monotoca glauca* wet sclerophyll forest
- WET-REG1001** *E. regnans* - *Acacia dealbata* - *Pomaderris apetala* wet sclerophyll forest
- WET-REG101** *E. regnans* - *Atherosperma moschatum* - *Acacia dealbata* - *Olearia argophylla* wet sclerophyll / mixed forest

- Cleared land
- Areas recommended for conservation measures

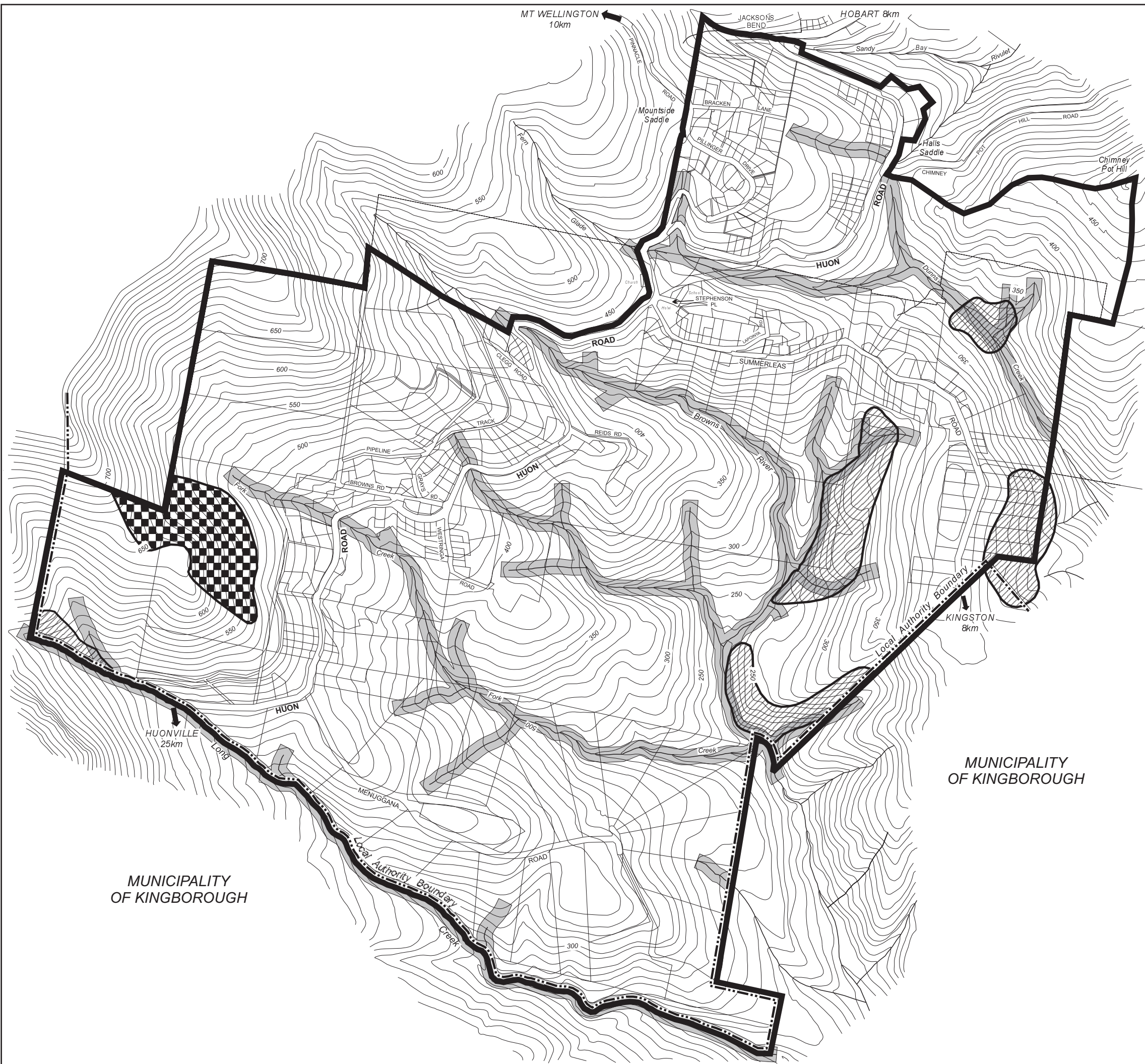
Source: North, A., (1998). *Botanical Survey of Hobart Bushland - Stage 3*. Hobart City Council



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Map 2 PLANT COMMUNITIES*

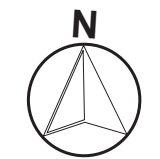
* (Exact boundaries subject to detailed on-ground confirmation)



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- Wet gully / rainforest 
- Scree slope 
- Old growth forest 






Contour interval: 10 metres

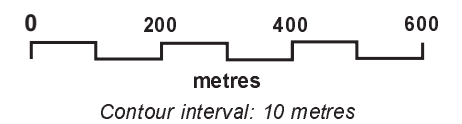
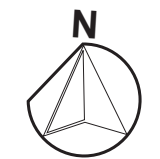
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Map 3
SIGNIFICANT FAUNAL HABITATS

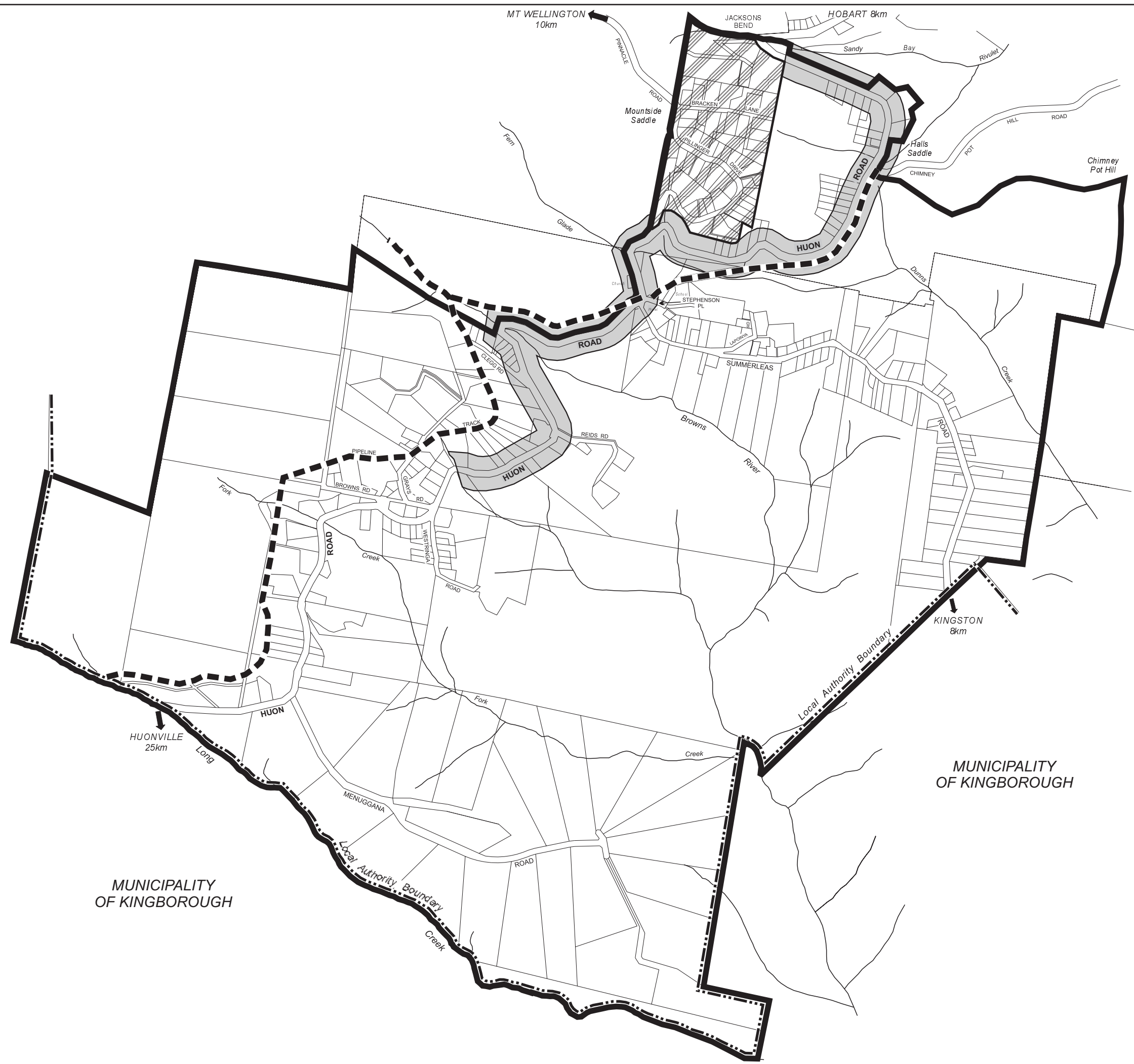


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- Precinct A**
(Pillinger Drive/Bracken Lane) 
- Precinct B**
(Huon Road - north) 
- Precinct C**
(Pipeline Track & track to Silver Falls) 



Map 4
CULTURAL LANDSCAPE PRECINCTS



MUNICIPALITY OF KINGBOROUGH

MUNICIPALITY OF KINGBOROUGH

Local Authority Boundary

Local Authority Boundary

- a register of unique trees for protection within Fern Tree eg. Pillinger Drive;
- adjacent properties along the Pipeline Track should have limited vegetation clearance controls;
- make Fern Tree a 'cat-free' suburb; and
- fire boundaries on Council land should be regularly maintained.

3.4 CULTURAL HERITAGE

3.4.1 Aboriginal Heritage

Investigations undertaken for the *Mt Wellington: Mountain Park Resource Inventory*, (1994) 208 Network, (see Background Document - Vol 1 Appendix E) indicate that the history of Aboriginal occupation and use of the Mt Wellington foothills was likely to be significant. A number of areas of potential archaeological sensitivity were identified within the Fern Tree Study Area .

- sandstone rock shelters;
- undisturbed banks of major creeks;
- historical and unsealed tracks; and
- level to gently sloping areas facing north or south east.

3.4.2 European Heritage

The history and evolution of Fern Tree since European settlement is outlined in the report by G Sheridan (1998) *The Historical Evolution and Cultural Heritage of Fern Tree*. That report and the report by R Vincent (1998) *Fern Tree Cultural Heritage Assessment*, identify a number of sites, buildings and precincts of heritage significance that are recommended for protection under the Planning Scheme. The recommended heritage precincts are shown on Map 4.

Vincent (1998) also provides an assessment of the heritage significance of Fern Tree and its development pattern using the criteria listed in the *Tasmanian Historic Cultural Heritage Act 1995*. The conclusion from this being that Fern Tree is very significant from a cultural heritage point of view as it demonstrates particular aspects of the evolution or pattern of Tasmania's history.

3.4.3 Community Views

At the community workshop ideas/opportunities put forward for better protecting and managing the cultural heritage values in Fern Tree were;

- recognising the importance of the Church, The Bower and Pipeline Track to the community;
- recognising the many beautiful gardens and history of development within Fern Tree;
- better siting of houses within the bush context (visible impact along Summerleas Road);

- put the HEC powerlines underground in Summerleas Road/Huon Road (bundling of cables would also be better than existing situation);
- seek Federal funding for cultural projects eg. undergrounding of powerlines near Church;
- make the Pipeline Track a Heritage Trail - pointing out significant items of cultural and natural heritage from waterworks to Wellington Falls (signs, leaflets, interpretation centre at Fern Tree);
- need to identify main features of cultural interest and produce simple, easily available booklet with map; and
- consider the 'sense of place' values with future subdivision plans eg. Menuggana Road subdivision has cut off old bush trails and walking tracks through to Summerleas Road from Huon Road.

3.5 OPEN SPACE AND RECREATION

3.5.1 Existing Situation

Fern Tree is well served by open space available for a variety of recreational activities. There are significant areas of public open space bordering on Wellington and Ridgeway Parks which provide extensive areas of open space and opportunities for recreation. The term open space includes both bushland and cleared land.

The *City of Hobart Open Space Study* (1997) Acer Wargon Chapman, did not identify any areas in Fern Tree for acquisition. This Study followed from the *City of Hobart Open Space and Landscape Strategy* (1994) J Hepper & J de Gryse which recommended that a high priority should be given to investigating the land to the south of Jackson Bend on the Huon Highway for retention as a wildlife habitat link between Ridgeway Park and Wellington Park. The Wellington Park Management Plan has identified a number of sites around the Park edges for possible inclusion in Wellington Park. None of these are located in the Fern Tree Study Area.

There are a number of walking tracks in the area with most linking to tracks in Wellington Park. The most significant of these being the Pipeline Track which runs from the Waterworks Reservoir in South Hobart, through Fern Tree and past Neika to near the start of the North West Bay River. The need to protect the setting of this track has been identified in the cultural heritage assessment.

The only nominated horse trails in the area are in the Elvenholme subdivision (Menuggana Road), several other tracks and fire trails however are used informally for this purpose. There is an equestrian centre nearby in the Kingborough Municipality.

3.5.2 Community Views

The household survey indicated that 100% of respondents used the local walking tracks and parks and 96% rated the adequacy of open spaces and reserves as good or very good.

The adequacy of recreation and sporting facilities received a rating of poor from 34% of respondents. This would probably reflect the lack of any formal facilities in the Study Area for active recreation such as a sports oval. No suggestion has been made however that such a facility should be provided.

The community workshop identified a few ideas and opportunities for improving open space and recreation within the Study Area. These being:

- improve track maintenance and reinstate parts of the Pipeline Track;
- protect the setting of the Pipeline Track;
- allow sensible recreational cycling on the Pipeline Track; and
- provide activities for young people such as skateboard and rollerblade facilities.

3.6 ENVIRONMENTAL HAZARDS

The analysis of the physical features of the Study Area highlighted the following environmental hazards that may place limitations on the location and form of development: (Some of the terms used in this section are defined in the Glossary - Appendix 3)

3.6.1 Land Slip

The potential for land slip is dependent on slope, geology, level of sub-surface moisture, and vegetation cover. From the landform analysis in the *Fern Tree Catchment Mapping, Habitats and Hazards* report, D Elton (1997) (see Background Document - Vol 1 Appendix B), most of the Study Area consists of mid-slopes (12-20°) which can generally be built on safely. Most of the soils in the area however are rich in clay and have a high propensity to display "soil creep".

The complex topography of the area along Browns River suggests that this area may be extremely susceptible to slope movement. Sub-surface moisture is likely to be significant because of the relatively high rainfall and low levels of sunshine.

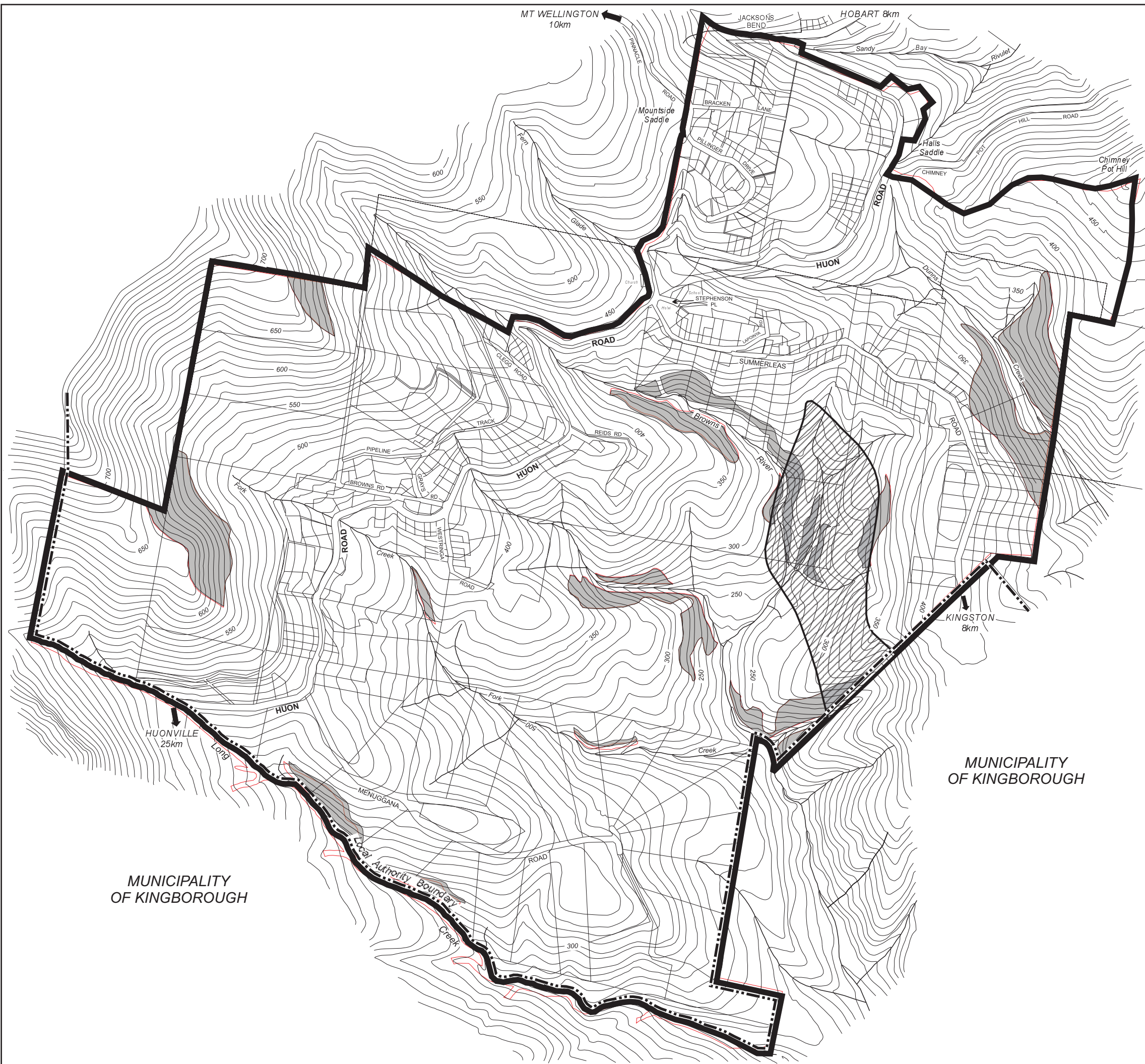
Most of the Study Area could be built upon safely provided that a thorough geo-technical assessment was undertaken beforehand. Road access would remain a complicating issue. Due to its complex land form, the area shown on Map 5 has been identified as having the potential for geological instability and landslip.

3.6.2 Soil Erosion

Of the soils common to the Study Area, only those found on the Permian sedimentary bedrock are particularly susceptible to erosion. Most of the presently developed land in the area is found on this substrate. Some isolated erosion has been identified around stormwater outlets. Several long driveways down hill slopes have also displayed evidence of on-going erosion problems and the length and number of driveways on steep slopes needs to be minimised. Development should be undertaken with the appropriate sediment control measures in place and stormwater should be managed in accordance with best management practices.

3.6.3 Ice

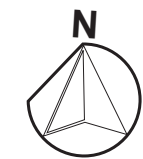
Some parts of Fern Tree develop icy conditions during winter which can pose a risk on steep driveways and on some roads. In frost-prone areas alternative car parking arrangements need to be considered for development which incorporates steep driveways. Ice and frost heave is also an issue in relation to soil movement and erosion.



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- Steep slopes (20°+)
- Geological hazard



Contour interval: 10 metres

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Map 5
**AREAS OF POSSIBLE LAND
INSTABILITY**

3.6.4 Flooding

Being so high in the catchment, with development generally limited to the ridges and most of the area covered in vegetation, houses in Fern Tree rarely experience flooding. This situation also stems from the capture of flow by the Waterworks aqueduct and the low level of stormwater runoff due to low development densities. High water flows could be expected at times alongside the creeks in the lower portion of the Study Area however and any development would need to be set back an appropriate distance .

3.6.5 Bushfire

The Tasmanian Fire Service defines areas of high fire hazard as being over 15° in slope and covered with vegetation. Almost all of the Study Area fits this classification. Fern Tree was severely affected by the 1967 bushfires and has the potential to be affected again by a severe bushfire event. Planning Note No. 11 - *Bushfire Hazard Minimisation Planning*, (1997), Land Use Planning Review Panel, states that any developments in medium or high risk areas should comply with measures to reduce fire risk, such as those found in *Planning Conditions and Guidelines for Subdivision in Bushfire Prone Areas*, Tasmania Fire Service (1995). These guidelines have been revised in the publication, *Guidelines for Development in Bushfire Prone Areas for Tasmania* (Draft 2000) Bushfire Management Planning Group, and this should form the basis for the management and reduction of bushfire risks.

The impact of the extent of clearing or other bushfire fuel management practices on landscape and conservation values does need to be carefully considered.

There is a network of fire trails in the Fern Tree area which link to trails in Wellington Park and to the south and east in the Municipality of Kingborough. There is limited opportunity however for the establishment of new trails due to the steep terrain.

A Fire Management Strategy has been prepared by the Wellington Park Management Trust for Wellington Park. The Strategy examines environmentally sustainable approaches to fire management including fire trail maintenance, sustainable prescribed burning programs, raising community awareness of bushfire issues, access issues and fuel loading within and adjacent to the Park.

3.7 LANDSCAPE AND ENVIRONMENTAL IMPROVEMENT OBJECTIVES

Below are the matters to be addressed with respect to landscape and environmental improvement issues in the Study Area. Many of the issues canvassed relate to other sections of this report and highlight the need for integrated approaches to planning and management.

3.7.1 Landscape

Issues

The background analysis identified the value of the landscape and setting of Fern Tree and the following issues that need to be addressed in this Plan:

- the capacity for subdivision of larger land parcels which could alter the desired character of Fern Tree, principally through the removal of remnant vegetation and loss of setting ;

- inappropriate siting and design of houses leading to poor quality appearance, loss of amenity values, limited solar benefits, impacts on viewlines and loss of remnant vegetation ;
- impact of power lines on scenic values ; and
- the limitations of vegetation clearing controls for protection/management of the landscape.

Objective

To protect and enhance the landscape character and values of the Fern Tree area.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- a) That appropriate zonings/planning scheme controls be put in place to protect the landscape qualities of the area.
- b) That applications for development be assessed in regard to their impact on the landscape qualities of the area and appropriate conditions be placed on approvals to ensure that their impact is minimised. This will involve removing the current Planning Scheme exemption on single dwellings from obtaining planning approval.
- c) That the potential for additional subdivision of land in the area be limited under the Planning Scheme.
- d) That options for the funding of the undergrounding of the overhead powerlines around the Summerleas/Huon Road junction be investigated.
- e) Strengthen the current vegetation clearance controls under the Planning Scheme by controlling the removal of vegetation in the vicinity of the Pipeline Track.
- f) Protect/manage the key vista points identified along Huon Road so that distant panoramic views are maintained.

3.7.2 Conservation

Issues

Several conservation issues have been identified in the background analysis. These include:

- problems with introduced weed infestation including Holly and weed control generally within the fringe bushland areas ;
- landscape and habitat value which may be vulnerable to future development pressure as most bushland areas are in private ownership;
- the impact of domestic animals on native fauna;
- the impact of fire hazard reduction measures on rainforest species;
- the conflict between minimising fire hazard for development and the impact on conservation values.

Other issues raised during the community consultation on the draft Local Area Planning provisions include:

- Road kill of animals particularly along Huon Road;
- The design of buildings and fences in relation to the incidence of bird strike;
- The need to consider the abiotic (non-living or physical and chemical influences) values in the area when considering development proposals.
- The need to keep a vegetated open space link as a wildlife corridor between Ridgeway and Wellington Parks.

It has also been recommended by Council's Bushland Planner that a property of 4981m² (part of 841 Huon Rd) west of the Pipeline Track in the south east corner of the area proposed to be zoned Bushland Conservation and Recreation be added to Council's Open Space Program. North, A. (1998) *Botanical Survey of Hobart Bushland - Stage 3*. Hobart City Council, recommended that additional conservation measures apply in this area.

Objective

To ensure the conservation of native plant and animal species through maintenance and restoration of suitable habitats.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- a) That appropriate zonings/planning scheme controls be put in place to protect the conservation values identified in the area.
- b) That applications for development be assessed in regard to their impact on the conservation values (including abiotic values) of the area and appropriate conditions be placed on approvals to ensure that their impact is minimised.
- c) Continue weed eradication programs and provision of information to the community about appropriate garden planting and encourage active involvement in the Landcare group and Councils Bushcare Program;
- d) Inform the community about the impact of domestic pets, such as cats, on native wildlife and measures to reduce those impacts.
- e) That Council consider the impact of fire management practices on conservation values when carrying out fire hazard reduction, issuing abatement notices or giving approval to new development.
- f) Assess road kill patterns through the road kill survey to identify black spots and investigate appropriate solutions.
- g) Zone the area north of Bracken Lane, shown on Map 2 as an area recommended for conservation measures, Bushland Conservation & Recreation and include the properties involved in Council's Open Space Program.
- h) Include that part of the property at 841 Huon Road west of the Pipeline Track in Council's Open Space Program.

3.7.3 Cultural Heritage

The cultural heritage assessment carried out during preparation of the Background Document identified a number of sites, buildings and precincts of cultural heritage value which are recommended for inclusion in Schedule F of the City of Hobart Planning Scheme 1982. These are listed in Appendix 2 along with an extract from Schedule F which specifies the planning controls that would apply to these sites.

Issues

The main issues raised related to the protection and promotion of the cultural heritage values identified.

Objective

To protect and promote the preservation of the sites, buildings and precincts identified as having cultural heritage value and to identify sites of potential archaeological sensitivity.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- a) That developments proposed in areas of potential archaeological sensitivity be required to investigate the presence of Aboriginal sites and protect where appropriate.
- b) That the sites, buildings and structures listed in Appendix 2 of this document, be listed in Schedule F - Heritage of the City of Hobart Planning Scheme 1982 following further consultation with property owners.
- c) That the cultural landscape qualities of the precincts shown on Map 4 of this document be protected in the City of Hobart Planning Scheme 1982.
- d) That a brochure/booklet be prepared containing a summary of the history of Fern Tree and a map showing the sites of heritage significance.
- e) Council continue to support the Pipeline Track Heritage Trail project.

3.7.4 Open Space and Recreation

Issues

The main issues raised relating to open space and recreation were:

- the need to improve walking track condition and maintenance;
- the condition of the bridge over Browns River on the Pipeline Track is deteriorating;
- the desirability of allowing cycling on the Pipeline Track; and
- the need to provide activities for young people such as skateboard and rollerblade facilities.

The Council is currently investigating options for the provision of a major skateboard facility in the central area of Hobart and given the relatively small population in the Fern Tree area it is unlikely that the provision of such a facility in Fern Tree could be justified.

Objective

To maintain and improve the quality of recreational experiences for both residents and visitors within the Fern Tree area.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- a) Develop a program of sympathetic track improvement and maintenance in the Fern Tree area.
- b) That the issue of cycling on the Pipeline Track continue to be dealt with in the Bicycle Strategy being prepared by the Wellington Park Management Trust.
- c) That the condition of the bridge over Browns River on the Pipeline Track be investigated.

3.7.5 Environmental Hazards

Issues

The background analysis identified a number of environmental hazards that will need to be considered in assessing future development proposals in Fern Tree. These were:

- the possibility of “soil creep” and landslip in certain areas and the need for a thorough geo-technical assessment to be undertaken prior to development being approved;
- the susceptibility of soils found on Permian sedimentary bedrock to erosion and erosion problems on steep driveways;
- ice on steep driveways and roads during winter;
- high water flows in creeks after heavy rain and the need to setback development an appropriate distance from waterways; and
- most of Fern Tree is defined as being in a high bushfire hazard area.

Objective

To minimise the risk to life and property and the potential for damage to the environment caused by natural hazards.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- (a) That the planning scheme require the design, siting and layout of developments in bushfire prone areas to:
 - minimise fire risks and the potential for loss of life;
 - provide safe access for emergency and other vehicles to all lots and buildings; and
 - ensure adequate water supplies are available in a development for landowners and emergency services to defend properties from bushfire.
- (b) That in determining appropriate conditions for new development Council have regard to *Guidelines for Development in Bushfire Prone Areas* (draft 2000) Bushfire Management Planning Group.

- (c) That a brochure/booklet be prepared in consultation with the Tasmania Fire Service to inform the community about appropriate fire hazard reduction practices which minimise damage to conservation values.
- (d) That in determining appropriate conditions for new development to prevent soil erosion, Council have regard to *Soil and Water Management Guidelines* (1998), Hobart City Council and/or *Soil and Water Management Code of Practice for Hobart Regional Councils* (June 1999).
- (e) That development on sites of potential risk only be permitted where it can be demonstrated by way of a geo-technical assessment that the land is capable of supporting the proposed development and that it will not cause or accelerate land instability on the development site or adjacent sites.
- (f) That in determining appropriate conditions for new development Council have regard to *Land Instability Assessment Guidelines* (1999), Hobart City Council.
- (g) That the Planning Scheme require new development to be setback an appropriate distance from creeks.
- (h) That any new subdivision creating properties with steep driveways provide alternative carparking areas at road level where possible.

4. INFRASTRUCTURE

4.1 INTRODUCTION

This section provides a framework for objectives related to infrastructure issues in the Fern Tree area. The objectives and actions are also based on the background information collected and the outcomes from the public consultation process.

The matters to be addressed are:

- a) water supply;
- b) waste disposal; and
- c) stormwater management.

4.2 WATER SUPPLY

The water supply to Fern Tree comes from a number of sources and is stored in the Fern Tree Reservoir off Pillinger Drive. Water from this reservoir can be supplied to the 504m contour level and has adequate capacity to serve 750 dwellings. There are currently 269 dwellings and 75 vacant properties in the area serviced by the reservoir which includes Ridgeway. The reservoir has adequate capacity to cater for the expected future demand.

The main water supply issue in Fern Tree relates to fire protection. There are a few residences that do not have fire protection and any 'new' properties created in recent times without fire protection were required to have covenants on the title in relation to this issue. The mains in Summerleas Road are undersized for their length and fire fighting capacity is limited along this road.

Where development cannot be connected to the urban reticulation system on-site water storage systems would be appropriate as there is substantial rainfall in the area. A minimum roof area would apply as would the need to maintain an adequate water storage for fire fighting purposes.

4.2.1 Community Views

Ninety seven percent of respondents to the community survey rated the adequacy of the water supply as good or very good and no issues of concern to the community have been raised.

4.3 WASTE DISPOSAL

4.3.1 Sewerage

All sewage disposal in Fern Tree is on-site, with almost all dwellings connected to a septic tank and absorption trenches. This situation has been investigated and discussed in the report *Septic Tank Survey - Method / Discussion / Conclusions*, (1998) B Ridder, (unpublished report for the Hobart City Council - see Volume 1 Appendix F).

The report found that most people using septic systems in Hobart municipality are generally satisfied with the situation and would not wish to be connected to the sewerage system. In

Fern Tree the survey indicated that only 9% of people would prefer connection to the sewerage system.

It also found that at least 40% of properties in Fern Tree are experiencing some sort of problem. This figure includes very minor problems, such as occasional smell or trench bogginess. The actual proportion of problems which would be posing a health risk, causing neighbour disputes and/or contaminating waterways would be very small.

In response to the septic tank survey Council has decided to increase community awareness of septic tank management issues, address the problems with septic tanks in the Huon Road area where effluent leaks into the gutters along Huon Road and monitor water quality in creeks down stream from Fern Tree. An information leaflet has been sent out to households using septic tanks.

The lack of a reticulated sewerage system is one constraint to more intensive development in the Fern Tree area. The high rainfall, steep land and dolerite based soils provide a difficult environment for the efficient operation of septic tanks. Relatively large land areas are required to allow for the on-site absorption or spray irrigation of septic tank effluent.

Given that most of the problems being experienced with septic tanks could be solved through better management by the residents, it seems that the expense of connecting the area to sewerage mains could not be justified.

4.3.2 Community Views

Thirteen percent of respondents to the community survey identified septic tanks as one of the worst aspects of living in Fern Tree and the failure of septic tanks was raised as an issue of environmental concern by some residents.

At the community workshop the problems of septic tank leakage and failure due to cold weather, soil conditions and lack of maintenance was raised as an issue that needs to be addressed by Council.

4.3.3 Solid Waste

All properties in the Fern Tree area are serviced by Council's weekly garbage collection service and no issues have been raised in regard to the provision of this service.

4.4 STORMWATER MANAGEMENT

Stormwater in Fern Tree is reticulated only in isolated cases, with most water from rooftops being directed either to on-site absorption trenches or onto the ground. Road runoff is generally directed to overland flow paths which discharge eventually to waterways.

This situation seems to function effectively, with only occasional complaints relating to nuisance caused by runoff, and few apparent problems with erosion. Given the presence of faecal contamination in roadside drains however, particularly along Huon Road, it would be advisable to manage stormwater in a fashion which encouraged detention and infiltration. These processes can be achieved through the use of structures such as grassed swale drains and small-scale stormwater basins / sediment traps.

The lack of problems with stormwater in Fern Tree is largely due to the relatively low density of development and high level of vegetation cover. Problems are most likely to occur on construction sites when soil is exposed. These sites need to be suitably protected to ensure that sediment-laden runoff does not enter the stormwater system when it rains. Other management measures can also reduce the likelihood of problems occurring in the future.

The *Guidelines for Development in Bushfire Prone Areas* (draft 2000) Bushfire Management Planning Group require the storage of water for firefighting purposes where reticulated water is not available. The usual source of this water is stormwater stored in dams, tanks or swimming pools.

4.4.1 Community Views

The community workshop identified track erosion and its effect on water flow as being a threat to the local environment and it was suggested that walking tracks be upgraded to prevent erosion problems occurring.

4.5 INFRASTRUCTURE OBJECTIVES

Issues

The following issues related to infrastructure provision were identified in the background analysis:

- limited fire fighting capacity due to the size of the mains along Summerleas Road;
- failure of septic tank systems due to climatic conditions and inadequate management by residents;
- contaminated stormwater entering road side drains; and

In addition the *Fire Management Strategy for Wellington Park*, (2000) AVK Environmental Management & IFERM Pty Ltd, identified shortcomings of and maintenance standards for fire hydrants in Fern Tree. The Strategy recommended that fire plugs in the area be maintained to AS2419.1-1994 and that the installation of fire plugs at the Curtis Avenue reservoir and at the end of Grays Road be investigated.

Objective

To ensure the high quality provision of reticulated water and management of wastewater and stormwater in a manner which minimises adverse impacts on the environment.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- (a) That the need to upgrade the capacity of the water main along Summerleas Road be investigated.
- (b) That fire hydrants in the area be maintained to AS2419.1 and that the installation of fire plugs at the Curtis Avenue reservoir and at the end of Grays Road be investigated as recommended in the *Fire Management Strategy for Wellington Park*.
- (c) That Council continue the provision of advice to residents regarding the appropriate management of septic tank systems.

- (d) That water quality in the roadside drains and creeks in the area be monitored for the presence of faecal coliforms and other pollutants.

5. ACCESS AND TRAFFIC MANAGEMENT

5.1 INTRODUCTION

This section provides objectives for the improvement and management of access and traffic issues in the Study Area. The recommended objectives and actions are based on the background information collected in the initial stages of the project, the outcomes from public consultation, and the more detailed study, *Alternative Road Access to Wellington Park* (1998) Tecton Consulting, Hobart City Council.

The issues addressed relate to roads and bicycle use. Pedestrian access is dealt with in the Open Space and Recreation section (see 3.5 and 3.7.4) and fire trails are covered in section 3.6.5.

5.2 ROADS

The main arterial road serving the Study Area is Huon Road which provides access from South Hobart to the Huon Highway at Sandfly. This road carries about 2390 vehicles per day north of Strickland Avenue and 1610 vehicles per day north of Summerleas Road.

Other main roads in the area are Summerleas Road and Pillinger Drive/Pinnacle Road which provides access to the summit of Mount Wellington. Pillinger Drive carries 940 vehicles per day north of Huon Road and 690 north of Bracken Lane. All other roads in the area are minor access roads mostly servicing residential properties. The roads in the area have adequate capacity to cater for the anticipated traffic volumes now and in the future.

The main issues associated with roads in the area have been identified and assessed in the study by Tecton Consulting (1998), *Alternative Road Access to Wellington Park*, on behalf of the Hobart City Council. This Study identified the main issues of concern to residents and visitors as being:

- Huon Road/Pillinger Drive Junction - Problems occur with the acute intersection angle, narrow road width, steep approach gradient for Pillinger Drive and susceptibility to ice and snow during winter.
- Pillinger Drive - Residents are concerned with narrow road width, curved alignment, lack of visibility at some driveways, lack of footpaths, narrow shoulders and steep embankments at the road edge.
- Huon Road/Stephenson Place/Summerleas Road Intersection - There are a lack of turning facilities for large vehicles which cannot turn into Pillinger Drive, lack of defined vehicle paths and pedestrian crossing is difficult.

The Alternative Road Access Study examined a number of options for overcoming these problems and Council decided in May 1998 to pursue traffic management works at the junction of Huon Road/Stephenson Place and Summerleas Road. Council also decided to approve in principle further community consultation, investigation and design of the construction of a Pillinger Drive bypass with a T junction at the intersection of Pillinger Drive and Huon Road.

The traffic management works at the junction of Huon Road/Stephenson Place and Summerleas Road have now been completed.

Recent investigations of the proposed works at Huon Road/Pillinger Drive Junction and Pillinger Drive By-Pass project by Pitt & Sherry (1999) (*Road Access to Wellington Park Environmental Management Plan - Interim Report*) has identified concerns regarding the impact of the proposed works on the cultural heritage values of the area. Council's City Services Committee considered a report on this issue at its meeting on 9th November 1999 and decided that the matter be deferred pending the provision of a further report which considers options to improve the physical turning area and sightlines at the Huon Road/Pillinger Drive intersection including costing details.

In March 2000 Council approved a proposal to improve the gradient of the Huon Road / Pillinger Drive intersection by lowering the approach and improving sight distances (the existing alignment is to be retained) as well as minor works to improve traffic safety in the residential section of Pillinger Drive. This work will be considered for inclusion in future Council budgets.

5.2.1 Community Views

The communities views on roads and traffic management issues were addressed in some detail during the preparation of the *Alternative Road Access to Wellington Park Study* (1998) and taken into account in the formulation of the various options put forward.

The community survey carried out during the preparation of the Background Document (Vol 1) found that 54% of respondents considered the roads and footpaths within the Study Area to be good or very good. They also received the highest "poor" rating of 43%. Many respondents noted however that the roads were good but that there are few footpaths in the area. The condition of the roads/footpaths was ranked by 19% of respondents as one of the 3 most unfavourable aspects of living in the area.

Opinion was divided on the adequacy of the public transport service with 51% of respondents rating it as good or very good and 40% rating it as poor, 7% were unsure.

At the community forum residents identified the following general traffic problems and issues:

- the traffic problems within Fern Tree related to lack of footpaths and traffic management (footpaths to residents means raised, firm, gravel hazard free walking route not sealed concrete kerb and gutters!);
- lack of parking and safe crossings (especially in inclement weather conditions);
- Summerleas Road is overly narrow, insufficient drainage, poor lighting, unsafe and has no speed restrictions (traffic humps);
- public transport services - diminishing services (after 6.30pm have to ask for service) and not tailored to where people want to go;

5.3 BICYCLES

Many of roads in the area are frequently used by recreational cyclists. Huon and Summerleas Roads are often used by cyclists training or accessing Mount Wellington and off-road tracks in the area. The width and curves on these roads have the potential to create problems for motorists trying to pass cyclists. The Australian Bureau of Statistics journey to work figures indicate that very few residents commute to work by bicycle.

The use of off road tracks in nearby Wellington Park by cyclists is addressed in the Wellington Park Management Plan. One of the policy/actions identified in the Plan is the preparation of an overall strategy for the use of the Park by bicycle and mountain bike riders. Bike riding is allowed on fire trails but is prohibited on all walking tracks including the Pipeline Track although this situation is currently under review by the Wellington Park Management Trust with the Trust being in the process of preparing the bike strategy.

5.4 ACCESS AND TRAFFIC MANAGEMENT OBJECTIVES

Issues

The main issues associated with roads in the area have been identified and assessed in the study by Tecton Consulting (1998), *Alternative Road Access to Wellington Park*, on behalf of the Hobart City Council. This Study made a number of recommendations which have been endorsed by Council and are in the process of being implemented.

Other issues raised in the background analysis were:

- lack of footpaths;
- lack of parking and safe crossings (especially in inclement weather conditions);
- condition and width of Summerleas Road;
- deficiencies in the public transport services; and
- cyclist use of Huon Road and the Pipeline Track.

Objective

To maintain and improve the existing access system in the area to better meet the needs of residents, visitors and cyclists in a manner which minimises adverse impacts on the natural or cultural environment.

Actions

Actions recommended to address the issues and promote the achievement of the objective are:

- (a) That the main issues related to roads in the area continue to be addressed through the implementation of the Tecton Consulting (1998), *Alternative Road Access to Wellington Park* study.
- (b) That the condition of Summerleas Road be investigated.
- (c) That the Bicycle Committee investigate opportunities for creating bikeways within the Study Area with highest priority being for safe cycling along Huon Road.
- (d) That Metro Tasmania be requested to assess the adequacy of the existing bus service to Fern Tree and the feasibility of providing bicycle racks on buses to this area.

6. COMMERCIAL AND COMMUNITY FACILITIES AND SERVICES

6.1 INTRODUCTION

This section provides objectives for the management and improvement of community facilities and identifies opportunities for future development and employment generating activities.

6.2 EXISTING FACILITIES

There are a limited number of commercial or community facilities in the Fern Tree area. Facilities in the area include a local shop, the Fern Tree Tavern, a church, community hall, walking tracks and reserves and a public bus service.

Residents of the Study Area are largely dependent on commercial and community facilities provided in other areas for services such as schools, health, child care and retail shopping.

6.2.1 Community Views

The community survey carried out during the preparation of the Background Document (Vol 1) found that the majority of local facilities were rated by residents as being good or very good. The water supply along with open spaces and reserves received the highest approval rating.

Table 1 below shows the responses in the community survey to the question; “How would you rate the adequacy of local facilities?”

Table 1 Adequacy of Local Facilities

Issue	Very Good (%)	Good (%)	Poor (%)	Unsure (%)
Local play parks	24	57	8	9
Open spaces and reserves	46	50	2	2
Recreation and sporting facilities	7	32	34	21
Public transport	5	46	40	7
Child care services	0	8	9	72
Services for aged	0	2	19	73
Local shops	27	58	10	1
Community meeting facilities	25	47	6	16

The household survey indicated that respondents made high use of the local shop (96%), parks/open spaces (100%) and the Fern Tree Tavern (67%). Other facilities such as the church (13%), community hall (9%) and bus service (8%) had much lower rates of utilisation.

Ideas/opportunities for improving social and community facilities in Fern Tree identified at the community workshop included:

- improve facilities and parking generally (eg Bower access);
- Pipeline Track is an excellent walking track but make it available for sensible recreational cycling too;
- possible youth hostel for visitors, maybe even using some existing buildings;
- make better use of community centre each day (9-5pm) - if caretaker then the centre could be used by locals, visitors, conferences, seminars, business centre, kindergarten;
- provide bike racks on buses as done in Canada or New Zealand;
- improved directions to local services (but designed with respect to the local setting);
- need better signs for Mt Wellington for tourists coming up Davey Street (similar to golden arrows of Battery Point); and
- better market bus services to tourists.

6.3 DEVELOPMENT AND EMPLOYMENT OPPORTUNITIES

The use and development of land in the Fern Tree area is controlled by the City of Hobart Planning Scheme 1982 and the Land Use Planning and Approvals Act 1993.

Most of the Study Area is contained within Precincts 43A, 43B, 43C, 43D and 43E of the City of Hobart Planning Scheme 1982 and is zoned either Recreation, Rural A or Rural C. The intent of these Precincts as described in the Statement of Desired Future Character is to maintain the character of existing small communities and to protect the bushland setting.

Within Precincts 43A, 43B and 43C new development is required to be unobtrusively sited and of a height which does not detract from the tree dominated landscape. The locality's commercial, retail and entertainment facilities are to be contained within Precinct 43C which covers the existing village centre around Stephenson Place.

The only permitted uses in the Rural A and C zones under Table A1 of the Planning Scheme are a house and passive recreation. In the Rural A zone the following uses may be allowed at the discretion of Council; domestic business, educational establishment, active recreation and local shop. In Precinct 43C Use Group X is also discretionary. This use group includes a holiday unit, hotel, motel, club, restaurant and bed and breakfast accommodation. In the Rural C zone the only discretionary use allowed is a domestic business. All other use groups are prohibited in the Rural A and C zones.

The current Planning Scheme provisions obviously limit the potential for development which would provide employment opportunities such as holiday units, bed and breakfast accommodation or a restaurant in the area except for within Precinct 43C. Council is currently reviewing the planning scheme limitations on holiday accommodation in all residential and rural zones.

6.3.1 Community Views

Ideas/opportunities for improving development and employment opportunities in Fern Tree identified at the community workshop included:

- Fern Tree is a strategic 'honey-pot' for development - tourism, artists studios, art gallery, pub, backpackers hostels, shop) at the gateway to Mt Wellington - the potential exists to use existing buildings or remodelled to suit ambience of the area;
- purchase of private properties for Council facilities/Wellington Park Management Trust facilities (information centre, ranger station etc rather than at the Springs);
- horse/cycle trails in good locations which fit resident and visitor amenity;
- accommodation for visitors;
- construction/architecture in the honey-pot area eg. underground powerlines, sensitive streetscaping, signage etc;
- recreational development eg. cycling, ecotourism walks etc;
- shuttle service for guided walks down the Pipeline Track to Nieka and lunch at Fern Tree and afternoon tea at waterworks; and
- buy Zoe School and turn it into a gallery and visitor accommodation.
- signage - must be sufficient and appropriate but not excessive as this would spoil the area;
- zoning controls for allowing working from home and starting home cottage industries;

6.4 COMMERCIAL AND COMMUNITY FACILITIES AND SERVICES OBJECTIVES

There is considerable overlap between this section and other recommended actions such as those in Access, Cultural Heritage, Landscape and Open Space and Recreation. Consequently this section focuses on the future planning for commercial and community facilities.

Issues

The following issues related to commercial and community facilities were identified in the background analysis:

- need for improved directional and information signs particularly for tourists;
- need for tourist facilities and activities such as a youth hostel, walking cycling tours etc;
- make better use of community centre each day (9-5pm) - if caretaker then the centre could be used by locals, visitors, conferences, seminars, business centre, kindergarten;
- better market bus services to tourists.
- need to promote Fern Tree as a strategic 'honey-pot' for development - (tourism, artists studios, art gallery, pub, backpackers hostels, shop) at the gateway to Mt Wellington

- purchase of private properties for Council facilities/Wellington Park Management Trust facilities information centre or ranger station in Fern Tree rather than at the Springs;
- need horse/cycle trails in good locations which fit resident and visitor amenity;
- buy Zoe School and turn it into a gallery and visitor accommodation.
- zoning controls should allow for allowing working from home and starting home cottage industries;
- virtually no local commercial facilities and services within the Study Area which increases dependency upon car travel and the limited public transport services; and
- lack of local community facilities eg. youth facilities, aged care facilities, child care.

Objective

To facilitate the provision of a range of community services and facilities, including signage, which cater for the needs of residents and visitors.

Actions

The issues raised by residents in the Background Document (Vol 1) indicate a desire for new tourism related commercial and community facilities in the Fern Tree area. It has been emphasised however during the community consultation on the draft *Fern Tree Local Area Planning Provisions (Vol 2)* that any commercial development should be 'low key' and in keeping with the character of Fern Tree. It was also emphasised that commercial activities should also be concentrated in the village centre around Stephenson Place.

The overall aim for community facilities should be to upgrade and improve the existing facilities; in particular roads, footpaths, recreation facilities, bikeways and access, that are of concern to the local community. Actions covering these areas are outlined in the Access and Traffic Management section 5.4 and in Open Space and Recreation section 3.7.4.

Issues such as the provision of tourist facilities, (eg. a youth hostel or guided tours) are outside the role of Council to provide. The Planning Scheme however can facilitate their development by a private developer through appropriate provisions.

The community centre in Stephenson Place is not a Council facility and is owned by the Fern Tree War Memorial Children's Centre. The possibility of upgrading or wider use of this centre would need to be discussed with the owners.

Actions recommended to address the issues that are within Council's responsibility and assist in the achievement of the objective are:

- a) That the Planning Scheme be amended to allow for a wider range of low key commercial and community facilities such as visitor accommodation, restaurants, art and craft shops and the establishment of cottage industries particularly in the village centre.
- b) That an integrated directional and information signs strategy be prepared for the Fern Tree area.
- c) That discussions be held with the owners of the community centre regarding options for its upgrading and wider use for activities such as a visitors centre or conferences.

7. LOCAL AREA PLANNING PROVISIONS

7.1 INTRODUCTION

These Local Area Planning Provisions provide the statutory planning framework for the future use and development of land in the Fern Tree area and have been derived from the detailed analysis of the various matters set out in the Background Documentation (Vol 1) and the objectives outlined in other parts of this document. It sets out a development plan for the future of the area and indicates how that plan would be implemented by way of amendments to the City of Hobart Planning Scheme 1982.

Given the uncertainty surrounding the proposed State Model Planning Scheme and the likelihood that Council will soon consider initiating the preparation of a new planning scheme to replace the current City of Hobart Planning Scheme 1982, one option for implementing the planning objectives/actions outlined in this document is to amend the existing City of Hobart Planning Scheme 1982. Another option would be to incorporate the policy directions in a new City of Hobart Planning Scheme.

7.2 PROPOSED DEVELOPMENT PLAN

Map 6 identifies 4 zones and several Precincts to guide the future development of Fern Tree under the City of Hobart Planning Scheme 1982. These 4 zones are:

- Low Density Residential
- Landscape and Skyline Conservation
- Bushland Conservation and Recreation
- Local Service

The Low Density Residential, Landscape and Skyline Conservation and Bushland Conservation and Recreation Zones are proposed to be inserted into the Planning Scheme by way of the 6/99 Amendments. These Amendments implement the Mount Nelson Local Area Plan without incorporating a separate document into the Scheme.

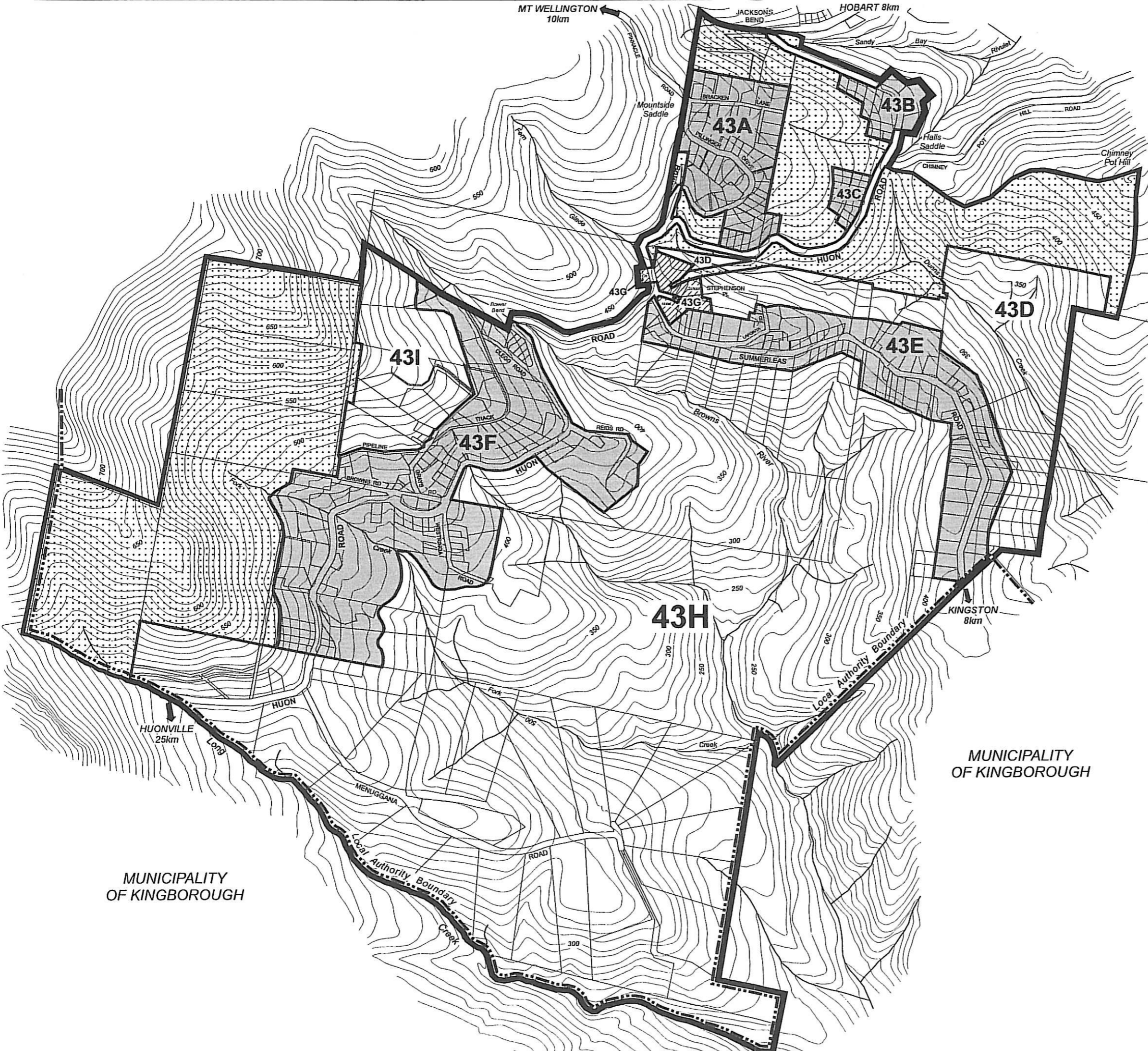
These zone and Precinct boundaries have been defined on the basis of the existing development pattern and the management requirements identified in the background analysis and formulation of the objectives and actions. The Precincts within zones contain broadly similar sets of characteristics and across each there are similar management and planning requirements.

The rationale for the designation of each of these zones is explained below in 7.2.1 to 7.2.4.

7.2.1 Low Density Residential

The suitability of different areas to accommodate residential development is based on the capacity of the resources of any area to be used in a sustainable manner and on an assessment of other non environmental resource issues such as access, land tenure, infrastructure, etc.

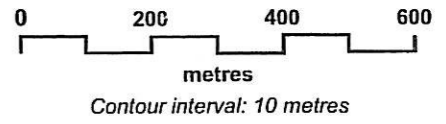
The assessment of these factors indicates that there is little scope in Fern Tree for any significant expansion of the area currently used for residential purposes. Most of the land in the area suitable for residential development has already been developed for that purpose.



HOBART CITY COUNCIL

FERN TREE LOCAL AREA PLANNING PROVISIONS (Volume 2)

- Study area boundary
- 'Low Density Residential' zone
- 'Landscape & Skyline Conservation' zone
- 'Bushland Conservation & Recreation' zone
- 'Local Service' zone
- Precinct No. & boundary **43D**



Contours supplied by the Department of Environment and Land Management

Map 6
RECOMMENDED PLANNING SCHEME ZONES & PRECINCTS

Most of the land suitable for residential development is contained within the Rural A Zone along Summerleas Road, Huon Road and Pillinger Drive/Bracken Lane. The objective of the Rural A Zone, which covers Precincts 43A, 43B and 43C, is to maintain the character of an independent small community in a rural setting generally within the present boundaries of its village clusters of residential lots and supporting non-residential development.

The Statement of Desired Future Character aims to maintain the character of existing small communities and to protect the bushland setting. New development is required to be unobtrusively sited and of a height which does not detract from the tree dominated landscape.

The key values of this area are associated with its development as a low density residential area in a bushland and rural setting. The values to be maintained and enhanced through the planning process are associated with the following:

- Residential development which has high levels of on-site and neighbourhood amenity and views of the surrounding hills and valleys.
- A quiet living environment where noise transmission may be an issue due to the topography and relatively low background noise levels.
- A relatively pollution free atmosphere, clean water, access to adjoining bushland, reasonable access to high level urban services and facilities, high standards of residential construction and an identifiable community.
- Remnant areas of natural bushland and open spaces with high environmental values which provide habitat for a wide variety of flora and fauna.
- An attractive landscape setting with high quality views and vistas and a bushland setting for development.
- Infrastructure necessary to provide services to the local population together with a variety of access points for regional recreation activities.

7.2.1.1 Objectives and Planning Criteria

While the existing Rural A Zone has acted in most cases to protect the character of the area it is considered that the zone boundaries are in some cases inappropriate. In some areas, such as east of Reids and Westringa Roads, the zone boundary is an arbitrary designation in that it does not follow property boundaries, particular contour levels or natural features such as vegetation or drainage lines. These areas are located on forest slopes or ridges and the visual analysis by D Elton (1997 see Background Document Vol 1 Appendix D) suggested that further development in these areas be minimised.

It is considered that values identified above can be better managed and protected through the designation of new zone boundaries and Precincts in the Low Density Residential Zone which would have the following objectives and planning criteria:

Goal

To provide for low density residential development comprised of self-contained allotments set within the natural bushland or rural character consistent with the environmental capacity of the area.

Objectives

- To provide for low density residential development within the existing bushland or rural setting.
- To provide a form of residential living which respects the existing bushland or rural character at the same time as satisfying the basic infrastructure requirements.
- To ensure adequate infrastructure is provided to each lot on a sustainable basis and recognising the sensitive nature of the environment.
- To ensure that future development is consistent with the conservation or improvement of the existing environment.
- To provide for fire safety in all aspects of the development process having regard to the bushland nature of the area and the other objectives.
- To encourage forms of development and service provision which are more environmentally sustainable.

Planning Criteria

Uses - Permitted uses will be one house per allotment and passive recreation. Single dwellings will not be exempt from obtaining planning approval. Discretionary uses will include the following types of uses: self contained visitor and backpacker accommodation, bed and breakfast accommodation and domestic business. More intensive commercial uses and industrial uses will be prohibited.

Development and Densities - The development density for subdivision in these Precincts are to be 1 lot per hectare with a minimum lot size of 1000m² or the minimum area required for effluent disposal or to satisfy other environmental objectives, whichever is greater. Clustering of houses will be encouraged where there is opportunity for bushland areas to left undeveloped and managed as a single unit. Each lot will be restricted to a single house per block. A minimum frontage of 6 metres will also apply. Where site constraints or design impact requires a lesser frontage than 6 metres Council shall require an applicant to demonstrate why a variation should be considered. The number of rear lots of any roadway will be restricted to a maximum of two.

The use of 'plot ratio' (building floor area divided by site area) to control the extent and impact of development on a site is considered to have limited usefulness on larger sites as the plot ratio is rarely exceeded. Other controls in the planning scheme such as maximum height, setbacks, minimum landscape open space requirements and vegetation clearance controls are sufficient to limit the impact of development.

Infrastructure - Developments will need to be self sufficient in terms of effluent disposal and where necessary reticulated water. Stormwater will require specific management to maintain the environmental quality of drainage lines. Where possible every attempt should be made to share infrastructure development to minimise disturbance of the natural features and to promote defined service corridors.

Where roads are to be extended to service this area a sealed carriageway of 5.0 metres with dish drains is preferred although Council may approve of a lesser width where sustainable

benefits to the environment can be demonstrated. Private access ways may be either sealed or finished in another all weather surface. Roads on steeper land should be designed to minimise cut and fill and have special controls relating to erosion and stormwater concentration.

Building Controls - All buildings in the area should respect the bushland character and the use of muted subdued colours in building finishes will be encouraged. A maximum overall height restriction of 7.5m will apply.

Fences should be designed to enable fauna to traverse property boundaries.

In seeking approval for any new development an applicant will need to demonstrate maximum bushland retention and habitat protection within the overall context of the proposal together with modern bushfire hazard minimisation principles, ie submit a bushfire management plan addressing these issues.

7.2.2 Landscape and Skyline Conservation

This area consists primarily of the wooded hills and slopes surrounding the low density residential development along the ridgelines followed by Summerleas and Huon Roads. Its designation as Landscape and Skyline Conservation will provide for the protection of the physical, environmental and landscape values in this area.

Most of this area is currently zoned Residential C and is contained in Precincts 43D and 43E. The Objective of the Rural C Zone is to retain an area of natural bushland beyond the fringe of urban development, generally with only one detached house per broad-acre allotment. It also states that these Precincts should continue to be dominated by their verdant bushland and within this setting, buildings should be unobtrusively sited and not impinge on the tree dominated skyline. The minimum subdivision size is 4ha.

While most of the land in these Precincts has not been developed due to its steep topography there are numerous examples of housing form, siting and appearance not responding to site constraints and characteristics. There are also examples of environmental degradation, problems with access to some of the steep sites and houses in areas of high bushfire hazard. The subdivision of land along Menugganna Road is one example of the subdivision and development pattern not responding to site constraints and characteristics with development in some cases on steep sites resulting in significant vegetation removal.

Further subdivision within these Precincts has implications for environmental degradation, tree clearing, bushfire hazard and visual amenity. Removal of bushfire hazards often has implications for conservation and landscape values. The 4ha minimum lot size appears too low for this zone as much of the land is too steep or has other environmental constraints which would preclude its subdivision into 4ha sized lots. Although only 4 privately owned lots have subdivision potential, the theoretical maximum number of lots is 27.

As in the Low Density Residential Zone the use of 'plot ratio' to control the extent and impact of development on a site is considered to have limited usefulness.

The values to be maintained and enhanced through the planning process are associated with the following:

- The hill and valley topography, the various small streams and watercourses with unpolluted water, the natural processes of erosion and the relationships between landforms and micro-climates.

- The vegetation cover and the associations between aspect, slope and vegetation cover, habitats for rare and threatened species, the wide variety of native bird life, local populations of mammals, the vertebrate and invertebrate fauna of streams and watercourses.
- The critical role of wooded hills and valleys in providing a natural setting for residential development, visual links between the foothills of Mt Wellington and urbanised areas, views and vistas both to and from the area.
- A variety of resource based recreational opportunities, particularly for walking, horse riding, sightseeing, mountain bike riding.
- The natural protection provided by vegetation from erosion and poor water quality particularly along watercourses, opportunities for a range of compatible use and development forms, opportunities for recreation in natural settings and for limited rural production.
- A quiet living environment where noise transmission may be an issue due to the topography and relatively low background noise levels.
- Pollution free environments, clean water, bushland setting for development and access to natural areas adjacent to urban development.

7.2.2.1 Objectives and Planning Criteria

Given the problems identified above with the operation of the Rural C Zone, it is considered that the values associated with the area can be better managed and protected through the designation of new Precincts in the Landscape and Skyline Conservation Zone which would have the following objectives and planning criteria:

Goal

To identify areas of significant landscape and conservation value and to provide limited residential development opportunities subject to sensitive management controls sufficient to ensure that the area retains its bushland and landscape values.

Objectives

- To maintain the visual integrity of the Fern Tree area.
- To minimise the potential for further subdivision through appropriate density controls and environmental management controls which ensure maintenance of the present bushland values.
- To encourage the best practice in environmental planning and design in development of the remaining land in this area.
- To encourage property management techniques which will maintain the landscape and habitat values of the area.
- To provide for fire safety in all aspects of the development process having regard to the bushland nature of the area and the other objectives.

Planning Criteria

Uses - The only permitted use in these Precincts will be passive recreation. Discretionary uses will include the following types of uses; one house per allotment, self contained visitor and backpacker accommodation, bed and breakfast accommodation, domestic business and agriculture. More intensive commercial uses and industrial uses will be prohibited.

Development and Densities -It is intended to establish a relatively low residential density within this precinct to ensure that the existing bushland character is maintained in larger allotments. Subdivision is proposed to be permitted where it maintains an average density of one lot per 10 hectares and it can be demonstrated that there will be no adverse environmental impacts. The average density provisions will provide for some smaller lots to be created on the basis that larger balance areas will result which are more suited to management controls and maintaining the bushland character. The minimum lot size to be permitted where the average lot size provisions are to be applied shall be 1000m² or the minimum area required for effluent disposal or to satisfy other environmental objectives, whichever is greater.

In all cases applications for use or development must be accompanied by a building envelope, vegetation and habitat management plan integrated with a bushfire hazard minimisation plan. The building envelope plan shall show the location and height of future buildings.

Infrastructure - Individual sites will mainly need to be self-sufficient in regard to effluent disposal and water supply. Reticulated services may be provided however where available and if it can be demonstrated that they can be provided in an environmentally sensitive and sustainable manner.

Provision of new infrastructure will be required to demonstrate that minimum visual impact will occur to the bushland character of the area. Stormwater disposal will need to be developed in a manner which does not cause any significant environmental effects.

New roads, both public and private, are to be kept to a minimum. Pavement widths are to be kept to a minimum sufficient to provide access. Roads are to be designed in a manner which responsibly manages stormwater and erosion (especially if cut and fill is involved). Steep or exposed road alignments are to be avoided at all costs and edge surfaces are to be rehabilitated with vegetation cover.

Building Controls - All new buildings are to be designed to avoid contrasting shape, colour, size and mass within the bushland or rural setting in which they are to be located. Design in particular shall be compatible with and contribute to the bushland quality of the area. Modern bushfire hazard minimisation principles shall be included.

Ancillary structures should be kept to a minimum and their intrusion into the landscape minimised. The design of fences should allow for fauna to traverse property boundaries.

Buildings will be limited to an overall maximum height of 7.5 metres.

7.2.3 Bushland Conservation and Recreation

Within the Study Area there are a number of parcels of land in public ownership used and managed for conservation and recreation purposes. Several of these land parcels, notably those adjacent to the boundary of Wellington Park are currently zoned Rural C which provides little recognition of their bushland, conservation or recreational values. It is considered that these values can be better managed and protected by the zoning of these areas Bushland Conservation and Recreation. The following goals, objectives and planning criteria would apply in this zone:

Goal

To provide for the protection and management of bushland areas so that their habitat values are conserved and maintained for their biodiversity as well as for their visual and recreational value to the community.

Objectives

- To conserve those areas which have been identified as having significant biological habitat and contribute to the overall conservation management of the area.
- To protect the ecological values of the area from the effects of nearby development and land use.
- To protect the recreation values of the area for the enjoyment of residents, the people of Hobart and tourists.
- To ensure that areas which are too steep or are sensitive to other hazards are protected from unsuitable activities.
- To ensure management plans are put in place for each of the areas which reflect best practice for the future sustainable use of these areas including the protection of walking tracks and which manage competing uses compatible with the management plans.

Planning Criteria

Uses - Use of these areas will be restricted to passive recreation activities and developments required to facilitate the management of the areas for conservation and recreational purposes. Such developments may include walking tracks, picnic shelters, interpretation or directional signs. Utility services may also be provided where necessary.

Development and Densities - There shall be no subdivision within the zone other than to permit minor boundary adjustments or to provide for an approved recreation or utility use. Minor works will be permitted when associated with the management of the areas and incidental to the pursuit of the primary goals and objectives of the zone.

Infrastructure - Provision of infrastructure will be determined through the development of appropriate management plans for each area. Where recreational structures are required they will need to comply with the performance criteria established within the approved management plan.

Building Controls - All buildings proposed within the zone will need to comply with any management plan approved by Council.

7.2.4 Local Service

There is currently no specific zone in Fern Tree for the provision of local commercial services. The Planning Scheme does however allow additional commercial uses in Precinct 43C compared to other Precincts in the Rural A Zone. Use Group X, which includes uses such as hotel, motel, holiday unit and restaurant, is discretionary. This Use Group is prohibited in all other Rural zones. Other commercial uses such as consulting rooms or craft shop are prohibited.

7.2.4.1 Objectives and Planning Criteria

There is currently a commercial focus around the Summerleas and Huon Road intersection and it is considered that the provision of additional facilities and services in this area would be encouraged by the zoning of this area as Local Service and the designation of a new precinct in this zone. This would allow for a wider range of commercial and community facilities.

The existing village character would be enhanced by a number of urban design improvements such as the undergrounding of powerlines and screening and/or upgrading of the water pump station building. Urban design guidelines for new development, both public and private, would also assist in improving the amenity of the area and encourage its development as a focus for visitors and residents.

The issue of the fire station site in Summerleas Road being included in the Local Service Zone has been raised. It is considered however that its inclusion is not appropriate as it is a difficult site to access, parking is limited and its conversion to other commercial uses allowed in the Zone would be difficult. The fire station use is an unlisted use in the City of Hobart Planning Scheme 1982 and has discretionary use status. Rezoning to Local Service is not required for the current use to continue.

The following goals, objectives and planning criteria would apply in this precinct:

Goal

To provide the Fern Tree area with an appropriate level of commercial and community facilities.

Objectives

- To define a suitable area of land adequate to provide a local level of commercial and community facilities for the residents of Fern Tree.
- To ensure that the design of development is sympathetic to the setting and compatible with the village character of the area in terms of building scale, height and density and that the character is enhanced by improved urban design.

Planning Criteria

Uses - Permitted uses in this precinct would be: consulting rooms, community centre, domestic business, dwelling, shop, local shop, passive recreation and place of worship. Discretionary uses would be: hotel, motel, office, self contained visitor and backpacker accommodation, bed and breakfast accommodation, restaurant and educational establishment.

Development and Densities -The minimum lot size shall be 550m² or the minimum area required for effluent disposal whichever is greater. A plot ratio of 0.4 is to apply.

Infrastructure - All buildings in the zone will be connected to reticulated water, sewerage will need to be disposed of on-site.

Building Controls - Buildings will be restricted to a height of 7.5 metres and generally be required to comply with setbacks, parking and access controls currently established for the Local Service Zone within the City of Hobart Planning Scheme 1982.

8. SUMMARY OF ACTIONS AND IMPLEMENTATION

The table below provides a summary of the various actions recommended in this report along with priorities for implementation and designation of the responsible unit, group or agency. The actions are grouped by topic such as planning scheme/policy related or environmental improvement. Some actions can be implemented immediately such as those related to the assessment of planning applications.

In regard to priority and timing for the implementation of actions, high and medium are defined as follows:

- High - Action to be initiated within 6 months of adoption of Local Area Planning Provisions.
- Medium - Action to be initiated within 2 years of adoption of Local Area Planning Provisions.

Ref No	RECOMMENDED ACTIONS	PRIORITY -TIMING	RESPONSIBILITY
	PLANNING SCHEME/POLICY RELATED ACTIONS		
3.7.1(a)	That appropriate zonings/planning scheme controls be put in place to protect the landscape qualities of the area.	High	HCC - DESD
3.7.1(b)	That applications for development be assessed in regard to their impact on the landscape qualities of the area and appropriate conditions be placed on approvals to ensure that their impact is minimised. This will involve removing the current Planning Scheme exemption on single dwellings from obtaining planning approval.	High	HCC - DESD
3.7.1(c)	That the potential for additional subdivision of land in the area be limited under the Planning Scheme.	High	HCC - DESD
3.7.1(e)	Strengthen the current vegetation clearance controls under the Planning Scheme by controlling the removal of vegetation in the vicinity of the Pipeline Track.	High	HCC - DESD
3.7.2(a)	That appropriate zonings/planning scheme controls be put in place to protect the conservation values identified in the area.	High	HCC - DESD
3.7.2(b)	That applications for development be assessed in regard to their impact on the conservation values (including abiotic values) of the area and appropriate conditions be placed on approvals to ensure that their impact is minimised.	High - Immediate Ongoing	HCC - DESD

3.7.2(g)	Zone the area north of Bracken Lane, (shown on Map 2 as an area recommended for conservation measures,) Bushland Conservation & Recreation and include the properties involved in Council's Open Space Program.	High	HCC - DESD & PCSD
3.7.3(a)	That developments proposed in areas of potential archaeological sensitivity be required to investigate the presence of Aboriginal sites and protect where appropriate.	High - Immediate Ongoing	HCC - DESD
3.7.3(b)	That the sites, buildings and structures listed in Appendix 2 of this document be listed in Schedule F of the City of Hobart Planning Scheme 1982 following further consultation with property owners.	High	HCC - DESD
3.7.3(c)	That the cultural landscape qualities of the precincts shown on Map 4 of this document be protected in the City of Hobart Planning Scheme 1982.	High	HCC - DESD
3.7.5(a)	That the planning scheme require the design, siting and layout of developments in bushfire prone areas to: <ul style="list-style-type: none"> • minimise fire risks and the potential for loss of life; • provide safe access for emergency and other vehicles to all lots and buildings; and • ensure adequate water supplies are available in a development for landowners and emergency services to defend properties from bushfire. 	High	HCC - DESD
3.7.5(b)	That in determining appropriate conditions for new development Council have regard to <i>Guidelines for Development in Bushfire Prone Areas</i> (draft 2000) Bushfire Management Planning Group.	High Immediate Ongoing	HCC - DESD
3.7.5(d)	That in determining appropriate conditions for new development to prevent soil erosion, Council have regard to <i>Soil and Water Management Guidelines</i> (1998), Hobart City Council and/or <i>Soil and Water Management Code of Practice for Hobart Regional Councils</i> (June 1999).	High Immediate Ongoing	HCC - DESD
3.7.5(e)	That development on sites of potential risk only be permitted where it can be demonstrated by way of a geo-technical assessment that the land is capable of supporting the proposed development and that it will not cause or accelerate land instability on the development site or adjacent sites.	High Immediate Ongoing	HCC - DESD

3.7.5(f)	That in determining appropriate conditions for new development Council have regard to <i>Land Instability Assessment Guidelines</i> (1999), Hobart City Council.	High Immediate Ongoing	HCC - DESD
3.7.5(g)	That the Planning Scheme require new development to be setback an appropriate distance from creeks.	High Immediate Ongoing	HCC - DESD
3.7.5(h)	That any new subdivision creating properties with steep driveways provide alternative carparking areas at road level where possible.	High Immediate Ongoing	HCC - DESD
6.4(a)	That the Planning Scheme be amended to allow for a wider range of low key commercial and community facilities such as visitor accommodation, restaurants, art and craft shops and the establishment of cottage industries particularly in the village centre	High	HCC - DESD
7.2.	That the proposed development plan outlined in 7.2 be implemented.	High	HCC - DESD
	Environmental Improvement		
3.7.1(d)	That options for the funding of the undergrounding of the overhead powerlines around the Summerleas/Huon Road junction be investigated.	Medium	HCC - CSD
7.2.4.1	That urban design guidelines be prepared for new development, both public and private, in the proposed Local Service Zone around Stephenson Place.	Medium	HCC - DESD
3.7.1(f)	Protect/manage the key vista points identified along Huon Road so that distant panoramic views are maintained.	High - ongoing	HCC - PCSD
3.7.2(c)	Continue weed eradication programs and provision of information to the community about appropriate garden planting and encourage active involvement in the Landcare group and Councils Bushcare Program;	High - ongoing	HCC - PCSD

3.7.2(d)	Inform the community about the impact of domestic pets such as cats on native wildlife and measures to reduce those impacts.	High - ongoing	HCC - PCSD
3.7.2(e)	That Council consider the impact of fire management practices on conservation values when carrying out fire hazard reduction, issuing abatement notices or giving approval to new development.	High - ongoing	HCC - PCSD & DESD
3.7.2(f)	Assess road kill patterns through the road kill survey to identify black spots and investigate appropriate solutions.	High	HCC - PCSD
3.7.2(h)	Include that part of the property at 841 Huon Road west of the Pipeline Track in Council's Open Space Program.	High	HCC - PCSD
3.7.5(c)	That a brochure/booklet be prepared in consultation with the Tasmania Fire Service to inform the community about appropriate fire hazard reduction practices which minimise damage to conservation values.	Medium	HCC - DESD & PCSD
4.5(c)	That Council continue the provision of advice to residents regarding the appropriate management of septic tank systems.	Ongoing	HCC- DESD
4.5(d)	That water quality in the roadside drains and creeks in the area be monitored for the presence of faecal coliforms and other pollutants.	High - ongoing	HCC- DESD
	Heritage		
3.7.3(d)	That a brochure/booklet be prepared containing a summary of the history of Fern Tree and a map showing the sites of heritage significance.	Medium	HCC - DESD
3.7.3(e)	Council continue to support the Pipeline Track Heritage Trail project.	Ongoing	HCC - PCSD
	Infrastructure / Access		
3.7.4(a)	Develop a program of sympathetic track improvement and maintenance in the Fern Tree area.	Medium	HCC - PCSD & WPMT
3.7.4(b)	That the issue of cycling on the Pipeline Track continue to be dealt with in the Bicycle Strategy being prepared by the Wellington Park Management Trust.	In preparation	WPMT
4.5(a)	That the need to upgrade the capacity of the water main along Summerleas Road be investigated.	High	HCC - CSD

4.5(b)	That fire hydrants in the area be maintained to AS2419.1 and that the installation of fire plugs at the Curtis Avenue reservoir and at the end of Grays Road be investigated as recommended in the Fire Management Strategy for Wellington Park.	High	HCC - CSD
5.4(a)	That the main issues related to roads in the area continue to be addressed through the implementation of the Tecton Consulting (1998), <i>Alternative Road Access to Wellington Park</i> study.	In progress	HCC - CSD
5.4(b)	That the condition of Summerleas Road be investigated.	High	HCC - CSD
3.7.4(c)	That the condition of the bridge over Browns River on the Pipeline Track be investigated	High	HCC - CSD
5.4(c)	That the Bicycle Committee investigate opportunities for creating bikeways within the Study Area with highest priority being for safe cycling along Huon Road.	Medium	HCC - Bicycle Committee
5.4(d)	That Metro Tasmania be requested to assess the adequacy of the existing bus service to Fern Tree and the feasibility of providing bicycle racks on buses to this area.	High	HCC - CSD
6.4(b)	That an integrated directional and information signs strategy be prepared for the Fern Tree area.	Medium	HCC -PCSD
6.4(c)	That discussions be held with the owners of the community centre regarding options for its upgrading and wider use for activities such as a visitors centre or conferences.	Medium	DESD & PCSD

CSD = City Services Division

DESD = Development & Environmental Services Division

HCC = Hobart City Council

PCSD = Parks & Customer Services Division

WPMT = Wellington Park Management Trust

Land Use Planning and Approvals Act 1993
Planning Scheme Amendment Process

34. (1) A planning authority may -

- (a) in response to a request under section 33; or
- (b) of its own motion -

initiate an amendment of a planning scheme administered by it.

(2) The Commission may, with the approval of the Minister, give a written direction to a planning authority to initiate an amendment of a planning scheme administered by the authority and the authority must initiate the amendment of the planning scheme in accordance with the direction.

Notification of commencement of preparation of amendment of planning scheme

35. A planning authority must, within 7 days of making a decision to initiate an amendment of a planning scheme, cause a copy of its decision indicating the manner in which it is proposed to amend the planning scheme to be given to the Commission, and must give such other notice as may be prescribed.

Certification by Commission of draft amendments prepared by planning authorities

36. (1) Not later than 10 weeks after the making of a decision to initiate an amendment of a planning scheme or the receipt of a direction under section 34(2) or such longer period as the Commission may allow, the planning authority must, unless it withdraws the draft amendment, cause a copy of the draft amendment prepared by it to be submitted to the Commission.

(2) Except where a direction under section 34(2) has been given, a planning authority may withdraw a draft amendment to a planning scheme at any time before the expiration of the period referred to in subsection (1).

(3) Where a planning authority withdraws a draft amendment, the authority must cause notice of the withdrawal to be served on -

- (a) the Commission; and
- (b) where the amendment was initiated by a request under section 33, on the person who made that request -

and must give such other notice as may be prescribed.

(4) The Commission must, not later than 28 days after the submission of a draft amendment to it under subsection (1) or such longer period as the Minister may allow, examine the draft amendment and -

- (a) if it is suitable for exhibition, certify it accordingly and, by notice in writing given to the planning authority, direct that it be publicly exhibited; or
- (b) if it is not suitable for exhibition -
 - (i) with the agreement of the authority, amend it so that it is so suitable, certify it accordingly and, by notice in writing given to the authority, direct that the draft amendment, as amended, be publicly exhibited; or

(ii) by notice in writing given to the authority, specify the respects in which the draft amendment is not suitable for exhibition and a period within which a revised draft amendment is to be submitted to the Commission; or

(iii) by notice in writing given to the authority, refuse to certify it if it considers that the draft amendment is incapable of revision to enable it to satisfy the requirements of section 32.

(5) For the purposes of subsection (4), a draft amendment of a planning scheme is suitable for exhibition if -

(a) it satisfies the requirements referred to in section 32; or

(b) the Commission, by notice in writing given to the planning authority, directs that the draft amendment be publicly exhibited together with a notice from the Commission indicating that its approval of the draft amendment will be conditional on issues identified in the notice being dealt with to the satisfaction of the Commission.

(5A) Nothing in subsection (5)(b) limits the Commission's obligations and powers under sections 40 and 41.

(5B) In determining whether a draft amendment is suitable for exhibition, the Commission must have particular regard to the objective to encourage public involvement in resource management and planning as set out in item 1. (c) of Part 1 of Schedule 1.

(6) Where the Commission gives a notice to a planning authority under subsection (4)(b)(ii), the authority must, within the period specified in the notice or such longer period as the Commission may allow, revise the draft amendment and resubmit it to the Commission, and subsections (4) and (5) apply in relation to the revised draft amendment as if it had not previously been submitted to the Commission.

(7) Where the Commission does not complete its examination within the period first referred to in subsection (4), the draft amendment is deemed to be certified as submitted and the Commission must, by notice in writing given to the planning authority, direct that the draft amendment be publicly exhibited.

Power of Commission to dispense with certain requirements

37. Where, on the submission to the Commission of a draft amendment of a planning scheme, the Commission is satisfied that -

(a) the draft amendment is for the purpose of -

(i) the correction of any error in the planning scheme; or

(ii) the removal of any anomaly in the planning scheme; or

(iii) clarifying or simplifying the planning scheme; or

(iv) removing any inconsistency between the planning scheme and any Act; or

(v) making procedural changes to the planning scheme; or

(vi) amending the planning scheme to bring it into conformity with the model planning scheme framework; or

(vii) for any other prescribed reason; and

(b) the public interest will not be prejudiced -

the Commission may, by notice in writing given to the planning authority, dispense with the requirements of sections 38, 39, 40 and 41 in relation to the draft amendment and give its approval to the draft amendment in accordance with section 42.

Public exhibition of draft amendment

38. Where the Commission gives notice under section 36(4)(a), (4)(b)(i) or (7) directing the public exhibition of a draft amendment -

(a) the planning authority must -

(i) within 3 weeks from the date on which notice is given by the Commission or such longer period as the Commission may allow, cause a copy of the draft amendment to be placed on public exhibition for a period, being not less than 3 weeks and not more than 2 months; and

(ii) advertise, as prescribed, the exhibition of the draft amendment; and

(b) the Commission must cause a copy of the draft amendment to be placed on public exhibition at its office for that period.

Representations in respect of draft amendments

39. (1) Where a draft amendment of a planning scheme is placed on public exhibition by a planning authority in accordance with section 38, representations in relation to that draft amendment may be submitted to the authority by any person before the expiration of the exhibition period referred to in section 38(a).

(2) The planning authority must, not later than the expiration of 35 days after the exhibition period referred to in section 38(a) or such further period as the Commission allows, forward to the Commission a report comprising -

(a) a copy of each representation received by the authority in relation to the draft amendment or, where it has received no such representation, a statement to that effect; and

(b) a statement of its opinion as to the merit of each such representation, including, in particular, its views as to -

(i) the need for modification of the draft amendment in the light of that representation; and

(ii) the impact of that representation on the draft amendment as a whole; and

(c) such recommendations in relation to the draft amendment as the authority considers necessary.

Consideration by Panel of draft amendment and relevant representations

40. (1) As soon as practicable after receipt by it of a report under section 39(2), the Commission must consider the draft amendment and the representations, statements and recommendations contained in the report.

(2) For the purposes of its consideration under subsection (1), the Commission must hold a hearing in relation to each representation contained in the report.

(2A) Despite subsection (2), the Commission may dispense with the holding of a hearing in relation to a representation contained in the report if, after examining each representation -

(a) the Commission is satisfied that all the representations received by the planning authority are in support of the draft amendment; or

(b) the Commission has consulted with a person who made a representation and that person has advised the Commission in writing that he or she does not wish to attend a hearing.

(2B) The Commission must, within 14 days of making a decision to dispense with the holding of a hearing under subsection (2A), give notice in writing to each person who made a representation under section 39(1) of its decision to dispense with the holding of a hearing.

(2C) The Commission must hold a hearing in respect of a representation if a person who has been notified under subsection (2B) requests the Commission in writing, within 7 days after the date of that notice, that a hearing be held.

(3) The Commission may consolidate any of the representations and hold a hearing in relation to the consolidated representations.

Modification or rejection of draft amendment before approval

41. The Commission may, after its consideration under section 40 of a draft amendment prepared by a planning authority -

(a) require the planning authority to modify, or alter to a substantial degree, the draft amendment after having regard to the report made under section 39, and any submissions made in a hearing under section 40, in relation to it; or

(b) by notice in writing given to the authority, reject the draft amendment.

Direction to undertake modification or alteration of draft amendment

41A. (1) If a draft amendment is required to be modified, or altered to a substantial degree, under section 41(a), the Commission, by notice in writing to the planning authority, must -

(a) direct that it undertake the modification or alteration; and

(b) specify the manner in which the draft amendment is to be modified or altered.

(2) A planning authority must undertake a modification, or an alteration to a substantial degree, to a draft amendment in accordance with a direction by the Commission under subsection (1) and submit the modified or altered amendment to the Commission within 28 days from the receipt of that direction or such longer period as the Panel may allow.

(3) The period referred to in section 42(2) does not run after a direction to modify or alter the draft amendment has been made until the period referred to in subsection (2) of this section expires.

Certification of altered draft amendments

41B. (1) If a draft amendment has been altered to a substantial degree in accordance with section 41A, the Commission must, within 28 days of receipt of the altered draft amendment -

- (a) certify the altered draft amendment; and
- (b) by notice in writing to the planning authority, direct that it be publicly exhibited, as prescribed.

(2) Sections 38 to 43 apply to a draft amendment certified under subsection (1).

Approval of draft amendments

42. (1) Where, after consideration by the Commission, under section 40, of a draft amendment (including any modifications made under section 41), the Commission is satisfied that the draft amendment is in order, it must give its approval to the draft amendment.

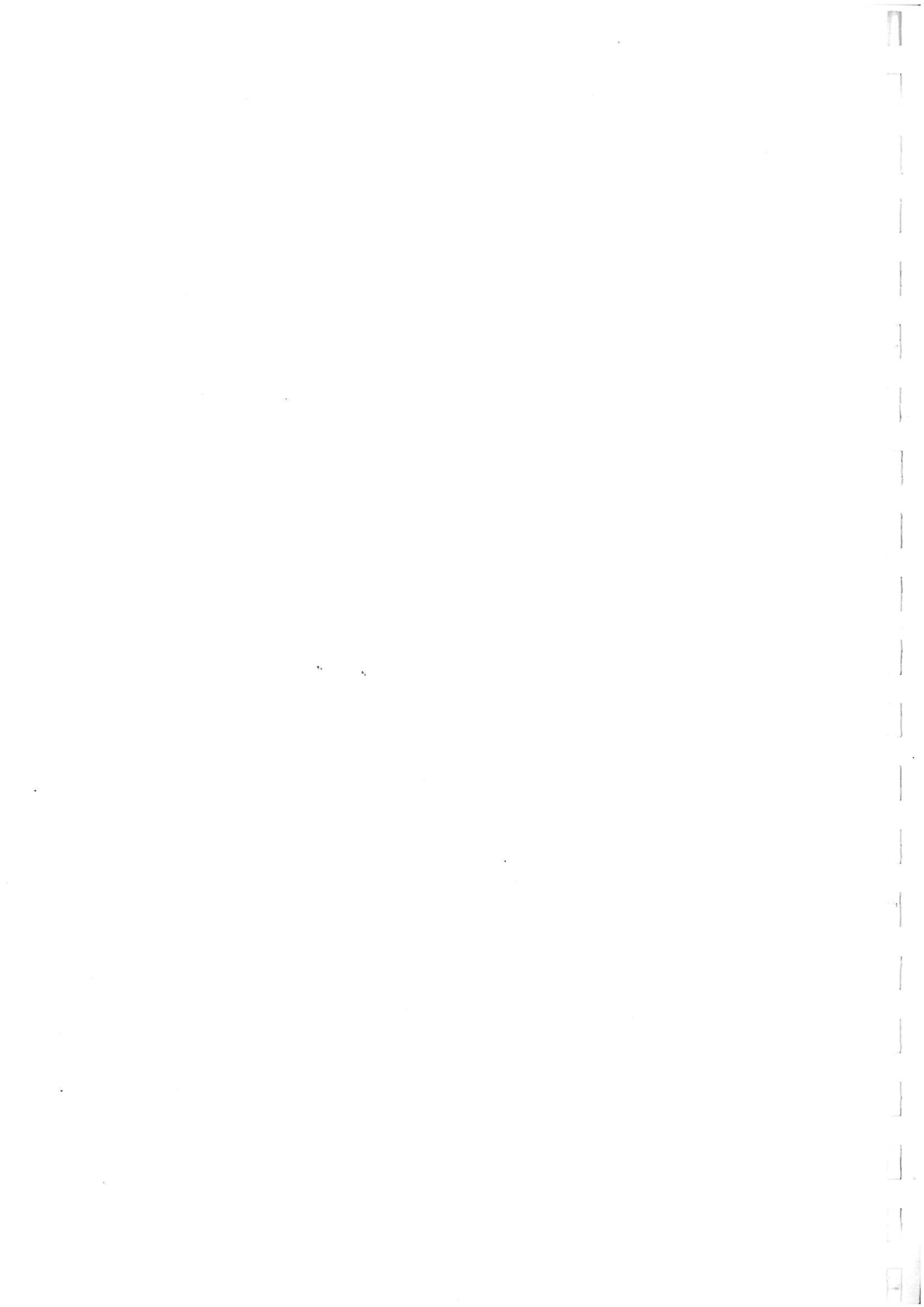
(2) The Commission must give its approval to a draft amendment not later than -

- (a) 3 months after the submission to it, under section 39(2), of the report of the planning authority in relation to the draft amendment; or
- (b) such later day as the Minister may approve.

(3) When the Commission gives its approval to a draft amendment -

- (a) the chairperson of the Commission must sign the amendment; and
- (b) notwithstanding any failure to comply with a procedural provision of this Part, the amendment comes into operation on such date as is specified by the Commission, being a date not earlier than the date on which it is signed; and
- (c) the Commission must advise the planning authority of its approval; and
- (d) the authority must give notice of the Panel's approval, as prescribed.

(4) If a date is not specified under subsection (3)(b), the amendment comes into operation 7 days after the date on which the Commission gives its approval.



APPENDIX 2

SITES AND BUILDINGS OF HERITAGE SIGNIFICANCE RECOMMENDED FOR PROTECTION IN THE PLANNING SCHEME.

Houses and Gardens

3 Bracken Lane	House & Garden
6 Bracken Lane	House
10 Bracken Lane	House
1 Pillinger Drive	House
17 Pillinger Drive	House
19 Pillinger Drive	House
21 Pillinger Drive	House
22 Pillinger Drive	House
27 Pillinger Drive	House + fence
28 Pillinger Drive	House + Laurel plantings
35-37 Pillinger Drive	Garden
757 Huon Road	House and Garden
761 Huon Road	House and Garden
651 Huon Road	Garden
677 Huon Road	Garden
814 Huon Road	House
819 Huon Road	House
826 Huon Road	House
844 Huon Road	House
858 Huon Road	House
17 Lapoinya Road	House
7 Grays Road	House
8 Grays Road	House
826 Huon Road	Garden
36 Grays Road	House

Pipeline Structures

Culverts	Pipeline Track
Sluice or Valve House	Halls Saddle
Stone Aqueduct/Stone troughing	Sassafras Creek
Stone Aqueduct/Stone troughing	Dunns Creek
Stone Piers & Abutments	Dunns Creek
Fern Tree Bower	Archaeological Remains
Silver Falls	Structure and place
Wishing well and associated structure	Fork Creek
Stone supports	Remains former bridges Long Creek
Pipeline Track	Linear corridor Halls Saddle to Long Creek

Other Structures

Horse Trough	Huon Road near junction with Pillinger Drive
Bus Shelter	Huon Road opposite junction with Chimney Pot Hill Road

Extract from the City of Hobart Planning Scheme 1982 - planning controls applying to heritage buildings and sites:

F HERITAGE SCHEDULE

F.1 Definitions

F.1.1 For the purposes of this Schedule:

‘adaptation’	means modifying a place by essential changes which are substantially reversible, have minimum impact or involve no change to the culturally significant fabric of a place in order to enable the place to be occupied by compatible uses.
‘conservation’	means all the processes of looking after a place so as to retain its cultural significance and may include maintenance, preservation, restoration, reconstruction or adaptation.
‘cultural significance’	means aesthetic, historic, scientific or social value for past, present or future generations.
‘fabric’	means all the physical material of the place
‘heritage area’	means a part of the Planning Area of special significance pursuant to Principle 20.
‘place’	means site, area, building or other work, group of buildings or other works together with associated contents and surroundings.
‘preservation’	means the protection, maintenance where necessary, and the stabilisation of the existing fabric of a place but without distortion of its cultural significance.
‘restoration’	means the reassembly of displaced components, or the removal of later additions to reveal the culturally significant aspect of a place, without the introduction of new material.
‘reconstruction’	means returning a place as nearly as possible to an earlier state which is known from physical and/or documentary evidence, by the introduction of materials (new or old) into the fabric.

F.2 General

F.2.1 This Schedule identifies those parts of the "Planning Area" and specific buildings and sites ('places') of special significance and the framework of control of development affecting such areas and places pursuant to Principle 20.

F.2.2 In its consideration of applications for development the Council shall have regard to the definitions, conservation principles, processes and practices set down in the Burra Charter as adopted on 23rd April, 1988.

F.3 Heritage Areas

F.3.1 Pursuant to Principle 20, those parts of the Planning Area shown as Heritage Areas on maps F2 - F12 of this Schedule shall be conserved.

F.3.2 Pursuant to Principle 20, any existing building, or structure within a Heritage Area shall be retained except where:

- (i) it clearly detracts from the cultural significance of the Area, or
- (ii) there are overriding environmental, economic or practical reasons for its removal either wholly or in part.

F.3.3 Any new development within or adjacent to a Heritage Area shall be in keeping with and shall not detract from those characteristics of the Area which contribute to its cultural significance.

F.3.4 Within any Heritage Area new development shall be in harmony with the height, bulk, setbacks, materials, colours and finishes of existing buildings but should not distort the cultural significance of the Area by attempting to imitate existing buildings or structures.

F.4 Places Listed on the Heritage Register

F.4.1 The Council may adopt in whole or in part, listings of places on the Register of the National Estate or compiled by the National Trust or other such bodies as the Council considers capable of providing authoritative statements of cultural significance.

F.4.2 Pursuant to Principle 20, those places listed on the Council's Heritage Register as set out in Appendix 1 to this Schedule shall be conserved.

F.4.3 Pursuant to Principle 20 any existing building or structure listed on the Heritage Register shall be retained except where:

- (i) it clearly detracts from the cultural significance of the place, or

- (ii) there are overriding environmental, economic or practical reasons for its removal either wholly or in part.

F.4.4 Any new development within or adjacent to a place listed on the Heritage Register shall be in keeping with and shall not detract from those characteristics of the place which contribute to its cultural significance.

F. 5 Discretion

F.5.1 The Council has a discretion to refuse or permit any proposed use or development:-

- (i) within or adjacent to a place listed on the Heritage Register;
- (ii) within or adjacent to a Heritage Area.

Glossary

Erosion

In this report, erosion concerns the transport of soil particles by water. Soil erosion can remove all of the fertile topsoil from an area, and undermine roads, fences and houses. A further problem occurs when large quantities of soil are deposited downstream in areas such as bays along the Derwent River.

Fuel Loading

This is the build-up of combustible material, such as dead grass, leaves and wood, in a forest/ woodland setting. This quantity of material is known as the "fuel load". Fuel loading occurs continuously, but is much greater after a "wet year" in which there has been vigorous plant growth. During the following dry period, much of this growth will dry-out and/or die to become "fuel".

Ice and Frost Heave

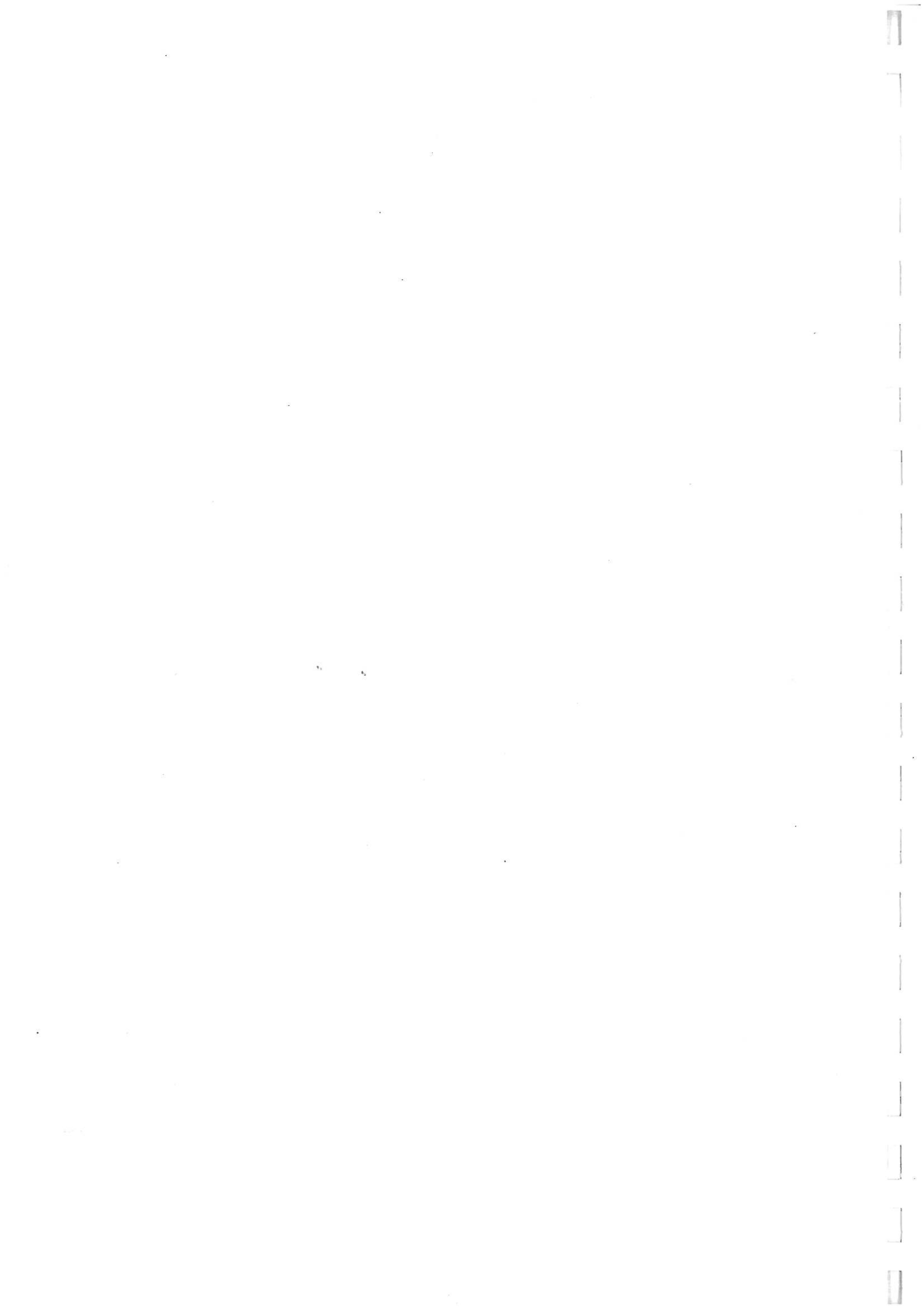
Water expands when frozen. Consequently when water lying within the soil profile freezes, it forces the soil to "heave", or shift upwards and outwards. This can exacerbate processes such as soil creep, and cause damage to structures which rely on the soil remaining stable. One phenomenon caused by frost heave is the movement of all rocks from within the soil profile to the surface.

Land Slip

This is the term given to the rapid, mass movement of soil. Land slips occur when the combination of gravity, and pressure on the soil from upslope, overcomes the forces holding the soil in place. This will cause the mass of soil to slide, slump, or flow, down the slope. One of the most common causes of land slip is an increase in the level of soil moisture.

Soil Creep

This is the process by which soil slowly shifts down a slope. This takes place in soils with a high proportion of clay, and is a response to the influence of gravity, and pressure from upslope. The speed of soil movement will be less than 1mm per year. One local example of soil creep are the many retaining walls around Hobart which bulge out over the footpath.



10. FERN TREE LOCAL AREA PLANNING PROVISIONS - 32-3-41
Ref. Open D&ESC (2) 8, 19/6/2000

Attachment Council 10 P/1-5 - Fern Tree Local Area Planning Provisions - Summary of Actions and Implementation.

- That:
1. The Council endorse the Fern Tree Local Area Planning Provisions (Volume 2 June 2000), as distributed under separate cover to item 8 on the Development and Environmental Services Committee agenda of 19 June 2000, and specifically the attached Action Plan as set out in part 8 of that document as amended and indicated by strikethrough and underline.
 2. The actions specified in 1 above be referred to the relevant Division/s for attention.
 3. A further report be presented to the Council on the planning scheme amendments required to implement the Fern Tree Local Area Planning Provisions following finalisation of the 6/99 Amendments to the City of Hobart Planning Scheme 1982.
 4. Those persons who made submissions in regard to the Draft Fern Tree Local Area Planning Provisions be advised of the Councils endorsement of the Planning Provisions and response to their submission and be invited to comment further within 6 months.
 5. Dog kennels and other unlisted discretionary uses be given specific consideration in formulating the Statement of Desired Future Character for each precinct.
 6. Art Galleries be included as a discretionary use in all zones except the Bushland Conservation and Recreation Zone.

That the recommendation be adopted as amended by the deletion of the words 'included as' and the substitution therefore with the words 'considered for' in Part 6.

