

CITY OF HOBART

AGENDA
OPEN PORTION OF THE SPECIAL COUNCIL MEETING
TUESDAY, 27 JULY 2021
AT 5:00 PM

THE MISSION

Working together to make Hobart a better place for the community.

OUR VALUES

THE COUNCIL IS:

PEOPLE
We care about people – our community, customers and colleagues

TEAMWORK
We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.

FOCUS AND DIRECTION
We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.

CREATIVITY AND INNOVATION
We embrace new approaches and continuously improve to achieve better outcomes for our community.

ACCOUNTABILITY
We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

VISION

OUR VISION, MISSION AND VALUES HOBART: A COMMUNITY VISION FOR OUR ISLAND CAPITAL

Hobart breathes.

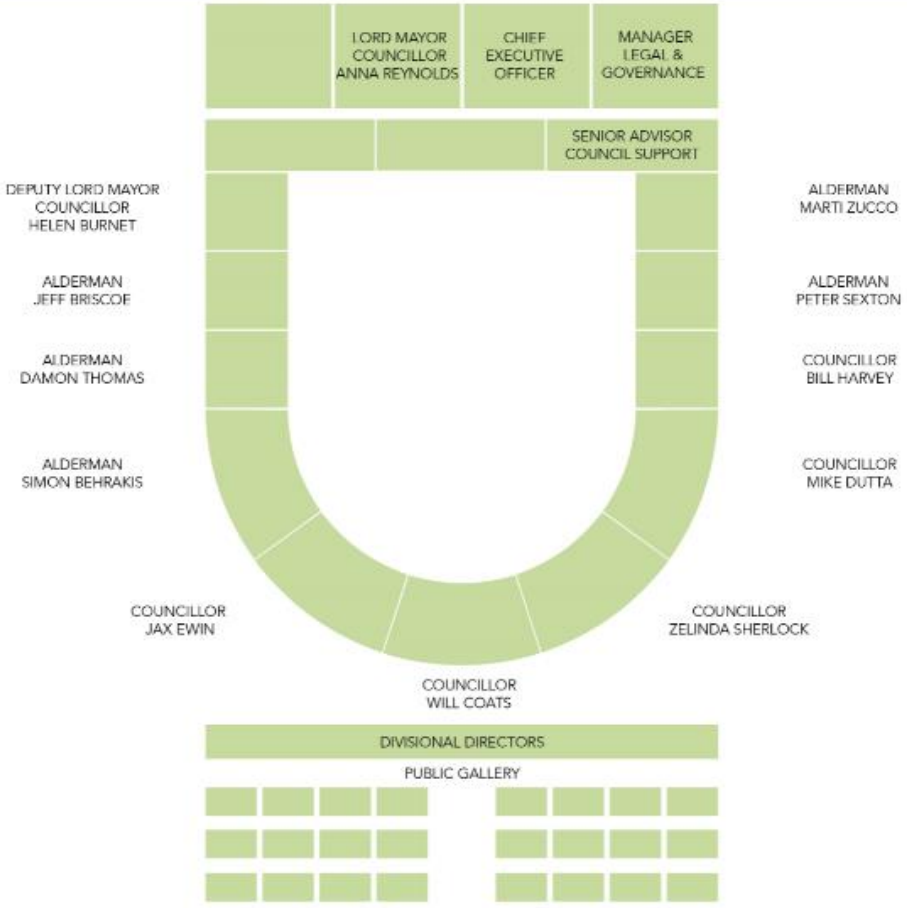
Connections between nature, history, culture, businesses and each other are the heart of our city.

We are brave and caring.

We resist mediocrity and sameness.

As we grow, we remember what makes this place special.

We walk in the fresh air between all the best things in life.



ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON TUESDAY, 27 JULY 2021 AT 5:00 PM.

Kelly Grigsby
Chief Executive Officer

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

This meeting of the Council is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020.*

ELECTED MEMBERS:
Lord Mayor A M Reynolds
Deputy Lord Mayor H Burnet
Alderman M Zucco
Alderman J R Briscoe
Alderman Dr P T Sexton
Alderman D C Thomas
Councillor W F Harvey
Alderman S Behrakis
Councillor M S C Dutta
Councillor J Ewin
Councillor Dr Z E Sherlock
Councillor W N S Coats

APOLOGIES:

LEAVE OF ABSENCE: Nil.

1. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Elected members are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with.

2. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council is reminded that in order to comply with Regulation 25(2), the Chief Executive Officer is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

2.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

2.1.1 100 PINNACLE ROAD, MOUNT WELLINGTON AND 30 MCROBIES ROAD, SOUTH HOBART AND ADJACENT ROAD RESERVE PLN-19-345 - FILE REF: F21/57583

Address:	100 Pinnacle Road, Mount Wellington and 30 McRobies Road, South Hobart and Adjacent Road Reserve
Proposal:	Cableway and Associated Facilities, Infrastructure and Works
Expiry Date:	29 July 2021
Extension of Time:	Not applicable
Author:	Emma Riley

RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for a cableway and associated facilities, infrastructure and work at 100 Pinnacle Road, 30 McRobies Road & Adjacent Road Reserve for the following reasons:

1. The proposed Transport Depot and Distribution use (the cableway) is not consistent with the values of Wellington Park identified in section 8.2 and section S2.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) in that it will diminish the Park's tourism, recreational, cultural and landscape values as a result of its scale, mechanisation and emissions.

2. The proposed Food Services use is not consistent with the values of Wellington Park identified in section 8.2 and section S2.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) in that it will diminish the Park's tourism, recreational and landscape values as a result of its scale, nature and intensity.

3. The proposal does not meet the acceptable solution or performance criterion with respect to clause 28.3.1, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed hours of operation will have an unreasonable impact on the residential amenity of land in the residential zones as a result of noise and other emissions.

4. The proposal does not meet the acceptable solution or performance criterion with respect to clause 28.3.2, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed noise emissions have the potential to cause environmental harm within the Environmental Living and General Residential zones on McRobies Road.

5. The proposal does not meet the acceptable solution or performance criterion with respect to clause E5.6.4, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed sight distances for the access road on to McRobies Road is inadequate and and does not ensure safe movement of vehicles entering the existing roundabout.

6. The proposal does not meet the acceptable solution with respect to clause E7.7.1 A3 as the stormwater from the pinnacle centre will be primarily drained to ground and in a storm event the flows will be greater than pre-existing runoff and there is no corresponding performance criterion.

7. The proposal does not meet the acceptable solution or performance criteria with respect to clause E10.7.1, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed access road from McRobies Road to the boundary of Wellington Park involves the removal of high priority biodiversity values and the mitigation strategies and management measures to retain and improve the remaining high priority biodiversity values are not sufficient as required by subclause (c)(iii).

8. The proposal does not meet the acceptable solution or performance criteria with respect to clause E10.7.1, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed access road from McRobies Road to the boundary of Wellington Park involves the removal of high priority biodiversity values and special circumstances have not been demonstrated as required by subclause (c)(iv).

9. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 2, P2.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal, due to the clearance associated with the base station, associated bushfire hazard areas and towers 1 and 2, does not avoid or sufficiently remedy the loss of swift parrot habitat values and therefore results in a long-term impact on vegetation values.

10. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 2, P2.2 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal, due to the clearance associated with the base station, associated bushfire hazard areas and towers 1 and 2, does not avoid or sufficiently remedy the loss of swift parrot habitat values and therefore results in a long-term impact on vegetation values.

11. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 2, P2.3 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not avoid or sufficiently remedy adverse impacts on the geoheritage values of geoconservation sites: Organ Pipes Columnar Jointing and Wellington Range Periglacial Terrain as listed under the Tasmanian Geoconservation Database.

12. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 5, P5.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal is not designed and sited to minimise or remedy the loss of visual values and impacts on visual character of the affected area that arise from the proposed cableway (including towers).

13. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 5, P5.2 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not harmonise with the visual landscape and natural qualities of the site in terms of appearance and proportions.

14. The proposal does not meet the acceptable solution or performance

criteria with respect to section 8.5.7, Issue 6, P6.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal will generate noise emissions that will have an adverse effect on the quiet enjoyment of the natural and cultural values of kunanyi/Mount Wellington and which are insufficiently remedied.

15. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 2, P2.3 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not avoid or sufficiently remedy adverse impacts on the geoheritage values of geoconservation sites: Organ Pipes Columnar Jointing and Wellington Range Periglacial Terrain as listed under the Tasmanian Geoconservation Database.

16. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 5, P5.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not sufficiently mitigate or remedy the loss of visual values and impacts on visual character of the affected area that arise from the proposed pinnacle centre.

17. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 6, P6.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal is not supported by a geotechnical land instability report that sufficiently considers all risks to life and property that will be triggered by the development of the pinnacle centre.

18. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 9, P9.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the pinnacle centre will visually intrude into the landscape in relation to local and natural features and views from the Pinnacle area and elsewhere in the Park.

19. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 9, P9.2 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the pinnacle centre will cause visual intrusion.

20. The proposal does not meet the acceptable solution or performance

criteria with respect to section S2.6, Issue 10, P10.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the pinnacle centre will diminish the values of the site and has not been designed or sited sufficiently to remedy or mitigate the loss of visual values.

21. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 11, P11.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal will generate noise emissions that will have an adverse effect on the quiet enjoyment of the natural and cultural values of kunanyi/Mount Wellington and which are insufficiently remedied.

Attachment A:	Planner's report ⇩
Attachment B:	Biodiversity Referral - 12 July 2021 - Andy Welling ⇩
Attachment C:	Economic and Community Benefit Assessment Referral - 28 June 2021 - Ellen Witte ⇩
Attachment D:	Traffic Impact Assessment Referral - 08 July 2021 - Ross Mannering ⇩
Attachment E:	Engineering Assessment Referral - 09 July 2021 - Robert Casimaty ⇩
Attachment F:	Geotechnical Assessment Referral - 6 July 2021 - Bill Cromer ⇩
Attachment G:	Geoheritage Assessment Referral - 7 July 2021 - Mark Williams ⇩
Attachment H:	Noise Impact Assessment Referral - 7 July 2021 - Darren Tardio ⇩
Attachment I:	Visual Impact Assessment Referral - 11 July 2021 - Chris Goss ⇩
Attachment J:	PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Review Report (Supporting information)
Attachment K:	PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - MWCC Masterplan (Supporting information)
Attachment L:	PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Architectural Drawings (Supporting information)
Attachment M:	PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Planning Assessments (Supporting information)

Attachment N: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Engineering Drawings and Reports (Supporting information)

Attachment O: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Aboriginal Heritage Assessment (Supporting information)

Attachment P: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Traffic Impact Assessment (Supporting information)

Attachment Q: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Viewshed Mapping Methodology (Supporting information)

Attachment R: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Visual Impact Assessments (Supporting information)

Attachment S: Images (Supporting information)

Attachment T: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Biodiversity Assessments (Supporting information)

Attachment U: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Economic Impact Report (Supporting information)

Attachment V: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Community Benefit Analysis (Supporting information)

Attachment W: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Bushfire Assessment 1 (Supporting information)

Attachment X: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Bushfire Assessment 2 (Supporting information)

Attachment Y: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Geotechnical Assessments (Supporting information)

Attachment Z: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Geomorphology Impact Assessment (Supporting information)

Attachment AA: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Acoustic Assessments (Supporting information)

Attachment AB: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Odour Assessment (Supporting information)

Attachment AC: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Contaminated Land Assessment (Supporting information)

Attachment AD: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Title Documentation (Supporting information)

Attachment AE: PLN-19-345 - 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Advertised Document - Tasnetwork Consent Letter (Supporting information)

APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015

Type of Report:	Council
Council:	27 July 2021
Expiry Date:	29 July 2021
Application No:	PLN-19-345
Address:	100 PINNACLE ROAD, 30 MCROBIES ROAD & ADJACENT ROAD RESERVE
Applicant:	Mount Wellington Cableway Company Pty Limited, by their agent, Ireneinc Planning
Proposal:	Cableway and Associated Facilities, Infrastructure and Work
Representations:	16,589
Performance criteria:	Hobart Interim Planning Scheme 2015 Use, Access over Land in Another Zone, Utilities Zone Use Standards, Environmental Management Zone Use and Development Standards, Potentially Contaminated Land Code, Landslide Code, Roads and Railway Assets Code, Parking and Access Code, Stormwater Management Code, Electricity Transmission Infrastructure Protection Code, and Biodiversity Code Wellington Park Management Plan 2013 Standards for Use and Development in Wellington Park, Standards for Use and Development in Pinnacle Specific Area

1. Executive summary

1.1 Planning approval is sought for a cableway and associated facilities, infrastructure and works on kunanyi/Mount Wellington at 100 Pinnacle Road, 30 McRobies Road, and Adjacent Road Reserve, Hobart.

1.2 The proposal requires assessment against both the *Hobart Interim Planning Scheme 2015* (the planning scheme) and the *Wellington Park Management Plan 2013* (the Management Plan). The Management Plan is not only incorporated into the planning scheme by way of clause F3.0 Mount Wellington Specific Area Plan, but assessment against it is also a requirement under s52A of the *Land Use Planning and Approvals Act 1993*.

1.3 The proposal is for discretionary uses and relies upon performance criteria to satisfy 41of the 67 applicable standards

1.4 16,589 representations were received during the 28-day statutory advertising period between 24 May and 22 June 2021.

1.5 The proposal is recommended for refusal.

1.6 The decision is delegated to the Council as more than five objections were received, the proposal is located on Council-owned land, the proposal is more than three storeys in height and over 2000m^2 in floor area, and the recommendation is for refusal.

2. Site detail

2.1 The application relates to land in Wellington Park and adjoining Council-owned land adjacent to McRobies Road and McRobies Gully Waste Management Centre. Specifically, the land subject to the application is located within the title areas listed in Table 1 and shown in Figure 1, Figure 2 and Figure 3 below. All land subject to the application is under the ownership of Council. Title documentation is available at Attachment AD.

Table 1: Land subject to the application

Address		Title reference	Proposal components
1	Wellington Park 100 Pinnacle Road	C.T. 252495/1	Base station, towers 1 and 2, part of access and part of pinnacle centre
2	Wellington Park 100 Pinnacle Road	C.T. 126375/1	Tower 3 and pinnacle centre
3	Wellington Park 100 Pinnacle Road	C.T. 121202/2	Access to pinnacle centre
4	HCC Disposal Area 30 McRobies Road	C.T 126957/1	Access road
5		C.T. 166085/6	
6		C.T 80250/1	

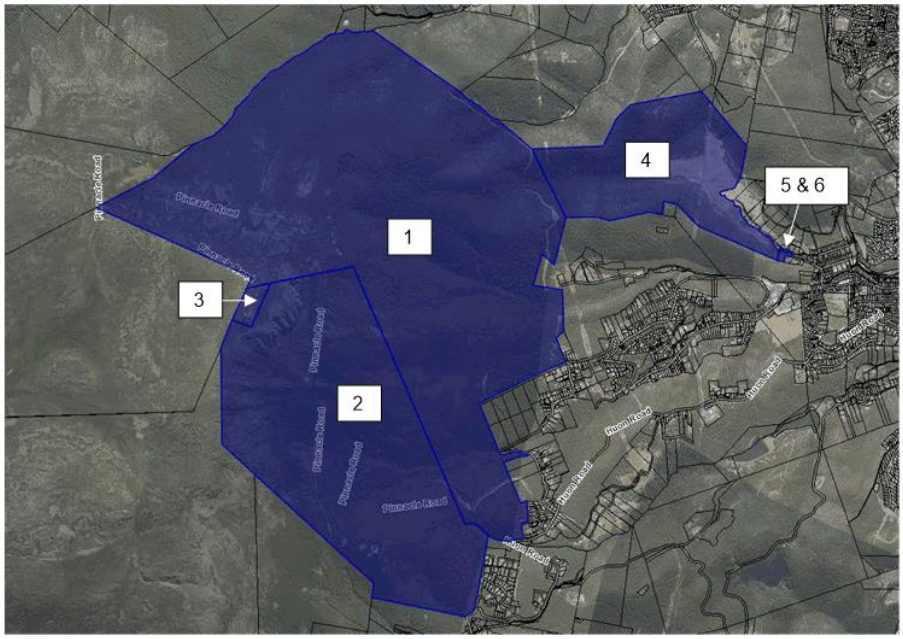


Figure 1: Titles subject to the application

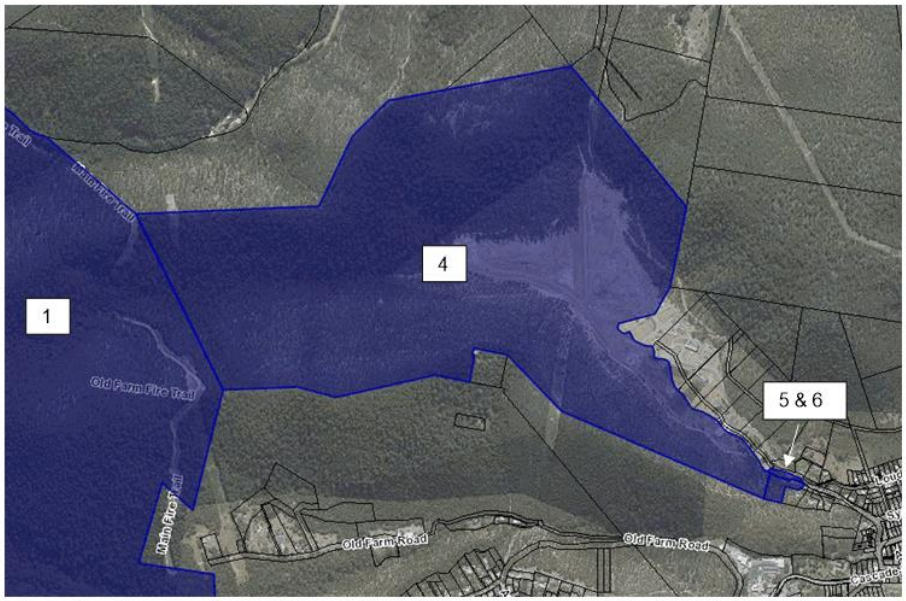


Figure 2: Close up view of titles subject to the application in the McRobies Gully and Old Farm Road area

Figure 3: Close up view of titles subject to the application in the McRobies Road area

2.2 Wellington Park is the largest single reserve in Tasmania outside the Tasmanian Wilderness World Heritage Area (TWWHA). It has important recreational, natural and cultural values. These are articulated in the *Wellington Park Management Plan 2013* (the Management Plan) and for this reason are not repeated here.

2.3 It is important to note that some representations received by Tasmanian Aboriginal people have indicated that the Management Plan does not comprehensively recognise the full extent of cultural values associated with Wellington Park. As the planning assessment is strictly confined to relevant planning matters defined by the statutory framework, it cannot make any commentary as to the adequacy or not of the protections afforded to cultural values through the Management Plan.

2.4 Following public notification, site visits were undertaken to assist in understanding the nature, scale, and siting of the proposal and the characteristics of the site and adjacent areas.

Photo 1: View towards McRobies Road roundabout and access road entrance.

Photo 2: View towards existing access which will be used for access road entrance.

Photo 3: View south along fire trail towards base station site.

Photo 4: Base station site. The level grassed area is where the one way loop road would be located. The building will sit into the steep slope.

Photo 5: Looking north along existing fire trail from base station site.

Photo 6: Existing transmission line easement near fire trail site. The vegetation to the right of the easement would require clearing for bushfire management purposes.

Photo 7: View from The Springs overflow car park towards the pinnacle.

Photo 8: View towards the South Wellington ranges from approximate location of the proposed sanctum.

Photo 9: View of where restaurant component of the pinnacle centre will be located. Note the McRobies Gully Waste Management Centre towards the centre of the picture. The base station site is not, however, visible.

Photo 10: View from approximately rooftop viewing area above café looking down the Derwent River towards Kingborough.

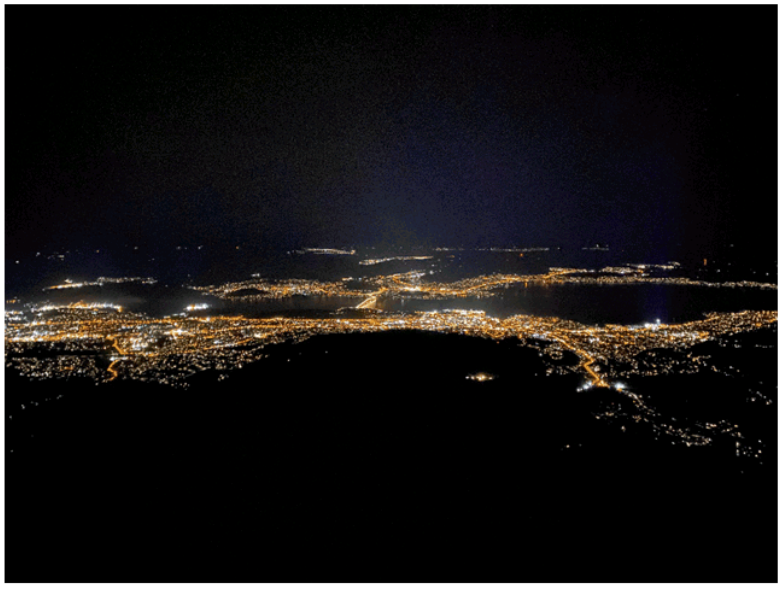


Photo 11: View from existing viewing deck at night-time.

3. Proposal

3.1 Planning approval is sought for a cableway and associated facilities, infrastructure and works on kunanyi/Mount Wellington, at 100 Pinnacle Road, 30 McRobies Road, and Adjacent Road Reserve, Hobart.

3.2 The cableway will span a 2.4 km distance from a base station in South Hobart to the pinnacle of kunanyi/Mount Wellington. Two cable cars are proposed on the cableway, both with a maximum standing capacity of 80 persons. Each cable car measures 6.9 metres by 3.9 metres (nearly 27 m^2 in area).

3.3 Cable cars are secured by three cables: two track ropes for stability and one haul rope for propulsion. The track ropes are 55 mm in diameter and the haul rope is 40 mm in diameter. Cable car ropes will be supported by three towers.

3.4 The cableway will have a maximum operating speed of just over 36 kph. The quickest travel time for the 2.4 km span is 5.7 minutes with 1.5 minutes stopping time, making a total of 7.2 minutes for a one-way journey. The maximum hourly capacity is therefore 660 persons. The planning report accompanying the application has indicated that a slower speed will be used for transporting passengers and the trip duration would be 15 minutes.

3.5 The application comprises the physical components as described in the paragraphs below. The MWCC master plan at ***Attachment K*** provides an overall concept plan.

3.6 **Site access**

3.6.1 A new access road extending from McRobies Road, South Hobart to the site of a 'base station' facility located across the Main fire trail just inside Wellington Park boundaries. From McRobies Road, the access extends just over 2.2 km to the boundary of Wellington Park; it is generally aligned with an existing fire trail for the first 750 metres, after which it departs from the fire trail alignment until it intersects with the existing Main fire trail in Wellington Park. From the boundary of Wellington Park, the access extends another approximate 100 metres to where it intersects with the Main fire trail. From this point the access transitions to a one-way access that loops around the base station and associated car parking and joins back to the access at the Main fire trail location.

3.6.2 The access road is designed to a sealed rural road standard with a minimum 6-metre access (plus shoulder, verge, and drainage) to allow two-way movement along its entire length.

3.6.3 The access road is not being assessed as a public road but as an ancillary to the base station.

3.6.4 Stormwater from the access road catchment will be collected to a detention tank underneath the access road before it connects into existing public mains near McRobies Road.

3.6.5 The site access road details are shown in the civil engineering drawings at ***Attachment N***.

3.7 **Base station**

3.7.1 A new building located on the Main fire trail alignment in Wellington Park approximately 400 metres north along the Main fire trail from where it transitions from the end of Old Farm Road, South Hobart.

3.7.2 The new building is designed as a wedge-shaped structure both in plan and elevation and would have a maximum building height of 29 metres. The building height from the upper slope area adjacent to the entrance would be 15.5 metres.

3.7.3 The new building would have three levels as described below and would be partially excavated into the slope:

- Level 0 – containing machine room, plant and equipment. Adjacent to Level 0 are EV charging points for 5 vehicles, loading area, substation enclosure, and bus and long vehicle parking.
- Level 1 – containing staff facilities and a void to the machine room on Level 0. Staff facilities will include an open office area, enclosed offices and meeting rooms, kitchen, and toilet facilities.
- Level 2 – containing the main public areas including ticket sales, lounge, an area dedicated to gift sales, toilets, and the main cableway departure point. Level 2 is accessed on grade to the top car parking areas and includes the main building entrance.

3.7.4 The building would be constructed and finished in a variety of materials including concrete, a timber and steel composite screen and glazing. Solar panels are proposed across the roof area. Colours are dark and muted tones except where using natural materials such as timber.

3.7.5 There would be 52 car parking spaces (5 dedicated to staff and 2 accessible parking spaces included), 6 minibus spaces, 3 bus/coach spaces, 5 motorcycle spaces, 10 bicycle spaces and a drop-off and pick-up zone suitable for 3 cars or large buses.

3.7.6 The base station would be fully serviced with reticulated water and sewer connections by way of new private pipes and pump stations from the base station to existing public mains on McRobies Road. Water supply of up to 300,000 L will be stored in tanks near the base station. These will also provide for firefighting.

3.7.7 Stormwater from the base station will be collected into onsite detention and then disposed of to natural water courses.

3.7.8 Architectural drawings, including a site plan for the base station, are available at ***Attachment L***.

3.8 **The towers and cables**

3.8.1 Three towers are proposed to support the cableway. Towers 1 and 2 are in proximity of the base station. Tower 3 is in proximity of the pinnacle centre.

3.8.2 Tower 1 will be approximately 170 metres uphill of the base station entrance and Tower 2 a further 130 metres. Tower 3 is located above the 'Organ Pipes' of kunanyi/Mount Wellington approximately 100 metres below the pinnacle centre.

3.8.3 Each tower will be of open steel construction. The heights of towers vary. Tower 1 will be 45 metres above natural ground level; Tower 2 will be 55 metres above natural ground level; and Tower 3 will be 36 metres above natural ground level.

3.8.4 A temporary installation net (or scaffold) will be required to be installed over the existing TasNetworks electrical transmission lines that run adjacent to Pinnacle Road to facilitate safe installation of the cables between towers 2 and 3 during construction.

3.8.5 An overall plan showing the location of towers is shown at ***Attachment K***. Overall locations can also be viewed in the longitudinal profile at ***Attachment Y*** and in more detail in the architectural drawings at ***Attachment L***.

3.8.6 The cableway will consist of six cables, three cables (or ropes) in each direction – two for stability and one haul rope for propulsion. Cables would vary between 40 mm (haul rope) and 55 mm (track rope) in diameter.

3.9 **The pinnacle centre**

3.9.1 A new building located in the Pinnacle area of kunanyi/Mount Wellington. The building will commence at just below the 1,244.50-metre contour (the current observation shelter is located around the 1,257-metre contour). The new building would be irregular in shape both in plan and elevational form and would have a floor area of 3,147 m^2 (including service and plant room) over five levels as described below. The building footprint including all external spaces is 2,180.75 m^2. It would be partially excavated into the slope, involving the removal of some dolerite material (refer to sections 1782-DA401 for pinnacle centre in ***Attachment L***).

- Basement – a 259 m^2 area containing plant and equipment as well as the 100,000 L sewer tank (which includes emergency storage capacity) and 100,000 L water storage (the assessment has assumed two tanks: one 25,000 L for toilet flushing collected from the roof and one 75,000 L for drinking water). There is also an open area service platform at this level of 216 m^2 in area.
- Level 0 – containing the cableway entrance and exit, toilets, restaurant, bar and function area, foyer, and amphitheatre area. An exit to a new walking path connected back to the Pinnacle car park area would be available from this level.
- Level 1 – containing the cableway control room, staff facilities,

park ranger office and foyer circulation areas. These areas sit over the facilities on Level 0 and include an open void which looks down into the foyer and amphitheatre on Level 0. Level 1 contains two isolated plant rooms.

- Level 2 – comprising two 'wings'. The southern wing is located over the basement, Level 0 and Level 1. It includes retail, interpretation, foyer and viewing spaces as well as the sanctum and an outdoor amphitheatre. The northern wing comprises a café with outdoor dining. The two 'wings' are connected by an enclosed walkway.
- Roof – comprising pedestrian trafficable roof areas, indoor lookout, circulation space and roof garden.

3.9.2 The applicant did not show maximum building height dimensions on the plans. However, these have been measured and building heights range from 7.4 metres through to 11.4 metres.

3.9.3 Servicing of the pinnacle building will be via the cableway, and holding tanks for wastewater (both black and greywater) and water will be in the basement as described above. Potable water will be transported up on the cable cars in a 1,000 L tank. Transport will occur through the day and this will be stored in a 75,000 L tank. Wastewater will be collected into 5,000 L tanks attached to the cable car and disposed of through the base station wastewater system which connects to TasWater infrastructure through private mains and pump station. Potable water will be transported across all trips during operating hours, and the application indicates that wastewater will be transported back down generally between 4.00 pm and 6.00 pm.

3.9.4 Architectural drawings including a site plan for the pinnacle centre are available at ***Attachment L***.

3.10 The cableway is intended to operate from 8.00 am to 10.00 pm 7 days a week, which is a 14-hour period (one covering letter from Ireneinc Planning and Urban Design indicates commencement at 6.00 am, but this assessment is based on an 8.00 am commencement time). During winter and shoulder period, evening and afternoon operating hours may reduce. The public spaces, facilities and restaurant will be open for the full extent of operating hours. Some other spaces/uses in the pinnacle centre (café, retail, amphitheatres) will only operate during daylight hours.

4. Background

4.1 This application is not accompanied by landowner consent. Landowner consent

is not required due to the provisions of the *Cable Car (kunanyi/Mount Wellington) Facilitation Act 2017*.

4.2 Under the provisions of the *Wellington Park Act 1993*, an authority from the Wellington Park Management Trust is also required. The process by which an authority is granted is by way of a Parks Activity Assessment process. This PAA process is described and provided for in the Management Plan. It is separate to the planning assessment process. Parts of the Management Plan that are not relevant to the planning assessment are relevant to that assessment. The PAA process has not been commenced by the applicant.

4.3 Other statutory approvals are likely to be required by the proposal, again separate to the planning assessment process. This includes processes under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) and the *Threatened Species Protection Act 1995*.

5. Representations

5.1 The application was publicly notified for 28 days (with an additional day to accommodate the public holiday on 14 June 2021). The period commenced on 24 May 2021 and finished on 22 June 2021.

5.2 During the public exhibition period, a total of 16,589 representations were received. The number of representations is significant and is indicative of the high level of public interest in the application.

5.3 Of the representations received 28.3% were in support of the proposal and 71.7% were against the proposal.

5.4 Many representations received were similar to others. There were four main templates circulating during the exhibition period; however, for the most part each representation was slightly modified.

5.5 Due to the volume of representations and issues raised, representations were provided daily under separate cover to elected members.

5.6 Representations have been reviewed and considered in this assessment report. In parts of the assessment below, specific issues raised by representors have been identified as addressed where considered important to communicate how the issue has been responded to.

5.7 A high-level analysis of the most occurring comments raised in representations is outlined in *Table 2* below. It is important to note these are not necessarily

specific comments in representations, but broad categorisation.

Table 2: Summary of key comments in the representations

Issue	Proportion of representation raised issue
Natural value/habitat	
The proposal will diminish and destroy natural habitat including for swift parrot and masked owl	57.3%
Base station will clear threatened silver peppermint and blue gum forest contrary to Biodiversity Code	56.0%
Visual impact	
Will destroy views and vista including from the pinnacle and is therefore non-compliant with the Management Plan	59.2%
Development will obscure Organ Pipes	56.2%
Visual impact study does not address requirements of the Management Plan	54.1%
The visual impacts are important, but the information in the application is extensive and credible	23.7%
Visual impacts from towers is not acceptable	14.5%
Cultural values	
The proposal ignores Aboriginal cultural values and lacks sensitivities	57.3%
DA is non-compliant with Aboriginal Heritage Tasmania guidelines	56.8%
Author of Aboriginal heritage made no credible attempt to understand the deep and ancient spiritual, physical, cultural and historical connection of the mountain	51.7%
There is no European heritage study; no heritage plan is included in the application	40.2%
It is claimed that 'a key positive impact' of the cable car would be 'a significant and sustained increase in a broad sense of civic pride amongst the local population', but no report, study or cultural authority is cited to justify this claim	39.4%
The proposal does not impact on Aboriginal heritage sites as defined under the 1975 legislation	23.8%

Issue	Proportion of representation raised issue
Recreational impacts	
Cableway is bad for bushwalkers and other recreationalists and reduces their amenity	56.4%
Recreational impacts	
Building on the summit is not appropriate. Its size and footprint is excessive. Will cause light pollution	56.4%
Noise	
Noise is an issue for residents and other mountain recreational users; noise emissions exceed the allowable noise limit in Management Plan	53.3%
Expert opinion in the application indicates noise levels are unlikely to be intrusive	23.7%
Geoheritage	
Does not avoid, remedy or mitigate geoheritage values of Wellington Range and Organ Pipes	53.1%
Traffic	
The increase in traffic around South Hobart has not been considered	52.1%
The cable car will effectively and efficiently move people to the pinnacle	23.7%
The cable car will reduce cars going up the mountain; the current road is hazardous	10.6%
Use	
The proposal is for a Tourist Operation under the Management Plan and is therefore a prohibited use	52.1%
Pinnacle Road may be closed for good	42.9%
The cable car adheres to discretionary use and development as required by the Management Plan	28.1%
Business case	
The proposal is not financially sustainable and the Mount Wellington Cableway Company has repeatedly refused to publicly release a business or financial plan	44.7%

Issue	Proportion of representation raised issue
Proposal does not meet assessment requirements under section 8.5.1 (4) of the Management Plan relating to demonstrating economic viability	43.7%
Other benefits	
The proposal will improve access to the mountain for everyone including for less mobile people, mountain bikers and in snow conditions	28.9%
The proposal will enhance Hobart and tourism in Tasmania	28.8%
It will be a spectacular way to appreciate scenery, the environment and geoheritage of the Organ Pipes	28.5%
Council will save $millions in forward infrastructure spend on roads, maintenance and other visitor facilities	28.1%
The cable car will support local suppliers of goods and services	28.0%
Will increase amenity on the summit; the current facilities are embarrassing	24.1%
Consistency with other approvals/processes	
The new access road is acceptable under the planning scheme. The tip expansion included approval for removing *Eucalyptus globulus* trees	23.7%
Council has previously invited and approved commercial development within the Park, which has included boutique hotels, restaurants, cafés, visitor facilities and a distillery	23.7%
Use of public land	
No level of government has advertised or indicated intention to advertise a tender for a transport system to address growing traffic volumes, and Council has failed to deliver any meaningful traffic or visitor infrastructure facilities in decades; the proposal addresses that need	23.7%
There is nothing that precludes any organisation or individual from pursuing a discretionary development within Wellington Park	23.7%

5.8 It is important to note that many issues raised in representations are not directly relevant to the planning assessment. Many submissions, for example, put a

general case for or against a cableway on kunanyi/Mount Wellington or presented a case based on alternative scenarios. Others talked about their personal associations and use.

5.9 It is also important to note that the number of representations for or against or raising any specific issues is not a determining factor on how relevant or significant the matter is for the assessment process. The considerations of the planning authority in making its decision are strictly defined by the relevant statutory provisions as outlined in the assessment framework discussed in Section 6 below.

6. Assessment framework

6.1 This application represents greater complexity in the assessment process than most applications considered by Council as Planning Authority. For this reason, the assessment framework has been articulated below to provide clarity. The assessment framework has been informed by legal advice. Articulation of the assessment framework is also important to addressing the issues raised in representations.

6.2 All planning permit applications are, according to the *Land Use Planning and Approvals Act 1993* (LUPAA), required to be assessed in accordance with the relevant planning scheme. In this instance the relevant planning scheme is the *Hobart Interim Planning Scheme 2015* (planning scheme) as of the date that the application was made valid.

6.3 There have been some amendments to the planning scheme (Interim Planning Directive 4) that affect one relevant provision (clause 9) to the application that took effect on 22 February 2021. However, the amended provision (clause 9.7) is not applicable to the proposal, so this assessment has been made in accordance with the provision that was in effect at the time that the application was made valid (clause 9.6).

6.4 The land subject to the application falls across two zones under the planning scheme: the Utilities Zone and the Environmental Management Zone. The Utilities Zone applies to the access road only.

Figure 4: Zoning under the Hobart Interim Planning Scheme showing indicative location of proposed use and development and Wellington Park boundary.

6.5 The land subject to the application is also affected by numerous planning scheme overlays. These are the Bushfire Prone Areas Overlay; Landslip Hazard Overlay; the Electricity Transmission Protection Overlay; and the Biodiversity Overlay.

6.6 These overlays trigger the Landslide Code, Electricity Transmission Infrastructure Protection Code and the Biodiversity Code. Assessment against the Bushfire Prone Areas Code is not required as the application does not relate to subdivision of land or use that is a vulnerable use or hazardous use, despite the presence of the Bushfire Prone Areas Overlay.

6.7 Other codes are relevant by textual application (rather than being triggered by an overlay). In summary, the codes applicable to the application are:

- Potentially Contaminated Land Code
- Landslide Code
- Road and Railway Assets Code
- Parking and Access Code
- Stormwater Management Code
- Electricity Transmission Infrastructure Protection Code
- Biodiversity Code.

6.8 The proposal extends across land both inside and outside Wellington Park. For the part of the application that is within Wellington Park (all of the proposal except the first 2.2 km of the access), the provisions of clause F3.0 Wellington Park Specific Area Plan also apply.

6.9 Clause F3.2.2 of the planning scheme effectively incorporates the Management Plan into the planning scheme by stating:

> *Notwithstanding any other provision of this planning scheme, any use or development of land in Wellington Park must be undertaken in accordance with the provisions of the Wellington Park Management Plan.*

6.10 Clause 7.4.2 of the planning scheme states:

> *Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.*

6.11 Additionally, s23(4) of the *Wellington Park Act 1993* provides:

> *Where a planning scheme in force under the Land Use Planning and Approvals Act 1993 affects the protection, use, development or management of any land contained in Wellington Park –*
>
> *(a) the relevant provisions of the management plan are taken to be included in that planning scheme; and*
> *(b) in the event of conflict between the management plan and the planning scheme, the management plan is to prevail.*

6.12 Further s52A of the *Land Use Planning and Approvals Act 1993* requires that:

> *If any land in respect of which an application for a permit is required is in Wellington Park, as defined in the Wellington Park Act 1993, in assessing the application for the permit, the relevant planning authority must take into account the standards, values and conditions set out in each management plan, within the meaning of the Wellington Park Act 1993, in force as at the date of the application for the permit.*

6.13 In summary, where the Management Plan provides for the assessment of a matter through its provisions and therefore creates an inconsistency or duplicate (either directly or indirectly) with the provisions of the planning scheme (such as zone or code standards), no separate assessment under the conflicting planning scheme provision is required.

6.14 It is important to note that the approach taken to the displacement between provisions of the Management Plan and the planning scheme has been that where an issue is dealt with in the Management Plan then, as the specific instrument applying to land in Wellington Park, that provision 'covers the field' to the extent of any concurrently operating general provision of the planning

scheme.

6.15 The Management Plan divides Wellington Park into zones and in some cases more specifically special areas. The zones used by the Management Plan are the:

- Recreation Zone
- Natural Zone
- Remote Zone
- Drinking Water Catchment Zone.

6.16 In the Recreation Zone, there is The Springs specific area and The Pinnacle specific area.

6.17 The proposal falls across both the Recreation and Natural zones as well as The Pinnacle specific area. Specifically:

- the base station, towers 1 and 2 and the part of the access road in Wellington Park are in the Recreation Zone (blue area in Figure)
- Tower 3 is in the Natural Zone (green area in Figure)
- the pinnacle centre is in The Pinnacle specific area (dark blue area in Figure 5).

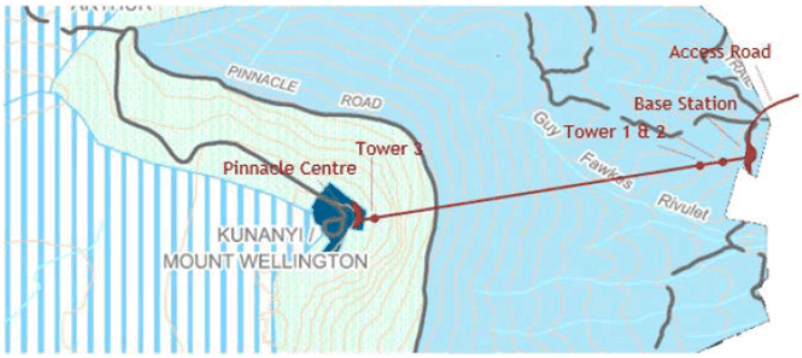


Figure 5: Location of proposed works in context of Management Plan zoning (source: Ireneinc Planning Report).

6.18 Extensive analysis has been undertaken of the applicable provisions in the planning scheme and Management Plan. The outcomes of this analysis have identified the list of applicable provisions as outlined in Table 3 below. The table includes qualifications around which parts of the proposal each standard is applicable to, where necessary and relevant to clarify its application.

6.19 It is also important to note that not all of the Management Plan is relevant to the

planning assessment. The Management Plan is an extensive document. It is not always clear and has not been drafted with the same precision as a planning scheme, as it is focused on how Wellington Park will be managed by the Wellington Park Management Trust (the Trust). Only Chapter 8 is directly concerned with activities, use and development in Wellington Park. Even then, Chapter 8 covers both how the Trust will, in its capacity as the managing authority, exercise permissions for activities (i.e. the granting of an authority through a PAA process) and assessment of use and development under the *Land Use Planning and Approvals Act 1993*.

6.20 At section 8.4.3, it is clear that the planning authority only assesses the proposal in accordance with the relevant provisions of the Management Plan.

6.21 The Management Plan at section 8.5.3 provides further clarity on what the relevant provisions of the Management Plan are in the context of a planning assessment, specifically points 1, 5 and 6 as follows:

1. *An application for a LUPAA permit is required for any use or development within the meaning of s.3 of LUPAA, as listed as either permitted (P) or discretionary (D) in Table 3 of this Management Plan.*
5. *Where the applicant can demonstrate that the proposed use or development will comply with all acceptable solutions in Table 5, Table S1.6 or Table S2.6, the Planning Authority must grant the permit either unconditionally or subject to conditions or restrictions.*
6. *The Planning Authority has discretion to refuse a permit for an application which relies on one or more Performance Criteria in Table 5, Table S1.6 or Table S2.6, and must deal with the application in accordance with s.57 of LUPAA.*

6.22 The broader parts of the Management Plan therefore only become relevant where specifically called in by requirements in relevant standards in section 8.

6.23 In response to some specific issues raised in representations, the following should be noted:

6.23.1 Clause 29.3.1 under the Environmental Management Zone concerned with use of reserved land is not applicable to the proposal, as the assessment against the Management Plan in terms of use is undertaken by way of clause F3.3.2 of the planning scheme.

6.23.2 Only points 1 and 6 under section 8.5.1, Assessment Requirements – General, under the Management Plan are considered relevant to the planning assessment, and even then, there are specific qualifications as discussed relevant to specific assessment matters below (i.e.

Aboriginal Heritage assessment). This means that the requirement to provide a detailed business and financial plan under point 4 is considered relevant to the PAA process only. The inclusion of the economic and community benefit information in the application documentation has been provided in response to the requirements of the special circumstances test under the Biodiversity Code.

6.23.3 In relation to the European cultural heritage, the relevant standard in the Management Plan is only enlivened if a place listed under the planning scheme (at clause E13.0 of the planning scheme being the Historic Heritage Code) or the Tasmanian Heritage Register is affected. There is no such site affected by this proposal. While the Trust has undertaken an inventory of heritage items and this is relevant to the PAA process, it cannot be considered in the planning authority's assessment, as it has no statutory relevance.

6.23.4 While the Management Plan standards require development to be consistent with Planning Directive No. 5, this directive has been replaced with Planning Directive No. 5.1 (PD5.1). Legal advice has confirmed the applicable instrument to the application is PD5.1. PD5.1 does not require assessment of bushfire management at the planning stage, except for vulnerable or hazardous uses or subdivision. The proposal does not relate to any of these and therefore the bushfire management assessment does not technically form part of the planning assessment. The Fire Protection Report forming part of the application has been provided in order to demonstrate the extent of vegetation clearance required for bushfire management purposes.

6.23.5 Safety issues associated with the cableway including potential risks from falling icicles or items being thrown from cable cars are outside of the scope of the planning assessment.

6.23.6 Performance of the cableway in high wind conditions is also not considered relevant to the planning assessment. Specifically, there are no standards which require a wind assessment to be undertaken and considered by the Planning Authority.

6.23.7 Comparison against other applications is irrelevant. Each planning application is assessed on its own merits based on the applicable provisions. For example, previous proposals at The Springs as well as at Rosny Hill involved different planning scheme provisions; previous approvals associated with the McRobies Gully Waste Management Centre expansion were assessed through a Level 2 approval pathway. However, this application represents a high level of complexity in

applicable provisions due to its linear nature occurring across multiple statutory instruments/zoning/specific areas.

6.23.8 Comparison against other alternatives, including the impacts of continuing to only have Pinnacle Road as the available access to the pinnacle, is also irrelevant. Council as Planning Authority can only assess the application before it on its own merits.

6.24 In regard to use, the status of the proposed uses are primarily determined under Table 3 of the Management Plan. The use tables in the Environmental Management Zone and Utilities Zone are not considered applicable to the proposal where in Wellington Park (see sections 7 and 8 below for more detail). That said, clause 9.6 and the clause 29.2 use table in the Environmental Management Zone is relevant outside Wellington Park.

6.25 There are three general use discretions to be exercised. In addition, there are 67 use and development standards relevant to the application across the planning scheme and the Management Plan. These are standards with an acceptable solution and/or a performance criterion pathway.

6.26 Where a proposal relies upon a performance criterion to comply with a standard, the Council may approve or refuse the proposal on that basis. The proposal relies upon the performance criteria in 41 individual standards, excluding the use discretions. The ability to approve or refuse relates only to the performance criteria relied on.

6.27 The assessment against the performance criteria is outlined in sections 8 to 19 below.

Table 3: Relevant standards

Clause	Standard	Acceptable Solution (AS) / Performance Criterion (PC)
Special provisions		
Clause 9.6	Access across land in another zone	No AS/PC. Provides for general discretion
Utilities Zone		
Clause 28.3.1	Hours of operation	Relies on P1
Clause 28.3.2	Noise	Relies on P1
Clause 28.3.4	Commercial vehicle movements	Complies with A1
Clause 28.3.5	Discretionary use	Relies on P1

Clause	Standard	Acceptable Solution (AS) / Performance Criterion (PC)
Clause 28.4.3	Landscaping along a boundary with a residential zone	Complies with A2
Environmental Management Zone		
Clause 29.2	Use table	Discretionary use. Applies to access only
Clause 29.4.2	Setback from land zoned Environmental Living	Relies on P3. Applicable to access only
Clause 29.4.3	Location of buildings and works	Relies on P1. Applicable to access only
	Fill and excavation	Relies on P3. Applicable to access only
Potentially Contaminated Land Code		
Clause E2.6.2	Excavation on potentially contaminated land	Relies on P1
Landslide Code		
Clause E3.7.1	Buildings and works other than minor extensions	Relies on P1. Applicable to access only.
Clause E3.7.3	Major works	Relies on P1. Applicable to access only.
Road and Railway Assets Code		
Clause E5.5.1	Existing road accesses and junctions	Relies on P3
Clause E5.6.2	Road accesses and junctions	Complies with A2
Clause E5.6.4	Sight distances at accesses, junctions and level crossings	Relies on P1
Parking and Access Code		
Clause E6.6.1	Number of parking spaces	Relies on P1. Applies to Transport Depot and Distribution use only (cableway)
Clause E6.6.2	Number of accessible parking spaces	Complies with A1
Clause E6.6.3	Number of motorcycle spaces	Complies with A1

Clause	Standard	Acceptable Solution (AS) / Performance Criterion (PC)
Clause E6.6.4	Number of bicycle spaces	Complies with A1
Clause E6.7.1	Number of vehicular accesses	Complies with A1
Clause E6.7.2	Design of vehicular accesses	Complies with A1
Clause E6.7.3	Vehicular passing areas	Complies with A1
Clause E6.7.4	Onsite turning	Complies with A1
Clause E6.7.5	Layout of parking areas	Complies with A1
Clause E6.7.6	Surface treatment of parking areas	Complies with A1
Clause E6.7.7	Lighting of parking areas	Complies with A1
Clause E6.7.8	Landscaping of parking areas	Relies on P1
Clause E6.7.9	Design of motorcycle spaces	Complies with A1
Clause E6.7.10	Design of bicycle spaces	Complies with A1
	Design of bicycle spaces	Relies on P2
Clause E6.7.13	Facilities for commercial vehicles	Complies with A1
Clause E6.7.14	Access to a road	Complies with A1
Stormwater Management Code		
Clause E7.7.1	Stormwater disposal	Complies with A1. Applies to access only
	Stormwater treatment	Relies on P2. Applies to all proposal except for pinnacle centre
	Minor stormwater drainage system	Relies on A3
Electricity Transmission Infrastructure Protection Code		
Clause E8.7.1	Development within the electricity transmission corridor	Relies on P1
Biodiversity Code		
Clause E10.7.1	Clearance and conversion of a biodiversity protection area	Relies on P1

Clause	Standard	Acceptable Solution (AS) / Performance Criterion (PC)
Permitted, discretionary and prohibited use and development Applies to all proposal except for access outside of Wellington Park		
Table 3	Use table	Discretionary use
Section 8.5.7, Table 5 – Standards for use and development in Wellington Park Applies to all proposal except for pinnacle centre and access outside of Wellington Park		
Issue 2	Native vegetation	Relies on P2.1
	Threatened species	Relies on P2.2
	Geoheritage	Relies on P2.3
Issue 3	Water quality	Complies with A3.1
	Water bodies, wetlands and watercourses	Complies with A3.2
Issue 4	Aboriginal cultural heritage	Relies on P4.1
Issue 5	Visual sensitivity	Relies on P5.1
	Building design and light effects	Relies on P5.2
Issue 6	Noise	Relies on P6.1
Issue 7	Road access	Complies with A7.1
	Pedestrian access	Relies on P7.2
Issue 8	Hazard avoidance and mitigation	Relies on P8.1
Section S2.6 – Standards for use and development in the Pinnacle Specific Area Applies to the pinnacle centre only		
Issue 2	Native vegetation	Relies on P2.1
	Threatened species	Relies on P2.2
	Geoheritage	Relies on P2.3
Issue 3	Aboriginal cultural heritage	Relies on P3.1
Issue 4	Wastewater	Relies on P4.1
	Water bodies, wetlands and watercourses	Complies with A3.2

Clause	Standard	Acceptable Solution (AS) / Performance Criterion (PC)
Issue 5	Visual sensitivity	Relies on P5.1
Issue 6	Regolith	Relies on P6.1
Issue 7	Road capacity	Complies with A7.2
	Water	Relies on P7.6
	Sewerage	Relies on P7.7
	Stormwater	Complies with A7.8
Issue 8	Car parking	Relies on P8.1
Issue 9	Building design	Relies on P9.1
	Building size	Relies on P9.2
	Appearance and lighting	Relies on P9.3
Issue 10	Building siting	Relies on P10.1
Issue 11	Noise	Relies on P11.1

7. Use classification

7.1 As most of the proposal is located in Wellington Park, the use is primarily determined having regard to the provisions of the Management Plan. The part of the proposal outside Wellington Park is the access road.

7.2 Table 3 of the Management Plan establishes the status of use in the various zones in Wellington Park. There is a separate table of use for The Pinnacle specific area at Clause S2.5; however, this is replicated in Table 3.

7.3 The proposal is considered to fall across several different use classes.

7.4 The cableway itself is, for the purposes of the Management Plan, considered to be 'Transport Depot and Distribution'. This is defined under the Management Plan as:

> *Use of land for distributing goods or passengers: bus terminal, council depot, other Potential Transport Modes.*

7.5 Potential Transport Mode is defined on p 131 of the Management Plan as follows:

Means form of public transport that have the potential to effectively move large numbers of people, but for which little or no infrastructure currently exists in the Park. It includes but is not limited to: shuttle buses; cable cars and aerial ropeways; and funicular rail and cable rail systems.

7.6 The cableway is taken to be the base station in its entirety, the towers, cables and temporary installation net and parts of the pinnacle centre.

7.7 The reason that the entire base station is included is that all activity in this building and associated external infrastructure, such as car parking, is associated with the operation of the cableway, including plant and machinery, staff facilities, ticketing and entrance space. Its sole purpose is to provide a starting point for the cableway journey. There is a small gift area proposed near the ticketing area, in the base station, and due to its limited scale is ancillary and subservient to the Transport Depot and Distribution use.

7.8 The parts of the pinnacle centre taken to form part of the Transport Depot and Distribution use are:

- all the plant and machinery areas
- control room
- entrance and exit points for the cableway
- part allocation of the first aid room and staff facilities
- part allocation of the bathroom and foyer areas.

7.9 Many representations have put the argument that the cableway itself should be defined as Tourist Operation. Tourist Operation is defined under Table 3 of the Management Plan as:

Use of land specifically to attract tourists, other than for accommodation: visitor centre, interpretation centre, viewing shelter and ancillary uses to the provision of these including limited associated retail.

7.10 During the initial assessment of the application, legal advice was sought on the appropriate use classification for the cableway, for the reasons outlined in the representations. That is, the cableway has been presented primarily as an attractor for tourists to experience the mountain.

7.11 The cableway is properly categorised as Transport Depot and Distribution[1]. This is due to the specific inclusion in the use class definition of Potential Transport Modes. That definition specifically references a cable car system in its definition.

[1] Having regard to the legal advice provided to Council.

7.12 This is the appropriate use class for the purposes of the Management Plan only and therefore only applies to the proposal where in Wellington Park.

7.13 The definition of Transport Depot and Distribution under the planning scheme does not specifically include reference to Potential Transport Modes; therefore, the most appropriate use class where the Management Plan does not apply is, under the planning scheme, Tourist Operation.

7.14 The access road is considered to be an ancillary and subservient component to the principal use of the base station, as it is solely for the purpose of providing access to users of the base station from McRobies Road.

7.15 As a result, where the access road is in Wellington Park, it is to be considered part of the Transport Depot and Distribution use class. Where it is outside Wellington Park, the best fit definition under the planning scheme is Tourist Operation.

7.16 Transport Depot and Distribution is a discretionary use in the Recreation Zone, Natural Zone and The Pinnacle specific area under the Management Plan where it is for Potential Transport Modes.

7.17 The access road outside Wellington Park extends through the Environmental Management and Utilities zones. In the Environmental Management Zone, Tourist Operation is discretionary (as there is no reserve management plan applicable to the land that the access road is located on outside Wellington Park). In the Utilities Zone, Tourist Operation is prohibited.

7.18 The prohibition in the Utilities Zone is, however, overcome by clause 9.6.1 of the planning scheme (as in effect as of 2 October 2020 being the date that the application was made valid) which states:

> *If an application for use of land includes access that runs through a different zone to the land upon which the use is proposed to take place, the use status of the application is to be determined disregarding the use status of the access in the different zone.*

7.19 Some of the uses in the pinnacle centre are considered to be standalone uses due to their scale and accessibility to the general public (i.e. not just people who have arrived at the pinnacle via the cableway). In other words, they are not considered to meet the subservience test under clause 8.2.2 of the planning scheme, which states:

> *A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use*

class as that other use.

7.20 The café and restaurant along with associated bathroom facilities and part of the foyer space are considered to fall under the Food Services use class. Food Services is defined under the Management Plan as:

Use of land for preparing or selling food or drink for consumption on or off the premises: café, restaurant and take-away food premises.

7.21 Food Services is a discretionary use in The Pinnacle specific area.

7.22 The sanctum, lookouts, indoor and outdoor amphitheatres, interpretation facilities and retail activities are considered to fall under the Tourist Operation use class. Tourist Operation is defined under the Management Plan as:

Use of land specifically to attract tourists, other than for accommodation: visitor centre, interpretation centre, viewing shelter and ancillary uses to the provision of these including limited associated retail.

7.23 The retail component in the pinnacle centre occupies 156 m^2 of floor area. In the context of the scale of the pinnacle centre facility, the retail component is limited to and associated with the Tourist Operation, as it would not attract customers to the Pinnacle in its own right. It is therefore considered ancillary and subservient for the purposes of clause 8.2.2 of the planning scheme.

7.24 Tourist Operation is also a discretionary use in The Pinnacle specific area.

7.25 The park ranger facilities are in the Natural and Cultural Values Management use class, which specifically lists Parks management office as within the use class. This is also a discretionary use in The Pinnacle specific area.

7.26 The starting point for the assessment of use is therefore as follows:

- All uses proposed in Wellington Park have a discretionary status under Table 3 of the Management Plan.
- Discretionary uses are to be assessed against sections 8.2 and S2.1 (where uses are in The Pinnacle specific area) of the Management Plan to determine whether a permit should be issued.
- The access road outside Wellington Park has a discretionary use status and is assessed in accordance with clause 8.10.2 of the planning scheme.

8. Assessment of uses

8.1 Section 8.2 of the Management Plan provides the framework for assessment of

use in Wellington Park. Section 8.2 states:

> *The objectives for assessing and managing activities, use and development are derived from the Wellington Park Act 1993 i.e. to* ***provide recreational and tourism uses and opportunities, consistent with the protection of the natural, cultural, aesthetic and recreational values of the Park.***
>
> *This Management Plan provides for an increased emphasis on the promotion and enhancement of visitation experiences, including tourism and recreation activities, while protecting and conserving the Park's natural and cultural values.*
>
> *Achieving this involves:*
>
> - *Providing appropriate high quality visitor experiences through planning, design and management of visitor services and facilities;*
> - *Ensuring that the impacts of all proposed activities, use and development are comprehensively assessed against the objectives, use categories and standards contained in this Management Plan;*
> - *Ensuring that new uses and developments minimise any adverse impacts upon existing uses, activities and experiences;*
> - *Ensuring that proponents for private development bear any costs associated with the preparation of documentation required for the assessment of use and development proposals and, where relevant, the assessment of such proposals;*
> - *Protecting the Park's natural, cultural and use values by requiring environmentally sustainable development, behaviour and practices;*
> - *Directing development and activities to locations within Park management zones to protect the cultural, tourism and recreational values of the Park;*
> - *Ensuring that any approvals: are consistent with this Management Plan, the zoning objectives for the area in question and any Special Provisions of the Management Plan; are aimed at conserving the identified values of the relevant Zones; and do not adversely impact upon the natural and cultural values of the Park; and*
> - *Involving and encouraging community engagement in the planning, development and management of the Park.*

8.2 Section 5 of the *Wellington Park Act 1993,* which is referred to by section 8.2 of the Management Plan, states:

> *Wellington Park is set aside as a reserve for the following purposes:*
>
> *(a) the provision of recreational and tourism uses and opportunities*

consistent with the purposes specified in paragraphs (b) to (e);

(b) the preservation or protection of the fauna or flora contained in or on the land;

(c) the preservation or protection of the natural beauty of the land or of any features of the land of natural beauty or scenic interest;

(d) the preservation or protection of any features of the land being features of historical, Aboriginal, archaeological, scientific, architectural or geomorphological interest;

(e) the protection of the water catchment values of the land.

8.3 Additional to section 8.2, the purpose of The Pinnacle specific area at section S2.1 is also relevant to the assessment of use, in so far as the uses proposed within that area.

8.4 The relevant parts of section S2.1 (being those that relate to use rather than development) state:

S2.1.1 Ensure that the administration of use and development in the Pinnacle Specific Area is in accordance with the Wellington Park Act and the Management Plan.

S2.1.2 Maintain and enhance the following values of the Pinnacle Specific Area and Wellington Park:

- *The focus of the Pinnacle as a place to provide for a range of tourism and recreational opportunities based on sightseeing and appreciation of the alpine environment.*
- *The environmental values associated with natural vegetation, habitats, avian, aquatic and terrestrial fauna.*
- *The cultural heritage places and other cultural features and values.*
- *The landscape values and visual amenity of the Pinnacle Specific Area and, in particular, the eastern face of Mount Wellington.*

8.5 The assessment has not taken into account the management objectives for each zone/special area at section 3.2 of the Management Plan. These are considered not relevant to the Planning Authority's assessment, as they relate to 'management' objectives rather than objectives for use and development. The management function of land in the Park is undertaken by the Trust.

8.6 The assessment of the use discretion under the Management Plan is therefore a 'broad assessment'. The approach that has been taken has focused on whether the proposed use is in 'harmony' with the objectives as a whole when read

together, rather than an assessment against each individual statement.

8.7 The objectives place the provision of recreational and tourism uses and opportunities at the same level of priority as protection of natural and cultural values. For example, at section 2.1 the first value listed for which the Park is protected is 'its high tourism and recreational values'.

8.8 This is different to management plans for other major reserves in Tasmania, where often the protection of cultural and natural values takes precedence over all other values.

8.9 Overall, the proposal does provide for tourism related use and it will enhance the recreational experience of the mountain for some Park users. In this context it is important to recognise that 'recreational' experience is taken to include low intensity recreational activity including experiencing views/sightseeing. The Park's tourism value is inherently linked to its recreational value.

8.10 The planning report submitted with the application (***Attachment M***) identifies the proposed uses and their classification but does not provide an assessment.

8.11 **Cableway use (Transport Depot and Distribution)**

8.11.1 The cableway component will provide for improved access to the mountain, particularly for less mobile people as well as in some weather (heavy snow). It will assist in alleviating heavy traffic conditions in popular visiting periods/days. It will offer visitors new and different scenic experiences of features in and outside the Park. It will support tourism and recreational use.

8.11.2 The applicant's position that the proposal will reduce vehicular traffic in the Park and that this will be a positive impact for some Park users is generally accepted. Clearly some Park users, particularly those focused on visiting the Pinnacle to experience the views, will choose to travel to the Pinnacle on the cableway rather than by vehicle.

8.11.3 It is noted, however, that the potential take-up of the cableway outlined in the supporting documentation (see ***Attachment V*** – Community Benefits Report) is likely to be overstated. Many Park users visit multiple destinations in the Park. For example, they may stop to do short walks along the way or visit The Springs, which is the start and end point for many trails including the popular disappearing tarn. The cableway provides for a simple A to B journey, while many Park users, including many interstate and overseas visitors, undertake a more complex journey up and down the mountain. Not all Park users visit the

Pinnacle.

8.11.4 Turning to the assessment test at section 8.5.1 of the Management Plan (see section 8.1 above), it is considered that the proposed cableway does meet the first limb of the test in the objective: being that it provides for tourism and recreational use.

8.11.5 The second limb of the test is therefore whether the cableway is consistent with the protection of the natural, cultural, aesthetic and recreational values of the Park. In other words, the proposed use is acceptable if it maintains the values of the Park.

8.11.6 To make this assessment, two things must be considered. First, what are the characteristics of the use (as compared to development) and second, what are the Park's values?

8.11.7 The key characteristics of the cableway from a use perspective are:

- It transports people in a linear pattern from Point A to Point B.
- It can transport people in large groups, like a bus as compared to private vehicle, and is therefore of a commercial scale.
- It can transport large groups quickly and up to a maximum capacity of 4,160 people on peak summer period days. It is therefore a high intensity use.
- In terms of potential emissions, it will generate noise as well as artificial lighting outside daylight hours.

8.11.8 The Park's values are identified in the Management Plan at section 2.3 and are further discussed at section 5.1 in terms of maintaining those values. These are discussed further below. It is important to highlight that the elements of the values affected by the 'use' component have been discussed only as compared to the 'development' components. For example, physical impacts on the ground on ecological values or visual values arise from the 'development' component of the proposal.

8.11.9 The recreational values are inherently use-based values. The statement of significance under section 2.3 states:

> *The Park offers an array of different settings for visitors that can cater for a wide range of activities and recreational opportunities for people of differing abilities, age and physical capabilities. Among all of the Park's recreational destinations, Mount Wellington has pride of place and on any weekend of the year hundreds if not more local people spread across its slopes*

seeking recreation in a natural setting, steeped in history.

8.11.10 The natural values relevant to the assessment are the values associated with wildness and remoteness. The statement of significance under section 2.3 states:

> *The Park is unique in being incredibly close to and accessible to a major urban area, while retaining elements of wilderness, with remote areas of minimal infrastructure, intact ecosystems and substantially undisturbed landscapes…*

8.11.11 The cultural values relevant to the assessment are values associated with cultural landscape. Impacts on specific sites and places of cultural value arise from the development component of the proposal. The statement of significance under section 2.3 states:

> *Mount Wellington is valued by the whole Tasmanian community…*
>
> *The Park is more than a biophysical reserve, and more than the historical parts that make it up. 'It is in fact, part of the community's 'extended sense of self'. That is, it is inextricably linked into the psyche and perhaps the being of the community of southern Tasmanians who live in its shadow. This is reflected in: a broad range of personal and artistic responses to the Park; its sense of wildness; the historic use of the Park for various form of recreation; and its role as a site of significant scientific research.*

8.11.12 In terms of Aboriginal cultural values, section 2.3.3 further elaborates:

> *One of the most distinctive features of the Wellington Range is that, after 40 000 years of Aboriginal occupation and 200 years of European settlement, the area is a cultural landscape as well as a biophysical one…*

8.11.13 Its aesthetic values can be affected by both use and development and are connected to its landscape values. The statement of significance under section 2.3 relevantly states:

> *…Mount Wellington, in particular, is a powerful and memorable landscape because of its naturalness, scale and rugged features, which provides a dramatic backdrop to, and views over, Hobart. While most Australian capital cities are located*

near the coast on rivers or harbours, Hobart is unique as the only capital city with an inspiring mountainous backdrop close to the city.

8.11.14 Section 2.2.3 further explains the aesthetic values:

The visual beauty of Wellington Park is one of the most important factors shaping people's perception of it. The geology, striking landform, cultural history, running waters and diverse vegetation all contribute to its aesthetic beauty. Temporary changes of lighting, climate and atmospheric effects further reinforce the visual qualities of the Park…

8.11.15 kunanyi/Mount Wellington currently has limited commercial activities. Where commercial activities do occur, these are primarily group-based recreational/tourism activities using public infrastructure. There is some small scale commercial activity at The Springs. The utility type uses in the Pinnacle area, while commercial, are low intensity uses in that they largely operate without onsite workers and have no particular servicing needs beyond electricity connections.

8.11.16 Pinnacle Road is the only existing transportation corridor for mechanised transport in Wellington Park (excluding fire trails which are not generally available to the public for mechanised transport). It is a historical use but does transport large numbers of people to the Pinnacle.

8.11.17 The proposed cableway effectively creates a new transportation corridor that bisects the Mountain in a perpendicular alignment to the existing Pinnacle Road. In doing so the cumulative impact is increased.

8.11.18 The base station site is often used by recreationalists, as the fire trails link popular walking and mountain biking trails around the mountain foothill. While the site of the base station itself is physically degraded, there is currently an absence of commercial activity in that part of the Park.

8.11.19 A key question is therefore whether the proposed cableway use is compatible with the existing recreational use in that area. While it is acknowledged that design will allow for continued recreational connections through the area, it will noticeably change the nature of the existing recreational experience. That said, the base station is close to McRobies Gully Waste Management Centre and there are large transmission easements nearby. The experience of remoteness is

relatively low around this part of the Park in comparison to others.

8.11.20 From the base station to the Organ Pipes area, the cableway will bisect multiple walking and mountain biking trails. It will not have a direct physical impact on these, but recreationalists' experience of the Park will change. At present due to vegetation and topography the sense of isolation and wildness expressed in the Park's values is relatively high along these trails. The cableway will operate over the top and will diminish this experience, particularly as a result of movement, light and noise emissions.

8.11.21 Most problematic, however, is the introduction of the cableway use in the Organ Pipes area.

8.11.22 The Organ Pipes is a highly significant cultural landscape. It is relatively undisturbed and also has significant geoheritage values that are recognised in a scientific database[2]. Its spiritual importance to Tasmanian Aboriginals as part of the mountain's cultural landscape is well recognised and has been a key theme raised in representations.

8.11.23 While rock climbers and other adventure-based recreationalists use the Organ Pipes, their use is considered to be low intensity. It generally occurs in daytime and is not noticeable at the landscape scale. The only other use activity is walking along existing trails.

8.11.24 The Pinnacle is a place for tourism and recreational opportunities based on sightseeing and appreciation of alpine environment. During the day, even in winter, it is a popular destination, when access is not limited due to snowy conditions. However, the area between the existing infrastructure at the Pinnacle and the top of the Organ Pipes remains relatively wild with no formal use activity.

8.11.25 At night-time, the experience of the Pinnacle changes. Recreational activity is negligible with most existing activity based around sightseeing. The existing utility type uses are so passive that, apart from the associated development, a visitor to the Pinnacle would be unaware that they existed. The distant city lights are visible – a key sightseeing experience – but the immediate surrounds are one of darkness and quiet only interrupted occasionally by slow moving cars as they arrive and park.

8.11.26 Presently there is very limited artificial lighting in the Pinnacle area at

[2] The Tasmanian Geoconservation Database maintained by the Department of Primary Industries, Parks, Water and the Environment.

night-time apart from security lighting near the public toilets buildings, and pathways remain unlit. The degree of darkness is a key component of the night-time sightseeing experience expressed in the Park's recreational and tourism values. Even low-level lighting will change the nature of this experience.

8.11.27 The sense of remoteness and wildness at the Pinnacle is much greater at night. The alpine environment experience transitions from a terrestrial experience to stargazing and opportunities for viewing the Aurora Australis.

8.11.28 The introduction of a cableway, while increasing accessibility to the Pinnacle for visitors and recreationalists, will fundamentally alter the sightseeing and alpine environment experience because of its commercial scale, mechanisation, and associated nature of emissions.

8.11.29 The cableway's bisection of the Organ Pipes intrudes upon a relatively undisturbed environment and will negatively impact on cultural landscape values and existing recreationalist users in the area by introducing a commercial-scale mechanised transport use into a relatively natural area.

8.11.30 While most activity will occur in the Pinnacle area, the new access corridor formed by the cableway across to the Pinnacle will draw higher intensity land use activity outside the Pinnacle specific area.

8.11.31 In summary, it is considered that the proposed cableway, while supporting tourism and recreational activity, does so in a way that is not consistent with the Park's values.

8.12 **Tourist Operation use in the pinnacle centre**

8.12.1 The Pinnacle is intended to be a key location for tourism and recreational opportunities in the Park.

8.12.2 Many representors have raised that the proposal is not 'nature-based' particularly with regard to the indoor viewing areas and the food services uses. They submit that as visitors are unlikely to go outside and will only experience the natural values from inside, it is not 'nature-based'.

8.12.3 The Management Plan does not, however, define 'nature-based'. It also does not limit the tourism and recreational experience to an immersive, outdoor and wilderness-based experience only. The nature and

characteristics of the tourism and recreational experience on kunanyi/Mount Wellington are distinctly different to more remote reserves, although as discussed in section 8.11.25 above, the experience of the Park's values does change between day and night-time.

8.12.4 The interpretation and viewing facilities at the Pinnacle will, on balance, positively enhance the experience of the visitor focused on scenic views.

8.12.5 The Pinnacle is an exposed location. Even in summertime it can be cold and windy. The current observation shelter meets basic needs only, and other viewing locations are external decking areas only. Toilet facilities are located separately near the car park.

8.12.6 There is currently only basic interpretation of the Parks values for visitors to the Pinnacle.

8.12.7 It is considered that some of the proposed internal spaces and the scale of the area dedicated to the Tourist Operation component are excessive. Additionally, the sanctum, for example, presents more as a 'function space' rather than a viewing space. These concerns could, however, be mitigated by way of condition.

8.12.8 The proposed ancillary retail component is a relatively minor component at 156 m^2, and some of this space is also used for circulation and viewing. It is not unusual to have a small-scale retail component to a Tourist Operation use, and the proposal is consistent with a typical function of a visitor centre in this regard.

8.12.9 The purpose of The Pinnacle specific area at section S2.1 encourages sightseeing and appreciation of the alpine environment and does not provide any limitation as to the characteristics and quality of the setting in which this takes place. While kunanyi/Mount Wellington is a wild and special place, the pinnacle is not wilderness as is currently defined, and indoor-based sightseeing opportunities for visitors, with opportunity to sit and have refreshments, is in harmony with the relevant objectives of the Management Plan.

8.12.10 The proposed Tourist Operation use with conditions is, on balance, considered to be consistent with the relevant objectives of the Management Plan.

8.13 **Food Services uses in the pinnacle centre**

8.13.1 The proposed Food Services uses in the pinnacle centre are a café and a restaurant. The café will have a maximum capacity of 443 persons and the restaurant 434 persons. The café will be open during daylight hours only, and the restaurant will be open in the evening as well. The planning report (***Attachment M***) provided with the application indicates that the restaurant would be open to 10.00 pm, although it is not clear about whether it would operate on the same basis as the cableway in terms of shorter hours during the winter period.

8.13.2 Both uses would provide for the general public, whether or not they are travelling to the Pinnacle via the cableway. In the evening, restaurant users would require a booking and with the booking it is understood will come a cable car ticket for each person (see planning report at ***Attachment M***). The application does not, however, restrict access to the restaurant to via the cableway only, and customers may choose to travel by private vehicle.

8.13.3 The restaurant will also be made available for private bookings (i.e. functions). The application does not detail how often this would be allowed to occur. Frequency is considered an important element in maintaining the function use as an ancillary and subservient component to the restaurant.

8.13.4 The Food Services-based uses will provide additional amenity to visitors at the Pinnacle as well as to recreational users in the area. The café in particular, having a maximum capacity of 434 people and a more 'casual' food experience, is considered to be an appropriate use for the Pinnacle and is of reasonable, albeit large, scale given the potential number of visitors to the Pinnacle at any time under existing and predicted conditions. Importantly, this conclusion takes into account that some users of the café will arrive at the Pinnacle not on the cableway.

8.13.5 Fundamentally, however, a Food Services use is not a tourism or recreational use in the context of the planning system. While it is reasonable to allow for this use in the Pinnacle area, its focus should remain on being an additional amenity to visitors to the area of a type and scale that aligns with the nature of the experience, not becoming an attractor in its own right. Providing for dining in a more formal setting, with a bar and functions, is indicative that the restaurant component in particular is likely to become more than just a supportive use to tourism and recreational activity.

8.13.6 The combined scale of the restaurant and café[3], with a maximum total capacity of 877 persons, is also significant[4]. The average people per day at the Pinnacle under the future cableway proposal is 2,231 as outlined in the planning report provided with the application (***Attachment M***, p22), and its peak day is estimated to be 4,480. The capacity of the café and restaurant combined would amount to 40% of the daily average. The restaurant operating at night-time in terms of scale is proportionally greater, due to the reduced number of visitors to the Pinnacle in the evening. The proposed capacity of the restaurant and café combined introduces a significant commercial-scale operation into the Pinnacle area.

8.13.7 Additionally, these are relatively high intensity uses that require onsite employees and servicing (including deliveries and solid waste removal), which the more passive viewing areas would not. While during the day there is greater absorption capacity within the experience framework formed by the Park's values, it remains that the food services uses, in light of their scale and the nature of the proposed restaurant use, will introduce an intensive commercial-scale activity which will change the current sightseeing and alpine experience. At night-time, the existing alpine experience will be diminished during the hours of operation.

8.13.8 Some of these issues in isolation may be capable of being resolved by way of condition. For example, limitation on the function use. However, the combined effect of the proposed food services uses is such that the proposed use is not consistent with the Park's values. Additionally, the restaurant, in particular, is likely to become a destination in its own right rather than supporting tourism and recreational opportunities.

8.13.9 As a result, it is demonstrative that the proposed use is not consistent with the objectives for land use under the Management Plan.

8.14 **Natural and Cultural Values use in the pinnacle centre**

8.14.1 The proposed Natural and Cultural Values use in the pinnacle centre arises due to the small provision of a park ranger's office, 18 m^2 in area.

8.14.2 While there has been no commitment from the Trust to use this facility, provision of this small office is considered consistent with the objectives of the Management Plan.

[3] The café numbers do include people in the retail area.
[4] The average people per hour has in the planning report been indicated at only 80 people for the café and 78 people for the restaurant (Attachment M, p23). The floor areas for the café (466 m^2) and restaurant (481 m^2 plus 39 m^2 of bar) is aligned with the indicated maximum capacity assuming the typical industry figure of 1 person per square metre.

8.15 **Access road use**

8.15.1 The access road is ancillary and subservient to a Tourist Operation use class (for the purposes of the planning scheme not the Management Plan) and is therefore categorised in the same use. A Tourist Operation is a discretionary use in the Environmental Management Zone and due to clause 9.6.1 is considered as a discretionary use in the Utilities Zone.

8.15.2 Clause 8.8.1 of the planning scheme states:

> *In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:*
>
> *(a) the purpose of the applicable zone;*
> *(b) any relevant local area objective or desired future character statement for the applicable zone;*
> *(c) the purpose of any applicable code; and*
> *(d) the purpose of any applicable specific area plan,*
>
> *but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.*

8.15.3 In both the Utilities Zone and Environmental Management Zone, there are no local area objectives or desired future character statements. The focus of the use assessment is therefore an assessment against the relevant zone purpose statements.

8.15.4 Like the assessment of use under the Management Plan, the approach is to read and apply the objectives together to determine consistency.

8.15.5 The purpose of the Utilities Zone at clause 28.1.1 of the planning scheme is:

> *28.1.1.1 To provide land for major utilities installations and corridors.*
>
> *28.1.1.2 To provide for other compatible uses where they do not adversely impact on the utility.*
>
> *28.1.1.3 To provide for the continued use of the McRobies Gully landfill site for recycling and waste disposal*

activities and the Cleary's Gates site for Council depot activities.

28.1.1.4 *To maintain an appropriate level of amenity for nearby residential and recreational areas without unreasonable restriction or constraint on the nature and hours of uses allowed in the Zone.*

28.1.1.5 *To ensure that building design and form does not have an adverse impact on scenic values.*

8.15.6 The access road, while technically a tourist operation use, will have the characteristics of a utility. It will not impact on the operation of the McRobies Gully landfill site and is compatible with the range of activities that currently occur within the zone under the utilities use class.

8.15.7 The proposed use is considered acceptable in the Utilities Zone.

8.15.8 The purpose of the Environmental Management Zone at clause 29.1.1 of the planning scheme is:

29.1.1.1 *To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.*

29.1.1.2 *To only allow for complementary use or development where consistent with any strategies for protection and management.*

29.1.1.3 *To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.*

29.1.1.4 *To recognise and protect highly significant natural values on private land.*

29.1.1.5 *To protect natural values in un-developed areas of the coast.*

8.15.9 The access road is associated with a Tourist Operation use and therefore is not directly for the purposes of protection, conservation and management of values or hazards.

8.15.10 There are also no specific strategies for protection and management of natural or cultural values in the area where the access road will be located outside Wellington Park.

8.15.11 The access road, while not directly furthering the zone purpose statements, will not affect their attainment and is therefore considered to be compatible.

8.15.12 The access road use is therefore considered acceptable in the Environmental Management Zone.

9. Assessment against the Utilities Zone

9.1 The application relies on four performance criteria in the Utilities Zone as follows:

- Hours of operation, clause 28.3.1, P1
- Noise, clause 28.3.2, P1
- Commercial vehicle movements, clause 28.3.4, P1
- Discretionary use, clause 28.3.5, P1.

9.2 Hours of operation – clause 28.3.1, P1

9.2.1 The acceptable solution at clause 28.3.1 requires that the hours of operation must be within 7.00 am to 7.00 pm as it is within 50 metres of a residential zone and is not for a Utilities use or office or administrative tasks.

9.2.2 The access road, which is ancillary and subservient to a Tourist Operation use class (for the purposes of the planning scheme not the Management Plan), will be used through to 10.00 pm, 7 days a week (season dependent).

9.2.3 The site is within 50 m of a General Residential zone near McRobies Road. The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

9.2.4 The performance criterion at clause 28.3.1, P1 states:

> *Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.*

9.2.5 Amenity is defined under section 4.1.1 of the planning scheme as follows:

> *means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.*

9.2.6 The McRobies Road residential area is a small cluster of residential properties that extend from near the entrance to the McRobies Gully Waste Management Centre down the valley past Louden Street towards Syme and Degraves streets.

9.2.7 The residential properties are detached dwellings on moderate sized allotments. The properties benefit from both relative proximity to inner city areas and a bushland fringe setting.

9.2.8 The residential area's location along the entrance road to the McRobies Gully Waste Management Centre means that during tip operating hours the amenity of the properties is compromised due to vehicle movements (including commercial vehicle movements) and noise from general traffic and heavy equipment. The McRobies Gully Waste Management Centre operates from 7.30 am to 4.15 pm weekdays and 10.00 am to 4.00 pm Saturday, Sunday and public holidays. Only low intensity activity occurs outside of these times.

9.2.9 Amenity in the McRobies Road area is additionally affected during daytime hours due to the movement of people to and from the Cascade Female Factory.

9.2.10 Taking this into account, it is considered that an important, although not the only, characteristic that contributes to making the place a pleasant or enjoyable place to live is the relative quiet outside current non-residential use operating hours. In the late afternoon and evenings, through traffic is negligible and, due to buffering provided by nearby hills, there is a sense of isolation and quiet. The street takes on the characteristics of a cul-de-sac and would be, particularly in summertime, a safe place for pedestrian movement and social activity.

9.2.11 Commercial vehicle movements for the cableway has in the planning report submitted as part of the application (***Attachment M***, p108) been presented as complying with the acceptable solution under clause 28.3.4 (use standard addressing commercial vehicle movements in the Utilities Zone), with the requirement to be achieved by way of condition.

That is, commercial vehicle movement will be limited 7 am to 7 pm Monday to Friday, 9 am to 5 pm Saturday, and none on Sunday or public holidays.

9.2.12 This means that there would be no commercial vehicle movements, such as buses, outside of the permitted hours of operation for the purposes of this standard, as the acceptable solution at clause 28.3.4 is more restrictive than the acceptable solution at clause 28.3.1.

9.2.13 The proposed operating hours of the cableway will, however, noticeably extend the period in which non-residential traffic (other than commercial vehicle movements) will use McRobies Road. In the winter season this may only be one to two hours; however, by summertime it could see an additional six hours each day during the week and eight hours on weekends. Based on the traffic impact assessment prepared by Midson Traffic and provided with the application (***Attachment P***), the number of vehicles expected in this extended period may be as low as 3 vehicles but as high as 43 vehicles per hour.

9.2.14 Importantly, the extended hours of operation will occur in the later afternoon/early evening hours when typically residents are at home seeking to recreate in or outside their houses, as compared to the hours of operation for the long-established non-residential uses in the vicinity.

9.2.15 It is therefore considered that the proposal will unreasonably impact on the amenity of the McRobies Road residential area through traffic noise and emissions as a result of its hours of operation.

9.2.16 The performance criterion under clause 28.3.1, P1 is not satisfied.

9.3 **Noise, clause 28.3.2, P1**

9.3.1 The acceptable solution at clause 28.3.2 requires that noise emissions at the boundary of a residential zone do not exceed:

(a) 55 dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
(c) 65dB(A) (LAmax) at any time.

9.3.2 The noise assessment submitted with the application (***Attachment AA***) does not provide sufficient detail to demonstrate compliance with these

requirements. Given that there will be vehicular movements in the evening and existing background noise levels are low, the noise levels are considered likely to exceed those in the acceptable solution.

9.3.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

9.3.4 The performance criterion at clause 28.3.2, P1 states:

> *Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.*

9.3.5 An assessment of the proposal against the performance criterion at clause 28.3.2 P1 has been undertaken by Mr Darren Tardio, a noise impact expert.

9.3.6 His assessment at **Attachment H** is that the application has not demonstrated that noise emission will not cause environmental harm but may be capable of doing so if further background noise levels were measured at the location to confirm what a reasonable level is above the acceptable solution.

9.3.7 The performance criterion under clause 28.3.2, P1 is not satisfied.

9.4 **Discretionary use, clause 28.3.5, P1**

9.4.1 There is no acceptable solution for clause 28.3.5; therefore, assessment against the performance criterion is relied on.

9.4.2 The performance criterion at clause 28.3.5, P1 states:

> *Discretionary use must not compromise or reduce the operational efficiency of an existing or intended utility having regard to all of the following:*
>
> *(a) the compatibility of the utility and the proposed use;*
> *(b) the location of the proposed use in relation to the utility;*
> *(c) any required buffers or setbacks;*
> *(d) access requirements.*

9.4.3 The proposal involves only the access road for the use within the Utilities Zoned land. The land is zoned Utilities as it provides for part of McRobies Gully Waste Management Centre. The operational efficiency

of McRobies Road will not be directly affected by the access road.

9.4.4 The proposal is considered to satisfy the performance criterion under clause 28.3.5, P1.

10. Assessment against the Environmental Management Zone

10.1 The proposal has been assessed against three performance criteria in the Environmental Management Zone:

- Setback from land zoned Environmental Living, clause 29.4.2, P3
- Location of buildings and works, clause 29.4.3, P1
- Fill and excavation, clause 29.4.3, P3.

10.2 Setback from land zoned Environmental Living, clause 29.4.2, P3

10.2.1 The acceptable solution at clause 29.4.2, A3 requires works associated with the access road to be setback no less than 30 m from land zoned Environmental Living.

10.2.2 The proposal includes works associated with the access road setback less than 30 m from land zoned Environmental Living.

10.2.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

10.2.4 The performance criterion at clause 29.4.2, P3 states:

> *Buildings and works must be setback from land zoned Environmental Living to satisfy all of the following:*
>
> *(a) there is no unreasonable impact from the development on the environmental values of the land zoned Environmental Living;*
> *(b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Living is minimised;*
> *(c) there is minimal potential for contaminated or sedimented water runoff impacting the land zoned Environmental Living;*
> *(d) there are no reasonable and practical alternatives to developing close to land zoned Environmental Living.*

10.2.5 The proposed access road to the base station is to link to the existing roundabout at McRobies Road. Part of the roundabout is in the

Environmental Living Zone. Apart from a new leg to the existing roundabout, the proposed access road is setback greater than 30 m from the Environmental Living Zone.

10.2.6 The proposed works are typical of a public road as they will include stormwater management to ensure that the potential for contaminated sediment runoff is minimised. There is no practical alternative such as relocating the access road so that setback is further from the Environmental Living Zone; the proposed location will not unreasonably impact on the natural landscape values in the adjoining Environmental Living Zone.

10.2.7 The proposal is considered to meet the performance criterion at clause 29.4.2, P3.

10.3 **Location of buildings and works, clause 29.4.3, P1**

10.3.1 The acceptable solution at clause 29.4.3, A1 requires works associated with the access road to not require the clearing of native vegetation.

10.3.2 The proposal includes works associated with the access road that involves the clearing of native vegetation.

10.3.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

10.3.4 The performance criterion at clause 29.4.3, P1 states:

> *The location of buildings and works must satisfy all of the following:*
>
> *(a) be located in an area requiring the clearing of native vegetation only if:*
>
> *(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;*
> *(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;*
> *(iii) the location of clearing has the least environmental impact;*
>
> *(b) be located on a skyline or ridgeline only if:*

(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;
(ii) there is no significant impact on the rural landscape;
(iii) building height is minimised;
(iv) any screening vegetation is maintained.

(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.

10.3.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Andrew Welling, an expert environmental consultant. His assessment is available at ***Attachment B***.

10.3.6 In regard to P1 (a) Mr Welling outlines that the extent of clearing is the minimum necessary for the preferred option. Additionally, he states:

> *The application states that 'No alternative alignment linking start and end can avoid the high priority vegetation'. Other options assessed in the supplementary document all avoid impacts to threatened vegetation communities and are likely to avoid potential habitat for Corunastylis species. The number of trees with hollows to be cleared for other options was not assessed. Given that some other options utilise existing fire trails, they would require less vegetation removal but not necessarily fewer habitat trees.*

10.3.7 P1 (b) is not relevant as the only section where the access road is on a ridgeline is within Wellington Park. P1 (c) is not relevant as there are no Desired Future Character Statements in the Environmental Management Zone.

10.3.8 The proposal satisfies the performance criteria at clause 29.4.3, P1.

10.4 **Fill and excavation, clause 29.4.3, P3**

10.4.1 The acceptable solution at clause 29.4.3, A3 requires fill and excavation associated with the access road to be limited to no more than 1 metre from natural ground level.

10.4.2 The proposal includes fill and excavation associated with the access

road that is more than 1 m from natural ground level.

10.4.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

10.4.4 The performance criterion at clause 29.4.3 P3 states:

Fill and excavation must satisfy all of the following:

(a) there is no adverse impact on natural values;
(b) does not detract from the landscape character of the area;
(c) does not impact upon the privacy for adjoining properties;
(d) does not affect land stability on the lot or adjoining land.

10.4.5 An assessment of the proposal against the performance criterion at clause 29.4.3, P3 (a) has been undertaken by Mr Andrew Welling, an expert environmental consultant.

10.4.6 His assessment is available at ***Attachment B***. In summary, the proposal is considered to meet the performance criterion at clause 29.4.3, P3 (a) on the basis of recommendations within the Natural Values Assessment submitted with the application (***Attachment T***) that local steepening of cut and fill will be used to avoid habitat trees as well as weed control and revegetation.

10.4.7 The access road is predominantly set among existing bushland, which will ensure that fill and excavation will be largely unseen from adjoining properties. This ensures that cut and fill will not detract from the landscape character of the area and will not impact upon the privacy of adjoining properties as required by P1 (b) and (c).

10.4.8 An assessment of the proposal against the performance criterion at clause 29.4.3, P3 (d) has been undertaken by Mr Bill Cromer, an expert engineering geologist. His assessment is available at ***Attachment F***.

10.4.9 In summary, the proposal is considered to meet the performance criterion at clause 29.4.3, P3 (d) as the proposal provided that road construction techniques such as appropriate batter angles, suitable drainage and controlled placement of fill is resolved at the detailed design stage.

10.4.10 Subject to conditions requiring adherence to the North Barker

recommendations in their Natural Values Assessment and geotechnical input at the detailed road design stage, the proposal satisfies the performance criterion at clause 29.4.3, P3.

10.4.11 It is noted that there is a potential conflict between the conditional requirements to satisfy P3 (a) and (d), in that to minimise impacts on habitat values local steepening of cut and fill will be required to avoid habitat trees, yet at the same time to not affect land stability less steep batter angles are required. This is likely to create challenges in addressing any conditions of approval.

11. Assessment against the Potentially Contaminated Land Code

11.1 The proposal has been assessed against one performance criterion in the Potentially Contaminated Land Code:

- Excavation on potentially contaminated land, clause E2.6.2, P1.

11.2 **Excavation on potentially contaminated land, clause E2.6.2, P1**

11.2.1 There is no acceptable solution at clause E2.6.2, A1.

11.2.2 The proposal involves excavation for the new access road on land that is adjoining the McRobies Gully Waste Management Centre and is considered to be potentially contaminated land.

11.2.3 There is no acceptable solution; therefore, assessment against the performance criterion is relied on.

11.2.4 The performance criterion at clause E2.6.2, P1 states:

> *Excavation does not adversely impact on health and the environment, having regard to:*
>
> *(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
> *(b) a plan to manage contamination and associated risk to human health and the environment that includes:*
> *(i) an environmental site assessment;*
> *(ii) any specific remediation and protection measures required to be implemented before excavation commences; and*
> *(ii) a statement that the excavation does not adversely impact on human health or the*

environment.

11.2.5 A Preliminary Site Investigation by Geo-Environmental Solutions and dated November 2019 has been submitted as supporting documentation to the application. The investigation is based on a desktop investigation, which concludes that there is a lack of historical contaminating activities that would impact the access road excavations. However, as a precautionary measure, the investigation recommends soil testing occur prior to construction.

11.2.6 Subject to a condition requiring additional soil testing in accordance with the recommendations in section 8.2 of the Preliminary Site Investigation by Geo-Environmental Solutions and dated November 2019, the proposal satisfies the performance criterion at clause E2.6.2, P1.

12. Assessment against the Landslide Code

12.1 The application relies on two performance criteria in the Part E3 Landslide Code as follows:

- Buildings and works other than minor extensions, clause E3.7.1, P1
- Major works, clause E3.7.3, P1.

12.2 These provisions apply to the works outside Wellington Park only, being the proposed access road.

12.3 **Buildings and works other than minor extensions, clause E3.7.1, P1**

12.3.1 There is no acceptable solution at clause E3.7.1; therefore, assessment against the performance criterion is relied on.

12.3.2 The performance criterion at clause E3.7.1 states:

Buildings and works must satisfy all of the following:

(a) no part of the buildings and works is in a High Landslide Hazard Area;
(b) the landslide risk associated with the buildings and works is either:
  (i) acceptable risk; or
  (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

12.3.3 An assessment of the proposal against this performance criterion has been undertaken by Bill Cromer, an expert geotechnical specialist. His assessment is available at ***Attachment F***.

12.3.4 In summary, the proposal satisfies the performance criterion at Clause E3.7.1, P1 subject to preparation and implementation of a management plan by way of condition.

12.4 **Major works, clause E3.7.3, P1:**

12.4.1 There is no acceptable solution at clause E3.7.3; therefore, assessment against the performance criterion is relied on.

12.4.2 The performance criterion at clause E3.7.3 states:

Major works must satisfy all of the following:

(a) no part of the works is in a High Landslide Hazard Area;
(b) the landslide risk associated with the works is either:
(i) acceptable risk; or
(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

12.4.3 An assessment of the proposal against this performance criterion has been undertaken by Mr Bill Cromer, an expert geotechnical specialist. His assessment is available at ***Attachment F***.

12.4.4 The proposal satisfies the performance criterion at Clause E3.7.3, P1 subject to preparation and implementation of a management plan by way of condition.

13. Assessment against the Road and Railway Assets Code

13.1 The proposal has been assessed against two performance criteria in Part E5 Road and Rail Assets Code:

- Existing road accesses and junctions, clause E5.5.1, P3
- Sight distances at accesses, junctions and level crossings, clause E5.6.4, P1.

13.2 **Existing road accesses and junctions, clause E5.5.1, P3**

13.2.1 The acceptable solution at clause E5.5.1, A3 requires that the annual

average daily traffic (AADT) of vehicle movements, to and from a site, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater. A1 and A2 of clause E5.5.1 do not apply.

13.2.2 The proposal will, if the access is considered existing, involve movements which exceed these requirements.

13.2.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

13.2.4 The performance criterion at clause E5.5.1, P3 states:

> *Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:*
>
> *(a) the increase in traffic caused by the use;*
> *(b) the nature of the traffic generated by the use;*
> *(c) the nature and efficiency of the access or the junction;*
> *(d) the nature and category of the road;*
> *(e) the speed limit and traffic flow of the road;*
> *(f) any alternative access to a road;*
> *(g) the need for the use;*
> *(h) any traffic impact assessment; and*
> *(i) any written advice received from the road authority.*

13.2.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Ross Mannering, an expert traffic engineer. His assessment is available at ***Attachment D***.

13.2.6 Mr Mannering notes:

> *While the traffic impact assessment discusses the traffic impacts on Cascade Road and briefly McRobies Road, it should be noted that due to the precedent set by the case Hobart Progress Association v Hobart City Council and S Giameos [2017] TASRMPAT 5, the traffic impacts of the proposed development can only be assessed on McRobies Road under the Hobart Interim Planning Scheme and not Degraves Street, Aspley Street or Cascade Road, as it is only the impacts of the proposed development on the frontage road (McRobies Road) that are assessable.*

The Tasmanian Local Government Road Hierarchy included in Appendix C indicates that local access roads should typically carry between 50 and 1000 vehicles per day and link roads should carry between 1000 and 3000 vehicles per day. As McRobies Road is the sole access to the McRobies Gully Waste Management Centre it is considered that McRobies Road has a functional purpose that cannot be directly assigned to either a 'local access' or 'link' classification. The Roads and Traffic Authority (now Roads and Maritime Service) Guide to Traffic Generating Developments includes guidance regarding the environmental capacity of roads based on peak hour volumes, where environmental capacity is considered to be a measure of the impact on residential amenity. The Guide indicates that the environmental goal for a local street is 200 vehicles per hour with a recommended maximum of 300 vehicles per hour. For collector streets the Guide indicates an environmental goal of 300 vehicles per hour and a maximum of 500 vehicles per hour.

Considering both the daily and peak hourly volumes that would result from the proposed development as well as the existing functionality of McRobies Road, it is considered that McRobies Road has sufficient capacity to accommodate the proposed development. It is also considered that the McRobies Road roundabout will have adequate capacity to cater for the additional traffic using the roundabout.

13.2.7 The proposal satisfies the performance criterion at clause E5.5.1, P3.

13.2.8 In terms of response to issues raised in representations, it is noted that Mr Mannering concludes the traffic impact on both Degraves Street and Apsley Street would be undesirable due to the existing local access function of these roads. However, these impacts are not considered to be relevant to the exercise of Council's discretion under clause E5.5.1, P3 due to the approach taken by the Tribunal in *Hobart Progress Association v Hobart City Council and S Giameos* [2017] TASRMPAT 5.

13.3 **Sight distance at accesses, junctions and level crossings, clause E5.6.4, P1**

13.3.1 The acceptable solution at clause E5.6.4, requires that sight distances at an access or junction to a road subject to a vehicle speed of 50 km/h (85th percentile) is at least 80 metres.

13.3.2 The proposed sight distance is 55 metres only.

13.3.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

13.3.4 The performance criterion at clause E5.6.4, P1 states:

> *The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:*
>
> *(a) the nature and frequency of the traffic generated by the use;*
> *(b) the frequency of use of the road or rail network;*
> *(c) any alternative access;*
> *(d) the need for the access, junction or level crossing;*
> *(e) any traffic impact assessment;*
> *(f) any measures to improve or maintain sight distance; and*
> *(g) any written advice received from the road or rail authority.*

13.3.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Ross Mannering, an expert traffic engineer. His assessment is available at ***Attachment D***.

13.3.6 Mr Mannering has considered sight distances for the proposed access against the Austroads Guide to Road Design Part 4B: Roundabouts and has identified that, while mandatory criteria under the guide are achieved, the angle at which the proposed access road connects to the roundabout would make it challenging for drivers exiting the McRobies Gully Waste Management Centre to identify vehicles approaching the roundabout from the access road, creating a potential safety issue.

13.3.7 Mr Mannering is of the opinion that the access road approach to the roundabout requires redesign. It is not certain this could be achieved within the identified development site forming part of the application and is therefore not considered to be a matter capable of being resolved by way of condition relating to detailed design.

13.3.8 The proposal does not satisfy the performance criterion at P1 of clause E5.6.4.

14. Assessment against the Parking and Access Code

14.1 The proposal has been assessed against three performance criteria in Part E6

Parking and Access Code:

- Number of parking spaces, clause E6.6.1, P1
- Landscaping of parking areas, clause E6.7.8, P1
- Design of bicycle parking facilities, clause E6.7.10, P2

14.2 **Number of parking spaces, clause E6.6.1, P1**

14.2.1 The acceptable solution at clause E6.6.1 requires that the Transport Depot and Distribution use class (being the cableway) requires no less and no more than 3 spaces per 100 m^3 to be located on site based on its use classification of Transport Depot and Distribution use class.

14.2.2 The proposal exceeds this requirement of approximately 30 spaces by providing for:

- 52 car parking spaces
- 6 mini bus parking spaces
- 3 bus/coach parking spaces
- a lay-off zone for drop-off and pick-up.

14.2.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.

14.2.4 The performance criterion at clause E6.6.1, P1 states:

> *The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:*
>
> *(a) car parking demand;*
> *(b) the availability of on-street and public car parking in the locality;*
> *(c) the availability and frequency of public transport within a 400m walking distance of the site;*
> *(d) the availability and likely use of other modes of transport;*
> *(e) the availability and suitability of alternative arrangements for car parking provision;*
> *(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared*

car parking spaces;

(g) any car parking deficiency or surplus associated with the existing use of the land;

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;

(j) any verified prior payment of a financial contribution in lieu of parking for the land;

(k) any relevant parking plan for the area adopted by Council;

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.

14.2.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Ross Mannering, an expert traffic engineer. His assessment is available at ***Attachment D***.

14.2.6 Mr Mannering has advised that as the proposed parking supply is derived from a first principles analysis based on the nature of the use proposed, the additional parking space is acceptable.

14.2.7 It should be noted that deficiency in parking at the base station was raised in many representations. However, as the proposal exceeds the requirement, this concern is not supported by the planning scheme.

14.2.8 The proposal satisfies the performance criteria at clause E6.6.1, P1.

14.3 **Landscaping of parking areas, clause E6.7.8, P1**

14.3.1 The acceptable solution at clause E6.7.8 requires that landscaping of parking and circulation areas of at least 5% of the area of the car park is provided for.

14.3.2 The base station includes 3,579.92 m^2 of parking and circulation; 178 m^2 is therefore required for landscaping. Only a small strip of landscaping

has been provided along the eastern edge of the internal circulation road.

14.3.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

14.3.4 The performance criterion at clause E6.7.8, P1 states:

> *Landscaping of parking and circulation areas accommodating more than 5 cars must satisfy all of the following:*
>
> *(a) relieve the visual impact on the streetscape of large expanses of hard surfaces;*
> *(b) soften the boundary of car parking areas to reduce the amenity impact on neighbouring properties and the streetscape;*
> *(c) reduce opportunities for crime or anti-social behaviour by maintaining passive surveillance opportunities from nearby public spaces and buildings.*

14.3.5 The proposal includes the provision of a small green strip along the internal eastern edge of the access road.

14.3.6 The proposed extent of hardstand is significant in an area that currently contains no hardstand or built infrastructure.

14.3.7 Provision of high quality landscaping in and around the car parking and aisles is considered important for softening the impact. This should be resolved through a detailed landscape plan that seeks to use all available space in and around the hardstand where disturbance has occurred and rehabilitation is not possible.

14.3.8 The provision and implementation of such a landscape plan is considered capable of being resolved by way of condition.

14.3.9 Subject to condition, the proposal satisfies the performance criterion at clause E6.7.8, P1.

14.4 **Design of bicycle parking facilities, clause E6.7.10, P2**

14.4.1 The acceptable solution at clause E6.7.10, A2 requires the design of bicycle parking spaces to be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1

"Security" and 3.3 "Ease of Use" of the same standard.

14.4.2 The proposal provides for 20 bicycle parking spaces at Class 3 standard. Class 3 is suitable for visitors only and not for employees.

14.4.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

14.4.4 The performance criterion at clause E6.7.10, P2 states:

> *The design of bicycle parking spaces must be sufficient to conveniently, efficiently and safely serve users without conflicting with vehicular or pedestrian movements or the safety of building occupants.*

14.4.5 For use classes that require the provision of bicycle parking, typically Table E6.2 specifies two types of parking provision: Class 1 or 2 facilities for employees and Class 3 facilities for visitors. The Planning Report indicates that five car parking spaces are to be provided at the Base Station. On this basis it is recommended that at least one Class 1 or 2 bicycle parking facility is provided, which can be achieved by way of condition.

14.4.6 Subject to condition, the proposal satisfies the performance criterion at clause E6.7.10, P2.

15. Assessment against the Stormwater Management Code

15.1 The proposal has been assessed against one performance criterion in Part E7 Stormwater Management Code:

- Stormwater treatment, clause E7.7.1, P2.

15.2 The first standard under clause E7.7.1 relates to the disposal of stormwater. It is applicable to the access road only where outside of Wellington Park. It is not applicable inside the Park because the Management Plan otherwise provides for disposal of stormwater. The access road outside of the Park is drained off to public infrastructure and therefore satisfies the acceptable solution A1 of clause E7.7.1.

15.3 **Stormwater treatment, clause E7.7.1, P2**

15.3.1 The second standard under clause E7.7.1 is applicable to the base station and the access road. Stormwater treatment standards are only

provided for in the Management Plan in The Pinnacle special area, not in the general standards that apply to the base station.

15.3.2 The acceptable solution requires that the proposal incorporates water sensitive urban design principles as it is a new impervious area greater than 600 m^2 and provides for more than 6 cars.

15.3.3 No water sensitive urban design principles are incorporated into the design of the hardstand area.

15.3.4 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

15.3.5 The performance criterion at clause E7.7.1 P2 states:

> *A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.*

15.3.6 An assessment of the proposal against this performance criterion has been undertaken by Robert Casimaty, an expert engineer. His assessment is available at ***Attachment E***.

15.3.7 In summary, the proposal has indicated that suitable stormwater quantity requirements will be met, including the provision of a gross pollutant trap for the access road drainage. However, additional detail would be required by way of condition.

15.3.8 Subject to condition, the proposal satisfies the performance criterion.

15.4 **Minor stormwater drainage system, clause E7.7.1, A3**

15.4.1 The third standard under clause E7.7.1 is applicable to the entire proposal. There are no conflicting or duplicating provisions in the Management Plan.

15.4.2 This standard only has an acceptable solution. A3 states:

> *A minor stormwater drainage system must be designed to comply with all of the following:*
>
> *(a) be able to accommodate a storm with an ARI of 20*

years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;

(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

15.4.3 An assessment of the proposal against this performance criterion has been undertaken by Robert Casimaty, an expert engineer. His assessment is available at ***Attachment E***.

15.4.4 It has been concluded as a result of this assessment that drainage for the pinnacle centre does not satisfy this requirement. Stormwater from the pinnacle centre will be primarily drained to ground. While some stormwater is being collected for re-use, this is 'retention' not 'detention' and overflow will still occur direct to ground. In a storm event there is no control of runoff and therefore flows will be greater than pre-existing runoff.

15.4.5 There is no performance criterion at P3 of clause E7.7.1. This means that Council has no discretion to vary the requirement and the acceptable solution must be met.

15.4.6 The application has not demonstrated compliance with the acceptable solution.

16. Assessment against the Electricity Transmission Infrastructure Protection Code

16.1 The proposal has been assessed against one performance criterion in the Electricity Transmission Infrastructure Protection Code:

- Development within the electricity transmission corridor, clause E8.7.1 P1.

16.2 **Development within the electricity transmission corridor, clause E8.7.1, P1**

16.2.1 The acceptable solution at clause E8.7.1, A1 requires that development is not in the inner protection area of an electricity transmission corridor.

16.2.2 The proposal includes development that is in the inner protection area of an electricity transmission corridor.

16.2.3 The proposal does not meet the acceptable solution; therefore, assessment against the performance criterion is relied on.

16.2.4 The performance criterion at clause E8.7.1, P1 states:

Development must be located an appropriate distance from electricity transmission infrastructure, having regard to all of the following:

(a) the need to ensure operational efficiencies of electricity transmission infrastructure;
(b) the provision of access and security to existing or future electricity transmission infrastructure;
(c) safety hazards associated with proximity to existing or future electricity transmission infrastructure;
(d) the requirements of the electricity transmission entity.

16.2.5 The proposed access road to the base station crosses beneath two overhead transmission lines that are each benefited by wayleave easements. To determine suitability of the proposal, the applicant has sought advice from the electricity transmission authority; the advice has been submitted in support of the proposal.

16.2.6 The proposal for the access road to cross beneath the existing electricity transmission infrastructure is acceptable to the electricity transmission authority subject to prescribed design requirements being met.

16.2.7 Subject to a condition requiring compliance with the design requirements prescribed by TasNetworks in a letter to Mount Wellington Cableway Company Pty Ltd dated 21 September 2020, the proposal satisfies the performance criterion at clause E8.7.1, P1.

17. Assessment against the Biodiversity Code

17.1 The proposal has been assessed against one performance criterion in Part E10 Biodiversity Code:

- Building and works in a Biodiversity Protection Area, clause E10.7.1.

17.2 This standard applies to the access road outside Wellington Park only. Assessment of biodiversity-related impacts for the proposal where inside of Wellington Park is against the Management Plan.

17.3 **Building and works, clause E10.7.1, P1**

17.3.1 The access road extends through a Biodiversity Protection Area (high priority values) shown on the planning scheme maps.

17.3.2 The acceptable solution under clause E10.7.1 does not allow for clearance and conversion or disturbance of native vegetation if it is not for a single dwelling, in the low density residential, rural living or environmental living zones or in a building area shown on a plan of subdivision.

17.3.3 The proposal does not comply with the acceptable solution; therefore, assessment against the performance criterion is relied on.

17.3.4 The performance criterion at clause E10.7.1 states:

> *Clearance and conversion or disturbance must satisfy the following:*
>
> *(a) if low priority biodiversity values:*
> *(i) ….*
>
> *(b) if moderate priority biodiversity values:*
> *(i) …..*
>
> *(c) if high priority biodiversity values:*
> *(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;*
> *(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;*
> *(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;*
> *(iv) special circumstances exist;*

17.3.5 An assessment of the proposal against this performance criterion has been undertaken by Andrew Welling, an expert environmental consultant. His assessment is available at ***Attachment B***. His assessment has considered P1, (c)(i), (c)(ii), (c)(iii).

17.3.6 The proposal is considered to meet subclause (c)(i). Measures have been taken to adjust the road alignment to minimise impacts to habitat

trees and eastern quoll habitat. Provided that a construction environmental management plan (CEMP) is developed and implemented by way of condition along with a vegetation management plan, habitat replacement plan and roadkill mitigation plan.

17.3.7 Subclause (c)(ii) is not relevant as no specific bushfire protection measures are proposed around the access road.

17.3.8 In regard to P1 (c)(iii), remaining high priority biodiversity values are retained on the site and some mitigation strategies are proposed. Specific mitigation measures include a CEMP to contain construction-related impacts, ongoing weed management to protect the integrity of high priority vegetation, a roadkill management plan and a habitat replacement plan.

17.3.9 The habitat replacement plan is to offset the loss of high conservation value trees that provide habitat for swift parrot and masked owl, both threatened fauna species. Mr Welling has, however, noted that the habitat enhancement proposal:

> *…does not specify an offset multiplier for trees to be removed, a location for installation of replacement hollows or an ongoing monitoring program to determine effectiveness of boxes. It also does not specify how artificial hollows will be maintained and replaced to provide a long-term offset or how to prevent use by non-target species. In addition, the method to assess the number of suitable hollows to be impacted and to be mitigated (to be determined when trees are felled and on the ground) may not provide a true indication of the resource as hollows are likely to be damaged when trees are felled and the context of the hollows in terms of perch location, aspect etc is difficult to ascertain.*

17.3.10 The proposal therefore does not improve through implementation of current best practice mitigation strategies and ongoing management measures for the remaining high priority biodiversity values on the site.

17.3.11 In regard to P1 (c)(iv), special circumstances is defined under clause E10.3 as:

> *means particular circumstances associated with the proposed use or development that justify loss of high priority biodiversity values. Special circumstances are considered to exist if one or more of the following apply:*

(a) the use or development will result in significant long term social or economic community benefits and there is no feasible alternative location;

(b) ongoing management cannot ensure the survival of the high priority biodiversity values on the site and there is little potential for recruitment or for long term persistence;

(c) the development is located on an existing lot within the Low Density Residential, Rural Living or Environmental Living Zone and is for a single dwelling and/or associated residential.

17.3.12 Both the Natural Values Assessment provided as part of the application (***Attachment T***) and the assessment by Mr Welling conclude that (b) under the 'special circumstances' definition is not met. Subclause (c) is not applicable.

17.3.13 In order to demonstrate special circumstances, the proposal therefore relies on subclause (a) under the special circumstances definition.

17.3.14 An analysis of alternative locations as required by (a) was undertaken by North Barker Ecosystem Services for the applicant (***Attachment T***).

17.3.15 There were no other road access alternatives that avoided vegetation with similar values.

17.3.16 The application was accompanied by an economic assessment (***Attachment U***) and community benefits assessment (***Attachment V***) in order to respond to this requirement.

17.3.17 An assessment of this documentation and whether it has demonstrated that the use or development will result in significant long-term social or economic community benefits has been undertaken by Ms Ellen Witte, an expert economist and is available at ***Attachment C***.

17.3.18 In summary, Ms Witte concluded that the application has not demonstrated that it will result in significant long-term social or economic community benefits. To do so it means that the proposed cable car should at least generate a net benefit to the community, a situation where the benefits outweigh the costs. The documentation provided by the applicant does not sufficiently consider costs arising from the development.

17.3.19 The proposal does not satisfy the performance criteria at P1 of clause E10.7.1, specifically subclauses (c)(iii) and (c)(iv).

18. Assessment against the general standards in Wellington Park

18.1 The proposal has been assessed against 9 performance criteria in section 8.5.7, Table 5, standards for use and development in Wellington Park:

- Issue 2: Native vegetation, P2.1
- Issue 2: Threatened species, P2.2
- Issue 2: Geoheritage, P2.3
- Issue 4: Aboriginal cultural heritage, P4.1
- Issue 5: Visual sensitivity, P5.1
- Issue 5: Building design and light effects, P5.2
- Issue 6: Noise, P6.1
- Issue 7: Pedestrian access, P7.2
- Issue 8: Hazard avoidance and mitigation, P8.1

18.2 These standards do not apply to The Pinnacle special area and are therefore only relevant to the base station and towers, not the pinnacle centre.

18.3 **Section 8.5.7, Issue 2: Native vegetation, P2.1**

18.3.1 The acceptable solution at A2.1 requires that the proposal does not remove or damage terrestrial or aquatic native vegetation.

18.3.2 The proposal does not comply with the acceptable solution. Table 4 provides a summary of all native vegetation removal required for the base station and towers. The WGL vegetation community (*Eucalyptus globulus* wet forest) is significant under the Management Plan. Additionally, the WOB (*Eucalyptus obliqua* forest with broad-leaf shrubs) and DOB (*Eucalyptus obliqua* dry forest) supports potential foraging and nesting habitat for the swift parrot and potential nesting habitat for the masked owl, both threatened fauna species.

Table 4: Summary of native vegetation impacts in Wellington Park, excluding in The Pinnacle specific area (Source: Natural Values Assessment prepared by North Barker Ecosystem Services)

Location	Veg Community	Area of Impact	Comment
Base station, incl. towers 1 and 2, car park and access	WOB WGL DOB	0.29ha 0.15ha 0.09ha	Include +2m disturbance buffer to footprint

road in Wellington Park			
Base station bushfire hazard clearance	WOB	0.37ha	Effective clearance of vegetation
Temporary installation net	DCO	0.01ha	Temporary disturbance only
Tower 3	HHE	0.42ha	

18.3.3 Assessment against the performance criterion is therefore relied on.

18.3.4 The performance criterion at clause P2.1 states:

> *Any adverse affects [sic] on terrestrial or aquatic native vegetation or habitat values must be avoided, or remedied to ensure no long term impact on vegetation values.*

18.3.5 An assessment of the proposal against this performance criterion has been undertaken by Andrew Welling, an expert environmental consultant. His assessment is available at ***Attachment B*** and has considered P2.1.

18.3.6 Mr Welling notes that while no direct remedy is provided for the loss of vegetation communities outside of mature conservation value trees, the overall impact on those communities is small and there will be limited long-term impacts on the vegetation communities.

18.3.7 The remedy for the loss of nesting habitat for swift parrot and masked owl is a hollow replacement program. Mr Welling states:

> *The NBES report [**Attachment T**] outlines methods for creating artificial hollows to replace those lost by removal or pruning of mature trees. The methodology outlined in the NBES report does not specify an offset multiplier, a location for installation of replacement hollows or ongoing monitoring of effectiveness and maintenance and replacement of artificial hollows to provide a long-term offset for the removal of the tree hollows and to prevent use by non-target species. In addition, the method to assess the number of suitable hollows (to be determined when trees are felled and, on the ground) may not provide a true indication of the resource as hollows are likely to be damaged when the trees are felled and the context of the hollows in terms of perch location, aspect etc is difficult to ascertain. There is also insufficient evidence about the long-*

term use/value of artificial hollows for swift parrots to be sure that the proposed habitat replacement plan will be effective in mitigating the loss of habitat.

18.3.8 The proposed remedy for loss of swift parrot foraging habitat is also considered insufficient, due to the low offset ratio proposed. The proposal specifies the replacement of 30 *Eucalyptus globulus* trees with only 50 seedlings. Mr Welling states:

The planting of trees to compensate for the removal of foraging habitat is a generally accepted remedial action. The stated offset ratio of 1.7:1 (based on the replacement of 30 trees with 50 trees) represents a low offset ratio. Offset ratios are designed to compensate for factors such as mortality, time lag and habitat quality differences in replacing mature natural habitat with substitute habitat. Planted E. globulus will take several decades to reach a size comparable with the trees that have been removed. The 5 m spacing between trees is minimal for foraging habitat, which improves in quality with crown size.

The 'Guidelines for the use of Biodiversity Offsets' (Southern Tasmanian Councils Authority 2013) does not provide guidance on offset ratios for threatened species habitat but does suggest a range of 3:1 to 5:1 for threatened vegetation communities.

18.3.9 The proposal therefore does not satisfy the performance criterion under section 8.5.7, Issue 2, P2.1.

18.4 **Section 8.5.7, Issue 2: Threatened species, P2.2**

18.4.1 The acceptable solution at A2.2 requires that the proposal does not impact on any threatened species.

18.4.2 The proposal does not comply with the acceptable solution; it proposes impacts (either directly or indirectly) on several threatened species including swift parrot, wedge-tailed eagle, silky snail, Tasmanian devil, eastern quoll, spotted tailed quoll and, to a lesser extent, the eastern barred bandicoot and various raptors. Assessment against the performance criterion is relied on.

18.4.3 The performance criterion at clause P2.2 states:

Any adverse affects [sic] on nationally or State listed rare, threatened or endangered species, communities or habitats

must be avoided or remedied to ensure no long term impact on vegetation values.

18.4.4 An assessment of the proposal against this performance criterion has been undertaken by Andrew Welling, an expert environmental consultant. His assessment is available at ***Attachment B*** and has considered P2.2.

18.4.5 The impacts on foraging and nesting habitat for the swift parrot and masked owl are outlined in response to P2.1, and assessment of the impacts on foraging and nesting habitat for the swift parrot and masked owl also applies under P2.2 as an impact to a nationally and State-listed threatened species. In summary, his response to P2.2 states:

- Impacts on the silky snail are minor and without long-term impacts.
- Impact on terrestrial fauna species are acceptable subject to implementation of recommendations in the Roadkill Risk Report and Draft Mitigation Plan (by way of condition).
- Bird strike risk for the base station has been sufficiently remedied through design measures including screening on windows, with the exception of the large office level window which can be resolved by way of condition.
- Collison risk for wedge-tailed eagle and masked owl will be sufficiently remedied through implementation of recommendations in the Collison Risk Report, by way of condition. Mr Welling notes that recent upgrades of the Pipeline Track involved hundreds of helicopter flights, with no reported approaches or interactions with eagles.
- Impacts on *Viola curtisiae* (montage violet) arising from Tower 3 are acceptable if fencing is implemented at the construction stage, by way of condition.
- There is insufficient evidence of remedying the impacts on nesting hollows and foraging habitat for the swift parrot and masked owl to ensure no long-term impacts.

18.4.6 Accordingly, the proposal does not satisfy the performance criterion under section 8.5.7, Issue 2, P2.2.

18.5 **Section 8.5.7, Issue 2: Geoheritage, P2.3**

18.5.1 The acceptable solution at A2.3 requires that the proposal does not impact on any listed geoconservation sites.

18.5.2 There are six listed geoconservation sites within 1 km of the proposal: Organ Pipes Columnar Jointing; Wellington Range Periglacial Terrain; Pinnacle Road Sandstone Dolerite Contact; Pinnacle Volcanic Plug; Pinnacle Nivation Hollow; and Rankin Falls. The first five are sites listed under the Tasmanian Geoconservation Database. Rankin Falls (Myrtle Gully) is listed in the Wellington Park geosite inventory. Not all of these are directly affected by the proposal. Sites are shown in Figure 5.

Figure 5: Geoconservation sites within 1 km of the proposal

18.5.3 The base station and towers 1 and 2 are near Rankin Falls but are not considered to impact on that listed site. Tower 3 is considered to impact on the Organ Pipe Columnar Jointing and Wellington Range Periglacial Terrain sites. Therefore, assessment against the performance criterion is relied on.

18.5.4 The performance criterion at clause P2.3 states:

> *Any adverse impacts on any geoheritage values must be avoided, remedied or mitigated.*

18.5.5 An assessment of the proposal against this performance criterion has been undertaken by Mark Williams, an expert geoscientist. His assessment is available at ***Attachment G*** and has considered P2.3.

18.5.6 In summary, the proposal does not avoid and is not considered to sufficiently remedy adverse impacts arising from the parts of the

proposal outside The Pinnacle specific area (see section 19 below) for the following reasons:

- The Tasmanian Geoconservation Database considers both the Wellington Range Periglacial Terrain and Organ Pipes Columnar Jointing a physical type and a viewpoint. The impact assessment only considers the towers and buildings, without regard to the cables. This may lead to further concealment of the geosite by the proposed development. The visual aesthetics of this geosite are highly likely to have at least moderate effects on the visual aesthetics directly from the geosite and from viewpoints across the area. No remedies have been identified in the application.
- The excavation and ground level disturbance will have permanent effects on the geosite at a commercial scale. It will increase likelihood of further degradation. Albert's Tomb and Johnstone's Knob are part of the Organ Pipes and are representative examples of dolerite tors that are at risk due to earthworks. No remedies or mitigation have been identified in the application.

18.5.7 The proposal therefore does not satisfy the performance criterion under section 8.5.7, Issue 2, P2.3.

18.6 **Section 8.5.7, Issue 4: Aboriginal cultural heritage, P4.1**

18.6.1 The acceptable solution at A4.1 requires that the proposal does not involve an Aboriginal 'relic' as defined under the Aboriginal Relics Act 1975 or identified in accordance with the Management Plan. No sites have been identified in accordance with the Management Plan, although it does recognise that the area is of cultural landscape significance. Cultural landscape significance has been addressed relevant to the use discretion at section 8 above.

18.6.2 This Aboriginal heritage legislation has since been updated and is now referred to as the *Aboriginal Heritage Act 1975*, and relics are now generally referred to as 'Aboriginal heritage'.

18.6.3 The applicant submitted an assessment undertaken by Dr Nic Grguric in response to a further information request. Dr Grguric's assessment was not undertaken with the support of a registered Tasmanian Aboriginal Heritage officer and is not compliant with Aboriginal Heritage Tasmania's guidelines (AHT).

18.6.4 Section 8.5.1 of the Management Plan requires that where proposals require an assessment of potential impact on Aboriginal heritage values,

the assessment shall comply with any relevant guidelines produced by AHT.

18.6.5 It is considered that the requirements under section 8.5.1 must be construed as requiring the assessment to be 'generally' undertaken in accordance with the guidelines from time to time[5]. To require strict adherence would mean that the clauses in the Management Plan are *ultra vires* in that they impose a requirement for the assessment of an application that is not to be found in the Management Plan and which may be varied from time to time by a third party.

18.6.6 That said, Dr Grguric's assessment does not satisfy the acceptable solution as visibility was limited and it cannot be determined that no 'Aboriginal heritage' is involved.

18.6.7 The proposal does not comply with the acceptable solution; assessment under the performance criterion is relied on.

18.6.8 The performance criterion at clause P4.1 states:

> *Any impacts on heritage precincts or sites of Aboriginal value must be avoided, mitigated or remedied so that no long term loss of Aboriginal cultural heritage values occurs. Any works shall conform with relevant standards and guidelines prepared by Aboriginal Heritage Tasmania and comply with the [Aboriginal Heritage Act 1975].*

18.6.9 The assessment of Aboriginal heritage matters through a planning process is a unique situation that arises due to the Management Plan. Consideration of impacts on Aboriginal heritage sites is usually done through the Aboriginal Heritage Council and Aboriginal Heritage Tasmania. These organisations enable the direct involvement of Tasmanian Aboriginal people in the decision-making process.

18.6.10 As the Planning Authority, Council in this case must come to its position on compliance with the performance criterion.

18.6.11 It is important to recognise that this assessment is primarily one of fact not merit. It is not possible to determine with absolute certainty the degree of impact on Aboriginal heritage sites, as that would require 'works' as defined under LUPAA to increase 'visibility'.

18.6.12 Having regard to Aboriginal Heritage Tasmania's Standards and

[5] Having regard to legal advice obtained by Council.

Procedures and achieving compliance with the performance criterion, taking into account that the vegetation clearance must occur first, it is considered appropriate to resolve the performance criterion by way of condition that requires:

- vegetation clearance and excavation to be monitored by a suitably qualified Aboriginal heritage consultant and Aboriginal Heritage Officer
- once vegetation is removed, a field survey to be undertaken by a suitably qualified Aboriginal heritage consultant and Aboriginal Heritage Officer, the results of which are to be reported to Council before further works are undertaken
- at all times to follow Aboriginal Heritage Tasmania's Unanticipated Discovery Protocols.

18.6.13 Subject to condition, the proposal satisfies the performance criterion at section 8.5.7, Issue 4, P4.1.

18.6.14 Issues in regard to impacts on cultural landscape values are addressed in relation to the use discretion at section 8 of this report.

18.7 **Section 8.5.7, Issue 5: Visual sensitivity, P5.1**

18.7.1 The acceptable solution at A5.1 requires that building and structures are not located in an area identified of High or Moderate Visual Sensitivity in Map 4 of the Management Plan.

18.7.2 The location of the base station is in an area of moderate visual sensitivity. The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

18.7.3 The performance criterion at P5.1 states:

> *Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to minimise or remedy any loss of visual values or impacts on the visual character of the affected area.*
>
> *Note: Satisfaction of this Performance Criterion may include a Visual Impact Analysis, prepared by a suitably qualified person, demonstrating how the building or structure can be designed*

and located to harmonise with the site.

18.7.4 An assessment of the proposal against this performance criterion has been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***.

18.7.5 In his assessment he has considered visibility, form, line, texture and colour, scale and spatial character for each of the built elements of the proposal in the context of this standard, being the base station and the cableway (including towers).

18.7.6 In regard to the base station, the vertical delineation of the building line and proposed height integrates with the prevailing vertical nature of the surrounding forest. The form is sited in the lower reaches of the Park and in an area that is not visible from many viewpoints. The scale of the building is responsive to its function and it responds to the steeply sloping site by using existing cutting and cleared areas. Overall, it is considered that the base station has been designed to sufficiently remedy impacts on the visual character of the affected area.

18.7.7 In regard to the cableway (including towers), Mr Goss has concluded that the proposal will result in a loss of visual values and the impacts are insufficiently remedied through siting or design.

18.7.8 The overall height of towers 1 and 2 and the cableway will be perceived as a visually dominant form when viewed from immediate surrounds, although over greater distances the impact is mitigated due to surrounding tall vegetation.

18.7.9 The height of Tower 3 in relation to the Organ Pipes and surrounding area has a greater impact on the skyline, creating a dominant element not consistent with the visual and scenic values of the Park. Surrounding vegetation is low level. The angle at which Tower 3 will be constructed will immediately draw the eye, and appear incongruous. The utilitarian design does not assist in mitigating the visual dominance.

18.7.10 Overall, the siting of the cableway (including towers) does not minimise loss of visual values or impacts on visual character of the affected areas. The continuous relationship between the pinnacle centre, cableway and base station provides a strong visual link through ‘grouping’ and ‘line’ that extends the visual connection from the Pinnacle area downwards across the Organ Pipes.

18.7.11 The proposal does not satisfy the performance criterion at section 8.5.7, Issue 5, P5.1.

18.8 **Section 8.5.7, Issue 5: Building design and light effects, P5.2**

18.8.1 The acceptable solution at A5.2 provides for a maximum building height of 3.5 m and that any building is not more than one storey. Additionally, it requires design to be in accordance with the Trust's *Design and Infrastructure Manual* where relevant, and external lighting to assist orientation only and be focused on the ground.

18.8.2 The base station and towers (noting that a structure is defined as a building) all exceed the permitted building height. While the design is generally in accordance with the Trust's *Design and Infrastructure Manual*, external lighting has not been sufficiently detailed in the application.

18.8.3 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

18.8.4 The performance criterion at clause P5.2 states:

> *Development must be designed to harmonise with the visual landscape and natural qualities of the site in terms of appearance, scale and proportions and follow the Trust's Design and Infrastructure Manual where relevant.*
>
> *Lighting and reflection must be managed to avoid adverse impacts on natural and cultural values.*

18.8.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***. His assessment has separately considered the base station and cableway components (including towers).

18.8.6 In regard to the base station, it is concluded that the application does not propose a visually dominating outcome against the surrounding vegetation, and design measures will be used including building shape and façade articulation. The material pallete blends with the forested context and low reflectance materials have been used.

18.8.7 While the proposed base station does represent a noticeably different outcome than the Management Plan has deemed as the acceptable development outcome under the acceptable solution, overall its design

has sufficiently met the performance criterion.[6]

18.8.8 Mr Goss has not assessed artificial lighting for the base station[7]. However, this matter is considered resolvable by way of condition, so that lighting is pointed to the ground and reflection is managed with:

- all external lighting installed with adaptive lighting control
- all lighting fully shielded with no direct line of sight to the light source
- all lighting using reduced short wavelength light sources
- lighting designed by a suitably qualified lighting professional.

18.8.9 In regard to the cableway, the design is utilitarian and does not harmonise with the visual landscape and natural qualities of the site, in particular the eastern face of kunanyi/Mount Wellington. This is in terms of appearance and proportions.

18.8.10 The material palette of the towers, while robust, blends with the dolerite and forested context dominated by the verticality of the surrounding trees and understorey vegetation. However, seen against the skyline the material palette is Moderate contrast. The material palette of the cable cars is not specified in the application material. To ensure that the palette of materials and reflectivity of the glass are optimised, this could be dealt with by way of condition.

18.8.11 In regard to glint and glare, the moving parts of the cableway may be the source of some bedazzlement. As stated by Mr Goss:

> *Bedazzlement occurs due to a rapid change in the lighting angle to that of the surface and/or of the rapid change in the resulting reflected light that is being seen by the viewer. The sudden blinding flash is the result of the optic lag and the overwhelming amount of light level from that which the eye's optic nerve has previously been responding. This effect is both disorienting and uncomfortable and of detriment to one's sense of amenity.*

18.8.12 This effect already occurs in some sunlight conditions, with vehicles

[6] Supreme Court of Tasmania Full Court in *Boland v Clarence City Council [2021] TASFC 5 (29 March 2021)*, ruled that the extent of allowable development under the acceptable solution may be relevant to determining whether the impact is acceptable under the performance criteria. This decision in effect does away with the previously held *Henry Design Principle* arising from Henry Design & Consulting v Clarence City Council & Ors *[2017] TASRMPAT 11* which held that the acceptable solution is not relevant to considering whether a proposal meets a corresponding performance criterion.

[7] It is assumed negligible lighting will be required for the cableway component between the base station and the pinnacle centre.

moving up and down Pinnacle Road. However, given that the cableway will have moving parts that bisect through relatively undisturbed parts of the Park, which have significant natural and cultural values (i.e. the Organ Pipes area), bedazzlement will cause adverse impacts on those values.

18.8.13 The proposal does not satisfy the performance criterion under section 8.5.7, Issue 5, P5.2.

18.9 **Section 8.5.7, Issue 6: Noise, P6.1**

18.9.1 The acceptable solution at A6.1 requires that noise from sources must not exceed 50 dB(A) at any point within 50 m of the source.

18.9.2 Based on the noise assessment provided with the application (***Attachment AA***) the proposal exceeds this noise level.

18.9.3 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

18.9.4 The performance criterion at clause P6.1 states:

> *Activities which could have an adverse effect on the quiet enjoyment of natural and cultural values must be avoided or remedied to prevent any loss of acoustic amenity in the Park.*

18.9.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Darren Tardio, an acoustic impact expert. His assessment is available at ***Attachment H***.

18.9.6 The existing background noise levels in the Park were identified in the noise assessment undertaken for the applicant. These were less than 25 dB(A) L_{eq} at night and 44 dB(A) L_{eq} during the day.

18.9.7 The assessment by Mr Tardio has identified that to achieve the performance criterion, being not adversely affecting the quiet enjoyment of the Park, the proposal would need to emit noise levels that were:

- less than 15-20 dB(A) for any operations at night
- less than 34-39 dB(A) for any operations during the day.

18.9.8 The noise assessment undertaken for the applicant has demonstrated that these targets would not be met. Even once an allowance for tolerable noise above the acceptable solution is taken into account, the

proposal is still considered to result in noise levels that would result in a loss of acoustic amenity in the Park.

18.9.9 The proposal therefore does not satisfy the performance criterion under section 8.5.7, Issue 6, P6.1.

18.10 **Issue 7: Pedestrian access, P7.2**

18.10.1 The acceptable solution at A7.2 requires that use and development does not interfere with existing or potential formal public pedestrian access in or into the Park.

18.10.2 The proposed base station is located over Main fire trail, which is formally identified in Wellington Park's trail map and provides connections to other trails and tracks.

18.10.3 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

18.10.4 The performance criterion at clause P7.2 states:

> *Existing formal public pedestrian access within the Park must be maintained and enhanced except where public safety or protection of natural and cultural values would be at risk.*

18.10.5 The proposal provides for pedestrian connections through the base station site that connect back to the fire trail. This is shown in the engineering drawings at ***Attachment N***.

18.10.6 The proposal satisfies the performance criterion under section 8.5.7, Issue 7, P7.2.

18.11 **Section 8.5.7, Issue 8: Hazard avoidance and mitigation, P8.1**

18.11.1 The acceptable solution at A8.1 requires that buildings and structures do not involve cut and fill of more than 1m. The proposal involves cut and fill greater than 1 metre for the base station site and access road (where in Wellington Park).

18.11.2 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

18.11.3 The performance criterion at clause P8.1 states:

> *In areas where there is a risk of flooding or land instability, all*

buildings and structures, other than walking tracks constructed in accordance with a walking track strategy, must be sited, designed and constructed to, as minimum requirements, take account of future climate change and flood hazard potential, and to assess and mitigate risk in accordance with a hazard risk analysis as set out in the current Australian Geomechanics Society landslide risk management concepts and guidelines and Australian Standard –AS1726.

18.11.4 An assessment of the proposal against this performance criterion has been undertaken by Mr Bill Cromer, an expert geotechnical specialist. His assessment is available at ***Attachment F***.

18.11.5 In summary, the geotechnical review submitted with the application (***Attachment Y***) has adequately assessed and mitigated risk in accordance with the guidelines and Australian Standard. The proposal is otherwise not in an area of inundation or known climate change risk.

18.11.6 The proposal satisfies the performance criterion under section 8.5.7, Issue 8, P8.1.

19. Assessment against The Pinnacle specific area standards in Wellington Park

19.1 The proposal has been assessed against 15 performance criteria in section S2.6, standards for use and development in Wellington Park:

- Issue 2: Native vegetation
- Issue 2: Threatened species
- Issue 2: Geoheritage
- Issue 3: Aboriginal cultural heritage
- Issue 4: Wastewater
- Issue 5: Visual sensitivity
- Issue 6: Regolith
- Issue 7: Water
- Issue 7: Sewerage
- Issue 8: Car parking
- Issue 9: Building design
- Issue 9: Building size
- Issue 9: Appearance and lighting
- Issue 10: Building siting
- Issue 11: Noise

19.2 These standards apply to the proposed pinnacle centre only.

19.3 **Section S2.6, Issue 2: Native vegetation, P2.1**

19.3.1 The acceptable solution at A2.1 requires that the proposal does not impact on terrestrial or aquatic native vegetation.

19.3.2 The proposal does not comply with the acceptable solution; native vegetation removal is required for all built elements in Wellington Park as outlined in Table 5 below. Assessment against the performance criterion is therefore relied on.

Table 5: Summary of native vegetation impacts in The Pinnacle specific area of Wellington Park (Source: Natural Values Assessment prepared by North Barker Ecosystem Services)

Location	Veg Community	Area of Impact	Comment
Pinnacle centre	HHE	0.4ha	Include +2m disturbance buffer to footprint. Some vegetation will persist/recover beneath the boardwalk and around the boundaries

19.3.3 The performance criterion at clause P2.1 states:

> *Any adverse affects [sic] on terrestrial or aquatic native vegetation or habitat values must be avoided, or remedied to ensure no long term impact on vegetation values.*

19.3.4 An assessment of the proposal against this performance criterion has been undertaken by Andrew Welling, an expert environmental consultant. His assessment is available at ***Attachment B*** and has considered P2.1.

19.3.5 In summary, it is considered that the overall impact on the HHE (Eastern Alpine Heath) community is small and there will be very limited long-term impacts on the vegetation values. Conditions would be required to mitigate impact during the construction phase and provide for rehabilitation outside the permanent building footprint.

19.3.6 Subject to condition, the proposal satisfies the performance criterion at section S2.6, Issue 2, P2.1.

19.4 **Section S2.6, Issue 2: Threatened species, P2.2**

19.4.1 The acceptable solution at A2.2 requires that the proposal does not impact on any threatened species.

19.4.2 The proposal does not comply with the acceptable solution. The pinnacle centre construction will lead to the loss of an estimated area of 370 m^2 of the threatened flora species *Viola curtisiae*. Assessment against the performance criterion is therefore relied on.

19.4.3 The performance criterion at clause P2.2 states:

> *Any adverse affects [sic] on nationally or State listed rare, threatened or endangered species, communities or habitats must be avoided or remedied to ensure no long term impact on vegetation values.*

19.4.4 An assessment of the proposal against this performance criterion has been undertaken by Andrew Welling, an expert environmental consultant. His assessment is available at ***Attachment B*** and has considered P2.2.

19.4.5 In summary, it is considered that the proposal adequately remedies the impact on the threatened species.

19.4.6 While the area of the montane violet (*Viola curtisiae*) to be disturbed is large in the context of the local patch identified (which is 570 m^2 in area), the recent discovery of additional populations of this species in multiple sites in the Central Highlands broadens the known distribution and population size of the species. This is recent information that is not reflected in the Natural Value Assessment forming part of the application (**Attachment T**), and it reduces the extent of impact from the proposal.

19.4.7 The remedial measure proposed is translocation to a rooftop garden. Growing threatened flora in gardens is not equivalent to conservation of natural populations or translocation to natural environments. However, the translocation is in situ and therefore would allow for dispersal and gene flow with natural populations. While likelihood for success is uncertain, on balance, the proposal is considered to sufficiently remedy long-term impacts.

19.4.8 The proposal therefore satisfies the performance criterion at section S2.6, Issue 2, P2.2.

19.5 **Section S2.6, Issue 2: Geoheritage, P2.3**

19.5.1 The acceptable solution at A2.3 requires that the proposal does not impact on any listed geoconservation sites.

19.5.2 The pinnacle centre is located in one listed geoconservation site (Wellington Range Periglacial Terrain) and close to another (Organ Pipes Columnar Jointing).

19.5.3 The proposal therefore does not satisfy the acceptable solution; assessment against the performance criterion is relied on.

19.5.4 The performance criterion at clause P2.3 states:

> *Any adverse impacts on any geoheritage values must be avoided or remedied to ensure no long term impact on geoheritage values.*

19.5.5 An assessment of the proposal against this performance criterion has been undertaken by Mark Williams, an expert geoscientist. His assessment is available at ***Attachment G*** and has considered P2.3.

19.5.6 In summary, the proposal does not avoid impacts arising from the pinnacle centre, as it will have permanent effects on the geosite at a commercial scale and increase likelihood of further degradation. The design of the building involves significant excavation which, during the construction phase, may involve blasting of rock features. No remedies are provided for in the application.

19.5.7 The proposal therefore does not satisfy the performance criterion at section S2.6, Issue 2, P2.3.

19.6 **Section S2.6, Issue 3: Aboriginal cultural heritage, P3.1**

19.6.1 The acceptable solution at A3.1 requires that the proposal does not involve an Aboriginal 'relic' as defined under the *Aboriginal Relics Act 1975* or identified in accordance with the Management Plan. No sites have been identified in accordance with the Management Plan, although the supporting documentation does recognise that the area is of cultural landscape significance. Cultural landscape significance has been addressed relevant to the use discretion at section 8 above.

19.6.2 This Aboriginal heritage legislation has since been updated and is now referred to as the *Aboriginal Heritage Act 1975* and relics are now

generally referred to as 'Aboriginal heritage'.

19.6.3 The applicant submitted an assessment undertaken by Dr Nic Grguric in response to a further information request. Dr Grguric's assessment was not undertaken with the support of a registered Tasmanian Aboriginal Heritage officer and is not compliant with Aboriginal Heritage Tasmania's guidelines (AHT).

19.6.4 Section 8.5.1 of the Management Plan requires that where proposals require an assessment of potential impact upon Aboriginal heritage values, the assessment shall comply with any relevant guidelines produced by AHT.

19.6.5 It is considered that the requirements under section 8.5.1 must be construed as requiring the assessment to be 'generally' undertaken in accordance with the guidelines from time to time[8]. To require strict adherence would mean that the clauses in the Management Plan are *ultra vires* in that they impose a requirement for the assessment of an application that is not to be found in the Management Plan and which may be varied from time to time by a third party.

19.6.6 That said, Dr Grguric's assessment does not satisfy the acceptable solution, as visibility was limited and it cannot be determined that no 'Aboriginal heritage' is involved.

19.6.7 The proposal does not comply with the acceptable solution; assessment under the performance criterion is therefore relied on.

19.6.8 The performance criterion at clause P3.1 states:

> *Any impacts on heritage precincts or sites of Aboriginal value must be avoided, mitigated or remedied so that no long term loss of Aboriginal cultural heritage values occurs. Any works shall conform with relevant standards and guidelines prepared by Aboriginal Heritage Tasmania and comply with the [Aboriginal Heritage Act 1975].*

19.6.9 The assessment of Aboriginal heritage matters through a planning process is a unique situation that arises due to the Management Plan. Consideration of impacts on Aboriginal heritage sites is usually done through the Aboriginal Heritage Council and Aboriginal Heritage Tasmania. These organisations enable the direct involvement of

[8] Having regard to legal advice obtained by Council.

Tasmanian Aboriginal people in the decision-making process.

19.6.10 As the Planning Authority, Council in this case must come to its position on compliance with the performance criterion.

19.6.11 It is important to recognise that this assessment is primarily one of fact not merit. It is not possible to determine with absolute certainty the degree of impact on Aboriginal heritage sites, as that would require 'works' as defined under LUPAA to increase 'visibility'.

19.6.12 Having regard to Aboriginal Heritage Tasmania's Standards and Procedures and achieving compliance with the performance criterion, taking into account that the vegetation clearance must occur first, it is considered appropriate to resolve the performance criterion by way of condition that requires:

- vegetation clearance and excavation to be monitored by a suitably qualified Aboriginal heritage consultant and Aboriginal Heritage Officer
- once vegetation is removed, a field survey to be undertaken by a suitably qualified Aboriginal heritage consultant and Aboriginal Heritage Officer, the results of which are to be reported to Council before further works are undertaken
- at all times to follow Aboriginal Heritage Tasmania's Unanticipated Discovery Protocols.

19.6.13 Subject to condition, the proposal satisfies the performance criterion at section S2.6, Issue 3, P3.1.

19.6.14 Issues in regard to impacts on cultural landscape values are addressed in relation to the use discretion at section 8 of this report.

19.7 **Section S2.6, Issue 4, Wastewater, P4.1**

19.7.1 The acceptable solution at A4.1 requires that the proposal is connected to a reticulated or onsite waste treatment system as well as stormwater being drained to a detention basin or reused.

19.7.2 The proposal is to collect wastewater in a holding tank for transfer to the base station by way of the cableway, after which it will be pumped into the private system connecting to TasWater mains. The proposal disposes of wastewater via the cableway. Stormwater will be drained to ground.

19.7.3 The proposal does not comply with the acceptable solution; therefore, assessment under the performance criterion is relied on.

19.7.4 The performance criterion at clause P4.1 states:

> *Waste water, including grey water, stormwater, or other contaminants must not prejudice the achievement of the water quality objectives for surface or ground waters established under the State Policy on Water Quality Management 1997 or the water quality objectives of this Management Plan.*

19.7.5 An assessment of the proposal against this performance criterion has been undertaken by Robert Casimaty, an expert engineer. His assessment is available at ***Attachment E***.

19.7.6 The servicing report prepared by Gandy and Roberts and submitted with the application (***Attachment N***) states that the stormwater system will be designed to achieve the quality target in the *State Policy on Water Quality Management 1997*. No specific details have been provided; however, it is considered further details can be requested and resolved by way of condition.

19.7.7 The proposed wastewater system does pose some risks to water quality at the point that it is being pumped from the holding tank to the transfer tank that is attached to the cableway. However, the transfer is intended to occur at the basement level of the pinnacle centre and bunding can be integrated into the design, by way of condition, to protect the natural environment in the case of accidental spill.

19.7.8 Subject to condition, the proposal satisfies the performance criterion under section S2.6, Issue 4, P4.1.

19.8 **Section S2.6, Issue 5: Visual sensitivity, P5.1**

19.8.1 The acceptable solution at A5.1 requires that the proposal does not involve a building or structure, apart from Park furniture or Park signs.

19.8.2 The proposal involves a new building in The Pinnacle specific area. The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.8.3 The performance criterion at P5.1 states:

> *Buildings and structures (other than Park furniture or*

replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to minimise or remedy any loss of visual values or impacts on the visual character of the affected area.

Note: Satisfaction of this Performance Criterion may include a Visual Impact Analysis, prepared by a suitably qualified person, demonstrating how the building or structure can be designed and located to harmonise with the site.

19.8.4 An assessment of the proposal against this performance criterion has been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***.

19.8.5 Mr Goss states in his assessment that the strong horizontal delineation of the building line stands in contrast to the predominant vertical expression of the highly significant visual landscape element, the Organ Pipes. The building does break the skyline, although this is primarily when viewed from northern and southern aspects, otherwise the architectural design is well articulated in both plan and section, using stepping of building forms that are in keeping with the natural geological formations.

19.8.6 While the pinnacle centre has been designed to go some way towards minimising loss of visual values and impacts on visual character using high quality architectural techniques, given the high visual sensitivity of this location, the proposal does not provide sufficient mitigation or remedies.

19.8.7 The proposal does not satisfy the performance criterion under section S2.6, Issue 5, P5.1

19.9 **Section S2.6, Issue 6: Regolith, P6.1**

19.9.1 The acceptable solution at A6.1 requires that development is on slopes less than 6 degrees.

19.9.2 The land on which the pinnacle centre is located has a slope of about 24 degrees. The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.9.3 The performance criterion at P6.1 states:

Any development on slopes 6 degrees or greater must be supported by a geotechnical land instability report which:

- *is based on investigations which comply with the minimum requirements of Australian Standard 'Geotechnical Site Investigations' AS1726-1993;*
- *addresses all potential hazards;*
- *classifies the site in accordance with the relevant Australian Standard for the class of building being proposed;*
- *makes recommendations for the type and design of drainage methods and structures, and building/structure foundations; and*
- *concludes by providing an opinion on the level of risk, whether the site is capable of supporting the proposed development or the development is likely to cause instability on land outside the development site.*

19.9.4 An assessment of the proposal against this performance criterion has been undertaken by Mr Bill Cromer, an expert geotechnical specialist. His assessment is available at ***Attachment F***.

19.9.5 In summary, the Cardno Geotechnical Study (October 2018) and SLR Geotechnical Review (June 2020) together constitute a 'geotechnical land instability report'. However, it does not sufficiently consider all risks to life and property that will be triggered by construction-induced vibrations. Specifically the elements at risk include construction works; walkers on tracks below the Organ Pipes and adjacent to the cable car alignment; and vehicles and people on Pinnacle Road and adjacent to the cable car alignment.

19.9.6 In response to issues raised in representations regarding the lack of onsite investigations, Mr Cromer has noted that he is satisfied that the lack of intrusive investigations undertaken to date does not compromise the recommendations and that it is appropriate to deal with more detailed investigation as the proposal progresses. This could be achieved by way of condition.

19.9.7 Notwithstanding, as the documentation submitted with the application does not address all potential hazards, the proposal does not satisfy the performance criterion at section S2.6, Issue 6, P6.1.

19.10 **Section S2.6, Issue 7: Water, P7.6**

19.10.1 The acceptable solution at A7.6 requires that use and development does not require a supply of drinking water.

19.10.2 The proposed uses in the pinnacle centre include food services, which requires drinking water for operational purposes.

19.10.3 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.10.4 The performance criterion at P7.6 states:

> *The collection and storage of rain water in tanks is allowed provided that storage facilities meet all other requirements of this Management Plan. Any required water treatment is to meet all other requirements of this Management Plan*

19.10.5 An assessment of the proposal against this performance criterion has been undertaken by Robert Casimaty, an expert engineer. His assessment is available at ***Attachment E***.

19.10.6 Drinking water (normally referred to as potable water) will be transferred from the base station to the pinnacle centre using 1 kL holding tanks that can be wheeled on and off the cable car. Some non-potable water will also be collected from the roof of the pinnacle centre for re-use in toilet facilities.

19.10.7 The onsite rainwater tank will be located in the basement area next to storage tanks for potable water and near wastewater storage tanks. On the basis of Mr Casimaty's assessment, there are likely to be some challenges associated with maintaining water quality given potential long storage periods and lack of contingency plans. However, it is considered that this further detail could be resolved by way of condition.

19.10.8 The proposal satisfies the performance criterion under section S2.6, Issue 7, P7.6.

19.10.9 While not directly relevant to this assessment, Mr Casimaty has also analysed the feasibility of water and sewage movements in his assessment and has found that it is attainable within the hours of operations proposed.

19.11 **Section S2.6, Issue 7: Sewerage, P7.7**

19.11.1 The acceptable solution at A7.7 requires that use and development does not require sewerage facilities.

19.11.2 The pinnacle centre includes uses that will generate sewage. The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.11.3 The performance criterion at P7.7 states:

> *Sewerage facilities must be designed, perform and be managed to:*
>
> *(a) Deliver an appropriate level of protection for human health and the environment;*
> *(b) Minimise odour nuisance to acceptable levels;*
> *(c) Minimise noise nuisance to acceptable levels;*
> *(d) Not rely on the soils for absorption of any contaminated wastes; and*
> *(e) Not cause landslip or erosion on the development site or other lands.*

19.11.4 An assessment of the proposal against this performance criterion has been undertaken by Robert Casimaty, an expert engineer. His assessment is available at ***Attachment E***.

19.11.5 Sewage from the pinnacle centre will be collected in holding tanks and transported to the base station by way of 5 kL holding tanks slung under the cable car. It has been estimated that on a peak day a total of 10,000 L of sewage will be generated by the development.

19.11.6 In summary, Mr Casimaty has concluded that:

- The proposal does deliver an appropriate level of protection for human health and the environment, although additional contingency, should the cable car tanks not be available, should be developed and detailed in a management plan.
- The proposed odour management solution is sufficient under normal operating conditions, but the proposal does not address abnormal operating conditions, including those arising from a longer than expected holding period or when transferring sewage from holding tanks to transportation tanks. Additional odour management strategies for these conditions will need to be

demonstrated.

- There has been no consideration of odour occurring at the base station during transfer to the base station system, although it is noted these provisions do not apply to the base station.
- Subclauses (d) and (e) under the performance criterion are not relevant as there is no reliance on onsite wastewater management.

19.11.7 Additionally, it is noted that while the proposal does not address noise during transfer to sewage, the pumps are likely to generate noise similar to the existing pumping operation of the public toilet facilities at The Pinnacle. However, this occurs every few days rather than every day.

19.11.8 Subject to conditions addressing contingency management and additional odour management strategies, the proposal satisfies the performance criterion under section S2.6, Issue 7, P7.7.

19.12 **Section S2.6, Issue 8: Car parking, P8.1**

19.12.1 The acceptable solution at A8.1 requires that use and development does not require car parking.

19.12.2 The proposal incorporates uses other than Transport Depot and Distribution in the pinnacle building and the application assumes that some visitors to the pinnacle centre will arrive by private vehicle. Additionally, there will be onsite employees for non-cableway uses in the pinnacle centre that may drive rather than arrive by cableway. As a result, it is considered that the use and development does require car parking.

19.12.3 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.12.4 The performance criterion at P8.1 states:

> *Car parking is to be provided to meet the needs of a development, and is determined by taking into account:*
>
> *(a) the nature, number and size of vehicles associated with the proposed use or development;*
> *(b) the location and nature of other uses or developments in the vicinity;*
> *(c) the effect of any hazards identified in the site or other site constraints in reducing parking opportunities;*

(d) the possibility for sharing spaces with other developments; and

(e) the car parking needs of people likely to utilise the particular use or development.

19.12.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Ross Mannering, an expert traffic engineer. His assessment is available at ***Attachment D***.

19.12.6 Mr Mannering is of the opinion that some uses in the pinnacle centre will generate parking demand additional to what currently exists. Furthermore, that the facilities are likely to encourage longer stays. However, given the potential reduction in vehicles due to the cableway, on balance the existing parking is considered adequate and will be self-regulating.

19.12.7 The proposal satisfies the performance criterion at section S2.6, Issue 8, P8.1.

19.13 **Section S2.6, Issue 9: Building design, P9.1**

19.13.1 The acceptable solution at A9.1 provides for a maximum building height of 3.5 m and one storey.

19.13.2 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.13.3 The performance criterion at clause P9.1 states:

For any building greater than 3.5m in height it must be shown that the building will not visually intrude into the landscape in relation to:

(a) Local natural and environmental features;

(b) Views from either the Pinnacle or elsewhere in the Park, and

(c) Views from settled areas of Hobart and suburbs through the preparation of a Visual Impact Analysis conducted by a suitably qualified person.

Any building design must give consideration to the Wellington Park Infrastructure and Design Guidelines.

19.13.4 An assessment of the proposal against this performance criterion has

been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***.

19.13.5 The proposed pinnacle centre will have a building height generally ranging between 11 metres and 12 metres above natural ground level. Heights are not, however, clearly dimensioned on the plans. It has a total of 5 levels, although due to the staggering of building forms, the building is not 5 storeys at any point.

19.13.6 Visual intrusion primarily arises from the degree of visual contrast or the building's compatibility with visual features in the landscape.

19.13.7 From some viewpoints, the pinnacle centre settles relatively well into the landscape. It is, however, still a significant form that introduces strong horizontal lines and squared building forms. From the South Wellington ranges, including the top of the Ice House track and Zig Zag track and from The Springs, the building is viewed in cross section or profile and views are close enough to be able to clearly distinguish the slightly larger more uniform visual elements of the built form over the natural geological formations. From The Springs, the building intrudes upon the skyline.

19.13.8 While effort has been made to reduce visual intrusion, overall the pinnacle centre building will still visually intrude into the landscape in relation to views from within the Park and to natural and environmental features.

19.13.9 The proposal does not satisfy the performance criterion at section S2.6, Issue 9, P9.1.

19.14 **Section S2.6, Issue 9: Building size, P9.2**

19.14.1 The acceptable solution at A9.2 provides for a maximum floor area of 100 m^2.

19.14.2 The proposed pinnacle centre will have a floor area of 3,147m^2. The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.14.3 The performance criterion at P9.2 states:

> *Any proposal for a building of more than 100m^2 in floor area is to show that the building will not:*
>
> *(a) Cause visual intrusion,*

(b) Require infrastructure that cannot be provided in accordance with the infrastructure provision standards, or

(c) Be a dominant element in the landscape through the preparation of a Visual Impact Analysis conducted by a suitably qualified person.

19.14.4 An assessment of the proposal against this performance criterion has been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***.

19.14.5 The assessment by Mr Goss has identified that from the assessed views in the supporting documentation (***Attachment S***) the proposed pinnacle centre breaks the skyline from lower viewing positions within the Park. This is a result of the proximity of the building to the ridgeline to the west and the distance of the proposed structure from the Organ Pipes (i.e. it is sited in front of the observation shelter and car park).

19.14.6 It is acknowledged that the proposed siting below the observation shelter does reduces impact on the skyline when viewed from more distant locations outside the Park. However, by pulling the structure forward, the angle of view from closer viewpoints in the Park, such as The Springs, results in the building protruding above the skyline formed by the natural geological and topographical features.

19.14.7 Mr Goss identifies that the building will be perceivable as a dominant visual focus in contrast to the natural scenic characteristics. Given that visual intrusion is highly influenced by the degree of contrast, it can be concluded that there will be visual intrusion.

19.14.8 Ultimately the challenge for the proposal in meeting the performance criteria arises due to the size of the building proposed. It is significantly greater than the permitted floor area under the acceptable solution. As outlined above it is 3,147 m^2 in floor area, and its building footprint (including external decking areas) would be 2,180 m^2.

19.14.9 While the degree of departure from the acceptable solution is not in itself a reason to refuse this application, the Management Plan considers a much smaller building to be appropriate to the area[9]. Indeed the objective of this standard is 'to ensure that buildings are of a size and dimension that fits in with the overall nature of low-key development of

[9] The Supreme Court of Tasmania Full Court in *Boland v Clarence City Council [2021] TASFC 5 (29 March 2021)*, ruled that the extent of allowable development under the acceptable solution may be relevant to determining whether the impact is acceptable under the performance criteria. It is not, however, a mandatory consideration.

the Pinnacle'. The proposed building cannot reasonably be described as 'low key'. Ultimately such a large building, once all appropriate viewpoints are considered, gives rise to visual intrusion.

19.14.10 The proposal does satisfy the performance criterion under section S2.6, Issue 9, P9.2

19.15 **Section S2.6, Issue 9: Appearance and lighting, P9.3**

19.15.1 The acceptable solution at A9.3 requires that external walls and roofs have a light reflectance value of less than 10% and that external lighting assists orientation only and is focused towards the ground.

19.15.2 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.15.3 The performance criterion at P9.3 states:

> *The design of buildings and structures is to take into account the unique qualities of the pinnacle area while using innovative and high quality architectural solutions.*
>
> *The colour and materials of external surfaces are to blend with the local environment and the dominant colours of adjoining areas of the Park.*
>
> *Lighting and reflection must be managed to avoid adverse impacts on natural and cultural values.*

19.15.4 An assessment of the proposal against this performance criterion has been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***.

19.15.5 The pinnacle centre has been designed in a way that harmonises with the visual landscape and natural qualities of the site. The detailing of facades with metal cladding and screening transitions to limit angled glazed planes provide detailed articulation. The robust material palette is responsive to the ruggedness of the landscape.

19.15.6 Glint and flare from the building has been addressed via the specification of materials and the variable orientation of glazed planes to reduce large planes of reflective surfaces facing in the same direction.

19.15.7 The moving parts of the cableway where they do occur in The Pinnacle

specific area may be the source of some bedazzlement in certain lighting conditions. This alone is not a significant visual issue where in The Pinnacle specific area, given the similar effects that currently arise from vehicles moving up and down Pinnacle Road in certain sunlight conditions.

19.15.8 In regard to internal artificial lighting, Mr Goss has identified that the architectural drawings refer to uplighting that will be used. This has the potential for light bounce and for the visual presence of ceilings, soffits and the visible underside of surfaces to become prominent in low light conditions or at night.

19.15.9 Presently there is very limited artificial lighting in the Pinnacle area at night-time. Apart from security lighting near the public toilets, buildings and pathways remain unlit. The degree of darkness is a key component of the night-time sightseeing experience expressed in the Park's recreational and tourism values. However, the performance criterion is focused on natural and cultural values only, and in that regard it is considered that the matter is resolvable by way of condition, so that lighting is pointed to the ground and reflection managed with:

- all external lighting installed with adaptive lighting control
- all lighting fully shielded with no direct line of sight to the light source
- all lighting using reduced short wavelength light sources
- lighting designed by a suitably qualified lighting professional.

19.15.10 Subject to condition, the proposal is considered to satisfy the performance criterion at section S2.6, Issue 9, P9.3.

19.16 **Section S2.6, Issue 10: Building siting, P10.1**

19.16.1 There is no acceptable solution for this standard. Assessment under the performance criterion is relied on.

19.16.2 The performance criterion at P10.1 states:

> *Proposals for buildings facing on to or directly visible from the Pinnacle Road must show that there will be no diminution of values of the site either during the construction of the building or in its use and operation.*
>
> *Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same*

size and location) in prominent locations visible from within or outside of the Park, or in areas identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to avoid, remedy or mitigate any loss of visual values through the inclusion of a Visual Impact Analysis conducted by a suitably qualified person.

19.16.3 An assessment of the proposal against this performance criterion has been undertaken by Mr Chris Goss, a visual impact expert. His assessment is available at ***Attachment I***.

19.16.4 The proposed pinnacle centre will be visible from Pinnacle Road at various point on the drive up and from adjacent to the car park areas. The building is also located in an area of high visual sensitivity.

19.16.5 The site chosen for the pinnacle centre, while potentially understandable as a way to reduce distant view impacts, is a challenging area. Located forward of the pinnacle car park area and the existing observation shelter, from closer views the site is in proximity of the Organ Pipes area. Not only is the Organ Pipes a significant natural and cultural feature in the Park, it has significant visual landscape and scenic values for the broader Hobart area. Additionally, there is an absence of any building infrastructure forward of the observation shelter. As Mr Goss states:

The Organ Pipes are a defining geological characteristic of kunanyi/Mount Wellington. This landscape proves a challenging context to site a building. The driver to separate visually from the Organ Pipes is paramount whilst it is also imperative to remain below the skyline.

19.16.6 Due to the scale, line contrast and visual effects, the pinnacle centre will diminish the values of the site and cause a loss of visual values that has been insufficiently remedied or mitigated. Additionally, the contiguous relationship between the pinnacle centre, Tower 3, the continual motion of the cable mechanism, and the periodic arrival/departure of cable cars extends the visual impact further forward and conflates the landscape values of areas inside the Pinnacle specific area with those outside.

19.16.7 The proposal does not satisfy the performance criterion at section S2.6, Issue 10, P10.1.

19.17 **Section S2.6, Issue 11: Noise, P11.1**

19.17.1 The acceptable solution at A11.1 requires that noise from sources must

not exceed 50 dB(A) at any point within 50 m of the source.

19.17.2 Based on the noise assessment provided with the application (***Attachment AA***) the proposal exceeds this noise level.

19.17.3 The acceptable solution is therefore not satisfied; assessment under the performance criterion is relied on.

19.17.4 The performance criterion at clause P11.1 states:

> *Noisy activities which could have an adverse effect on the quiet enjoyment of natural and cultural values must be avoided or remedied to prevent any loss of acoustic amenity in the Park.*

19.17.5 An assessment of the proposal against this performance criterion has been undertaken by Mr Darren Tardio, an acoustic impact expert. His assessment is available at ***Attachment H***.

19.17.6 The existing background noise levels in the Park were identified in the Noise assessment undertaken for the applicant. These were less than 25 dB(A) L_{eq} at night and 44 dB(A) L_{eq} during the day.

19.17.7 The assessment by Mr Tardio has identified that to achieve the performance criterion, being not adversely affecting the quiet enjoyment of the Park, the proposal would need to emit noise levels that were:

- less than 15-20 dB(A) for any operations at night
- less than 34-39 dB(A) for any operations during the day.

19.17.8 The noise assessment undertaken for the applicant has demonstrated that these targets would not be met. Even once an allowance for tolerable noise above the acceptable solution is taken into account, the proposal is still considered to result in noise levels that would not preserve the Park's values.

19.17.9 Additionally, the assessment did not take into account noise generated by non-cableway uses in the pinnacle centre.

19.17.10 The proposal therefore does not satisfy the performance criterion under section S2.6, Issue 11, P11.1.

20. Discussion

20.1 Planning approval is sought for Cableway and Associated Facilities,

Infrastructure and Work, at 100 Pinnacle Road, 30 McRobies Road, and Adjacent Road Reserve, Hobart.

20.2 The application was advertised and received 16,589 representations. The representations raised issues both in support of and against the proposal.

20.3 The proposal requires Council to exercise its discretion to approve the proposed uses. It also relies on 41 performance criteria.

20.4 The proposed cableway use is not considered to be compatible with the objectives of use and development in Wellington Park. While it will increase accessibility for tourism and recreational users, the cableway will not be consistent with the Park's values. In particular, the sense of wildness and remoteness for recreational users, and the Park's cultural landscape values, will be diminished.

20.5 The proposed food services uses in The Pinnacle specific area, due to their nature, scale and intensity, are not considered consistent with the Park's values. They will diminish the sense of wildness and remoteness. Additionally, the restaurant in particular is not considered to provide for tourism and recreational opportunities.

20.6 In regard to the 41 performance criteria that are relied on, the assessment has determined that the application fails to meet 17 of these. Specifically, these are:

- Utilities Zone
  - Clause 28.3.1, Hours of operation, P1
  - Clause 28.3.2, Noise, P1
- Road and Railway Assets Code
  - Clause E5.6.4, Sight distances at accesses, junctions and level crossings, P1
- Biodiversity Code
  - Clause E10.7.1, Clearance and conversion of a biodiversity protection area, P1
- Standards for use and development in Wellington Park
  - Section 8.5.7, Issue 2: Native vegetation, P2.1
  - Section 8.5.7, Issue 2: Threatened species, P2.2
  - Section 8.5.7, Issue 2: Geoheritage, P2.3
  - Section 8.5.7, Issue 5: Visual sensitivity, P5.1
  - Section 8.5.7, Issue 5: Building design and light effects, P5.2
  - Section 8.5.7, Issue 6: Noise, P6.1
- Standards for use and development in the Pinnacle Specific Area
  - Section S2.6, Issue 2: Geoheritage, P2.3
  - Section S2.6, Issue 5: Visual sensitivity, P5.1

- Section S2.6, Issue 6: Regolith, P6.1
- Section S2.6, Issue 9: Building design, P9.1
- Section S2.6, Issue 9: Building size, P9.2
- Section S2.6, Issue 10: Building siting, P10.1
- Section S2.6, Issue 11: Noise, P11.1

20.7 Additionally, the proposal has not provided sufficient information to demonstrate compliance with clause E7.7.1, A3 relating to minor stormwater drainage systems, which has no corresponding performance criterion. This deficiency is not considered resolvable by way of condition.

20.8 Overall, the proposal is not considered to meet all the relevant requirements of the planning scheme and the Management Plan.

20.9 The proposal is therefore recommended for refusal.

21. Conclusion

21.1 The proposed use and development of a Cableway and Associated Facilities, Infrastructure and Work at 100 Pinnacle Road and 30 McRobies Road, South Hobart, is recommended for refusal.

22. Recommendations

That: Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application Cableway and Associated Facilities, Infrastructure and Work at 100 PINNACLE ROAD, 30 MCROBIES ROAD & ADJACENT ROAD RESERVE for the following reasons:

1. The proposed Transport Depot and Distribution use (the cableway) is not consistent with the values of Wellington Park identified in section 8.2 and section S2.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) in that it will diminish the Park's tourism, recreational, cultural and landscape values as a result of its scale, mechanisation and emissions.

2. The proposed Food Services use is not consistent with the values of Wellington Park identified in section 8.2 and section S2.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) in that it will diminish the Park's tourism, recreational and landscape values as a result of its scale, nature and intensity.

3. The proposal does not meet the acceptable solution or performance criterion with respect to clause 28.3.1, A1 or P1 of the *Hobart Interim*

Planning Scheme 2015 as the proposed hours of operation will have an unreasonable impact on the residential amenity of land in the residential zones as a result of noise and other emissions.

4. The proposal does not meet the acceptable solution or performance criterion with respect to clause 28.3.2, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed noise emissions have the potential to cause environmental harm within the Environmental Living and General Residential zones on McRobies Road.

5. The proposal does not meet the acceptable solution or performance criterion with respect to clause E5.6.4, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed sight distances for the access road on to McRobies Road is inadequate and and does not ensure safe movement of vehicles entering the existing roundabout.

6. The proposal does not meet the acceptable solution with respect to clause E7.7.1 A3 as the stormwater from the pinnacle centre will be primarily drained to ground and in a storm event the flows will be greater than pre-existing runoff and there is no corresponding performance criterion.

7. The proposal does not meet the acceptable solution or performance criteria with respect to clause E10.7.1, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed access road from McRobies Road to the boundary of Wellington Park involves the removal of high priority biodiversity values and the mitigation strategies and management measures to retain and improve the remaining high priority biodiversity values are not sufficient as required by subclause (c)(iii).

8. The proposal does not meet the acceptable solution or performance criteria with respect to clause E10.7.1, A1 or P1 of the *Hobart Interim Planning Scheme 2015* as the proposed access road from McRobies Road to the boundary of Wellington Park involves the removal of high priority biodiversity values and special circumstances have not been demonstrated as required by subclause (c)(iv).

9. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 2, P2.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal, due to the clearance associated with the base station, associated bushfire hazard areas and towers 1 and 2, does not avoid or sufficiently remedy the loss of swift parrot habitat values and therefore results in a long-term impact on vegetation values.

10. The proposal does not meet the acceptable solution or performance

criteria with respect to section 8.5.7, Issue 2, P2.2 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal, due to the clearance associated with the base station, associated bushfire hazard areas and towers 1 and 2, does not avoid or sufficiently remedy the loss of swift parrot habitat values and therefore results in a long-term impact on vegetation values.

11. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 2, P2.3 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not avoid or sufficiently remedy adverse impacts on the geoheritage values of geoconservation sites: Organ Pipes Columnar Jointing and Wellington Range Periglacial Terrain as listed under the Tasmanian Geoconservation Database.

12. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 5, P5.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal is not designed and sited to minimise or remedy the loss of visual values and impacts on visual character of the affected area that arise from the proposed cableway (including towers).

13. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 5, P5.2 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not harmonise with the visual landscape and natural qualities of the site in terms of appearance and proportions.

14. The proposal does not meet the acceptable solution or performance criteria with respect to section 8.5.7, Issue 6, P6.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal will generate noise emissions that will have an adverse effect on the quiet enjoyment of the natural and cultural values of kunanyi/Mount Wellington and which are insufficiently remedied.

15. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 2, P2.3 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal does not avoid or sufficiently remedy adverse impacts on the geoheritage values of geoconservation sites: Organ Pipes Columnar Jointing and Wellington Range Periglacial Terrain as listed under the Tasmanian Geoconservation Database.

16. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 5, P5.1 of the *Wellington Park*

Management Plan 2013 (as amended October 2015) as the proposal does not sufficiently mitigate or remedy the loss of visual values and impacts on visual character of the affected area that arise from the proposed pinnacle centre.

17. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 6, P6.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal is not supported by a geotechnical land instability report that sufficiently considers all risks to life and property that will be triggered by the development of the pinnacle centre.

18. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 9, P9.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the pinnacle centre will visually intrude into the landscape in relation to local and natural features and views from the Pinnacle area and elsewhere in the Park.

19. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 9, P9.2 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the pinnacle centre will cause visual intrusion.

20. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 10, P10.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the pinnacle centre will diminish the values of the site and has not been designed or sited sufficiently to remedy or mitigate the loss of visual values.

21. The proposal does not meet the acceptable solution or performance criteria with respect to section S2.6, Issue 11, P11.1 of the *Wellington Park Management Plan 2013* (as amended October 2015) as the proposal will generate noise emissions that will have an adverse effect on the quiet enjoyment of the natural and cultural values of kunanyi/Mount Wellington and which are insufficiently remedied.

(Emma Riley)

Consultant Planner

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

(Neil Noye)
Director City Planning

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 19 July 2021

Attachment(s):

Application referral – Biodiversity assessment

From:	Andrew Welling and Nick Fitzgerald, Enviro-dynamics Pty Ltd
Date completed:	12 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Hobart Interim Planning Scheme 2015

- Clause 29 Environmental Management Zone – applies to access road outside of Wellington Park only.
    - Clause 29.4.3, Design
- Clause E10, Biodiversity Code – applies to access road outside of Wellington Park only and within Environmental Management Zone.
    - Clause E10.7.1 Clearance and conversion of native vegetation

Wellington Park Management Plan 2013 (as amended October 2015)

- Clause 8.5.7 – Standards for activities, use and development in Wellington Park
    - Issue 2: Native vegetation
    - Issue 2: Threatened species
- Clause S2.6 – Standards for activities, use and development within The Pinnacle special area.
    - Issue 2: Native vegetation
    - Issue 2: Threatened species

Assessment:

Hobart Interim Planning Scheme 2015	
Clause 29.4.3, Design	
Objective: To ensure that the location and appearance of buildings and works minimises adverse impact on natural values and on the landscape.	
A1 *The location of buildings and works must comply with any of the following:* *(a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline;* *(b) be located within a building area, if provided on the title;* *(c) be an addition or alteration to an existing building;* (d) *as prescribed in an applicable reserve management plan.*	
Complies with Acceptable Solution (Yes/No)	No
Comment:	Does not meet any of the subclauses
P1 *The location of buildings and works must satisfy all of the following:* *(a) be located in an area requiring the clearing of native vegetation only if:* *(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;* *(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;* *(iii) the location of clearing has the least environmental impact;* *(b) be located on a skyline or ridgeline only if:* *(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;* *(ii) there is no significant impact on the rural landscape;* *(iii) building height is minimised;* *(iv) any screening vegetation is maintained.* *(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.*	

Complies with Performance Criteria (Yes/No)	Yes (in so far as natural value issues are considered)
Comment:	The location of buildings and works must satisfy all subclauses of 29.4.3 P1 (a) to (c) P1(a) requires that the access road is located in an area requiring the clearing of native vegetation if *(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;* *(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;* *(iii) the location of clearing has the least environmental impact;* The supplementary document 'Request for Further Information Clause 5a (b)- -Biodiversity Matters' provided an assessment of alternative access routes to the base station. This report provided a comparison of ecological values of each of the nominated options. All options required some vegetation clearance. The application states that development can achieve minimal clearing for the access road by incorporating the need to minimise vegetation loss into the final design. The extent of clearing appears to be the minimum necessary for the selected route. The application states that 'No alternative alignment linking start and end can avoid the high priority vegetation'. Other options assessed in the supplementary document all avoid impacts to threatened vegetation communities and are likely to avoid potential habitat for *Corunastylis* species. The number of trees with hollows to be cleared for other options was not assessed. Given that some other options utilise existing fire trails, they would require less vegetation removal but not necessarily fewer habitat trees. In summary it is considered that P1(a) under Clause 29.4.3 has been achieved based on the selected route of the access road. P1 (b) is not relevant as the only section of the access road on a ridgeline is in Wellington Park. P1 (c) is not a natural values issue and is therefore not addressed here.

A3 *Fill and excavation must comply with all of the following:* *(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;* *(b) extent is limited to the area required for the construction of buildings and vehicular access.*	
Complies with Acceptable Solution (Yes/No)	No
Comment:	Cut and fill greater than 1 m is required for the access road.
P3 *Fill and excavation must satisfy all of the following:* *(a) there is no adverse impact on natural values;* *(b) does not detract from the landscape character of the area;* *(c) does not impact upon the privacy for adjoining properties;* *(d) does not affect land stability on the lot or adjoining land.*	
Complies with Performance Criteria (Yes/No)	Yes (in so far as natural values are considered)
Comment:	P3 has not been directly addressed in biodiversity documentation provided in the application. P3 (a) requires 'no adverse impact' of fill and excavation on natural values. The proposed road construction in native vegetation on a steep side slope will require considerable fill and excavation works. There are unavoidable impacts on natural values based on the preferred route, including the threatened community DTO (1.6 ha within road footprint) and threatened fauna habitat (trees). In addressing 29.4.3 P1 and E10.7.1 P1, North Barker Ecosystem Services (NBES) states in the Natural Values Assessment report provided as part of the application that local steepening of cut and fill will be used to avoid habitat trees, where possible, thereby reducing the impact on threatened fauna habitat. The number of trees to be avoided by these measures is not known until detailed road design is undertaken.[1] The NBES report (Table 7, p 82) recommends measures to minimise width of road corridor 'including steepening batter' to mitigate impacts on native vegetation. Proposed weed control and revegetation plan may

[1] NBES p 58. Section 4.4.6. *Access Road (HCC & WPMT)* **36** trees in the road corridor are expected to be critically damaged. It was noted that engineering solutions may be able to reduce this number. In particular, at the stage of detailed design for the road there will be opportunity to investigate further opportunities to reduce the total number of trees impacted, mainly through locally steepening of cuts and fills.

	ameliorate potential negative impacts of earthworks on threatened vegetation. Impacts on vegetation from changes to soil profile, drainage and topography are not considered in the application. Taking these measures into account, the unavoidable impact on natural values is minimised. In summary it is considered that P3(a) under Clause 29.4.3 has been achieved. P3 (b) – not a natural values issue, therefore not addressed here. P3 (c) – not a natural values issue, therefore not addressed here. P3 (d) – not a natural values issue, therefore not addressed here.

Hobart Interim Planning Scheme 2015	
Clause E10.7.1 Building and works within a Biodiversity Protection Area	
Objective: To ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.	
A1 *Clearance and conversion or disturbance must comply with one of the following:* *(a) be within a Building Area on a plan of subdivision approved under this planning scheme.* *(b) the development is for a single dwelling on an existing lot within the Low Density Residential Zone, Rural Living Zone or Environmental Living Zone and:* *(i) clearance and conversion or disturbance is confined to Low Priority Biodiversity Values;* *(ii) the area of clearance and conversion is no more than 3,000 m^2;* *(iii) the area of disturbance is no more than 3,000 m^2;* *(c) the development is other than for a single dwelling on an existing lot within the Low Density Residential Zone, Rural Living Zone or Environmental Living Zone and:* *(i) clearance and conversion or disturbance is confined to Low Priority Biodiversity Values;* *(ii) the area of clearance and conversion is no more than 1,000m^2;* (iii) *the area of disturbance is no more than 1,000m^2;*	
Complies with Acceptable Solution (Yes/No)	No

Comment:	The land is not zoned Low Density Residential, Rural Living or Environmental Living and there is no building area of a plan of subdivision.
P1 *Clearance and conversion or disturbance must satisfy the following:* *(a) if low priority biodiversity values:* *(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;* *(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;* *(b) if moderate priority biodiversity values:* *(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;* *(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;* *(iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;* *(c) if high priority biodiversity values:* *(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;* *(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;* *(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;* *(iv) special circumstances exist;*	
Complies with Performance Solution (Yes/No)	No
Comment:	High priority biodiversity values are present in the proposed access road impact area including potential and actual habitat for threatened fauna listed as endangered or vulnerable under the TSPA and a threatened vegetation community listed under the NCA – *Eucalyptus*

	tenuiramis forest and woodland on sediments (DTO). As such the proposal must be assessed against 10.7.1 (c). An estimated 1.6 ha of DTO vegetation will be cleared and potential habitat for two threatened orchid species will be impacted. An estimated 67 potential nesting trees and 7 foraging habitat trees[2] for the swift parrot and 12 potential nesting trees[3] for the masked owl are to be removed. Additional trees with hollows within 50 m of the road were also identified as having the potential to be impacted due to noise from road usage. The proposed access road will create a roadkill risk for threatened fauna species including the Tasmanian devil, eastern quoll, spotted tailed quoll and eastern barred bandicoot. Regarding 10.7.1 P1 (c) (i), based on the selected access road route, measures have been taken to adjust the alignment and maximise road cut and fill slopes to minimise impacts to habitat trees and eastern quoll habitat within the selected corridor. No threatened flora (*Corunastylis* spp.) was located across multiple searches in the impact area. *Corunastylis* orchid species are typically cryptic and respond to a range of environmental conditions, so the species may be present but not apparent. The survey effort undertaken for the assessment is sufficient for the application. The application included a broad analysis of alternative routes between McRobies Road and the proposed base station. Several of the other routes appear to avoid threatened vegetation communities (including DTO) and potential habitat for the threatened *Corunastylis* species. Trees with hollows are likely to be impacted by any route although a comparison of numbers was not provided. The NBES report stated that there were no alternative routes for road access that avoided high priority vegetation and that constraints for maintaining adequate road grades limited the opportunity to avoid all large trees. Based on the selected route of the access road, the development complies with 10.7.1 P1(c) (i) by minimising impacts. If interpreted in a broader context, insufficient analysis is provided on impacts of alternative routes which may minimise impacts on high priority values. 10.7.1 P1 (c) (ii) is not applicable as there are no habitable buildings proposed. In regard to 10.7.1 P1 (c) (iii) mitigation measures include the development of a CEMP to contain impacts to the immediate access road footprint and management of weeds within DTO vegetation around the proposed route to help protect the integrity of the remaining high priority value vegetation surrounding the road.

[2] NBES p 83.
[3] NBES p 84.

	Other mitigation measures proposed to offset loss of values include the development of a Roadkill Mitigation Plan to minimise impacts of roadkill on threatened mammals and a habitat enhancement plan, proposed to mitigate impacts on tree hollows for threatened fauna species. Remediation for loss of a threatened vegetation community (1.6 ha of DTO community within the Biodiversity Protection Area) is not proposed in the NBES report. The report suggested that an offsite offset for loss of the threatened vegetation community and other values was not justified if appropriate mitigation were implemented (i.e. minimising width of footprint and revegetating roadsides). The Roadkill Mitigation Plan is likely to minimise the impacts on threatened fauna species, provided it is fully implemented and maintained. The effectiveness of the measures will need ongoing monitoring. The habitat enhancement proposal outlined in the NBES report does not specify an offset multiplier for trees to be removed, a location for installation of replacement hollows or an ongoing monitoring program to determine effectiveness of boxes. It also does not specify how artificial hollows will be maintained and replaced to provide a long-term offset or how to prevent use by non-target species. In addition, the method to assess the number of suitable hollows to be impacted and to be mitigated (to be determined when trees are felled and on the ground) may not provide a true indication of the resource, as hollows are likely to be damaged when trees are felled and the context of the hollows in terms of perch location, aspect etc is difficult to ascertain. No offset for the loss of foraging trees for the swift parrot is provided. The lack of this detail in the submitted plan means it does not provide a sufficient mitigation measure for the loss of significant habitat for the swift parrot and masked owl. Regarding 10.7.1 P1 (c) (iv) the proposal does not comply with any of the special circumstances relating to natural values. I understand the social and community economic benefit has been addressed separately. In summary, it is considered that in relation to the matters within my expertise, clause 10.7.1, P1(c) is not satisfied. If the application was to be approved the following conditions are considered necessary: • A Construction Environmental Management Plan to be developed and implemented for all works within HCC land to limit adverse impacts (e.g. erosion, sedimentation, vegetation disturbance) to the development site and avoid impacts on threatened DTO

	community, habitat for threatened *Corunastylis* spp. and habitat for swift parrot and masked owl. • A Vegetation Management Plan to be developed covering remediation, revegetation and ongoing management and monitoring, including weed control, to minimise impacts on the DTO community. • A Habitat Replacement Plan to be developed covering the assessment of impacted tree hollow habitat. Impacted hollows to include trees within the identified 50 m buffer from the road that may be impacted by noise. The plan should also include an offset multiplier, the location for installation of replacement hollows, ongoing monitoring of effectiveness of hollows, long-term maintenance plan for hollows to maintain effectiveness and a detailed costing for maintenance including an outline of responsibilities. • Roadkill Mitigation Plan is finalised, implemented and maintained.

Wellington Park Management Plan 2013	
Section 8.5.7, Issue 2: Flora and Fauna Conservation, Geoconservation and Natural processes – Applies to all of proposal except for pinnacle centre.	
Objective: To conserve flora, fauna, geological and geomorphological values, and to protect natural processes.	
A2.1 Native Vegetation *The proposal does not involve removal or damage to terrestrial or aquatic native vegetation which:* *(a) is listed as significant in this Management Plan, or any planning strategy or Trust endorsed scientific assessment prepared in accordance with this Management Plan; or is a Threatened Vegetation Community under the Nature Conservation Act 2002.* (b) *supports or forms habitat for any species of fauna listed in the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999.*	
Complies with Acceptable Solution (Yes/No)	No
Comment:	The proposal involves the removal of native vegetation that is listed as threatened as well as native vegetation that supports habitat for threatened species.

P2.1 Native Vegetation *Any adverse affects [sic] on terrestrial or aquatic native vegetation or habitat values must be avoided, or remedied to ensure no long term impact on vegetation values.*	
Complies with Performance Criteria (Yes/No)	No
Comment:	The section of proposed access road within Wellington Park and the majority of the base station and car park are located on existing cleared land and as such avoids adverse impacts on vegetation because no clearing of native vegetation is required. A small area of vegetation (0.53 ha) around the car park and base station and the area for towers 1 and 2 is to be cleared. This comprises three non-threatened vegetation communities (*Eucalyptus obliqua* dry forest - DOB, *E. obliqua* forest with broad-leaf shrubs - WOB, *E. globulus* wet forest - WGL), noting that WGL (0.15 ha) is classed as 'significant vegetation' under the *Wellington Park Management Plan 2013*. The cableway footprint from the base station to towers 1 and 2 requires removal or pruning of 20 habitat trees (possibly more[4]). Additionally, the base station is subject to a Bushfire Hazard Management Plan, which requires clearing of non-threatened native vegetation (0.37 ha of WOB) and 23 habitat trees downslope of the development site to create low fuel conditions. The habitat values of the vegetation include potential foraging and nesting habitat for the swift parrot (*Lathamus discolor*) and potential nesting habitat for the masked owl (*Tyto novaehollandiae castanops*). Operational impacts may also cause additional disturbance to potential nesting trees adjacent to towers 1 and 2, the base station and access road[5]. The impacts of the base station, towers 1 and 2 and the access on native vegetation and habitat values are required to be avoided or remedied under P2.1 to ensure no long-term impacts. No direct remedy is provided for the loss of the vegetation communities (0.66 ha WOB, 0.15 ha WGL or 0.09 ha DOB) outside the mature conservation value trees. The overall impact on these communities is very small in absolute area and in relation to the areas

[4] NBES p 50 re towers 1 and 2 'The risk of tree fall threatening the stability of towers may need to be determined to understand whether surrounding trees would be considered a hazard. If this were the case, then the scale of impact could be significantly larger.'

[5] NBES p i re impacts on nesting trees 'the operational impacts will result in ongoing disturbance which will reduce the suitability of nearby trees for nesting.'

	of the communities that occur within Wellington Park. As such there will be very limited long-term impacts on the vegetation communities. The proposal provides remedies for the loss of nesting habitat for the swift parrot and masked owl, in the form of a hollow replacement program. The NBES report outlines methods for creating artificial hollows to replace those lost by removal or pruning of mature trees. The methodology outlined in the NBES report does not specify an offset multiplier, a location for installation of replacement hollows or ongoing monitoring of effectiveness and maintenance and replacement of artificial hollows to provide a long-term offset for the removal of the tree hollows and to prevent use by non-target species. In addition, the method to assess the number of suitable hollows (to be determined when trees are felled and on the ground) may not provide a true indication of the resource as hollows are likely to be damaged when the trees are felled and the context of the hollows in terms of perch location, aspect etc is difficult to ascertain. There is also insufficient evidence about the long-term use/value of artificial hollows for swift parrots to be sure that the proposed habitat replacement plan will be effective in mitigating the loss of habitat. The lack of this detail in the submitted plan means the plan does not demonstrate a long-term remedy for the loss in its current form. The proposed remedy for loss of swift parrot foraging habitat (listed as 30 *Eucalyptus globulus* trees[6]) under the application, is to plant 50 *E. globulus* seedlings at 5 m spacing on cleared land in Wellington Park near the proposed base station. The planting of trees to compensate for the removal of foraging habitat is a generally accepted remedial action. The stated offset ratio of 1.7:1 (based on the replacement of 30 trees with 50 trees) represents a low offset ratio. Offset ratios are designed to compensate for factors such as mortality, time lag and habitat quality differences in replacing mature natural habitat with substitute habitat. Planted *E. globulus* will take several decades to reach a size comparable with the trees that have been removed. The 5 m spacing between trees is minimal for foraging habitat, which improves in quality with crown size. The 'Guidelines for the use of Biodiversity Offsets' (Southern Tasmanian Councils Authority 2013) does not provide guidance on offset ratios for threatened species habitat but does suggest a range of 3:1 to 5:1 for threatened vegetation communities. While the proposed remedy under the application for the loss of this value does not ensure no long-term impact on foraging habitat, it is

[6] NBES p 74 'The footprint of the development (within Wellington Park) is expected to result in the loss of 30 potential foraging trees for the swift parrot.'

	recognised that the loss of the foraging habitat as a result of the development will not lead to a long-term impact on the swift parrot. Compliance with the Management Plan for the loss of foraging habitat is likely to be achieved if the offset ratio and area to be replanted is increased. However, this cannot be dealt with by way of condition as it is likely to change the 'development site' for the purposes of the application. Vegetation clearance for the temporary installation net (0.01ha *E. coccifera* forest and woodland - DCO) and Tower 3 (0.01ha eastern alpine heathland - HHE) is very limited. Clearance for the net will be temporary and the area can be rehabilitated. If approved, a remediation plan should also be in place to ensure revegetation and rehabilitation of any damaged vegetation by temporary works. No remedy has been provided for loss of vegetation for Tower 3. Loss of this small area of vegetation will not be significant for the vegetation community within Wellington Park and is unlikely to have a long-term impact on this value. A Construction Environmental Management Plan may be effective in ensuring adverse impacts (e.g. sedimentation, vegetation disturbance) are contained to the development sites to avoid impacts on vegetation outside the development. The CEMP can include the installation of exclusion fences to provide protection for retained habitat trees.
A2.2 Threatened Species *The proposal does not impact upon any threatened species listed under the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999.*	
Complies with Acceptable Solution (Yes/No)	No
Comment:	The proposal impacts on threatened species listed under both acts.
P2.2 Threatened Species *Any adverse effects on nationally or State listed rare, threatened or endangered species, communities or habitats must be avoided or remedied to ensure no long term impact on vegetation values.*	
Complies with Performance Criteria (Yes/No)	No
Comment:	The impacts of the base station, towers 1 to 3, the temporary installation net and the access road on threatened species have been identified in the NBES report. Impacts include potential increased risk of native animal collision with vehicles, increased strike (collision) risk

	to the swift parrot, masked owl and wedge-tailed eagle (*Aquila audax* ssp. *fleayi* with buildings and infrastructure, and impacts on silky snail habitat (*Exquisitiropa agnewi*) and montane violet (*Viola curtisiae*) associated with Tower 3 and the temporary installation net. Assessment of the impacts on foraging and nesting habitat for the swift parrot and masked owl are outlined under P2.1 as a habitat value. However, assessment also applies under P2.2 as an impact to a nationally and State listed threatened species. The NBES report identified an increased risk of native animals being killed as a result of the construction of the access road[7]. The listed threatened species at risk include the Tasmanian devil (*Sarcophilis harrisii*), eastern quoll (*Dasyurus viverrinus*), spotted tail quoll (*Dasyurus maculatus*) and to a lesser extent the eastern barred bandicoot (*Perameles gunnii* gunnii) and raptors (including the masked owl, grey goshawk (*Accipiter novaehollandiae*) and the Tasmanian wedge-tailed eagle. A Roadkill Risk Report and Draft Roadkill Mitigation Plan has been developed for the access road which provides measures to minimise roadkill. Implementation of the Roadkill Mitigation Plan will help to reduce the impact of the development on species at risk and minimise long-term impacts on threatened fauna species. Bird strike with the base station and cables between the base station and Tower 3 for the swift parrot, masked owl and wedge-tailed eagle are identified in the NBES reports as a risk. The Collision Risk Report proposes to reduce risks through design and mitigation measures. The proposed base station has screening on windows on the platform level and therefore presents a low risk of collision. Large windows on office level have no through sight but may reflect the adjacent bush and represent a low to moderate strike risk. This risk can be reduced through mitigation measures. The collision risk with the cables for the wedge-tailed eagle and masked owl are proposed to be minimised through a range of methods outlined in the Collision Risk Report. Implementation of the measures will help to reduce the impacts of the development on species at risk and long-term impacts on threatened fauna species. The use of the Pinnacle Road to access the development was identified as a potential roadkill risk to threatened mammals (Tasmanian devil, eastern quoll and spotted tailed quoll). Traffic movement to the pinnacle centre is modelled as reducing because of the development. If the modelling is correct, any increase in roadkill risk will be limited. The Draft Mitigation Plan provides strategies to

[7] NBES Roadkill Risk Report, p 2 'The proposed construction of a new access road increases the risk of native animals being killed by collisions with vehicles, during both the construction and operation of the proposed development.'

	mitigate increased risk to Tasmanian devil and quoll species. Provided all recommendations are implemented, the risk to threatened fauna for traffic movements to the summit can be reduced. The NBES report determined that there is a moderate risk of collision with cables between towers 2 and 3 for the wedge-tailed eagle based largely on the location of the cables close to the Organ Pipes. There is limited information about the flight patterns of eagles around the mountain or more broadly in relation to foraging or flying around other similar landscape features. The report recognises that there is a strike risk posed by cables (based on collisions with power line infrastructure); however, based on the diameter of the cables and bundling, the cables should be visible to eagles. The Collision Risk Report (NBES) outlines several monitoring and modification measures to reduce the risk of collision for species such as the swift parrot, wedge-tailed eagle and masked owl. If fully implemented, measures such as installing line markers will reduce the threat to the wedge-tailed eagle and the masked owl to avoid long-term impacts. It should be noted that line marking may increase the visibility of the cables. The risk of interaction between wedge-tailed eagles and helicopters to be used during construction was also identified in the NBES report as a potential impact. The level of risk was not assessed due to a lack of information in regard to flight paths. However, a helicopter use plan is proposed to be developed which specifies routes and includes procedures to minimise risk of interactions with wedge-tailed eagles. Recent (2019-20) helicopter use on the mountain for the upgrade of the Organ Pipes track, which involved hundreds of flights, reported no approaches or interactions with eagles. This indicates that the risk to wedge-tailed eagles from helicopter use is likely to be limited provided minimisation measures are implemented. A small area of habitat for the silky snail will be impacted by Tower 3 and the temporary installation net. The NBES assessment suggests impacts on the area of silky snail habitat will be minor and without long-term adverse impact on the species due to the small footprint of disturbance. The impacts of Tower 3 on montane violet plants can be avoided by fencing off nearby plants. Compliance with P2.2 of the Management Plan can be achieved regarding collision risk and roadkill risk for threatened fauna species and impacts to the silky snail and montane violet, provided the proposed remedy measures are implemented. A CEMP can include the installation of exclusion fences to provide protection for montane violet (*Viola curtisiae*) plants and silky snail habitat outside the development footprint for Tower 3 and the temporary installation net.

	However, the proposal is not deemed to achieve compliance with P2.2 under clause 8.5.7 of the Management Plan due to insufficient evidence of remedying the impacts on nesting hollows and foraging habitat for the swift parrot and masked owl to ensure no long-term impacts (refer to P2.1 for further rationale).

Wellington Park Management Plan 2013	
Section S2.6, Issue 2: Flora and Fauna Conservation, Geoconservation and Natural processes – Applies to pinnacle centre	
Objective: To conserve flora, fauna, geological and geomorphological values, and to protect natural processes.	
A2.1 Native Vegetation *The proposal does not involve removal or damage to terrestrial or aquatic native vegetation which:* *(a) is listed as significant in this Management Plan, or any planning strategy or Trust endorsed scientific assessment prepared in accordance with this Management Plan; or is a Threatened Vegetation Community under the Nature Conservation Act 2002.* *(b) supports or forms habitat for any species of fauna listed in the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999.*	
Complies with Acceptable Solution (Yes/No)	No
Comment:	Proposal requires removal of a significant vegetation community and threatened flora species.
P2.1 Native Vegetation *Any adverse affects [sic] on terrestrial or aquatic native vegetation or habitat values must be avoided, or remedied to ensure no long term impact on vegetation values.*	
Complies with Performance Criteria (Yes/No)	Yes
Comment:	Clearance of 4330 m^2 of eastern alpine heathland (HHE) is proposed for the pinnacle centre within the disturbance footprint (including a 2 m buffer for bushfire and construction activities). This community is not listed as threatened under the *Nature Conservation Act 2002* but is considered to be significant under the *Wellington Park Management Plan 2013*. An estimated 480 m^2 of vegetation has been identified as being capable of rehabilitation following the completion of the centre.

	It is noted that the area to be disturbed includes a disturbance buffer of 2 m around the development. This buffer width seems minimal for construction purposes, and it is likely that some native vegetation outside the buffer will be impacted. The proposal does not avoid long-term impacts on the estimated 3,850 m^2 of HHE vegetation and therefore requires remedying to comply with P2.1 of the Management Plan. Proposed remedying of impacts include revegetation of 480 m^2 of HHE vegetation following construction and development of a rooftop garden. The impact on the HHE community is small in absolute area and in relation to the area of community that occurs within Wellington Park. As such there will be very limited long-term impacts on the vegetation value.
A2.2 Threatened Species *The proposal does not impact upon any threatened species listed under the Threatened Species Protection Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999.*	
Complies with Acceptable Solution (Yes/No)	No
Comment:	The proposal impacts on threatened species listed under both acts.
P2.2 Threatened Species *Any adverse effects on nationally or State listed rare, threatened or endangered species, communities or habitats must be avoided or remedied to ensure no long term impact on vegetation values.*	
Complies with Performance Criteria (Yes/No)	Yes
Comment:	The pinnacle centre construction will impact on the threatened montane violet (*Viola curtisiae*). The pinnacle centre was also identified as a potential collision/strike risk for threatened bird species. The NBES report identifies the area of montane violet to be impacted as 370 m^2 out of a 570 m^2 patch. This impact is characterised in the NBES report as not significant in terms of the conservation of the species[8] and estimated to be <10% of the population within HCC reserved land. This figure has been derived without broader surveys of the local pinnacle area and more widely, so there is some difficulty in

[8] NBES p 54 Section 4.3 'Viola curtisiae is a tiny herb only recently confirmed from Mt Wellington, being previously thought to be confined to Mt Field. Recent surveys have shown it to be widespread across several widely dispersed locations across the Wellington Range. One patch plus scattered smaller patches are intersected by the Pinnacle Centre. It is likely that targeted surveys in the vicinity would identify many more patches in the Pinnacle area. The scale of impact is not significant in terms of the conservation of the species.'

	verifying the percentage. The overall scale of impact on the montane violet is also unclear, with insufficient context of how the population and habitat to be impacted compared with the extent of the species and habitat quality in the local pinnacle area and more widely. The recent discovery of additional populations of this species in multiple sites around Great Lake in the Central Highlands (not recorded in the NBES report) broadens the known distribution and population size of the species. These additional populations reduce the percentage of the population that will be impacted by the development on a broad scale. Remedial measures proposed in the NBES report include the translocation of plants to the proposed roof top garden and the development of a CEMP. Growing/translocating threatened flora in gardens is not equivalent to conservation of natural populations, or translocation to natural environments. However, in this case the suggested garden translocation is in situ and therefore would allow for dispersal and gene flow with natural populations with consequent benefits for the species, if successful. Successful planting of the species in the rooftop garden would contribute to the remediation of impacts from the development. However, the NBES report acknowledges that the chances of success of translocation are unknown. Compliance can be achieved for impacts on the montane violet subject to additional information about scale of impact and implementation of adequate remediation. Bird strike risk of the pinnacle centre was identified as relatively low, although the risk associated with the proposed glass walkway is higher. The pinnacle centre is unlikely to pose a risk to threatened bird species, as there is low likelihood of such species being present on the summit (predominantly swift parrots).

Commentary on conditions

If the proposal was to be approved several conditions are considered necessary as follows:

- A Construction Environmental Management Plan to be developed and implemented for all works to limit adverse impacts (e.g. erosion, sedimentation, vegetation disturbance) to the development site and avoid impacts on vegetation outside the development footprint. This should include installation of exclusion fences around the edge of the development footprint and around threatened flora species during construction.
- A Vegetation Management Plan to be developed and implemented covering remediation, revegetation and ongoing management of the HHE communities around the development footprint.
- Provide additional information about the scale of impacts on montane violet within the pinnacle area and on a broader statewide basis (likely to be required for a Threatened Species

Protection Act (TSPA) permit) and develop a translocation plan, with long-term monitoring, maintenance and costings for the proposed rooftop garden.

- Obtain a permit to take under TSPA for impacts to montane violet.
- Finalisation and implementation of the Roadkill Mitigation Plan.
- Implementation of the Collision Risk Report recommendations.

Commentary on the application of the *Environment Protection and Biodiversity Conservation Act 1999*

The development will have an impact on matters of National Environment Significance listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) – impacts on the critically endangered swift parrot. Any action that will have or is likely to have a significant impact on any of the matters of National Environmental Significance (threatened fauna species) must be referred under the EPBC Act. The purpose of a referral is to determine whether the action will need formal assessment and approval under the EPBC Act. The referral will be the principal basis for the minister's decision as to whether approval is necessary and, if so, the type of assessment that will be undertaken. If the minister decides that an action requires approval, then an environmental assessment of the action must be carried out. After considering an environmental assessment report, the Australian Government Environment Minister decides whether to approve the action, and what conditions (if any) to impose.

The assessment of the proposal (NBES) concluded that there will be no significant impacts to the wedge-tailed eagle, Tasmanian devil, spotted tailed quoll or eastern quoll.

The proposal will impact a significant number of mature trees that provide potential foraging and nesting habitat for the critically endangered swift parrot and potential nesting habitat for the masked owl. Based on this impact, the development will be referred under the EPBC Act.

NBES has concluded that:

> *It is unlikely that the project will have a significant impact upon matters of national environmental significance that would trigger the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBCA).*

Proposed mitigation for loss of habitat

The development will be referred to the Commonwealth and assessed based on referral form and information provided in biodiversity reports. Impacts to be included in the referral:

- Loss of 91 potential nesting trees – proposed to mitigate with artificial hollows – success of mitigation method unknown.
- Loss of 37 potential foraging trees – proposed to be mitigated by plantings – may not be sufficient number or area.
- Loss of additional nesting hollows from cable car operation disturbance – not quantified.
- Loss of additional nesting hollows from road use to base station – not quantified.
- Potential additional trees to be removed for safety around towers 1 and 2 – not quantified.

- Minor strike risk of base station.

Measures proposed by proponent to remedy long-term impacts include replacement of foraging habitat through revegetation, installation of artificial hollows, and screening of windows in base station to mitigate strike risk.

Assessment of whether impacts on habitat can be mitigated through hollow replacement measures and revegetation to avoid significant impacts should consider accurate assessment of the number of suitable hollows to be impacted (prior to felling trees) and effectiveness of artificial hollows as nesting sites for species affected. In addition, a suitable hollow offset multiplier should be stipulated, the location for installation of replacement hollows identified, and requirements stipulated for ongoing monitoring of effectiveness of hollows and long-term maintenance to achieve no long-term impact on the habitat values.

If deemed a controlled action under the EPBC Act, the Commonwealth can approve with conditions.

Application referral – Economic and community benefits assessment

From:	Ellen Witte, SGS Economics and Planning
Date completed:	28 June 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Hobart Interim Planning Scheme 2013

- Clause E10.7.1, P1 as follows:

  P1
  Clearance and conversion or disturbance must satisfy the following:
  (a) *….*
  (b) *….*
  (c) *if high priority biodiversity values:*

  (i) *development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;*

  (ii) *impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;*

  (iii) *remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;*

  (iv) *special circumstances exist;*

  Special circumstances is defined under Clause E10.3 as:

  means particular circumstances associated with the proposed use or development that justify loss of high priority biodiversity values. Special circumstances are considered to exist if one or more of the following apply:

  (a) ***the use or development will result in significant long term social or economic community benefits and there is no feasible alternative location;***

  (b) *ongoing management cannot ensure the survival of the high priority biodiversity values on the site and there is little potential for recruitment or for long term persistence;*

(c) the development is located on an existing lot within the Low Density Residential, Rural Living or Environmental Living Zone and is for a single dwelling and/or associated residential outbuildings or works;

Assessment:

My assessment is contained in the separately attached report at Appendix A.

Appendix A

Review – Special Circumstances Test for Hobart Cable Car Proposal

Review – Special Circumstances Test for Hobart Cable Car Proposal

City of Hobart

28 | 06 | 2021

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Contents

1. Peer Review Scope and Objective

SGS undertook a peer review of documents to establish the special circumstances test in relation to biodiversity values is achieved.

Part of the proposed cable car development is within a high priority biodiversity area. Development within these areas is restricted to protect the biodiversity values.

The Planning Scheme provides for a way to accept loss of high biodiversity values in cases where special circumstances can be demonstrated to exist.

This peer review assesses whether the information submitted by the applicant is sufficient to demonstrate that the special circumstances test relevant to Clause E10.7.1, P1(c) has been met.

The City of Hobart commissioned SGS, as an economics and planning expert, to provide this peer review.

1.1 Structure of the Report

This report has the following structure:

- Section 2: Planning Scheme requirements
  - Interpretation of special circumstances test
- Section 3: Methodological assessment:
  - Description of appropriate methodology to assess 'social or economic community benefit'
- Section 4: Assessment of evidence for significant social and economic benefit
- Section 5: Conclusions
  - Is evidence appropriate and sufficient to assess the social and economic community benefit?
  - Is the benefit significant?
  - Is an alternative location feasible?

1.2 Expert author

Ellen Witte

BSocSc(Geo), MA International Eco and Geo

Principal & Partner SGS Economics & Planning

Ellen is an economist and human geographer. Ellen has worked across Australia and internationally.

Ellen has over 20 years of experience in consultancy. She has extensive experience in governance, social, environmental and economic impact assessments, financial feasibility studies, cost benefit analyses and strategic assessments of facilities and land use projects.

Ellen has advanced skills and experience in strategic policy advice and governance, including strategic planning, business case development and funding arrangements. Other key competences are strategic communication, workshop facilitation and consultation.

She has undertaken a number of market appraisal and financial feasibility studies for development projects for private developers and partnerships between State agencies and local governments.

She has extensive experience with local government reform throughout Australia. She is an experienced project manager and has successfully led various multidisciplinary teams.

She is the lead force behind the annual release of the national Rental Affordability Index, in partnership with National Shelter and the Brotherhood of St Lawrence.

Her areas of expertise include:

- Governance and reform
- Business cases and feasibility studies (CBAs and EIAs)
- Climate change adaptation
- Local government reform
- Social and affordable housing
- Social enterprise business planning
- Strategic planning
- Precinct planning

2. Planning Scheme requirements

This section summarises the requirements under the Hobart Interim Planning Scheme 2015 (HIPS) to which this peer review refers.

2.1 High Priority Biodiversity Values

Part of the proposed cable car development is within a high priority biodiversity area. Vegetation clearance within these areas is restricted to protect the biodiversity values.

Development	Biodiversity Value Priority (North Barker Ecosystem Services, 2021, p. 70).
Access Road	High
Base Station	High
Pinnacle Centre & Tower 3	Low
Towers 1 & 2	Moderate
Temporary Net Installation	Low

The Planning Scheme provides for a way to accept loss of high priority biodiversity values in cases where special circumstances can be demonstrated to exist.

2.2 Special circumstances clause Clause E10.7.1, P1(c)

Under the Biodiversity Code of the HIPS, the relevant development standards is clause E10.7.1 Buildings and Works.

The objective of the Biodiversity Code is:

> *To ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.*

Requirements

If the proposed works are in an area of high priority biodiversity values, clearance and disturbance must satisfy the following:

- (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
- (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;

- (iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;
- **(iv) special circumstances exist**.

Special circumstances are defined by HIPS and involve particular circumstances associated with the proposed use or development that justify loss of high priority biodiversity values. Special circumstances are considered to exist if one or more of the following apply:

a) **the use or development will result in significant long term social or economic community benefits and there is no feasible alternative location**;
b) ongoing management cannot ensure the survival of the high priority biodiversity values on the site and there is little potential for recruitment or for long term persistence;
c) the development is located on an existing lot within the Low Density Residential, Rural Living or Environmental Living Zone and is for a single dwelling and/or associated residential outbuildings or works; (HIPS 2015)

Relevant to this assessment is a).

3. Methodological assessment

In order to demonstrate that special circumstances exist, the project proponents need to demonstrate that:

- the use or development will result in **significant long term social or economic community benefits** and there is **no feasible alternative location**.

This means that the proposed cable car should at least generate a net benefit to the community, that is, a situation where the benefits outweigh the costs. As is commonly adopted across Australia, Cost Benefit Analysis is the appropriate method to assess and weigh the costs and benefits of a proposed project across the lifetime of the investment.

Endorsed guidelines and best practice approaches to CBAs are clearly described in Treasury guidelines in Victoria and NSW, Department of Prime Minister and Cabinet (federal) and Infrastructure Australia.

The documentation provided by the project proponent as evidence to demonstrate special circumstances exist, consist of:

- Strategy 42 South (2016), Mount Wellington Cable Car: Economic Impact
- MWCC (2020), Community Benefits

Neither document follows an endorsed CBA or any endorsed approach for project evaluation. CBAs require alternatives to be considered. The documents do not consider alternatives to the proposed location of the cable car.

3.1 Characteristics of CBA

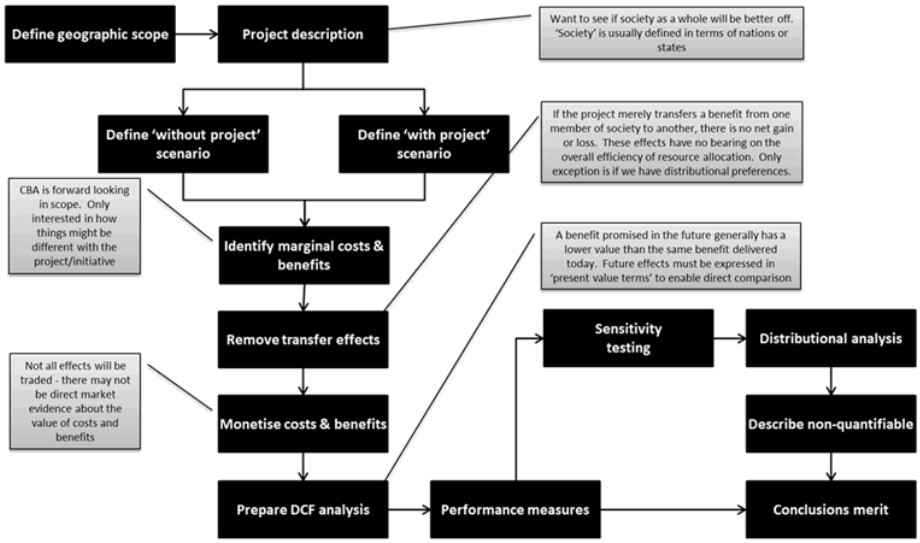
The aim of CBA is to measure whether the project or initiative in question will make society as a whole better off, compared to what would have happened without the project (i.e. the kunanyi Cable Car).

A CBA is undertaken from a community perspective and considers all impacts on community welfare, whether priced or unpriced in a market. The CBA is an effective tool to assess the merit of proposed projects, investment decisions or management approaches. A CBA:

- Recognises that the world is not static. That is, even under the status quo (or do-nothing scenario) certain costs and benefits arise
- It takes a society wide perspective
- It includes the gamut of economic, social and community costs and benefits.

The methodology adopted for the CBA is summarised in Figure 1.

FIGURE 1: COST BENEFIT ANALYSIS FRAMEWORK



The methodology first involves defining and describing the project and study area. Scenarios are then developed to describe the consequences of doing nothing (i.e. no kunanyi Cable Car) in comparison to a situation with the redevelopment. For these scenarios, a range of costs and benefits are identified and quantified. These costs and benefits are then compared utilising discounted cashflow analysis (DCF). DCF involves comparing all the costs and benefits over time, with future costs and benefits discounted (converted) to today's dollar values. The DCF produces performance measures which allow the project to be considered in terms of the scale of benefits generated in comparison the costs.

As per CBA guidance provided by Infrastructure Australia, CBA should be undertaken over the economic life of the asset (around 30 years for the Mount Willington Cable Car project), with future financial and economic, environmental and social flows discounted to present values using a discount rate of seven percent. A project case (or multiple project options) should be developed and considered against a counterfactual scenario, or 'base case', which would model a no build scenario. This approach would highlight whether the net welfare impact of the project would be positive or negative, as well as inform actions or steps which may be implemented to maximise project benefits and mitigate or minimise adverse impacts. Modelling multiple project options would demonstrate that a range of possibilities have been considered to maximise net welfare impacts while simultaneously reducing financial and non-financial risks.

CBA also allows for the integration of costs and benefits that cannot (easily) be monetised, and this may include things as 'loss of spiritual and/or cultural connection to Country for Indigenous people' or 'loss of life' or 'loss of biodiversity values'.

A range of further analyses are performed to test the sensitivity and equity of the results or distributional analysis (i.e.- who benefits and who bares the cost?). Costs and benefits that could not be monetised are considered and combined with the quantified performance measures (often using multi-

criteria analysis), before a final conclusion on the merit of the project is given, based on whether the project option increases the overall welfare of the community.

CBA is the appropriate method for demonstrating whether a project, and in this case the proposed cable car project, meets the special circumstances test.

3.2 Characteristics of EIA

An EIA differs from CBA in that it provides no judgement on the overall benefit of the project in comparison to the costs. EIA does not assess the merits of a project; rather, it traces how project construction and operation influences overall economic activity levels within a defined region over time: it measures the net economic impacts of the upstream and downstream transactions that are induced.

One of the most robust methods to quantify upstream and downstream project construction and operational impacts is via a **Computable General Equilibrium (CGE)** model, which models the economic inter relationships occurring between major regional industry groups.

An alternate method to quantify impacts is via **an input-output model (I-O).** Input output analysis is a simplified method for simulating the impact of a 'shock' – both positive and negative - on a regional economy. It represents a static economy where production functions are assumed to be constant and markets adjust instantly with no capacity constraints. This typically results in an overestimate of the impact. Nevertheless, input output analysis is a well-recognised and accepted method for making rapid assessments of economic impacts.

CGE modelling is considered superior to I-O modelling as it captures structural adjustments brought about by large projects and it recognises that labour and capital are finite; it models a constrained economy with scarcity of resources. More, specifically, the limitations of IO modelling are:

- The I-O model assumes relationships between industries are static over the forecast period. That is, productivity improvements are not factored in and historic relationships are assumed to hold.
- The I-O model derives relationships between industries using total production estimates. Consequently, the relationships are 'average', whereas the stimulus used as an input is 'marginal'. Such an approach does not account for any 'underutilised capacity' at the industry level or additional economies of scale that might ensue, as production expands from its existing base.
- All the stimuli (direct impacts) are assumed to be 'new' economic activities for each regional economy. That is, crowding out or industry substitution effects are assumed to be negligible, meaning that key economic inputs such as labour and capital are assumed to be unconstrained, i.e. there is sufficient slack in the economy to service these stimuli without transferring significant resources from other productive uses. It also means that the activities that are promoted by the subject project do not adversely affect operations elsewhere.

A CGE model should be calibrated to provide outputs at a region-specific context. For example, if a project is likely to have a State-wide impact, the CGE model should report Gross State Product (GSP), Gross Value Added (GVA) at the State level, and full-time equivalent (FTE) job impacts at the State level.

While superior to IO modelling, CGE is also more costly to undertake. As a rule of thumb. CGE modelling is the preferred method especially for larger investments, if about $100 million and over.

Given the capital outlay of the project, IO modelling is an appropriate method to model economic impacts of the proposed cable car. However, economic impact modelling is not a sufficient and suitable type of analysis to meet the requirements of the special circumstances test. CBA is the appropriate method.

An EIA does not consider broader market and non-market factors which should be considered as part of infrastructure and policy decision making. In particular, an EIA provides no judgement on the overall benefit of the project in comparison to the costs, and only traces how expenditure within one industry affects overall economic activity levels over time via the net impacts of the upstream and downstream transactions that are induced.

4. Assessment of social and economic benefits

This section summarises findings from the review of the *Mount Wellington Cable Car: Economic Impact report (2016)* (Economic Impact report) prepared by Strategy 42 South, and the *Mount Wellington Cable Car: Community Benefits report (2020)* (Community Benefits report) prepared by the Mount Wellington Cableway Company.

4.1 Mount Wellington Cable Car: Economic Impact report

Review limitations

Parts of the Economic Impact report are redacted, including commercial-in-confidence modelling parameters (inputs) and components of the outputs. Consequently, SGS's review focuses on the methodology, key assumptions and does not critique the full range of modelling parameters. The review also does not involve a rerun of modelling.

Review findings

Economic framework adopted for analysis

Section 3 provided the recommendations that EIA is not a suitable or sufficient method to assess whether the special circumstances text has been met.

Economic Impact Assessment methodology

Definition of the base case

There is an implied base case but it is not explicitly articulated. The base case appears to assume a future without a cable (and not for instance a future with another innovative travel mode onto kunanyi). This is a reasonable assumption.

Timeframe

Since an EIA was adopted rather than CBA, no discounted cash flow analysis was undertaken based on a lifecycle of the infrastructure. Annual operating impacts are reported and assumed stable over time.

Consideration of alternative location

The report does not give consideration to the proposed location of the cable car infrastructure and also does not consider potential alternative locations.

Assumptions, limitations and quantification methods

One of the limitations of IO modelling is its possible overstating of impacts. It is therefore important to adopt conservative assumptions as part of the modelling. The report does take a conservative approach.

There are two broad limitations that undermine the EIA, and a number of more specific issues. The two broad limitations are: the EIA is five years old and costs and assumptions have not been updated, and key economic assumptions and results have been made unreadable. It is uncommon for these inputs and results to be obscured[1], making it hard to assess and sense check the validity of the results.

Aspects of the I-O modelling framework are that reflect a conservative and appropriate, are:

- Construction costs for the cable car are excluded from the IO analysis. Typically, capital costs are reflected as direct impacts within an EIA, and the expenditure is modelled to stimulate economic activity via upstream and downstream linkages. Omission of capital costs from IO modelling is therefore conservative from the perspective of an EIA.
- The benchmarking exercise using case studies of cable cars elsewhere to determine tourism multipliers is suitable in the absence of specific local data[2].
- The assessment models marginal impacts only, stemming from two user groups; 1) visitation from mountain bike enthusiasts, and 2) an extra night of accommodation and expenditure associated with 'free and independent' travellers who do are not confined to a pre-determined departure date.
- Transfer effects are captured for Tasmanian residents. For example, the multiplier for Tasmanian's is 1.0, which fully accounts for displacement effects as indirect gains are offset by a loss of spending on other activities.
- Mount Wellington Cable Car patronage is modelled to remain stable following year 1 of operation. This is likely to be conservative, as patronage would increase approximately proportionate to growing tourism levels in the Greater Hobart region.
- Local expenditure associated with induced visitation is consistent with the Tasmanian tourism average daily expenditure.

Although aspects of the I-O modelling framework are conservative and appropriate, there are some broad assumptions and uncertainties with the framework. These include:

- Transfer effects (displaced expenditure) are not captured for free and independent travellers or for wholesale visitors (cruise ship and bulk tourism). This is a shortfall, as expenditure associated with the cable car would likely be spent elsewhere in the local economy (at least to some extent) in the absence of the cable car, for example, at museums, local cafes, wineries, etc. This effect is particularly likely for cruise ship visitors:

[1] Personally, I have never encountered an EIA as part of a planning approval process where key assumptions and results were obscured under the argument of Confidential in Confidence.
[2] There is no comparable example project in the Greater Hobart area to draw assumptions and model inputs from in relation to induced tourism spending.

- The report notes that there is potential for average cruise ship visitor expenditure to increase without displacing other spending in Hobart and surrounds. Cruise ship visits are often brief, with passengers having little time within the Hobart region. Consequently, SGS is of the view that displacement/transfer effects are very likely for cruise ship visitors, therefore, modelled impacts from cruise ship visitors may be overstated.

- It is assumed that between five to ten percent of interstate and international Mount Wellington Cable Car passengers will stay an additional night in Tasmania because of the cable car. This assumption is underpinned by 'industry experience', which is not articulated or referenced.
- Within the modelling, one of the key tourism channels driving demand for the Mount Wellington Cable Car is the cruise ship industry. Prior to COVID-19, this was the fastest growing tourism market segment in Tasmania. However, in the current tourism climate this demand has significantly reduced and its recovery is not yet understood. That should have been noted.
- Latent demand for mountain biking enthusiasts is noted as the major pull factor within the report and potentially overstated:
  - Mountain bike demand forecasts were prepared by Dirt Art, a specialist consultancy focussing on trail-based design and consultancy services including feasibility studies. Only 10 percent of mountain biking enthusiasts are modelled to be local residents, with the remaining 90 percent expected to be made up of visitors. Increasing competition in Victoria and New South Wales pose a threat to the accuracy of this assumption. These states both have established alpine resorts with numerous lifts providing access to a diverse range of trails.
  - Given Hobart's accommodation is effectively full during peak seasons and major festivals, the clearest opportunity for the Mount Wellington Cable Car to create pull factor is in other seasons, particularly winter according to the report. Potential visitor interest levels in mountain biking in Hobart during this time of the year is unclear and not established within the report.
  - It is unclear how mountain bikers would connect to mountain bike trails on the mountain. There do not appear to be suitable trails from the summit of kunanyi. Therefore, it appears the EIA implicitly assumes public money to be spent on connecting the trails network to the summit. It does not comment on the cost and/or permissibility of such development. In addition, mountain bike users would primarily be attracted to tracks on kunanyi, not by the availability of cable car infrastructure. This further undermines assumptions about demand that would be induced by the cable car.
- As alluded to earlier, one of the limitations of IO modelling is its possible overstating of impacts. The report states that several limitations of I-O modelling are largely avoided. This includes the limitation relating to 'scarcity of resources' – the report notes, "it is arguable that the current employment situation in southern Tasmania… is not overly tight – and there is a pool of available labour to absorb the jobs." While this statement may have been valid at the time of reporting in 2016, the current situation is very different, as there is a shortage within the current Tasmanian construction market.[3] The proponent estimates that there will be up to 200 jobs on the ground during the construction period. This will squeeze construction labour resources, which are necessary to deliver the State's public and private construction pipeline. This includes projects such

[3] The Examiner, Construction sector eyes looming Tasmania workforce shortage with 7000 jobs required, April 2021

as Bridgewater Bridge, the largest ever investment in a single transport infrastructure project in Tasmania's history.[4] This point does not have substantial consequences for the outcomes of the EIA, as the construction phase impacts were omitted due to limited supply of data relating to capital expenditure and uncertainty about suitable construction sector multipliers in light of many physical inputs being sourced from interstate or overseas (e.g. cableway and gondola products).

The report concludes that the economic impact of the Mount Wellington Cable Car will be around $64 million in year 1, and between $79 million and $100 million for each year thereafter. However, because some demand forecasting assumptions are not clearly defined, and transfer effects are not wholly captured for free and independent travellers, mountain bikers or wholesale visitors these results are likely to overstate the economic impacts during the operational stage.

4.2 Mount Wellington Cable Car: Community Benefits report

The Community Benefits report lists a broad range of environmental, social and economic benefits that may be generated by the cable car. The report does not provide a CBA , and is not in line with any endorsed investment evaluation and assessment methodology. A CBA is the effective method that would enable to determine whether the requirements of the special circumstances test are met.

In addition, the report does not provide due consideration of costs, transfer effects, the likely magnitude of certain impacts, sensitivity of costs and benefits to changing external situations, or the quantitative distribution of these impacts on the community.

Definition of the base case

There is an implied base case but it is not explicitly articulated. The base case appears to assume a future without a cable (and not for instance a future with another innovative travel mode onto kunanyi). This is a reasonable assumption.

Timeframe

The benefits report does not appear to consider a particular timeframe (such as for instance 20 years which is often used in infrastructure investment assessments). No discounted cash flow analysis is undertaken and there is no assumption or application of a discount rate.

Consideration of alternative location

The report does not give consideration to the proposed location of the cable car infrastructure and also does not consider potential alternative locations.

Assumptions, limitations and quantification methods

Misalignment of the Community Benefits report against standard infrastructure project evaluation includes:

- The report does not describe a 'base case' against the 'project case'. While some impacts are discussed within the context of no change (e.g. traffic demand on Pinnacle Road), a quantitative assessment of costs and benefits is not presented consistently throughout the report. Thus, the

[4] Tasmania Department of State Growth website, accessed 2021

report cannot be relied upon to demonstrate that the project will result in a net community benefit compared to the base case.

- Some of the reported benefits are not benefits but rather 'transfer effects'. The term transfer effect refers to the potential for a project or policy to transfer of cost or benefits from one location, firm or group to another, without creating any net impacts. For example, the report suggests additional visits by tourist to the kunanyi/Mt Wellington will be a benefit. However, this may overlook the possibility that a share of additional visit to the kunanyi/Mt Wellington will be at the expense of visitation to existing tourist, retail or recreational activities.
- The report omits capital and operational costs. While the proponent has stated that they will meet these costs in full with no requirement for public funding, these costs should still be captured in a CBA. The CBA should then also contain a distributional analysis to capture the net impacts to stakeholders, the community and affected groups/entities. These costs would then be reported under the project proponent.

  As per the report title, the report evaluates benefits only, and largely omits consideration of adverse welfare impacts (referred to as costs within CBA). In this regard, the report presents as an advocacy tool, rather than a robust evaluation of net impacts. Where welfare costs are identified, the commentary is light and often presented as negligible, which may be counter to community sentiment and government guidance relating to project evaluation. Obviously missing costs are:

  - Impacts on natural values and biodiversity
  - The impact on the cultural and spiritual value of kunanyi to Indigenous people
  - Impacts on the aesthetic and intrinsic value of kunanyi to the Grater Hobart community
  - Impacts of the infrastructure on the experience of walkers, cyclists and visitors on the tracks of kunanyi (sense of place, sense of being in an unspoilt environment)

There are valuation methods to capture intangible cultural, social and environmental values. Given the active community responses (opposing and supporting the cable car), these values should be considered. The fact that the cable car appears to lead to divisiveness in the community could possibly be considered as a cost by itself.

Costs and benefits that should be considered (not limited to) in a comprehensive CBA are outlined in Table 1. This draws upon benefits articulated in the Community Benefits report and costs that SGS considers are likely to be associated with the Mount Wellington Cable Car project.

TABLE 1. CBA LIKELY COSTS AND BENEFITS TO BE CONSIDERED

Costs	Benefits
– Construction costs: materials, labour, nuisance – Operating costs over the appraisal period – Unknown financial viability of project, and risks this creates for other parties (inc landowners and managers)	– Increase in consumer surpluses of visitors and residents from use of cable car (measured through the additional willingness to pay in time and money for experience over an alternative use of their time) – Increased tourism expenditure in Tasmania

– Visual impacts of the cable car and summit facilities, including loss of intrinsic value of 'high value landscape – Cultural and spiritual impacts – Ecological impacts – Adverse impacts on the experience of tracks and trails as being natural and undisturbed – Opportunity cost of the land (including privatisation of public land) – Traffic impacts and management costs on roads leading to the base station – Costs of any new tracks and trails to accommodate cable car patrons on mountain – Brand damage for Hobart and Tasmania (this may be a benefit)	– Reduced traffic impacts and road maintenance Pinnacle Rd (if traffic is reduced) – Improved fire safety (fire road access upgrade) – Educational and cultural benefits through signages and interpretation

- A CBA also should include a distributional analysis to demonstrate whether a project is equitable to different stakeholders. This considers how the costs and benefits are distributed among stakeholders in the community. The distributional analysis should identify the extent to which risks (what if venture is not financially sustainable?) and costs are borne by those who benefit. This analysis is required to demonstrate the equitability of the project. In case of uneven costs and benefits, there is a case to require compensation or mitigation measures to be included.
- A CBA should include a sensitivity analysis to test the robustness of the investment proposal. A sensitivity analysis tests how the costs, benefits and net results change in case external circumstances change. At least it should test the consequences of higher than expected development costs and lower than expected (induced) demand for the cable car.

5. Recommendation

In order to demonstrate that special circumstances exist, the project proponent needs to demonstrate that:

- the use or development will result in **significant long term social or economic community benefits** and there is **no feasible alternative location**.

This means that the proposed cable car should at least generate a net benefit to the community, that is, a situation where the benefits outweigh the costs. As is commonly adopted across Australia, Cost Benefit Analysis is the appropriate method to assess the costs and benefits of a proposed project across the lifetime of the investment.

Endorsed guidelines and best practice approaches for CBAs are clearly described in Treasury guidelines in Victoria and NSW, Department of Prime Minister and Cabinet (federal) and Infrastructure Australia.

The evidence provided by the project proponent does not follows an endorsed CBA or any endorsed approach for project evaluation. CBAs require alternatives to be considered. The documents do not consider alternatives to the proposed location of the cable car.

5.1 Conclusion

Based on the evidence provided, it has not been demonstrated that the cable car project will result in **significant long term social or economic community benefits.**

In addition, **no alternative locations** have been considered in either report[5].

5.2 Recommendation

The proposed works in the high priority biodiversity values area have not been demonstrated to meet the special circumstances test.

[5] It is understood that alternative options were considered by an ecology specialist in a sperate report.

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From:	Ross Mannering, Pitt and Sherry
Date completed:	7 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Hobart Interim Planning Scheme 2015

- Clause E5.0, Road and Railway Assets Code – applies to the proposed new access road onto McRobies Road:
    - Clause E5.5.1, Existing road accesses and junctions
    - Clause E5.6.2, Road access and junctions
    - Clause E5.6.4, Sight distance at access, junctions and level crossings.
    -
- Clause E6.0, Parking and Access Code – applies to the proposed new access road from McRobies Road intersection through to the boundary of Wellington Park:
    - Clause E6.6.1, Number of car parking spaces
    - Clause E6.6.2, Number of accessible car parking spaces
    - Clause E6.6.3, Number of motorcycle parking spaces
    - Clause E6.6.4, Number of bicycle parking spaces
    - Clause E6.7.1, Number of vehicular accesses
    - Clause E6.7.2, Design of vehicular accesses
    - Clause E6.7.3, Vehicular passing areas along an access
    - Clause E6.7.4, On-site turning
    - Clause E6.7.5, Layout of parking areas
    - Clause E6.7.6, Surface treatment of parking areas
    - Clause E6.7.7 Lighting of Parking Areas
    - Clause E6.7.9, Design of motorcycle parking areas
    - Clause E6.7.10, Design of bicycle parking areas
    - Clause E6.7.13, Facilities for commercial vehicles
    - Clause E6.7.14, Access to a road.

Wellington Park Management Plan 2013:

- Issue 8, Car Parking and Access – (a) Car Parking Provision
- Issue 8, Car parking and Access – (b) Car Park & Access Design

Overview

The development application has been assessed in accordance with the provisions of the *Hobart Interim Planning Scheme 2015* and the *Wellington Park Management Plan 2013*. Specifically, the assessment has focused on assessment of the proposed development against the Road and Railway Assets Code and the Parking and Access Code of the *Hobart Interim Planning Scheme 2015* and Issue 8 of the *Wellington Park Management Plan 2013* that relates to the provision and design of car parking.

The documents reviewed as part of the assessment include but were not limited to:

- Mount Wellington Cable Car South Hobart Base Station Traffic Impact Assessment, May 2021
- 100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart – Cableway and Associated Facilities, Infrastructure and Works Response to Council RFI, September 2019
- Mount Wellington Cable Car: Economic Impact, May 2016
- Mount Wellington Cable Car Development Application (Planning Report), May 2021
- Engineering drawings – Access road civil – received 7 August 2020
- Architectural drawings – Base station – received 7 August 2020
- Architectural drawings – Pinnacle building – received 12 Jun 2019.

It should be noted that the traffic impact assessment submitted with the development application only considers the base station, and a separate traffic impact assessment has not been provided for the pinnacle centre component of the development.

Traffic generation

Due to the absence of industry-recognised guidance regarding the potential traffic generation and parking demand for cableways, the traffic impact assessment takes a first principles approach to the calculation of traffic generation and parking demand to assess traffic and parking impacts. This approach results in the assessment depending on a number of factors, including:

- the estimated number of customers that would use the cableway
- the percentage of customers that would arrive by bus or coach
- the percentage of customers that would arrive by private vehicle or taxi
- the number of people carried by each bus or car
- the potential variance in customer usage throughout the day and year
- the estimated duration of each visit (i.e. how long a vehicle may be parked for).

The traffic impact assessment estimates peak traffic generation of 611 vehicles per day based on the following parameters:

- 546,336 customers per year
- 40% of customers arriving by bus with an occupancy of 24 people
- 60% of customers arriving by car with an occupancy of 3.2 people
- a 50/50 directional split between inbound and outbound traffic movements.

The traffic impact assessment estimates the peak hour traffic volumes based on hourly flow multipliers determined from patronage data from two similar developments: Scenic World in the Blue

Mountains, and Table Mountain Aerial Cableway in Cape Town. Hourly flow multipliers and hourly volumes are provided for the following periods:

- weekday summer average
- weekend summer average
- weekday winter average
- weekday winter average.

The peak hourly traffic generation is estimated to be 109 vehicles per hour between 11.00 am and 12.00 pm on an average summer weekend.

From the information provided with the development application, presumably due to the desire to protect commercially sensitive information, it is not possible to verify the accuracy of the estimated number of customers per year or that the hourly flow multipliers reflect the use of the Blue Mountains and Table Mountain cableways. However, assuming that those numbers are correct, the approach adopted to calculate the daily and peak traffic generation of the proposed development is sound, noting there are some minor errors in Table 1 of the traffic impact assessment. Corrected figures are provided in the table below.

Total forecast customers	395,623	470,979	546,336
Customers by bus	158,249	188,392	218,534
Customers by car	237,374	282,588	327,802
People per bus	55	31	24
People per car	3.4	3.3	3.2
Total per bus	2,877	5,991	9,106
Total per car	69,816	86,127	102,438
Total per year	72,693	92,118	111,544
Total trips (two way)	398	505	611

Traffic impacts

The traffic impact assessment considers the impacts of the estimated traffic generation on Cascade Road and also comments on McRobies Road, Degraves Street and Apsley Street. It is noted that the traffic impact assessment gives minimal consideration to Degraves Street and Apsley Street, as it appears the traffic impact assessment has not been updated since the applicant removed previously proposed modifications to the connection of McRobies Road to Cascade Road from the scope of the development.

The traffic impact assessment provides commentary on the impact of the traffic generation on Cascade Road and indicates that the increase in traffic volumes can be accommodated by Cascade Road. In particular it notes there is minimal impact during the weekday commuter peak periods. Based on the estimated hourly traffic generation, it is agreed that the proposed development will not have an undesirable impact on the traffic operation of Cascade Road.

While the traffic impact assessment discusses the traffic impacts on Cascade Road and briefly McRobies Road, it should be noted that due to the precedent set by the case Hobart Progress Association v Hobart City Council and S Giameos [2017] TASRMPAT 5, the traffic impacts of the proposed development can only be assessed on McRobies Road under the *Hobart Interim Planning Scheme* and not Degraves Street, Aspley Street or Cascade Road, as it is only the impacts of the proposed development on the frontage road (McRobies Road) that are assessable.

The Tasmanian Local Government Road Hierarchy included in Appendix C indicates that local access roads should typically carry between 50 and 1000 vehicles per day and link roads should carry between 1000 and 3000 vehicles per day. As McRobies Road is the sole access to the McRobies Gully Waste Management Centre it is considered that McRobies Road has a functional purpose that cannot be directly assigned to either a 'local access' or 'link' classification.

The Roads and Traffic Authority (now Roads and Maritime Service) Guide to Traffic Generating Developments includes guidance regarding the environmental capacity of roads based on peak hour volumes, where environmental capacity is considered to be a measure of the impact on residential amenity. The Guide indicates that the environmental goal for a local street is 200 vehicles per hour with a recommended maximum of 300 vehicles per hour. For collector streets the Guide indicates an environmental goal of 300 vehicles per hour and a maximum of 500 vehicles per hour.

Considering both the daily and peak hourly volumes that would result from the proposed development as well as the existing functionality of McRobies Road, it is considered that McRobies Road has sufficient capacity to accommodate the proposed development. It is also considered that the McRobies Road roundabout will have adequate capacity to cater for the additional traffic using the roundabout.

Both Degraves Street and Apsley Street are wide enough to cater for the vehicle types that will be generated by the proposed development. However, because both these roads are used for local access, and they already carry approximately 1,100 vehicles per day, which exceeds the recommended traffic volume for a local access road, the increase in traffic volumes by up to 611 vehicles per day is considered undesirable. However, as indicated previously, these impacts are not grounds for refusal under the planning scheme.

The traffic impact assessment indicates that the proposed development would result in a reduction of 445 vehicular trips per day on Mount Wellington access roads. While the exact reduction in traffic volumes is difficult to estimate, it is considered that a significant reduction is likely, which is advantageous given the insufficient width of Pillinger Drive and Pinnacle Road along with the relatively high crash history. Given the challenges of widening Pillinger Drive and Pinnacle Road, reducing the traffic volumes on these roads is considered desirable from a road safety perspective.

Sight distance

The sight distance for the base station access road has been assessed in accordance with clause E5.6.4 of the planning scheme and has been identified as not complying with the acceptable solution in the north-west direction (towards the McRobies Gully Waste Management Centre access road). A significant contributing factor to the available sight distance is the inappropriate angle at which the base station access road connects to the existing roundabout. As Figure E5.1 of the planning scheme is for T-junction arrangements, the planning scheme does not adequately consider sight distance requirements at roundabouts. Therefore, an assessment has been undertaken of the available sight distance in accordance with the requirements of the Austroads Guide to Road Design Part 4B: Roundabouts. While the proposed arrangement is considered to comply with two of the three sight distance criteria outlined in the Austroads Guide, the available sight distance is considered likely to lead to safety issues. Therefore, it is recommended that the design of the base station access road connection to the McRobies Road roundabout be modified to comply with the requirements of the Austroads Guide, which would improve the available sight distance. Further discussion about the available sight distance is provided in the detailed assessment provided below for clause E5.6.4.

Base station site access road

The base station site access road has been designed in accordance with the Local Government Association of Tasmania (LGAT) Standard Drawings for rural roads. The road cross-section consists of a single 3.0 m lane in each direction, with a 0.4 m sealed shoulder and a verge of 0.5 m which is widened to 1.0 m where a safety barrier is required. While the grade on some sections of the road is relatively steep, the cross-sectional, horizontal and vertical geometry is considered adequate for the anticipated traffic volumes and vehicle composition.

McRobies Road roundabout

The site access road has been connected to the McRobies Road roundabout without significant modification to the roundabout geometry. This design approach results in the geometry of the connection not complying with the requirements of the Austroads Guide to Road Design Part 4B: Roundabouts. A turning path assessment undertaken based on the existing proposal indicates that it would not be possible for a service vehicle such as a garbage truck to turn left from the base station access road into the McRobies Gully Waste Management Centre, and it would instead be necessary for the vehicle to perform a right turn to circulate the roundabout. Turning paths are provided in Appendix B.

While compliance with the Austroads Guide is not a requirement of the planning scheme, it is recommended that the design be modified to comply, as the currently proposed arrangement is considered likely to result in road safety issues.

Parking

Based on a use class of 'Transport Depot and Distribution' for the base station, the required parking supply for the base station is estimated to be 30 spaces. The proposed development exceeds this requirement by providing:

- 52 car parking spaces
- 6 mini bus parking spaces

- 3 bus/coach parking spaces
- a lay off zone for drop-off and pick-up.

The parking provision has been justified using a similar first principles approach to that used to estimate the traffic generation. To determine the parking demand, the traffic impact assessment assumes that approximately 43 vehicles per hour will be seeking a parking space. This is based on the peak hourly weekend traffic generation for summer and winter of 109 and 81 vehicles per hour respectively and assuming that, of the vehicles, 2 are buses and up to 10 are drop-off vehicles. Based on a turnaround time of approximately one hour, consisting of a 14 minute cable car journey up Mount Wellington, 30 minute stay on the summit and 14 minute return trip, the parking accumulation is estimated to be 55 spaces allowing for parking manoeuvring, ticketing, lining up and visiting the gift shop. Based on the first principles approach, the proposed parking supply is considered to be adequate, noting that like the traffic generation it is highly dependent on the estimated total number of customers per year, the percentage of buses and light vehicles and vehicle occupancy.

The design of the car park at the base station has been assessed as compliant with AS2890.1.

Use class Transport Depot and Distribution does not require the provision of bicycle parking under the provisions of the planning scheme. Despite this, 20 Class 3 bicycle parking spaces are provided at the base station. While the proposed bicycle parking provision is expected to be adequate, it is recommended that at least one Class 1 or 2 bicycle parking facility be provided to cater for employees who may wish to ride their bike to work.

Provisions for both motorcycle parking and accessible parking comply with the requirements of the planning scheme.

As indicated above, the traffic impact assessment provided with the development application only considers the base station and does not consider parking demand at the Pinnacle. Based on the proposed uses in the pinnacle centre, it is considered likely that some parking demand will be generated, particularly for the restaurant, bar and café. This demand is predominantly expected to be from local residents who use the cableway once and then choose to travel to the Pinnacle subsequent times by vehicle. Due to the shelter provided and the other uses in the pinnacle centre, people using the car parking at the Pinnacle are expected to stay longer relative to current arrangements. While the change in parking demand is difficult to estimate due to the reduction in traffic on the mountain access roads, it is likely that the existing parking provisions at the Pinnacle would be able to cater for the resulting parking demand.

Summary

While the first principles approach taken to the traffic impact assessment is necessary due to the nature of the development, the resulting dependency on a large number of assumptions results in an element of risk when considering the assessment findings. McRobies Road and Cascade Road will be able to accommodate the traffic expected to be generated by the proposed development. However, the increase in traffic volumes on Degraves Street and Apsley Street is undesirable due to their existing local access function. It is noted that the traffic impacts on Degraves Street and Apsley Street are not grounds for refusal due to the precedents set by Tribunal decisions.

The design of the base station access road is appropriate from a cross-section, horizontal and vertical alignment perspective. However, the design of the connection to the McRobies Road

roundabout is poor and likely to result in safety issues if retained in its current form. Modifying the design to comply with Austroads requirements would also improve the available sight distance.

Parking provisions are considered to be adequate, noting that like the traffic generation, the parking demand depends on the number of customers, percentage use of buses and cars, and vehicle occupancy.

Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.	
A3 *The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.*	
Complies with AS (Yes/No/N/A)	No
Comment	Daily traffic movements will increase by more than 20%
P3 *Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:* *(a) the increase in traffic caused by the use;* *(b) the nature of the traffic generated by the use;* *(c) the nature of the road;* *(d) the speed limit and traffic flow of the road;* *(e) any alternative access to a road;* *(f) the need for the use;* *(g) any traffic impact assessment; and* *(h) any written advice received from the road authority.*	
Complies with PC (Yes/No/N/A)	Yes

Comment:	The daily traffic generation for the proposed development during the summer period is 609 vehicles per day and the peak hour volume is 109 vehicles per hour between 11 am and 12 pm. With the proposed development, traffic volumes on McRobies Road could be expected to increase to in the order of 1,900 vehicles per day and the peak hourly volume could be expected to increase to 270 vehicles per hour. The Tasmanian Local Government Road Hierarchy included in Appendix C indicates that local access roads should typically carry between 50 and 1,000 vehicles per day and link roads should carry between 1,000 and 3,000 vehicles per day. As McRobies Road is the sole access to the McRobies Gully Waste Management Centre it is considered that McRobies Road has a functional purpose that cannot be directly assigned to either the local access or link classification. The Roads and Traffic Authority (now Roads and Maritime Service) Guide to Traffic Generating Developments includes guidance regarding the environmental capacity of roads based on peak hour volumes, where environmental capacity is considered to be a measure of the impact on residential amenity. The Guide indicates that the environmental goal for a local street is 200 vehicles per hour with a recommended maximum of 300 vehicles per hour. For collector streets the Guide indicates an environmental goal of 300 vehicles per hour and a maximum of 500 vehicles per hour. Considering both the daily and peak hourly volumes that would result from the proposed development as well as the existing functionality of McRobies Road, it is considered that McRobies Road has sufficient capacity to accommodate the proposed development. Based on the traffic volumes anticipated, the McRobies Road roundabout could be expected to operate efficiently. Assessment against the specific performance criteria is as follows: a. *The increase in traffic caused by the use* – The increase in traffic is able to be catered for on McRobies Road and will not have an unreasonable impact on safety or efficiency. b. *The nature of the traffic generated by the use* – The traffic will be a mix of light and heavy vehicles. McRobies Road is already used by large commercial vehicles. The relative increase in heavy vehicle usage is not considered to have an excessive undesirable impact.

	c. *The nature of the road* – McRobies Road is the primary access to the McRobies Waste Transfer Station resulting in the road providing an important access function. The proposed development will also require McRobies Road to facilitate access and egress and is therefore compatible with the existing use and function. d. *The speed limit and traffic flow of the road* – The urban default speed limit of 50 km/h applies to McRobies Road. The speed limit is appropriate for the use and function of the road. e. *Any alternative access to a road* – There is no alternative road access to the site. f. *The need for the use* – While the proposed development is not providing an essential service, it will support the tourism industry. The use will also reduce traffic volumes on Pillinger Drive and Pinnacle Road resulting in a reduction in crashes. g. *Any traffic impact assessment* – The traffic impact assessment provided with the development application demonstrates that the safety and efficiency of McRobies Road will not be reduced by the proposed development. h. *Any written advice received from the road authority* – Written advice has been provided by Hobart City Council. A copy of the advice is included in Appendix A. The advice from Council requested that the following matters be considered: a. Adequacy of sightlines and safety at the junction of the site access road and McRobies Road b. The provision of a swept path for vehicles manoeuvring from the site access road to the McRobies Gully Waste Transfer Station c. Confirmation of any modifications to Council or third party assets. Responses to the matters raised by Council as Road Authority are as follows: • The adequacy of sight lines is addressed in the assessment of clause E5.6.4 (refer below). • Due to the orientation of the site access road connection to the McRobies Road roundabout, it will not be possible for an 8.8 m service vehicle to turn left from the site access road into the McRobies Gully Waste Transfer Station without

	crossing into the opposing direction of traffic as shown on the turning path plan included in Appendix B. Based on the turning path, it would not be possible for a garbage truck to turn left out of the site access road into the McRobies Gully Waste Transfer access. As it was identified that it is not possible for an 8.8 m service vehicle to turn left, the feasibility of the vehicle circulating the roundabout in order to gain access has been assessed. The turning path assessment, also included in Appendix B, indicates that it is possible for this movement to be undertaken. The reason that an 8.8 m service vehicle cannot turn left from the site access road into the McRobies Gully Waste Transfer Station access without crossing the centreline is due to the inadequate separation between the two access road connections. Further commentary regarding this issue is provided in response to clauses E5.6.4 and E6.7.14. The issue can be addressed by modifying the roundabout and site access road design so that the roundabout geometry complies with the Austroads Guide to Road Design Part 4B: Roundabouts. • Review of Engineering Drawing C035 Rev3 indicates that some minor modifications will be required to Council-owned assets such as existing kerb, gutter and footpath. However, the modifications required are not considered to be problematic from an asset management perspective. The proposed development is considered to satisfy the performance criteria.

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.	
A2 *No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60 km/h or less.*	
Complies with Acceptable Solution (Yes/No)	Yes

Comment:	Only one access providing entry and exit to the development is proposed.

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
A1 *Sight distances at:* *a. An access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and* *b. Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia.*	
Complies with Acceptable Solution (Yes/No)	No
Comment	The urban default speed limit of 50 km/h applies to McRobies Road. The presence of the roundabout at the intersection of McRobies Road and the McRobies Gully Waste Management Centre access road results in the approach speed of vehicles travelling in a north-west direction being less than the speed limit. The available sight distance along McRobies Road from the proposed base station site access road exceeds the 80 metre requirement for an approach speed of 50 km/h. As vehicles approaching the roundabout are expected to be travelling at less than 50 km/h, the sight distance along McRobies Road towards the south-east is adequate. Vehicle speeds on the McRobies Gully Waste Management Centre access road approach to the roundabout are controlled by a speed hump and also the roundabout. The angle at which the base station access road connects to the roundabout influences the sight distance available between the base station access road and vehicles approaching the roundabout from the McRobies Gully Waste Management Centre. The available sight distance when measured in accordance with Figure E5.1 of the planning scheme is 35 metres. The sight distance is restricted by vegetation between

	the proposed base station access road and the McRobies Gully Waste Management Centre access road. Vehicles approaching the roundabout from the Waste Management Centre are estimated to be travelling at approximately 25 km/h. While Table E5.1 of the planning scheme does not provide sight distance values for vehicle speeds less than 50 km/h, by interpolation the required sight distance for an approach speed of 25 km/h is 45 metres. As the available sight distance is less than the interpolated distance, the sight distance to the north-west (towards the Waste Management Centre) does not comply with the Acceptable Solution.
P1 *The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:* *(a) The nature and frequency of the traffic generated by the use;* *(b) The frequency of the use of the road or rail network;* *(c) Any alternative access;* *(d) The need for the access, junction or level crossing;* *(e) Any traffic impact assessment;* *(f) Any measures to improve or maintain sight distance; and* *(g) Any written advice received from the road or rail authority.*	
Complies with Performance Criteria (Yes/No)	No
Comment:	The Planning Scheme requires sight distance at an access to be measured in accordance with Figure E5.1 of the planning scheme which is based on a T-junction arrangement. However, due to the base station access road connecting to a roundabout, assessment of the sight distance in accordance with the Austroads Guide to Road Design Part 4B: Roundabouts is considered more appropriate. The Austroads Guide provides three sight distance criteria for roundabouts: • Criterion 1: the provision of approach sight distance (ASD) which is the ability of drivers to recognise the roundabout on approach • Criterion 2: which relates to the ability of a driver approaching the roundabout to identify a vehicle about to enter the roundabout from their right-hand side

	• Criterion 3: the provision of sight distance to enable a driver to identify a potential conflict with a vehicle approaching on their right-hand side. The Austroads Guide indicates that Criteria 1 and 2 sight distance is mandatory while Criterion 3 is not. Assessment of the available sight distance indicates that both Criteria 1 and 2 can be achieved while Criterion 3 cannot. While both mandatory criteria are achieved, the undesirable angle at which the base station access road connects to the roundabout would make it challenging for drivers exiting the Waste Management Centre to identify vehicles approaching the roundabout from the base station access road, potentially creating a safety issue. It is recommended that the design of the base station access road approach to the roundabout be redesigned to increase the available sight distance and ensure compliance of the roundabout geometry with the Austroads Guide to Road Design Part 4B: Roundabouts. Further to consideration of Austroads sight distance requirements for roundabouts, assessment against the specific performance criteria of the planning scheme is as follows: a. *Nature and frequency of the traffic generated by the use* – While the traffic volumes that will be generated by the proposed development would not typically be expected to create a safety issue at the roundabout, the poor geometry of the base station access road connection to the roundabout is considered likely to create safety issues. b. *Frequency of use of the road or rail network* – While the traffic volumes using the existing roundabout are appropriate for existing conditions, the addition of the base station access road and associated poor geometry is expected to create an unnecessary safety risk for drivers exiting the McRobies Gully Waste Management Centre. c. *Any alternative access* – There is no alternative vehicular access to the base station. d. *The need for the access, junction or level crossing* – The access connection to the roundabout is considered necessary to service the proposed development. However, the design of the connection is poor and has the potential to create safety issues. e. *Any traffic impact assessment* – The traffic impact assessment that was submitted with the development application claims that the available sight distance from the base station access road to the north-west when measured

	in accordance with Figure E5.1 is 55 metres and on that basis claims that the available sight distance satisfies the acceptable solution. Based on the sight distance measured on site on 30 June 2021, it is considered that the available sight distance is 35 metres and not as indicated in the traffic impact assessment. The traffic impact assessment makes no comment regarding sight distance requirements for roundabouts. f. *Any measures to improve or maintain sight distance* – No measures are proposed to increase the available sight distance. Modification of the base station access road connection to the roundabout so that it complies with the geometric requirements of the Austroads Guide to Road Design Part 4B: Roundabouts would significantly improve the available sight distance. g. *Any written advice received from the road or rail authority* – Written advice has been received from the Hobart City Council and is included in Appendix A. The advice raises concern regarding the available sight distance between the base station site access road and the McRobies Gully Waste Transfer Station access road. Based on the assessment, the proposed arrangements are not considered to comply with the performance criteria.

Objective: To ensure that: *(a) There is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.* *(b) A use or development does not detract from the amenity of users or the locality by:* *(i) Preventing regular parking overspill;* *(ii) Minimising the impact of car parking on heritage and local character.*	
A1 *The number of on-site parking spaces must be:* *a. No less than and no greater than the number specified in Table E6.1;*	

Except if: *i. The site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;* ii. *The site is subject to clauses E6.6.5, E6.6.6, E6.6.7, E6.6.8, E6.6.9 or E6.6.10 of this planning scheme*	
Complies with Acceptable Solution (Yes/No)	No
Comment	The relevant land use definition for the base station from Table E6.1 is Transport Depot and Distribution. The proposed car parking provision exceeds the requirements of the planning scheme of 3.5 spaces to each 100 m^2.
P1 *The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:* *(a) Car parking demand;* *(b) The availability of on-street and public car parking in the locality;* *(c) The availability and frequency of public transport within a 400m walking distance of the site;* *(d) The availability and likely use of other modes of transport;* *(e) The availability and suitability of alternative arrangements for car parking provision* *(f) Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from consolidation of shared car parking spaces;* *(g) Any car parking deficiency or surplus associated with the existing use of the land;* *(h) Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existing before the change of parking requirement, except in the case of substantial redevelopment of a site;* *(i) The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;* *(j) Any verified payment of a financial contribution in lieu of parking for the land;* *(k) Any relevant parking plan for the area adopted by Council;* *(l) The impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;* *Whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.*	

Complies with Performance Solution (Yes/No/N/A)	Yes
Comment:	The proposed parking supply of 52 car parking spaces, 6 mini bus parking spaces and 3 bus/ coach parking spaces has been derived from first principles and is considered adequate based on the expected traffic generation and duration of visits to the site. Assessment against the specific performance criteria is as follows: a. *Car parking demand* - The proposed parking supply is considered to be adequate based on the first principles approach adopted to calculate the parking demand noting that the assessment is reliant on a number of assumptions b. *The availability of on-street and public car parking in the locality* - There is no convenient on-street or public car parking in the vicinity c. *The availability and frequency of public transport within a 400m walking distance of the site* - Public transport is not available within 400m walking distance of the site d. *The availability and likely use of other modes of transport* - Many of the visitors to the development are likely to travel by bus. This has been taken into account in calculation of the parking demand e. *The availability and suitability of alternative arrangements for car parking provision* - N/A f. *Any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from consolidation of shared car parking spaces* - N/A g. *Any car parking deficiency or surplus associated with the existing use of the land* - N/A h. *Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existing before the change of parking requirement, except in the case of substantial redevelopment of a site* - N/A i. *The appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity* - N/A j. *Any verified payment of a financial contribution in lieu of parking for the land* - N/A k. *Any relevant parking plan for the area adopted by Council* - N/A

	l. *The impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code* - N/A m. *Whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code* - N/A.

Objective: To ensure that a use or development provides sufficient accessible car parking for people with a disability.	
A1 *Car parking spaces provided for people with a disability must:* *(a) Satisfy the relevant provisions of the Building Code of Australia;* *(b) Be incorporated into the overall car park design;* *(c) Be located as close as practicable to the building entrance.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	Two disabled parking spaces are provided. Under the Building Code, the building is a Class 6 building which requires 1 space for every 50 car parking spaces or part thereof for car parks with up to 1,000 car parking spaces. The provision of two disabled car parking spaces satisfies this requirement. The two parking spaces are integrated into the overall car park design and are located close to the building entrance.

Objective: To ensure enough motorcycle parking is provided to meet the needs of likely users of a use or development.	
A1	

The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	Five motorcycle parking spaces are provided, which exceeds the requirements of E6.6.3.

Objective: To ensure enough bicycle parking is provided to meet the needs of likely users and by so doing to encourage cycling as a healthy and environmentally friendly mode of transport for commuter, shopping and recreational trips.	
A1 *The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	There is no bicycle parking requirement for use class 'Transport Depot and Distribution'. While there is no requirement to provide bicycle parking spaces, 20 bicycle parking spaces (10 racks) are provided near the main entrance to the site. The provision of 20 Class 3 bicycle parking spaces for visitors is considered adequate given the expected weekend peak traffic generation of 109 and 81 vehicles per hour for summer and winter respectively. Should there be additional bicycle parking demand, it appears from Drawing 1780_DA03 Rev02 that there is space available on the northern side of the Plaza to provide additional bicycle parking.

Objective: To ensure that: *(a) Safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:* *(i) The number of vehicle access points* *(ii) Loss of on-street car parking spaces* *(b) Vehicle access points do not unreasonably detract from the amenity of adjoining land uses;* *(c) Vehicle access points do not have a dominating impact on local streetscape and character.*
A1 *The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.*

Complies with Acceptable Solution (Yes/No)	Yes
Comment:	Only one vehicular access point is provided to McRobies Road.

Objective: To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.
A1 *Design of vehicle access points must comply with all of the following:* *(a) In case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;* *(b) In the case of commercial vehicle access; the location sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 – 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.*

Complies with Acceptable Solution (Yes/No)	Yes
Comment:	The proposed vehicular access complies with the requirements of AS/NZS 2890.1:2004 and AS2890.2 – 2002.

Objective: To ensure that: *(a) The design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists;* (b) *Use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.*	
A1 *Vehicular passing areas must:* *(a) Be provided if any of the following applies to an access:* *(i) It serves more than 5 parking spaces;* *(ii) Is more than 30m long;* *(iii) It meets a road serving more than 6000 vehicles per day;* *(b) Be 6m long, 5.5m wide, and taper the width of the driveway;* *(c) Have the first passing area constructed at the kerb;* (d) *Be at intervals of no more than 30 m along the access.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	The access road to the development is of sufficient width to enable two buses/coaches to pass each other.

Objective: To ensure safe, efficient and convenient access for all users, including drivers, passengers, pedestrians and cyclists, by generally requiring vehicles to enter and exit in a forward direction.	
A1 *On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:* *(a) It serves no more than two dwelling units;* *(b) It meets a road carrying less than 6000 vehicles per day.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	All vehicles expected to use the site are able to enter and exit the site in a forward direction. Onsite turning is facilitated by the alignment of the circulation road at the base station.

Objective: To ensure that parking areas for cars (including assessable parking spaces), motorcycles and bicycles are located, designed and constructed to enable safe, easy and efficient use.	
A1 *The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	The car park layout complies with AS/NZS 2890.1:2004.

Objective: To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.	
A1 *Parking spaces and vehicle circulation roadways must be in accordance with all of the following;* *a. Paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;* *b. Drained to an approved stormwater system,* *unless the road from which access is provided to the property is unsealed.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	A two-coat seal is proposed for the main access road. The seal type for the parking area is not nominated on the engineering drawings. Due to the turning of vehicles in this area, particularly buses, it is recommended that the parking area be sealed in dense graded asphalt.

Objective: *To ensure parking and vehicle circulation roadways and pedestrian paths used outside daylight hours are provided with lighting to a standard which:* *(a) Enables easy and efficient use;* *(b) Promotes the safety of users;* *(c) Minimises opportunities for crime or anti-social behaviour; and* *(d) Prevents unreasonable light overspill impacts*	
A1 *Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause*	

3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	While lighting provisions are not shown on the drawings, the Planning Report commits to the provision of lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" of AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P). It is recommended that the provision of lighting is included as a permit condition.

Objective: To ensure that motorcycle parking areas are located, designed and constructed to enable safe, easy and efficient use.	
A1 *The design of motorcycle parking areas must comply with all of the following:* *(a) Be located, designed and constructed to comply with section 2.4.6 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking* *(b) Be located within 30m of the main entrance building.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	The motorcycle parking spaces are 2.5 m long and 1.2 m wide as required by AS/NZS 2890.1:2004. They are also located within 30 m of the main entrance building.

Objective: To encourage cycling as a healthy and environmentally friendly mode of transport for commuter, shopping and recreational trips by providing secure, accessible and convenient bicycle parking spaces.	
A1 *The design of bicycle parking facilities must comply with all the following:* *(a) Be provided in accordance with the requirements of Table E6.2;* *(b) Be located within 30 m of the main entrance to the building.* ***A2*** *The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.*	
Complies with Acceptable Solution (Yes/No/N/A)	N/A
Comment:	The traffic impact assessment indicates that 20 bicycle parking spaces will be provided near the main entrance to the base station. The planning scheme outlines three classes of bicycle parking facilities as follows: 1 High Fully enclosed individual lockers 2 Medium Locked compounds with communal access using duplicate keys 3 Low Facilities to which the bicycle frame and wheels can be locked From Architectural Drawing 1780_DA03 Rev02 the proposed 10 bike racks that provide the 20 bicycle parking spaces are considered to be Class 3 spaces. For use classes that require the provision of bicycle parking, typically Table E6.2 specifies two types of parking provision: Class

	1 or 2 facilities for employees and Class 3 facilities for visitors. The Planning Report indicates that five car parking spaces are to be provided at the base station. On this basis it is recommended that at least one Class 1 or 2 bicycle parking facility is provided.

Objective: To ensure that facilities for commercial vehicles are provided on site, as appropriate.	
A1 *Commercial vehicle facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2: Commercial Vehicle Facilities AS2890.2:2002, unless:* *(a) The delivery of all inward goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;* *(b) The use is not primarily dependent on outward delivery of goods from the site.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	A loading zone is provided outside the base station. Delivery vehicles are able to enter and exit the site in a forward direction.

Objective: To ensure that access to the road network is provided appropriately.	
A1 *Access to a road must be in accordance with the requirements of the road authority.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	The access to the road complies with AS 2890.1, AS2890.2 and LGAT requirements and is hence considered to comply with the

	planning scheme. However, the connection of the access road to the roundabout does not comply with the requirements of the Austroads Guide to Road Design Part 4B: Roundabouts, in particular: • 4.5 Approach and Entry Geometry; • 4.9 Separation between Legs. Compliance with the Guide should be included as a Permit Condition.

Objective: To provide sufficient conveniently located and accessible parking for people utilising or servicing a use or development.	
A8.1 Car Parking Provision *The use and development does not require car parking.*	
Complies with Acceptable Solution (Yes/No)	No
P8.1 Car Parking Provision *Car parking is to be provided to meet the needs of a development, and is determined taking into account the:* *(a) Nature, number and size of vehicles associated with the proposed use or development;* *(b) Location and nature of other uses of developments in the vicinity;* *(c) Effect of hazards shown on Map S3 or other site constraints in reducing parking opportunities;* *(d) Possibility for sharing spaces with other development; and* *(e) Car parking needs of people likely to utilise the particular use or development.*	
Complies with Performance Criteria (Yes/No)	Yes
Comment:	The Pinnacle Building is made up of the following components: Bathroom 189

Foyer/Circulation	561
Retail	156
Plant	378
Control room	121
Restaurant	481
Bar	39
Café	466
Sanctum	121
Lookouts	139
Indoor amphitheatre	46
Outdoor amphitheatre	297
Interpretation	172
Park ranger office	18
First aid	18
Staff facilities	70

The following use categories are considered to be applicable to the components of the pinnacle centre:

Bathroom	Transport depot and distribution
Foyer/Circulation	Transport depot and distribution
Retail	Transport depot and distribution
Plant	Transport depot and distribution
Control room	Transport depot and distribution
Restaurant	Food services

Bar	Food services
Café	Food services
Sanctum	Tourist operation
Lookouts	Tourist operation
Indoor amphitheatre	Tourist operation
Outdoor amphitheatre	Tourist operation
Interpretation	Tourist operation
Park ranger office	Natural and cultural management
First aid	Ancillary – Transport depot and distribution and Natural cultural management
Staff facilities	Ancillary

Of the above uses, several of them could create the potential for parking demand at the Pinnacle, particularly as there will be no restriction on vehicular access to the Pinnacle except during inclement weather. On this basis it is considered likely that some people, particularly locals who have used the cable car previously, may choose to drive to the Pinnacle on subsequent occasions, creating increased parking demand relative to existing conditions. As a result, it is considered that uses such as the restaurant, bar and café in particular may generate parking demand. It is also considered that the facilities within the pinnacle centre will encourage longer duration parking through people using the various sheltered viewing areas, restaurant, café and bar.

Whilst it is not possible to accurately estimate the change in parking demand at the Pinnacle as it depends on a number of factors, it is likely that existing parking provisions would be adequate due to the potential for tourists to use the cable car rather than drive to the Pinnacle. The existing parking supply at the Pinnacle which includes 88 car parking spaces, 4 disabled parking spaces and three bus parking spaces, is expected to cater for any residual parking demand.

Objective: To ensure that car parking spaces are designed and located to meet the needs for on-site parking, access and manoeuvring of vehicles.	
A8.2 Car Parking Design *Design and construction of car parking spaces and access facilities in accordance with Australian Standard AS2890 – Part 1 Car Parking Facilities and Part 2 Commercial Vehicle Facilities as appropriate;* *Where the development provides facilities for the public, one space for every 20 provided is designed, constructed and designed for use by persons with disabilities in accordance with Australian Standard AS1428; and* *Car parks are to be signed in accordance with the Wellington Park Sign Manual unless a variation is required to comply with a specific Australian Standard relating to traffic and parking regulatory signs.*	
Complies with Acceptable Solution (Yes/No/N/A)	N/A
Comment:	No new car parking is proposed at the Pinnacle. The design of the existing car parking provisions at the Pinnacle are considered suitable to cater for parking demand that may be generated by the pinnacle centre.

Appendix A

Written Advice from the Road Authority

Ross Mannering

From: Emma Riley <emma@eraplanning.com.au>
Sent: Monday, 28 June 2021 12:07 PM
To: Ross Mannering
Cc: Clare Hester; 1819-038 Cable Car Assessment
Subject: FW: PLN-19-345: PLN-19-345 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Cable Car Application

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ross,

The comments from the road authority for your assessment are below.

Regards

Emma

From: Mao-Hwa Cheng <chengm@hobartcity.com.au>
Sent: Monday, 28 June 2021 11:00 AM
To: Ben Ikin <ikinb@hobartcity.com.au>; Kirsten Turner <turnerk@hobartcity.com.au>
Cc: Emma Riley <emma@eraplanning.com.au>; Ci Yan <yanc@hobartcity.com.au>
Subject: RE: PLN-19-345: PLN-19-345 100 PINNACLE ROAD MOUNT WELLINGTON TAS 7054 - Cable Car Application

Hello Ben,

The road's authority provides the following comment in relation to the 100 Pinnacle Road Mount Wellington planning application. These comments are provided based on our assessment on its impact to the road's assets, sight distance, and traffic impact to the Council's road network however should not be considered an exhaustive list. The expert engineering panel must consider the relevance of the information below and apply or request information from the proponent as they see fit.

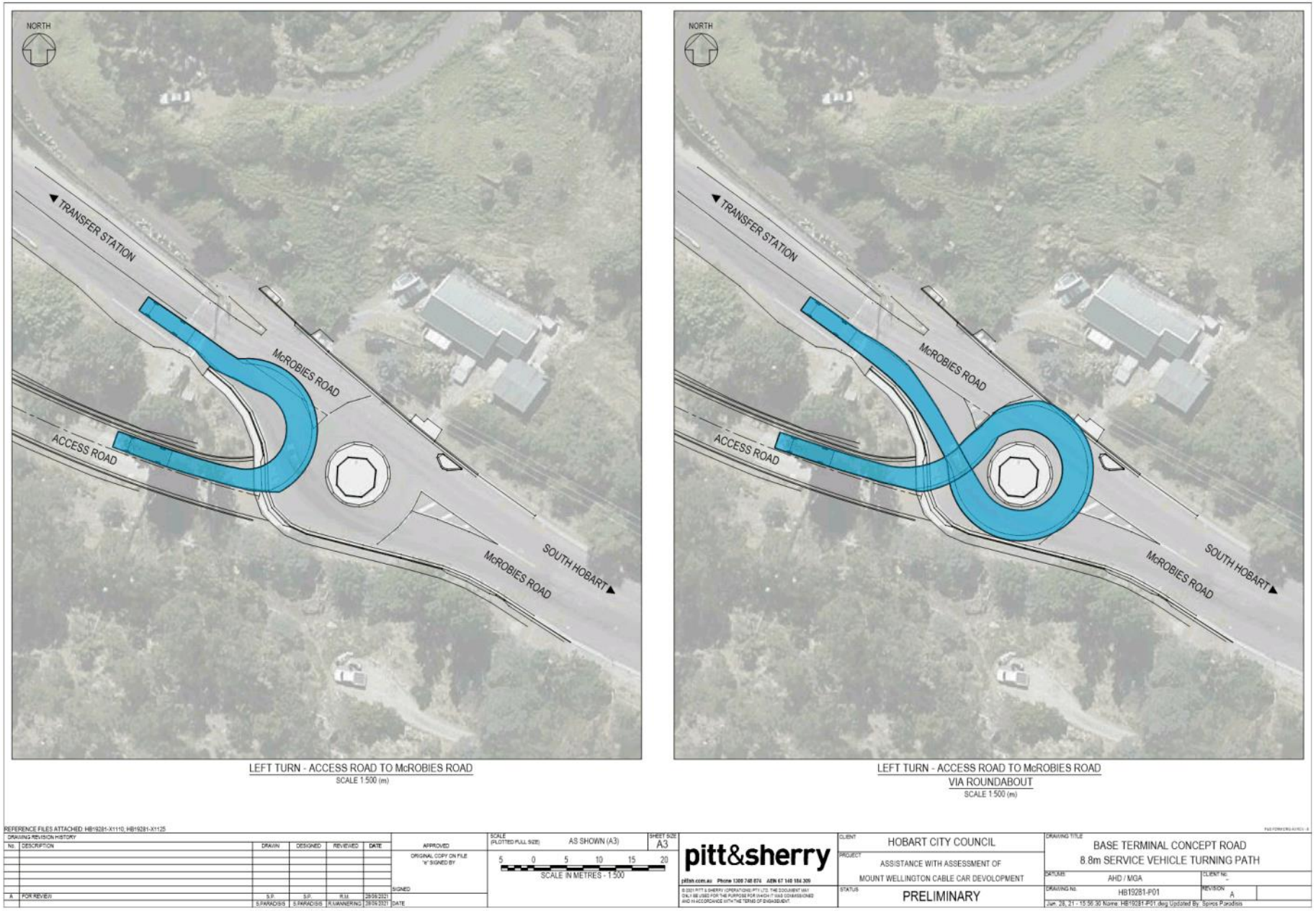
1. Adequacy of sightline and safety impact at junction of private access road and McRobies Road.
    a. The existing roundabout geometry supports and allow for ease of heavy vehicle movement from the tip. This combined with the recline slope of the road may result in vehicle entering the junction at a greater travelling speed.
    b. It should also be noted that the private access road near the junction is on an incline slope hence it's unclear if adequate sightline is available for the vehicles approaching from the tip.
    c. The combination of the both dot points above, may lead to vehicle crashes and as such may need to be addressed in the TIA.
2. There are no swept path provided for vehicles manoeuvring from private access road into the tip. Will there be instances of garbage trucks, or buses manoeuvring to the direction of the tip from the private access road? If such manoeuvre is unacceptable, will there be signage that prohibits such turning manoeuvre.
3. Will any part of the Council or third party assets be modified? Example is the load rating of manhole/valve covers within the swept path? Any public infrastructure that requires modification must be designed to be fit for purpose and in consultation with the relevant authorities.

Regards,
Cheng

Mao Cheng DipPM BEng(Hons) MIEAust CPEng NER CPM

Appendix B

McRobies Road Roundabout Turning Movement Paths


NORTH
TRANSFER STATION
McROBIES ROAD
ACCESS ROAD
McROBIES ROAD
SOUTH HOBART
LEFT TURN - ACCESS ROAD TO McROBIES ROAD
SCALE 1:500 (m)
NORTH
TRANSFER STATION
McROBIES ROAD
ACCESS ROAD
McROBIES ROAD
SOUTH HOBART
LEFT TURN - ACCESS ROAD TO McROBIES ROAD
VIA ROUNDABOUT
SCALE 1:500 (m)
REFERENCE FILES ATTACHED: HB19281-X1110; HB19281-X1125
DRAWING REVISION HISTORY
No. DESCRIPTION DRAWN DESIGNED REVIEWED DATE
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CLIENT HOBART CITY COUNCIL
PROJECT ASSISTANCE WITH ASSESSMENT OF MOUNT WELLINGTON CABLE CAR DEVOLOPMENT
STATUS PRELIMINARY
DRAWING TITLE BASE TERMINAL CONCEPT ROAD 8.8m SERVICE VEHICLE TURNING PATH
DATUMS AHD / MGA
CLIENT NO. -
DRAWING No. HB19281-P01
REVISION A
Jan. 28, 21 - 15:56:30 Name: HB19281-P01.dwg Updated By: Spiros Paradisis

Appendix C

Tasmanian Local Government Road Hierarchy

Table 1: Tasmanian local government road hierarchy.

Source: Tasmanian Government Local Government Division: Department of Premier and Cabinet

Classification	1. Arterial	2. Collector	3. Link	4. Local Access	5. Minor Access	Unformed
Functional Criteria						
Function/ predominant purpose	Provide the principal links between urban centres and rural regions.	Connect arterial roads to local areas and supplement arterial roads in providing for traffic movements between urban areas, or in some cases rural population centres.	Provide a link between the arterial or collector roads and local access roads.	Provide access to residential properties and in some cases commercial properties and in some cases commercial properties, at a local level.	Provide access to residential properties and irregular access to community facilities such as parks and reserves.	Roads not maintained by the council or non constructed/ maintained road reserves or roads that have a very low level of services.
Connectivity description	High connectivity - connecting precincts, localities, suburbs, and rural population centres.	High connectivity - supplements arterial roads in connecting suburbs, business districts and localised facilities.	Medium connectivity - connects traffic at a neighbourhood level with collector and arterial roads.	Low - connects individual properties within a neighbourhood to link roads.	Low - provides access to properties.	Future roads or roads that have a very low level of service.
Guidance Metrics						
Average Annual Daily Traffic (AADT)	>10000 vehicles per day (vpd)	3000–10000 vpd	1000–3000vpd	50–1000vpd	<50vpd	N/A
Heavy vehicles permitted	Yes - thoroughfare	Yes - thoroughfare	Yes - some through traffic	No thoroughfare, local access only	No thoroughfare, local access only	N/A
Average Annual Daily Truck Traffic or Equivalent Heavy Vehicles (AADTT/ EHV)	>1000 AADTT or > 10% EHV	250–1000 AADTT or > 10% EHV	<250 AADTT or > 10% EHV	N/A	N/A	N/A
Public Transport Route	Yes	Yes	Yes	No	No	N/A
Carriageway form	2 or 4 lanes	2 lanes	2 lanes	1 or 2 lanes	Typically 1 lane	N/A
Running surface	Sealed	Sealed	Sealed	Sealed/ unsealed	Sealed/ unsealed	Unformed

Application referral – Engineering assessment

From:	Robert Casimaty, Pitt and Sherry
Date completed:	9 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Hobart Interim Planning Scheme 2013

- Clause E6.0, Parking and Access Code – applies to entire development
    - Clause E6.7.6, Surface treatment of parking areas
    - Clause E6.7.7, Lighting of parking areas

- Clause E7.0 Stormwater Management Code
    - Clause E7.7.1, Stormwater drainage and disposal – A1/P1 and A2/P2 apply to access road from McRobies Road intersection to Wellington Park boundary only. A3/P3 applies to entire development.

Wellington Park Management Plan 2013 – applies to development in Wellington Park only

- Clause 8.5.7 – Standards for activities, use and development – applies to base station and access where in Wellington Park
    - Issue 3, Water quality and flow

- Clause S2.6 – Standards for activities, use and development – applies to pinnacle centre only
    - Issue 4, Water quality
    - Issue 7, Infrastructure provisions (b) water
    - Issue 7, Infrastructure provisions (c) sewerage
    - Issue 7, Infrastructure provisions (d) stormwater

Assessment:

Hobart Interim Planning Scheme 2015	
E6.7.6 Surface treatment of parking areas	
Objective: To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.	
A1 *Parking spaces and vehicle circulation roadways must be in accordance with all of the following;* *(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;* *(b) drained to an approved stormwater system,* *unless the road from which access is provided to the property is unsealed.*	
Complies with Acceptable Solution (Yes/No)	Yes.
Comment:	The application demonstrates compliance with A1. A sealed access is provided from McRobies Road to the base station. This has a proposed stormwater collection, treatment and detention system. The base station includes a sealed access and parking facilities that have a proposed stormwater collection, treatment and detention system.

Hobart Interim Planning Scheme 2015
E6.7.7 Lighting of parking areas
Objective: To ensure parking and vehicle circulation roadways and pedestrian paths used outside daylight hours are provided with lighting to a standard which: *(a) enables easy and efficient use;* *(b) promotes the safety of users;* *(c) minimises opportunities for crime or anti-social behaviour; and* *(d) prevents unreasonable light overspill impacts.*
A1 *Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.*

Complies with Acceptable Solution (Yes/No)	Yes
Comment:	The planning report states that *Car park lighting will be provided in accordance with the relevant Australian Standard.* There is no mention of lighting in the *Site Servicing Report for Planning Approval Submission*. There are no details of lighting in the Base Terminal Concept Services Drawing (13.0041 – C032 Rev 4). Compliance can be confirmed by way of condition.

Hobart Interim Planning Scheme 2015	
E7.7.1 Stormwater drainage and disposal	
Objective: To ensure that stormwater quality and quantity is managed appropriately.	
A1 *Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.*	
Complies with Acceptable Solution (Yes/No)	Yes
Comment:	This standard applies to the access from McRobies Road intersection to Wellington Park boundary only. The application demonstrates compliance with A1. Stormwater from the development will discharge to the existing Hobart City Council stormwater infrastructure in McRobies Road. The proposal is considered compliant with this condition.
A2 *A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:* *(a) the size of new impervious area is more than 600 m2;* *(b) new car parking is provided for more than 6 cars;* *(c) a subdivision is for more than 5 lots.*	
Complies with Acceptable Solution (Yes/No)	No
P2 *A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.*	
Complies with Performance Solution (Yes/No)	Yes, subject to conditions.

Comment:	This standard applies to the access from McRobies Road intersection to Wellington Park boundary only. Table E7.1 Acceptable Stormwater Quality and Quantity Targets: 1. *80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations.* 2. *45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations.* 3. *45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations.* *Stormwater quantity requirements must always comply with requirements of the local authority including catchment-specific standards. All stormwater flow management estimates should be prepared according to methodologies described in Australian Rainfall and Runoff (Engineering Australia 2004) or through catchment modelling completed by a suitably qualified person.* Stormwater from the site is to be treated by a gross pollutant trap prior to discharge to the Council stormwater system. There are no details on what type of gross pollutant trap is to be adopted, nor are there any detailed calculations to verify that the conditions in Table E7.1 will be achieved. The gross pollutant trap must be placed upstream of the detention basin to reduce accumulation of debris in the detention tank. Both the detention basin and the gross pollutant trap will require preparation and implementation of detailed operation and maintenance plans to ensure they operate effectively. Further details are required on the type and size of the stormwater treatment system to be adopted and how it is proposed to be maintained is required by way of condition.
A3 *A minor stormwater drainage system must be designed to comply with all of the following:* *(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;* (b) *stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.*	
Complies with Acceptable Solution (Yes/No)	Yes, subject to condition.
Comment	This standard applies to the entire development.

	The term ARI is no longer used by stormwater infrastructure designers. It has been replaced by the Annual Exceedance Probability (AEP). An ARI of 20 years is approximated by an AEP of 5%. **At the pinnacle centre**, the stormwater system is stated to have been designed to accommodate an AEP of 5%. No onsite detention will be provided to ensure that stormwater runoff will be no greater than pre-existing runoff. This is based on the assumption that the runoff conditions from the building roof are identical to the existing plateau with dolerite outcrops. No hydraulic modelling has been presented to justify this. pitt&sherry has undertaken its own assessment of the potential 5% AEP runoff from the proposed development assuming a fully impervious developed surface and an allowance for climate change. This has been compared to the current undeveloped catchment, conservatively assuming a coefficient of runoff of 80%. Our analysis indicates that the peak stormwater flow from this sub-catchment increases by 7 L/s post development. To ensure that the 5% AEP flow remains unchanged from the current conditions, a detention storage of 5 kL will be required. This is considered manageable and could be achieved by either installing a small dedicated tank within the building footprint or enlarging the proposed stormwater harvesting tanks from 75 kL to 80 kL. The engineering report by Gandy and Roberts (p11) notes that runoff will be managed using water sensitive urban design principles but no further details are provided. It is considered that treatment of runoff from a predominately roofed area should be relatively straightforward. **At the base station**, the stormwater system is stated to have been designed to accommodate an AEP of 5%. Onsite detention is proposed to ensure that stormwater runoff will be no greater than pre-existing runoff. No hydraulic modelling has been presented to indicate how this will be achieved. Preliminary modelling undertaken by pitt&sherry suggests that, for a 5% AEP rainfall event with an allowance for climate change, a 70 kL detention tank will be required. The tank depicted on the engineering drawings for the Base Terminal (13.0041 C032 Rev 4: Concept Services) has a plan area of 18 m^2 meaning that such a tank will need to be 3.9 m deep plus freeboard. We consider that a detention storage with a surface area of between 50 and 70 m^2 is required to provide a realistic engineering solution. This can be achieved by extending the detention storage back under the carpark area (which is relatively flat). Detailed drawings will be required to validate how condition A3 (b) will be achieved by way of condition. The base station is in an area of high debris load (vegetation such as leaves and sticks). This debris is likely to collect in the stormwater system over time and could be directed to the detention tank. Consideration should be given to the operation of the tank over its

	design life. A preventative maintenance plan should be developed and include options to reduce the likelihood of blockage to be considered at the design stage. This should be a condition of approval. The modelling will also need to demonstrate how the impacts of climate change will be incorporated into the design. Sufficient erosion protection should be provided at the primary outlet and any overflow outlets. This should also be addressed by way of condition. **For the access road**, the stormwater system is stated to have been designed to accommodate an AEP of 5%. It is proposed that runoff from the paved road surface is collected in a linear pipe and pit system and discharged into the Council stormwater infrastructure in McRobies Road. Onsite detention is proposed to ensure that stormwater runoff will be no greater than pre-existing runoff. No hydraulic modelling has been presented to indicate how this will be achieved. Preliminary modelling undertaken by pitt&sherry suggests that, for a 5% AEP rainfall event with an allowance for climate change, a 300 kL detention tank will be required. The tank depicted on the engineering drawings for the access road (13.0041 C032 Rev 4: Concept Services) has a surface area of 36 m^2 meaning that the tank will need to be 8.4 m deep plus freeboard. pitt&sherry has undertaken an assessment of the practicality of fitting 300 kL of stormwater detention under the access road near the intersection with McRobies Road and consider that it is feasible to provide this using either twin 2,100 mm diameter by 50 m long underground tanks or 50 m of 1.5 m deep by 4.0 m wide box culvert. Either solution fits under the road without impacting the horizontal or vertical geometry.

Wellington Park Management Plan 2013	
Section 8.5.7, Issue 3: Water quality and flow	
Objective: To conserve water quality and quantity.	
A3.1 Water Quality	***P3.1 Water Quality***
(a) Waste water, including grey water, must be connected to a reticulated or on-site waste treatment system approved by the Planning Authority; and *(b) Stormwater must be drained to a detention basin, artificial wetland or infiltration area, or reused within the site, without causing erosion or*	*Waste water, including grey water, stormwater, or other contaminants must not prejudice the achievement of the water quality objectives for surface or ground waters established under the State Policy on Water Quality Management 1997 or the water quality objectives of this Management Plan.*

pollution of existing surface or ground waters or other values of the Park.	

The proposal meets the acceptable solution, A3.1.

Sewage from the Pinnacle will be collected in a holding tank and transferred to the base camp using 5kL holding tanks slung under the cable car.

It is estimated that on the peak day a total of 100,000 L of sewage will be generated by users of the development. It has been assumed that most of this will be generated at the pinnacle.

A preliminary time and motion assessment of the transporting of passengers up to and down from the pinnacle, and transporting water up to the pinnacle and sewage down to the base station, has been undertaken as part of this assessment. The analysis has assumed:

- Each carriage has a turnaround time of 30 minutes – there is a cable car leaving the terminal every 15 minutes (four trips per hour). This is described as the slowest cycle time to be adopted.
- For the first two hours (eight trips) 80 passengers go up per trip (640 passengers) and 5 kL of sewage goes down (40 kL of sewage).
- For the next five and a half hours (22 trips) 80 passengers go up (1,760 passengers) and every second carriage returns 5 kL of sewage (60 kL). The other carriages return 80 passengers (880 passengers).
- For the remaining seven hours 40 passengers (1,120 passengers) and 2.5 kL of water go up per trip (70 kL); 80 passengers return (2,240 passengers).

The above enables 3,100 to 3,500 visits to the pinnacle along with 100 kL of sewage returned and 70 kL of water delivered. This is slightly less than the predicted 4,480 visitors during a 14-hour peak day but assumes the conservative 30 minute cycle time. Reducing the cycle time for each carriage to 15 minutes would achieve the desired passenger numbers and water and wastewater volumes.

See assessment of Issue 7: Infrastructure Provision (c) sewerage below.

Wellington Park Management Plan 2013	
Section S2.6 Issue 4: Water quality	
Objective: To conserve water quality.	
A4.1 Waste water	***P4.1 Waste water***
Waste water, including grey water, must be connected to a reticulated or on-site waste treatment system approved by the Planning Authority; and *Stormwater must be drained to a detention basin, artificial wetland or infiltration area, or reused within the site, without causing erosion or pollution of existing surface or ground waters or other values of the Park.*	*Waste water, including grey water, stormwater, or other contaminants must not prejudice the achievement of the water quality objectives for surface or ground waters established under the State Policy on Water Quality Management 1997 or the water quality objectives of this Management Plan.*

The proposal does not comply with the acceptable solution; therefore P4.1 applies.

Sewage from the pinnacle centre will be collected in a holding tank and transferred to the base camp using 5 kL holding tanks slung under the cable car.

It is estimated that on the peak day, a total of 100,000 L of sewage will be generated by users of the development. It has been assumed that most of this will be generated at the pinnacle.

The engineering report by Gandy and Roberts (p21) notes that bunded areas with graded floor drains and collection pits will be provided to capture any spills during the sewage transfer process. Details associated with bunding and spill management procedures should be resolved by way of condition

See assessment of Issue 7: Infrastructure Provision (c) sewerage below.

Wellington Park Management Plan 2013	
Section S2.6, Issue 7: Infrastructure Provision (b) water	
Objective: To ensure that adequate high quality drinking water supplies are available to all users of the Pinnacle.	
A7.6	***P7.6***
The use and development does not require a supply of drinking water	*The collection and storage of rain water in tanks is allowed provided that storage facilities meet all other requirements of this Management Plan.* *Any required water treatment is to meet all other requirements of this Management Plan*

Comment:

The proposal does not comply with the acceptable solution; therefore, P7.6 applies.

Water to the base station will be delivered via a private water supply tank, pump and pipe that connects to the TasWater mains at McRobies Road.

Water to the Pinnacle will be transferred from the base camp using 1 kL holding tanks transported within the cable car. Some water for non-potable use will also be collected from roof stormwater runoff from the pinnacle centre and stored in rainwater holding tanks.

It is estimated that on the peak day a total of 100,000 L of water will be consumed by use of the development. It has been assumed that most of this will be consumed at the Pinnacle.

The water demand calculations make no allowance for sewage wash down of storage tanks and pump wells.

- The water supply system in not considered a Private Water supply as defined by the Department of Health.
- Notwithstanding the above, as water is being stored on site for an extended duration, it is considered that microbiological and non-microbiological risk assessment of the water supply at the pinnacle should be undertaken to manage the public health risk. This may include a sampling and testing regime of the water stored on site.

- The design of the private system should be in accordance with AS/NZS 3500.1:2018 - Plumbing and Drainage Water Services.
- There does not appear to be a contingency plan should the cable car water tankers not be available.

The proposal needs to demonstrate how public health from the water supply will be achieved and how water will be supplied if tankering is not possible, so that the objective of the standard is achieved through the performance criterion. Further details are therefore required by way of condition.

Wellington Park Management Plan 2013	
Issue 7: Infrastructure Provision (c) sewerage	
Objective: To ensure that facilities provided for the treatment and disposal of sewerage are sufficient to meet the needs of the development and do not result in the loss of water quality or cause environmental harm.	
A7.7	***P7.7***
The use and development does not require sewerage facilities.	*Sewerage facilities must be designed, perform and be managed to:* *(a) Deliver an appropriate level of protection for human health and the environment;* *(b) Minimise odour nuisance to acceptable levels;* *(c) Minimise noise nuisance to acceptable levels;* *(d) Not rely on the soils for absorption of any contaminated wastes; and* *(e) (e) Not cause landslip or erosion on the development site or other lands.*

Comment:

The proposal does not comply with the acceptable solution; therefore, the performance criteria apply.

Sewage from the base station will be collected in a private sewage pump station and pumped via a private rising main to the TasWater system at McRobies Road.

Sewage from the pinnacle will be collected in a holding tank and transferred to the base station using 5 kL holding tanks slung under the cable car.

It is estimated that on the peak day a total of 100,000 L of sewage will be generated by users of the development. It has been assumed that most of this will be generated at the Pinnacle.

Does the proposal:

(a) Deliver an appropriate level of protection for human health and the environment;

- It is stated that the design of the private system should be in accordance with AS/NZS 3500.2:2018 – Plumbing and drainage Sanitary plumbing and drainage.

- It is stated that the sewage pump station will be designed to the EPA Sewage Pumping Station Environmental Guidelines.
- Spillage while transferring sewage to and from transfer tanks has been considered.
- A preliminary assessment of time and motion of the cableway suggests that it will be possible to tanker sewage down within the proposed working hours, but it may be necessary to undertake some deliveries in the morning when passenger numbers travelling down are lower.
- There does not appear to be a contingency plan should the cable car tanks not be available.

(b) Minimise odour nuisance to acceptable levels;

- A sewage transport and management odour review technical memo for the proposal has been prepared by Tarkarri Engineering.
    - This memo acknowledges that sewage stored in an anaerobic environment for more than four hours will generate hydrogen sulphide odours and create a corrosive environment.
    - Odour mitigation will rely on a vent stack on the storage tank that discharges to the atmosphere, using carbon filter cartridges to scrub out some of the odorous gases.
    - Dispersion will rely on the prevailing winds to disperse the odorous gases to reduce the likelihood of public nuisance.
    - The proposal will incorporate wash-down systems for both the pinnacle storage tank and the transportation tank to minimise build-up of residue in the tanks.
- We consider that this approach will provide the basis of a suitable odour management strategy for storing sewage at the pinnacle centre under normal operating conditions. The proposal does not address:
    - how abnormal operating conditions such as system faults or still days will be addressed
    - whether odours will be discharged while transferring the sewage from the storage tank to the transportation tank at the pinnacle
    - whether odours will be discharged while emptying the transportation tank into the sewage pump station at the base station
    - how odours will be managed in the base station sewage pump station – noting that the prevailing wind conditions at the base camp will not be as favourable as those experienced at the summit
    - how odours will be managed at the property boundary where the base station sewage pump station discharges into TasWater's gravity system.

(c) Minimise noise nuisance to acceptable levels;

- The proposal does not address how noise during loading and unloading of sewage from the transfer tanks will be addressed.

(d) Not rely on the soils for absorption of any contaminated wastes;

- Not applicable

(e) Not cause landslip or erosion on the development site or other lands.

- Not applicable

The proposal has been assessed as not complying with the requirements of P7.7 (b) and (c) because:

1. odour mitigation downstream of the pinnacle centre has not been adequately addressed
2. odour mitigation during abnormal events at the pinnacle centre have not been addressed
3. noise mitigation while loading, transporting sewage and unloading sewage has not been addressed.

The proposal needs to demonstrate how odour from sewage will be managed under all operating scenarios. The proposal needs to indicate what contingency measures will be adopted if tankering is not available.

Wellington Park Management Plan 2013	
Issue 7: Infrastructure Provision (d) stormwater	
Objective: *To ensure that stormwater runoff does not result in the loss of water quality or cause environmental harm.*	
A7.8 *The design and construction of stormwater systems is to comply with Australian Standard 3500.3.2:2003, and does not drain into the Drinking Water Catchment Zone.*	***P7.8*** *Development and use is not to result in:* *(a) Erosion;* *(b) Siltation;* *(c) Degradation of water quality of any watercourse spring or recharge basin; or* *(d) Any increase in landslip or erosion hazard potential.*
Comment: The proposal is considered compliant with the acceptable solution, A7.8. The proposed development (both pinnacle centre and base station) is not located within and does not impact on the Drinking Water Catchment Zone. Note that the stormwater design standard AS3500 – 2003 has been updated with a more recent version AS/NZS 3500.3-2018: Plumbing and Drainage: Part 3 Stormwater. The engineering report by Gandy and Roberts (p11) states that the stormwater system will be designed to Australian Standard 3500.3.2:2003 as required by acceptable solution A7.8. The base station is provided with mechanical and biological (swales) treatment of stormwater runoff but no details are provided. This is considered not to be a planning condition. The proposal is considered compliant with this requirement.	

Other matters

There is provision for 72,000 L of water storage for firefighting purposes to be located under the existing path from the car park to the existing observation shelter. An assessment of the architectural drawings (drawing 1782 – DA101) indicates that the plan area of this tank is 10.5 m long by 2.5 m wide and would need to be 3.0 m deep (plus roof and floor) to provide 72 kL storage. This is not unreasonable but assumes that the ground can be readily excavated (blasting would be problematic). The existing observation centre would need to be shut down during construction – estimated to be of the order of 10 weeks.

The engineering report by Gandy and Roberts (p9) notes that trade waste will be managed in accordance with TasWater standards. It is expected that the main source of trade waste treatment will be grease traps on kitchen and restaurant facilities. Gandy and Roberts indicate that it will not be possible to directly pump out these traps because vehicle access will not be provided. Management of grease traps will be via proprietary skimmer units. Other sewage solids will not form part of this trade waste solution and will be discharged to the TasWater sewerage system via the proposed tankering arrangement outlined above.

Application referral – Geotechnical assessment

From:	Bill Cromer, William C Cromer Pty Ltd
Date completed:	6 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Hobart Interim Planning Scheme 2015 – applies to Access Road from McRobies Road intersection through to Wellington Park boundary

- Clause E3.0 Landslide Code
  - Clause E3.7.1, Building and Works, other than Minor Extensions
  - Clause E3.7.3, Major works

Wellington Park Management Plan 2013 (as amended October 2015) – Applies to all components within Wellington Park.

- Clause 8.5.7 – Standards for Activities, Use and Development, Issue 8, P8.1 – Applies to base station and most of cableway
- Clause S2.6 – Standards for Activities, Use and Development – Issue 6, P6.1 - Applies to pinnacle building and section of cableway within the Pinnacle Specific Area Plan area.

Assessment:

Documents supplied and reviewed

In relation to this assessment, documents supplied to me on 21 May 2021 were :

- 5 80-ATW Mount Wellington - received 12 Jun 2019
- Longitudinal Profile_80ATW Mount Wellington - received 12 Jun 2019
- Geotechnical report - received 12 Jun 2019 [Cardno (2018). *Geotechnical Study Mount Wellington Cable Car.* Prepared for Mount Wellington Cableway Company Pty Ltd, 5 October 2018]
- Geotechnical RFI response - received 6 Jan 2020 [Cardno (2019). *Supplementary Response to Hobart City Council re Geotech Concerns*. Prepared for Mount Wellington Cableway Company Pty Ltd, 19 October 2019]
- Geotechnical review - received 7 Aug 2020 [SLR (2020). *MWCC GEO1 Review*. Prepared for Mount Wellington Cableway Company Pty Ltd, 4 June 2020]

With the exception of the first listed document (which is not within my area of expertise), I have reviewed the other four supplied documents.

My reviews, and other comments in relation to the relevant provisions listed above, are included in an accompanying report at Appendix A:

> Cromer, W. C. (2021). Mt. Wellington Cable Car Development Application: Review of Geotechnical Issues. Report by William C Cromer Pty Ltd to ERA Planning, 6 July 2021.

Appendix A

Mt. Wellington Cable Car Development Application: Review of Geotechnical Issues

William C Cromer Pty Ltd
ABN 48 009 531 613
Environmental, engineering and groundwater geologist

6 July 2021

Ms. E. Riley
Director and Principal Planner
ERA Planning
183 Macquarie Street
HOBART 7000

emma@eraplanning.com.au

Dear Ms. Riley

MT. WELLINGTON CABLE CAR DEVELOPMENT APPLICATION
REVIEW OF GEOTECHNICAL ISSUES

This report is in two parts:

Part 1

Part 1 is a review of the following documents which I understand form part of the Development Application (DA) for the Mt. Wellington Cable Car submitted to the Hobart City Council by the Mount Wellington Cable Car Company Pty. Ltd. (MWCC):

- Longitudinal Profile_80ATW Mount Wellington - received 12 Jun 2019
- Geotechnical report - received 12 Jun 2019 [Cardno (2018). *Geotechnical Study Mount Wellington Cable Car*. Prepared for Mount Wellington Cableway Company Pty Ltd, 5 October 2018]
- Geotechnical RFI response - received 6 Jan 2020 [Cardno (2019). *Supplementary Response to Hobart City Council re Geotech Concerns*. Prepared for Mount Wellington Cableway Company Pty Ltd, 19 October 2019]
- Geotechnical review - received 7 Aug 2020 [SLR (2020). *MWCC GEO1 Review*. Prepared for Mount Wellington Cableway Company Pty Ltd, 4 June 2020]

Part 2

Part 2 is my response to the *Application Referral – Geotechnical Assessment* you emailed to me on 19 May 2021, and which accompanies this report.

PART 1: DOCUMENT REVIEW

1.1 Longitudinal Profile_80ATW Mount Wellington - received 12 Jun 2019

The profile depicts the topography along the proposed cable car alignment, superimposed with the main engineering components of the system. No geotechnical information is provided and in my view it is not intended as a geotechnical document.

No further comment is needed.

1.2 *Geotechnical Study Mount Wellington Cable Car.* Prepared for Mount Wellington Cableway Company Pty Ltd by Cardno, 5 October 2018

In reviewing this Geotechnical Study, I compared its scope and content to:

- AS1726: 2017 *Geotechnical site investigations* (Standards Australia),
- the Australian Geomechanics Society (2007) *Landslide Risk Management* (*Australian Geomechanics* Vol 42 No 1 March 2007)[1], and
- AS2870:2011 *Residential slabs and footings* (Standards Australia)

1.2.1 Geotechnical reporting

In relation to Sections 1 – 5, and Section 7 of the Study, I offer the following comments with reference to AS1726:

- the Study is preliminary in the sense that it comprised a desk-top review of publicly-available information, a two-day visit involving "Engineering geological/geomorphological mapping…", identification of slope processes, and reporting. The report included site observations (Sections 1 – 4) and geotechnical modelling (Section 5). In my view its scope and content in these Sections are generally consistent with the staged approach to geotechnical investigations outlined in Section 5.1 of AS1726, including at least the first three investigation boxes in AS1726 Figure 1 (repeated here as Figure 1).

- explicit in the staged approach in Figure 1 is continued refinement of the geotechnical model (usually by further site investigations) until project objectives are judged to have been attained.

- accordingly, while no subsurface geotechnical investigations were done for the Study, Section 7 of the report recommends detailed intrusive investigation in the Pinnacle Zone, and intrusive investigation at the Base Site and Towers 1 and 2. This approach is consistent with Figure 1. However, in my view, the report could have usefully included more detail as to the potential types of intrusive investigations which might be required based on the then-current state of the geotechnical model.

[1] There are five documents: AGS(2007a) to AGS (2007e). The one used in the Geotechnical Study is AGS (2007c). Practice Notes Guidelines for Landslide Risk Management. *Australian Geomechanics* Vol 42 No 1 March 2007.

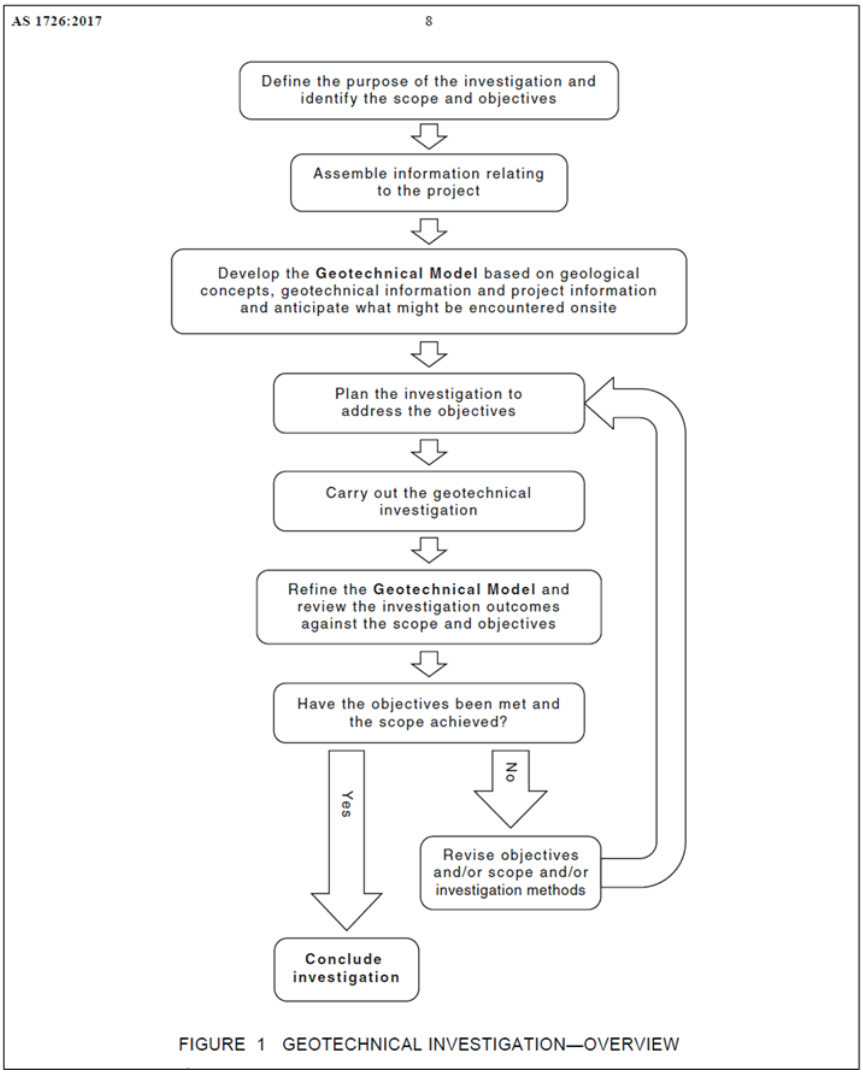

Figure 1. The stages of geotechnical investigations. (Repeated unchanged as Figure 1 from AS1726: 2017. The diagram is Informative (not Normative) as are all Figures in the Standard.)

1.2.2 Landslide Risk Assessment

In relation to Section 6 of the Study, AGS (2007c) Section 10 (Reporting Standards[2]) provides guidance on the type of information required for landslide risk assessments[3]. Table 1 below is repeated without amendment from Section 10.2.

[2] Section 10.1 states: "The practitioner will gather relevant data, will assess the relevance of the data and will reach conclusions as to the appropriate geotechnical model and basic assessment of the slope forming processes and rates. Full documentation of these results provides evidence of completion, provides transparency in the light of uncertainty, enables the assessment to be re-examined or extended at a later date and enables the assessment

Table 1. Data to be presented in landslide risk assessment reports [AGS(2007c) Section 10.2]

a.	List of data sources.
b.	Discussion of investigation methods used, and any limitations thereof.
c.	Site plan (to scale) with geomorphic mapping results.
d.	All factual data from investigations, such as borehole and test pit logs, laboratory test results, groundwater level observations, record photographs.
e.	Location of all subsurface investigations and/or outcrops/cuttings.
f.	Location of cross section(s).
g.	Cross section(s) (to scale) with interpreted subsurface model showing investigation locations.
h.	Evidence of past performance.
i.	Local history of instability with assessed trigger events.
j.	Identification of landslides, on plan or section or both, and discussed in terms of the geomorphic model, relevant slope forming process and process rates. Landslides need to be considered above the site, below the site and adjacent to the site.
k.	Assessed likelihood of each landslide with basis thereof.
l.	Assessed consequence to property and life for each landslide with basis thereof.
m.	Resulting risk for each landslide.
n.	Risk assessment in relation to tolerable risk criteria (e.g. regulator's published criteria where appropriate).
o.	Risk mitigation measures and options, including reassessed risk once these measures are implemented.

Where any of the above is not or cannot be completed, the report should document the missing elements, including an explanation as to why.
The report needs to clearly state whether the risk assessment is based on existing conditions or with risk treatment measures implemented. In some cases, the assessment for both existing and after treatment should be documented to demonstrate the effect of risk control measures on reducing risk.
A report which does not properly document the assessment is of limited value and would appear to have no reasonable basis.

I reviewed Section 6 of the Study to assess its compliance with Table 1. Table 2 summarises my comments, which are also based on the following observations and inferences in the Study:

Base Station and Towers 1 and 2

- The site for the base station is undulating and has a series of small depressions and drainage lines.
- It is postulated that an accumulation of colluvial soils of 1-3 m thickness is present but this has not been confirmed.
- Surface water flows are prevalent above the base site and there is evidence of groundwater seepages along road cuts (important for slope stability considerations).
- Observed small landslides, groundwater seepage and undulating ground indicate a current potential for slope instability. Depth of movement is not understood as the subsurface profile has not been established.
- Scour and erosion occurring on cut batters indicates dispersive soil potential.

to be defended against critical review. The process often identifies uncertainties or limitations of the assessment which also need to be documented and understood."

[3] Section 10 of AGS92007c) is also called on by Cromer, W. C. and Mazengarb, C. (2017). Building on Tasmanian Landscapes: Guidance for geotechnical reporting in Tasmania. Tasmanian Geological Survey Record 2017/03, v.D3. Mineral Resources Tasmania

- Low strength highly- to extremely-weathered sandstone noted in elevated outcrop also indicates potential for instability.
- Previous landslide noted with back scarp 2 m and width 10 m. Travel distance from inspection of Photo 4-4 may have been 10 m or more.
- Creep occurring at site of Tower 2 with sandstone boulder talus.
- Profile postulated to be 1-2 m of colluvium above highly- to extremely-weathered sandstone. Hence surface for failure could exceed 3 m under very adverse conditions.

The Study (Section 4.4 on page 17) reviewed Mazengarb's (2004) Landslide Hazard Maps[4] and concluded:

"*Review of these resources in light of observations from field mapping suggest the risk of rock fall at both the Base Site and Towers 1 & 2 is considered low. The risk of a large deep seated slide is considered low. Debris and/or shallow slides are also considered to present a low potential hazard*".

In my view the last sentence requires more discussion because it appears on the basis of observations that there is potential for shallow landslides at both the base site and possibly to a lesser degree at Towers 1 and 2.

Main site and Tower 3

- Tower 3 located in minor drainage line and the site plan shows a possible rockfall source above the tower – but this has not been specifically assessed. The rockfall hazard correlates with comments in the Dec 2016 GHD report and as such should be addressed specifically for Tower 3.
- Small sub-vertical dolerite cliffs of 3 m are identified in the upper area.
- Significant talus field in the upper area may have limited potential for further falls unless disturbed during construction.

Tower 3 is located proximal to the Organ Pipes cliff/escarpment and its well-developed vertical columnar and subhorizontal jointing. Future intrusive investigations will explore whether the dolerite beneath the proposed tower is similarly jointed, and if so, whether there are any implications for foundation designs.

Risk to Life Assessment

I think that a risk to life assessment is needed (Study Section 6.1) and I would recommend at least a semi-quantitative risk to life. For example, comments regarding rockfalls hitting cable cars warrant an assessment indicating they are tolerable/acceptable. Also, the evidence of landsliding near the base station where people congregate needs an assessment of life as there is a need to consider the total population exposed. Also, what might appropriate Risk to Life acceptance criteria be for buildings/facilities with high user numbers.

[4] The maps are:
Mazengarb, C. (2004). Map 1, Hobart – Landslide Inventory and Geomorphology. Tasmanian Landslide Hazard Series. Mineral Resources Tasmania
Mazengarb, C. (2004). Map 2, Hobart – Geology. Tasmanian Landslide Hazard Series. Mineral Resources Tasmania
Mazengarb, C. (2004). Map 3, Hobart – Potential Debris Flow Hazard. Tasmanian Landslide Hazard Series. Mineral Resources Tasmania
Mazengarb, C. (2004). Map 4, Hobart – Potential Rockfall Hazard. Tasmanian Landslide Hazard Series. Mineral Resources Tasmania
Mazengarb, C. (2004). Map 5, Hobart – Potential Deep Seated Landslide Hazard. Tasmanian Landslide Hazard Series. Mineral Resources Tasmania

Table 2. Comparison of landslide risk assessment data in the Study and the data recommended to be presented by AGS (2007c)

		Review of the Study	
"Section 10.2 The data to be presented includes:		**Data included?**	**Comment**
a.	List of data sources.	No	Reference to Dec 2016 GHD Report and MRT landslide maps but no formal reference list.
b.	Discussion of investigation methods used, and any limitations thereof.	Yes	Two day site and surface investigations; brief mention of limitations via need for intrusive investigations.
c.	Site plan (to scale) with geomorphic mapping results.	Yes	
d.	All factual data from investigations, such as borehole and test pit logs, laboratory test results, groundwater level observations, record photographs.	Yes	No subsurface investigations – these to come hence current findings are preliminary
e.	Location of all subsurface investigations and/or outcrops/cuttings.	Yes	Only outcrop; no subsurface investigation
f.	Location of cross section(s).	Yes	
g.	Cross section(s) (to scale) with interpreted subsurface model showing investigation locations.	Yes	Very good cross sections
h.	Evidence of past performance.	Yes	Observations of previous instability noted
i.	Local history of instability with assessed trigger events.	Partially	No real discussion of triggers
j.	Identification of landslides, on plan or section or both, and discussed in terms of the geomorphic model, relevant slope forming process and process rates. Landslides need to be considered above the site, below the site and adjacent to the site.	Partially	Each identified landslide hazard needs to be characterised in more detail (in a Table?) as to type, material, history of movement, likely mechanism, size, volume, velocity, travel distance, etc [Section 5.3 of AGS(2007c)]. Terminology used should be consistent with Appendix B of same.
k.	Assessed likelihood of each landslide with basis thereof.	Partially	No detail provided for adopted likelihood for any identified hazard. Appears to be a "Degree of belief" approach which is OK but needs to be justified. Comment would be useful on accuracy of the assessment and risk, and perhaps a range of stated inputs (and hence risks) might better reflect the uncertainty.
l.	Assessed consequence to property and life for each landslide with basis thereof.	Yes	As for k. above. More detailed explanation of consequence would enhance assessment.
m.	Resulting risk for each landslide.	Yes	Risk to Property tables like Table 6-5 and 6.6 in the Study should be drawn up for each site separately: Base Site, Tower 1, Tower 2, Tower 3 and Main Building. The Potential Hazards for each site may differ. Risk to Life should be included even if (as the Study states) construction will reduce all risk to Low. The Risk to Life could be done for the worst situation. An event tree approach (AGS2007c 5.4.1h) would be useful .
n.	Risk assessment in relation to tolerable risk criteria (e.g. regulator's published criteria where appropriate).	No	No comment about risk acceptance criteria
o.	Risk mitigation measures and options, including reassessed risk once these measures are implemented."	Yes	The Study includes some reasonable comments about mitigation measures.

1.2.3 Site classification in terms of AS2870:2011 *Residential slabs and footings*

In Section 7.3, the Study provided preliminary AS2870 site classifications based on site inspection and experience in other similar situations:

- Class A for the Pinnacle Zone and Tower 3; and
- Class M for the Base Site and Towers 1 and 2.

The Study noted that AS2870 may not be applicable to tower sites (being non-residential).

The Class S and M classifications may be amended after further site investigations,

1.3 Geotechnical RFI response - received 6 Jan 2020 [Cardno (2019). *Supplementary Response to Hobart City Council re Geotech Concerns*. Prepared for Mount Wellington Cableway Company Pty Ltd, 19 October 2019]

This one-page letter (and two pages of tabulated comment) by Cardno to the MWCC was in response to requests for further geotechnical and other information (RFI) from HCC – mostly requesting more detail in relation to the desk-top landslide risk assessment, and to the types and scope of intrusive geotechnical investigations foreshadowed in the October 2018 Geotechnical Study.

The Response did not address in detail the items listed in the RFI.

1.4 Geotechnical review - received 7 Aug 2020 [SLR (2020). *MWCC GEO1 Review*. Prepared for Mount Wellington Cableway Company Pty Ltd, 4 June 2020]

1.4.1 Landslide Risk Assessment

This report specifically addressed the HCC RFI, and in considerably more detail than the earlier "Geotechnical RFI response" listed above. In a series of tables, it included qualitative risk to property assessments, and semi-quantitative risk to life assessments, in general accord with AGS (2007c) guidelines.

In Table 1 of the review, the geotechnical hazards identified for the Pinnacle Specific Area to Tower 3 (after construction) were:

- Boulder Creep
- Debris Flow
- Rock Fall or Topple, and
- Deep Seated Slide

In Table 2 of the review, the geotechnical hazards identified for the Base Station to Tower 1 and 2 (after construction) were:

- Soil Creep
- Small Rotational Slide
- Deep Seated Slide, and
- Rock Fall or Topple (within excavations or cut batters)

Each hazard was characterised[5] in reasonable detail, a likelihood of occurrence[6] was suggested (with tabulated evidence for the adopted likelihood), a consequence was ascribed to

[5] Characterisation [AGS(2007c) Section 5.3] includes classification of the landslide (type, material), volume, location and potential travel distance.

[6] In my experience, assessing "likelihood of occurrence" is the most difficult aspect of landslide risk assessment, and different practitioners not uncommonly ascribe different levels of likelihood to the same hazard.

the occurrence, a qualitative risk was determined, and the risk was re-assessed after potential mitigation measures were put in place.

Unmanaged risks ranged from Low – Moderate. Managed risks (i.e., after mitigation) ranged from Acceptable to "Usually acceptable to regulators".

In Table 3 of the review, a semi-quantitative risk to life assessed two scenarios (toppling boulder impacting cable car, and deep seated landslide at Base Station), and estimated the probability of loss of life of an individual in both instances was Acceptable. The assessment did not include multiple loss of life.

As presented, these assessment processes summarised in Tables 1 – 3 are in accord with AGS(2007c) including Appendix C: *Qualitative Risk Analysis Matrix – Level of Risk to Property*, and *Risk Level Implications*.

1.4.2 "Further Considerations"

Under this heading the review commented on possible construction techniques and their potential to induce slope instability. It said that provided appropriate hillside construction techniques[7], and appropriate engineering design were followed, the "proposed development is unlikely to contribute to instability on land outside the development site." It added that:

- vibration effects "may have minimal effect" outside the development site (reference was made to a 1973 Australian Road Research Board report);
- hydraulic rock breaking would cause negligible vibration outside a 30m radius, but it was acknowledged that localised movement of boulders may occur and should be managed during construction; and
- if blasting was required, a prior site-specific assessment was recommended to mitigate ground movements and potential slope instability "within the surrounding area". Blasting techniques appropriate to site conditions can reduce vibration.

In view of these comments, the landslide risk assessment in Tables 1 – 3 (which included rock falls and topples) could be extended to include risk to life and property occasioned by the same hazards potentially triggered by vibrations during construction. The elements at risk could include construction workers at the Pinnacle Specific Area and Tower 3 sites, but also:

- walkers on mountain tracks below and adjacent to the cable car alignment; and
- property (vehicles) and people (walkers and vehicle occupants) on the Mt Wellington Pinnacle Road below and adjacent to the cable car alignment.

In relation to the last two dot points, it is acknowledged that landslide risk is present everywhere on steep rocky slopes on Mt Wellington, independent of any proposed cable car activities. For example,

- at the request of HCC, I investigated a rockfall (c. 50t single boulder) on Mt Wellington in July 2014, and discussed[8] the incident on my website; and
- Mineral Resources Tasmania investigated and reported[9] on the same rockfall.

[7] Some good and bad hillside construction techniques are included in AGS(2007e): The Australian Geoguides for Slope Management and Maintenance: Geoguide LR8 (Construction Practice).

[8] I said in part: 'My risk assessments included reference to the Australian Geomechanics Society series of volumes on *Landslide Risk Management* (2007), and to the good work being done by Colin Mazengarb and Michael Stevenson at our local Mineral Resources Tasmania. They've produced a series of *Landslide Hazard Maps* for major population centres in Tasmania. (The Potential Rockfall Hazard Map for Hobart not surprisingly identifies the steep slopes of Mt Wellington as at risk of rockfalls, but it also shows that Pinnacle Track, and most others, are at risk of runout of boulders across them.)....I suspect that if a detailed assessment was done of walking tracks on the mountain, the risks to walkers would range from "acceptable" through "tolerable" to "unacceptable"'.

1.4.3 Conceptual Intrusive Investigations

"To determine foundation conditions and enable effective design", the review recommended intrusive geotechnical investigations be conducted at the Pinnacle – Tower 3 site, and Base Station (including Towers 1 and 2, carpark and access road).

Tables 4 and 5 of the review provide conceptual scopes of investigation, including their purpose, techniques and equipment, access and site controls.

In my view, at this preliminary stage of the proposal, these two tables adequately address the specific HCC RFI item: *"Provide general comments on the scope, rationale and methodology of the detailed intrusive investigations at the Pinnacle building, Tower 3 and the presumably less detailed intrusive investigations at the base station and Towers 1 and 2."*

The details of intrusive site investigations may change as results are progressively reviewed.

PART 2

2.1 Regulatory requirements of the cable car proposal

2.1.1 E3.0 Landslide Code in the Hobart Interim Planning Scheme 2015

Clause E3.0 Landslide Code only applies to the part of the development outside of Wellington Park, being the access road.

Access Road

The proposed access road is about 2.2 – 2.3 km long. Approximately 300 m of this, in about 5 – 6 separate shorter sections, is in or adjacent to a Low or Medium Landslide Hazard Band. E3.0 *Landslide Code*, and in particular,

- Clause E3.7.1 (Building and Works, other than Minor Extensions);and
- Clause E3.7.3 (Major works)

are applicable.

Tables 3 and 4 show that in my view the proposed access road will be able to satisfy these clauses.

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[9] Mazengarb, C., Stevenson, M. D. and Knight, K. (2015). *Mt. Wellington Rockfall 2014.* Tasmanian Geological Survey Record 2015/02. The synopsis of the report reads: "On 8 July 2014, a 65 tonne dolerite boulder on Mount Wellington was released from its precarious position to form a 170m long rock fall swath. The boulder initially toppled forward (end over end), rolled and bounced (along its long axis) across a boulder talus field, then travelled through stunted (sub-alpine) eucalyptus forest to its eventual resting place. It may have reached a maximum velocity of 40km/hr, easily smashing its way through the forest in its path.
This is one of many examples of "precarious" rocks of similar dimensions with unfavourable joint orientation that are capable of forming rock falls on Mount Wellington and many other dolerite mountains in Tasmania. However, events of this size are not commonly reported, which makes it difficult to estimate the likelihood of future events.
While the preparatory causal factors of the rock fall are well understood, there does not appear to have been a dramatic triggering event such as a rain storm. Rather, the boulder is interpreted to have been gradually detaching from its neighbouring columns and the restraining forces were eventually reduced to a point that the boulder was released. This implies that the many other precarious rocks on the mountain can fail without warning and at any time.
The rock fall has originated in an area that was not predicted by previous regional scale modelling by Mineral Resources Tasmania (MRT) and travelled further than what had been predicted. The non-prediction of the source area is due to the poor quality digital elevation model (DEM) used in the previous modelling and this can be corrected by using currently available LiDAR data. However, the fact that the rock fall has travelled further than previous modelling would indicate gives cause to consider adjusting the parameters for limiting runout and to review alternative modelling software packages."

Table 3. Compliance of proposed access road with E3.7.1 (P1)

MWCC
Address
Access road from McRobies Road intersection through to Wellington Park boundary
E3 Landslide Code
Low – Medium Landslide Hazard Band

OBJECTIVE: To ensure that landslide risk associated with buildings and works for buildings and works, other than minor extensions, in Landslide Hazard Areas, is: (a) acceptable risk; or (b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard. Section E3.7.1 states that there is no acceptable solution for A1, and for Performance Criteria P1 Buildings and works must satisfy all of the following:

	Buildings and works must satisfy all of the following Performance Criteria: E3.7.1 (P1)	Compliance	Is management required?	Management Plan
(a)	no part of the buildings and works is in a High Landslide Hazard Area;	Complies. The proposed access road is mostly not in a landsldie hazard band, but short sections are in the Low and Medium hazard bands.	Yes	Where required, conduct geotechnical investigations along and adjacent to access road in accord with AS1726:2017, conduct landslide risk assessments in accord with AGS (2007). Adopt mitigation measures (if required) and engineering designs appropriate to the site conditions.
(b)	the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.	Complies with P1(b) (i) or (ii)		

2.1.2 Environmental Management Zone

I understand that Clause 29.4.3 P3 is also applicable to the proposal. These performance criteria require that fill and excavation associated with the access road satisfies the following:

(a) there is no adverse impact on natural values;

(b) does not detract from the landscape character of the area;

(c) does not impact upon the privacy for adjoining properties;

(d) does not affect land stability on the lot or adjoining land.

In regard to subclause (d), and in common with road construction generally, fill and excavation has the potential to affect land stability – to varying degrees depending principally on slope angle and geology. Road construction techniques which include (for example) appropriate batter angles (with or without retaining structures) for cuts and fills, placement of fill in a controlled manner, and adequate surface drainage, can result in unaffected slope stability along and adjacent to the route.

Table 4. Compliance of proposed access road with E3.7.3 (P3)

MWCC
Address
Access road from McRobies Road intersection through to Wellington Park boundary
E3 Landslide Code
Low – Medium Landslide Hazard Band

OBJECTIVE: To ensure that landslide risk associated with major works in Landslide Hazard Areas, is: (a) acceptable risk; or (b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard. Section E3.7.3 states that there is no acceptable solution for A1, and for Performance Criteria P1 for Major works must satisfy all of the following:

	Buildings and works must satisfy all of the following Performance Criteria: E3.7.3 (P1)	Compliance	Is management required?	Management Plan
(a)	no part of the buildings and works is in a High Landslide Hazard Area;	Complies. The proposed development is mostly not in a landslide hazard band. About 450m2 is in the Low, and about 100m2 is in the Medium, Landslide Hazard Band.	Yes	Conduct geotechnical investigations at and adjacent to the proposed development, in accord with AS1726:2017 and AGS(2007). Adopt mitigation measures (if required) and engineering designs appropriate to the site conditions.
(b)	the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.	Complies with P1(b) (i) or (ii)		

2.1.3 Wellington Park Management Plan (WPMP) 2015

From a planning perspective, I understand that:

- the Pinnacle centre should be assessed against *Issue 6: Environmental Hazards – (a) Regolith* in the *Wellington Park Management Plan 2013* (amended October 2015), and
- the three towers and Base Station (including the adjacent short section of access road in Wellington Park) should be assessed against *Issue 8: Natural Hazards*

Issue 6

Table 5 lists the Acceptable Solution and Performance Criteria for Issue 6 in the WPMP. The Pinnacle Specific Area is on slopes greater than 6 degrees, so the Performance Criteria P6.1 in Table 6 are required to be met.

Table 6 comments on the extent to which the P6.1 Performance Criteria have been addressed.

Issue 8

Table 7 comments on the extent to which the Performance Criteria P8.1 for Issue 8 in the WPMP.

Table 5. Acceptable Solution and Performance Criteria for Issue 6 in the WPMP, for the Pinnacle Specific Area

Objectives:

(i) To ensure that the subject land is capable of supporting proposed developments and use

(ii) To ensure that any development does not cause instability or erosion on the site, or on land outside the development site.

Acceptable Solution	**Performance Criteria**
A6.1 Development on slopes less than 6 degrees	P6.1 Regolith Any development on slopes 6 degrees or greater must be supported by a geotechnical land instability report which: - is based on investigations which comply with the minimum requirements of Australian Standard 'Geotechnical Site Investigations' AS1726-1993; - addresses all potential hazards - classifies the site in accordance with the relevant Australian Standard for the class of building being proposed; - makes recommendations for the type and design of drainage methods and structures, and building / structure foundations; and - concludes by providing an opinion on the level of risk, whether the site is capable of supporting the proposed development or the development is likely to cause instability on land outside the development site.

2.2 Stormwater from the Pinnacle Centre, and slope instability

"*One way or another, water usually plays a critical part in initiating a landslide (Geoguide LR2). For this reason, it is a key factor to be controlled on sites with more than a low landslide risk (Geoguide LR7)*" [AGS(2007)(e) Geoguide LR5 (Water and Drainage)].

I have considered potential geotechnical risks arising from the proposed stormwater drainage at the Pinnacle Building. My understanding is that most stormwater from the building will discharge to ground. If this is the case, my comments are:

- at present, rain falling in the catchment below the Pinnacle Road discharges across the area proposed for the Pinnacle Building;
- due to the rocky nature of the ground, stormwater from high intensity and/or prolonged rain events tends to discharge via narrow fast-flowing drainage pathways rather than as sheet flow; this is a common feature on Mt. Wellington;
- stormwater discharging via narrow drainage pathways causes soil erosion;
- everywhere on the mountain, soil erosion beneath dolerite talus and around jointed bedrock contributes to slope instability;
- the roof area of the Pinnacle Building will temporarily intercept some of this rain, and then discharge it as point sources from downpipes; and
- the presence of the building does not increase the volume of stormwater falling on the site, but depending on the number of downpipes and their locations around it, the building has the potential to concentrate individual flows into a relatively small number

of drainage pathways, potentially increasing the erosive effect. To mitigate the erosion, the more downpipes, the better.

Table 6. Compliance of Pinnacle Specific Area with WPMP Issue P6.1 *Regolith*

Address
Pinnacle Specific Area
WPMP Section 6.1 Regolith

OBJECTIVE: To ensure that (i) the subject land is capable of supporting proposed developments and use, and (ii) any development does not cause instability or erosion on the site, or on land outside the development site. Development on sites less than 6 degrees is an Acceptable Solution. All land proposed for tne cable car development is on land steeper than 6 degrees.

Section P6.1 states that any development on slopes 6 degrees or greater must be supported by a geotechnical land instability report which:	**Comment**
is based on investigations which comply with the minimum requirements of Australian Standard 'Geotechnical Site Investigations' AS1726-1993 (superceded by AS1726:2017 which now applies)	In my view the October 2018 Cardno Geotechnical Study (Section 1.2 this report), and the June 2020 SLR Review (Section 1.4 this report) together constitute a "geotechnical land instability report", for the Pinnacle Zone, and they generally comply with AS1726:2017.
addresses all potential hazards	The October 2018 Cardno Geotechnical Study (Section 1.2 this report), and the June 2020 SLR Review (Section 1.4 this report) collectively assessed the following geotechnical hazards: soil creep and boulder creep, debris flow, rock fall or topple, deep seated landslides, and small rotational landslides. Collectively and/or in combination, these constituite the main types of landslide movement listed in Appendix B of AGS (2007c). In the category of rock falls and topples, I suggested in Section 1.4.2 of this report the assessment could also include risk to life and property triggered by construction-induced vibrations in the Pinnacle Specific Area.
classifies the site in accordance with the relevant Australian Standard for the class of building being proposed	The term "relevant Australian Standard" is unclear. I assume it means AS2870:2011 *Residential slabs and footings*. If so, a preliminary classification (CLass A) was provided in Section 7.3 of the Cardno Study (Section 1.2.3 this report). The classification may be amended after further geotechnical investigations.
makes recommendations for the type and design of drainage methods and structures, and building / structure foundations; and	Construction considerations and foundation conditions were discussed by Cardno in Sections 7.1 and 7.2 of the 2018 Geotechnical Study. Drainage (ie stormwater) issues for the Pinnacle Zone are discussed in Section 2.2 (this report)
concludes by providing an opinion on the level of risk, whether the site is capable of supporting the proposed development or the development is likely to cause instability on land outside the development site	Section 5.1 of the June 2020 SLR Review concluded that "Assuming appropriate engineering design and hillside construction practise is adopted, the proposed development is unlikely to contribute to instability on land outside the development site." It did not specifically state that the Pinnacle Specific Area is capable of supporting the proposed development(s), but it is implicit in this and the Cardno Study. Levels of risk are presented in the 2020 SLR Review.

Table 7. Compliance of towers and Base Station with WPMP Issue P8.1 *Hazard Avoidance and Mitigation*

Address
Towers and Base Station
WPMP Section 8.1 Natural Hazards

OBJECTIVE: Areas subject to natural hazards will be managed to protect life, property and land, and to minimise the need for remedial or engineering works and long term impacts on the Park's values. The proposed three towers and Base Station (with adjacent section of access road in Wellington Park) do not comply with A81 in that they are assumed to involve cut and/or fill of more than 1m. Accordingly, Performance Criteria P8.1 applies.

Section P8.1 (Hazard Avoidance and Mitigation) states that: "In areas where there is a risk of flooding or land instability, all buildings and structures, other than walking tracks constructed in accordance with a walking track strategy, must be sited, designed and constructed to, as minimum requirements, take account of future climate change and flood hazard potential, and to access and mitigate risk in accordance with a hazard risk analysis as set out in the current Australian Geomechanics Society landslide risk management concepts and guidelines and Australian Standard - AS1726."	My comments are: (a) Tables 1 and 2 of the 2020 Geotechnical Review by SLR have in my view adequately assessed and mitigated risk in accordance with AGS(2007) and AS1726. See Section 1.4 of this report. (b) I do not have the expertise to comment on whether the towers and Base Station (and adjacent section of access road) in this mountain setting have been "sited , designed and constructed to….take account of future climate change and flood hazard potential".

Yours sincerely

W. C. Cromer
Principal

Application referral – Geoheritage assessment

From:	Mark Williams, ERA Planning and Environment
Date completed:	7 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Wellington Park Management Plan 2013 (as amended October 2015)

- Clause 8.5.7 – Standards for Activities, Use and Development – Applies to all proposal except for pinnacle centre and access outside of Wellington Park
    - Issue 2, Geoheritage
- Clause S2.6 – Standards for Activities, Use and Development – Applies to pinnacle centre only
    - Issue 2, Geoheritage

Review of application documentation:

The Geomorphology Impact Assessment report by GE Consulting Engineers dated June 2020 has been reviewed against criterion A2.3 and P2.3 under clause 8.5.7 and clause S2.6 of the Wellington Park Management Plan 2013 and comments have been provided for particular sections of the report.

Section 6.2 State based engineering geological data

The rock fall hazard of the area is understated in the Geomorphology Impact Assessment report. The rock fall event study by Mazengarb et.al (2015) reports six confirmed rock fall events and refers to a further consultancy report that estimates 3-4 rock falls per year (related to roadcuts) and up to 3 “rogue” rock falls per year (often related to the Organ Pipes) which are a natural process, and any further disturbance to the area would likely increase the risk of further rockfalls and have adverse effects on geosites within close proximity of the proposed development. The rock fall hazard needs to be accounted for in the assessed impacts on geosites within 1km of the proposed development.

Section 6.3 Definitions of Geodiversity, Geoheritage and Geoconservation

The IUCN World Commission on Protected Areas (WCPA) produce the Best Practice Protected Area Guidelines to understand and address the conservation of Geoheritage (Crofts et al. 2020). The definitions of Geodiversity, Geoheritage, and Geoconservation provided in the Geomorphology Impact Assessment are not the currently accepted definitions by the IUCN. It is important to make sure that these definitions are correct, for consistency and to avoid confusion. I have additionally included the definition of Geosite which is the correct term for an abiotic (non-living) site of significance.

Geodiversity is the variety of rocks, minerals, fossils, landforms, sediments and soils, together with the natural processes that form and alter them. It includes past and present geological and geomorphological features and processes that record the history of the Earth and the evolution of life forms as represented in the geological record, including plants and animals and their habitats. The elements of geodiversity provide the foundation for life on Earth, and they maintain natural capital and ecosystem services.

Geoheritage comprises those elements and features of the Earth's geodiversity, either singly or in combination, that are considered to have significant value for intrinsic, scientific, educational, cultural, spiritual, aesthetic, ecological or ecosystem reasons and therefore deserve conservation.

Geosite is used to refer to any site that has a single feature or a variety of geological or geomorphological features and processes worthy of protection on account of their scientific value. The term "geosites" is short-hand for geological sites or geomorphological sites.

Geoconservation has been defined as "the conservation of geodiversity for its intrinsic, ecological and (geo)heritage values" (Sharples, 2002). Essentially, geoconservation in protected areas is the practice of conserving, enhancing and promoting awareness of geodiversity and geoheritage. Geoconservation is, therefore, concerned primarily with conservation of features and/or elements that have special geological or geomorphological value. Geoconservation can help to maintain biodiversity and the functioning of healthy ecosystems, as well as the conservation of geoheritage.

To summarise, **Geodiversity** is the sum of abiotic nature, of which some elements have significant value requiring some conservation, referred to as **Geoheritage**, which are managed as **Geosites**, that are conserved formally or within a protected area, known as **Geoconservation**.

Section 6.4 Wellington Park Management Plan

The Geomorphology Impact Assessment report has omitted reference to the management objectives that directly relate to geoheritage.

"Conserve the geological, geomorphological, pedological, hydrological, scenic and landscape features of the Park". The management objectives should guide the assessment of geosites in the Wellington Park and consider the values and significance listed on the Tasmanian Geoconservation Database (TGD).

Section 6.10 Impact Assessment Results

The Geomorphology Impact Assessment report has provided assessed risks of the proposed development on various geomorphic features of geosites within 1km of the proposed development,

in terms of physical character, groundwater, visual aesthetic, and construction sensitivity. This assessment lacks a baseline assessment of the values of the geosites as listed on the TGD using a recognised methodology. The risk-rating used in the Geomorphology Impact Assessment report is based on a risk matrix, evaluating the likelihood of detrimental impact of the development on the geosite and the predicted severity of impact or consequence. The risk assessment matrix used in the Geomorphology Impact Assessment states that it is based on a qualitative impact assessment represented using three digits, where the first digit is the impact ranking which is a product of the effect (second digit) and likelihood (third digit). Although the risk matrix is broadly based on a standard risk matrix such as ISO 31000:2018 (ISO, 2018), the impact ranking is based on arbitrary values that do not follow a recognised methodology and are also not calculated correctly leading to incorrect impact rankings. Table 1 provides the correct calculations according to the given formula of Impact Ranking (first digit) = Effect (second digit) x Likelihood (third digit) and uses the same descriptors used in the Geomorphology Impact Assessment assigning High (red) to values of 6 and above, and Moderate (orange) to values of 2 and above. All other ranking values are considered low.

Table 1: Modified risk matrix table based on Geomorphology Impact Assessment report with correctly calculated impact ranking values.

Likelihood / Effect	None or improbably	Possible	Probable or uncertain	High likely
No or imperceptible 0	000	001	002	003
Negligible or minor 1	010	111	212	212
Moderate 2	020	221	422	623
Major 3	030	331	632	933

Two geosites, namely the Wellington Range Periglacial Terrain and the Organ Pipes geosites have been reassessed in this review using the modified risk matrix assessment framework (Table 1) due to direct impacts of the proposed development within the boundaries of these geosites (NVA, 2021) and concerns that the original assessment has not assessed the impacts correctly for these geosites. The results of the reassessment are given below in the Table 2.

Table 2: The assessed impacts on geomorphic features on select geosites directly impacted by Summit Terminal and/or Tower 3. The impact ranking is the first digit which is the product of the effect (second digit) and the likelihood (third digit).

Locations	Summit Terminal and Tower 3	Assessed impact on key elements			
Geosite: Geoconservation Database ID	Tasmanian Geoconservation Database description	Physical character	Ground water	Visual aesthetic	Construction sensitivity
Wellington Range Periglacial Terrain: 2227	The most extensive and well-developed high altitude periglacial terrain in Tasmania that has not otherwise been affected by glaciation (i.e., periglacial landforms unmodified by glaciation).	632	111	623	632
Organ Pipes Columnar Jointing: 2217	Columnar jointed Jurassic dolerite cliffs. Highly visible and readily accessible. The feature was noted by early French and English explorers, and is an important aesthetic feature of Hobart.	422	000	623	422

Section 6.11 Impact Assessments, Rankings and Responses to Planning Scheme Criteria

Wellington Range Periglacial Terrain: 2227

Physical Character – Impact ranking (IR) **632**

The assessment in the Geomorphology Impact Assessment report has stated that the Wellington Range Periglacial Terrain is not unique and the significance of the geosite has not been considered. The geosite has state level significance for geomorphological processes and is "The most extensive and well-developed high altitude periglacial (frost action) terrain in Tasmania without glacial influence" (NVA, 2021), containing an assemblage of landforms including tors (exposed bedrock standing abruptly above its surroundings, e.g., Rocking Stone), columnar jointed cliffs (polygonal system of joints at right angles to the cooling surface of the dolerite magma body, e.g., Organ Pipes which is also included in this geosite), blockfields and blockstreams (spread of rock debris from a former periglacial environment, e.g., Big Bend Blockstream) (Fig.1). A number of these landforms have been assessed as having high to moderate scientific value (Williams & McHenry, 2021) and should be considered as an assemblage of landforms that are important for scientific research and understanding past climates and are an insight into possible future dynamic responses of global

warming. The listed potential threats on the TGD include ground level disturbance on a commercial scale and the conservation status is classified as Potentially Threatened (NVA, 2021). A commercial scale ground disturbance related to this development, including earthworks, and the construction of infrastructure is at least probable to have a major effect on the physical character of this geosite despite its large scale. These effects include total or partial destruction of landforms and exposures of sediments, fragmentation of site integrity and loss of relationships between landform features, disruption of current geomorphological processes, and loss of visibility of key features. The impact ranking on the physical character of the Wellington Range Periglacial Terrain has been reassessed as High and as stated in the Geomorphology Impact Assessment report, High is deemed "unacceptable level of risk where the feature has high values and or is rare or unique and where it may be difficult to avoid or mitigate the impact through engineering or modified practices, such that avoidance may be the only viable measure of protection". The Geomorphology Impact Assessment report has not proposed avoidance, mitigation, or offset strategies with an appropriate monitoring program.

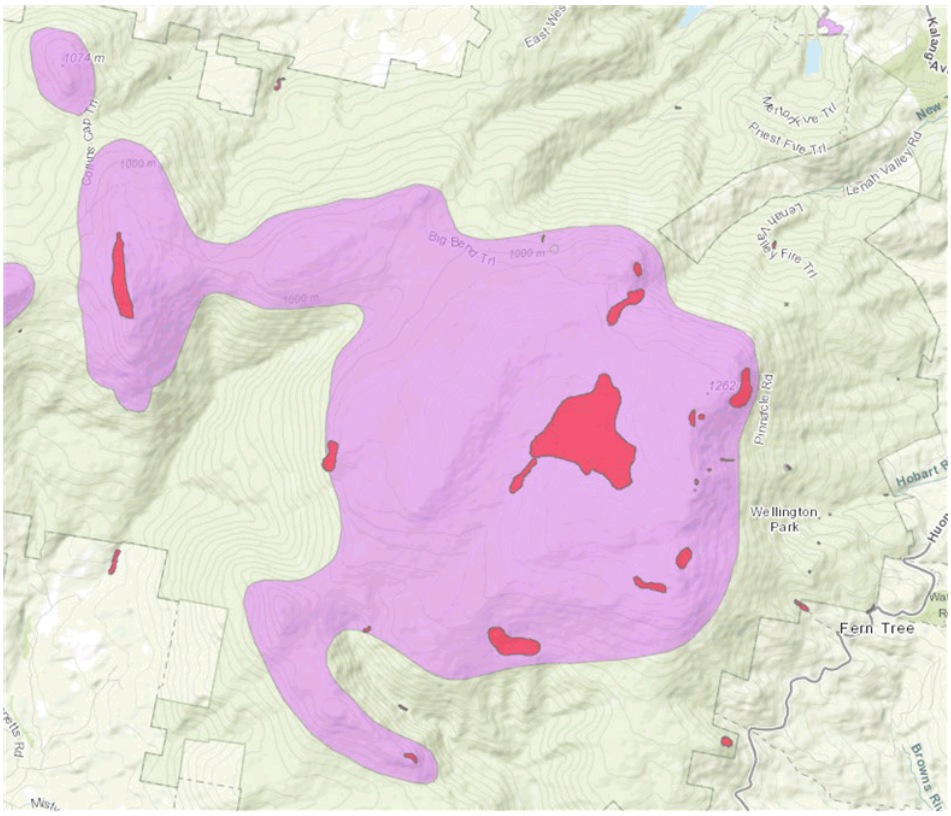

Fig 1: Wellington Range Periglacial Terrain geosite (purple) showing a number of embedded periglacial geosites (red) that form an assemblage of landforms that are important for scientific research and understanding a past periglacial climate without glacial influence in Tasmania (Williams & McHenry, 2021).

Groundwater – Impact ranking (IR) **111**

This assessment remains unchanged from the Geomorphology Impact Assessment report.

Visual aesthetic – Impact ranking (IR) **623**

The TGD considers the Wellington Range Periglacial Terrain a physical type and a viewpoint (NVA, 2021). The assessment of visual aesthetic in the Geomorphology Impact Assessment report only considers the towers and buildings, without regard to the cables. The installation of cables may lead to further concealment of the geosite by the proposed development. Therefore, the visual aesthetics of this geosite are highly likely to have at least moderate effects on the visual aesthetics directly from the geosite and from viewpoints across the area. The impact ranking has been reassessed as High and as stated in the Geomorphology Impact Assessment report, High is deemed "unacceptable level of risk where the feature has high values and or is rare or unique and where it may be difficult to avoid or mitigate the impact through engineering or modified practices, such that avoidance may be the only viable measure of protection". The Geomorphology Impact Assessment report has not proposed avoidance, mitigation, or offset strategies with an appropriate monitoring program.

Construction sensitivity – Impact ranking (IR) **632**

Any excavation and ground level disturbance will have permanent effects on the geosite. A commercial scale ground disturbance, including earthworks, and the construction of infrastructure is probable to have a major effect on this geosite. The impact ranking on construction sensitivity has been reassessed as High and as stated in the Geomorphology Impact Assessment report, High is deemed "unacceptable level of risk where the feature has high values and or is rare or unique and where it may be difficult to avoid or mitigate the impact through engineering or modified practices, such that avoidance may be the only viable measure of protection". The Geomorphology Impact Assessment report has not proposed avoidance, mitigation, or offset strategies with an appropriate monitoring program.

Organ Pipes: 2217

Physical Character – Impact ranking (IR) **422**

The Organ Pipes is the edge of a dolerite sill (sheet intrusion of dolerite magma) which has intruded into Permian sedimentary layers and has been uplifted due to crustal extension during the breakup of the supercontinent Gondwana. The Organ Pipes geosite has also been subject to both relict (fossil) periglacial (frost action) processes and is being shaped by ongoing geomorphological processes, demonstrated by the recent rockfall (Mazengarb et.al, 2015) close to the Organ Pipes. The geosite has been assessed as having high scientific value and moderate degradation risk in the regional Wellington Park Geosite Inventory (Williams & McHenry, 2021) with district level significance in the TGD (NVA, 2021), and any commercial scale ground disturbance, including earthworks, and the construction of infrastructure makes the likelihood of further degradation probable or uncertain. Alberts Tomb and Johnstones Knob are part of the Organ Pipes and are particular representative examples of dolerite tors (exposed bedrock standing abruptly above its

surroundings) (Hepper and de Gryse, 1995) that may be at further risk due to earthworks. Degradation of these features will have adverse effects on the geoheritage values of the Organ Pipes. The impact ranking on physical character has been reassessed as Moderate and as stated in the Geomorphology Impact Assessment report, Moderate is deemed "sufficient risk to warrant mitigation through engineering or modified practices but where avoidance is not the only viable measure of protection". The Geomorphology Impact Assessment report has not proposed avoidance, mitigation, or offset strategies with an appropriate monitoring program.

Groundwater – Impact ranking (IR) **000**

This assessment remains unchanged from the Geomorphology Impact Assessment report.

Visual aesthetic – Impact ranking (IR) **623**

The assessment of visual aesthetic in the Geomorphology Impact Assessment Report only considers the towers and buildings, without regard to the cables. Furthermore, the TGD states that the "aesthetic integrity may be threatened by proposed development" (NVA, 2021) and this is evident by both the cables, towers, and buildings of the proposed development, which may lead to partial concealment of the geosite. Therefore, the visual aesthetics of this geosite is highly likely to have at least moderate effects on the visual aesthetics directly from the geosite and from viewpoints across the area. The impact ranking on visual aesthetic has been reassessed as High and as stated in the Geomorphology Impact Assessment report, High is deemed "unacceptable level of risk where the feature has high values and or is rare or unique and where it may be difficult to avoid or mitigate the impact through engineering or modified practices, such that avoidance may be the only viable measure of protection". The Geomorphology Impact Assessment report has not proposed avoidance, mitigation, or offset strategies with an appropriate monitoring program.

Construction sensitivity – Impact ranking (IR) **422**

The degradation risk of the Organ Pipes has been assessed as moderate (Williams & McHenry, 2021). Commercial scale ground disturbance makes the likelihood of further degradation probable or uncertain. Alberts Tomb and Johnstones Knob are part of the Organ Pipes and are particular representative examples of dolerite tors that may be at further risk due to earthworks. Degradation of these features will have adverse effects on the geoheritage values of the Organ Pipes. The impact ranking on construction sensitivity has been reassessed as Moderate and as stated in the Geomorphology Impact Assessment report, Moderate is deemed "sufficient risk to warrant mitigation through engineering or modified practices but where avoidance is not the only viable measure of protection". The Geomorphology Impact Assessment report has not proposed avoidance, mitigation, or offset strategies with an appropriate monitoring program.

Assessment:

The application has been assessed with regard to the relevant geoheritage provisions of the Wellington Park Management Plan as outlined above.

Clause 8.5.7 - Standards for Activities, Use and Development – Applies to all proposal except for pinnacle centre and access outside of Wellington Park	
Issue 2: Flora and Fauna Conservation, Geoconservation and natural processes	
Objective: To conserve flora, fauna, geological and geomorphological values, and to protect natural processes.	
A2.3 Geoheritage	***P2.3 Geoheritage***
The proposal does not impact upon any geoheritage sites listed as significant in this Management Plan or in a scientific assessment endorsed by the Trust, or listed on the Tasmanian Geoconservation Database.	*Any adverse impacts on any geoheritage values must be avoided or remedied to ensure no long term impact on geoheritage values.*
Assessment summary Requirement P2.3 applies. The proposal impacts upon the Wellington Range Periglacial Terrain geosite and Organ Pipes Columnar Jointing geosite as listed on the Tasmanian Geoconservation Database. A detailed assessment of impacts has been undertaken below. In summary, the proponent has not sufficiently demonstrated that the proposal avoids or remedies adverse impact on the identified geoheritage values. The impact ranking on the physical character, visual aesthetic and construction sensitivity of the Wellington Range Periglacial Terrain geosite is considered to be high. The impact ranking on the visual aesthetic of the Organ Pipes geosite is also considered to be high. A high impact ranking is deemed an unacceptable level of risk, such that avoidance may be the only viable measure of protection. The proposal does not avoid impacts, nor does it present any viable alternative protection measures. The proposal does not meet the performance criterion at clause 8.5.7 P2.3.	

Clause S2.6 - Standards for Activities, Use and Development – Applies to pinnacle centre only	
Issue 2: Flora and Fauna Conservation, Geoconservation and natural processes	
Objective: To conserve flora, fauna, geological and geomorphological values, and to protect natural processes.	
A2.3 Geoheritage *The proposal does not impact upon any geoheritage sites listed as significant in this Management Plan or in a scientific assessment endorsed by the Trust, or listed on the Tasmanian Geoconservation Database.*	***P2.3 Geoheritage*** *Any adverse impacts on any geoheritage values must be avoided or remedied to ensure no long term impact on geoheritage values.*
Assessment summary Requirement P2.3 applies. The proposal impacts upon the Wellington Range Periglacial Terrain geosite and Organ Pipes Columnar Jointing geosite as listed on the Tasmanian Geoconservation Database. A detailed assessment of impacts has been undertaken below. In summary, the proponent has not sufficiently demonstrated that the proposal avoids or remedies adverse impact on the identified geoheritage values. The impact ranking on the physical character, visual aesthetic and construction sensitivity of the Wellington Range Periglacial Terrain geosite is considered to be high. The impact ranking on the visual aesthetic of the Organ Pipes geosite is also considered to be high. A high impact ranking is deemed an unacceptable level of risk, such that avoidance may be the only viable measure of protection. The proposal does not avoid impacts, nor does it present any viable alternative protection measures. The proposal does not meet the performance criterion at clause S2.6 P2.3.	

References

Hepper J, de Gryse, J. 1995. Wellington Park: Values Use and Management Inventory, Hobart.

International Organization for Standardization (ISO), 2018. ISO 31000:2018: Risk management — Guidelines https://www.iso.org/standard/65694.html. Accessed 3 July 2021.

Mazengarb, C., Stevenson, M.D, Knight, K. (2015). The Mount Wellington rock fall event of 8 July 2014 described; with implications for MRT rock fall modelling methodology, Tasmanian Geological Survey Record 2015/02. Mineral Resources Tasmania

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Sharples, C. (2002). Concepts and Principles of Geoconservation. Hobart, Tasmania, Australia: Tasmanian Parks & Wildlife Service. https://dpipwe.tas.gov.au/Documents/geoconservation.pdf

Williams, M. McHenry, M. (2021). Tasmanian reserve geoconservation inventory assessment using Geographic Information Technology (GIT), International Journal of Geoheritage and Parks, https://doi.org/10.1016/j.ijgeop.2021.05.001.

Application Referral – Noise Impact Assessment

From:	Darren Tardio, Enfield Acoustics
Date completed:	7 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Wellington Park Management Plan 2013 (as amended October 2015)

- Clause 8.5.7 – Standards for Activities, Use and Development, Issue 6, P6.1– Applies to base station and most of cableway
- Clause S2.6 - – Standards for Activities, Use and Development, Issue 11, P11.1 – Applies to pinnacle building and section of cableway within the Pinnacle Specific Area Plan area.

Hobart Interim Planning Scheme 2015

- Clause 28.3.2 Noise - Applies to access road where in the Utilities Zone near McRobies Road.

Assessment:

Wellington Park Management Plan 2013	
Section 8.5.7. Issue 6: Noise	
Objective: To provide for the quiet enjoyment of natural and cultural values, and acoustic amenity of the Park.	
A11.1 Noise from point sources must not exceed 50 dB(A) at any point within 50m of the source.	P11.1 Noisy activities which could have an adverse effect on the quiet enjoyment of natural and cultural values must be avoided or remedied to prevent any loss of acoustic amenity in the Park.

Wellington Park Management Plan 2013	
Issue 11: Noise	
Objective: To provide for the quiet enjoyment of natural and cultural values, and acoustic amenity of the Park.	
A11.1 Noise from point sources must not exceed 50 dB(A) at any point within 50m of the source.	P11.1 Noisy activities which could have an adverse effect on the quiet enjoyment of natural and cultural values must be avoided or remedied to prevent any loss of acoustic amenity in the Park.

The *Wellington Park Management Plan 2013* (Management Plan) provides some qualification on what is acceptable at Chapter 8:

> **8.1.1 Interpretation**
>
> Terms in this chapter have their ordinary meaning unless they are defined in the *LUPAA* or specifically defined in the Planning Scheme Template for Tasmania or in chapters 8A or 8B of this Management Plan.

On the basis of a previous study into the Park's attributes, at 4.6:

> Reduced recreational value can occur due to excessive noise from vehicles or large numbers of people, and impact on the quietness, solitude and sense of wildness that many value in the Park (McConnell, 2012). The Springs and the Pinnacle are focal points for visitors and sustain constant foot and vehicle traffic, and pressures from human activity can potentially lead to a loss of natural and landscape values and, given their heritage significance, loss of heritage values. Alpine vegetation in particular is vulnerable and slow to recover from trampling, as is evident in some of the vegetation at the Pinnacle, while alpine soils may be shallow and prone to erosion if exposed.

And at 8.5, specific emphasis is placed on avoidance of noise intrusion on the Park:

> **8.5 Strategies and Actions to Guide the Two Approval Processes**
>
> To provide guidance to all parties on the assessment process the following strategies and actions are to be followed.
>
> **8.5.1 Assessment Requirements – General**
>
> 1. Proposals for activities, use and development will be required to:
>
> - Avoid impact on the legitimate enjoyment and experience of the Park's features and values by others, especially in relation to noise intrusion;

While there is obvious ambiguity and varying tolerance to what the 'legitimate enjoyment' and 'values by others' are for the Park, the literature clearly states that noise impacts would de-value the Park experience. Notwithstanding the ambiguity of terms used in the Management Plan, my interpretation is that the Management Plan is recommending that existing noise values are preserved qualitatively.

In my opinion, a better way to objectively assess whether the noise impacts would de-value the Park experience, is to assess the relative change in noise level that the development would introduce. This is also recommended in the *Environmental Protection Policy (Noise) 2009* (EPP), as follows:

Outdoors in parkland and conservation areas	Disruption of tranquillity	(4)		

Footnotes to Table 1, Clause 18

(1) As low as possible.
(2) Under headphones, adapted to free-field values.
(3) Peak sound pressure (not L_{AF},max) measured 100mm from the ear.
(4) Existing quiet outdoor areas should be preserved and the ratio of intruding noise to natural background sound should be kept low.

The above citation in the EPP is taken from the World Health Organisation's recommendations for community noise guidelines.

The inference is that noise emission from proposed development within the Park should not be emergent above the natural ambient noise. In quantitative terms, this would mean that the proposal would need to meet a noise target which is 5-10dB less than ambient noise to ensure that the Park's existing noise values are preserved.

The Terts Report, dated 27 July 2020, that was provided with the development application notes that ambient noise in the Park was measured to be:

- 25dB(A) L_{eq} at night; and
- 44dB(A) L_{eq} during the day.

The choice of noise metric is also open to discussion, however I have selected 'ambient Leq' noise for the purpose of making a comparison to the emission levels assumed in the Terts Report when comparing to the EPP.

From this, the inference under the EPP and the Management Plan, where the Park's values are to be preserved, is that the development proposal would need to emit L_{eq} noise levels that are:

- Less than 15-20dB(A) for any operations at night; and
- Less than 34-39dB(A) for any operations during the day.

It is noted that the above targets would be more difficult to achieve than the acceptable solutions, and the Terts Report shows that the above targets would not be met.

This may explain why the acceptable solution of '50dBA' is likely referring to the L_{max} noise metric, given the change in noise level proposed in the development application material would be clearly emergent above existing ambient noise, and therefore the Park's noise values would not be preserved. Were L_{eq} assumed as the correct metric, it would imply that increases of up to 25dB might be acceptable, which would sound like a six-fold increase in noise to the human ear. For

context, an audible doubling of noise (i.e. 10dB) would be considered as unacceptable in most situations.

On the basis that L_{max} is a more appropriate metric against the Management Plan, I note that noise levels of approximately 60dB(A) L_{max} are predicted in the Terts Report within 50m of the proposal.

The application therefore does not comply with the acceptable solution, but I have proceeded on the basis that the acceptable solution provides a benchmark for acceptability of noise impacts in the Park.

Given that the existing ambient noise levels are well below the acceptable solution threshold and the proposed noise generated by the proposal will clearly be emergent and therefore will alter the current quiet enjoyment of the Park, a pragmatic consideration would be to apply no greater than a 3dBA allowance above the acceptable solution benchmark (3dB being the smallest change accepted to be noticeable). To that end, I have assumed a level of 53dBA L_{max} as an acceptability benchmark under the performance criteria. The predicted levels in the Terts Report would also not comply with this definition of the performance criteria.

Therefore, in conclusion and on the basis of the interpretation submitted, the proposal does not comply with the acceptable solution or performance criteria, even where some reasonable dispensation is assumed, given noise levels are predicted to be up to 60dB(A) L_{max} within 50m of the proposal.

Hobart Interim Planning Scheme 2015	
Clause 28.3.2, Noise	
Objective: To ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and	P1 Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.

impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	

I have also been instructed to review potential noise impacts from the provision of an access road between the base station site and McRobies Road, which the Applicant was requested to consider. I understand however that this will not be a Council road and its primary purpose is for access to the cable car and therefore is part of the Development sought.

The proposed access road crosses through a Utilities Zone and the Terts Report does not make any assessment in accordance with Clause 28.3.2 of the *Hobart Interim Planning Scheme 2015*. Because no assessment has been carried out, it is intrinsic that compliance with the performance criteria of the planning scheme has not been demonstrated.

Were the proposal to be assessed against the acceptable solutions of the planning scheme, it is noted that the proposed link road would be less than 50m from a residential zone and therefore hours of use would need to be limited to 7am – 7pm under Clause 28.3.1 of the Utilities Zone with commercial vehicle movements restricted further to 9am to 5.00pm on Saturdays. Commercial vehicles include buses.

Where the performance criteria assumes objective dispensation from the targets under the acceptable solutions, I have again consulted the EPP:

Specific environment	Critical health effect(s)	L_{Aeq} [dB(A)]	Time base [hours]	L_{Amax}fast [dB]
Outdoor living area	Serious annoyance, daytime and evening	55	16	-
	Moderate annoyance, daytime and evening	50	16	-
Dwelling, indoors	Speech intelligibility & moderate annoyance, daytime & evening	35	16	-
Inside bedrooms	Sleep disturbance, night-time	30	8	45
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60

I note again that there is already an inherent conflict with the planning scheme requirements, in that the recommendations under the EPP are generally lower than the acceptable solutions to begin with. In other words, there is already some dispensation in the acceptable solutions when compared to broader standards and regulations.

For the sake of pragmatism and in accordance with my instructions, I have again assumed a 3dB change to the criteria as a tolerable dispensation when comparing the acceptable solutions and performance criteria.

The Terts Report has not provided an assessment of traffic noise impacts, and background noise has not been quantified at McRobies Road. To assist the Authority, and in-lieu of any such assessment being carried out by the Applicant, I have carried out a technical assessment of likely noise impacts from the McRobies Road extension.

In accordance with the Traffic Impact Assessment prepared by Midson Traffic on behalf of the Applicant, up to 109 vehicles can be expected during a peak hour. The estimated noise level from this is 54dB(A) $L_{eq,\ 1h\text{-}hr}$ and 63dB(A) L_{max} at the residential boundary. The development application may result in borderline compliance with Clause 28.3.2 during the day.

For use outside of 7am-7pm, the Traffic Impact Assessment assumes vehicle numbers up to 7 over an hour, which would reduce the $L_{eq,\ 1h\text{-}hr}$ to 42dB(A). This would not comply with the acceptable solutions and may be borderline where a 3dB dispensation is assumed under the performance criteria, however background noise levels would need to be measured at this location to confirm what a reasonable target is. This has not been done by the Applicant so is difficult to confirm at this time.

CONCLUSION

In conclusion, my opinion is that the development application has not demonstrated that it will comply with either the acceptable solutions or any reasonable dispensation under the performance criteria.

There may be borderline compliance with the performance criteria of Clause 28.3.2, however this would need to be verified by measurement of existing background noise on McRobies Road.

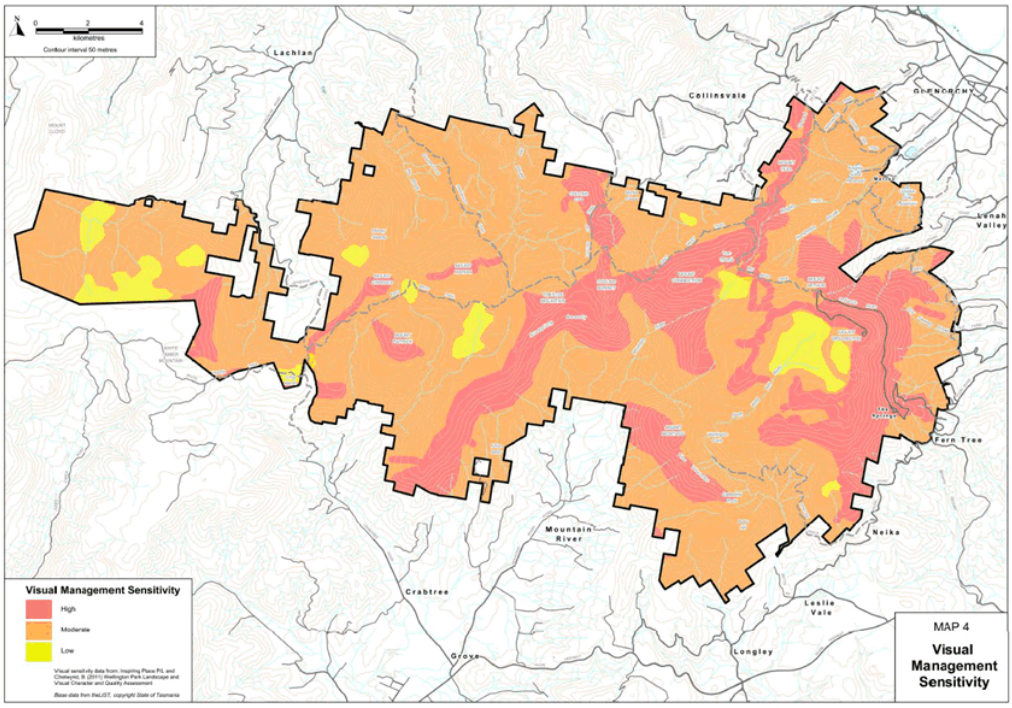
On this basis, my recommendation is that the development application should not be approved.

Application referral – Visual impact assessment

From:	Chris Goss, Orbit Solutions
Date completed:	9 July 2021
Address:	100 Pinnacle Road, Mount Wellington & 30 McRobies Road, South Hobart
Proposal:	Cableway and associated facilities, infrastructure and works
Application No:	PLN-19-345
Assessment Officer:	Emma Riley

Relevant provisions:

Wellington Park Management Plan 2013 (as amended October 2015)

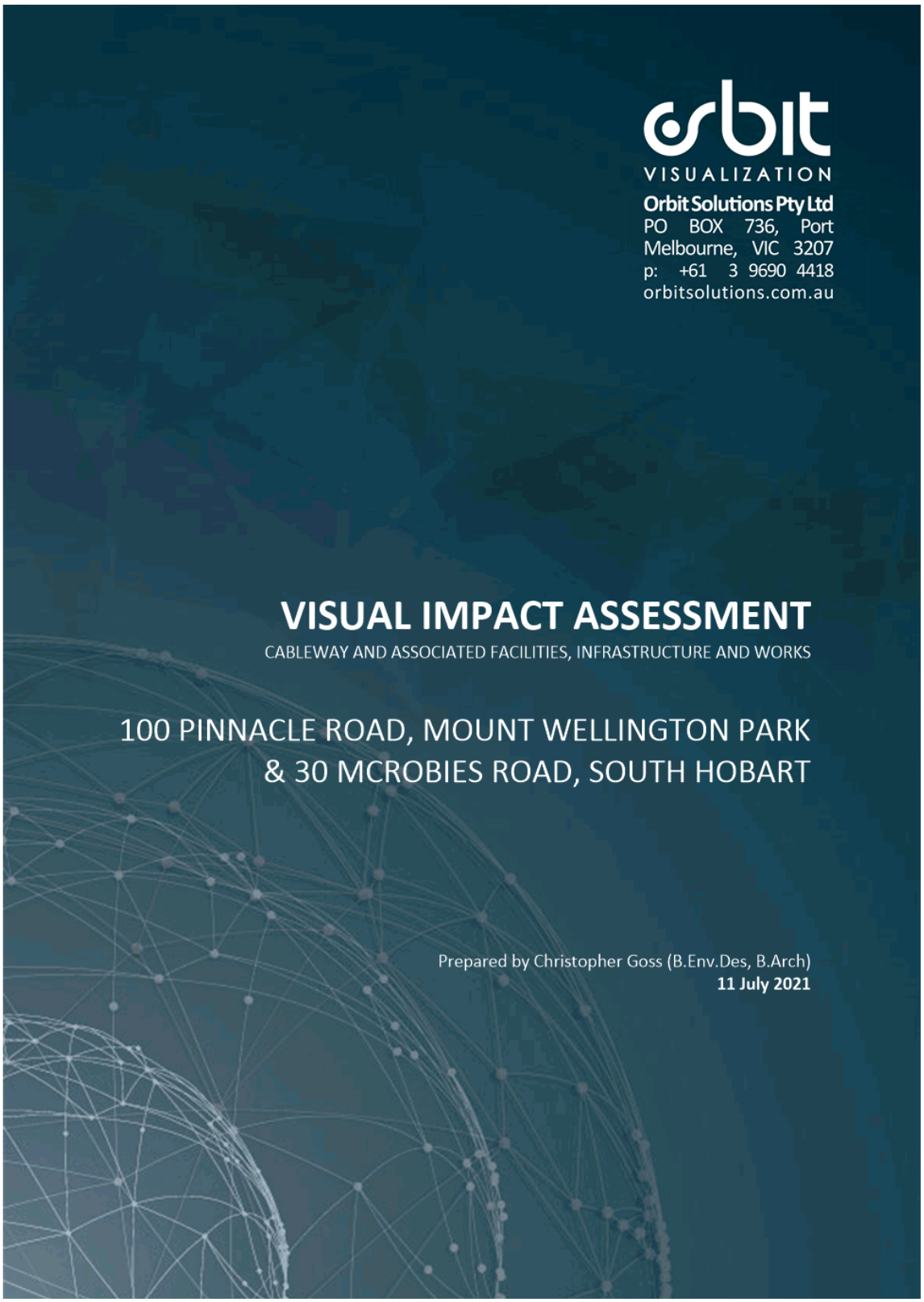


- Section 8.5.7 – Table 5 - Standards for Activities, Use and Development in Wellington Park
  - Section 8.5.7, Issue 5: Visual sensitivity, P5.1
  - Section 8.5.7, Issue 5: Building design and light effects, P5.2

- Section S2.6 –Standards for Activities, Use and Development in The Pinnacle specific area
  - Section S2.6, Issue 5: Visual sensitivity, P5.1
  - Section S2.6, Issue 9: Building design, P9.1
  - Section S2.6, Issue 9: Building size, P9.2
  - Section S2.6, Issue 9: Appearance and lighting, P9.3
  - Section S2.6, Issue 10: Building siting, P10.1

Assessment:

See attached report 'Visual Impact Assessment: Cableway and associated facilities, infrastructure and works' dated 9 July 2021.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& 30 MCROBIES ROAD, SOUTH HOBART
Prepared by Christopher Goss (B.Env.Des, B.Arch)
11 July 2021

Contents

1. INTRODUCTION

1.1 The Wellington Park Management Plan

1.1.1 The Wellington Park Management Plan 2013 (as amended October 2015) [WPMP] provides the guiding framework for the Visual Impact Assessment [VIA].

1.1 The Proposal

1.1.1 The proposal for Mt. Wellington Cable Car is located within Wellington Park (established 1 November 1993). The proposal is for a proposed connecting road from McRobies Road, South Hobart leading to a proposed Base Station inside the eastern boundary of the Park on the lower slopes of kunanyi / Mount Wellington. The proposed Base Station is linked to the proposed Pinnacle Centre by a proposed cable way spanning three proposed towers and carrying two proposed 'Aerial Trams', each with a maximum capacity of 80 people (standing) per journey.

1.1.2 The proposal for the 'Mt. Wellington Cable Car' has three contiguous components that for the purpose of the VIA are consistent with the application material. These are:

1.1.2.1 The Pinnacle Centre; located in the WPMP Pinnacle Specific Area.

1.1.2.2 The Base Station with associated Access Road; located in the WPMP Recreation Zone.

1.1.2.3 The Cableway; located in the WPMP Recreation Zone, Natural Zone and Pinnacle Specific Area.

1.2 The Process

1.2.1 For this Visual Impact Assessment, the following review process has been undertaken:

1.2.1.1 Relevant Application Submission documentation reviewed. In limited situations the Applicants website has been reviewed to gain additional insight into the Aerial Tram proposed as this was not apparent from the application materials, in such instances this is noted.

1.2.1.2 A desktop review and fieldwork of the site, investigating areas that may be impacted within the Park and from beyond the Park in effected Municipalities.

1.2.2 An analysis of the relevant parts of the application has been undertaken that examine the visual implications of the proposal through a framework that examines the Form, Line, Texture and Colour, Scale and Spatial Character of the proposal in its various parts.

1.2.3 WPMP have the following Relevant provisions that relate to the assessment of the acceptability of this proposal in terms of impact on landscape values and character:

1.2.3.1 Clause S2.6 – Standards for Activities, Use and Development – Applies to pinnacle building

1.2.3.2 Clause 8.5.7 – Table 5 - Standards for Activities, Use and Development – Applies to base station and towers.

2. REFERRAL DOCUMENTS REVIEWED:

2.1 Wellington Park Infrastructure and Design Guidelines

2.1.1 The key desired outcomes of the Wellington Park Management Plan include (pg. 26):

2.1.1.1 The enhancement of the visitor experiences in the Park.

2.1.1.2 The protection, maintenance and, where appropriate, restoration of the ecological and cultural integrity of the Park.

2.1.1.3 The enhancement of an ethic of care for the Park within the community consciousness.

2.1.2 The most important identified values of Wellington Park, after walkability, include (in order of importance):

2.1.2.1 Naturalness / wildness of the Park.

2.1.2.2 Landscape of the Park at a general level.

2.1.2.3 Park's location as a natural area next to Hobart, or bookending Hobart with the Derwent on the other side.

2.1.2.4 Native biota; (Flora and Fauna)

2.1.2.5 Park's general aesthetic quality.

2.1.3 Infrastructure Provision Standards (required under P9.2 Building Size)

2.2 Wellington Park Management Plan (2015)

2.2.1 **Wellington Park Management Plan (2015) (WPMP)** identifies the various areas of the Park resulting in the proposal being contiguously within three of the management areas of kunanyi / Mount Wellington Park:

2.2.1.1 **The Recreation Zone**; which provides for easily accessible, relatively high use nature-based tourism and recreation in a predominantly natural or natural looking setting. The application proposes the Base Station, Towers 1 & 2 and part of the access road in the RZ.
The Relevant Objective: Protect the scenic qualities of the Zone when viewed both from within the Zone and from outside the park.

2.2.1.2 **Natural Zone**; This zone aims to preserve the undisturbed condition of the land, protect the biodiversity and scenic qualities of the area in addition to the appropriate development of tourism services and facilities in limited locations. The cableway and Tower 3 are proposed to be located in the Natural Zone.
The Relevant Objective: Protect the scenic qualities of the area when viewed both from within the Zone and from outside the park.

2.2.1.3 **The Pinnacle Specific Area**; This zone covers part of the summit of the mountain and allows for a variety of uses, including telecommunications infrastructure, commercial activities, transport depots and visitor services. It aims to develop and provide for a range of daily tourism and recreation opportunities based on sightseeing and scenic tourism. Consolidation of existing visitor facilities is encouraged, and the management zone seeks to protect the environmental and cultural qualities of the area. The Pinnacle Centre and associate access ways are proposed to be located within the Pinnacle Specific Area Plan.
The Relevant Objective: Protect the scenic qualities of the area when viewed both from within and from outside the Park and, except for existing or already approved communications facilities, minimise skyline intrusions when the Zone is viewed from municipalities surrounding the Park.

2.2.2 Clause 2.3 WPMP Defining the Park's Values, where the USE Values (including recreation and tourism) are seen alongside Cultural Values (including sense of place).

2.2.3 These 'Inherent Values' have a 'Statement of Significance' articulated in the table, that when brought together assists in analysis of the Use Values against the Cultural Values associated with WPMP's categorisation of the community's perception of place.

2.2.4 'Beauty, Landscape and Sense of Place' are described here (and in an similar manner in Clause 2.3) as having a Cultural Value. The Cultural significance is noted as National. The Inherent Landscape Value of the topographic landmark of the Organ Pipes are specifically noted. 'Sense of Place' is described here as:

Sense of Place	The Park is more than a biophysical reserve, and more than the historical parts that make it up. 'It is, in fact, part of the community's 'extended sense of self'. 'That is, it is inextricably linked into the psyche and perhaps the being of the community of southern Tasmanians who live in its shadow. This is reflected in: a broad range of personal and artistic responses to the Park; its sense of wildness; the historic use of the Park for various forms of recreation; and its role as a site of significant scientific research.

Figure 1 WPMP 2013 Pg 17

2.2.5 Clause 2.3 WPMP states that the Management Objectives include "Protect and retain the special tourism and recreational character and community sense of place which the Park Provides".

2.3 The Wellington Park Social Values and Landscape – An Assessment

2.3.1 The following places and features within the park were identified in The Landscape & Social Values – The Questionnaire Results (p. iv) as being of special social value:

- Summit of kunanyi / Mount Wellington Park (most highly valued natural place),
- the Springs,
- the Organ Pipes, [The Organ Pipes are another distinctive scenic feature on the Eastern face of kunanyi / Mount Wellington Park, featuring dolerite rock columnar cliffs.]
- Sphinx Rock,
- the Pipeline Track,
- and the Zig Zag Track.

3. APPLICATION DOCUMENTS REVIEWED:

3.1 View Shed Mapping /3D Photomontages Proposed kunanyi / Mount Wellington Park Cable Car, Tasmania

3.1.1 2 January 2020

3.1.2 Prepared For: Mount Wellington Park Cable Car Company (MWCC) Pty Ltd

3.1.3 Prepared By: Andrew Strugnell Another Perspective Pty Ltd

3.1.3.1 Static images do not take into account the movement of the Gondolas that would increase the receptors level of visual attention as a result of the movement of the object across the field of vision and the increased opportunities for contrast against the background due to glint and glare.

3.2 MOUNT WELLINGTON PARK CABLE CAR Visual Impact Assessment Rev D

3.2.1 18 December 2019

3.2.2 Prepared By: Tim Nicholls Ethos Urban

3.2.3 Revision D By: Chris Bain Ethos Urban

3.2.3.1 Page 21: "This assessment does not aim to rank or prioritise any one value above another, but rather concludes that the Mountain is of the highest social and cultural value to the people of Hobart, and that this value is intrinsically connected to the visual elements of the Mountain."

3.3 MOUNT WELLINGTON PARK CABLE CAR Planning Assessment Report

3.3.1 18th May 2021 V4 Incorporating responses to RFI

3.3.2 Prepared For: kunanyi / Mount Wellington Park Cable Car Company (MWCC) Pty Ltd

3.3.3 Prepared By: Ireneinc Planning and Urban Design

3.4 MT WELLINGTON CABLE CAR Site Servicing Report

3.4.1 Mt Wellington Pinnacle and McRobies Rd South Hobart

3.4.2 Revision 2, 18th December 2019.

3.4.3 Prepared For: kunanyi / Mount Wellington Park Cable Car Company (MWCC) Pty Ltd

3.4.4 Prepared By: Gandy and Roberts

3.5 ARCHITECTURAL DRAWINGS

3.5.1 MWCC Masterplan - received 6 Jan 2020

3.5.2 Architectural drawings Pinnacle Centre Received 12 Jun 2019

3.5.3 Architectural drawings - Base terminal - received 7 Aug 2020

3.5.4 Prepared For: kunanyi / Mount Wellington Park Cable Car Company (MWCC) Pty Ltd

3.5.5 Prepared By: JAWS ARCHITECTS / 1+2 ARCHITECTURE

4. OVERVIEW OF THE PROPOSED DEVELOPMENT

4.1 Architectural Documents

4.1.1 MASTER PLAN Architectural drawings; 1 + 2 Architecture and Jaws Architects, 10 January 2019

4.1.1.1 The master plan identifies the Pinnacle, Cableway and Tower Locations, Base Station and new Link Road that are proposed. The Park, Municipal Boundaries and/or other relevant features, roads or places are not identified.

Figure 2 Extract: 1782_DA101 SITE PLAN & DRAWING SHEDULE

4.1.2 **PINNACLE CENTRE**

4.1.2.1 Architectural drawings; 1 + 2 Architecture and Jaws Architects, 10 January 2019

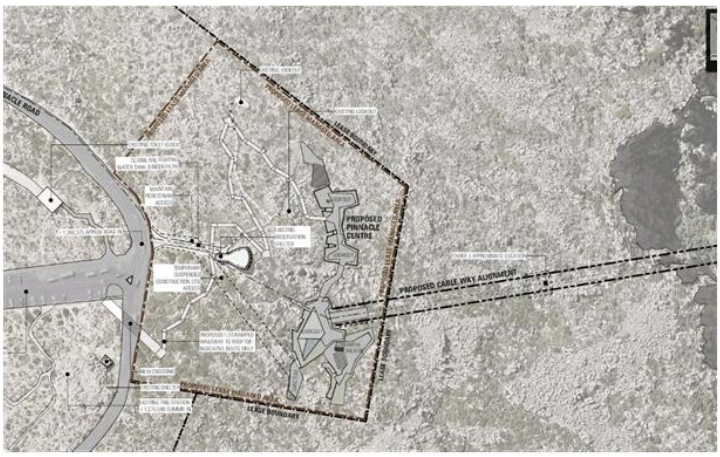


Figure 3 Extract: 1782_DA101 SITE PLAN & DRAWING SHEDULE

4.1.2.2 The Site Plan provides an indicative route for the proposed 1:20 walkway to the rooftop. The proposed ramps and lookout junctions are in lieu of the existing walkway and lookouts.

4.1.2.3 The removal of the existing walkway will require remediation of generated disturbance. Where geology has been disturbed there will be visible long-term effects. Newly disturbed vegetation and areas that have existing vegetation disturbance will gradually rehabilitate, though given the exposed nature of the Pinnacle Area growth rates are slow, so natural mitigation will be a medium to long term process.

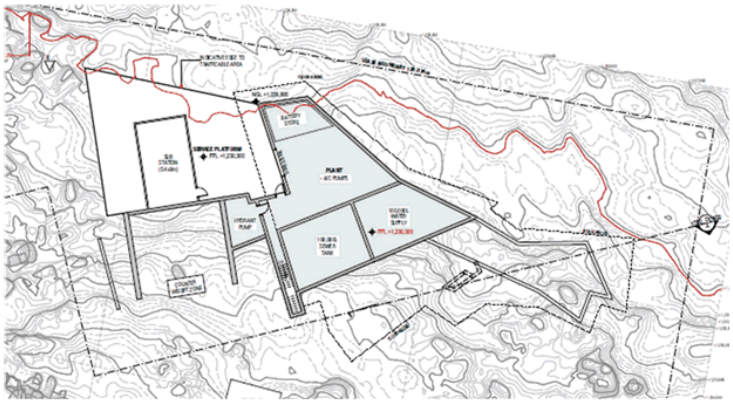


Figure 4 Extract: 1782_DA201 BASEMENT PLAN

4.1.2.4 1782_DA201 The "basement" is not included in the sections, noting that 'Section A' steps around the back of the basement area.

4.1.2.5 The Basement FFL is noted @ FFL+1,230,300 (all levels are in millimetres).

4.1.2.6 The Natural Ground Level (NGL) is @ +1,229,800, therefore the "basement" at the downhill east side is above the NGL by 500mm.

4.1.2.7 At the south of the proposed basement footprint the corner contour is @ NGL+1,232,800 suggesting that the proposed FFL is 2500mm below the NGL.

4.1.2.8 As the proposed level above this is FFL +1,233,450 the wall height for the basement (to the top of Level 0 FFL) is 3150mm resulting in the basement being +650mm above NGL at the southern end and +3650mm above NGL at the eastern end.

4.1.2.9 Given the visual sensitivity to the eastern aspect caution needs to be exercised when considering how this exposed built form will present.

4.1.2.10 This visual presentation of the "basement" for the eastern aspect as well as the southern aspect is made relevant by P9.1 Building Design: For any building greater than 3.5m as it effects the visual bulk of the building in relation to the height above NGL.

4.1.2.11 The walls of the Basement Level below the Restaurant are stone clad assisting with the integration into the rocky terrain and ameliorating the substantive height above natural ground level of the restaurant Level on Level 0.

4.1.2.12 The concrete finish below the Cable Car Platform provides a less integrated resolution and in concert with the same area on the level above and the cable mechanisms provide a visually contrasting component of the proposed development as seen from the eastern VCZ's.

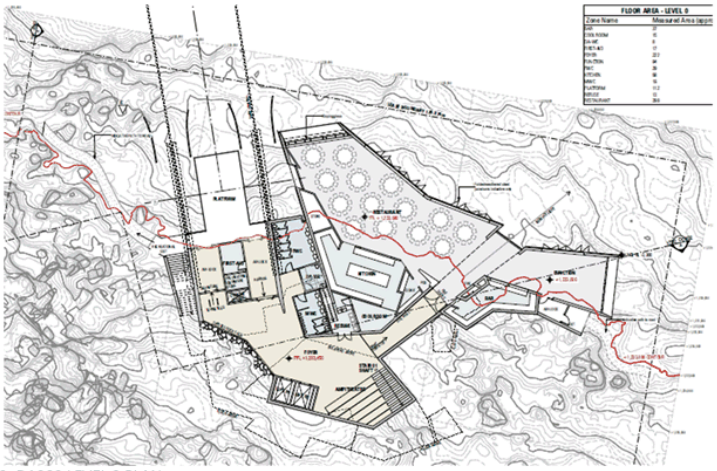


Figure 5 Extract: 1782_DA202 LEVEL 0 PLAN

4.1.2.13 1782_DA202 The Level 0 FFL is noted @ FFL+1,233,000 at the southern extent the NGL is noted as being -3,300 below. (NGL being + 1,229,700)

4.1.2.14 Below the sloping glass eastern extent adjacent to the ledge of the PLATFORM the NGL contour is +1,229,400 being 3,900mm above the Natural Ground Level.

4.1.2.15 This level has an external materials palette of weathered steel panels (perforated in front of glazing) as well as the glazed areas of viewing windows.

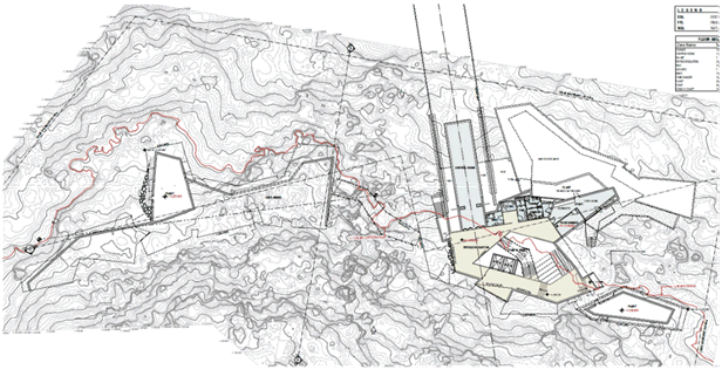


Figure 6 Extract: 1782_DA203 LEVEL 1 PLAN

4.1.2.16 1782_DA203 The Level 1 FFL is noted @ FFL +1,236,900, this would have the control room floor level +6,650mm above NGL.

4.1.2.17 1782_DA204 The Level 2 southern wing FFL is noted @ FFL +1,240,500.

4.1.2.18 The walkway bridge links the southern wing to the northern Café. The Café has an FFL of +1,241,000

4.1.2.19 The control room roof Level has not been noted on the Architectural Plans, my estimation from the noted levels on the elevations is that it is in the proximity of +1,240,000.

4.1.2.20 This would have the roof +3,100mm above the FFL and +9,750mm above NGL at the eastern most extension.

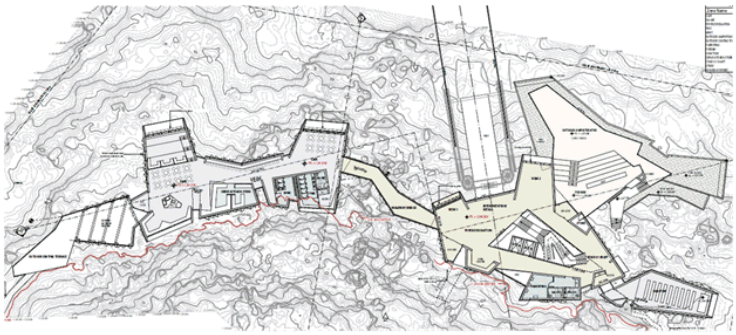


Figure 7 Extract: 1782_DA204 LEVEL 2 PLAN

4.1.2.21 The Level 2 Outdoor Amphitheatre FFL is noted @ FFL + 1,237,850, this is consistent with the level noted on the eastern most parapet above the sloping glass section of the restaurant (Level 0).

4.1.2.22 At this eastern most parapet the proposed level is to be + 8,150 above NGL.

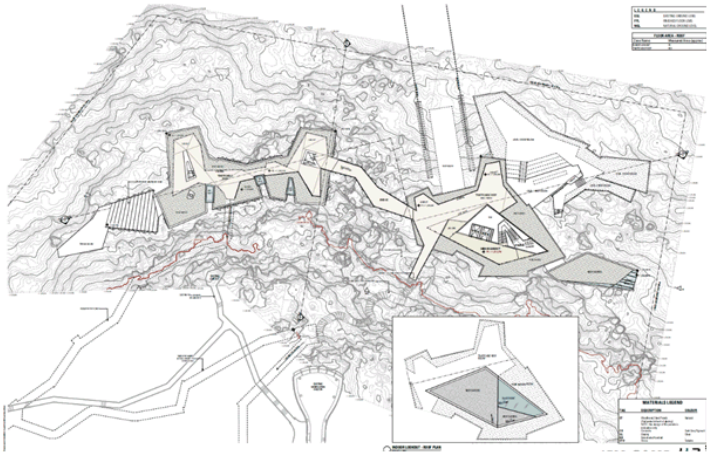


Figure 8 DA205 ROOF PLAN

4.1.2.23 The "Roof Plan" has the enclosed INDOOR LOOKOUT @ FFL +1,244,550 as well as a series of continuous TRAFFICABLE ROOF areas @ FFL +1,244,200 , FFL +1,244,500, FFL +1,245,000 and ROOF GARDENS @ +1,244,600.

4.1.2.24 There are no levels provided on the INDOOR LOOKOUT ROOF PLAN and no designated levels for that roof area or other projections that include, but are not limited to, handrails, skylights, seating platforms, lift overruns.

4.1.2.25 The elevations provide some indication of the floor levels and relationship of these areas that have not been annotated with dimensions.

4.1.2.26 The overall levels of the proposed building ranges from +1,230,300 at the Basement up to +1,244,550 at the lower roof. This is a level range of +14,250mm. Given an additional +3, 250 potential height for the indoor lookout roof the elevated level of the proposed building is +17,500mm.

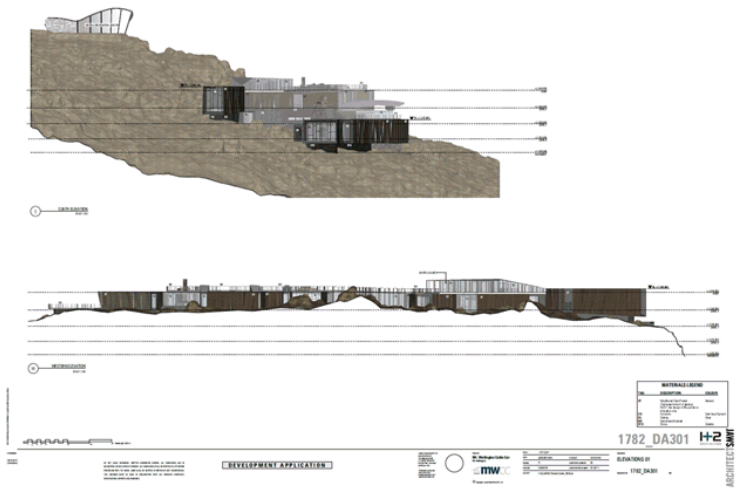


Figure 9 Extract: 1782_DA301 ELEVATIONS 01

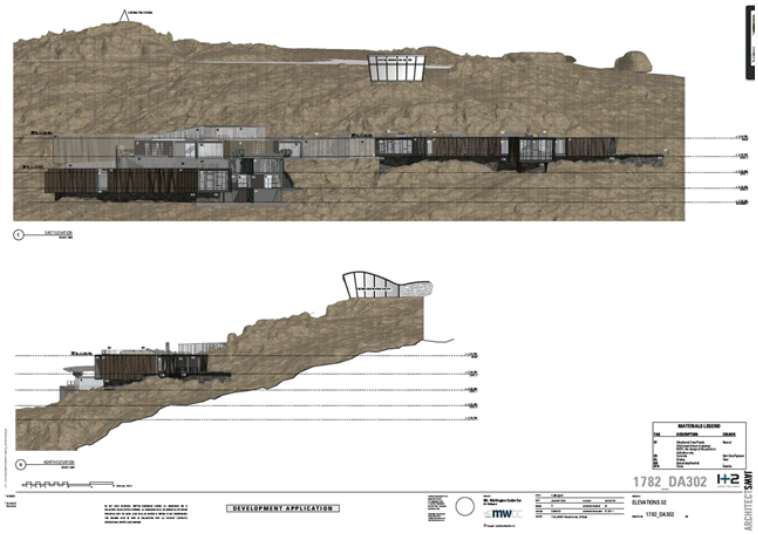


Figure 10 Extract: 1782_DA302 ELEVATIONS 02

4.1.3 BASE STATION

4.1.3.1 The proposed site is located in a delineated area that is "Proposed Lease Managed Area".

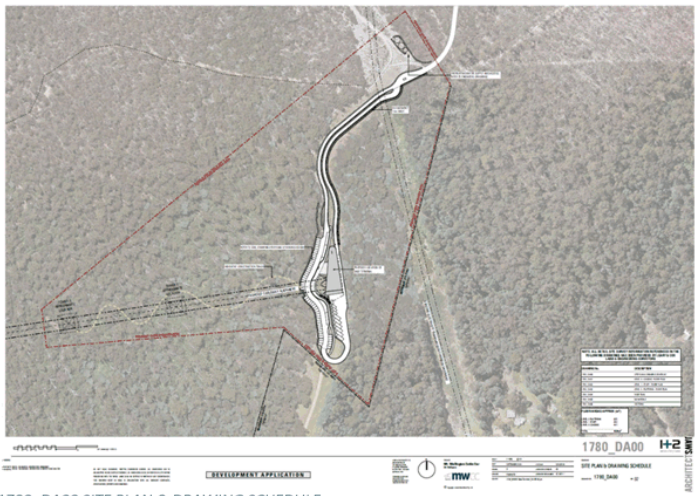


Figure 11 Extract: 1780_DA00 SITE PLAN & DRAWING SCHEDULE

4.1.3.2 The building height of the proposed Base Station exceeds the Acceptable Solution of 7.5m as well as the Acceptable Solution under the WPMP. Therefore, the proposal is required to meet performance criteria P1.

4.1.3.3 No Desired Future Character Statements are provided for the zone.

4.1.3.4 The Base Station and related Infrastructure comprise;
New road from McRobies Road, including underground services.

4.1.3.5 New Parking Spaces – 54 proposed for cars, 20 bicycle spaces, 10 bus parking spaces, 5 motor cycle spaces.

4.1.3.6 Car park lighting will be provided in accordance with the relevant Australian Standard.

4.1.3.7 The proposed Base Station is a maximum of 29 meters above Natural Ground Level (NGL).

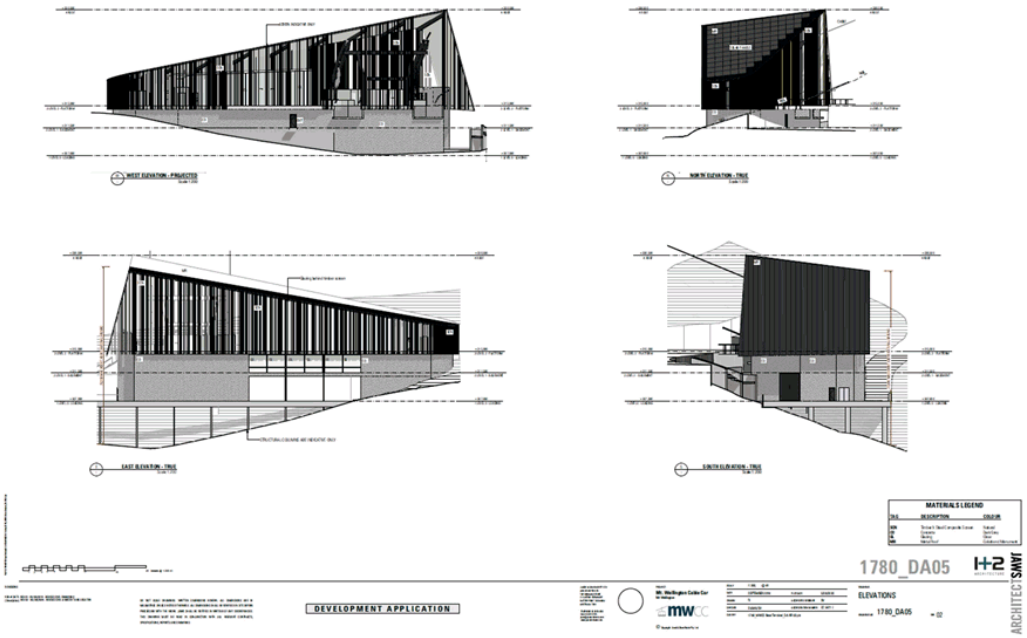


Figure 13 Extract: 1780_DA052 ELEVATIONS

4.1.4 **CABLE WAY**

4.1.4.1 The proposed cableway will span a (horizontal) total of 2.4km from the Base Station to the Pinnacle Centre (inclined length = 2592m) transporting two Cabins, each with a maximum capacity of 80 persons (standing capacity based on weight) per cabin.

4.1.4.2 The cableway consists of six cables; three cables, or 'ropes' in each direction - two Track ropes for stability and one Haul rope for propulsion.

4.1.4.3 There are two proposed Cabins.

4.1.4.4 As Cabins will pass at the midpoint (1.2km horizontal) of the span being equidistant from the trip departure point at any given time. As a result, consideration of maximum visual effect (grouping of the two cabins) at the midpoint of the span will occur.

4.1.4.5 The two Cabins are counterbalanced and synchronized, resulting in one car ascending as the other descends.

4.1.4.6 Visual representation of the Cabin:

Figure 14 https://mtwellingtoncablecar.com/2018/design-reveal#cablecar

4.1.4.7 The Application material does not provide detailed information relating to the Cabins other than the overall dimensions. The image above and additional details are publicly accessible via the Applicants website.

4.1.4.8 The Applicants website refers to the Cabins as 'trams' as well as 'skytrams':
"At 6.9 x 3.9 metres, the cabins are spacious enough for school and tour groups, weddings and special events. These cabins have been specially designed for MWCC. Featuring an outdoor balcony that always faces the city views, flush-floor loading and floor-to-ceiling glass, the journey itself is set to a memorable, family-friendly experience for all visitors, of all ages and ability."

"*Counterbalanced and synchronised, both trams are fixed to the same haul rope. This means one tram arrives at the summit as the other returns to the base-station. Offering the most energy-efficient way to scale height, the weight of the descending tram helps pull up the ascending one and, at the end of each day as more visitors leave the mountain, net energy gain helps offset our energy usage.*"

4.1.4.9 The Cabins are proposed to have fixing points on the base. These are to provide carriage of waste materials.

Figure 3: Wastewater Delivery Tank as used at Table Mountain Cable Car, Cape Town South Africa

Figure 15 Source Gandy and Robert Consulting Engineers 13.0041 – MWCC Site Servicing Report —18/12/2019 p.7

4.1.4.10 According to the Gandy and Roberts report "the MWCC night crew will execute a number of runs as required to empty the storage tank at the Pinnacle Centre and deliver it to the Base Terminal."

4.1.4.11 ('ireneinc planning and urban design' Planning Report p.25) It is noted that whilst the slower journey speed resulting in a 15m trip duration is used for transporting tourists, the cable car can operate at faster speed and shorter trip duration when used for servicing purposes. Goods loading and transportation is proposed between 8am and 9am. This suggests that the fastest rate possible will occur through the period of time that the eastern face of the Mountain, in particular the Organ Pipes, are most dramatically illuminated by the morning sunlight. The faster rates of travel proportionally increase the receptors capacity to notice and focus on the Cabins as they move up and down the mountain face and in combination with the higher levels of illumination, lower angles of sunlight increase the capacity for reflectivity and resulting glint and glare.

Figure 16 photo by author 30/06/2021 7.49am, Location: Aotea Rd, Sandy Bay, Camera: Cannon EOS 5D Mark III. Weather Condition: light cloud

4.1.4.12 Cableway Towers: There are three towers on the span between the Base Station and Pinnacle Centre.

4.1.4.13 The proposed Tower Locations:

Tower 1: approximately 180m to the west of the Base Station.
Tower 2: approximately 100m further west from Tower 1.
Tower 3: This tower will be located midway between the Organ Pipes and the proposed Pinnacle Centre, with an approximate distance from the escarpment of 70m.

4.1.4.14 The proposed Tower Heights:

Tower 1: Height Above NGL +45m, Height above Vegetation +10m
Tower 2: Height Above NGL +55m, Height above Vegetation +15m
Tower 3: Height Above NGL +36m, Height above Vegetation +36m

4.1.4.15 The proposed Tower Zones:

Tower 1: Recreation,
Tower 2: Recreation,
Tower 3: Natural.

4.1.4.16 Noted in the application documents are the water reservoir, private water pump station at McRobies Road these however are not considered in this VIA as they are outside of the Wellington Park boundary.

5. VISUAL COMPATIBILITY OF THE THREE PARTS OF THE DEVELOPMENT:

5.1 Clause S2.6 – Standards for Activities, Use and Development

5.1.1 P5.1 Visual Sensitivity:

5.1.1.1 Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to minimise or remedy any loss of visual values or impacts on the visual character of the affected area.

5.1.2 **Issue 9: Building design (b) - building size / P9.2 Building Size**

Any proposal for a building of more than 100m² in floor area is to show that the building will not:

(a) Cause visual intrusion,
(b) Require infrastructure that cannot be provided in accordance with the infrastructure provision standards, or
(c) Be a dominant element in the landscape through the preparation of a Visual Impact Analysis conducted by a suitably qualified person.

5.1.3 **Issue 9: Building design (a) - building height / P9.1 Building Design**

For any building greater than 3.5m in height it must be shown that the building will not visually intrude into the landscape in relation to:

(a) Local natural and environmental features;
(b) Views from either the Pinnacle or elsewhere in the Park, and views from settled areas of Hobart and suburbs through the preparation of a Visual Impact Analysis conducted by a suitably qualified person.
(c) Any building design must give consideration to the Wellington Park Infrastructure and Design Guidelines.

5.1.4 **Issue 9: Building design (c) – appearance and lighting / P9.3 Appearance and Lighting**

The design of buildings and structures is to take into account the unique qualities of the pinnacle area while using innovative and high-quality architectural solutions.
The colour and materials of external surfaces are to blend with the local environment and the dominant colours of adjoining areas of the Park.
Lighting and reflection must be managed to avoid adverse impacts on natural and cultural values.

5.1.5 **Issue 10: Building design (b) – building siting / P10.1**

Proposals for buildings facing on to or directly visible from the Pinnacle Road must show that there will be no diminution of values of the site either during the construction of the building or in its use and operation.

Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or in areas identified as of High Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to avoid, remedy or mitigate any loss of visual values through the inclusion of a Visual Impact Analysis conducted by a suitably qualified person.

5.2 THE PINNACLE CENTRE; PINNACLE SPECIFIC AREA

5.2.1 Considering the question of permissible uses the Pinnacle Centre's physical visual parameters are broadly consistent with the scale of development contemplated by the designated area of the Mt Wellington Reserve Management Plan Pinnacle Specific Area.

Figure 17 https://www.wellingtonpark.org.au/assets/PSADraftAmendingPlanPlus_InfoHR140801.pdf Page 5 of PDF Pinnacle Specific Area

5.2.1.1 Evaluation of the visual conditions are derived from the critical influences outlined below and with primary consideration of the Visual Character Units [VCUs] in the field of view and secondary consideration to VCUs in the panoramic context and then broadly as experienced in each affected Visual Catchment Zone [VCZ].

5.2.1.2 From beyond the park boundaries the visual catchment of the Pinnacle Centre extends into various Municipalities. It is from these surrounds that the effects are also being assessed.

5.2.1.3 Section 10.1.5 of the Visual Impact Assessment provides the Theoretical View Shed Analysis for the Pinnacle Centre. It does qualify the diagram by explaining that this is based on topographic data only and it is accepted that local conditions may have built form, vegetation or topographical features etc that might otherwise occlude the view. Despite these qualifying criteria this View Shed Analysis makes it very clear how extremely widespread the views toward the summit are. This is not surprising as the corollary of this situation is that views from the summit are also vast, as shown in the panoramic views from the Pinnacle.

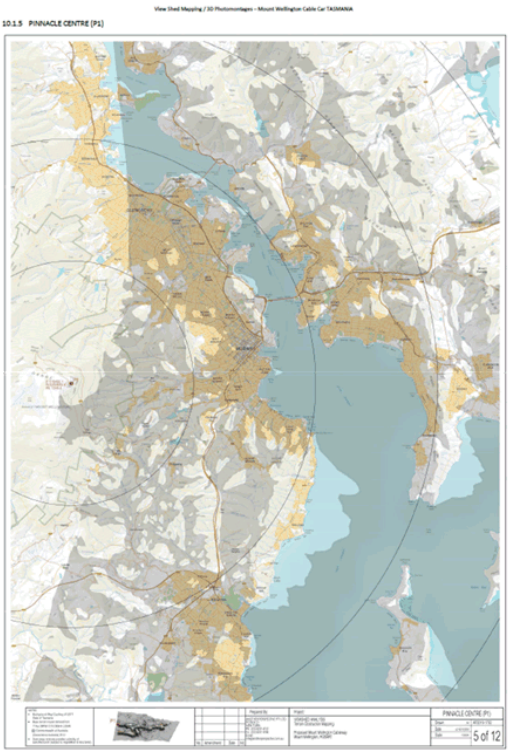


Figure 18 Source: View Shed Mapping / 3D Photomontages – Mount Wellington Cable Car TASMANIA Pinnacle Centre

5.2.2 **FORM**;

5.2.2.1 The form is perceived by receptors as the distinguishable elements of the Pinnacle Centre. Even when individual elements are partially occluded from a receptor viewing position, the contiguous nature of the form is still understood as a whole because of the cognitive ability to recognise structure, logic and pattern.

5.2.2.2 The proposed building footprint, with its strong horizontal delineation and linked enclosed walkways, represents a bold linear built form presence in this context when viewed from the highly sensitive wider eastern VCZ. Special consideration is called for under the provisions of the Wellington Park Management Plan (GENERAL (c) the preservation or protection of the natural beauty of the land or of any features of the land of natural beauty or scenic interest) as from within the park itself particularly as it may be perceived from the southern approaches via the Zig Zag Track, the South Wellington Track and the northern designated tracks and recreational areas in proximity of Mount Arthur and Lost World.

5.2.2.3 The architectural design of the Pinnacle Centre responds well to the geological character through the tessellation of the building elements to create forms that go some way to mitigate what is otherwise a substantial form. However, this is not enough to mitigate the visibly perceivable form of the Pinnacle Centre against the skyline form valued viewing aspects.

5.2.2.4 Form contrast level would be HIGH.

Figure 19 Source VP07 The Springs 35mm-Final

5.2.3 **LINE;**

5.2.3.1 As the human eye is attuned to the recognition of lines as a primary identifier, constructed linear elements can easily be discerned in contrast to the organic patterns and shapes of vegetation and the contours of geological forms. The human eye has developed a capability to distinguish lines and can recognise a straight line as limited in length to 30' (minutes of angular measurement) when contrasted against other perceptual constancies present in recognisably distinct visual units. The general ease by which existing linear built forms with planar delineation can be identified is testament to this phenomenon.

5.2.3.2 The proposed Pinnacle Centre design has adopted a strategy that provides building forms that respond to changing site levels and seek to step the building with the topography in this locale. This approach somewhat ameliorates the visual effect of the line in silhouette and in delineation of a plane and assisted further by the material delineation so that the proposed materials are identifiable from most distant observer positions.

5.2.3.3 In this situation, the photomontages demonstrate that the ridgeline silhouette needs to be considered. The photomontage views demonstrate that the proposed Pinnacle Centre interrupts the skyline. Within the park there are locations accessible from walking tracks, that also remain important considerations given the objectives of the WPMM and values of those recreationally enjoying the naturalness that the park offers.

Figure 20 Figure 6 VP05 Glenorchy 70mm

5.2.3.4 Line may also be perceptible as shadows thrown by forms onto planes, both built and at grade. This phenomenon will be unmitigated as there is limited landscape vegetation and the undulations of the proposed and existing topography that 'frays the edges' of the planes.

5.2.3.5 Of note is that the Cable Car Lines and Tower Three are subject to principle of grouping, where in the Pinnacle Centre is read with them and as a result becomes contiguous in the reading of them together. This cumulative affect significantly increases the reading of the LINE of the proposed built form as well as conflating the permissible uses between the Pinnacle Centre in the Pinnacle Specific Area and the permissible uses in the Natural Zone. In a VIA Assessment process it is generally considered Best Practice to refer to the higher Level.

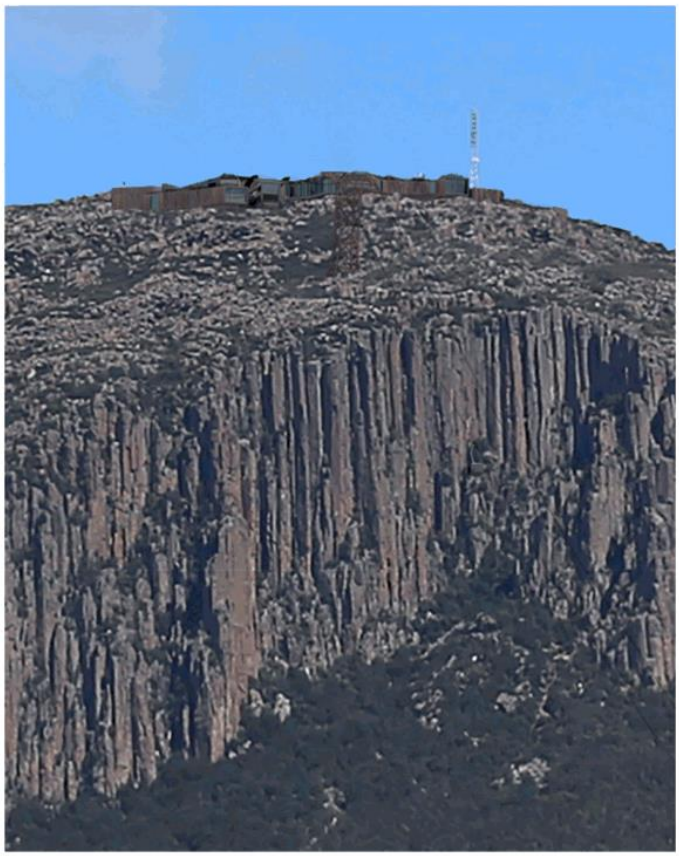


Figure 21 Source VP10b H

5.2.3.6 Line contrast level would be HIGH.

5.2.4 **TEXTURE & COLOUR;**

5.2.4.1 The palette of the proposed Pinnacle Centre draws on the natural earthy tones and textures that are consistent with the prevailing visual character units.

5.2.4.2 The proposed materials are predominantly applied in horizontal strata's expressing a separation strategy that ameliorates façade grouping of the various levels when read from a distance. The recesses and undulating aspects are relied upon to generate further variety in the way that the sunlight will affect the tone and contrast upon the materials. Varying ephemeral conditions where lighting levels shift from brightest to most dull will modify the effects on both the proposal and the context so this should remain relatively successful as an integration strategy.

5.2.4.3 The use of the darker and lighter alternating levels is likely to be moderately successful against the backdrop of the dolerite geology (bearing in mind that we are looking at the eastern side of the Organ Pipes) that exhibit continual changes in the dramatic expression of their vertical wall like textures and colours as the sun moves from the eastern morning position. As the Pinnacle Centre shares this orientation, the play of light over the materials will be an important factor in the success or otherwise of the design blending with the context as is required under the MWMP.

5.2.4.4 As such, the overall colour contrast level is within the low range though there is further opportunity to integrate this aspect if desirable where it reinforces the execution of other principles.

5.2.4.5 The texture and colour contrast level would be LOW.

MATERIALS LEGEND

TAG	DESCRIPTION	COLOUR
ST	Weathered Steel Panels (Perforated infront of glazing). NOTE: the design of the panels is indicative only	Natural
CO	Concrete	Dark Grey Pigment
GL	Glazing	Clear
BH	Balustrade/Handrail	-
STO	Stone	Dolerite

Figure 22 Pinnacle Centre Materials Legend from 1782_DA301 Architects

5.2.5 **SCALE;**

5.2.5.1 Scale assists the viewer to assess visual bulk. This is a direct correlation of height, footprint, articulation of form and mitigation through texture and colour.

5.2.5.2 The scale of the proposed Pinnacle Centre is commensurate with other building forms within the Pinnacle Specific Area that includes the communication buildings and existing Observation Shelter.

5.2.5.3 The Pinnacle Centres scale, when regard is given to this context, assists in mitigating the proposal's potential contrast.

5.2.5.4 Familiar objects that allow a viewer to compare the shape, size, colour or location of objects in context regardless of changes in angle of perspective, distance or lighting are known as perceptual constancies. The Pinnacle Centre has been designed in a way that is consistent with the prevailing constancies through the dimensions of size and shape. As long as the viewer has the appropriate contextual cues, these mitigation strategies that relate specifically to dealing with the proposed scale of the Pinnacle Centre have addressed the need to blend with the context of the Pinnacle Specific Area.

5.2.5.5 Notwithstanding that the building is in the amended Pinnacle Specific Area as extended in 2015 it remains that the built form is on the cusp of the Natural Area and when viewed from the broader visual catchment area is in a dominant position crowning the Natural Area and in direct visual line of the highly valued Organ Pipes. It is this affect that establishes a high level of priority when assessing the visual impact of the proposed building and landscape.

5.2.5.6 The scale contrast of the Pinnacle Centre would be HIGH.

5.2.6 **SPATIAL CHARACTER;**

5.2.6.1 We perceive and interpret an object in context through our interaction with it; both as a participant in and viewer of the spatial characteristics. Perceptual Realism considers the various ways we interpret an object in space, in their baseline application in a Visual Impact Assessment the purpose of considering this aspect is to raise awareness that our perceptions of an object is based on our personal experience, our comprehension (memory) of the context outside of the current view and our interpretation of the information through both the laws of optics and perceptual constancies.

5.2.6.2 Spatiotemporal awareness informs the viewers comprehension of an object in space. Our understanding of distance is derived from the relative size, shape, scale, and patterning phenomenon. It is generally understood how perspective impacts on diminishing size and that varying lighting levels impact acuity; accordingly, we adjust our interpretation on a varying spectrum as conditions change and we gain more information (input data). These spatial characteristics are the specific cues that provide the receptor inputs in that time and place.

5.2.6.3 The extensive visual catchment of the Pinnacle of kunanyi / Mount Wellington Park affords a myriad of viewing opportunities looking toward the site from static positions, in dynamic situations on approach including from below and from above. These viewing opportunities provide a cumulative set of phenomenal experiences and are layered over the cultural and natural values identified with the place. Given the high profile of the site and its historical, contemporary and future values, the level of scrutiny on the Pinnacle site is justifiably high as are the standards by which an acceptable level of change is to be held.

5.2.6.4 Over the lifecycle of the proposed Pinnacle Centre there will be various stages where the level of contrast will vary. The construction period will have the highest period of visual impact as the site is established and construction undertaken. Once the relatively short period of construction is completed there will be a longer period while vegetation grows and the building materials take on the patina of age. Considerations of site rejuvenation aspects of the lifecycle should works eventually be removed are not specifically considered as part of this assessment as they are regarded as remedial and recessive in terms of their visual impact.

5.2.6.5 Seasonal variations through the winter period see snow fields at the Pinnacle. Within this ephemeral context, when visibility is available to view the Pinnacle Centre, the rooftop levels with the combination of viewing platforms and gardens will also hold snow fall. This will only be visible from the western approach.

5.2.6.6 The Visual Effect of the Pinnacle Centre is HIGH.

5.2.7 The Pinnacle Centre; Assessment against P5.1 Visual Sensitivity

5.2.7.1 The strong horizontal delineation of the building line stands in contrast to the predominant vertical expression of the highly valued visually sensitive Organ Pipes. This is detrimental.

5.2.7.2 The form of the building breaks the skyline, when viewed chiefly from the northern and southern aspects, this is a result of the siting as well as the height of the proposed building above NGL. Otherwise, the architectural design is well articulated in both plan and section, stepping so as to provide platforms that are in keeping with the natural benching of the glacial geology.

5.2.7.3 The Pinnacle Centre has been designed in a way that goes someway to ameliorate the impacts on the visual character of the affected area.

5.2.7.4 Given the high level of Visual Sensitivity in this location, despite the architectural devices utilised and quality of the design, the proposal fails to satisfy P5.1

5.2.8 The Pinnacle Centre; Assessment against P9.1 Building Height

5.2.8.1 The overall height of the building still reads as a significant form despite the stepping of the floor plates across the levels.

5.2.8.2 The height of the proposal is most apparent when the mountain is viewed from an aspect where the Organ Pipes are seen from the sides. These viewing scenarios are illustrated in The Springs Photomontage and are typical of such northern and southern viewing aspects.

5.2.8.3 When viewed from within the Pinnacle Specific area, for instance where Pinnacle Road arrives at the carparking area and from the summit the height of the proposed Pinnacle Centre has potential to interrupt parts of the downward view.

5.2.8.4 Notwithstanding that the building is in the amended Pinnacle Specific Area as extended in 2015 it remains that the built form is on the cusp of the Natural Area and when viewed from the broader visual catchment area is in a dominant position crowning the Natural Area and in direct visual line of the highly valued Organ Pipes. It is this affect that establishes a high level of sensitivity when assessing the visual impact of the proposed building and landscape.

5.2.8.5 The proposal is assessed as failing to satisfy P9.1

5.2.9 The Pinnacle Centre ; Assessment against P9.2 Building Size

5.2.9.1 This proposal is for a building of more than 100m^2 in floor area:

5.2.9.2 The assessed views demonstrate that the proposed Pinnacle Centre breaks the skyline from an array of lower viewing positions within the park and beyond. This is a result of the proximity of the Pinnacle Centre to the ridgeline to the west and the distancing of the proposed structure from the areas Organ Pipes to the east. The proposed building works are near the existing observation decks and enclosed lookout shelter.

5.2.9.3 Existing Infrastructure of the walkway network sees demolition of existing walkways with replacement in parts and extensions of the walkway and associated widened areas for lookout/passing opportunities.

5.2.9.4 While the Pinnacle Centre is now located within the defined Pinnacle Specific Area (as amended in 2015) the siting of the building is such that it does not sit below the line of the ridgeline, instead it is thrusting above the natural delineation of the mountain summit therefore visually intruding on the skyline and being perceivable as a dominant visual focus in contrast to the natural scenic characteristics that are valued under the MWMP.

5.2.9.5 The qualities of the design assist in mitigation of the overall level of visual dominance, this is achieved through the articulation of the building form and utilisation of materials and finishes, however these design solutions do not remedy the siting and design limitations and constraints articulated in the MWMP.

5.2.9.6 The Pinnacle Centre is a dominant element in the landscape.

5.2.9.7 The Pinnacle Centre does cause visual intrusion.

5.2.9.8 The proposal is assessed as failing to satisfy P9.2.

5.2.10 **The Pinnacle Centre; Assessment against P9.3 Appearance and Lighting**

5.2.10.1 The Pinnacle Centre has been designed in a way that harmonises with the visual landscape and natural qualities of the site in terms of appearance and proportions.

5.2.10.2 The detailing of the facades with the metal cladding and screening transitions to limited angled glazed planes provide detailed articulation that further enhances the integration of the architecture with the landscape context.

5.2.10.3 The material palette, while robust, is responsive to the context given the exposed ruggedness of the landscape dominated by the verticality of the split dolerite and low vegetation of the summit.

5.2.10.4 The scale of the Pinnacle Centre in relation to the height and breaking of the skyline fails to satisfy the criteria.

5.2.10.5 There are two types of light effect that are considered in this assessment those being sunlight and in a more limited capacity the artificial lighting. The artificial lighting analysis of effects are better undertaken by a suitably qualified expert in that specialist field. Within my area of knowledge as a Registered Architect I note the following;

5.2.10.6 Glint and Glare have been addressed via the specification of materials that have low light reflectance and the selection of colours that are dark and/or muted shades.

5.2.10.7 Specification of Glass that has a high level of transmission and anti-glare properties would ameliorate reflected light. However, given the eastern aspect of the glass the sun angle will be at a low angle.

5.2.10.8 As the angle of reflection is equal to the angle of incident the azimuth and altitude of the sun will determine where glint and glare will be experienced. The variation in orientation of glazed planes, the employment of perforated screening and adoption of hoods to the top and sides of larger expanses of glass are strategies that will assist in the amelioration of glint and glare. The reduction of large planes of reflective surfaces that are facing the same direction provides an optimised design outcome to ameliorate reflectivity for periods of the day beyond midmorning and to provide amelioration of internal artificial lighting.

5.2.10.9 Bedazzlement occurs due to a rapid change in the lighting angle to that of the surface and/or of the rapid change in the resulting reflected light that is being seen by the viewer. The sudden blinding flash is the result of the optic lag and the overwhelming amount of light level from that which the eyes optic nerve has previously been responding. This effect is both disorienting and uncomfortable and of detriment to one's sense of amenity.

5.2.10.10 The static parts of the proposed Pinnacle Centre are unlikely to give cause of this effect, however there is a probability that the moving parts associated with the Cable Car, Cables and associated infrastructure and equipment may be the source of some bedazzlement.

5.2.10.11 Artificial lighting is referenced in the application documentation with reference to up-lighting to be utilised. This has potential for light bounce and for the visual presence of ceilings, soffits and the visible undersides of surfaces to become prominent in low light conditions particularly from lower viewing positions both within the park and beyond.

5.2.10.12 It is noted that a Representation has been made in relation to Best Practice Guidelines for Artificial Lighting.

5.2.10.13 The proposal is assessed as having potential to satisfy P9.3 subject to appropriate design development in line with stringent material performance, design detail resolution and operational conditions.

5.2.11 **The Pinnacle Centre; Assessment against P10.1 Building Design – Building Siting**

5.2.11.1 Assessed as a separate entity the location of the proposed building poses a visually dominating outcome that would generate a loss of visual values and be a significant impact on the visual character of the affected area. The Pinnacle Centre has not been sited to minimise or remedy loss of visual values or impacts on the visual character of the affected area.

5.2.11.2 The siting of the Pinnacle Centre thrusts above the ridge when viewed from within the Visual Catchment Zone and as illustrated in the photomontages prepared by the Applicant.

5.2.11.3 The Organ Pipes are a defining geological characteristic of kunanyi / Mount Wellington. This landscape proves a challenging context to site a building. The driver to separate visually from the Organ Pipes is paramount whilst it is also imperative to remain below the skyline.

5.2.11.4 The Pinnacle Centre, when assessed as a separate entity solely within the Pinnacle Specific Area, proposes a visually dominating outcome that would generate a loss of visual values and be a significant impact on the visual character and values articulated in the Wellington Park Management Plan.

5.2.11.5 The contiguous relationship between The Pinnacle Centre, Tower Three, the continual motion of the cable mechanism and the periodic arrival/departure of the Cable Cars provide a strong visual link through 'Grouping' and 'Line' that conflates the landscape values of the Natural Zone with those expressed under the Pinnacle Specific Area. This design in relation to the operational function essentially lifts the bar for what is an acceptable level of visual impact. Consideration of this relationship is separate from the assessment of the cumulative impact as it is concerned with the immediate phenomenal relationship between the proposed building and tower 3 siting and physical expression. Whilst considered in this situation as a discreet assessment the methodology does follow a similar empirical process.

5.2.11.6 *"The Pinnacle Centre and Tower 3 (when analysed with consideration of the contiguous visual link between these elements) are located in subalpine scrub that characterises the uppermost crest of Mt Wellington. This vegetation is diverse and sensitive to disturbance due to the extreme weather conditions at this altitude. Mt Wellington is an outlier from other alpine areas in Tasmania and as such is notable for its distinctive alpine flora."*

Pg 1, Ex Summary, North Barker Ecosystem Services,

Natural Values Impacts Assessment, 12 May 2021.

5.2.11.7 The Pinnacle Centre, Tower Three, the continual motion of the cable mechanism and the periodic arrival/departure of the Cable Cars, when assessed as a separate entity solely within the Pinnacle Specific Area, proposes a visually dominating outcome that would generate a loss of visual values and be a significant impact on the visual character and values articulated in the Wellington Park Management Plan.

5.2.11.8 The proposal is assessed as failing to satisfy P10.1.

5.3 THE BASE STATION; RECREATION ZONE

5.3.1 Activities not identified in this Management Plan "must be compatible with relevant zone objectives and maintain Park Values".

5.3.2 Evaluation of the visual conditions are derived from the critical influences outlined below and with primary consideration of the VCUs in the field of view and secondary consideration to VCUs in the panoramic context and then broadly as experienced in each affected VCZ.

5.3.3 From beyond the park boundaries the visual catchment of the Base Station extends into surrounding Municipalities, it is from these Visual Catchments that the effects are also being assessed.

5.3.4 Section 10.1.5 of the Visual Impact Assessment provides the Theoretical View Shed Analysis for the Base Station. It does qualify the diagram by explaining that this is based on topographic data only and it is accepted that local conditions may have built form, vegetation or topographical features etc that might otherwise occlude the view.

5.3.5 It is considered that the views would be generally occluded beyond the Southeastern area from the site due to topography and established vegetation.

View Shed Mapping / 3D Photomontages – Mount Wellington Cable Car TASMANIA

10.1 TERRAIN OBSTRUCTION MAPS

10.1.1 BASE TERMINAL (B1)

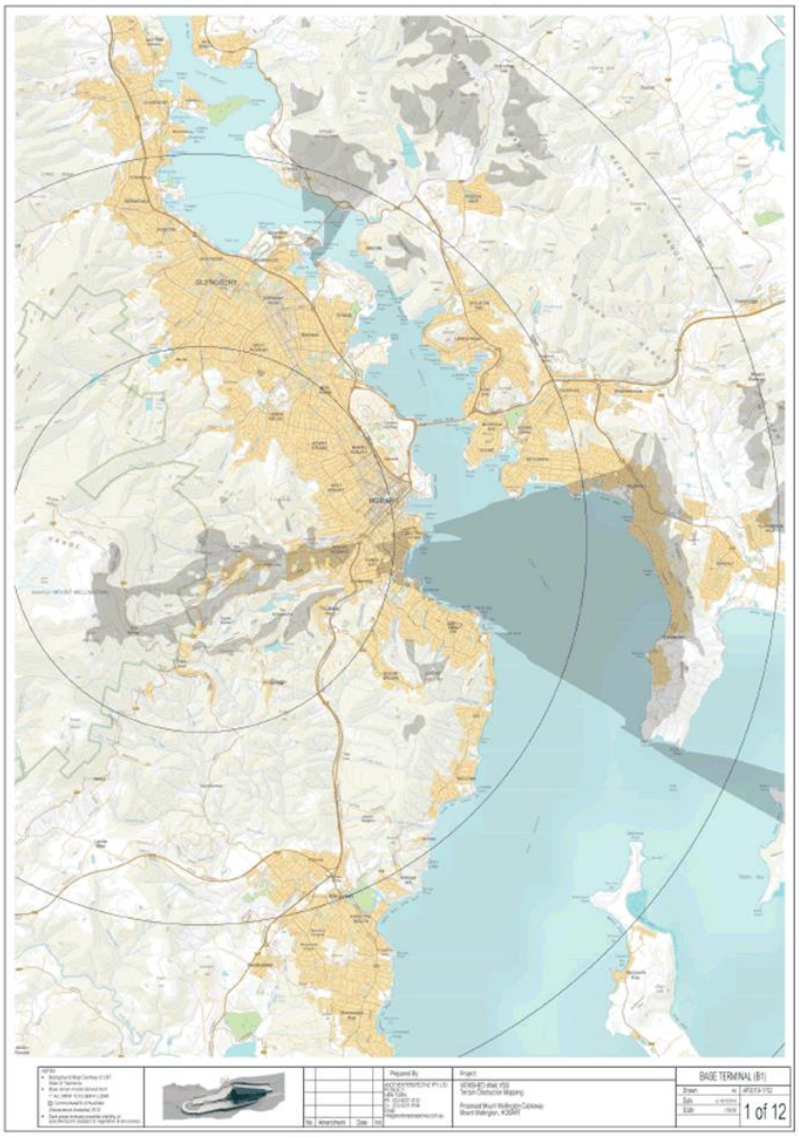


Figure 23 Source: View Shed Mapping / 3D Photomontages – Mount Wellington Cable Car TASMANIA

BASE TERMINAL B1

5.3.6 **FORM;**

5.3.6.1 The form is perceived by receptors as the distinguishable elements of the Base Station. Even when individual elements are partially occluded from a receptor viewing position the strong geometric nature of the form is still understood as a whole because of the cognitive ability to recognise structure, logic and pattern.

5.3.6.2 The proposed building footprint with its strong sloping delineation and semi-enclosed platforms represents an angular built form presence in this context when viewed from the moderately sensitive VCZ.

5.3.6.3 The form of the Base Station has a triangular wedge form. Its long elevations are oriented north-south and its short elevations are oriented east-west. Its northern end is curved.

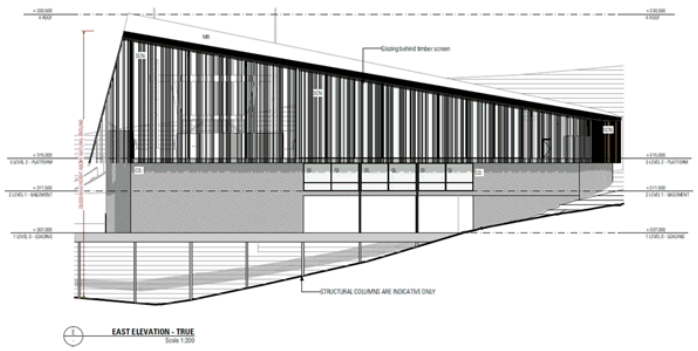
5.3.6.4 The delineated form of the Base Station is in contrast to the natural features of the area when viewed from the immediately surrounding locale.

5.3.6.5 Limited viewing opportunities exist from existing positions from above. It is noted though not given weight in this analysis that views would become apparent from within the Aerial Tram. The roof is a large planar element that caps the building form. It is anticipated that the solar array (363 Solar Panels) will be read as visually similar to a plane of water from the elevated viewing positions.

5.3.6.6 As a result of the distances from which the form will be read and the effect of the solar array the contrast to the surrounding vegetation would be MODERATE.

5.3.7 **LINE;**

5.3.7.1 The proposed Base Station design has adopted a strategy that houses the various functions of the Cable Car operation within a singular envelope. This approach results in long lines both in the various angles of the roof plane and in the verticality of the screen element that is indicated on the



elevations.

Figure 24 East Elevation _Architects Document 1780_DA05

5.3.7.2 Line may also be perceptible as shadows thrown by forms onto planes both built and at grade. This phenomenon will be mitigated as there are established canopy trees of substantial height and spreading canopy in this location. The proposed site works provide undulations of the proposed and existing topography that might otherwise create more discernible lines.

5.3.7.3 The line contrast for the Base Station is assessed as HIGH.

5.3.8 **TEXTURE & COLOUR;**

5.3.8.1 The palette of the proposed Base Station draws on the natural earthy tones and textures that are consistent with the prevailing visual character units.

5.3.8.2 The proposed materials are predominantly applied in vertical alignment expressing a strategy that should assist in blending with the predominantly vertical characteristic of the surrounding forest. The broken vertical screening elements generate further variety in the way that the sunlight will affect the tone and contrast upon the materials. Varying ephemeral conditions where lighting levels shift from brightest to most dull will modify the effects on both the proposal and the context so this should remain relatively successful as an integration strategy.

5.3.8.3 As such the overall colour contrast level is within the low range though there is further opportunity to integrate this aspect if desirable where it reinforces the execution of other principles.

5.3.8.4 The texture and colour contrast level would be LOW.

MATERIALS LEGEND

TAG	DESCRIPTION	COLOUR
SCN	Timber & Steel Composite Screen	Natural
CO	Concrete	Dark Grey
GL	Glazing	Clear
MR	Metal Roof	Colorbond Monument

Figure 25 Base Station Materials Legend from 1780_DA05 Architects

5.3.9 **SCALE;**

5.3.9.1 Scale assists the viewer to assess visual bulk. This is a direct correlation of height, footprint, articulation of form and mitigation through texture and colour.

5.3.9.2 The scale of the Base Station is a function of it's use. The footprint of the development has been utilised over three levels to contain the scale of the building footprint, the vertical nature of the building is more in response to the use and containment than to the context in and of itself.

5.3.9.3 The Base Station design responds to the steeply sloping site and works with the existing track cutting and cleared area to settle the large scale of the building within the site.

5.3.9.4 The scale of the terrain, surrounding vegetation and broader context mitigate the effects of the visual bulk.

5.3.9.5 The scale contrast of the Base Station would be LOW.

5.3.10 **SPATIAL CHARACTER;**

5.3.10.1 Over the lifecycle of the proposed Base Station there will be various stages where the level of contrast will vary. The construction period will have the highest period of visual impact as the site is established and construction undertaken. Once the relatively short period of construction is completed there will be a longer period while vegetation that might be implemented as part of the mitigation process grows and the building materials take on the patina of age. Considerations of site rejuvenation aspects of the lifecycle should works eventually be removed are not specifically considered as part of this assessment as they are regarded as remedial and recessive in terms of their visual impact.

5.3.10.2 The Visual Effect of the Base Station is MODERATE.

Figure 26 Photo by Author 30/06/2021 11:15am weather conditions: Light Cloud

5.3.11 **The Base Station; Assessment against P5.1 Visual Sensitivity**

5.3.11.1 The vertical delineation of the building line and the proposed height integrates with the prevailing vertical nature of the surrounding established forest. This context is favourable to the design.

5.3.11.2 The form of the building is sited in the lower reaches of the park, this is chiefly a result of the siting in a location that is accessible with a new connecting road proposed to link with McRobies Road. The form is monolithic because of the consolidation of functions under a single roof form. The roof form is a result of the form following function and as an angled platform for the solar array.

5.3.11.3 The Base Station has been designed in a way that goes someway to ameliorate the impacts on the visual character and affected scenic values of the Recreational Zone.

5.3.11.4 The proposal is assessed as satisfying P5.1.

5.3.12 **The Base Station; Assessment against P5.2 Building Design and Light effects**

5.3.12.1 The applicant has not provided any Photomontages to illustrate the potential visual impact.

5.3.12.2 The overall height of the building will likely be perceived as a dominant form when viewed from the immediate surround for existing users who utilise this readily accessible area of the Park for walking, trail running, mountain biking and other recreational activities. Given the relationship of the proposed road infrastructure with this Base Station access opportunities will be increased and Park Users who come from further afield may avail themselves of this access to penetrate further into areas of the Park. The building has been sited on the steep slope to mitigate this dominance.

5.3.12.3 It is expected that the height of the Base Station when viewed from distant areas, identified in the View Shed Analysis as being from the higher elevation, would generally be mitigated by the screening effect of the established surrounding tall vegetation. As such it would not be seen from a distance as a dominant form.

5.3.12.4 The proposed building works are at the lower reaches of the Park and the new siting is in proximity to the cleared Transmission Easement.

5.3.12.5 Required infrastructure is part of the Visual Impact assessment for the Base Station.

5.3.12.6 The disturbance footprint area for the Access Road has the design footprint with a 5m buffer (North Barker p.51). No disturbance outside this corridor is anticipated by the Applicant. The disturbance footprint therefore equates to 5.67ha, however, only 3.08 of this area is within the mapped biodiversity overlay as shown on the planning scheme maps.

5.3.12.7 The location of the proposed Base Station does not propose a visually dominating outcome that would generate a significant loss of visual values or be a significant impact on the visual character of the affected area. The Base Station has been sited to minimise the loss of visual values or impacts on the visual character of the affected area.

5.3.12.8 The contiguous relationship between The Base Station, Tower One and Tower Two, the continual motion of the cable mechanism and the periodic arrival/departure of the Cable Cars provide a strong visual link through 'Grouping' and 'Line' that extends the visual connection from the Recreation Zone further into the Natural Zone.

5.3.12.9 Close views from the car parking area will provide views toward the building that have the substantial form of the building with its linkage to the cable car lines and the Towers above being perceived a moderately dominating form in so far as it is a non-natural insertion into the Recreation Zone.

5.3.12.10 The qualities of the design assist in mitigation of the overall level of visual dominance. This is achieved through the shaping of the building form and utilisation of materials and finishes seen against the forested surrounds and the predominant form of the Mountain itself ultimately retaining their primacy as the prevailing character.

5.3.12.11 Distant views of the Access Road and Base Station with the linkage to the cable car lines and the Towers above will be perceived as having a low level of dominating form in so far as it is a non-natural insertion into the Recreation Zone.

5.3.12.12 Given the proximity to the urban boundary and transmission infrastructure the Base Station is not perceived as entirely incongruous if the use is ultimately deemed as acceptable.

5.3.12.13 The Base Station has been designed in a way that harmonises with the visual landscape and natural qualities of the site in terms of appearance and proportions.

5.3.12.14 The detailing of the facades with the metal cladding and vertical screening provide detailed articulation that further enhances the integration of the architecture with the landscape context.

5.3.12.15 The material palette, while robust, blends with the forested context dominated by the verticality of the surrounding trees and under storey vegetation.

5.3.12.16 There are two types of light effect that are considered in this assessment those being sunlight and in a more limited capacity the artificial lighting. The artificial lighting analysis of effects are better undertaken by a suitably qualified expert in that specialist field.

5.3.12.17 Glint and Glare have been addressed via the specification of materials that have low light reflectance and the selection of colours that are dark and/or muted shades.

5.3.12.18 It is noted that a Representation has been made in relation to Best Practice Guidelines for Artificial Lighting.

5.3.12.19 The proposal is assessed as satisfying P5.2.

5.4 CABLEWAY, AERIAL TRAM AND TOWERS; RECREATION/NATURAL AREA

5.4.1 Considering the question of permissible uses, the Cableway, Aerial Tram and Towers physical visual parameters for this scale of development have not been specifically identified in the Natural Zone defined in the MWMP "Chapter 8-Activities, Use and Development.

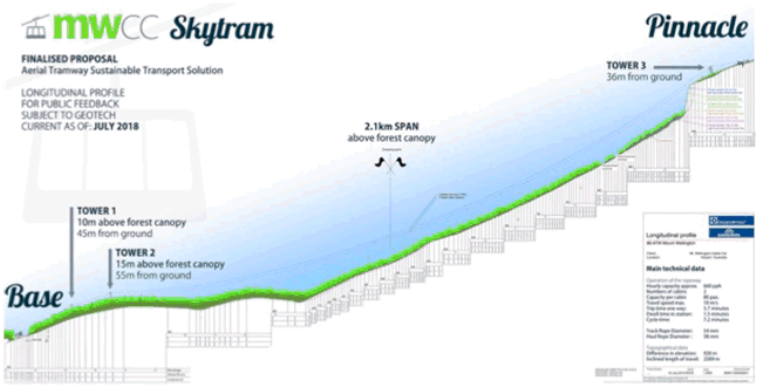


Figure 27 Longitudinal section of cable way (Source: Garaventa Ltd. & kunanyi / Mount Wellington Park Cableway Company).

5.4.2 Activities not identified in this Management Plan "must be compatible with relevant zone objectives and maintain Park Values".

5.4.3 Evaluation of the visual conditions are derived from the critical influences outlined below and with primary consideration of the VCUs in the field of view and secondary consideration to VCUs in the panoramic context and then broadly as experienced in each affected VCZ.

5.4.4 From beyond the park boundaries the visual catchment of the Cableway, Aerial Tram and Towers extends into surrounding Municipalities, it is from these Visual Catchments that the effects are also being assessed.

5.4.5 Section 10.1.5 of the Visual Impact Assessment provides the Theoretical View Shed Analysis for the Cableway, Aerial Tram and Towers. It does qualify the diagram by explaining that this is based on topographic data only and it is accepted that local conditions may have built form, vegetation or topographical features etc that might otherwise occlude the view.

5.4.6 It is considered that the views would be generally occluded beyond the Southern Outlet to the east of the site due to topography and established vegetation.

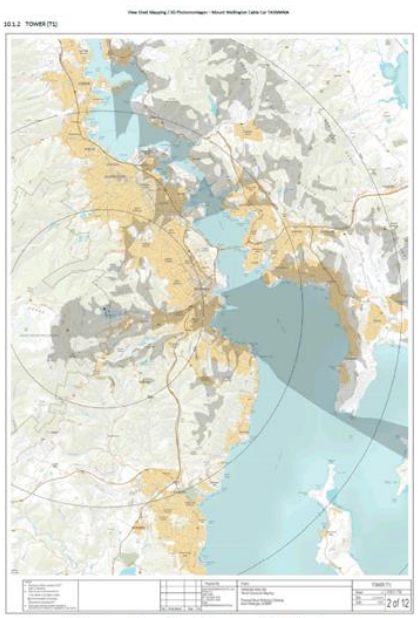


Figure 29 Source: View Shed Mapping / 3D Photomontages – Mount Wellington Cable Car TASMANIA Tower 1

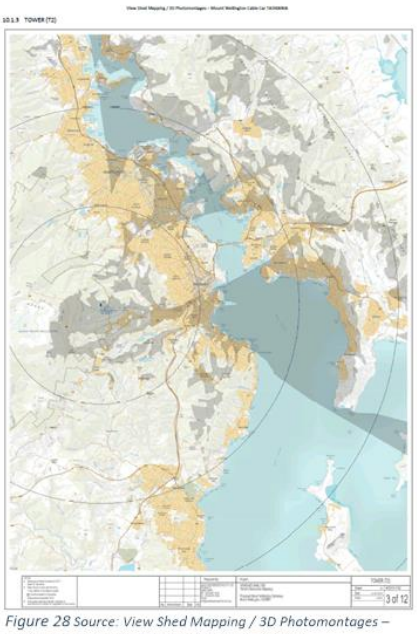


Figure 28 Source: View Shed Mapping / 3D Photomontages – Mount Wellington Cable Car TASMANIA Tower 2

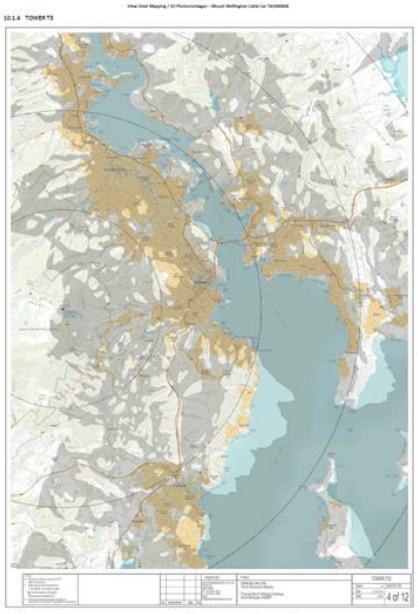


Figure 30 Source: View Shed Mapping / 3D Photomontages – Mount Wellington Cable Car TASMANIA Tower 3

5.4.7 **FORM;**

5.4.7.1 The form is perceived by receptors as the distinguishable elements of the Towers. Even when individual elements are partially occluded from a receptor viewing position the contiguous nature of the form is still understood as a whole because of the cognitive ability to recognise structure, log ic and pattern.

5.4.7.2 The proposed towers with their strong ostensibly vertical delineation and semi-enclosed platforms represent an engineered built form presence in this context when viewed from the VCZ.

5.4.7.3 The angled siting of the Tower 3 presents as a leaning engineered tapering steel form thrusting outward over the natural escarpment of the Organ Pipes at an unsettling angle. This angle immediately draws the eye, as receptors have an innate sense for recognition of the incongruous. In views toward the summit from the wider VCZ the proposed tower is sited on the top of the most distinguishable topographical feature of the Organ Pipes, this is a different situation to that of the other communication towers. Another notable difference being that those towers are conventional vertical tower forms and set well back from the Organ Pipes beyond the pinnacle. Tower Three therefore has a form that is a High Contrast.

5.4.7.4 Special consideration is called for under the provisions of the Wellington Park Management Plan (GENERAL (c) the preservation or protection of the natural beauty of the land or of any features of the land of natural beauty or scenic interest) as from within the park itself particularly as it may be perceived from the lower entry points to the park as well as from above on the southern approaches via the Zig Zag Track and the South Wellington Track. Importantly the existing Pinnacle Lookouts and paradoxically the proposed Pinnacle Centre Lookouts will be impacted by the Towers and Cableway.

5.4.7.5 The delineated form of the Towers, Cabins/Trams and Cableway contrasts with the natural features of the area when viewed from the immediately surrounding locale.

5.4.7.6 The form of the Cabins/Trams are not substantial, being comparable in size to a bus. However, their prominence moving above the tree line will make them easily distinguishable and exacerbate the grouping effect of the cableway to which they are attached and the towers that support them.

5.4.7.7 When viewed from above the towers are foreign elements.

5.4.7.8 Tower Three stands clear of any screening trees and is both high, at 36m and broad at the top carrying the cables and supporting structures that separate the passing aerial trams. This Tower presents as a substantial form in the Natural Area. The Contrast Level will be HIGH

5.4.7.9 Tower One and Tower Two are forms that benefit from established tall trees though the top elements must stand clear of the canopy tops to ensure unimpeded movement of the trams. As a result of the distances from which the form of these Towers in the Recreation Zone will be read and the effect of the open trusses the contrast to the surrounding vegetation would be MODERATE.

5.4.8 **LINE;**

5.4.8.1 The proposed Towers and Cableway design are an expression of their function.

5.4.8.2 Line is one of the most readily identifiable visual phenomena.

5.4.8.3 The grouping of the lines and the ability to perceive their route via the identifiable Towers and moving trams increases the perception and related visual effect of the Cableway.

5.4.8.4 It is the continuous length of the cables, linking the contiguous Tower Elements that creates the highest opportunity for contrast.

5.4.8.5 During the field investigation at the proposed Base Station Site a photograph was taken to record what was visually perceptible when viewing the existing Power Transmission lines that run north south along the easement. Notwithstanding that the proposed Cableway retains existing vegetation levels under the Cableway (with the exception of localized clearing for T1 & T2) and the Power Transmission Lines have a cleared easement the similarities to this situation are:

I. There are a total of six lines for the Transmission line and Cable Way,

II. While the cable widths may vary slightly (the load bearing capacity of the Cableway would make the cable circumference larger) the visual effect would be comparable,

III. The long runs of the cables in both situations create an easily discernable line contrasting against both the sky and the vegetation.

Figure 31 Photo by Author 30/06/2021 11:36am weather conditions: Light Cloud

5.4.8.6 Longer viewing distances, particularly where the Cableway is seen against the vegetation of the Mountainside will provide limited levels of integration in dependent on ephemeral conditions however there is still opportunity for High Contrast due to the grouping effect of the lines as they converge at distance.

5.4.8.7 The continuous line of the grouped cables is most easily perceived by the human eye against the skyline in more localised viewing locations, such as the Pinnacle Specific Area, The Natural Areas around the summit tracks and climbing areas, Pinnacle Road and related Recreation areas such as the Springs and the location of the proposed Base Station.

5.4.8.8 The line contrast for the Towers and Cableway is assessed as HIGH.

5.4.9 **TEXTURE & COLOUR;**

5.4.9.1 The palette of the proposed Towers and Cableway draws on the natural steel tones and textures that are consistent with the prevailing visual character units of Transmission Towers in this vicinity.

5.4.9.2 The texture and colour of the Cabins/Trams as illustrated are proposed to move up and down the cableway at regular intervals. These elements, though relatively small provide moderate contrast elements.

5.4.9.3 Varying ephemeral conditions where lighting levels shift from brightest to most dull will modify the effects on both the proposal and the context so this should remain relatively successful as an integration strategy.

5.4.9.4 As such the overall colour contrast level is within the low range.

5.4.9.5 The texture and colour contrast level would be MODERATE.

5.4.10 **SCALE;**

5.4.10.1 Scale assists the viewer to assess the Cableway elements in terms of their respective visual bulk. This is a direct correlation of height, footprint, articulation of form and mitigation through texture and colour.

5.4.10.2 The scale of the Towers and Cableway is a function of its use. The visual footprint of the cableway is substantial, the length of the cableway and the Cabins/Trams are a response to the use and function whereas the heights of the towers responds to the context in and of itself.

5.4.10.3 Looked at as a component in its own right, the scale of the Cable footprint is considered High.

5.4.10.4 Looked at together, Tower One and Two are in close proximity, located in the Recreation Zone at the base of the mountain and for a large part surrounded by existing canopy trees and dense understorey. The scale of these Towers is Low.

5.4.10.5 Tower Three is in the Natural Zone, it is also in a sensitive geoconservation area, there is low alpine vegetation so there is no existing vegetation screening of the proposed thirty-six meter tower. Tower Three Scale contrast is High.

5.4.10.6 Considered cumulatively, the Scale of these elements takes on the most sensitive rating therefore is assessed as High.

5.4.11 **SPATIAL CHARACTER;**

5.4.11.1 Over the lifecycle of the proposed Towers and Cableway there will be various stages where the level of contrast will vary. The construction period will have the highest period of visual impact as the site is established and construction undertaken. Once the relatively short period of construction is completed there will be a longer period while vegetation that might be implemented as part of the mitigation process grows and the building materials take on the patina of age. Considerations of site rejuvenation aspects of the lifecycle should works eventually be removed are not specifically considered as part of this assessment as they are regarded as remedial and recessive in terms of their visual impact.

5.4.11.2 The Visual Effect of the Towers and Cableway is HIGH.

5.4.12 **The Towers and Cableway; Assessment against P5.1 Visual Sensitivity**

5.4.12.1 Tower 1 & Tower 2: These towers are in the lower Recreation Area of the Park.

5.4.12.2 Tower 3: The scale and location of tower 3, ie a 36metre tower built 70m to the west of the escarpment of the organ pipes in the Natural Zone, will detract from the scenic, natural and geomorphic values.

5.4.12.3 The Cabins/Trams and Cables are proposed to interrupt the views to the highly valued and visually sensitive Organ Pipes.

5.4.12.4 The applicant has not provided any Photomontages to illustrate the potential visual impact of Tower 1 & Tower 2.

5.4.12.5 The overall height of the Towers and Cableway will be perceived as a dominant form when viewed from the immediate surround.

5.4.12.6 It is expected that the height of the Towers and Cableway when viewed from distant areas identified in the View Shed Analysis the higher elevation and distance in conjunction with the tall surrounding vegetation will not be significant.

5.4.12.7 Tower Three's height, in relation to the context of the Organ Pipes and surrounding natural area thrusts into the skyline creating a dominant element that is not in keeping with the scenic values to be preserved under the WPMP.

5.4.12.8 The proposed building works span from the lower eastern part of the Parks Recreation Zone westward, crossing the Natural Zone to the Pinnacle Specific Area.

5.4.12.9 Close views from the Pinnacle Specific Area and from the surrounding Natural Zone will provide views toward the proposal that have the substantial form of cable car lines and the Tower Three with its linkage to the Pinnacle Centre. Tower 3 and associated cabling may be perceived as a dominating form in so far as it is a non-natural insertion into the Natural Area and breaks the skyline view as well as the panoramic views of Hobart City waterways and landscape beyond.

5.4.12.10 The utilitarian design does not assist in mitigation of the overall level of visual dominance, this is the result of the leaning tower form seen contrasting significantly against the natural scenic qualities of the Mountain and broader views.

5.4.12.11 Assessed as a separate entity the location of the proposed Towers and Cableway does propose a visually dominating outcome that would generate a significant loss of visual values and be a significant impact on the visual character of the affected area. The Towers and Cableway has not been sited to minimise the loss of visual values or impacts on the visual character of the affected area.

5.4.12.12 The contiguous relationship between the Pinnacle Centre ,Towers and Cableway and Base Station provide a strong visual link through 'Grouping' and 'Line' that extends the visual connection further into the Natural Zone. However, the wording of the WPMP Natural Zone (3.2.3) only talk about protection of the scenic qualities of the Zone when viewed from within the Zone (Natural Zone) or from outside the Park, this then excludes views from the Natural Zone of Uses within the Recreation Zone.

5.4.12.13 The proposal is assessed as failing to satisfy P5.1.

5.4.13 Towers and Cableway; Assessment against P5.2 Building Design and Light effects

5.4.13.1 The Towers and Cableway design is utilitarian and does not harmonises with the visual landscape and natural qualities of the site in terms of appearance and proportions.

5.4.13.2 The material palette of the Towers, while robust, blends with the dolerite and forested context dominated by the verticality of the surrounding trees and under storey vegetation. However, seen against the skyline the material palette is Moderate contrast.

5.4.13.3 The material palette of the Cabins/Trams is not specified within the application material. To ensure that the palette of materials and reflectivity of the glass are optimised this could form part of the conditions of a permit.

5.4.13.4 There are two types of light effect that are considered in this assessment those being sunlight and in a more limited capacity the artificial lighting. The artificial lighting analysis of effects are better undertaken by a suitably qualified expert in that specialist field.

5.4.13.5 Glint and Glare have been addressed via the specification of materials that have low light reflectance and the selection of colours that are dark and/or muted shades.

5.4.13.6 It is noted that a Representation has been made in relation to Best Practice Guidelines for Artificial Lighting.

5.4.13.7 The proposal is assessed as failing to satisfy P9.3.

6. CONCLUSION

6.1 THE PURPOSE OF THIS VISUAL IMPACT ASSESSMENT

6.1.1 The primary purpose of a VIA for this application is to determine whether the proposal, in the form submitted, would have an acceptable impact on landscape values and character as defined in the Wellington Park Management Plan 2013 (as amended October 2015).

6.1.2 It is not in the remit of this document to determine if any alternative design solutions, siting or configuration of uses might otherwise have an acceptable impact on landscape value and character as per the WPMP.

6.1.3 This VIA has had regard for the works submitted as part of the Applicants Submission, a list of these is included in the Appendix.

6.1.4 This VIA has had regard to particular Representations that are made relevant to it by their focused comments.

6.1.5 Independent fieldwork and desktop investigations have been undertaken by the author in the preparation of this VIA.

6.1.6 The assessment has been independently arrived at based on a professional objective review of the documented design against the relevant framework of the Wellington Park Management Plan.

6.1.7 The process of analysing the proposal, in parts and as a whole, herein is consistent with Visual Impact Assessment principle adopted for such purposes.

6.1.7.1 'The whole is other than the sum of the parts' is a Gestalt statement that describes how a perceptual system forms a perceptual experience (or 'gestalt'), at which time the whole thing becomes its own reality, independent of the individual parts.

6.1.7.2 The Visual Compatibility or otherwise of the proposal is analysed utlising the Principles of Form, Line, Texture and Colour, Scale and Spatial Character, ensuring a consistent and objective framework as possible with ongoing regard to the relevant assessment criteria applicable from the WPMP. The analysis is the parts is a necessary aspect of this empirical process as is the necessity of bringing these together to determine the cumulative impact of the parts.

6.1.7.3 Ultimately the visual significance of this proposal needs to be assessed in its entirety. The contiguous nature of the cableway and the scale of the proposal across multiple zones creates a situation that makes it necessary to determine the visual impact from both within and outside the Park.

6.2 VISUAL COMPATABILITY SUMMARY

6.2.1 To determine if the proposal is an acceptable outcome, the key question needs to be addressed through the examination of the detailed analysis provided in the submission. This assessment accepts the Applicants method of responding to the various zones/areas and the contiguous uses of the proposal, this assessment then examines each of the three parts against the five criteria made relevant by the WPMP.

6.2.2 This table is a summary that outlines the analysis results:

	Pinnacle Centre	Base Station	Cableway
Form Contrast	High	Moderate	Moderate
Line Contrast	High	High	High
Texture & Colour Contrast	Low	Low	Moderate
Scale Contrast	High	Low	High
Spatial Character Effect	High	Moderate	High

6.2.3 Clause S2.6 – Standards for Activities, Use and Development – Applies to Pinnacle Centre. This table is a summary that outlines the assessment results:

6.2.3.1 The proposed Pinnacle Centre fails to satisfy the requirements of the WPMP.

	Pinnacle Centre
P5.1 Visual Sensitivity	Fails to Satisfy
P9.1 Building Height	Fails to Satisfy
P9.2 Building Size	Fails to Satisfy
P9.3 Appearance and Lighting	Satisfy (conditional)
P10.1 Building Design (b)-Building Siting	Fails to Satisfy
	FAILS TO SATISFY

6.2.4 Clause 8.5.7 – Table 5 - Standards for Activities, Use and Development – Applies to base station and towers. This table is a summary that outlines the assessment results:

6.2.4.1 The proposed Base Station satisfies the requirements of the WPMP.

6.2.4.2 The proposed Cableway fails to satisfy the requirements of the WPMP.

	Base Station	Cableway
P5.1 Visual Sensitivity	Satisfy	Fails to Satisfy
P5.2 Building Design and Light effects	Satisfy	Fails to Satisfy
	SATISFY	**FAILS TO SATISFY**

6.3 CUMMULATIVE IMPACT

6.3.1 The method of analysis that has been adopted in this VIA draws on Gestalt Principles as a framework by which human perception group similar elements, recognise patterns and simplify complexity when perceiving visual information. The principles of Form, Line, Texture and Colour, Scale and Spatial Character that have been chosen for this analysis are selected for their relevance and draw on the broader framework as a result of their overlapping nature. These have been utilised in determining the visual compatibility of each part against the WPMP criteria.

6.3.2 The WPMP is "a plan of management for the Park which recognizes, promotes and preserves its unique qualities" [WPMP 2013 p.i]. The cumulative impacts of each of the analysed parts are brought together for consideration. In this regard 'sense of place' becomes a relevant criteria as this is generated from within the Park, beyond it's boundaries and through time.

6.3.3 Consideration of these interrelated factors, including consideration of built form, visual impact, integration with the landscape and the proposed response to character and values that are to be preserved and protected under the WPMP is imperative.

6.3.4 The applicants VIA determines that all but one of the viewpoints have High sensitivity. They then utilize a weighted significance of visual impact from the analysed viewpoints and determine from this that the impact is Moderate. This is substantiated through a statement that determines that these are "*the more populous and popular viewing areas of the Hobart city centre and waterfront and are rated as Low, largely owing to the distance of the proposal and the ability of the Pinnacle Centre and upper tower to harmonise with the landscape below the skyline from these perspectives.*" Visual Impact Assessment p.8
This premise fails to take into consideration the spatio-temporal perception of the receptors; being their capacity to move between viewing locations, have regard for a myriad of viewpoints and hold a perception of the various effects caused by this proposal that impact their visual perception of the mountain from these locations.

6.3.5 Separate to views from the Derwent River and City center, but also important, are the views from the homes, streets, gardens and parks that have been planned and designed to enjoy the visual amenity of the mountain.

6.3.6 Separate to the views from outside the Park but equally important are the views from within the Park itself.

6.3.7 The accumulation of the impacts on such a vast array of viewing locations and the people who are enjoying the amenity of views to the mountain (as legislated under the WPMP to be preserved and protected) must be considered.

7. VISUAL AMENITY ASSESSMENT EXPERT REPORT RECOMMENDATION

7.1.1 The various parts of the proposal made relevant to this Visual Impact Assessment have been assessed against the relevant clauses of the Wellington Park Management Plan (2015).

7.1.1.1 It is recommended that the Base Station is an acceptable component.

7.1.1.2 It is recommended that the Cableway and Pinnacle Centre are not acceptable components.

7.1.2 The application, in its entirety, when analysed and assessed against the criteria relevant to a Visual Impact Assessment as set out in the Wellington Park Management Plan is recommended for refusal.

Christopher Goss
B.Env.Des, B.Arch, ARBV/NSW, VPELA(Fellow)

Director of Orbit Solutions Pty Ltd

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

8. APPENDIX:

8.1 DEFINITIONS RELIED UPON IN THIS VIA

8.1.1 **"Visual Intrusion"**:

8.1.1.1 Issue 9: Building design (c) – appearance and lighting

8.1.1.2 Nothing defined in The Wellington Park Management Plan (x15 references).
The Macquarie Dictionary Definition:

8.1.1.3 **Visual**, *adj.*

8.1.1.4 of or pertaining to sight,

8.1.1.5 perceptible by the sight; visible.

8.1.1.6 Intrusion, *adv.*

8.1.1.7 To thrust or bring in without reason, permission or welcome.

8.1.1.8 Should there be reason(s) for or expressed permission for something that is visibly perceptible by sight such occurrence is not considered a Visual Intrusion.

8.1.1.9 Should it be the case that the proposed visual outcome is unreasonable, without permission or unwelcomed by the relevant Provision or Objectives then it is considered a Visual Intrusion.

8.1.1.10 As such permissible use is a key factor in the assessment process.

8.1.2 **"Dominant Element":**

8.1.2.1 Nothing defined in The Wellington Park Management Plan(x2 references).
The Macquarie Dictionary Definition:

8.1.2.2 Dominant, *adj.*

8.1.2.3 Ruling; governing; controlling; most influential,

8.1.2.4 Occupying commanding position,

8.1.2.5 Main; major; chief.

8.1.2.6 **Element**, *noun.*

8.1.2.7 A component or constituent part of the whole.

8.1.2.8 Should an element be visually recessive and/or integrated with other parts that constitute the whole view then that element would not be a dominant element within the designated view.

8.1.2.9 Should an element be considered as dominant such part must be most visually influential and/or situated in such a way as to be a perceivably contrasting component within the designated view.

8.1.3 **"Adverse Impacts"**

8.1.3.1 P5.2 Building Design and Light effects

8.1.3.2 Nothing defined in the Tasmanian Planning Scheme State Planning Provisions or Hobart Interim Planning Scheme 2015 or The Wellington Park Management Plan(x1 Bushfire).
The Macquarie Dictionary Definition:

8.1.3.3 Adverse, *adj.*

8.1.3.4 antagonistic in purpose or effect

8.1.3.5 opposing ones interest or desires

8.1.3.6 Impacts, *v.*

8.1.3.7 Influence or effect exerted by a new idea, concept, ideology etc.

8.1.3.8 Should the visual effect of a proposal not be opposing the stated purpose/use of the context, in so far as it integrates with the prevailing or preferred characteristics and/or values, it would be considered as not proposing adverse impacts.

8.1.3.9 Should the visual effect of a proposal be opposing the stated purpose/use of the context the prevailing or preferred characteristics and/or values, it would be considered as proposing adverse impacts.

8.1.4 "Natural and Cultural Values"

8.1.4.1 P5.1 Visual Sensitivity

8.1.4.2 As defined in the Management Plan the most important identified values of Wellington Park, after walkability, include (in order of importance):

8.1.4.3 Naturalness / wildness of the Park;

8.1.4.4 Landscape of the Park at a general level;

8.1.4.5 Park's location as a natural area next to Hobart, or bookending Hobart with the Derwent on the other side;

8.1.4.6 Native biota; (Flora and Fauna)

8.1.4.7 Park's general aesthetic quality.

8.1.5 "Visual Values"

8.1.5.1 Nothing defined in the Tasmanian Planning Scheme State Planning Provisions or Hobart Interim Planning Scheme 2015 or The Wellington Park Management Plan(x8 references).

8.1.5.2 Park's general aesthetic quality.

8.1.5.3 "Demonstrating how the building or structure can be designed and located to harmonise with the site."

8.1.6 "Scenic Qualities"

8.1.6.1 Nothing defined in the Tasmanian Planning Scheme State Planning Provisions or Hobart Interim Planning Scheme 2015 or The Wellington Park Management Plan (x6 references).

8.1.6.2 Generally described as being protected when viewed from within and from outside Wellington Park and, except for existing or already approved communications facilities, minimize skyline intrusions when the area is viewed from municipalities surrounding Wellington Park.

8.1.6.3 WPMP at 1.**1 Purpose of the Management Plan** states that "Wellington Park is reserved for the following purpose(s): c) the preservation or protection of the natural beauty of the land or any features of the land of natural beauty or scenic interest."

8.1.7 **"Blend"**

8.1.7.1 Nothing defined in the Tasmanian Planning Scheme State Planning Provisions or Hobart Interim Planning Scheme 2015 or The Wellington Park Management Plan(x3 references).

8.1.7.2 The Macquarie Dictionary Definition:

8.1.7.3 **Blend**; *noun*

8.1.7.4 To mix smoothly and inseparably together.

8.1.7.5 The United Kingdom Guidelines for Landscape Visual Impact Assessment refers to Integration in lieu of using the word blend. In that system of Visual Analysis the terms is at the opposing end of the spectrum from that of contrast.

8.1.7.6 Should the visual effect of a proposal be perceived as mixing smoothly and be to an extent visually inseparable with the context, in so far as it integrates with the prevailing or preferred characteristics and/or values, it would be considered as not being in contrast so that it would be assessed as 'blended with the environment'.

8.1.7.7 Should the visual effect of a proposal be perceived as not mixing smoothly and be to an extent visually separable from the context, in so far as it fails to integrate with the prevailing or preferred characteristics and/or values, it would be considered as being in contrast so that it would be assessed as 'not blended with the environment'.

8.1.8 **"Disturbance":**

8.1.8.1 E10.3 Definition of Terms (https://iplan.tas.gov.au/pages/plan/book.aspx?exhibit=hobips) disturbance means the alteration of the structure and species composition of a native vegetation community through actions including cutting down, felling, thinning, logging, removing or destroying of a native vegetation community.

8.1.9 **"Recreation & Tourism"**

8.1.9.1 WPMP Clause 2.3 Distinguishes the difference between these visitors where Recreational Users are local people and Tourism Users are visitors who are coming to the State noting that Mount Wellington is regularly ranked as the third most visited place in Tasmania.

Recreational and Tourism Value	**Use Values**	Wellington Park provides for a broad range of tourism and outdoor recreational opportunities in an area of outstanding natural beauty which is easily accessible to visitors.
	Recreation	The Park offers an array of different settings for visitors that can cater for a wide range of activities and recreational opportunities for people of differing abilities, age and physical capabilities. Among all of the Park's recreational destinations, Mount Wellington has pride of place and on any weekend of the year hundreds if not more local people spread across its slopes seeking recreation in a natural setting, steeped in history.
	Tourism	Mount Wellington is undoubtedly one of the most important tourist destinations in Tasmania, regularly ranked as the third most visited place in the State. 'Wellington Park has the natural and cultural attractions to maintain strong appeal to the major growth markets in the tourism industry (notably nature based tourism), offering a variety of differing experiences and activities within a remarkable setting.'

Figure 32 Wellington Park Management Plan Clause 2.3 "Defining the Park's Values".

8.2 Weblinks

8.2.1 https://www.stategrowth.tas.gov.au/__data/assets/pdf_file/0010/124399/Fact_Sheet.pdf

8.2.2 https://www.stategrowth.tas.gov.au/about/planning_reform_taskforce/fact_sheet

8.2.3 https://mtwellingtoncablecar.com/2018/design-reveal#recreation

8.2.4 https://planningreform.tas.gov.au/__data/assets/pdf_file/0004/559759/State-Planning-Provisions-last-updated-draft-amendment-01-2018-effective-19-February-2020.PDF

8.2.5 https://www.wellingtonpark.org.au/assets/WP_BushWalk-InfoSheet-November20-Spreads.pdf

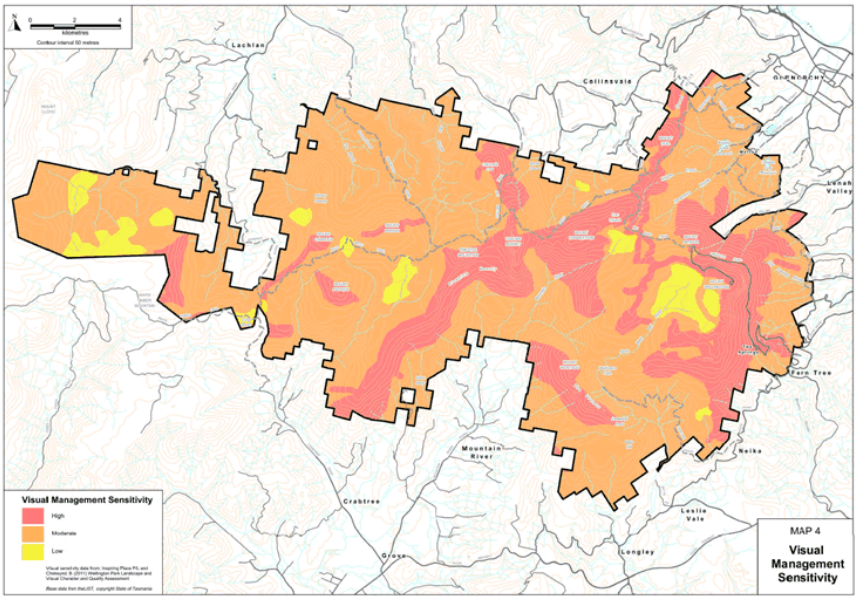
8.2.6 https://www.wellingtonpark.org.au/assets/Wellington_Park_Management_Plan_Amending_Plan_2015.pdf

8.2.7 https://www.wellingtonpark.org.au/management-plan/

8.2.8 https://www.wellingtonpark.org.au/assets/PSADraftAmendingPlanPlus_InfoHR140801.pdf

8.3 Relevant Provisions

8.3.1 Wellington Park Management Plan 2013 (as amended October 2015)



8.3.2 **APPLICABLE TO BASE STATION AND TOWERS**

- Section 8.5.7 – Table 5 - Standards for Activities, Use and Development in Wellington Park

Issue 5: Landscape, visual quality and amenity	
Objective: To protect and enhance the landscape and visual quality of Wellington Park.	
A5.1 Visual Sensitivity Buildings and structures (other than park furniture or park signage) are not located within areas identified as of High or Moderate Visual Sensitivity shown in Map 4 of this Management Plan.	P5.1 Visual Sensitivity Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to minimise or remedy any loss of visual values or impacts on the visual character of the affected area. Note: Satisfaction of this Performance Criterion may include a Visual Impact Analysis, prepared by a suitably qualified person, demonstrating how the building or structure can be designed and located to harmonise with the site.
A5.2 Building Design and Light Effects The maximum building height is 3.5m and any building is not more than one storey, and is designed in accordance with the requirements of the relevant Management Zone and this Management Plan, and the Trust's Design and Infrastructure Manual where relevant. Associated services, access and parking must not be prominent. External lighting must assist orientation only and will be focussed towards the ground.	P5.2 Building Design and Light effects Development must be designed to harmonise with the visual landscape and natural qualities of the site in terms of appearance, scale and proportions and follow the Trust's Design and Infrastructure Manual where relevant. Lighting and reflection must be managed to avoid adverse impacts on natural and cultural values

8.3.3 **APPLIES TO PINNACLE CENTRE ONLY**

- Clause S2.6 – Standards for Activities, Use and Development in the Pinnacle Specific Area

Issue 5: Landscape, visual quality and amenity	
Objective: To protect and enhance the landscape and visual quality of Wellington Park.	
A5.1 Visual Sensitivity The proposal does not involve a building or structure apart from Park furniture of Park signs.	P5.1 Visual Sensitivity Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or identified as of High or Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to minimise or remedy any loss of visual values or impacts on the visual character of the affected area. Note: Satisfaction of this Performance Criterion may include a Visual Impact Analysis, prepared by a suitably qualified person, demonstrating how the building or structure can be designed and located to harmonise with the site.

Issue 9: Building design (a) - building height	
Objective: To ensure that buildings do not cause visual intrusion due to excessive height.	
A9.1 Building Design The maximum building height is 3.05m and any building is not more than 1 storey	P9.1 Building Design For any building greater than 3.5m in height it must be shown that the building will not visually intrude into the landscape in relation to: (a) Local natural and environmental features; (b) Views from either the Pinnacle or elsewhere in the Park, and views from settled areas of Hobart and

	suburbs through the preparation of a Visual Impact Analysis conducted by a suitably qualified person. (c) Any building design must give consideration to the Wellington Park Infrastructure and Design Guidelines.

Issue 9: Building design (b) - building size	
Objective: To ensure that buildings are of a size and dimension that fits in with the overall nature of low key development of the Pinnacle	
A9.2 Building Size Maximum floor area of any building is 100m².	P9.2 Building Size Any proposal for a building of more than 100m² in floor area is to show that the building will not: (a) Cause visual intrusion, (b) Require infrastructure that cannot be provided in accordance with the infrastructure provision standards, or (c) Be a dominant element in the landscape through the preparation of a Visual Impact Analysis conducted by a suitably qualified person.

Issue 9: Building design (c) – appearance and lighting	
Objective: (i) To ensure that all buildings are of a high architectural design standard. (ii) To ensure that buildings blend with the local environment and do not cause visual intrusion. (iii) To ensure lighting minimises impact on the local environment.	
A9.3 Appearance and Lighting The colour of external walls and roofs visible from off the site is to have a light reflectance value of less than 10%. Roofs are to be clad with materials in non-reflective, muted natural colours and dark tones.	P9.3 Appearance and Lighting The design of buildings and structures is to take into account the unique qualities of the pinnacle area while using innovative and high-quality architectural solutions.

External lighting assists orientation only and is focused towards the ground.	The colour and materials of external surfaces are to blend with the local environment and the dominant colours of adjoining areas of the Park. Lighting and reflection must be managed to avoid adverse impacts on natural and cultural values.

Issue 10: Building design (b) – building siting	
Objective: To ensure that buildings are located in areas where they do not cause a reduction in the values associated with the Pinnacle.	
A10.1 There is no Acceptable Solution for this element.	P10.1 Proposals for buildings facing on to or directly visible from the Pinnacle Road must show that there will be no diminution of values of the site either during the construction of the building or in its use and operation. Buildings and structures (other than Park furniture or replacement of an existing building or structure of the same size and location) in prominent locations visible from within or outside of the Park, or in areas identified as of High Moderate Visual Sensitivity in Map 4 of this Management Plan, must be designed and sited to avoid, remedy or mitigate any loss of visual values through the inclusion of a Visual Impact Analysis conducted by a suitably qualified person.