

Ordinary Council Meeting - 22 August 2023 Attachments

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PROPOSED RESIDENCE, CABINS AND CELLAR DOOR 1100 COLES BAY ROAD COLES BAY

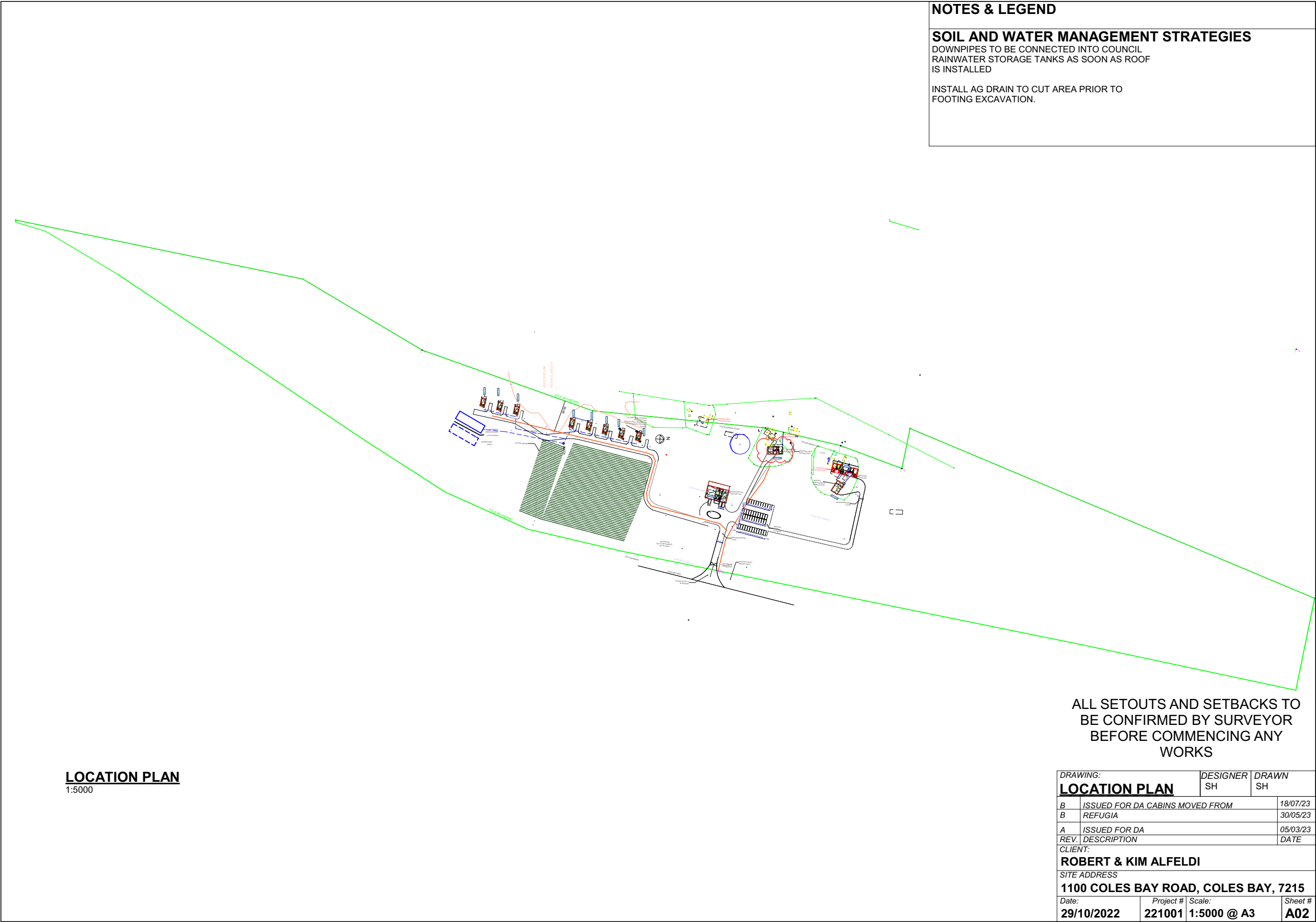
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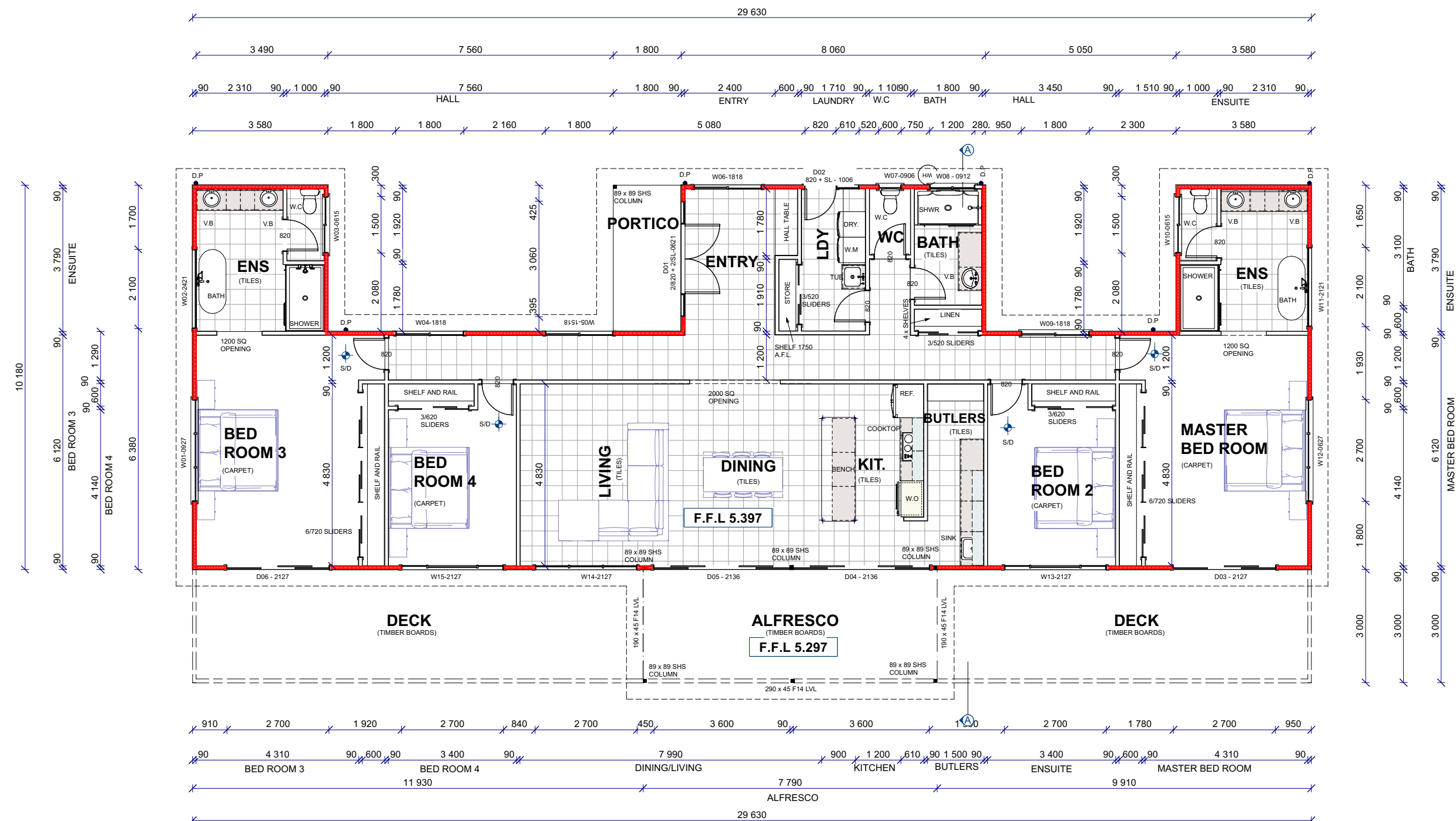
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		A051 FAMILY CABIN & STORAGE BUILDING ELAVATIONS
		A052 FAMILY CABIN & STORAGE BUILDING ELEVATIONS

LAND TITLE REFERENCE	: 125676/1
REGION	: A
TERRAIN CATEGORY	: 1
WIND CLASSIFICATION	: N3
SHIELDING CLASSIFICATION	: NS
SOIL CLASSIFICATION	:AS PER HED CONSULTING SOIL REPORT
CLIMATE ZONE	: 7
BAL LEVEL	: 12
FLOOR AREA : RESIDENCE	: 244.46m2
FLOOR AREA : ALFRESCO	: 23.54m2
FLOOR AREA : DECK	: 66.7m2
FLOOR AREA : PORTICO	: 6.93m2
FLOOR AREA : CAFE	: 375m2
FLOOR AREA : CAFE ALFRESCO	: 125m2
FLOOR AREA : CABINS	: 43.23m2
FLOOR AREA : CABIN DECK	: 12.55m2
FLOOR AREA : FAMILY CABIN & STORAGE BUILDING	: 140.95m2
FLOOR AREA : FAMILY CABIN & STORAGE BUILDING DECK	: 26.17m2

ALL WORK SHALL BE IN ACCORDANCE & COMPLY
WITH THE BUILDING CODE OF AUSTRALIA,
COUNCIL BY-LAWS, RELEVANT AUSTRALIAN
STANDARDS AND CURRENT WORKPLACE
STANDARDS CODES OF PRACTICE

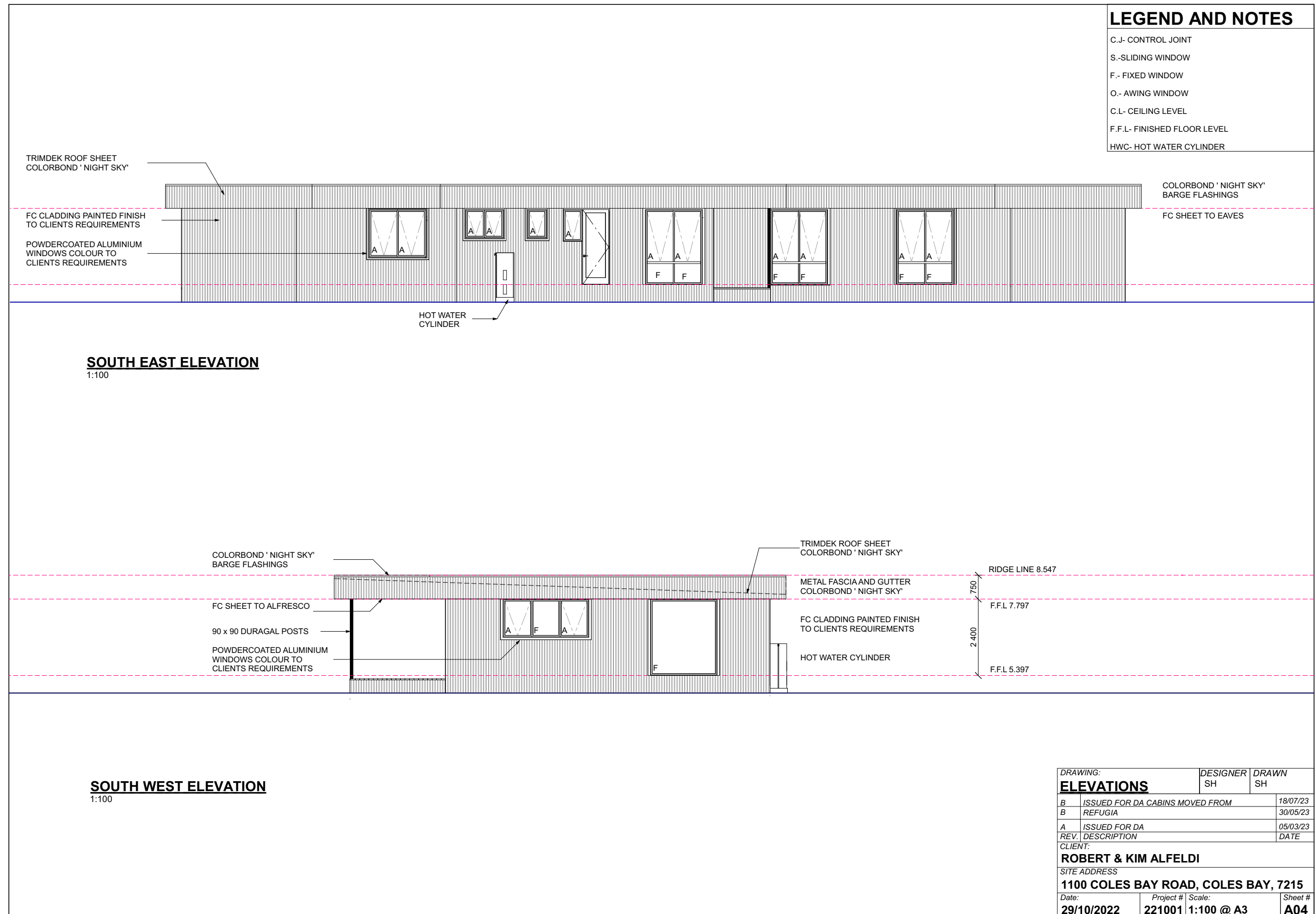
STANDARDS CODES OF PRACTICE			
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ROBERT & KIM ALFELDI			
SITE ADDRESS			
1100 COLES BAY ROAD, COLES BAY, 7215			
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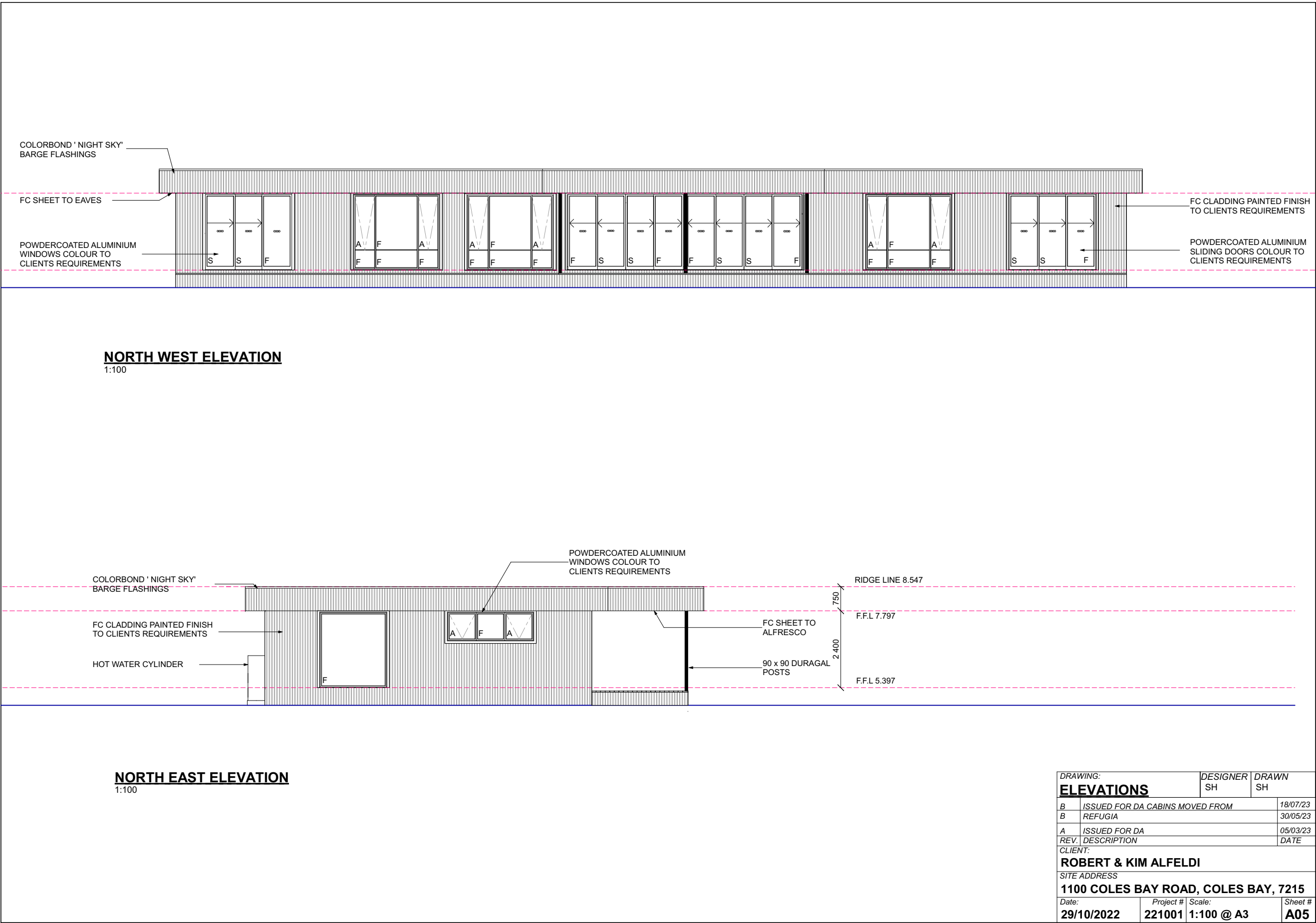


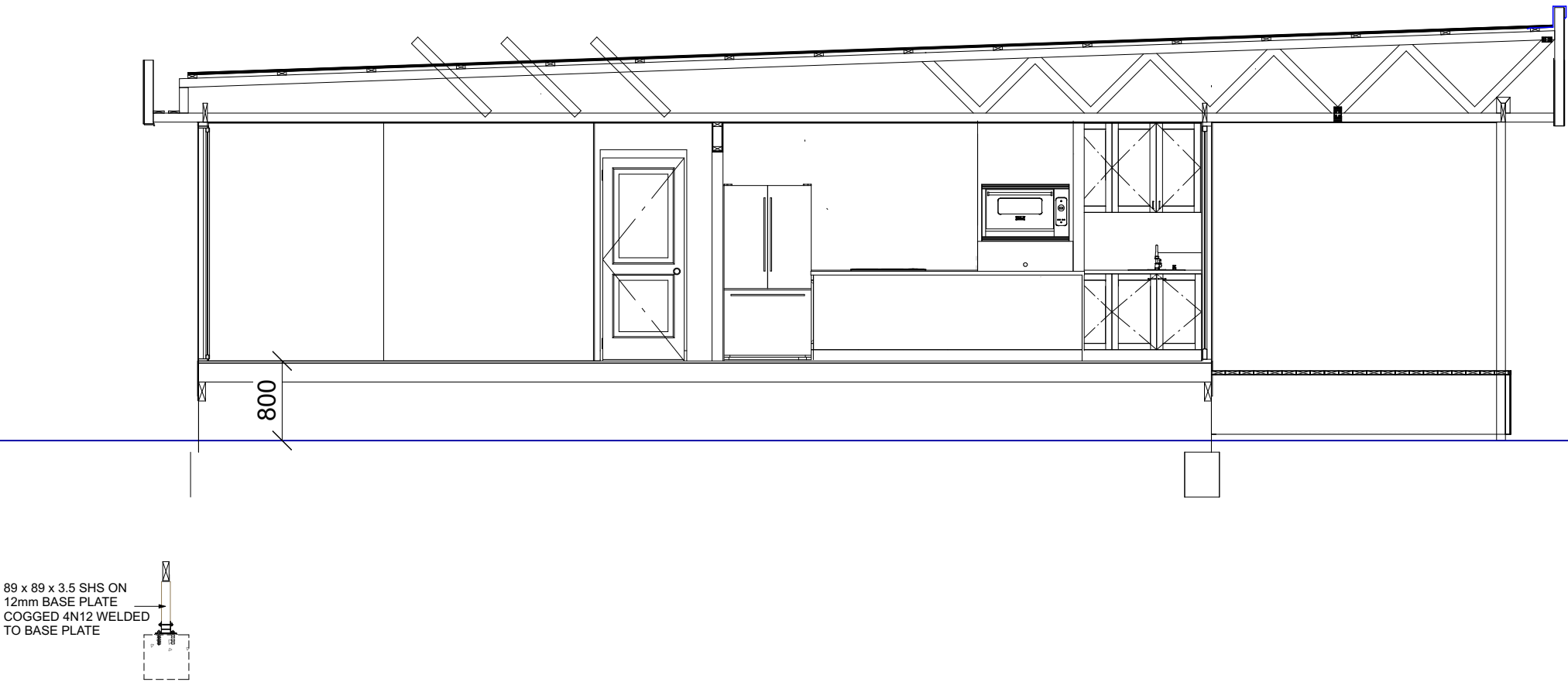


FLOOR PLAN
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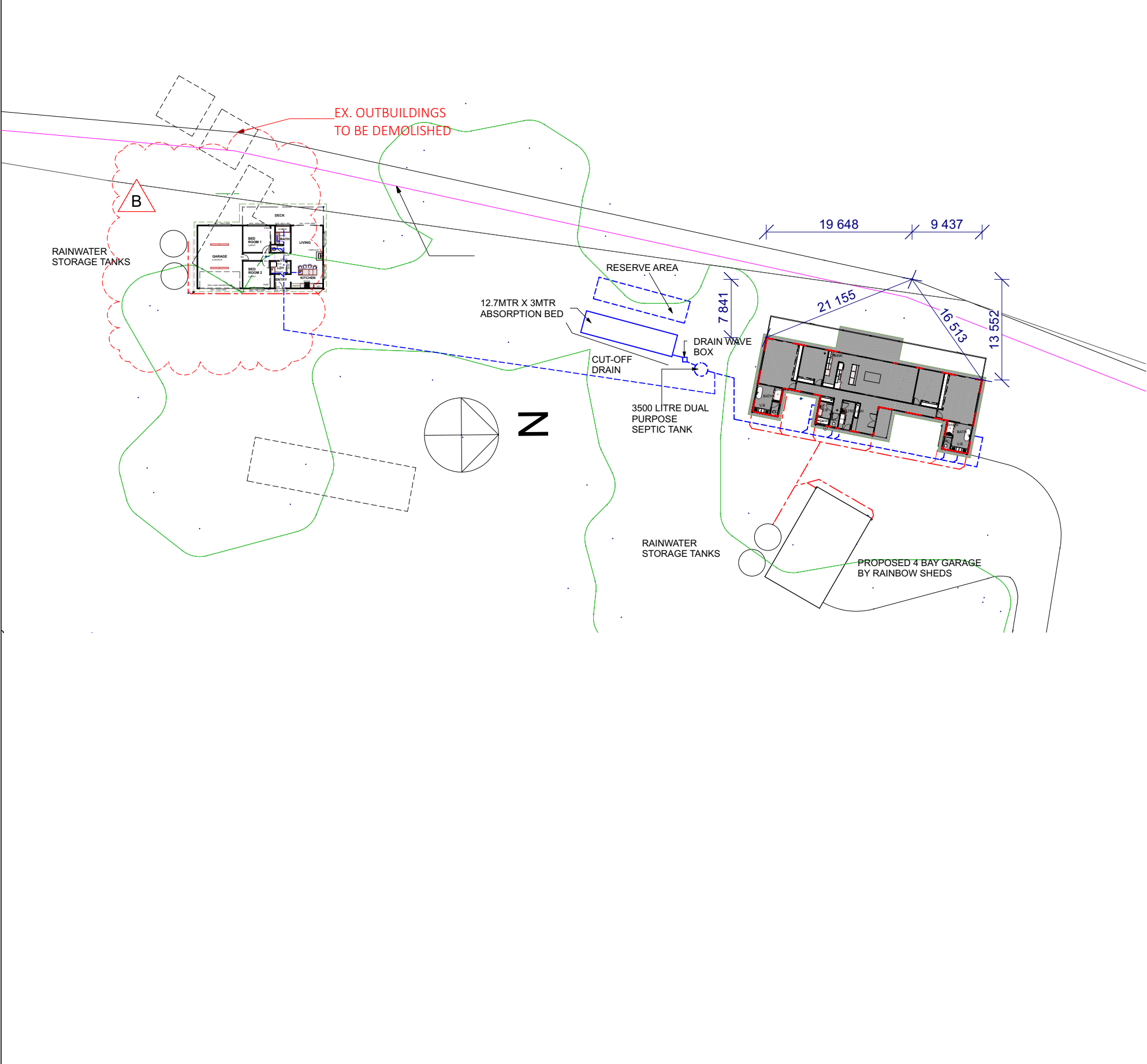






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CABIN PLAN		SH	SH
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CABIN ELEVATIONS		SH	SH
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LEGEND & NOTES

STORMWATER LINE 100mm UPVC

SEWER LINE 100mm UPVC

INSTALL INSPECTION OPENINGS AT MAJOR BENDS FOR STORMWATER AND ALL LOW POINTS OF DOWNPIPES

ALL PLUMBING AND DRAINAGE TO BE IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS

SERVICES

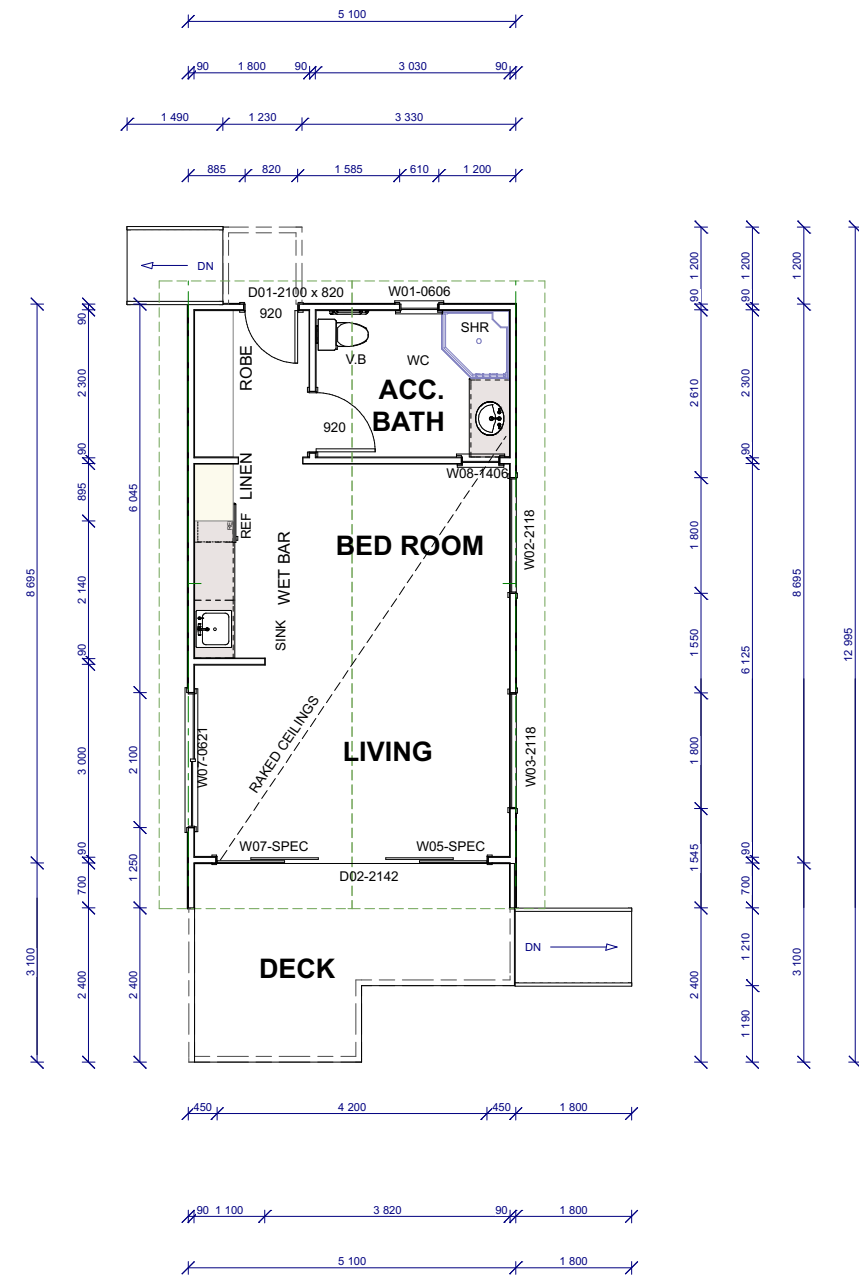
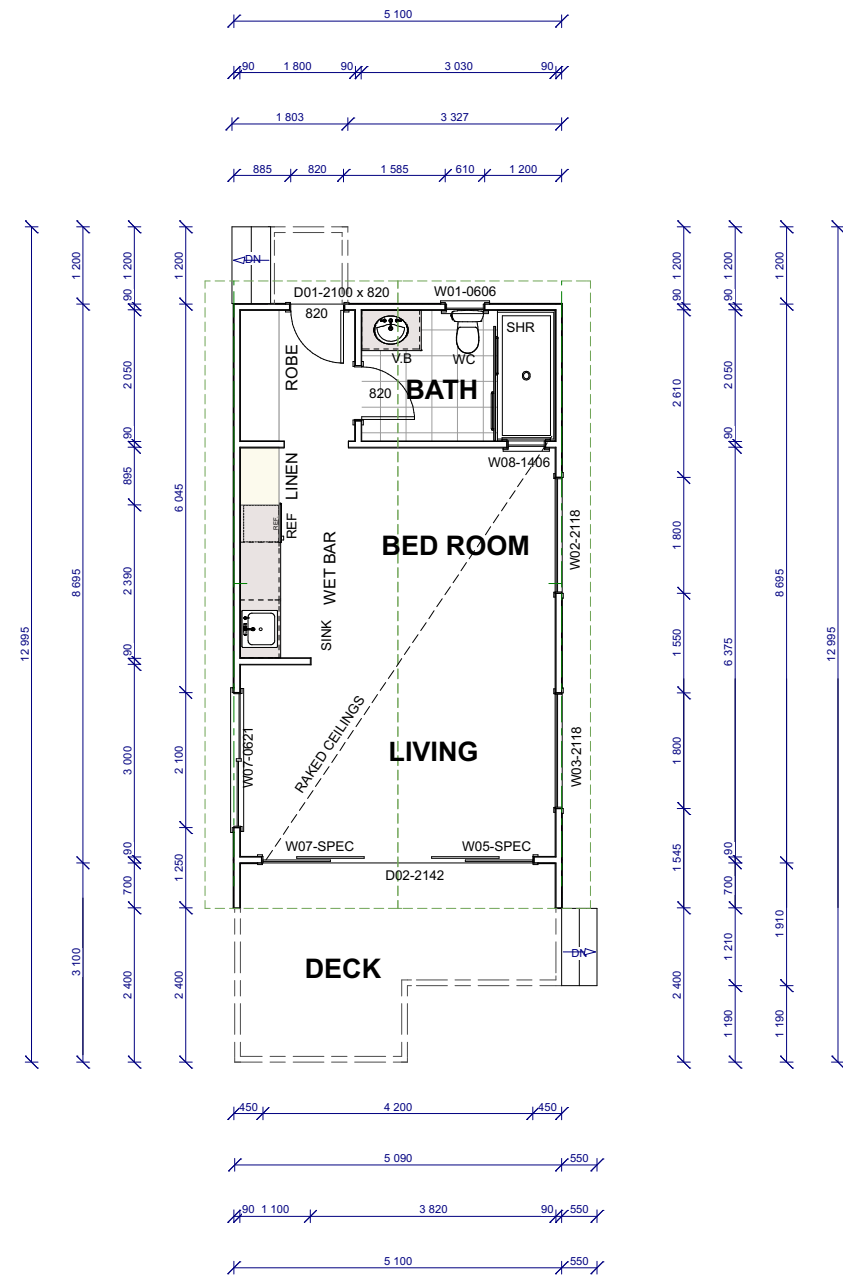
THE HEATED WATER SYSTEM MUST BE DESIGNED AND INSTALLED IN ACCORDANCE WITH PART B2 OF NCC VOLUME THREE - PLUMBING CODE OF AUSTRALIA

THERMAL INSULATION OF HEATED WATER PIPING MUST:
A) BE PROTECTED AGAINST THE EFFECTS OF WEATHER AND SUNLIGHT
B) BE ABLE TO WITHSTAND TEMPERATURES WITHIN THE PIPING
C) USE THERMAL INSULATION IN ACCORDANCE WITH AS/NZS 4859.1

FIXTURES LEGEND

SINK : 65mm DIAMETER
DW : DISHWASHER 65mm DIAMETER
TROUGH : LAUNDRY TROUGH 65mm DIAMETER
WC : TOILET 100mm DIAMETER
VANITY : VANITY BASIN 100mm DIAMETER
SHOWER : 100mm DIAMETER
BATH : 100mm DIAMETER
DP : DOWNPIPE 90mm DIAMETER

DRAWING:		DESIGNER	DRAWN
DRAINAGE PLAN		SH	SH
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CLIENT: ROBERT & KIM ALFELDI			
SITE ADDRESS 1100 COLES BAY ROAD, COLES BAY, 7215			
Date:	Project #	Scale:	Sheet #
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CABIN FLOOR LEVELS RIDGE HEIGHTS

CABIN 1 - 3.403	5.803	7.723
CABIN 2 - 3.581	5.981	7.901
CABIN 3 - 3.737	6.137	8.057
CABIN 4 - 3.542	5.942	7.862
CABIN 5 - 2.858	4.858	6.778
CABIN 6 - 3.154	5.554	7.474
CABIN 7 - 3.291	5.691	7.611
CABIN 8 - 4.293	6.693	8.613

COLORBOND METAL FASCIA
AND GUTTER TO CLIENTS
REQUIREMENTS

TIMBER DECK AND STAIRS TO
FUTURE DETAIL

CUSTOM ORB ROOF SHEET
COLORBOND FINISH TO
CLIENTS REQUIREMENTS

FC CLADDING PAINTED FINISH
TO CLIENTS REQUIREMENTS

TIMBER LANDING AND STAIRS
TO FUTURE DETAIL

POWDERCOATED ALUMINIUM
WINDOWS COLOUR TO
CLIENTS REQUIREMENTS

COLORBOND 'NIGHT SKY'
BARGE FLASHINGS

FC CLADDING PAINTED FINISH
TO CLIENTS REQUIREMENTS

NORTH ELEVATION

1:100

WEST ELEVATION

1:100

COLORBOND 'NIGHT SKY'
METAL FASCIA AND GUTTER

FEATURE TIMBER PANELLING
TO GABLE END

F.F.L (REFER TO NOTES)

SPECIAL SITE MEASURED
ALUMINIUM WINDOWS
COLOUR TO CLIENTS
REQUIREMENTS

POWDERCOATED ALUMINIUM
SLIDING DOORS COLOUR TO
CLIENTS REQUIREMENTS

COLORBOND METAL FASCIA
AND GUTTER TO CLIENTS
REQUIREMENTS

TIMBER LANDING AND STAIRS
TO FUTURE DETAIL

CUSTOM ORB ROOF SHEET
COLORBOND FINISH TO
CLIENTS REQUIREMENTS

FC CLADDING PAINTED FINISH
TO CLIENTS REQUIREMENTS

TIMBER DECK AND STAIRS TO
FUTURE DETAIL

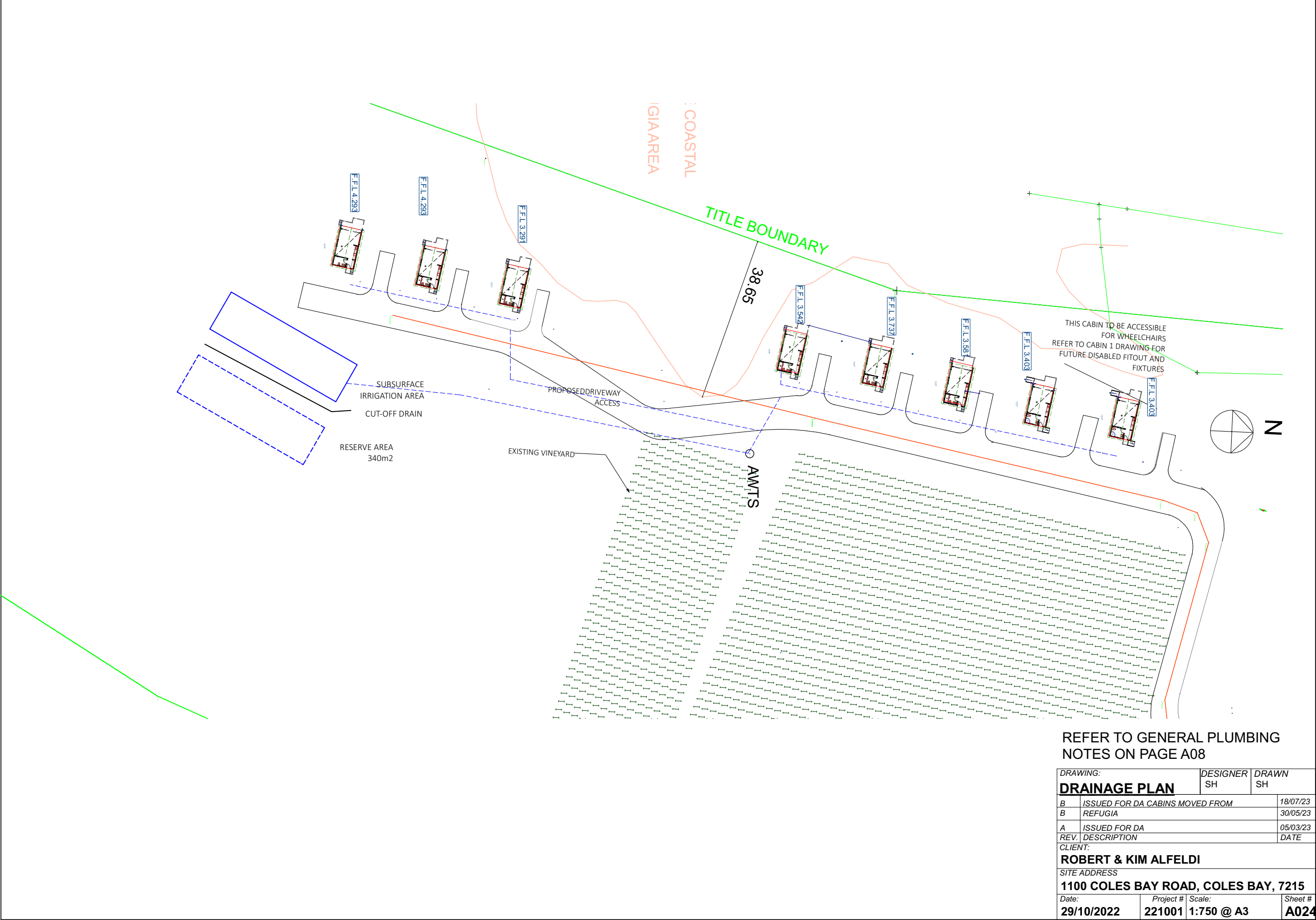
EAST ELEVATION

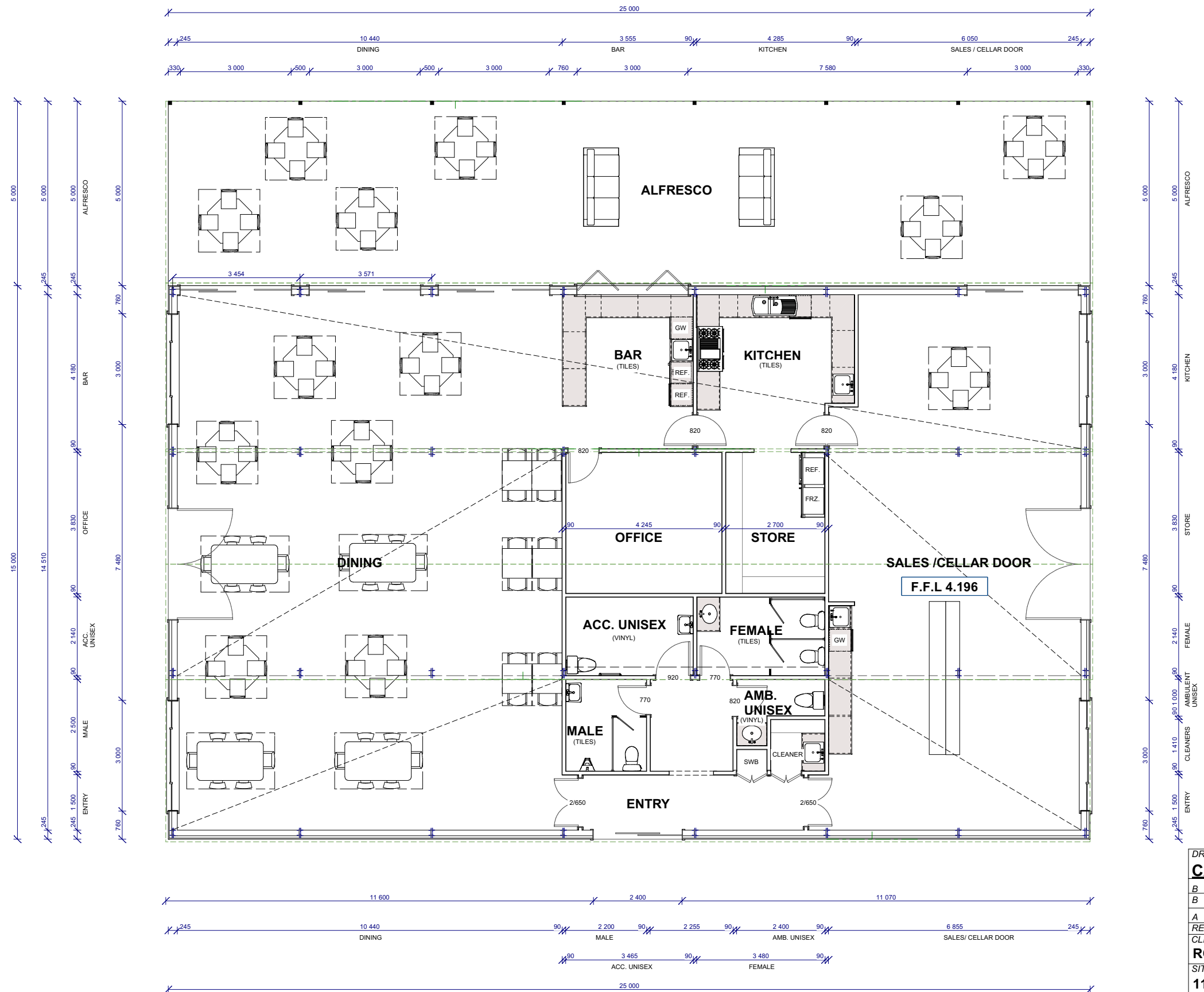
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SOUTH ELEVATION

1:100

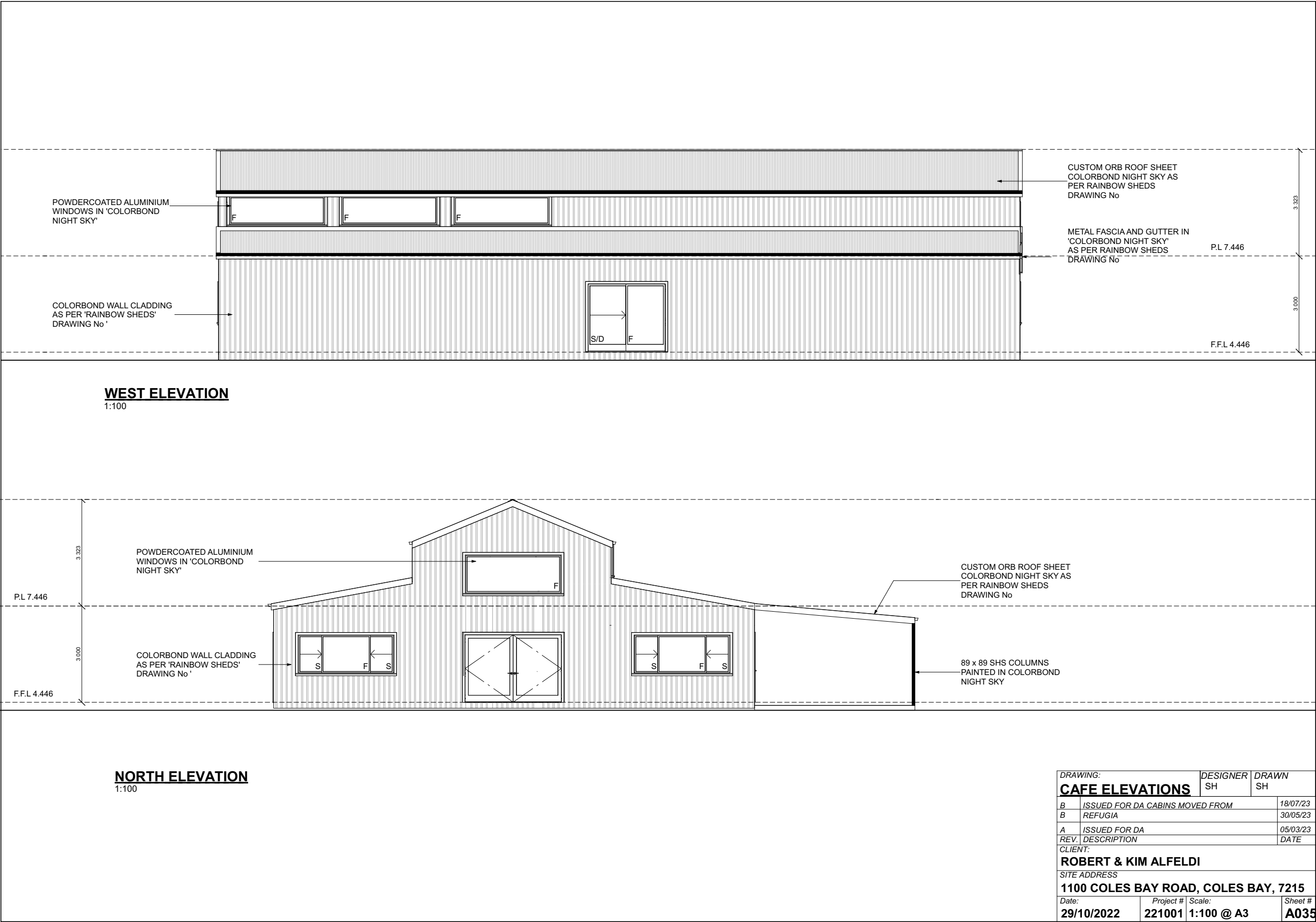
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1100 COLES BAY ROAD, COLES BAY, 7215			
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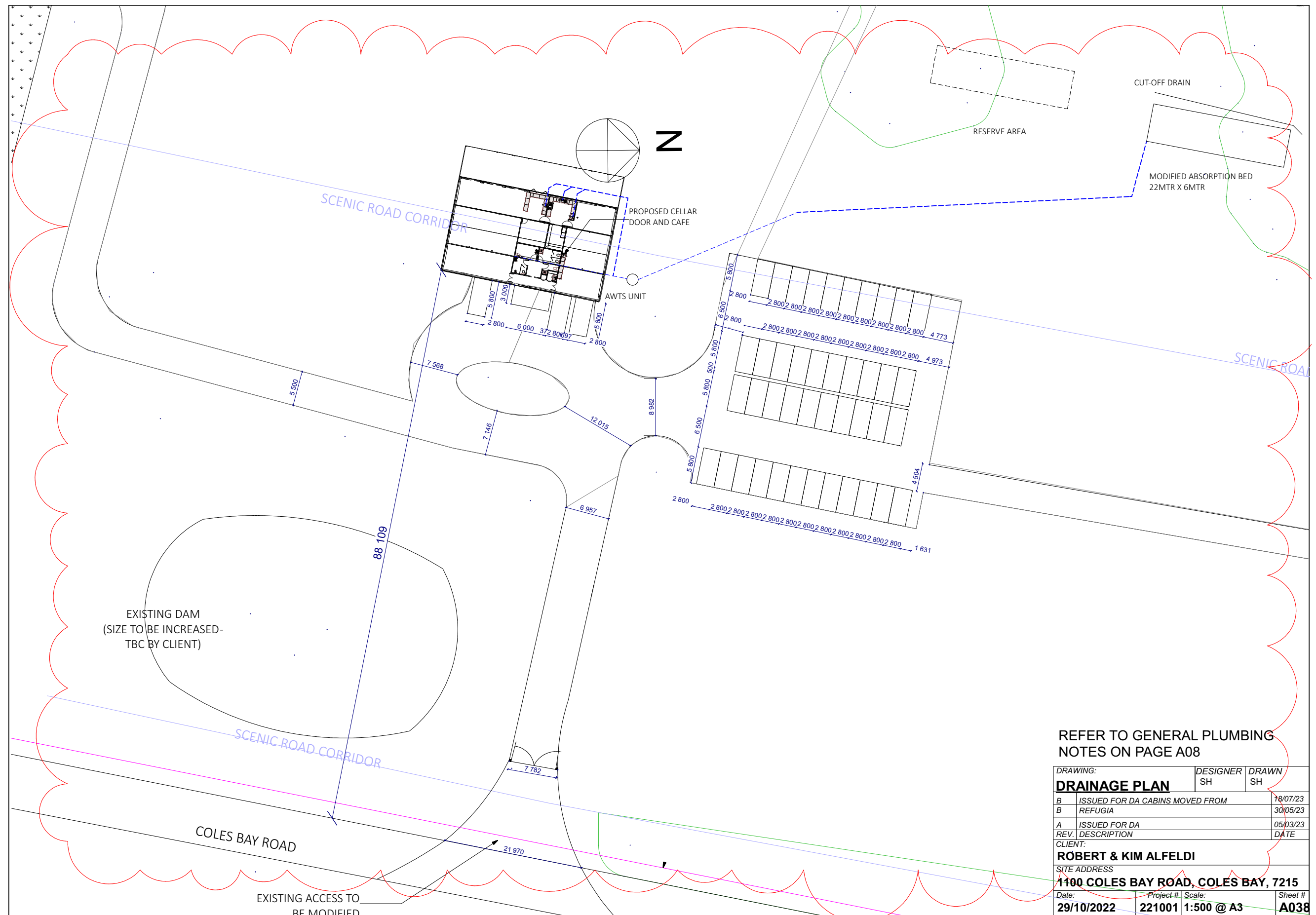


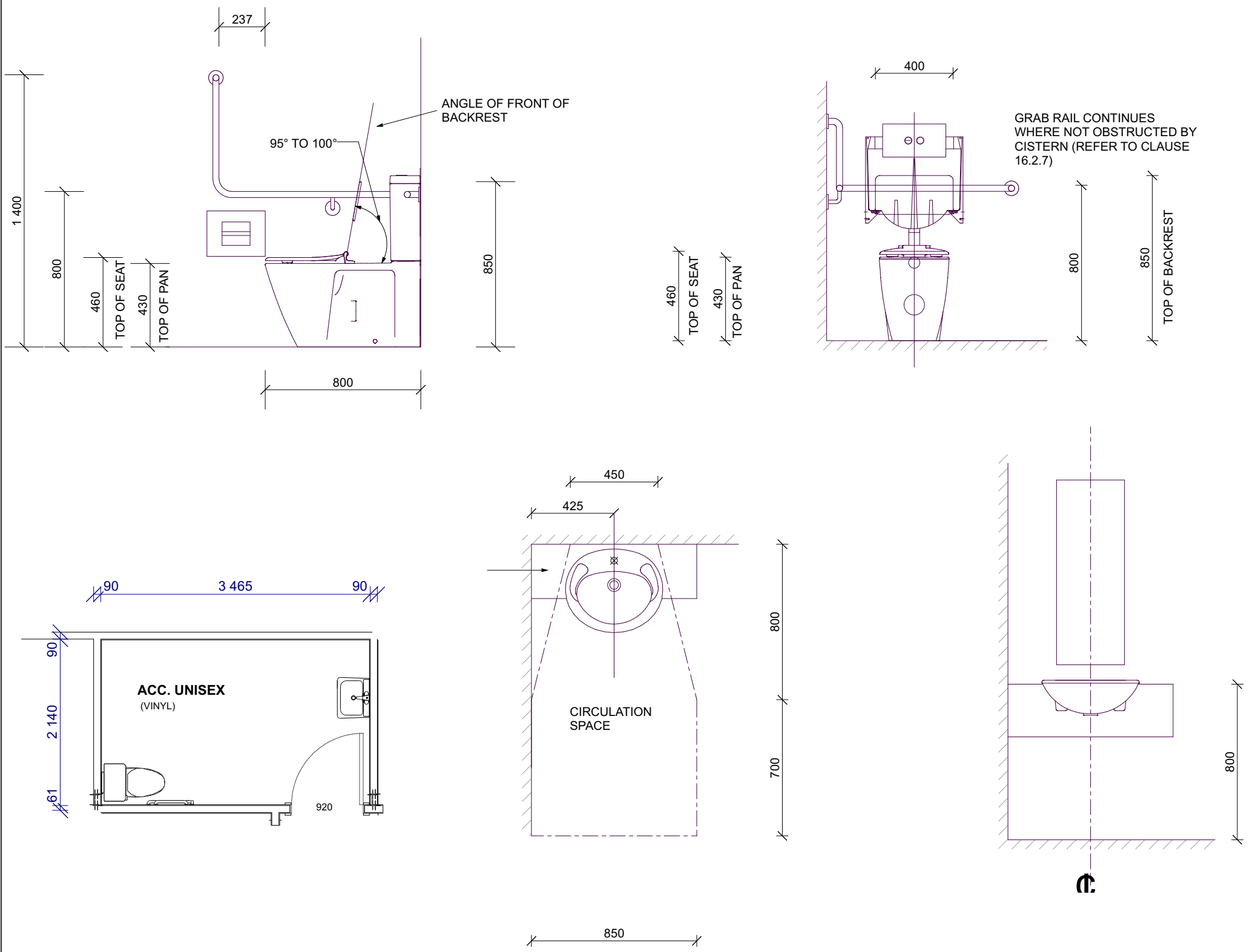


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A	ISSUED FOR DA		05/03/23
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SITE ADDRESS			
1100 COLES BAY ROAD, COLES BAY, 7215			
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NOTES

DISABLES ACCESS TOILETS TO COMPLY WITH AS1428.1 2021.

WATER CLOSET PAN CLEARANCES SEAT, HEIGHT AND SEAT WIDTH SHALL COMPLY WITH AS1428.1 2021 CLAUSE 16.2.4.

BACKREST SHALL COMPLY WITH AS1428.1 2021 CLAUSE 16.2.5

FLUSHING CONTROLS SHALL BE USER ACTIVATED, EITHER HAND OPERATED OR AUTOMATIC, AND COMPLY WITH AS1428.1 2021 CLAUSE 16.2.6

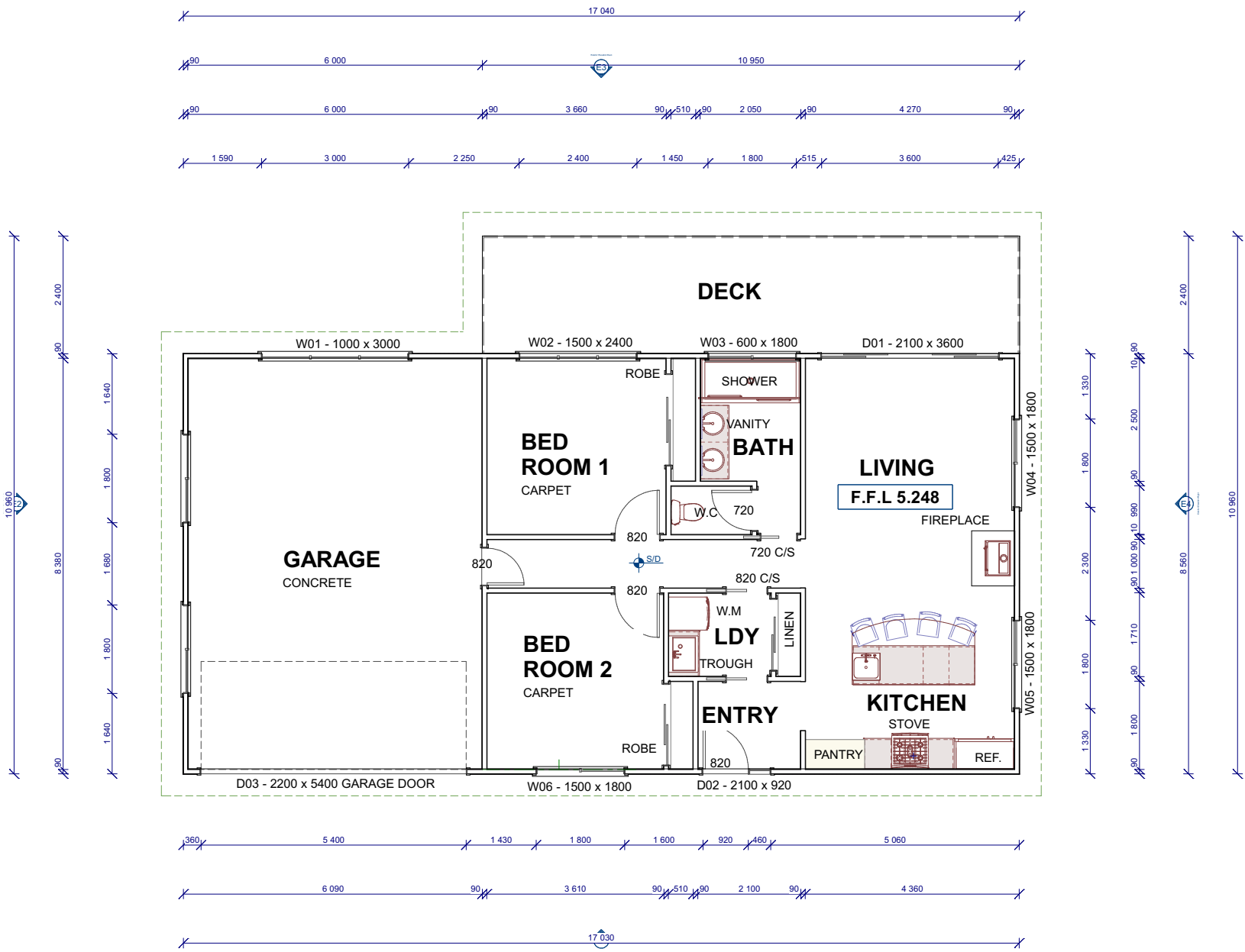
TOILET PAPER DISPENSER LOCATION SHALL COMPLY WITH AS1428.1 2021 CLAUSE 16.2.7

GRABRAILS SHALL COMPLY WITH AS1428.1 2021 CLAUSE 16.2.8

CIRCULATION SPACE IN WC'S SHALL COMPLY WITH AS1428.1 2021 CLAUSE 16.2.9

WASHBASINS SHALL COMPLY WITH AS1428.1 2021 CLAUSE 16.3

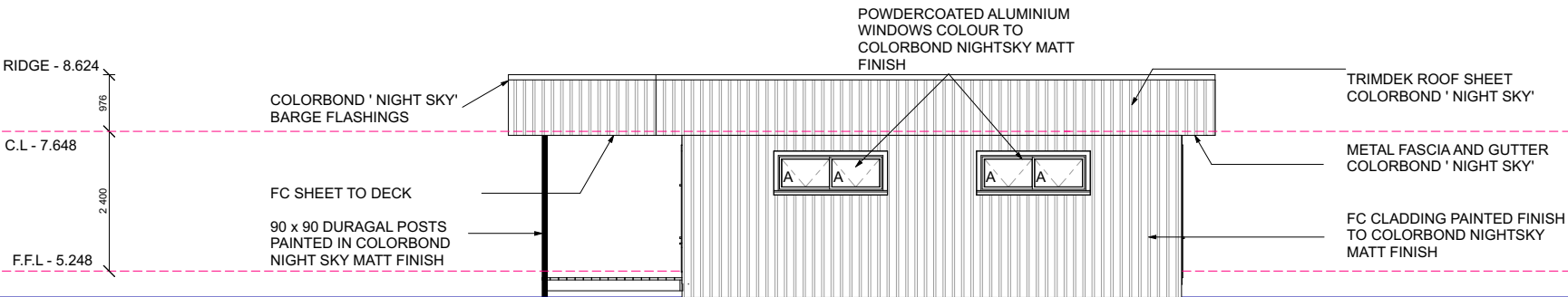
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ACC. TOILET DETAIL		SH	SH
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A	ISSUED FOR DA		05/03/23
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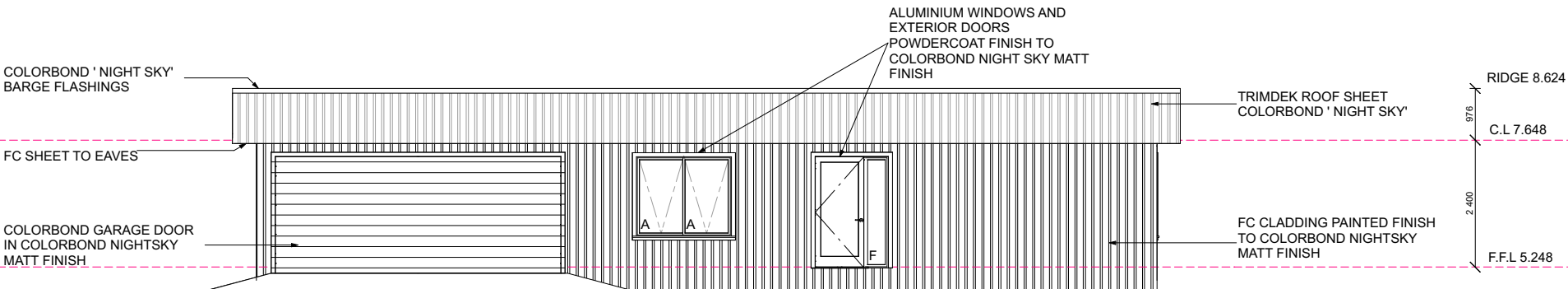
FAMILY CABIN AND STORAGE FLOOR PLAN

1:100

DRAWING:		DESIGNER	DRAWN
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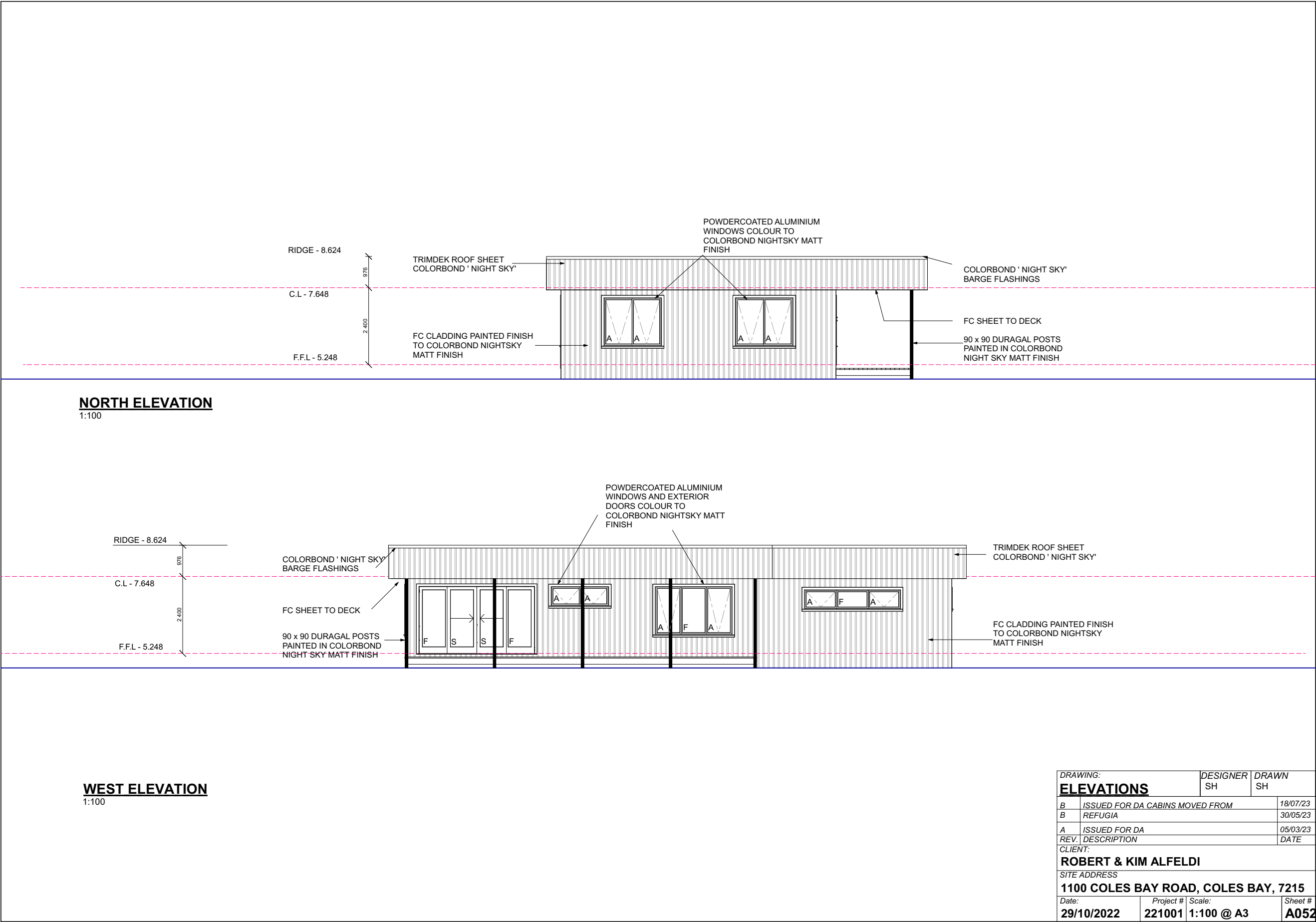


SOUTH ELEVATION
1:100



EAST ELEVATION
1:100

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ELEVATIONS		SH	SH
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1100 COLES BAY ROAD, COLES BAY, 7215			
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29/10/2022	221001	1:100 @ A3	A051



Rep 1 –

To:

General Manager
Glamorgan Spring Bay Council
PO Box 6, Triabunna
planning@freycinet.tas.gov.au

OBJECTION TO DEVELOPMENT APPLICATION AT RA1100 COLES BAY ROAD, COLES BAY CT 125767/1.

(1) The property at 1100 Coles Bay Road, Coles Bay borders Moulting Lagoon which is a RAMSAR wetland of international significance. It was made a RAMSAR site because it supports a large number of waterfowl and birds, particularly black swans and the Australian shelduck. There are also thirteen plant species in the Moulting Lagoon area that are threatened and require conservation. This information can be found in the "Moulting Lagoon Game Reserve Management Plan 2003," which can be located on the Parks and Wildlife website.

I can not see how a development of this size, particularly given the amount buildings proposed and how close they are to the boundary with Moulting Lagoon, will not have a significant impact to both flora and fauna.

I can say with 100% certainty that the boundary fence between Moulting Lagoon and 1100 Coles Bay Road is not on the surveyed boundary and in places it encroaches on to the lagoon side by at least 40 metres.

Given this fact, what is to prevent heavy machinery and other vehicles from encroaching on to the RAMSAR site during construction, given the proximity of numerous buildings to the lagoon.

I have attached a document to this email that shows the property from Google Maps. The measurement done is from a shack that is still observable on Google Maps but has since been demolished. This shack was on the Crown Land of Moulting Lagoon but right on the boundary to 1100 Coles Bay Road. As you can see using the measure distance function on Google Maps, the shore of the lagoon is approximately 110 metres from the shack. From looking at the development application and where the 8 x accommodation units are planning to be constructed and using the google maps measurement function, I estimate that one or more of the accommodation units could be as close as 90 metres from the lagoon shore, taking into account how the shore gets closer to the property boundary in that area.

The shack I have referenced was recently subject to an application for registration to Crown Land services. This application was rejected with huge opposition from the new/current owners of 1100 Coles Bay Road, Coles Bay. In a rejection letter received from Crown Land Services, signed by then Deputy Secretary Jason Jacobi, he stated and I quote:

"The Game Reserve is a RAMSAR site, meaning the Reserve is a Wetland of International Importance established through the Ramsar Convention, and is one of ten RAMSAR sites within Tasmania. Due to the Game Reserve being listed as a RAMSAR site, the PWS and the Tasmanian Government have a responsibility to manage the land and its wetland values and character for migratory bird species in accordance with the Environment Protection and Biodiversity Conservation Act 1999.

Through the Nature Conservation Act 2002 (NCA), the PWS has a legislative obligation to uphold the values present within the Game Reserve that are unique, important or have representative value particularly with respect to game species, with the purpose of the reservation being the conservation of the natural biological diversity or geological diversity of that area of land, or both, and the ecologically sustainable hunting of game species in that area of land."

The class/type of land that the shack was situated on and its proximity to the lagoon is scarcely different to where the proposed dwelling and 8 x accommodation units are to be constructed in the development application.

(2) Moulting Lagoon is accessible to the public from only a few places, two of which are "The Sanctuary" car park situated just North on 1100 Coles Bay Road and "Middle Bank" which is just to the South. Although these areas receive visitors/tourists, the numbers are low due to their lowkey nature. From these areas, people are able to access and walk on to Moulting Lagoon, including on to the Beaded Glasswort covered foreshore.

I am concerned that should this development go ahead, it will lead to hundreds more people on a daily basis, accessing the foreshore of Moulting Lagoon from 1100 Coles Bay Road, leading to localised degradation and erosion of the foreshore including the Beaded Glasswort flats. This is not unrealistic given the visitor numbers (by car) predicted in the traffic impact assessment undertaken as part of the development application.

(3) To my knowledge and by having a look on Google maps around Moulting Lagoon, it is clear to see that there are no other major developments on the banks of Moulting Lagoon. The only observable development is the vineyards of Devil's Corner, however any significant structures on that property are well back from the lagoon, not far from the Tasman Highway.

I believe this a clear indication that major developments on the banks of Moulting Lagoon have either been previously rejected or have not been conducted in order to preserve the natural beauty of the lagoon.

If this development was to go ahead, I fear that it may open a Pandora's Box in relation to further major developments on the banks of Moulting Lagoon occurring, remembering that it is a RAMSAR wetland of international significance.

(4) I have attached photographs taken of an area of the property where the proposed car park and cellar door / cafe are set to be constructed. This photograph was taken in October 2020 after a significant rain event. The photograph was taken after quite a lot of the water had already drained from the area, however you can still see water pooling in the paddock. At the peak of the rain event, I observed that water was freely flowing through the property and into the lagoon. This included a significant amount of overflow from the small dam.

My concern is that should a car park be constructed, what is to prevent effluents from vehicles such as oils and coolants that collect in car parks, from draining or being washed into the lagoon after any significant rain event.

(5) Moulting Lagoon is a designated game reserve. The Moulting Lagoon Game Reserve Management Plan 2003 states that duck hunting is the most intensive use of the lagoon and has been undertaken by local residents and others, since the time of settlement. It is an important pastime for families in the local community, allowing them to get into the outdoors together. This is good for mental health and provides sustainable food for the table.

Most people who have ever driven to Coles Bay would have noticed the duck hides situated on Moulting Lagoon, particularly when you are driving along the section of road past 1100 Coles Bay Road. These duck hides are registered through the Parks & Wildlife Service for an annual fee. The majority of these duck hides have been in families for over 50 years, handed from father to son, uncle to nephew etc and hold significant sentimental value to the people they belong to.

Even if you do not have a duck hide, you are free to hunt ducks during the season (March to June) from anywhere within the Crown Land of Moulting Lagoon that hasn't been listed as a sanctuary. This includes from the shore and the saltwater flat holes within the shoreline.

The Firearms Act 1996, Section 113 - Recklessly Discharge a Firearm states in part 2, the following:

- (2) A person must not discharge a firearm within 250 metres of a dwelling house except –
(a) on an approved range; or
(b) with the consent of the occupier of the dwelling house.

A simple check and distance measurement on Google Maps shows that the proposed dwelling and 8 x accommodation units on the development application will be well within 250 metres of not only the foreshore and numerous saltwater flat holes but also potentially a number of registered duck hides on the lagoon. This would make it potentially illegal for those persons to use their registered duck hides as per the Firearms Act. It would also make a considerable amount of Moulting Lagoon unusable by duck hunters during the designated season.

I hold grave concerns that should this development application proceed, there will then be a push by the owners of 1100 Coles Bay Road to have duck hunting banned in the section of the lagoon that their property overlooks which includes all of the Top Bank and parts of Middle Bank. It would seem obvious that if you had hundreds of tourists visiting weekly and people staying in accommodation units that overlook Moulting Lagoon, that you wouldn't want them having to observe ducks being hunted and shot in front of them for 3 months of the year.

I do support tourism and investment in this state and the local community, however it should never be done at the expense of numerous local community members who have utilised the area for multiple generations, and which is culturally important to them.

If this development were to go ahead, it would be at the expense of the many in order to line the pockets of a few, a few who have no connection to the community nor cultural attachment to the area of Moulting Lagoon.

For your consideration,

Rep 2 –

To whom it may concern,

We are writing to you in regard to the development at RA1100 Coles Bay Road, Coles Bay (DA 2023/055).

We have reviewed the plans and documents provided and have put together the following summary of our concerns:

The development fronts onto Moulting Lagoon which is a Ramsar site and a coastal estuarine lagoon system – at this time it is relatively unimpacted by urban development.

- Statement made by Traffic & Civil Services impact assessment June 2023 completed by Richard Burk, Director Traffic and Civil Services Pty Ltd (pg. 10 of 71) states the development site is flat and cleared land that drains to Moulting Bay to the west;
- The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) states it prohibits actions that are likely to have a significant impact on the ecological character of a Ramsar wetland;
- We hold concerns that the development will impact the air quality, noise, odour, water runoff, general amenity or animals that are listed under the EPBC Act;
- The EPBC Act affects any group or individual (including companies) whose actions may have a significant impact on a matter of national environmental significance;
- The Department of Climate Change, Energy, the Environment and Water states on their web site (<https://www.dcceew.gov.au/environment/epbc/our-role>):- *If a developer was planning a new resort close to a wetland of international importance, that developer would need to find out if the action of building and running that resort might have a significant impact on any matter of national environmental significance.*

Yours sincerely,

Rep 3 -

To whom it may concern,

I'm writing to you regarding the development at RA1100 Coles Bay Road, Coles Bay (DA 2023/055).

Moulting Lagoon being a Ramsar site and breeding ground for wild duck and the black Swan as well as a designated long serving game reserve— To date moulting lagoon is relatively unimpacted by urban development and needs to stay this way for the future of the moulting Lagoon wetlands.

The black Swan and Wild duck breeding ground and nesting area that is located on the foreshore of 1100 colesbay road needs to be respected and un-impacted from the months of June onwards till September but in the years that have more precipitation they can breed up to three times, so the breeding and nesting times can go all the way through to November. Any developments on this area will impact on these breeding grounds and will impact on Black Swan and Wild Duck numbers for the future to come.

After reviewing the plans and documents provided, my summary of concerns are as below:

- The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) states it prohibits actions that are likely to have a significant impact on the ecological character of a Ramsar wetland;
- I hold concerns that the development will impact the air quality, noise, odour, water runoff, general amenity or animals that are listed under the EPBC Act;
- The EPBC Act effects any group or individual (including companies) whose actions may have a significant impact on a matter of national environmental significance;

This development cannot proceed, and the council needs to have a good look on the future impact that this will cause so we can protect the wetlands of Moulting Lagoon.

Yours sincerely,

Rep 4 -

General Manager
Glamorgan Spring Bay Council
PO Box 6, Triabunna
planning@freycinet.tas.gov.au

OBJECTION TO:

SITE: RA1100 Coles Bay Road, Coles Bay CT 125767/1

PROPOSAL: 8 x visitor accommodation cabins, cafe, cellar door and dwelling

I wish to object the above planning application as follows:

- 1) This large commercial development will have detrimental impact on the neighbouring wetland Moulting Lagoon.
Moulting Lagoon is a large wetland that is internationally recognised because it contains rare and significant wetland plants and animals and supports high numbers of waterfowl and aquatic species. Moulting Lagoon is one of 10 Ramsar sights (wetlands of international importance) listed in Tasmania.

The 1100 Coles bay road site fence captures and encroaches on the Moulting lagoon wetland as it stands. Increased development by the approval of this application will introduce frequent foot traffic to the shores of this site for commercial gain and in short, will cause irreversible damage to the foreshore.

The location of the proposed dwellings and large cellar door are in direct path to multiple fresh water dams from the lagoon. Thousands of waterfowl fly this direct path to seek fresh drinking water from the local dams east of its location.

- 2) C8.6.2 Within the application states that "building's or works within a scenic road corridor must not be visible from the scenic road"
The Cellar door structure and car park are located in the middle of the scenic road corridor. The cellar door structure is 25 meters wide by 25 metres long by 10 meters high. How will you NOT see this structure from the road given the comments "The external colour will be Matt black". There is no colour that will hide a structure of this size? Matt Black is the colour that will stand out the most.
This section of road is one of the only places you can clearly see the internationally recognised wetland being Moulting Lagoon. Given the proposed location of the 8 cabins, cellar door, carpark, two proposed house dwellings and added trees you will be lucky to see the Lagoon at all from the road if this development was to go ahead.

- 3) The proposed Carpark and cellar door location is shown on a natural water catchment where in previous years I have witnessed black swans nesting. Yet the proposed plans note P1.1 Q7 “no impacts occurring”. Picture below



Looks As though the Carpark and entrance driveway proposed in this current application is well under way prior to approval. See picture below dated 17/07/2023.



- 4) An existing shack structure near 5m from the proposed location of the two new house dwellings in this planning application was demolished after a long standing lease application was declined. This decision was made by the PWS on behalf of the Ramsar Convention to protect the lagoon and its importance.

The shack declined was a tiny structure and painted green to disappear into the surrounding trees. This shack was used a couple of times throughout a calendar year by locals that would see a total number of 8 individuals come and go (low impact). The shack was standing for almost 50 years until pressure from this same commercial developer in the application 1100 Coles Bay road CT 125767/1 had other plans for the use of the adjoining site.

After reviewing the RTI (Right To Information) on this case it was clear the commercial developer of now 1100 Coles Bay road was very forceful and relentless for the removal of this shack. Email after email was sent to the PWS from the interstate developer over the course of a 12 month period to have this shack removed. As soon as this shack site was removed the planning application was lodged. The date of design plans for this development dates back to September 2022.

This alone proves that this developer from interstate has no concern for any local people, local history or the wellbeing of the lagoon. This Rural property 1100 Coles Bay road has been purchased with the intentions to solely become a commercial property lining the pockets of interstate investors.

I do encourage interstate investment but not at the expense of local people, local history, pristine local waterways and local activities. Any major development of this size should have a MINIMUM setback from the foreshore of the lagoon of at least 250M.

- This distance will protect the lagoon and its foreshore from chemicals and waste water from entering the waterway.
- This distance will protect local duck hunters during the annual duck season who must abide by the law surrounding hunting practices and recommendations.

I hope the Glamorgan Spring Bay makes the right decision for the local community and its Wetland.

Kind regards,

Rep 5 -

General Manager

Glamorgan Spring Bay Council

PO Box 6, Triabunna

planning@freycinet.tas.gov.au

OBJECTION TO:

SITE: RA1100 Coles Bay Road, Coles Bay CT 125767/1

PROPOSAL: 8 x visitor accommodation cabins, cafe, cellar door and dwelling

Please see below my objections to the above mentioned planning application:

- 1) There is a natural spring located at the site that I personally know of, that runs directly on to Moulting Lagoon. Many different species of juvenile wetland birds use this spring for drinking water and any building or development in or near the location of this spring would be detrimental to their survival. This factor has not been outlined on the application as an environmental impact.
- 2) Moulting Lagoon is home to many rare and significant wetland plants and animals and high numbers of waterfowl and aquatic species thrive in this untouched, natural area. Allowing increased developments by the approval of this application for the proposed dwellings and large cellar door will mean frequent foot traffic to the shores of this site for no other reason than commercial gain and will in turn cause irreversible damage to the foreshore.
- 3) Light and noise pollution play a heavy role in the disruption of nesting and breeding for the wildlife in the Moulting Lagoon wetlands. The approval of this planning application will mean constant light and noise pollution; not only during the construction periods, but also for the ongoing future. Wildlife numbers would decimate dramatically due to many of the planned establishments fringing the shorelines of the lagoon where most of the wildlife nest during breeding seasons.
- 4) The "proposed" car park and cellar door location is shown on a natural water catchment which is a proven spot for black swan nesting. Yet the proposed plans note P1.1 Q7 "no impacts occurring". See attached photos of driveway & car park which is already under construction at site 1100 Coles Bay Road, which directly cuts through this natural water catchment. These works have already begun which means an environmental impact has already been made at this site.

Rep 6 -

General Manager
Glamorgan Spring Bay Council
planning@freycinet.tas.gov.au
17.07.2023

To The General Manager,

Thank you for the opportunity to respond to the development at RA1100 Coles Bay Road, Coles Bay (DA 2023/055).

Having reviewed the plans and documents provided, below is a list of concerns which address the current application and my objections to this development.

Tasmanian Planning Scheme (TPS)

Rural Zone 20.0

- Objectives of Section 20.3 of the TPS states that the development must not unreasonably restrain or restrict adjoining land use. This development will severely impact existing uses on the Moulting Lagoon area protected under the Moulting Lagoon Management Plan (2003) and displace cultural and heritage based activities which have been occurring in this area for previous centuries.

Further to this Performance Criteria Section P1 (e) states that the development must have regard for reasonable space between activities. Having the commercial development so close to the boundary of 'The Lagoon' does not meet the objectives of this section.

Tasmanian Planning Scheme (TPS) - Code Overlays

C7 Natural Assets Code

General Provisions

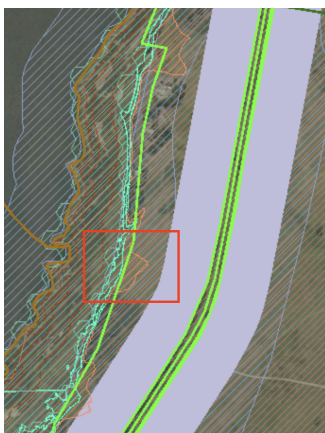
The responses outlined in the application regarding natural assets code overlay fail to adequately state any impact at all or planning for the intended use of the land. The application has grossly overstated that there will be 'no impact' in many sections in the development application for items listed below, and in other areas have no provided adequate information as to the appropriate scientific assessments or measures of control that provide evidence to their statements;

- impacts caused by erosion, siltation, sedimentation and runoff;
- impacts on riparian or littoral vegetation;
- impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation
- the need to avoid significantly impeding natural flow and drainage;
- the need to maintain fish passage, where known to exist;
- the need to avoid land filling of wetlands;
- building design that responds to the particular size, shape, contours or slope of the land;
- Compliance of environmental best practice guidelines in the wetlands and waterways
- Compliance with the guidelines in the Tasmanian Coastal Works

It would appear that the applicants have minimised or misunderstood the extent to which extensive works and programs will need to be implemented to address the above issues, and those of building such an extensive commercial development on a significantly sensitive piece of land.

Future Coastal Refugia Area

- The site overlay suggests the development is impacted by the Future Coastal Refugia Area and this has not been addressed at all in the application and we would suggest Council seek further guidance on how the development is going to address the requirements of the section.



Bushfire Prone Areas Code C13

- The objectives of this code are that development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires. It is unable to be determined in this application if

the applicants have undertaken appropriate assessments in this space. There are serious concerns that if this code is not adhered to this could place the community, its volunteers and users of the site at risk.

Scenic Protection Code C8.0

- Section C.6.2 - Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to the topography of the site. It is difficult to understand how the current assessment of the road corridor has determined that there is no impact to the scenic view from 5-8m high buildings.

Glamorgan Spring Bay Local Provisions Schedule

GSB-S3.6 - Use Tables

- Section GSB-S3.7.5 Energy and water efficiency section requires a percentage of the development to be supported by renewable energy. There is no mention of management of these targets in the application.
- Section GSB-S3.7.6 Outbuildings: requires that all related outbuildings not detract from the amenity of the area and do not visually dominate an associated dwelling. It is believed that the current application does not meet the requirements relating to outbuildings as these do not meet the following:
 - a) be less visually prominent than the existing or proposed dwelling on the site;
 - b) be consistent with the scale of outbuildings on the site or in close visual proximity.
 - c) be consistent with any Local Area Objectives provided for the area.

Moulting Lagoon Game Reserve RAMSAR Management Plan 2003

- According to the Moulting Lagoon Management Plan (2003), the reserve is important for cultural heritage conservation due to its extensive use by First Nations People prior to European settlement. Section 2.6.1 (Aboriginal) of the Moulting Lagoon Game Reserve RAMSAR Management Plan states that artifacts are most likely to be found on private land adjacent to the Lagoon and that there are over 8 known sites with only limited efforts to map the area. It is recommended that a full assessment by appropriately delegated Tasmanian Aboriginal Council members be consulted.

Endangered Species:

- There are a number of endangered species of flora and fauna in the Moulting Lagoon area, including the critically endangered Eastern Curlew. The Propeller Plant is an example of a plant species that is not found anywhere else in the world. Construction

activities associated with building a winery, such as clearing the land, can result in the loss of wetland habitat of endangered species. A thorough assessment relating to sensitive vegetation should be undertaken to assess the impact of development on these endangered species. Further information about the endangered species and rare plant and animal species can be found in the Ramsar Information Sheet which was republished on 1 July 2022, <http://rsis.ramsar.org/ris/251>

Water run-off and seepage:

- Construction of a winery may impact the natural hydrology of the wetland, affecting water availability and flow patterns- ultimately disrupting the nutrient cycling and sediment deposition, which are vital for the functioning of the ecosystem. Water and Wastewater Management plans in this application are not specific enough to determine their impact and the application just states there will be no impact. It is suggested that specialised plans be developed for the vicinity to such a sensitive wetland area.

Increased Human Activity:

- The presence of a winery and 8x accommodation pods and an events center and a cellar door, and a residential dwelling, and a vineyard will lead to increased human activity in the area, including visitors and workers and construction equipment and tourists, and maintenance staff, and farming equipment and this disturb wildlife, disrupt breeding patterns, and introduce invasive species or pathogens that can negatively impact the wetlands biodiversity. If the disturbance caused by human development, such as noise, construction activities or increased human presence is excessive or persistent, waterbirds may perceive this as a threat and abandon the area. It is believed that the nature of this development will severely impact the ecological values of the adjoining wetland site.

Pesticide and fertilizer use

- Grapevines often require the use of pesticides and fertilizers to maintain their health and productivity. These chemicals may leach into the soil and potentially contaminate the wetland through runoff or groundwater.
- The application refers to the site not being a facility for storage of hazardous materials. General operations of this nature and farming operations will see the need for the use of pesticides and herbicides. We would suggest that the council seek further clarification on this and or condition appropriately. This site is far too sensitive for owners to not adequately consider appropriate storage of standard farming items of this nature. If not that it be conditioned that no hazardous goods be able to be used on the site.
- We have issues with the application having inconsistencies on opening hours with one suggesting a 4 day operation and the other suggesting 6 days. This is inconsistent

throughout the application. The website and instagram accounts associated with Wineglass Bay Estate are already promoting the site as a wedding reception venue. Hours of operation for this type of event and activities that are typically associated with a wedding, would likely require extended hours of operation and would also cause significant noise and lighting pollution on the wildlife on Moulting Lagoon.

As well as the above, by far, the biggest concern regarding this application is that this activity has the potential to significantly impact the internationally recognised ecological values of Moulting Lagoon and council is urged to consider the following:

RAMSAR Agreement and the Environmental Protection and Biodiversity Conservation Act 1999

- The Ramsar Convention outlines the following: 'The broad aims of the Ramsar Convention are to halt, and where possible reverse, the worldwide loss of wetlands and to conserve those that remain through wise use and the implementation of management plans. Australia has been a Party to the Convention since May 1974 and was a member of the first group of seven Contracting Parties to the Convention. The Department of the Environment, Water, Heritage and the Arts (DEWHA) (now DCCEEW Department of Climate Change, Energy, the Environment and Water) is the Administrative Authority for Australia to the Convention and, together with relevant state and territory government agencies and land and water managers is responsible for the wise use of Australia's wetlands.

Under the Convention, a notification of change is required if the ecological character of a site has changed, is changing, or is 'likely' to change as the result of technological developments, pollution, or other human interference. Notification is limited to 'human-induced adverse alteration' and we believe that this development poses a significant threat to the lagoon's ecological character. There are a number of principles that need to be addressed in order for council to approve this application and not be in breach of Australia's commitment to the International Ramsar Agreement, 1974. Further information can be found in the 'National Guidance on Notifying Change in Ecological Character of Australian Ramsar Wetlands (Article 3.2) which was endorsed in 2009.

Thank you for taking the time to read this submission.

Regards



Attached Documents

[National Guidance on Notifying Change in Ecological Character of Australian Ramsar Wetlands \(Article 3.2\) which was endorsed in 2009.](#)

Ramsar Information Sheet which was republished on 1 July 2022, <http://rsis Ramsar.org/ris/251>

[Moulting Lagoon Game Reserve RAMSAR Site, Management Plan 2003.](#)

[Moulting Lagoon RAMSAR Site- Ecological Character Description](#)

Rep 7 -

18 July 2023

The General Manager
Glamorgan Spring Bay Council
Email: planning@freycinet.tas.gov.au

Dear Sir

DA 2023/055 – RA 1100 Coles Bay Road, Coles Bay

I wish to lodge an objection to DA2023/055 – 1100 Coles Bay Road. I believe that it fails to meet the provisions of the Rural Zone as follows:

20.3 Use Standards – 20.3.1 – Discretionary Use

20.3.1 A1 (a)

The development will increase the gross floor area of the existing buildings by more than 30%.

20.3.1 P1 (a), (b), (d), (e) P2(a), (b), (c), P4(a).

The nature, scale and intensity of the use is not appropriate for the area and cannot demonstrate importance or significance to the *local community*. The village of Coles Bay is approximately 16 kms from the site.

The use requires proximity to a freshwater resource and does not demonstrate that tanks will be of sufficient capacity to service the buildings and irrigate the future vineyard. There is insufficient detail as to the future enlargement of the existing dam (currently only a small farm waterhole) and whether that will be sufficient to irrigate the planned vineyard.

The use does not demonstrate that it will have minimal impact on the Moulting Lagoon Ramsar Site (its closest foreshore neighbour). Under the *Moulting Lagoon Game Reserve (Ramsar Site) Management Plan 2003* (MLGRMP) the application

does not demonstrate protection of the foreshore and values of the adjacent land (s.4.2 of the MLGRMP)

does not demonstrate protection of the landscape values with the construction of a number of buildings (s.4.5 of the MLGRMP)

does not demonstrate how run-off from the development to the lagoon will be managed (s.4.6 of the MLGRMP)

does not demonstrate how the birdlife on Moulting Lagoon will be protected from noise, light and emissions (s.4.6.2 of the MLGRMP)

20.4 P1 (b)

The bulk and form of the proposed buildings do not demonstrate compliance with Development Standards for Buildings and Works in that the number of buildings will *cause an unreasonable impact on adjoining properties*, in particular the Moulting Lagoon foreshore and surrounding land zoned Environmental Management.

Development within a Scenic Road Corridor

The proposed development will cause an unreasonable reduction in the scenic value of the road corridor due to the height, bulk and intensity of the proposal.

The statement '*existing roadside vegetation helps to maintain the existing views and landscapes*' is an inaccurate statement as the roadside vegetation in the scenic corridor has been cleared for the length of the boundary.

Waterway and Coastal Protection Area

The development

- (a) does not demonstrate compliance with P1.1 in relation to future impacts caused by erosion, siltation, sedimentation and runoff on the adjoining riparian or littoral vegetation of Moulting Lagoon.
- (b) does not demonstrate the buildings and works will not have unnecessary or unacceptable impact on natural assets.

Coastal Erosion Area, Coastal Inundation Hazard and Bushfire Prone Area Layers (Planning Scheme)

The proposed development is sited on land that is identified as Coastal Erosion, Coastal Inundation and Bushfire Prone areas. Except for the cabins, all other buildings appear to be sited where there is likely to be Coastal Erosion or Coastal Inundation. The whole area is listed as Bushfire Prone and should require an assessment done given the lack of water resources in the area.

General

The development application is flawed in that it shows the hours of operation as *10am-4pm 5 days a week*. It is likely that would apply to the café and cellar door but is not likely to apply to stage 1 which is the cabins. Further information is required in relation to the noise, light and emissions and hours of operation.

There is no real evidence of planting of vines to support the claims for the number of current employees, or future employees. It is recognised that employment is not a matter to be considered under the planning scheme but serves as an observation only for what appears to be a deficient development application.

Moulting Lagoon and surrounding areas are recognised as an important Aboriginal cultural heritage conservation site due to the extensive use by Aboriginal tribes prior to European settlement. The development application does not demonstrate that an appropriate assessment of the area has been done.

The importance of Moulting Lagoon was recognised when it became the third Australian Ramsar site to be listed under the Convention and became subject to the provisions of the *Environment Protection and Biodiversity Conservation Act 1999*.

Yours sincerely

Rep 8 -

General Manager
Glamorgan Spring Bay Council
9 Melbourne Street
(PO Box 6) Triabunna Tas 7190
planning@freycinet.tas.gov.au

18 July 2023

To the General Manager

OBJECTION TO APPLICATION: DA 2023 / 055: 1100 Coles Bay Road

Thank you for the opportunity to comment on this development application. I hope my concerns assist the Council in recognizing the potential impact this proposal will have on the conservation values of this property and in particular the wider Moulting Lagoon Ramsar Site and to seek more detailed information including community consultation before progressing it further.

Given the potential significant impact this development poses to the Moulting Lagoon Ramsar area, it requires referral to and assessment by the Tasmanian Government under the *Nature Conservation Act 2002*, and *Threatened Species Protection Act 1995* and by the Commonwealth Government under the *Environmental Protection and Biodiversity Conservation Act 1999*.

As a landholder within proximity of this proposal, I received no notification that a major new tourism development was being proposed which has the potential to irreversibly change the nature and integrity of this coastline, impact wildlife and natural values in an internationally listed conservation zone. I urge Council to address future coastal developments in a more strategic manner under the Tasmanian Planning Scheme by considering a protection buffer around the entire perimeter of Moulting Lagoon to enhance the integrity of the PWS Game Reserve. I also draw the Council's attention to the project work currently underway to restore wetlands in the Moulting Lagoon region and to consider the long history of previous programs that Council in partnership with PWS, NRM South, Tasmanian Land Conservancy and others have supported identifying and protecting sites in this internationally significant Ramsar wetland.

Please keep me informed of deliberations and involved in future discussion.

Thank you again,

comments provided below

Objections to Development Application No: DA 2023 / 055

This major new tourism proposal has the potential to cause significant environmental harm to a property that, despite its long period of vacancy, is sited in an internationally recognised conservation area. The property immediately abuts the Moulting Lagoon Wildlife Sanctuary with this proposal offering no protective buffer to wildlife and sensitive intertidal species. The domestic and tourism infrastructure is sited virtually on the lagoon edge meaning all the associated disturbances will flow directly into the natural coastal zone. The primary impacts include people, roads, vehicles, domestic and tourism infrastructure, power generation, noise, night lighting, waste treatment, water runoff, beautification through plantings, and provision of hard surfaces. The permanent occupation of residents and influx of regular visitors, staff and service providers, most of whom will seek regular access to the coast, pose a significant threat to the natural values of this area.

Of the 115-page submission – the majority of documentation addresses traffic access from Coles Bay Road.

- No natural values assessment has been undertaken, and the property's environmental values including threatened species and vegetation communities have not been professionally surveyed.
- No Aboriginal or cultural heritage assessment has been undertaken despite the property directly abutting Moulting Lagoon and highly likely to contain aboriginal sites and artefacts.
- No documentation is provided on water systems, intended water usage, water treatment, management of run off, herbicides, sprays etc., and preventing leaching into the Moulting Lagoon area. The extensive ground works proposed may irreversibly alter the natural ecosystems of the site and wider area, by modifying existing wetlands, water flows and drainage and the creation of artificial waterbodies for the purpose of viticulture and tourism.
- No environmental assessment has been undertaken on establishing a vineyard, its potential for acid sulphate soils, or impact of enlarging the existing water body for irrigation. Typically, wetlands in the Moulting Lagoon area are shallow deflation hollows which have a bare sediment perimeter denuded of vegetation due to their wet/dry cycle. These are significant construction activities impacting the natural hydrological cycle and require due diligence.
- No impact or risk assessment has been undertaken on the significant infrastructure and building works proposed, including the risk of soil movement, weed and hygiene management, etc.
- No documentation or consultation considering the impact of this major tourism development on neighboring properties and the general community amenity of the Friendly Beaches area has been undertaken or requested by Council.

Rep 9 –

To: The General Manager,
Glamorgan Spring Bay Council,

Dear Sir/Madam,

I appreciate the opportunity to provide feedback on the development application at RA1100 Coles Bay Road, Coles Bay (DA 2023/055).

My concerns and objections to the proposed development are as follows:

Tasmanian Planning Scheme (TPS) - Rural Zone 20.0:

The development will severely impact the protected Moulting Lagoon area, affecting cultural and heritage-based activities that have existed for centuries.

Tasmanian Planning Scheme (TPS) - Code Overlays - C7 Natural Assets Code:

The application lacks sufficient information on the impact on natural assets, raising concerns about potential environmental consequences.

Future Coastal Refugia Area:

The application fails to address how the development will meet the requirements of the Future Coastal Refugia Area.

Bushfire Prone Areas Code C13:

The application does not provide evidence of appropriate assessments for reducing the risk of bushfires to human life and property.

Scenic Protection Code C8.0:

The assessment of the road corridor's scenic value requires clarification, as proposed buildings may impact the visual aesthetics.

Glamorgan Spring Bay Local Provisions Schedule - GSB-S3.6 Use Tables:

The application lacks information on how the development will meet the required percentage of renewable energy.

Moulting Lagoon Game Reserve RAMSAR Management Plan 2003:

An assessment by Tasmanian Aboriginal Council members is necessary to protect the cultural significance and potential artifacts in the area.

Endangered Species:

A thorough assessment is required to prevent habitat loss of endangered flora and fauna.

Water Run-Off and Seepage:

Specialized water and wastewater management plans are necessary to protect the wetland's hydrology and ecosystem.

Increased Human Activity:

The development will lead to increased human activity, impacting wildlife and biodiversity.

Pesticide and Fertilizer Use:

Clarification on the use of pesticides and fertilizers and appropriate storage measures is essential.

Inconsistencies in the Application:

Inconsistencies in proposed opening hours and potential use as a wedding reception venue require clarification.

Most importantly, the development could significantly impact the internationally recognized ecological values of Moulting Lagoon. Compliance with the Ramsar Agreement and the Environmental Protection and Biodiversity Conservation Act 1999 is crucial for wetland conservation.

Thank you for your attention to this matter.

Rep 10 –

The General Manager.

I have a number of matters to raise regarding this development.

The proposed development is covered or partly covered by various overlays including the Bushfire Prone Areas Code, the Scenic Protection Code, Natural Assets Code, Coastal Erosion Hazard Code, and Coastal Inundation Hazard Code. The intent of these codes should be fully considered and applied to the assessment of this project. I also note any works undertaken outside of the boundaries of the property towards Moulting Lagoon, may trigger other zone requirements (such as the Environmental Management Zone) and codes (such as the Natural Assets Code, Coastal Erosion Hazard Code, and Coastal Inundation Hazard Code).

Other issues include

- Visual impact from the height and length of buildings looking westward to Moulting Lagoon from the Coles Bay Tourist road.
- The distance from the nearest proposed structure to Moulting Lagoon Crown Reserve (Ramsar Wetland) is 13.5m which seems unacceptable for such a sensitive area.
- The Development is near the Moulting Lagoon Ramsar Wetland, a Matter of National Environmental Significance (MNES) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. I believe the proposal should be referred under the EPBC due to this proximity and potential impact.
- The risk to biodiversity from these commercial structures will potentially impact the Ramsar Wetland Moulting Lagoon by increased water/pollutant runoff, increased foot traffic on shores disturbing sensitive bird species and general increased noise and traffic at an important bird nesting and feeding area.
- A natural values survey report should accompany the DA.

I am also concerned about how sewage will be managed to avoid pollution of the wetland from such a large development that may have some very high peak loads from the cafe and accommodation units. The greater risk of bushfires from associated human ignition should also be considered carefully. That does not mean that extra clearing causing even greater environmental impacts should be allowed. The area may well not be suitable for this development.

Rep 11 –

Attention: General Manager

Dear GM,

This development application recently came to my attention. I live in Swansea and would like to raise some concerns about this proposal.

Firstly, I note that the proposal falls within a bushfire prone area - this should be of concern to the Council and the developer - as should coastal erosion and inundation risks considering the expected increase in threats attributed to climate change.

Secondly, Moulting Lagoon Ramsar Wetland is a significant ecosystem for birds who nest and feed in the area. I am concerned that the proposed structures, some less than 15m to the Lagoon shore, will impact on sensitive birdlife. Human activity, noise and electronic traffic would also more than likely negatively impact the ecosystem, birds and wildlife.

A question also remains around how sewerage and other waste will be managed for the multiple dwellings which may see hundreds of people using the facility daily.

Lastly, I note that no natural values survey report accompanies the DA - I would be very disappointed if this was not deemed essential for this proposal to be thoroughly assessed.

Rep 12 –

Dear sir/madam

Ref: RA1100 Coles Bay Road, Coles Bay CT 125767/1
8 x visitor accommodation cabins, cafe, cellar door and dwelling

I am a ratepayer of Glamorgan Spring Bay Council wanting to protect what we and visitors alike value and therefore would like to express concerns regarding the above-mentioned development

I am sure you are aware that Moulting Lagoon is a Ramsar Wetland and is a matter of **National Environmental Significance** (MNES) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

In consideration of this fact and the multiple values associated with this site, I would like you to consider the following:

The proximity of the development to Moulting Lagoon is a major concern. The distance from the nearest proposed structure to Moulting Lagoon Crown Reserve (Ramsar Wetland) is only 13.5m.

There has not been any assessment provided in the application to understand the impact of this development on the natural and aboriginal values. For example, stormwater (and sewerage), vineyard runoff, human interaction, traffic, noise, affects on bird nesting and feeding

The location and scale of the development and individual buildings will have a major visual impact on landscape values from all directions.

I trust that you will consider my concerns when assessing the application.

Rep 13 –

Greg Ingham - General Manager, Glamorgan Spring Bay Council

Dear Greg,

Unfortunately, I don't have time to send a detailed submission, but both
and I are opposed to the proposed development at Moulting Lagoon
because of its close proximity to the Ramsar Wetland and Apsley Marshes.

The Lagoon is environmentally significant because it's an important
breeding region for black swans and a staging area for water-fowls, such
as Australian shelducks and greenshanks.

We agree whole-heartedly with Sophie Underwood's Freycinet Action
Network Update - July 2023.

Rep 14 –

Representation regarding the above.

I must object, although I am not opposed in principal to the development provided waste water and other environmental matters are addressed properly.

My concern is the lack of merit exhibited by the proposed buildings.

“Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor.

(c). design and proposed location of the buildings or works”.

The buildings illustrated do not meet this criteria. If there is loss of scenery, it is incumbent on the proponents to replace this loss with elements of architectural merit to compensate. The proposed buildings have paid no attention to context, scale, or appropriateness for this location.

The shed is of a mean catalogue kit design. It does nothing to respond to its site, or to bolster the reputation of its occupants and promote the intended use. Indeed, if it is intended to be a cellar door, it is surely of a down market type better located in an industrial estate. It is not suited here.

The house is bland and pays no respect to basic sound solar design, or a response to its site. A muted palette of materials elegantly presented to blend with the environs could be seen as a visual asset on this coast, but the proposed building falls very far short of that.

The units are little better than containers lined up regimentally as one would in a refugee camp or shipping terminal. All are identical, and despite the generous site provide nothing in the way of privacy or individuality for the occupants. The disparaging term which has recently emerged to describe this type of development is ‘donger-tecture’. Why build 2 star accommodation on a five star site?

This proposal should be rejected, until the proponents can demonstrate a willingness to propose a development of sufficient architectural quality and environmental thoughtfulness to match the site on which it is to be located. Great architecture can enhance the site and provide a point of interest for those driving past, but what is proposed will fall far short that. There are examples within the proximity which do not have that failing.

Rep 15 –

OBJECTION TO

RA1100 Coles Bay Road Coles Bay CT 125767/1 OBJECTION LETTER

PROPOSAL 8x visitor accommodation cabins, cafe , cellar door and dwelling.

I wish to object to the above planning application as follows:

I am concerned about the environmental impact on Moulting Lagoon on all of the plants and wildlife that inhabit the areas on and around this site.
They form a unique ecosystem and this is reflected in its world Ramsar listing.

Enjoying and being a part of this over 50 years has shown me the natural beauty there and the delicate balance needed to maintain this.

It saddens me to see that the waterhole where a pair of Black Swans have nested and raised their young for many seasons has already been demolished for a road with no consultation with any locals about native bird and animal habitats.

I feel that with such a large development and plans already in the pipe line to build a walk way around the Lagoon environmental damage to the balance needed to maintain the World Ramsar listing would be catastrophic.

I am concerned that this will be the only commercial development this close to the Lagoon and at what cost to our community.

I am all for local businesses that help the local economy at no detriment to the land or others but see only the impact to our natural habitat, bird life and other fauna.

The increased traffic on the Coles Bay road which already struggles with the excess traffic will also impact on the amount of native animals killed on the road.

There has only been a small number of people that have used that land over the last 100 hundred or so years, which is why the impact is so low to the environment.

This stretch of road is the only place on the Coles Bay where the Lagoon can be seen from the road.

The proposed new cellar door and units will obstruct the Lagoon and foreshore from view.

On the Southern end of the property is a natural spring which feeds into the Lagoon and will be severely impacted by the current proposed development.

I hope that the Glamorgan Spring Bay council consider this significant and important World Ramsar site when making its decision. If damaged will be lost forever.

Kind regards

Rep 16 –

To the General Manager GSBC..regarding the above DA i wish to raise the following objections

1. The coles bay road is part of the highly recognised freycinet tourist experience...the property on which the development is proposed is one of the few sections of the drive where you have relatively uninterrupted views accross moulting lagoon. The views are often enhanced by masses of waterfowl on the lagoon as well as amazing evening and morning sunrise/sunset colours accross the often dead calm waters..
 2. The property borders the Moulting Lagoon Game Reserve , a wetland of international significance(RAMSAR listed) as habitat for many migratory bird species...the foreshore of the reserve is often inundated with brackish water making it ideal for slow growing samphire species...These are very susceptible to damage from any significant increase in level of foot traffic that is likely to result from a visitor accomodation hub of this scale.
 3. The proximity of the accommodation to the lagoon is likely to create significant disturbance to birdlife that use the narrow foreshore area for shelter, feeding and breeding
 4. The production and management of waste water, building of roads and carparks so close to the reserve inevitably increases the risks of increased sedimentation and contamination of this important waterway...
- Ultimately development of this scale and use should be limited to the other side of the coles bay road along this section so as not to interfere with the scenic amenity of the drive, and to reduce potential disturbance to our international wetland and its wildlife.

Rep 17 –

General Manager

Dear Sir, or Ma'am,

Your restaurant project is misplaced in a place where wildlives have their place.

People enjoy natural beauty spots by walking in quietly and observing the wonders you project to destroy, in your efforts to sell expensive calories.

Wildlives matter to themselves and to those who love them. But not on a plate, or indeed in intervals of chewing.

Do this somewhere less vulnerable.

Calmly sincere,

Rep 18 -

19/7/2023

Glamorgan Bay Council

To Whom It May Concern,

My name is _____, and I am the proud owner of _____ a wedding and event planning company based in Hobart. We find ourselves frequently working on the East Coast of Tasmania, where we collaborate with couples from Melbourne and Sydney who seek to celebrate their special day with a destination wedding in our picturesque state. Over time, we have noticed a significant challenge that we, along with many others in the industry, face when planning weddings in the Coles Bay area – a shortage of accommodation options to host larger weddings.

Currently, we encounter couples planning weddings with guest lists in the hundreds, and these guests usually spend three days on average in the area and invest in the local economy. However, the limited availability of suitable accommodations in Coles Bay poses a real obstacle to fulfilling their dreams of a destination wedding in the Freycinet National Park.

I am writing to express my firm belief that the development such as Wineglass Bay Estate, near Freycinet National Park, presents an invaluable opportunity that must not be overlooked. Having such a venue in the area would enable us to cater to a greater number of weddings, creating a positive ripple effect on the local economy. More weddings would mean more opportunities for local celebrants, photographers, florists, decorators, caterers, and numerous other professionals who contribute to the experience of a wedding celebration.

Beyond the immediate benefits for our industry, this project also carries the potential to provide substantial employment opportunities in the region, contributing to the growth and prosperity of Tasmania as a whole. During these challenging economic times, such developments become all the more essential for boosting local economies and fostering community well-being.

As both a proud Tasmanian and a business owner who is deeply invested in the growth of our state's wedding and event planning sector, I back this development application. It represents an opportunity to not only meet the current demand but to catalyse the growth of an entire industry that is currently limited by a lack of appropriate spaces.

I sincerely hope that you will give this proposal the thoughtful consideration it deserves. The Wineglass Bay Estate project has the potential to become a significant asset for Tasmania's economy and will undoubtedly contribute to

the preservation and enhancement of the region's natural beauty and charm.

Thank you for your time and attention to this matter.

Rep 19 -

Mr Greg Ingham
General Manager
Glamorgan Spring Bay Council

By email to planning@freycinet.tas.gov.au: admin@freycinet.tas.gov.au

18 July 2023

Dear Mr Ingham,

Re: DA2023/055 - 8X Visitor accommodation cabins, cafe, cellar door and dwelling

Thank you for the opportunity to make comment on the proposed development application (DA2023/055 - 8X Visitor accommodation cabins, cafe, cellar door and dwelling). We wish to raise a number of concerns regarding this proposal.

We wish to make representation to this application on the grounds of:

1. Threat to protected Ramsar wetlands
2. Development Works Commenced
3. Proposal not permitted under zoning
4. Biodiversity Impacts
5. Loss of threatened vegetation
6. Natural Values Assessment
7. Septic and Water Situation

Threat to protected Ramsar wetlands

The property in question is directly on Ramsar protected wetlands which has a thriving community of native flora and fauna.

This development is likely to directly and negatively impact the Ramsar Wetland.

Development Works Commenced

We have noted installation of a road/driveway network on the property and find this an unusual approach prior to approval of the DA. Is this permitted?

Proposal not permitted under zoning

The parcel of land, the subject of the proposed development (PID 1795888), falls within the Rural Zone and is fully covered by overlays relating to Bushfire Prone Areas Code, and partly covered by the Scenic Protection Code, Natural Assets Code, Coastal Erosion Hazard Code, and Coastal Inundation Hazard Code.

Any works undertaken outside of the cadastral boundaries of the property towards Moulting Lagoon (such as the demolition of a number of existing buildings), may trigger other zones (such as the Environmental Management Zone) and codes (such as the Natural Assets Code, Coastal Erosion Hazard Code, and Coastal Inundation Hazard Code).

The Scenic Protection Corridor per Tas Planning Scheme code 8.6.1 P2 criteria state:

Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to:

- (a) the topography of the site;
- (b) proposed reflectance and colour of external finishes;
- (c) design and proposed location of the buildings or works;
- (d) the extent of any cut or fill required;
- (e) any existing or proposed screening;
- (f) the impact on views from the road; and
- (g) the purpose of any management objectives identified in the relevant Local Provisions Schedule.

The proposed development will definitely cause unreasonable reduction of the scenic value of the road corridor, the buildings themselves appear almost a collection of tin sheds.

The visual impact from height and length of the proposed restaurant (H10.7m x L25m) and high clearance shed (H6.76m x L14m) looking westward to Moulting Lagoon from the Coles Bay Road will inevitably lead to loss of scenic values on the picturesque boundary of the Ramsar Wetlands.

Biodiversity Impacts

The proposed development is in proximity to the Moulting Lagoon Ramsar Wetland, which is a Matter of National Environmental Significance (MNES) under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act).

We understand that a request can be made that the development be referred for assessment by the Commonwealth Minister for Environment. We request that Council take this action on behalf of our, the national and international community's interest,

The property/proposed development area has high biodiversity values and important planning overlays. Oyster catchers, herons, pelicans, a wide range of ducks, hooded plovers, black swans, and many small bird species as well as fish and crabs use the lagoon. Wedge Tail and Sea Eagles frequent the area.

The LIST shows:

- coastal vulnerability-soft shores
- Ramsar Wetland
- threatened flora point-Melaleuca pustulata, and nearby threatened flora points Stylidium despectum, Pimelia flava subsp.flava

- threatened fauna points-Tasmanian wedge-tailed eagle, Tasmanian devil, Spotted-tail quoll, white-bellied sea eagle
- climate change sea level rise -the land is at sea level - Natural drainage lines and watercourses indicate this land is prone to flooding.

The proposed planting of *Agonis flexuosa* is not a locally indigenous plant and has invasive potential.

The LIST overlay further shows that low coastal acid sulfate soil belt covers the entire property. The proposed vineyard will fail without significant disturbance of this terrain. Such disturbance would negatively impact the adjacent wetland.

The risk to biodiversity from the proposed commercial structures will impact the Ramsar Wetland Moulting Lagoon by vineyard runoff, increased foot traffic on soft shores, increased noise and mobile traffic at an important bird nesting and feeding area.

The distance from the nearest proposed structure to Moulting Lagoon Crown Reserve (Ramsar Wetland) is 13.5m. Surely this is far too close to the Reserve?

Natural Values Assessment

We are unable to find the Natural Values Assessment pertaining to this proposal. It would be unusual for a development adjacent to an area of such significance to not require this step.

Septic and Water Situation

Coles Bay already suffers from the issue of insufficient septic systems. For a proposal of this magnitude, that is located on the banks of a Ramsar Wetland, it would be foolhardy to imagine that anything other than a fully functioning septic treatment plant would be necessary. The proposed septic system is too close to the wetland and will not meet the need brought about by the numbers of people proposed to stay and pass through this facility on a day to day basis.

Having noted run off above, it is very concerning to think of the outcome of septic run off passing into Moulting Lagoon, we note the close proximity of the proposed system which is too small to meet the need.

In closing, we note when viewing this property over the years, we have seen the failure of a purported vineyard – there were never vines (or anything other than can be seen there now) growing on the property. A sign was erected, some trellis installed, and a waterhole dug, the waterhole has been bone dry for many years. The impact of a vineyard and the associated run off would be tragic for Moulting Lagoon. Disturbance of the soil would also impact and adversely affect Moulting Lagoon.

Thank you again for the opportunity to comment on this proposal which we do not believe should be approved for the reasons outlined noting they are not exhaustive.

Your Sincerely

Rep 20 -

19th July 2023

General Manager
Glamorgan Spring Bay Council
9 Melbourne Street
TRIABUNNA TAS 7190

planning@freycinet.tas.gov.au

To The General Manager,

Thank you for the opportunity to respond to the development at RA1100 Coles Bay Road, Coles Bay (DA 2023/055).

Having reviewed the plans and documents provided, I have listed my concerns that address the current application and my objections to this development.

Tasmanian Planning Scheme (TPS) - Code Overlays

C7 Natural Assets Code

General Provisions

The responses outlined in the application regarding natural assets code overlay fail to adequately state any impact at all or planning for the intended use of the land.

The application has grossly overstated that there will be 'no impact' in many sections in the development application for items listed below, and in other areas has not provided adequate information as to the appropriate scientific assessments or measures of control that provide evidence to their statements;

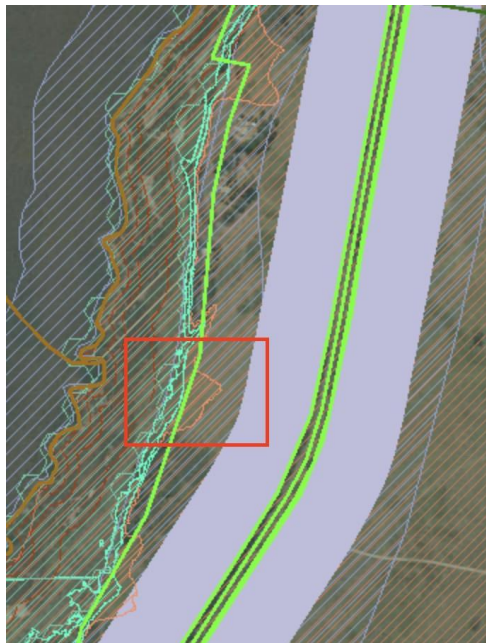
- impacts caused by erosion, siltation, sedimentation and runoff.
- impacts on riparian or littoral vegetation.
- impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation.
- the need to avoid significantly impeding natural flow and drainage.
- the need to avoid land filling of wetlands.

- building design that responds to the particular size, shape, contours or slope of the land;
- Compliance of environmental best practice guidelines in the wetlands and waterways.
- Compliance with the guidelines in the Tasmanian Coastal Works.

The applicants have minimised or misunderstood the extent to which extensive works and programs will need to be implemented to address the above issues and those of building such an extensive commercial development on a significantly sensitive piece of land.

Future Coastal Refugia Area

The site overlay suggests the development is impacted by the Future Coastal Refugia Area and this has not been addressed at all in the application, we would suggest Council seek further guidance on how the development is going to address the requirements of the section.



Tasmanian Planning Scheme (TPS)

Rural Zone 20.0

Section 20.3 – Objectives of the TPS state that the development must not unreasonably restrain or restrict adjoining land use.

This development will severely impact existing uses on the Moulting Lagoon area protected under the Moulting Lagoon Management Plan (2003) and displace cultural and heritage based activities which have been occurring in this area for previous centuries.

Further to this Performance Criteria Section P1 (e) states that the development must have regard for reasonable space between activities. Having the commercial development so close to the boundary of 'The Lagoon' does not meet the objectives of this section.

Bushfire Prone Areas Code C13

The objectives of this code are that development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

It is unable to be determined in this application if the applicants have undertaken appropriate assessments in this space. There are serious concerns that if this code is not adhered to this could place the community, its volunteers and users of the site at risk.

Scenic Protection Code C8.0

Section C.6.2 - Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to the topography of the site.

It is difficult to understand how the current assessment of the road corridor has determined that there is no impact to the scenic view from 5-8m high buildings.

Glamorgan Spring Bay Local Provisions Schedule

GSB-S3.6 - Use Tables

Section GSB-S3.7.5 - Energy and water efficiency section requires a percentage of the development to be supported by renewable energy. There is no mention of the management of these targets in the application.

Section GSB-S3.7.6 - Outbuildings: requires that all related outbuildings not detract from the amenity of the area and do not visually dominate an associated dwelling. It is believed that the current application does not meet the requirements relating to outbuildings as these do not meet the following:

- 1) be less visually prominent than the existing or proposed dwelling on the site;
- 2) be consistent with the scale of outbuildings on the site or in close visual proximity.
- 3) be consistent with any Local Area Objectives provided for the area.

Moulting Lagoon Game Reserve RAMSAR Management Plan 2003

According to the Moulting Lagoon Management Plan (2003), the reserve is important for cultural heritage conservation due to its extensive use by First Nations People prior to European settlement.

Section 2.6.1 - (Aboriginal), The Moulting Lagoon Game Reserve RAMSAR Management Plan states that artifacts are most likely to be found on private land adjacent to the Lagoon and that there are over 8 known sites with only limited efforts to map the area.

It is recommended that a full assessment by appropriately delegated Tasmanian Aboriginal Council members be consulted.

Section 4.8 - Cultural Heritage RAMSAR Management Plan 2003

State that it is required to consult with specialist staff and conduct surveys prior to the approval of any developments in order to identify any cultural resources that may be affected and avoid mitigating any damage.

Surveys are to be conducted only with the approval of the Tasmanian Aboriginal Land Council.

Section 2.11.1 – Grazing and Farming - RAMSAR Management Plan 2003

Farmers in the Moulting Lagoon Catchment are diversifying into specialty crops such as grapes.

Such changes entail increased irrigation and the increased use of pesticides and fertilisers.

Run off from these activities may ultimately end up in the lagoon.

The Notice of Proposed Commercial Development Application does not include any planning around the management of this issue.

Section 4.2 – Protection of the Foreshore and Values on Adjacent Land - RAMSAR Management Plan 2003

Many natural and cultural values of high conservation value found in the Moulting Lagoon area are located outside the boundaries of the game reserve and therefore may not be given the same degree of protection as those values found within.

The Notice of Proposed Commercial Development Application does not include any planning around the management of this issue.

Section 4.3 – Geoconservation – RAMSAR Management Plan 2003

Management of geodiversity in the reserve aims to maintain the natural rates and magnitudes of change and to protect sites of geoconservation significance,

- Protect the geodiversity of Moulting Lagoon.
- Conduct surveys to identify requirements for geoconservation prior to the commencement of any developments.
- Ensure that all developments are conducted in consultation with relevant specialists.

The Notice of Proposed Commercial Development Application does not include any planning around the management of this issue.

Section 4.5 – Protection of Landscape Values – RAMSAR Management Plan 2003

- Ensure that all structures and facilities are constructed so as not to intrude on the values of the reserve and in keeping with the objectives of this management plan.
- Conduct cultural landscape surveys before the commencement of any developments.

The Notice of Proposed Commercial Development Application does not include any planning around the management of this issue.

Endangered Species:

There are a number of endangered species of flora and fauna in the Moulting Lagoon area, including the critically endangered Eastern Curlew.

Thirteen plant species in the Moulting Lagoon area are of particular importance for conservation because of their threatened status.

The Propeller Plant is an example of a plant species that is not found anywhere else in the world.

Construction activities associated with building a winery, such as clearing the land, can result in the loss of wetland habitat of endangered species.

A thorough assessment relating to sensitive vegetation should be undertaken to assess the impact of development on these endangered species.

Further information about the endangered species and rare plant and animal species can be found in the Ramsar Information Sheet which was republished on 1 July 2022, <http://rsis.ramsar.org/ris/251>

Water run-off and seepage:

Construction of a winery may impact the natural hydrology of the wetland, affecting water availability and flow patterns- ultimately disrupting the nutrient cycling and sediment deposition, which are vital for the functioning of the ecosystem.

Water and Wastewater Management plans in this application are not specific enough to determine their impact and the application just states there will be no impact. It is suggested that specialised plans be developed for the vicinity of such a sensitive wetland area.

Increased Human Activity:

The presence of a winery and 8x accommodation pods and an events center and a cellar door, a residential dwelling, and a vineyard will lead to increased human activity in the area, including visitors and workers and construction equipment and tourists, and maintenance staff, and farming equipment and this will disturb wildlife, disrupt breeding patterns, and introduce invasive species or pathogens that can negatively impact the biodiversity of the wetlands.

If the disturbance caused by human development, such as noise, construction activities or increased human presence is excessive or persistent, waterbirds may perceive this as a threat and abandon the area.

It is believed that the nature of this development will severely impact the ecological values of the adjoining wetland site.

We have issues with the application having inconsistencies on opening hours with one suggesting a 4 day operation and the other suggesting 6 days.

This is inconsistent throughout the application.

The website and Instagram accounts associated with Wineglass Bay Estate are already promoting the site as a wedding reception venue.

Hours of operation for this type of event and activities that are typically associated with a Wedding, would likely require extended hours of operation and would also cause significant noise and lighting pollution on the wildlife on Moulting Lagoon.

As well as the above, by far, the biggest concern regarding this application is that this activity has the potential to significantly impact the internationally recognised ecological values of Moulting Lagoon and the council is urged to consider the following:

RAMSAR Agreement and the Environmental Protection and Biodiversity Conservation Act 1999

The Ramsar Convention outlines the following: 'The broad aims of the Ramsar Convention are to halt, and where possible reverse, the worldwide loss of wetlands and to conserve those that remain through wise use and the implementation of management plans. Australia has been a Party to the Convention since May 1974 and was a member of the first group of seven Contracting Parties to the Convention. The Department of the Environment, Water, Heritage and the Arts (DEWHA) (now DCCEEW Department of Climate Change, Energy, the Environment and Water) is the Administrative Authority for Australia to the Convention and, together with relevant state and territory government agencies and land and water managers is responsible for the wise use of Australia's wetlands.

Under the Convention, notification of change is required if the ecological character of a site has changed, is changing, or is 'likely' to change as the result of technological developments, pollution, or other human interference.

Notification is limited to 'human-induced adverse alteration' and we believe that this development poses a significant threat to the lagoon's ecological character.

There are several principles that need to be addressed for the council to approve this application and not be in breach of Australia's commitment to the International Ramsar Agreement, of 1974.

Further information can be found in the 'National Guidance on Notifying Change in Ecological Character of Australian Ramsar Wetlands (Article 3.2) which was endorsed in 2009.

Existing Moulting Lagoon Game Reserve use on the Boundary on the proposed Development Application.

Moulting Lagoon Game Reserve is important for cultural heritage conservation with regard to both Aboriginal and European cultural occupation.

Duck hunting has occurred in season at Moulting Lagoon Game Reserve since the time of European settlement.

The Reserve continuing conservation is contributing to the economic, social, and aesthetic wellbeing of the community.

Where the Development Application Boundary joins the Moulting Lagoon Game Reserve, proposed dwellings are shown only metres from this boundary where by firearms are regular discharged during the Duck Hunting Season.

Tasmanian Firearms Act 1996 states that a firearm cannot be discharges within 250 metres of a dwelling.

Thank you for taking the time to read this submission.

Best Regards

Attached Documents

<http://rsis.ramsar.org/ris/251> [Moulting Lagoon Game Reserve RAMSAR Site, Management Plan 2003.](#)
[Moulting Lagoon RAMSAR Site- Ecological Character Description](#)

Rep 21 -

General Manager
Glamorgan Spring Bay Council
P O Box 6
TRIABUNNA TAS 7190

Dear Sir

**APPLICATION FOR PLANNING PERMITS RA 1100 COLES BAY ROAD
COLES BAY.**

I hereby wish to lodge an objection to the proposal to construct 8 visitor accommodation cabins, café, cellar door and dwelling including a shed at RA 1100 Coles Bay Road, Coles Bay.

My reasons for the objection are;

- The proposal is not in keeping with the area as it does not meet its natural values with the construction of a huge out building, cabins and cellar door.
- This proposal will effect the overall Management of the adjoining Moulting Lagoon Game Reserve in many ways with ten fold increase in tourists to the area.
- The run off from the proposal will cause eutrophication and siltation to the adjoining Moulting Lagoon Game Reserve.
- Disturbance by increased tourists to the area will effect the flora and fauna at the adjoining Moulting Lagoon Game Reserve in particular the breeding of Black Swan who are known to breed in the area.
- Tourist will impact hunting in the designated hunting area at Moulting Lagoon Game Reserve and cause safety issues in the hunting zone.

This property is on the boundary of Moulting Lagoon Games Reserve. The Lagoon was designated as a **Wetland of International Importance** under the Convention of Wetlands at a meeting held in Ramsar, Iran in 1982. The proposal at RA 1100 Coles Bay Road Coles Bay will effect the management of the reserve.

The Game Reserve covers 4760 hectares and is important for nature conservation due to its landscape, variety of vegetation communities and diversity and quantity of fauna, particularly waterbirds. Moulting Lagoon regularly supports approximately 8000 black swans *Cygnus atrata* and up to 15,000 have been recorded during dry periods. It is the most important feeding and breeding habitat for swans in Tasmania. Historically, as much as 80% of swan breeding in Tasmania occurred there (Hemsley 1973).

The lagoon also regularly supports the largest known Tasmanian flocks of the migratory greenshank *Tringa nebularia*. The reserve contains thirteen plant species listed under the Threatened Species Protection Act 1995. The reserve is important for cultural heritage conservation due to its extensive use by Aboriginal tribes prior to European settlement and because of its early European occupation. (Ref Moulting Lagoon Game Reserve Management Report).

The Lagoon is also an important area for recreational duck hunting. Duck hunting has occurred in season at Moulting Lagoon since the time of European settlement. . It is believed that up to 150 hunters, many of whom are local residents, shoot wild duck on the lagoon throughout the season. Permanent hides have been constructed on the lagoon, some of which have been subject to family use for many years. (Ref Moulting Lagoon Game Reserve Management Plan)

Thirteen plant species located in the Moulting Lagoon area are of particular significance for conservation because of their rarity. Golden spray *Viminaria juncea* is common on the mainland but is considered endangered in Tasmania and is found in only one other location. The endemic *Stenanthemum pimeleoides* is considered vulnerable at the state level and endangered at the national level. The endemic plant species *Lasiopetalum micranthum* has been recorded only in this part of Tasmania (Blackhall 1985). It is not known to occur within the reserve boundaries. (Ref Moulting Lagoon Game Reserve Management Plan).

All these existing factors will be under threat should the planning permit at RA 1100 Coles Bay Road Coles Bay be approved.

The following Specific Objectives as outlined in the Moulting Lagoon Game Reserve Management Plan (3.2.2) should be noted in conjunction with my objections to the proposed planning permit. These are:

- protect and conserve threatened species and their habitat;
- protect and conserve the migratory wader habitat;
- minimise human impact on the environment;
- promote appreciation of the natural values of the reserve;
- encourage protection programs outside the reserve;
- seek to cooperate with hunters and other users in implementing minimum impact practices, particularly in relation to foreshore damage and rubbish;
- seek to ensure that water quality and quantity is adequate to maintain natural systems;
- cooperate with neighbours and all users in managing the reserve;
- provide economic opportunities in keeping with the other objectives;
- maintain the ecological character of the Ramsar site.

Thank you

Rep 22 –

The General Manager

Glamorgan Spring Bay Council

Comment on

Development Application RA 1100 Coles Bay Road, Coles Bay CT 125767/1

I am concerned that the proposed development is not suitable for the site and am therefore opposed to it, for the following reasons:

1. The very close proximity to the Moulting Lagoon Wetland Crown Reserve, an internationally listed RAMSAR site.
2. The Moulting Lagoon Crown Reserve is also MNES-listed under the Australian EPBC Act 1999
3. Given these two listings, any proposals that could in any way have a negative impact on the natural values of the location (including the Lagoon itself) cannot be countenanced – and must be referred to the Federal Environment Minister, Tania Plibersek
4. It is therefore surprising and totally unacceptable that no natural values survey report has been submitted with the DA!
5. There are obvious risks to the biodiversity of the site, including:
 - Disturbance to birds, particularly during nesting time
 - The significant risk of runoff from the vineyard entering the Lagoon
 - Risk of greywater and sewage contaminating the site and entering the Lagoon
 - The large number of people (given that the proposal is for not just accommodation but also for a café and cellar door) who would inevitably want to walk along the water's edge – causing both disturbance to birds and trampling of the wetland shores.

Rep 23 -



Department of Natural Resources and Environment Tasmania

GPO Box 1751, Hobart, TAS 7001 Australia
Ph 1300 TAS PARKS / 1300 827 727 Fax (03) 6223 8308
www.parks.tas.gov.au



17 July 2023

Greg Ingham
General Manager
9 Melbourne Street
TRIABUNNA TAS 7190
via email admin@freycinet.tas.gov.au

DA 2023/055 - Proposed accommodation cabins, café, cellar door, residence and outbuildings' - Response to advertising

Dear Mr Ingham

The Parks and Wildlife Service (PWS) have been made aware of the proposal (identified above, accessed online via the 'advertised planning applications' portion of Council's website at ([Exhibited-Documents-DA2023-055.pdf](#) (gsbc.tas.gov.au) on 13/7/2023) however, have not received a formal notification that this application had been lodged and advertised.

The PWS is writing to advise that the proposal is adjacent to the Moulting Lagoon Game Reserve. This is one of 10 Ramsar sites (wetlands of international importance) listed in Tasmania. Moulting Lagoon is on this list because it supports a large number of waterbirds, particularly black swans and Australian shelducks, at key stages of their lifecycles. It provides year-round habitat for about 8000 black swans and is a critical late-summer staging area for shelducks, chestnut teal, and several shorebird species. The largest Tasmanian flock of greenshank also occurs at the lagoon. More information on the management of the reserve may be obtained here ([Management plans and reports | Parks & Wildlife Service Tasmania](#))

Application for planning approval and advertised plans

The plans as advertised show a proposed dwelling, garage, eight (8) cabins, a café, carparking, as well as demolition (Location Plan, Sheet A02, Revision B, dated 30/5/23).

Five (5) structures are annotated with "Ex. Outbuildings to be demolished" (Location Plan). The Location Plan shows two (2) of these buildings outside the site boundary and partially on the Game Reserve, as well as three (3) close to and inside the property boundary. However, the Drainage Plan (29/10/2022, Sheet A08) in contradiction, appears to show two of the latter structures partially on the Game Reserve in that plan.

It is not stated on the 'Application for Planning Approval' (dated 9/5/23) whether demolition is part of the current application. PWS would like to seek clarification on how many structures are proposed to be demolished and their exact location.

If demolition of outbuildings on reserved land is part of this planning application, Consent to Lodge would normally be required from PWS. For demolition on the reserve a Planning Application would need to address the Environmental Management Zone requirements and any code overlays of the Tasmanian Planning Scheme. As such, PWS would request that appropriate conditions are considered, that require the Proponent to submit a Proposal Description Form (refer attached) to PWS as the first step in a Reserve Activity Assessment Process. This process will work towards applying strategies to avoid, minimise, or control impacts arising from demolition, and remedial or mitigation measures or revegetation requirements. An authority under the *National Parks and Reserves Management Regulations 2019* will be required for the demolition works if these are in the Game Reserve.

Planning response

20.0 Rural Zone

Regarding the TPS-Glamorgan Spring Bay, it is noted that the proposal is located in the Rural Zone. The scheme further provides that:

The purpose of the Rural Zone is:

“20.1.1 To provide for a range of use or development in a rural location:
...(d) minimises adverse impacts on surrounding uses”.

The 20.2 Use Table of the Zone provides that Visitor Accommodation – discretionary (not within an existing building).

20.3.1 Discretionary Use

The Use Standards at 20.3.1 (P2) provide that:

P2 provides that:

“A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to: (a) the location of the proposed use; (b) the nature, scale and intensity of the use; (c) the likelihood and nature of any adverse impacts on adjoining uses; (d) whether the proposed use is required to support a use for security or operational reasons; and (e) any off site impacts from adjoining uses.”

Regarding the Performance Criteria above, the 20.0 Rural Zone has not been responded to in the planning report accompanying the application (Scott Hill, 5 pages). However (presumably in response to visual impacts and bird-strike) it is noted that the proponent has stated “*b. the external finish will be matt Colourbond Night Sky and receding in colour (windows will be a non-reflective treatment to dissuade birds from colliding)*”.

It is uncertain if all buildings have been referred to in the response from the Proponent. However, PWS supports this approach being applied to the proposal and in particular to the Cabins adjacent (approx. 5-9m) to the reserve.

C7.0 Natural Assets Code

C7.6.1 building and works within a waterway and coastal protection area or future coastal refugia area (P1.1)

In support of the Objective of this standard, the criteria at C7.6.1 (P1.1) provide several factors at (a)-(n) designed for buildings and works to minimise adverse impacts on natural assets.

The Proponent has noted in the planning response to that “*all water is captured in rainwater storage tanks for on-site use*”.

PWS supports this approach to stormwater capture to minimise erosion and control runoff. An annotation on the Location Plan also states, “*Downpipes to be connected into rainwater storage tanks as soon as roof installed*”. However, the plans advertised (Drainage plan, Rev B 30/5/23) show tanks only connected to the Dwelling and garage. As it is uncertain whether the Cabins in proximity to the Game Reserve are proposed to be equipped with rainwater tanks. PWS requests a

Condition being applied to any approval that tanks collect the rainwater from the Cabins. It is noted that A3 of this Code (stormwater) requires that no stormwater point discharge into a wetland and rainwater tanks would assist in both standards being achieved.

It is noted that the application has considered reflectance and colour in the response to the Scenic Protection Corridor and has included annotations with low-reflectance colours in the "Elevations" Sheet A051-052, plans supplied.

It is uncertain (Cabin Elevations, 30/5/23, A020) adjacent to the reserve are proposed to have the same finishes. The 'Cabin Elevations' plans show roof, cladding and windows annotated with "Custom orb roof sheet Colourbond finish to clients' requirements", "cladding painted finish to clients' requirements" and "powder coated sliding doors colour to clients requirements". PWS would request that to support the objective of C7.6.1, that similarly low reflectance external finishes, and low-reflectance glass treatment, is applied to the cabins, being approximately 5-10m (no distance annotated) from the boundary with the Moulting Lagoon Game Reserve.

Further, the incorporation of the environmental best practice guidelines in the Wetlands and Waterways Works Manual (see [Wetlands and Waterways Works Manual | Department of Natural Resources and Environment Tasmania \(nre.tas.gov.au\)](https://www.nre.tas.gov.au/Wetlands-and-Waterways-Works-Manual)) into a Soil and Water Management Plan is recommended as a condition to be fulfilled, prior to the commencement of works in the buffer area.

Should there be any deviation or change to the proposal that might result in the potential to affect reserve vegetation, waterways or land, prior approval from the PWS must be obtained. This might include direct or indirect impacts from building/infrastructure (including walking track) construction or function and/or informal access.

Should you have any further queries about this matter, please contact Roy Adam, Regional Planner on M: 0460 034 102 or email Roy.Adam@parks.tas.gov.au .

Yours sincerely

Rep 24 –

ATTENTION; Greg Ingham, General Manager, GSBC.

Dear Greg,

I am writing to express my opposition to this development and to make a representation that I believe it should not be approved by Council.

* The proposed development is very close to the adjacent Moulting Lagoon RAMSAR listed wetland with less than 14 metres space between the margin of the wetland and the buildings, surely some environmental impact assessment must be undertaken to determine the real and potential impacts on this significant area. The RAMSAR listed wetland of Moulting Lagoon is of National and International environment significance.

* The development lies within land zoned rural and is covered by numerous overlays and codes - Bushfire Prone, Scenic Protection, Coastal erosion hazard and Coastal inundation, has the development had those applied? No natural values survey can be seen with the development application.

* Existing buildings and structures of unknown construction material but possibly asbestos sheet, have been demolished prior to the approval of the application.

* The visual impact of the planned quite large structures impacting on the view from the Coles Bay road (a major tourist route).

* The impact of the proposed development upon the cultural, traditional and historical users of the area; primarily for duck hunting which continues intergenerationally to the current time and upon indigenous artifacts and uses.

* The cumulative impacts that multiple large scale vineyards and intensive agriculture are having on the RAMSAR listed wetland, we now have multiples of such activity on all sides of Moulting Lagoon and in the catchment, the rivers and streams supplying the wetland, producing runoff of weedicides, pesticides and other contaminants. The recent drought did not deter those agricultural users from ever expanding, more intensive uses than those undertaken by dryland farms..

* From the response I received to my noting the unsustainable management of sewage and rainwater harvesting at Devils Corner, I understand that these issues are not considered in the application but this issue remains of concern to me, particularly when reticulated water and sewer systems are not available.

Thank you for considering my comments.

Rep 25 -

19/7/2023

Glamorgan Bay Council

Email: planning@freycinet.tas.gov.au

Dear Glamorgan Bay Council,

I hope this letter finds you well.

I am writing to express my support for the DA application concerning Wineglass Bay Estate at 1100 Coles Bay Rd, Coles Bay.

As a local business owner catering to multiple venues and events in the area, I am acutely aware of tourism's crucial role in sustaining our community's economic vitality. However, during peak times, we often face the challenge of limited accommodation options, resulting in travellers having to leave the area. This situation negatively impacts both our local businesses and the overall growth of our community.

I would also like to extend my endorsement of the proposed Wineglass Bay Estate. It promises to be a valuable addition to our region and aligns well with our community's vision and wine trail so heavily promoted on the East Coast.

Considering the potential benefits for our area, opposing a small-scale development would be counterproductive to our shared goal of fostering a thriving and sustainable community, where tourism serves as a cornerstone of our success.

Thank you for taking the time to consider my letter of support.

Rep 26 -

19/7/2023

Attention: Planning

Dear Glamorgan Bay Council,

We are writing to voice our wholehearted support for the DA application regarding Wineglass Bay Estate at 1100 Coles Bay Rd, Coles Bay.

As business owners involved in the tourism industry and also the local community, we stand firmly behind this application.

We believe Wineglass Bay Estate will be a valuable and well-aligned addition to our region for the growth and support of the tourism industry.

Wineglass Bay Estate will also serve the local community in their values of caring for the land they occupy and doing their best to support sustainable growth.

To oppose this development would be contrary to our community's shared objective of nurturing a thriving and sustainable community, where tourism serves as a key pillar.

We just wanted to wholeheartedly express our support for Wineglass Bay Estate and sincerely hope that you will consider our letter while making your decision.

Thank you for taking the time to review our letter of support.

Sincerely,

Rep 27 -

19/7/2023

Attention: Glamorgan Council

Email: planning@freycinet.tas.gov.au

CC

To whom it may concern,

I am writing to express our wholehearted support for the DA application concerning 1100 Coles Bay Rd, also known as Wine Glass Bay Estate.

As a neighbour and proprietor of a business located at Coles Bay, Tasmania 7215, I firmly stand behind this modest development for a compelling reason other than our town's vitality that relies heavily on tourism.

During peak seasons, operates at full capacity every night, which is undoubtedly a positive aspect. However, it is disheartening to witness the unfortunate consequence of having to turn away approximately 40 vehicles each night. These frustrated and desperate visitors are then faced with only two options:

Option 1: They are forced to park or camp in "day use" areas such as Moulting Lagoon, around the Esplanade in Coles Bay, or under the bridge at the turn-off. These areas lack proper facilities for vehicles without toilets.

Option 2: Alternatively, they have no choice but to leave the area altogether, which significantly impacts all local small businesses.

Given these circumstances, it is only logical to support and welcome a humble, understated development that can help alleviate the mounting pressure. We decided to open our property as "Tourist accommodation" due to the frustration of discovering toilet paper and human waste littered in our driveway.

We believe approving this development would be a step in the right direction to address the existing challenges and maintain a thriving tourism industry in our beloved town.

Thank you for considering our viewpoint. We trust that you will make a well-informed decision that takes into account the best interests of Coles Bay and its residents.

Rep 28 -

20/7/2023

Attention: Glamorgan Bay Council

Email: planning@freycinet.tas.gov.au

Dear Glamorgan Council,

I am writing to you today as the business manager of [REDACTED] to wholeheartedly express our unwavering support for the DA application concerning 1100 Coles Bay Rd, also known as Wine Glass Bay Estate.

As someone closely involved in managing [REDACTED] properties in the area, I can assure the council that the need for additional accommodation is of utmost importance. During peak season, we find ourselves regrettably turning away numerous visitors from Coles Bay. This has an immediate and detrimental impact on local businesses, the tourism sector, and restaurants that heavily rely on tourist activity.

Moreover, the proposed development site has remained neglected and desolate for years. Its transformation into a remarkable addition to the landscape of Coles Bay and the Great Eastern Trail would undoubtedly be a welcomed enhancement.

Considering these circumstances, it would be an unfortunate outcome if the project were not allowed to proceed due to the concerns of a few dissenting voices within the community. We firmly believe that approving this development would be a pivotal step in the right direction to effectively address the existing challenges and ensure the continuous growth of our beloved town's thriving tourism industry.

We kindly request that you carefully consider the significant benefits this development would bring to the community and make a decision that aligns with the best interests of Coles Bay and its residents.

Rep 29 -

The General Manager
Glamorgan Spring Bay Council

Dear Sir,

Thank you the opportunity to comment on this proposal .

First of all I think the idea behind this proposal is fantastic and could be a great asset to the local economy

and employment while providing a great tourist destination many seek.

However the height of the large buildings could be lowered considerably to blend in with the other smaller ones and the environment . The old duck hides used to stand out enough littered across the lagoon some will remember , these very high structures proposed in comparison would I think be a real eye sore in this very scenic corridor.

My other concern is where is the water going to come, the present dam appears small and to me doesn't look as if it holds water. Then where is all this water going to be disposed of once used .This coupled with runoff from the hardened areas and contaminated runoff water from the vineyard all being all so close to Moulting Lagoon (a Ramsar Wetland) would surely this would be detrimental to this internationally recognised site.(I could see any environmental impact

If you set the whole project back 50 -100 metres or even more from the lagoon, it would help improve water control this area is blessed with a natural higher elevation to the surrounding landscape and the buildings would still command fantastic views .

Environment impact statement and Aboriginal report I could not find ?

I hope this project goes ahead but not at the cost of the natural environment I'm sure after a few adjustments it could be a win win win for all .

Rep 30 -

20 July 2023

To Whom it may concern,

Kim Alfedí of Wineglass Bay Estate enrolled in the QTAB National Accreditation program in 2022 to ensure that she was compliant in all criteria to meet business and sustainable standards for the proposed development. She is currently working through the eleven (11) online modules in preparation of submission. This will gain her a National Tourism Accreditation as at QTAB Sustainable business.

She is actively involved in the sector, engaging with industry, attending networking and development programs demonstrating a commitment to the sector.

Opening in 2024, this development would be a welcome addition to the area encouraging regional dispersal on the East Coast and providing another accommodation offering in the region and a complete visitor experience, with onsite vineyard.

Thank you for your consideration of the proposed development.

Rep 31 -

Dear Staff

It is with apprehension that I submit my very brief submission against the proposed Moulting Lagoon Development. Not once, has any planning authority considered seriously the submissions against development but herewith is my attempt to outline my opposition anyway. I consider this proposal to be an unnecessary assault on the shores of a Ramsar lagoon that *does not need* this sort of tacky development. It is always uplifting to drive almost the entire length of the Coles Bay Road without any infrastructure marring the otherwise intact coastal lagoon. All built infrastructures debase our natural areas and this proposal is no exception. Apart from the visual impairment that would be incurred I have serious concerns about sewage. There is also the fact that this area falls partly under the Scenic Protection Code. If we are concerned about marring our scenic features then this development should be rejected on this alone.

Tasmania does not need this development; it is just one more example of ploughing full steam ahead with coastal developments with no regard to the living world.

Sincerely

Rep 32 –
General Manager,
Glamorgan Spring Bay Council.

Attention: Planning Department

Re: RA1100 Coles Bay Road, Coles Bay CT125767/1.

Thank you for the opportunity to comment on the proposed development at 1100 Coles Bay Road for the construction of 8 visitor accommodation cabins, café cellar door and dwelling on the banks of Moulting Lagoon.

My comments and concerns arise from a continuing interest in the natural resources of our State, and experience in the tourism industry specifically on the Freycinet Peninsula. My comments are cast as questions to the proposal with the intent of balancing a legitimate attempt to expand tourism attractions in the region with maintaining responsible management of the pristine environment of Freycinet.

Issues to be considered in assessment of the proposal.

1. Given the proximity to Moulting Lagoon, an internationally recognised Ramsar Wetland, is there adequate infrastructure to manage waste water from 8 visitor accommodation cabins, a 98 seat restaurant/café and cellar door, and a 4 bedroom dwelling?
Does the design of any proposed waste water treatment plant take into account the nature of the soils and terrain of the lagoon's littoral zone?
Is the location of any proposed waste water treatment plant sensitive to anticipated rises in sea level that may impact the lagoon?
2. Being aware of the rainfall pattern on the Freycinet Peninsula, and of previous, unsuccessful attempts to establish a vineyard on this site, is reliance of natural rainfall appropriate to service the tourism infrastructure proposed in addition to the demands of the vines? What are the economic and environmental implications of needing to augment the water supply to property?
If supplementary water is imported, what are the implications for the soil water table, the level of soil salinity, and the effect on the nearby lagoon?
3. What precautions are planned to prevent any runoff from the vineyard, the tourism infrastructure, and the residential areas affecting the lagoon and its foreshore?
4. The development is within a Scenic Protection Corridor. The nature of the buildings proposed, their location on the site, and the proposed plantings to screen the buildings will all affect the view of the lagoon from the Coles Bay

Road. Is this a matter to be considered in assessing the Development Application?

5. Recently, NRM South in conjunction with the Glenelg Trust has completed a restoration project on the western shore of Moulting Lagoon. The impact of the development on the Coles Bay Road on the ecology of the lagoon is open to debate. Can the expertise of NRM South and the Glenelg Trust, as impartial and external agencies, be employed to advise on the environmental implications of the development?

6. Some of the detail concerning the proposed business is in some cases naïve and in others confusing.

Hours of operation of the cellar door are separately stated as 10am to 4pm and elsewhere 11am to 5pm.

The number of employees is stated as 5. The cellar door is to be staffed by one person. Catering staff, food preparation and customer service would be additional. Cleaning staff for accommodation would be required. Are vineyard staff included? Observation of similar operations in the area would question the proposed scale of staffing.

The amount of refrigeration and storage for such a catering operation is vastly understated.

Whilst wishing to encourage investment in tourism in the area, I believe it would be irresponsible to allow a development that did not succeed in achieving its goals and in the process produce irreparable environmental damage. Can assessment of the project consider the viability of the project both economically as well as environmentally?

I request that the above matters be included in consideration of this planning application.

Yours sincerely,

RA1100 Coles Bay Road, Coles Bay CT125767/1.

Rep 33 -

Representation against RA1100 Coles Bay Road, Coles Bay CT 125767/1 development

To the General Manager Glamorgan Spring Bay Council

I am opposed to the proposed development at RA1100 Coles Bay Road, Coles Bay CT 125767/1 for the following reasons:

The council cannot responsibly vote on this DA because there is a lack of data on which to base an informed, accurate assessment of the proposed development.

I request that the development application be paused to wait for more reports added to the DA. I also request that the Development be referred for assessment by the Commonwealth Minister for Environment, because of its proximity to the internationally significant wetland.

1. There is no mention in the DA or acknowledgement of the proximity of the land to the Ramsar registered wetlands (site number 251, 1982) of Moulting Lagoon – how this will be cared for, harm minimised, regeneration and general respectful use and protection as per international Ramsar Convention on Wetlands. www.ramsar.org
2. The acid sulphate soils on most of the site are not mentioned nor how to manage them when disturbed by earthworks and agriculture/viticulture. Sulphates when oxidised (exposed to air when unearthed) turn to sulphuric acid and can leach into the lagoon and shoreline marshes harming plants and animals and damaging built structures <https://www.environment.nsw.gov.au/topics/land-and-soil/soil-degradation/acid-sulfate-soils> No independent soil test results were submitted.
3. Other environmental impacts are not acknowledged therefore there is no impact mitigation management plan accompanying the development application. A. The management of the wine grape vineyard for the cellar door infrastructure - watering and subsequent runoff of fertilisers and pesticides to the wetlands. B. Leaching from black and grey water (sewerage) management plan in the aerated water treatment systems.
4. No indigenous heritage assessment has been attached to the DA nor are significant Aboriginal cultural values acknowledged. The development is a great opportunity for the council to insist on an Aboriginal heritage report of the area, to be a record of historical and cultural values for the benefit of the whole community.

5. The effects of climate change on forecast higher sea levels and lagoon water levels are not referenced relative to the distance of buildings from current water levels and reed marsh edges. Will buildings cope with acidic, wet, saline soils?

July 18, 2023

Mr Greg Ingham
General Manager
Glamorgan Spring Bay Council
P.O.Box 6, Triabunna
planning@freycinet.tas.gov.au

Dear Mr Ingham,

Re: DA 2023/055. PID 1795888, 1100 Coles Bay Road, Coles Bay.

Many thanks for the opportunity to submit this representation to the above development application.

I reside and work in the Glamorgan Spring Bay municipality, having significant family history and personal connection to this area surrounding the above address. It is thus I declare my interest to retain and protect the natural attributes of this unique area that is an internationally declared Ramsar Wetland and requires the Glamorgan Spring Bay Council to protect it from proximate development. It must be regarded as the most fragile heart and lung of our surrounding environment.¹

Preamble

This week I was informed by planning that the GSBC Biodiversity Protection Area Guidelines for Development is now a redundant publication and would be removed from the GSBC website. This decision is disturbing since the availability of this simple guideline for the applicant would have, in my opinion, directed the applicant to gain a more authentic understanding of the delicate ecosystem that borders the above property and enable thoughtful consideration and integrity when considering the implication of commercial use of this property with submission of a Natural Values Assessment Report. Dismayed but resolute, I have applied the *Tasmanian Planning Scheme (TPS)* that refers also to the *Tasmanian Coastal Works Manual (TCWM)* and *Wetlands and Waterways Works Manual (WAWWM)* to gain an understanding of the environmental, scenic and other standards relevant to this discretionary application.

Recommendation

I commend the applicant for publicly committing to Natural Values and Aboriginal Heritage on their website and expect their commitment to ensure protection for this delicate habitat will entail the commission of an Aboriginal Heritage Assessment, and a Natural Values Assessment that includes Coastal Erosion Hazard investigation, soil type investigation, impact assessment of threatened flora and fauna species in addition to mitigation strategies against run-off for the yet-to-be-established vineyard.

The immense size of this development with footprints and dimensions of all eleven additional structures in addition to the extant two bedroom house to be renovated into short-stay accomodation and the impact on the scenic protection corridor is a consideration also.

¹<http://gsbc.tas.gov.au/wp-content/uploads/2016/06/Moulting-Lagoon-Ramsar-Site-Brochure.pdf>

Points of relevance

1. This discretionary development application provides the minimal requirement of information according to the Tasmanian Planning Scheme (TPS) (6.1.2). It is inadequate and unacceptable for this location that borders the internationally declared Ramsar Wetland. Moulting Lagoon is the breeding ground for macroinvertebrates, fish and waterbirds, provides protection from floods, provides habitat and protection for animals. It is an area of high biodiversity. It is an important refuge areas for wildlife in times of drought. The TCWM endorses that saltmarsh communities are valued for their uniqueness and the role they play in our coastal ecosystem. We should retain any existing areas of wetland and saltmarsh in an undisturbed condition. TCWM recommend the best management practice is to 'leave alone' and establish buffer zones around saltmarsh and wetland areas of at least 200m to protect against influx of nutrients and pollutants.²
2. I implore GSBC as the planning authority to request a site analysis from the applicants; namely TPS 6.1.3 (b) i, iii, iv, v and vi whereby the application for development should include information on the existing and proposed use of the site; topography including contours showing ADH levels and major site features; natural drainage lines, watercourses and wetlands on or adjacent to the site, soil type, and vegetation types and distribution including any known threatened species. This information would have been forthcoming with a pre-emptive Natural Values Assessment Report.
3. Viniculture. The development application plan locates a vineyard and a cellar door. There is no working vineyard on this site. There are rows of stakes intended to support a trellis that has never been planted with grapevines. I have regularly driven past this property since 2014 and have seen no evidence of growing, watering, or viniculture. Soil analysis is a crucial element to this DA since the LIST describes coastal acid sulfate soil overlays the entire property. Disturbance or exposure releases sulfuric acid. This is not a conducive soil type for horticulture, nor for disturbance such as works and building due to exposure of soil that oxidises and releases sulfuric acid.³ Run-off from this exposed soil type is toxic to flora and fauna and the wetland ecosystem. This point alone is adequate evidence to request an independent soil analysis at minimum.
4. This property fronts the Coles Bay Tourist Road. The Scenic Protection Code C8.2.1 (b) rural zone scenic road corridor applies to this frontage. TPS 8.6.1 development objectives are that buildings and works do not cause an unreasonable reduction of the scenic value of a scenic protection area. TPS P1.2 (a) the topography of the site (d) design and proposed location of the buildings or works.
 1. The proposed cellar door and cafe impose a 25m long and 10.7m high obstruction to the scenic views from the road. It is frequently noted that vehicles park along the roadside to view the sunset across Moulting Lagoon.
 2. The high clearance 6.760m x 14m shed is less imposing but remains visible from the road.
 3. The proposed planting of *Agonis flexuosa* is non-provenance and a possibly invasive species. It is a West Australian native plant and not in keeping with the

² https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf p26

³ <https://www.environment.nsw.gov.au/topics/land-and-soil/soil-degradation/acid-sulfate-soils>

amenity of the natural scenic corridor. GSBC publishes an endemic species brochure well worthy of perusal.

5. Natural Assets code (C7.2.1) applies to development on land within a waterway and coastal protection area, a future coastal refugia area and priority vegetation areas within a (ii) rural zone. Table C7.3 lists Ramsar Wetlands that designate a spatial extent with the objective that building and works will not have unnecessary or unacceptable impact on natural assets.
 1. The LIST overlays show coastal vulnerability-soft shores; threatened fauna points around the Moulting Lagoon area list the Tasmanian devil and spotted-tail quoll; an adjacent flora conservation area; a threatened flora point on the property (*Melaleuca pustulata*, *Stylidium despectum*, *Pimelia flava* subsp. *flava* in proximity); The threatened propeller plant (*Stenanthemum pimeleoides*) is found almost exclusively in Moulting Lagoon.⁴
 2. Careful planning of the area must ensure that the existing natural habitat is conserved and not negatively impacted upon by future development. Moulting Lagoon is an extremely important area for water birds as it provides nesting and foraging habitat for a wide range of species, including a large numbers of birds. The area includes about 80% of Tasmania's black swan population and 14 bird species covered by the Japan Australia Migratory Birds Agreement. The area is also home to the White-bellied sea-eagle, a vulnerable species. In addition the internationally acclaimed Moulting Lagoon is an important breeding and feeding area for a multitude of bird species including the Wedge-Tailed Eagle and the Eastern Curlew both listed as endangered species.⁵⁶
 3. C7.6.1(P1.1) criteria states buildings and works within a waterway and coastal protection area must avoid or minimise impact cause by (a)runoff, erosion, siltation, (b)riparian or littoral vegetation, and calls for environmental best practice guidelines in the WAWM and TCWM. The TCWM states 'at a local level, pollution may come from...use of herbicides near waterways; poor control of sediment at coastal construction and work sites, stormwater and litter. Poor water quality is the primary factor in the destruction of seagrass beds, which play a key ecological role in coastal and estuarine ecosystems. The major loss of seagrass beds is one of the most serious issues in Tasmania's estuarine and marine environments. Coastal development... contributes to the destruction of seagrass. Poor water quality not only has an impact on marine ecosystems and species, it has implications for humans too, including unsightly stained shorelines and unpleasant odours from algal blooms; beach closures due to health risks to humans; toxins in the food chain and death of valued recreational fishing species.'⁷
 4. In addition future coastal refugia area. C7.6.1 A3 states development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.

⁴ https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf p21

⁵ <https://parks.tas.gov.au/Documents/moultinglagoonpdf.pdf>

⁶ Coles Bay Structure Plan 1 April 2016

⁷ https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf

6. Tasmanian Aboriginal Heritage. TPS C6.8.1 pertains to development standards for places or precincts of archaeological potential. C6.8.1.P1 criteria states building or works on places of archaeological potential must not cause an unacceptable impact on archaeological evidence (a) either known or potential (b) measures proposed to investigate and confirm potential.
1. Parks and Wildlife state 'to date few archaeological surveys have been conducted in the Moulting Lagoon area. Eight sites have been registered on the Tasmanian Aboriginal Site Index and vary from isolated artefact scatters to middens and quarry sites. Of these, only one occurs within the reserve boundary while the other seven occur on private land. It is unlikely that any base camps existed within the present game reserve because in coastal areas they were usually situated in open forest inland from the shore where they offered maximum shelter while still in close proximity to resources (Brown 1991). Hence, in the Moulting Lagoon area it is most probable that artefacts from base camps exist on private land adjacent to the lagoon.'⁸
 2. Again, the applicant must be applauded for acknowledging Tasmanian Aboriginal heritage on their website. As custodians of this property the applicant is a potential protector of Aboriginal artefact. It is therefore essential to comply with this code and request an Aboriginal Heritage assessment given it is 'most probable' that there is archaeological artefact from the paredarmerne (Oyster Bay) peoples.
7. Both the Coastal Erosion Hazard Code(C10.0) Rural Zone, Coastal Inundation Hazard Codes (C11.0) are triggered with regard to this application. The overlay shows high, medium and low hazard band. A coastal erosion investigation area report and a coastal inundation hazard report for buildings and works with a coastal erosion hazard band is required at minimum. C10.5.1 (P1.1) and C11.5.2(P1.1) advise with in a non-urban zone the purpose of a development must rely upon a coastal location to fulfil its purpose. A vineyard, cellar door and short-stay accommodation do not meet this criteria. In addition criteria P2 regards future coastal erosion to 2100 risking health and safety of people from damage or disruption to the drainage and treatment of waste water. P3 health and safety, property and environmental impact. TPS C7.6.1 addresses building and works within a waterway and coastal protection or Future Coastal Refugia Area with objective that buildings and works will not have an unnecessary or unacceptable impact on natural assets. The LIST overlays demonstrate this proposal will triggers these codes with regard to (a) impact to erosion, runoff, (b) riparian or littoral vegetation that is within metres of the proposed development and (m) environmental best practice guidelines in the *Wetlands and Waterways Works Manual* and (n) the guidelines in the *Tasmanian Coastal Works Manual*.
8. The overlay for Future Coastal Refugia Area triggers TPS C7.6.1 P2.1 whereby (c) the need to group new facilities with existing facilities, where reasonably practical; (e) the impacts on native vegetation; and (h) the impacts of sea level rise on natural coastal processes and coastal habitat; (i) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and (j) the guidelines in the *Tasmanian Coastal Works Manual*. Code P2.2 addresses specific purpose for building and works within a future coastal refugia. This non-planted vineyard and proposed cellar door do not rely on a coastal location.

⁸Parks and Wildlife Service 2007, Moulting Lagoon Game Reserve (Ramsar Site) Management Plan 2003. Department of Tourism, Arts and the Environment, Hobart:pp13-14.

9. The LIST overlays reveal natural drainage lines into the internationally declared Ramsar Wetland, Moulting Lagoon. TCWM 6.4.2 lists threats to estuaries; protecting water quality is critical to sustaining healthy estuary ecosystems. As estuaries receive water from catchment and urban run-off, they are susceptible to land management practices within the catchment, such as agricultural run-off, which can degrade water quality. Discharges from industry or waste water treatment plants (point source inputs) can also degrade water quality and damage marine ecosystems.
1. Pollution may be in the form of ... increased nutrient levels, faecal contamination and increased sediment loads. Pollutants or excess nutrients can result in algal blooms or putrid, smelly water, particularly in coastal lagoons.⁹ I
 2. In addition the overlay Foreshore Climate Change is most vulnerable at Moulting Lagoon with future predicted inundation that will exceed proposed spouting and water holding capacity.
 3. I witnessed a bogged motorhome in the property track that was present for weeks last year with the inundation this area has received. The long term effects of climate change on the rainfall of the area are predicted to have significant impact. Based on the higher emissions predictions the municipality is projected to receive up to 20% more rainfall in the autumn and summer by the end of the century. Other predictions outlined include an increase in runoff during high rainfall events of up to 30% leading to increased erosion or flooding.¹⁰
10. The overlay for soil type is low coastal acid sulphate over the entire property with high coastal acid sulfate soil at the Ramsar Wetland boundary. This soil type may explain why the vineyard was never established despite trellis erection around 2015. The TPS refers to the Tasmanian Coastal Works Manual regarding soil types.¹¹ Acid sulfate soils in some areas can cause great damage to coastal structures and natural values if disturbed by excavation. Some areas have toxic sediments that may cause water pollution if disturbed. Particular precautions are required with the use of machinery, particularly large machines such as excavators and bulldozers, on fragile and unstable coastal soils.¹²
11. The development application has planned a parking area that has already been installed with heavy machinery groundworks. Is it usual practice to pre-empt development approval and install such works?
12. It appears the applicant has demolished shack structures that straddle the cadastre and Crown Reserve that is Moulting Lagoon with assistance from Parks&Wildlife and the Tasmanian Government.¹³ My understanding is that permission to demolish requires council approval (TPS 7.9.1). In addition this invokes Environmental Management Zone and Natural assets code, coastal erosion hazard code and coastal inundation hazard code.

⁹https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf

¹⁰ Coles Bay Structure Plan 1 April 2016 p 11-12

¹¹https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf p16

¹² https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf p16

¹³ <https://wineglassbayestate.com.au/impact-statement-1viewed> 18 July 2023

13. The DA is within a Rural Zone. TPS 20.1.1 (d) minimises adverse impacts on surrounding uses.
1. This discretionary application will impact on the Ramsar Wetland function as bird sanctuary due to increased noise from the proposed building process, short-stay accommodation, food service.
 2. Human use and development creates significant pressures such as agricultural run-off from the catchment, development of foreshore areas and the impacts associated with intensive human use, all of which affect the water quality of the estuary as well as impacting on other coastal values.¹⁴
 3. The proposed purpose does not require a rural location if one considers there has not been and is not a working vineyard, and is not important for the local community compared to the function of the Ramsar Wetland in providing sanctuary for endangered flora and fauna species thus P2 (e) any off site impacts from adjoining uses if one regards the Wetland as the use of the regions source of waterway, wetland.
 4. P4 (a) discretionary use considers the nature, scale and intensity of the proposed use that prepares for 98 seat cafe and cellar door open each day and 8 individual two bedroom units in addition to a future 2 bedroom short-stay residence. Contrary to point P4(e) the proposed location is likely to impact the Ramsar Wetland
14. C7.0 Natural Assets Code pertains to development on land within (a) a waterway and coastal protection area, (b) a future coastal refugia area and (c) a priority vegetation area within (ii) rural zone and irrefutably applies to this development application.
1. Table C7.3 lists Ramsar Wetlands spatial extent to 100m and the adjacent property (Ramsar Wetland).
 2. Overlay shows coastal vulnerability- soft shores identified as muddy shore backed by sediment plan that has potential vulnerability to change including erosional recession.
 3. C7.6 development objectives for buildings and works must avoid or minimise adverse impacts on natural assets particularly (a) impact caused by erosion, siltation, sedimentation and runoff, (b) impacts on riparian or littoral vegetation; (h) the need to group new facilities with existing facilities, where reasonably practical, building design that responds to the particular size, shape, contours or slope of the land, minimising impacts on coastal processes, minimise need for future works for the protection of natural assets, the environmental best practice guidelines in the *WAWWM* and guidelines in the *TCWM* that states 'the riparian zone is defined as the strip of land immediately adjacent to the wetland that influences, and is influenced by it. The vegetation within this zone protects the wetland from erosion and excess nutrient and sediment input. The vegetation within wetland areas in Tasmania can range from herblands and sedgeland to swamp forests (DPIW 2008d).¹⁵
 4. Loss of vegetation communities destroys habitat for both terrestrial and aquatic species such as migratory birds and fish, and has implications for biodiversity and threatened species. Removal of fringing vegetation can further reduce

¹⁴ https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf

¹⁵ (DPIW 2008d) https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf p19-20

habitat quality by exposing the marsh to other human impacts such as weed invasion and pollution due to increased temperature, light and noise.¹⁶

5. P2.1 furthermore avoid or minimise adverse impact on natural assets (e) the impacts on native vegetation (h) the impacts of sea-level rise on natural coastal processes and coastal habitat. A3,P3 of this code must not involve a new stormwater point discharge into a watercourse, wetland or lake. The Future Coastal Refugia Area Guidance Map, and Coastal Inundation Hazard bands encroach on this property thus inundation such as experienced over the past two years provide a serious warning that water collection tanks from the proposed increased roof areas of 11 additional buildings (2 of which have ***m2) will not be sufficient to contain inundation run-off.

Conclusion:

This development application is at best incomplete. It is regrettable that the applicant has not been advised to commission a Natural Values Assessment and an Aboriginal Heritage Assessment. Scenic protection code values are triggered in addition to natural values, coastal inundation, coastal erosion hazard code and future coastal refugia. The fragile function and balance of Moulting Lagoon is threatened by this development that has no current vineyard and is not suited to one. This development risks setting precedence for the demise of this internationally acclaimed wetland sanctuary. It is regrettable that the applicant has outlayed significant finance, time and effort for this property that should never have been in private ownership.

One suggests the applicant considers submitting an application to rezone this property to (23.0) Environmental Management Zone whereby the applicant continues working with Management Authorities to protect this precious area, educate visitors and provide hospitality within their residential area.

Should the applicant proceed with an Aboriginal Heritage Assessment it is likely that this would be the first assessment of private land around Moulting Lagoon and that is surely a worthy legacy.

Yours faithfully

¹⁶(Pralhad in Mount et al. 2010). TCWM

References:

<http://gsbc.tas.gov.au/wp-content/uploads/2016/06/Moulting-Lagoon-Ramsar-Site-Brochure.pdf>

Viewed 19th July 2023

<http://www.environment.gov.au/water/topics/wetlands/database/pubs/3-ris.pdf>

viewed 19th July 2023

<https://www.environment.nsw.gov.au/topics/land-and-soil/soil-degradation/acid-sulfate-soils>

viewed 19th July, 2023

Parks and Wildlife Service 2007, Moulting Lagoon Game Reserve (Ramsar Site) Management

Plan 2003. Department of Tourism, Arts and the Environment, Hobart.

https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf p23

Rep 35 -

To whom it may concern,

It is with regret we find ourselves fighting an inappropriate development that should not have even been thought of, let alone get to the DA stage.

The owners have commenced demolitions, carparks and electrical upgrades all with the understanding they have a viable site for a vineyard and as such a viable reason for the added infrastructure to capitalise on this "pristine" 52 acre site.

With due diligence they may have discovered why there are **NO grapes** in the ground with a **multitude of reasons and many overlays** that indicated the unsuitability of this site namely

1. Intense exposure to southerly, westerly and northerly winds. The Wineglass Bay sign has blown down at least 6 times
2. Intense rain events (100 – 200 mm) that reduce the area to an inaccessible swamp, which it probably was when it really was originally "pristine". Beware, you could get bogged.
3. Drought prone years with 250 - 300 mm rainfall, the dam rarely had water which didn't last long. No suitable underground water available. No available water for frost protection. Inadequate supply for Cafe and 10 other habitable dwellings.
4. Intense grazing pressures from feral deer, possums, turkeys, wallabies and wombats, not to mention currawongs, starlings and rosellas.
5. Acid Sulphate soils which release Sulphuric acid into waterways when disturbed and shortens the life span of steel fencing and trellis. This completely overlays the site.
6. Many Other overlays as per List maps, detailed in other submissions.

The actual vineyard if operating would present its own set of problems and impacts mainly due to the very close proximity to the internationally recognised Ramsar wetland known as Moulting Lagoon. On a world stage we have an obligation to protect this fragile asset for its renowned purpose and not fragment foreshores and/or adjoining corridors with human barriers, imposts and impacts and constrict further the current wildlife corridor that exists from the game reserve to the Friendly Beaches National Park as suggested on page 34 of the Wetlands Management Plan. Impacts include

1. Regular and persistent fungicide, herbicide and insecticide applications with spray drift, runoff and inorganic chemical residue issues
2. Control of Vineyard pests with restrictive fencing, seasonal netting, air guns or shooting,
3. Potential windbreak screening to reduce wind loads
4. Noise and continual disturbance of amenity and wildlife corridor, mowing, spraying, picking
5. Constant tractor disturbance of acid sulphate soils leading to acid leaching into reserve

Accommodation .. 8 cabins, and 2 permanent residences

Previously the three cabins / shooters huts were used infrequently, duck opening or the odd weekend, they had primitive toilets used on those occasions, the impact on the reserve was fleeting and minimal, the wildlife corridor barely impacted ..

1. The impact of this accommodation density and the frequency of use will have a dramatic effect on an already fragile and restricted wildlife corridor, unlike previously there will be no easy path past vacant cabins, this will be running the gauntlet past 200 metres of humanity with all the associated problems, these structures are right on the wildlife reserve boundary. Leaving a constantly receding corridor that will only get worse with Climate Change, Rising sea levels, uncertain tidal flows and increasingly radical weather events.
2. Previous scenic road setbacks were greater than 100 meters with a minimum 50 meters from adjoining boundaries, doesn't Ramsar Wetlands deserve at least these parameters.
3. **Lights**, will deter all types of wildlife from accessing the foreshore corridor, reducing breeding opportunities and impacting on a much larger scale across the lagoon

4. **Noise** , impacting the foreshore and beyond , even if wildlife adjusts to the situation it then leaves animals with less inhibitions at other sites , making them more susceptible to danger.
5. **Dogs and cats:** For most of us these domesticated animals are fixtures in our lives , our companions . For wildlife its a nightmare , just walking a dog near wildlife habitat leaves smells that naturally distress most wildlife , not to mention the consequences of a Golden Retriever doing what it was breed to do . Cats just hunt and kill for fun , fat as and with bells on .
In a narrow Ramsar wetland corridor , its just wrong !!
6. Then comes the temptation to feed that endearing wildlife , to attract , to photograph and to pat . we want it on our terms but it prepares wildlife for an early death , next person just shoots them .
7. The Lagoon itself is resilient yet fragile. It responds to many natural inputs and bounces back . It regulates itself and the wildlife it supports . Already there are many human impacts that the ecosystem is trying to negotiate . No septic system can guarantee it won't be compromised at some stage , the consequences for Moulting Lagoon dealing with the effluent from 10 intense situations plus 98 day trippers at a café would be devastating .
8. There are so many and varied impacts on wildlife and this fragile environment that we will never list them all , but if you are staggered by the beauty of this “ pristine wilderness” as described by owners in there attempt at green wash persuasion .. STOP Just Tread Lightly and share the wonders of that wilderness , not destroy it .
It's far from pristine any more and this proposed development is only speeding the destruction of this globally recognised and vital resource.

Cafe and Summary. Based on the fact there are no grapes currently being grown , there is no wine being produced and the likelihood of success (regardless of the resources that are thrown at this project) is minimal, this development should not proceed . This is not a vineyard or a winery, its a disguise for commercial facility in a rural zoning , its too close to the scenic tourist road and hasn't the necessary site dimensions to provide a buffer to the wetland .

The detrimental impacts on the site and our international obligations to the Ramsar Convention and to preserving suitable sanctuary for migratory birds and a wildlife corridor linking two reserves along with the many other impacting overlays really leaves you wondering .

How and Why has this proposal been started and got this far ??

Apologies for the lack of referencing , this I'm sure will be comprehensively covered in other submissions , my submission is based on local knowledge and many years of observation , not to mention the recognition of the ongoing destruction of the planet and the need to change the way we view progress , regards

Rep 36 -

20th July 2023

The General Manager
Glamorgan Spring Bay Council
via planning@freycinet.tas.gov.au

**DAS 2023 / 055 – RA1100 Coles Bay Road, Coles Bay CT 125767/1
8 x visitor accommodation cabins, cafe, cellar door and dwelling**

Please receive my representation regarding the above development application. My concerns relate to the inappropriate development of a rural zoned site, inappropriate development near a RAMSAR site and encroachment on Coastal Protection Area, the lack of appropriate control measures in place to protect the nearby wetlands, and the cultural significance of the area.

Inappropriate development of a rural zoned site.

The planning scheme for rural zoning states that all elements of this DA are discretionary and as a result I have great concern that this development fails to meet both the objective and the performance criteria to be considered for the location.

From the planning scheme:

Objective: That the location, scale and intensity of a use listed as Discretionary:

(a) is required for operational reasons;

(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;

(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and

(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.

My concerns specifically are:

- That the development is focused heavily on the visitor accommodation, and the visitor accommodation is not required for operational reasons within a vineyard.

- The development will unreasonably impact the neighbouring wetlands, being Moulting Lagoon - a RAMSAR site of state, national, and international significance used by over 100 species of birds.
- With this development being approved the remaining agricultural land will be converted to a tourist venture, rendering the land unusable for further agricultural use.
- Will severely compromise the surrounding function of the wetlands, reserves and other rural land within the area.

When looking at the performance criteria I am concerned that:

- The development is unsuited to the location.
- The nature, scale and intensity of use is not compatible with the Moulting Lagoon RAMSAR site and will constrain the "Top Bank" from use by recreational hunters as well as all bird life.
- Converts agricultural land to tourist venture, rendering the remaining land on the lot unsuitable for further vineyard development or agricultural use.
- And, is inappropriate for rural land that borders other properties with agricultural use, reserves, and wetlands.

Inappropriate development near a RAMSAR site and encroachment on Coastal Protection Area.

The Moulting Lagoon Game reserve is a world renowned wetlands that provides an important resting and breeding ground and an important drought refuge for over 100 resident and migratory bird species such as the endangered Eastern curlew (*Numenius madagascariensis*), the Australian shelduck (*Tadorna tadornoid*), and the black swan (*Cygnus atratus*). The Game reserve also provides important access for recreational pursuits such as hunting and fishing.

Of great concern is that the development application has ignored the requirements of the Natural Assets Code, specifically that a coastal protection area of 100m be provided to RAMSAR sites.

The entire development site from boundary to boundary averages 165m in width. Any development on the site should therefore be no closer than 65m from the eastern boundary (the boundary that borders the Coles Bay Rd). This development application shows that all buildings within the site are to be sited along the western boundary shared with the Game Reserve and RAMSAR site.

This encroachment within the Coastal Protection Area will have significant impacts on all birdlife using Moulting Lagoon for refuge and will significantly impact the ongoing use of the RAMSAR site by migratory and resident birds, many of whom are endangered often as a result of inappropriate development elsewhere within Tasmania.

Lack of control measures to protect wetlands

The Development Application fails to outline what control measures will be in place to protect the neighbouring game reserve from the impacts of the tourism development at the site. Specifically noise and light pollution.

It is widely known that developments such as this have a significant impact on the long term suitability of wetlands as a habitat for bird species, this is why the coastal protection zone exists, and yet this development application fails to outline how birdlife and wildlife will be protected from the ongoing intrusion by those using the site on a daily basis.

Cultural Importance of Moulting Lagoon

Moulting Lagoon is a culturally important site for our first nations people, for those whose recreational pursuits include hunting and fishing, and for those who enjoy bird watching and nature recreation.

Developments such as this may appear to be sympathetic to the local environment and landscape on which they sit, when in reality they are anything but sympathetic, and more often than not are disruptive. The ongoing tourism development of rural land, especially near critically important game reserves, serves little purpose in expanding the cultural significance of the area and only serves to further the interests of the developers.

Consideration should be given to the appropriateness of this development under the planning scheme especially with such varied cultural importance to many members of the community that has been enjoyed over many generations.

Conclusion

Overall this development will have an insurmountable impact on the area around it, will be detrimental to the long term objectives of the Moulting Lagoon RAMSAR site and management plan, and will impact not only the birdlife and wildlife that use the wetlands but severely impact those who currently use the wetlands for recreational purposes. It fails to meet the coastal protection zone requirements, is inappropriate development within rural zoned land, and should not be approved or allowed to proceed.

Yours Faithfully,



GLAMORGAN/SPRING BAY COUNCIL
NOTICE OF PROPOSED DEVELOPMENT

Notice is hereby given that an application has been made for planning approval for the following development:

SITE: RA1100 Coles Bay Road, Coles Bay
CT 125767/1

PROPOSAL: 8 x visitor accommodation cabins, cafe, cellar
door and dwelling

Any person may make representation on the application(s) by letter (PO Box 6, Triabunna) or electronic mail (planning@freycinet.tas.gov.au) addressed to the General Manager. Representations must be received before midnight on 20 July 2023.

APPLICANT: Robert Paul Alfeldi
DATE: 07/03/2023
APPLICATION NO: DA 2023 / 055



9 Melbourne Street (PO Box 6)
Triabunna TAS 7190
☎ 03 6256 4777
☎ 03 6256 4774
✉ admin@freycinet.tas.gov.au
🌐 www.esbc.tas.gov.au

Application for Planning Approval

Advice:

Use this form for all no permit required, permitted and discretionary planning applications including visitor accommodation, subdivision as well as for planning scheme amendment & minor amendments to permits.

Completing this form in full will help ensure that all necessary information is provided and avoid any delay. The planning scheme in clause 6.0 provides details of other information that may be required. A checklist of application documents is provided on page 4 of this form.

Often, it is beneficial to provide a separate written submission explaining in general terms what is proposed and why and to justify the proposal against any applicable performance criteria.

If you have any queries with the form or what information is required, please contact the office.

Details of Applicant and Owner			
Applicant:	Robert Alfeldi		
Contact person: (if different from applicant)			
Address:			
Suburb:			
Email:			
<i>Note: All correspondence with the applicant will be via email unless otherwise advised</i>			
Owner (if different from applicant)			
Address:			
Suburb:		Post Code:	
Email:		Phone: / Mobile:	
Details of Site (Note: If your application is discretionary, the following will be placed on public exhibition)			
Address of proposal:	1100 Coles Bay Road		
Suburb:	Coles Bay	Post Code:	7215
Size of site: (m ² or Ha)	21 Ha		
Certificate of Title(s):	125767		
Current use of site:	Rural		



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General Application Details <i>Complete for All Applications</i>	
Description of proposed use or development:	Accommodation Cabins.Cafe and cellar door and residence and outbuildings
Estimated value of works: (design & construction)	\$
Is the property on the State Heritage Register? (Tick one)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
For all Non-Residential Applications	
Hours of Operation	10am-4pm 5 days a week
Number of Employees	5
Describe any delivery of goods to and from the site, including the types of vehicles used and the estimated average weekly frequency	Rubbish removal 1 per week General deliveries 3 per week light truck
Describe any hazardous materials to be used or stored on site	None
Type & location of any large plant or machinery used (refrigeration, generators)	none
Describe any retail and/or storage of goods or equipment in outdoor areas	none
Personal Information Protection Statement	

The personal information requested will be managed in accordance with the *Personal Information Protection Act 2004*. The personal information is being collected by Glamorgan Spring Bay Council for the purposes of managing, assessing, advising on, and determining the relevant application in accordance with the *Land Use Planning and Approvals Act 1993*(LUPPA) and other related purposes, including for the purpose of data collection.

The information may be shared with contractors and agents of the Council for this purpose, law enforcement agencies, courts and other organisations and it may also be made publicly available on the Council's website and available for any person to inspect in accordance with LUPAA. If you do not provide the information sought, Council will be unable to accept and/or process your application.



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Applicant Declaration

I/we hereby apply for planning approval to carry out the use or development described in this application and the accompanying documents and declare that:


- The information in this application is true and correct.
- I/we authorise Council employees or consultants to enter the site to assess the application.
- I/we have obtained all copy licenses and permission from the copyright owner for the publication, communication and reproduction of the application and reports, plans and materials provided as part of the application and for the purposes of managing, assessing, advising on, and determining the application.

I/we authorise the Council to:

- Make available the application and all information, reports, plans, and materials provided with or as part of the application in electronic form on the Council's website and in hard copy at the Council's office and other locations for public exhibition if and as required;
- Make such copies of the application and all information, reports, plans and materials provided with or as part of the application which are, in the Council's opinion, necessary to facilitate a consideration of the application;
- Publish and or reproduce the application and all information, reports, plans and materials provided with or as part of the application in Council agendas, for representors, referral agencies and other persons interested in the application; and
- provide a copy of any documents relating to this application to any person for the purpose of assessment or public consultation and agree to arrange for the permission of the copyright owner of any part of this application to be obtained.

You indemnify the Council for any claim or action taken against the Council for breach of copyright in respect of the application and all information, report, plan, and material provided with or as part of the application.

I/We declare that the Owner has been notified of the intention to make this application in accordance with section 52(1) of the *Land Use Planning and Approvals Act 1993*.

Applicant Signature:		Date:	9.5.23
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Owners Consent required if application is on or affects Council or Crown owned or administered land

I declare that I have given permission for the making of this application for use and/or development.

Council General Manager or delegate Signature:		Date:	
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If land affected by this application is owned or administered by the Crown or Council, then the written permission of the relevant Minister (or their delegate) and/or the General Manager must be provided. For Crown land, a copy of the instrument of delegation must be provided.

It is the applicant's responsibility to obtain any owners consent prior to lodgement. Written requests for Council consent are via the General Manager. Request for Ministerial consent is to be directed to the relevant department.



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Checklist of application documents: *Taken from Section 6 of the Planning Scheme*

An application must include:

- ☒ a signed application form;
- ☐ any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
- ☐ details of the location of the proposed use or development;
- ☐ a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
- ☐ a full description of the proposed use or development.

In addition to the information that is required by clause 6.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development including:

- ☐ any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
- ☐ a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
 - (i) the existing and proposed use(s) on the site;
 - (ii) the boundaries and dimensions of the site;
 - (iii) topography including contours showing AHD levels and major site features;
 - (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
 - (v) soil type;
 - (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
 - (vii) the location and capacity and connection point of any existing services and proposed services;
 - (viii) the location of easements on the site or connected to the site;
 - (ix) existing pedestrian and vehicle access to the site;
 - (x) the location of existing and proposed buildings on the site;
 - (xi) the location of existing adjoining properties, adjacent buildings and their uses;
 - (xii) any natural hazards that may affect use or development on the site;
 - (xiii) proposed roads, driveways, parking areas and footpaths within the site;
 - (xiv) any proposed open space, common space, or facilities on the site; and
 - (xv) proposed subdivision lot boundaries;
- ☐ where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
 - (xvi) the internal layout of each building on the site;
 - (xvii) the private open space for each dwelling;
 - (xviii) external storage spaces;
 - (xix) parking space location and layout;
 - (xx) major elevations of every building to be erected;
 - (xxi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
 - (xxii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
 - (xxiii) materials and colours to be used on roofs and external walls.

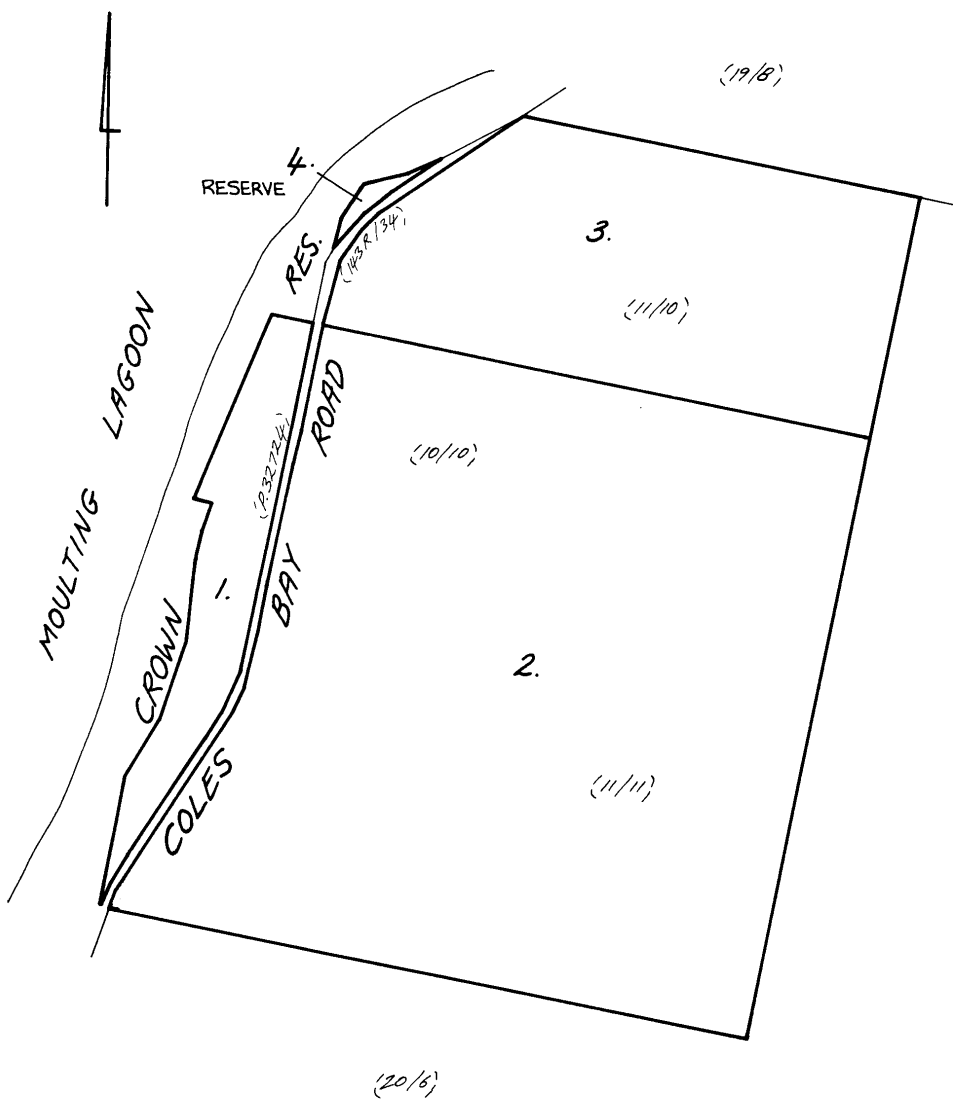
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

OWNER <i>ARSLAWN PTY LTD</i>		PLAN OF SURVEY		REGISTERED NUMBER
FOLIO REFERENCE <i>CT 38435-1</i>		BY SURVEYOR <i>A.S. HAMILTON OF BIGHENO</i>		SP125767
PARTS OF GRANTEE <i>LOTS 21983 (209° 3' 28") 21401 (112° 1' 37") 21982 (525° 21")</i> <i>GTD TO GEORGE COLIN CAMPBELL</i>		LOCATION LAND DISTRICT GLAMORGAN PARISH MEREDITH		APPROVED EFFECTIVE FROM <i>1.0 JUN. 1997..</i> <i>Michael Dine</i> Recorder of Titles
SCALE 1:10,000 LENGTHS IN METRES				
MAPSHEET MUNICIPAL CODE No. <i>16 112 (6034)</i>	LAST UPI No. <i>1601372, 1601373 1601374</i>	LAST PLAN No. <i>2 38435</i>	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

INDEX PLAN **EARLY ISSUE.**

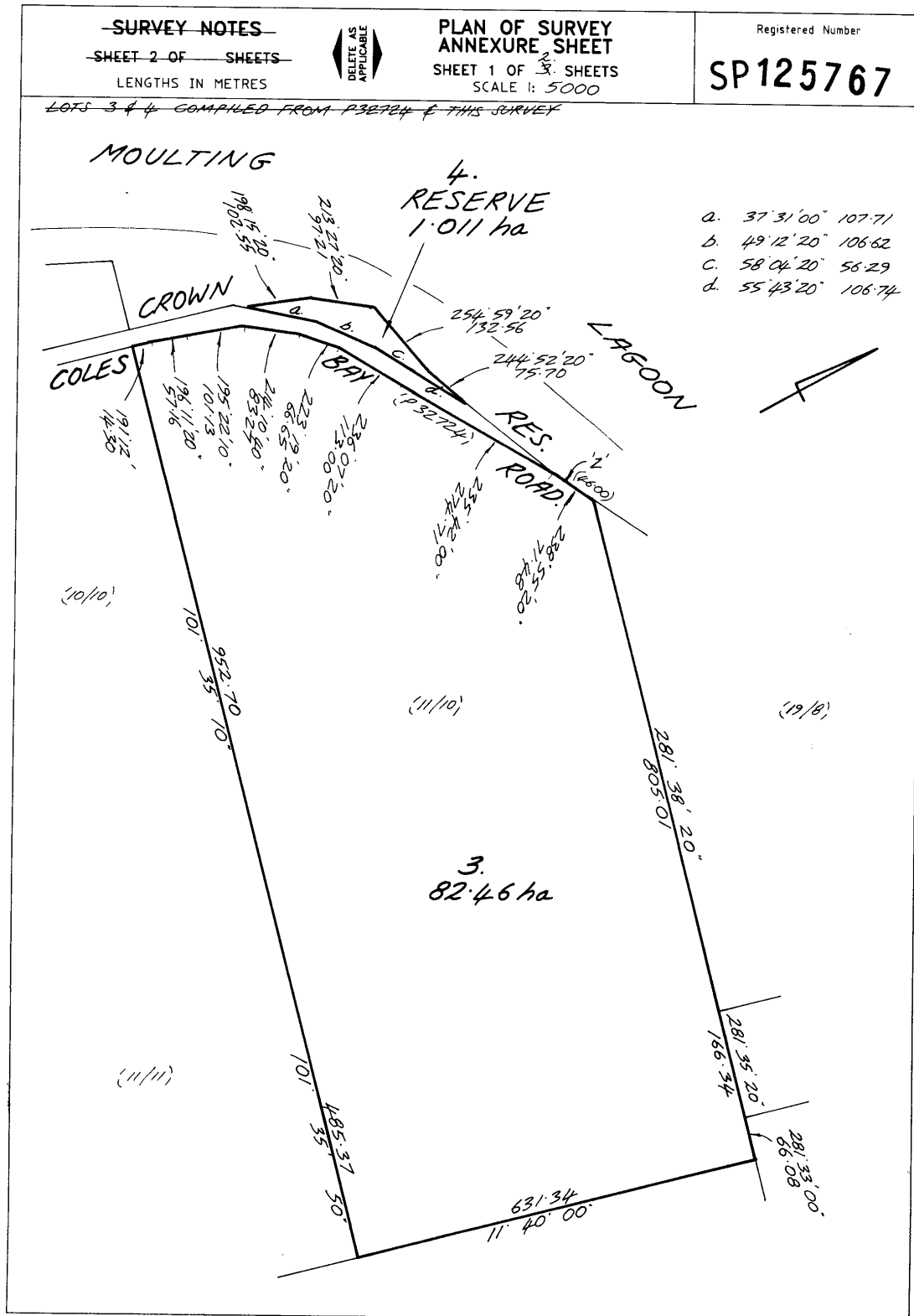


A-148

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

PLAN OF SURVEY ANNEXURE SHEET SHEET 2 OF 2 SHEETS	OWNER <i>APILAWN PTY LTD.</i> FOLIO REFERENCE <i>C.T. 38435-1</i> SCALE 1: 7500 LENGTHS IN METRES	Registered Number SP125767
	SIGNED FOR IDENTIFICATION PURPOSES Council General Manager _____ Registered Surveyor <i>[Signature]</i> date <i>22-6-96</i>	

LOT 1 COMPILED FROM ~~P 32724 & THIS SURVEY~~
 LOT 2 COMPILED FROM ~~P 32724, 11444 & THIS SURVEY.~~ C. 193° 15' 00" 113.08
 F. 204° 09' 00" 106.18
 S. 212° 44' 00" 111.08
 J. 213° 53' 50" 348.63
 L. 210° 47' 00" 39.16
 H. 198° 35' 00" 36.19

MOULTING LAGOON
 CROWN
 21.20 ha
 234.4 ha
 1577.36
 1577.39

C.896258 REQUEST TO AMEND SPI25767
 LETTER 'Y' DELETED PURSUANT
 TO SECTION 103 LOCAL
 GOVT (B & MP) ACT 1993
Alice Kawa
 Recorder of Titles DATE 13 MAR 2009

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

<p>SCHEDULE OF EASEMENTS</p> <p>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>	<p>Registered Number</p> <p>SP125767</p>
---	---

PAGE 1 OF 2 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

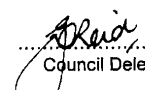
- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

COVENANT

- (1) The owner of lot 1 on the plan hereby covenants with the Vendor, Apslawn Pty Ltd, and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run with and bind lot 1 and that the benefits thereof shall be annexed to and devolved with each and every part of every other lot to observe the following covenant and stipulation:-
 - (a) Not to access lot 1 on the plan except from the point marked "X" on the plan and being a width of six metres to the south west.
- ~~(2) The owner of lot 2 on the plan hereby covenants with the Vendor, Apslawn Pty Ltd, and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run with and bind lot 2 and that the benefits thereof shall be annexed to and devolved with each and every part of every other lot to observe the following covenant and stipulation:-~~
 - ~~(a) Not to access lot 2 on the plan except from the point marked "Y" on the plan and being a width of six metres to the north east.~~
- (3) The owner of lot 3 on the plan hereby covenants with the Vendor, Apslawn Pty Ltd, and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run with and bind lot 3 and that the benefits thereof shall be annexed to and devolved with each and every part of every other lot to observe the following covenant and stipulation:-
 - (a) Not to access lot 3 on the plan except from the point marked "Z" on the plan and being a width of six metres to the north east.

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: Apslawn Pty Ltd (ACN 009 486 195)</p> <p>FOLIO REF: 4542/73</p> <p>SOLICITOR & REFERENCE: Simmons Wolfhagen</p> <p>Per: Kate Ralph</p> <p>3R:961070</p>	<p>PLAN SEALED BY: Glamorgan</p> <p>DATE: 21st March 1997</p> <p>REF NO. </p> <p>Council Delegate</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	

13 / 3 / 2009

Alie Kava
Recorder of Titles

Covenant 2 (a) herein deleted by me pursuant to Request to Amend No. C896258 made under Section 103 of Local Government (Building & Miscellaneous Provisions) Act 1993

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 2 OF 2 PAGE/S</p>	<p align="center">Registered Number</p> <p align="center">SP125767</p>
<p>SUBDIVIDER: Apslawn Pty Ltd (ACN 009 486 195) FOLIO REFERENCE: 4542/73</p>	

FENCING COVENANTS

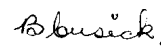
The owners of the lots on the plan hereby covenant with the Vendor, Apslawn Pty Ltd, that the Vendor shall not be required to fence.

INTERPRETATION

In this Schedule "the Vendor" means Apslawn Pty Ltd ACN 009 486 195 c/- J.H. Cusick, "Apslawn", Swansea in Tasmania.

The Common Seal of the Vendor)
APSLAWN PTY LTD ACN 009)
 486 195 as registered proprietor of)
 the land contained in Certificate of)
 Title Volume 38435 Folio 1 was)
 hereunto affixed in the presence of:)





NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 125767	FOLIO 1
EDITION 11	DATE OF ISSUE 10-Nov-2022

SEARCH DATE : 07-May-2023

SEARCH TIME : 12.50 PM

DESCRIPTION OF LAND

Parish of MEREDITH, Land District of GLAMORGAN
 Lot 1 on Sealed Plan 125767
 Derivation : Parts of Lots 21401 (112A-1R-37Ps) & 21982
 (525A-2R-14Ps) Gtd to G C Campbell
 Prior CT 38435/1

SCHEDULE 1

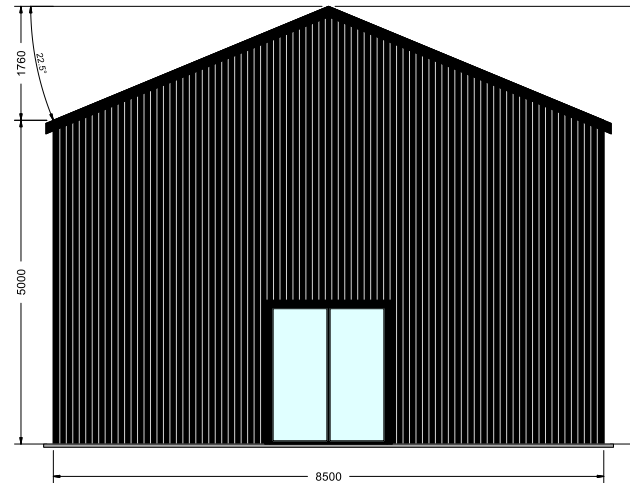
M977735 TRANSFER to ROBERT PAUL ALFELDI and KIM CHERIE
 ALFELDI Registered 10-Nov-2022 at 12.01 PM

SCHEDULE 2

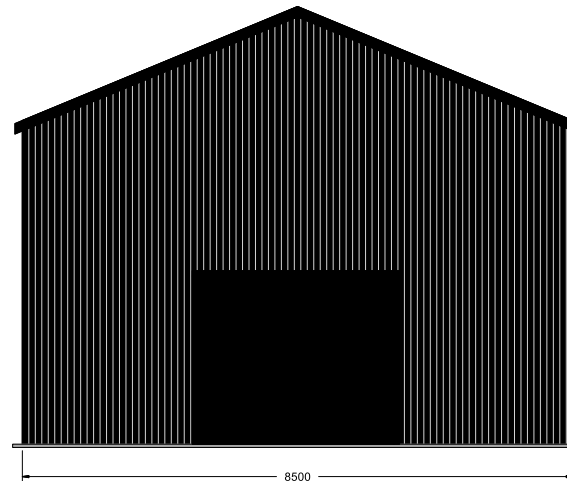
Reservations and conditions in the Crown Grant if any
 SP125767 COVENANTS in Schedule of Easements
 SP125767 FENCING PROVISION in Schedule of Easements
 E324207 MORTGAGE to Bendigo and Adelaide Bank Limited
 Registered 10-Nov-2022 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FRONT ELEVATION



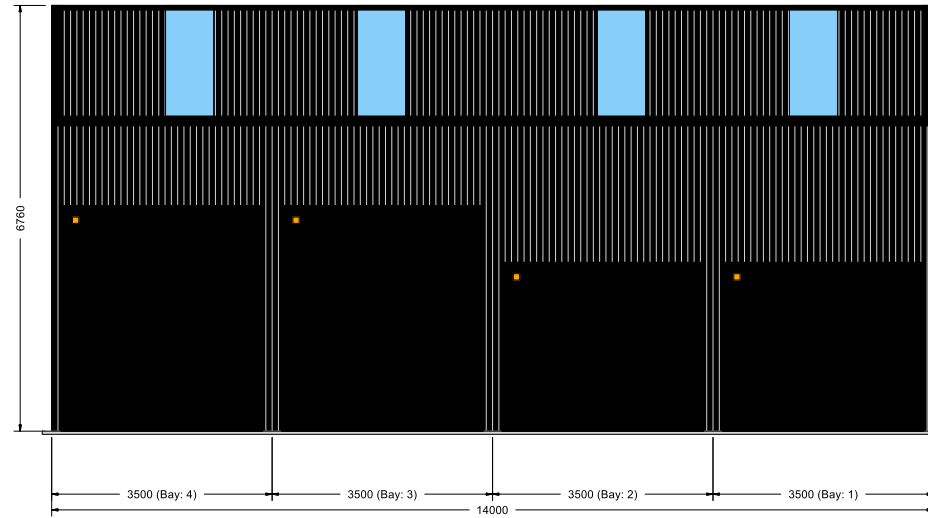
REAR ELEVATION



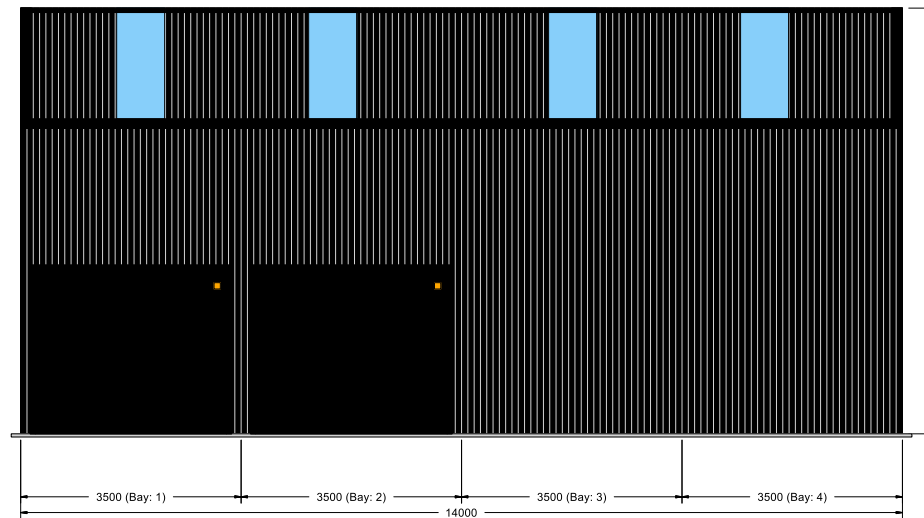
139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au

DRAWING TITLE: End Elevations
SCALE: 1:99.247
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: EE



LEFT ELEVATION

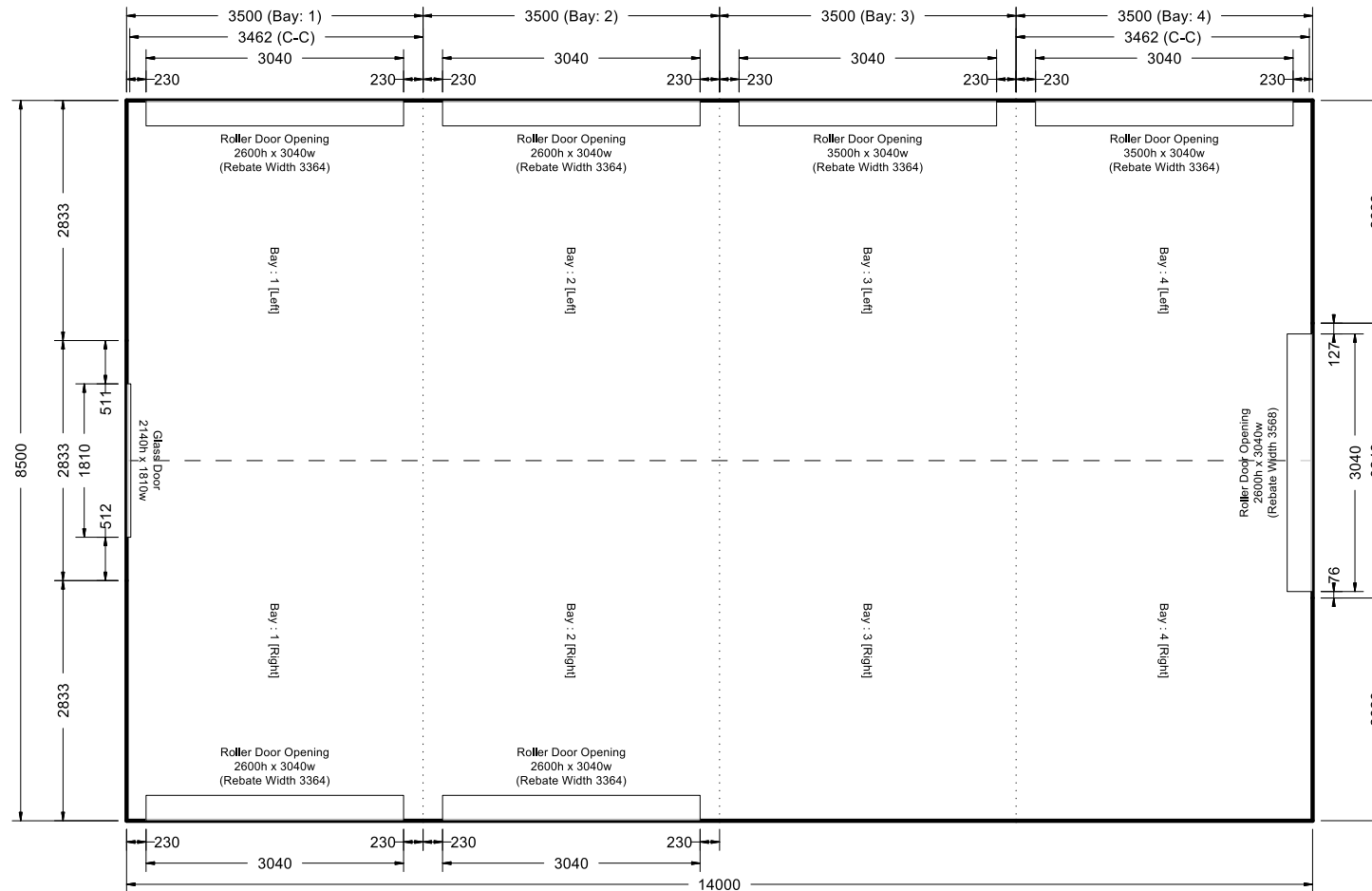


RIGHT ELEVATION



139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au
DRAWING TITLE: Side Elevations
SCALE: 1:102.038
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: SE

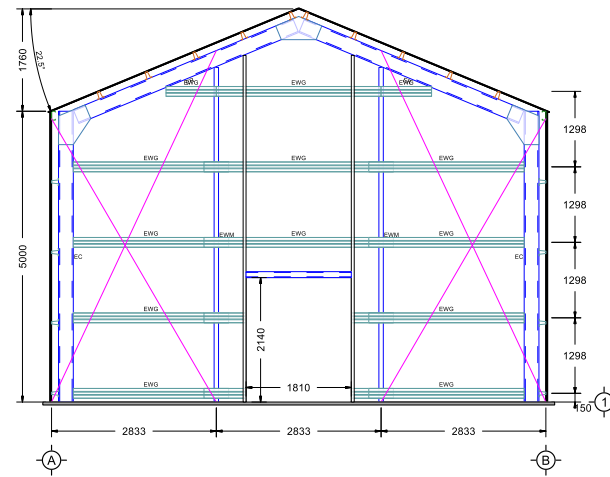


PLAN ELEVATION

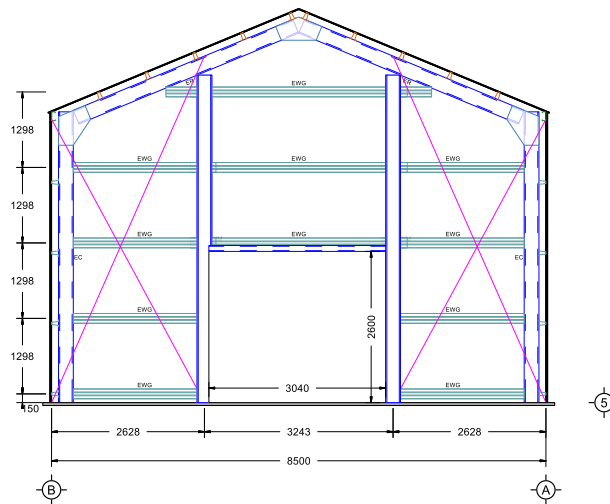


139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au
DRAWING TITLE: Plan Elevation
SCALE: 1:72.030
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: FPE



FRONT ELEVATION



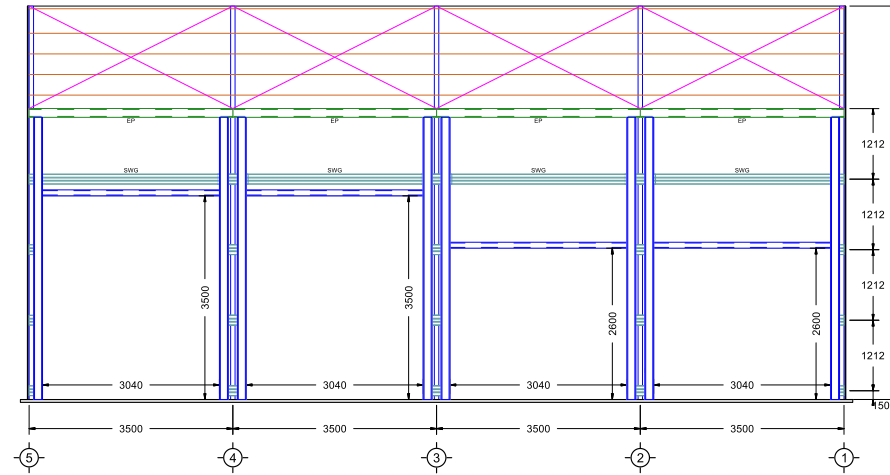
REAR ELEVATION



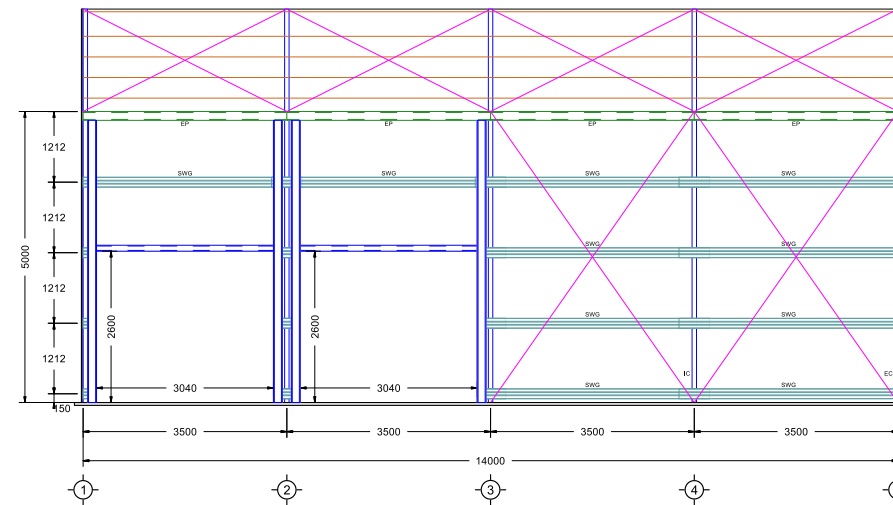
139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au

DRAWING TITLE: End Frame Elevations
SCALE: 1:110.496
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: EFE



LEFT ELEVATION

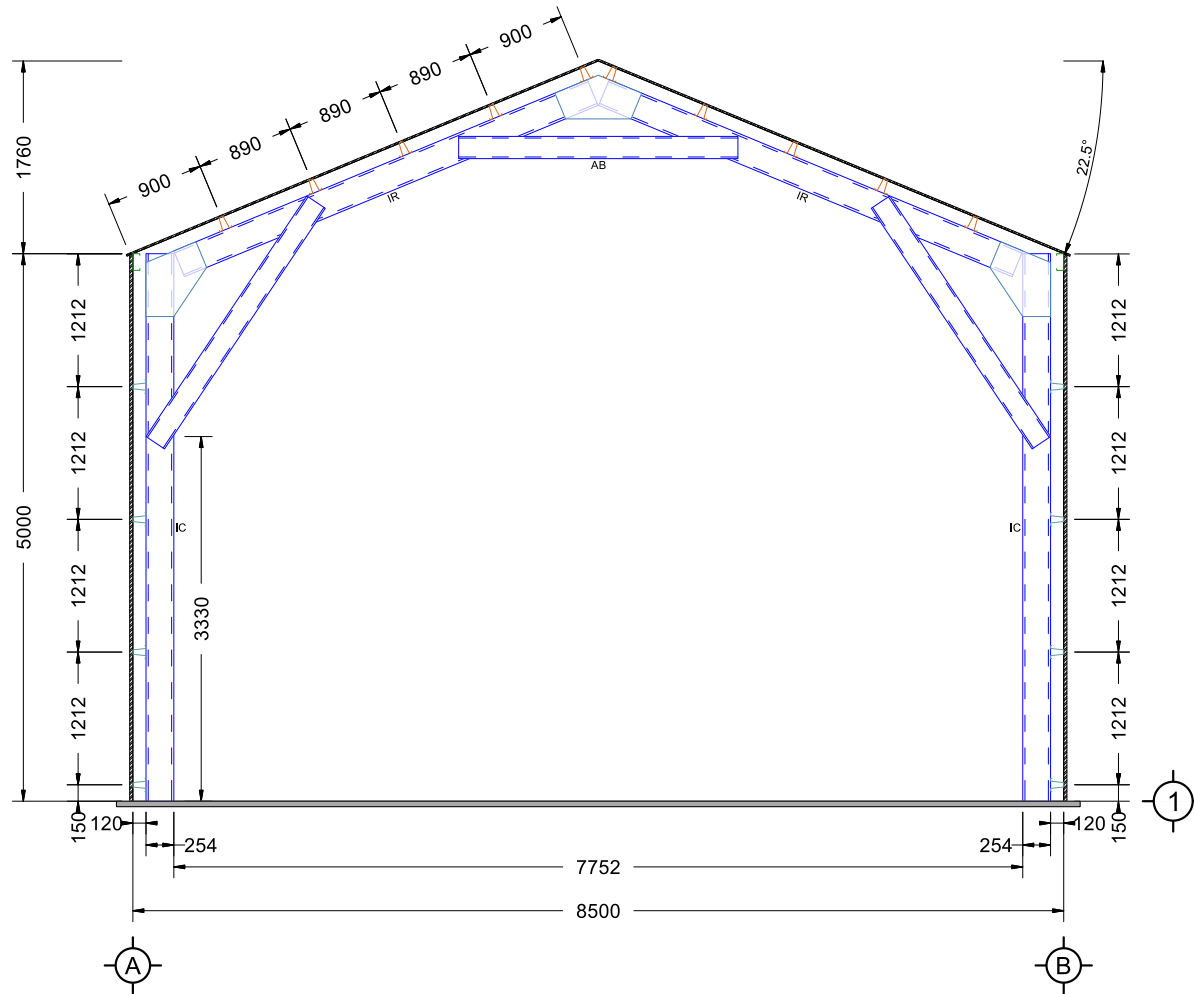


RIGHT ELEVATION



139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au
DRAWING TITLE: Side Frame Elevations
SCALE: 1:110.414
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: SFE

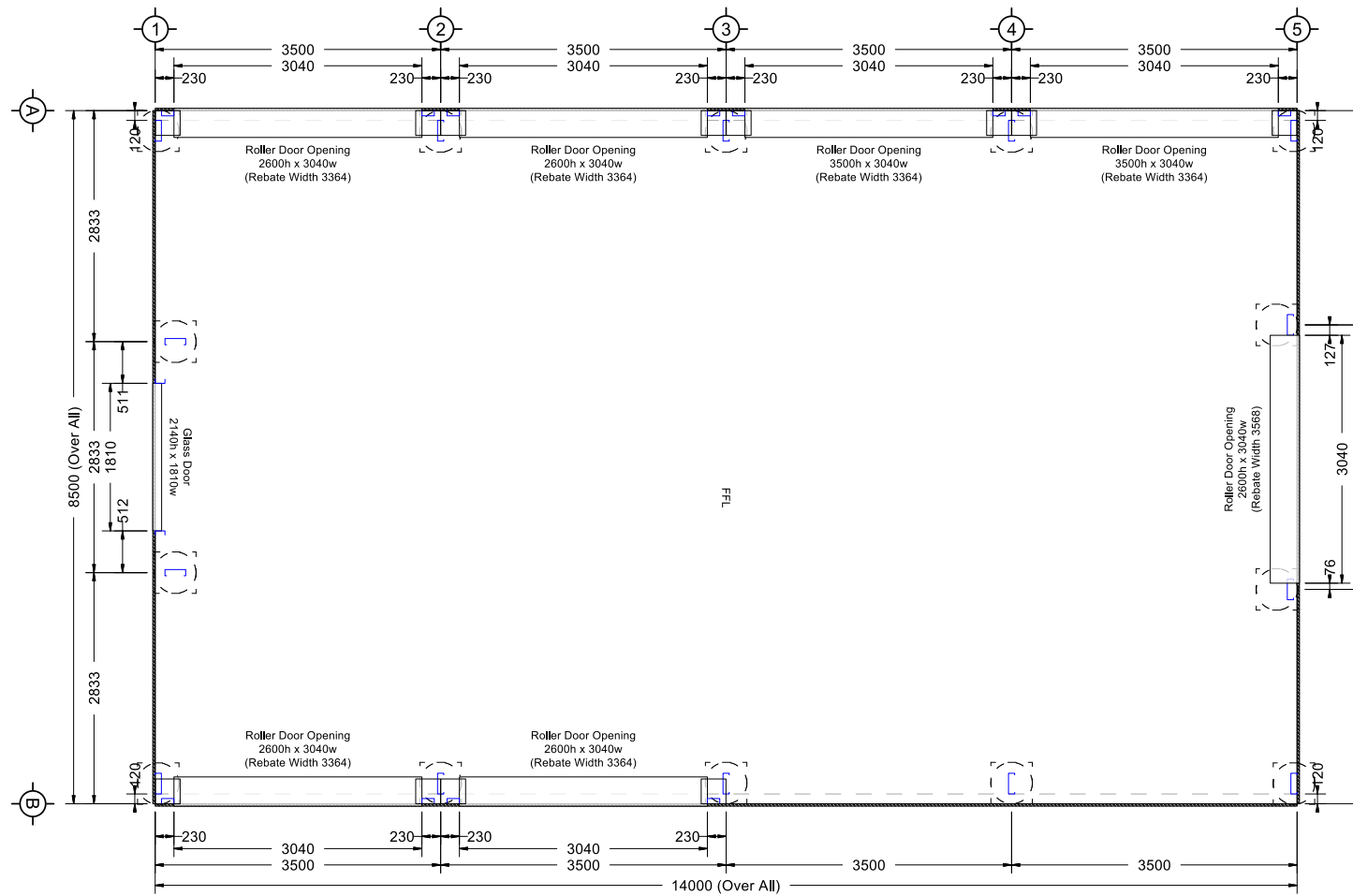


INTERMEDIATE ELEVATION



139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au
DRAWING TITLE: Cross Section
SCALE: 1:58.685
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: CS



FLOOR PLAN



139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Robert Alfeldi
SITE ADDRESS: 1100 Coles Bay Road, COLES BAY, TAS, 7215
PHONE:
EMAIL: robertalfeldi@mcgrath.com.au

DRAWING TITLE: Floor Plan
SCALE: 1:73.777
DATE: 19-10-2022
Job Number: SOR01_9512
Drawing Number: FP

Scott Hill

54 Lewisham Scenic Drive,

Lewisham, TAS, 7173

Phone : 0498 000 892

To the Manager of Glamorgan Spring Bay Council Planning Department,

Re Planning Ref: DA2023 / 055

I refer to the above planning reference number regarding the proposed development at 1100 Coloes Bay Road, Coles Bay.

- The development is within the Scenic protection Corridor and require an assessment against the provisions of C8.6.2 please see below

C8.6.2 Development within a scenic road corridor		
Acceptable solutions	Performance criteria	Comment
Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not be visible from the scenic road.		No existing large vegetation to be removed
Buildings or works within a scenic road corridor must not be visible from the scenic road.	Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to: (a) the topography of the site;	<p>a. The topography is flat and even.</p> <p>b. The external finish will be matte Colorbond Night Sky and receding in</p>

	<p>(b) proposed reflectance and colour of external finishes;</p> <p>(c) design and proposed location of the buildings or works;</p> <p>(d) the extent of any cut or fill required;</p> <p>(e) any existing or proposed screening;</p> <p>(f) the impact on views from the road; and</p> <p>(g) the purpose of any management objectives identified in the relevant Local Provisions Schedule.</p>	<p>colour. (windows will be a non-reflective treatment to dissuade birds from colliding).</p> <p>c. The design will be low impact, streamlined etc. landscaping/native plantings to 'soften' the appearance at the front. (as per attached landscaping plan)</p> <p>d. No cut or fill required (or minimal)</p> <p>e. As above, landscaping will be used sympathetically.</p> <p>f. Setbacks will reduce visual impact.</p> <p>g. There is no LPS for this land.</p> <p>The design, setback and finishes used would reduce visual impact from the road and not cause distraction or interruption to views. The use of landscaping (scattered plantings) soften the visual line of the building and assist with the blending of the landscape. Existing roadside vegetation helps to maintain the existing views and landscape.</p>
--	---	--

- The amended plans had shown a caretakers cottage but this will in fact be the temporary accommodation for the owners while the development is being built. Once the development has been completed this building will become a family style cabin for people with children or multiple guests as well as storage for linen and other items used within the project.
- The application form is attached with amended costs shown.
- The development is located within a the Waterway and Coastal Buffer area. An assessment against the provisions of c7.6 of the Natural Asssets Code is required: Please see below

C7.6 Development Standards for Buildings and Works

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective:	That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solutions		Performance Criteria

<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <ol style="list-style-type: none"> 1. be within a building area on a sealed plan approved under this planning scheme; 2. in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or 3. if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ol style="list-style-type: none"> 1. impacts caused by erosion, siltation, sedimentation and runoff; 2. impacts on riparian or littoral vegetation; 3. maintaining natural streambank and streambed condition, where it exists; 4. impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; 5. the need to avoid significantly impeding natural flow and drainage; 6. the need to maintain fish passage, where known to exist; 7. the need to avoid land filling of wetlands; 8. the need to group new facilities with existing facilities, where reasonably practical; 9. minimising cut and fill; 10. building design that responds to the particular size, shape, contours or slope of the land; 11. minimising impacts on coastal processes, including sand movement and wave action; 12. minimising the need for future works for the protection of natural assets, infrastructure and property; 13. the environmental best practice guidelines in the 	<p>All water is captured in rainwater storage tanks for on site use.</p> <p>Minimal vegetation disturbed within the site</p> <p>Minimal disturbance to natural streambank</p> <p>n/a</p> <p>No impacts occurring</p> <p>No impacts occurring</p> <p>No impacts occurring</p> <p>No impacts occurring</p> <p>N/a</p> <p>Minimal Cut and fill as site is flat</p> <p>Buildings are elevated where possible N/A</p>
--	--	--

If there is any further information required please contact myself on the above number or the owner,
Mr Robert Afeldi on the attached application form.

Thank you for your assistance.

Kind Regards

Scott Hill

PROPOSED
RESIDENCE, CABINS AND CELLAR DOOR
1100 COLES BAY ROAD
COLES BAY

DRAWING INDEX

A01 COVER SHEET	A019 FLOOR PLANS CABINS	A033 CAFE FLOOR PLAN
A02 SITE PLAN	A020 CABIN ELEVATIONS	A034 CAFE ELEVATIONS
A03 FLOOR PLAN RESIDENCE	A024 CABIN DRAINAGE PLAN	A035 CAFE ELEVATIONS
A04 ELEVATIONS		A038 CAFE DRAINAGE AND CARPARK PLAN
A05 ELEVATIONS		A047 CAFE ACCESS TOILET DETAILS
A08 MAIN RESIDENCE AND FAMILY CABIN DRAINAGE PLAN		A050 FAMILY CABIN & STORAGE BUILDING
A09 LANDSCAPING PLAN		A051 FAMILY CABIN & STORAGE BUILDING ELAVATIONS
		A052 FAMILY CABIN & STORAGE BUILDING ELEVATIONS

LAND TITLE REFERENCE	: 125676/1
REGION	: A
TERRAIN CATEGORY	: 1
WIND CLASSIFICATION	: N3
SHIELDING CLASSIFICATION	: NS
SOIL CLASSIFICATION	:AS PER HED CONSULTING SOIL REPORT

CLIMATE ZONE	: 7
BAL LEVEL	: 12
FLOOR AREA : RESIDENCE	: 244.46m2
FLOOR AREA : ALFRESCO	: 23.54m2
FLOOR AREA : DECK	: 66.7m2
FLOOR AREA : PORTICO	: 6.93m2
FLOOR AREA : CAFE	: 375m2
FLOOR AREA : CAFE ALFRESCO	: 125m2
FLOOR AREA : CABINS	: 43.23m2
FLOOR AREA : CABIN DECK	: 12.55m2
FLOOR AREA : FAMILY CABIN & STORAGE BUILDING	: 140.95m2
FLOOR AREA : FAMILY CABIN & STORAGE BUILDING DECK	: 26.17m2

ALL WORK SHALL BE IN ACCORDANCE & COMPLY WITH THE BUILDING CODE OF AUSTRALIA, COUNCIL BY-LAWS, RELEVANT AUSTRALIAN STANDARDS AND CURRENT WORKPLACE STANDARDS CODES OF PRACTICE

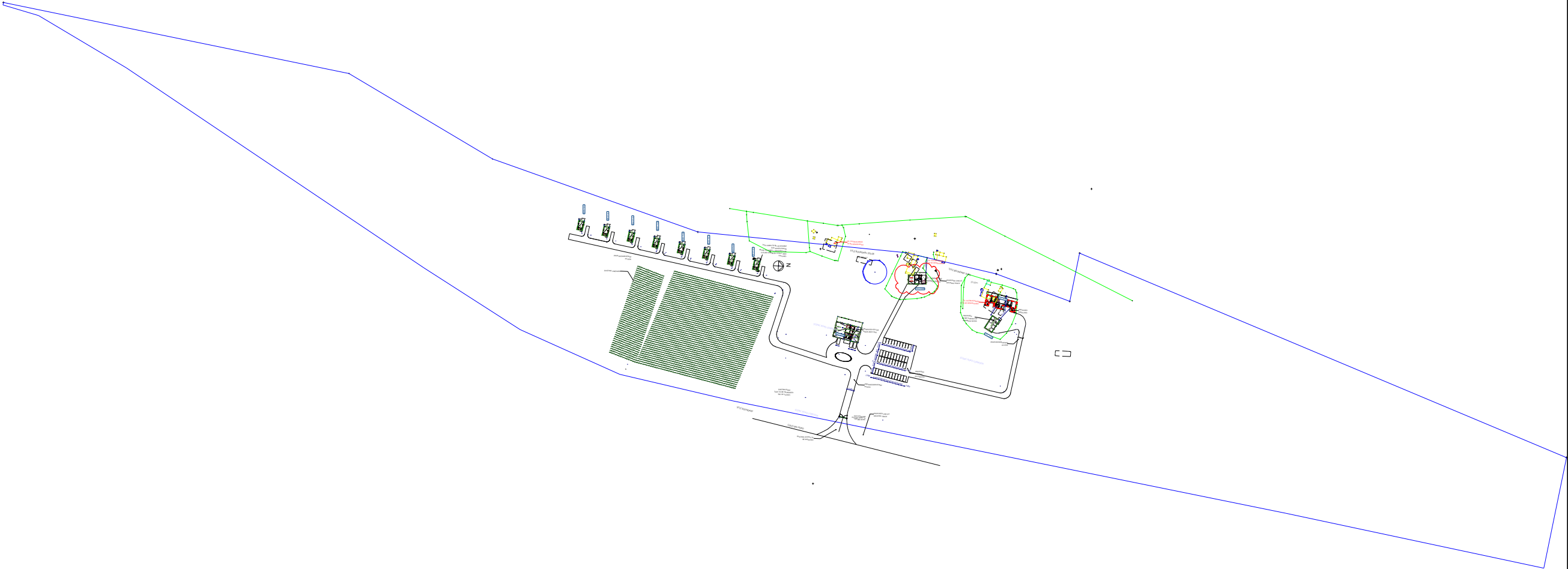
DRAWING:		DESIGNER SH	DRAWN SH
B	ISSUED FOR DA WITH FAMILY CABIN ADDED		30/05/23
A	ISSUED FOR DA		05/03/23
REV.	DESCRIPTION	DATE	
CLIENT:			
ROBERT & KIM ALFELDI			
SITE ADDRESS			
1100 COLES BAY ROAD, COLES BAY, 7215			
Date:	Project #	Scale:	Sheet #
29/10/2022	221001		A01

NOTES & LEGEND

SOIL AND WATER MANAGEMENT STRATEGIES

DOWNPIPES TO BE CONNECTED INTO COUNCIL
RAINWATER STORAGE TANKS AS SOON AS ROOF
IS INSTALLED

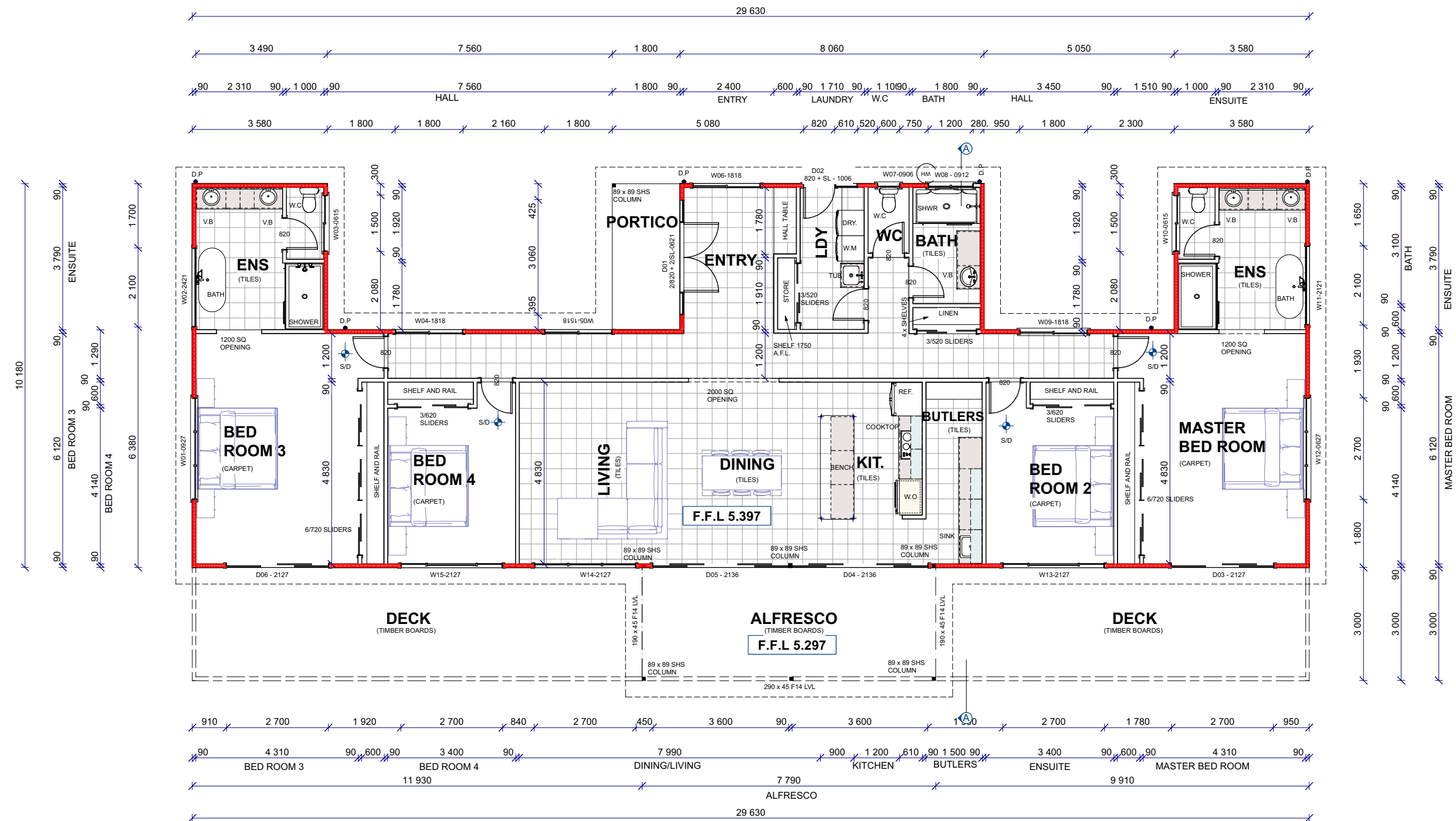
INSTALL AG DRAIN TO CUT AREA PRIOR TO
FOOTING EXCAVATION.



LOCATION PLAN
1:5000

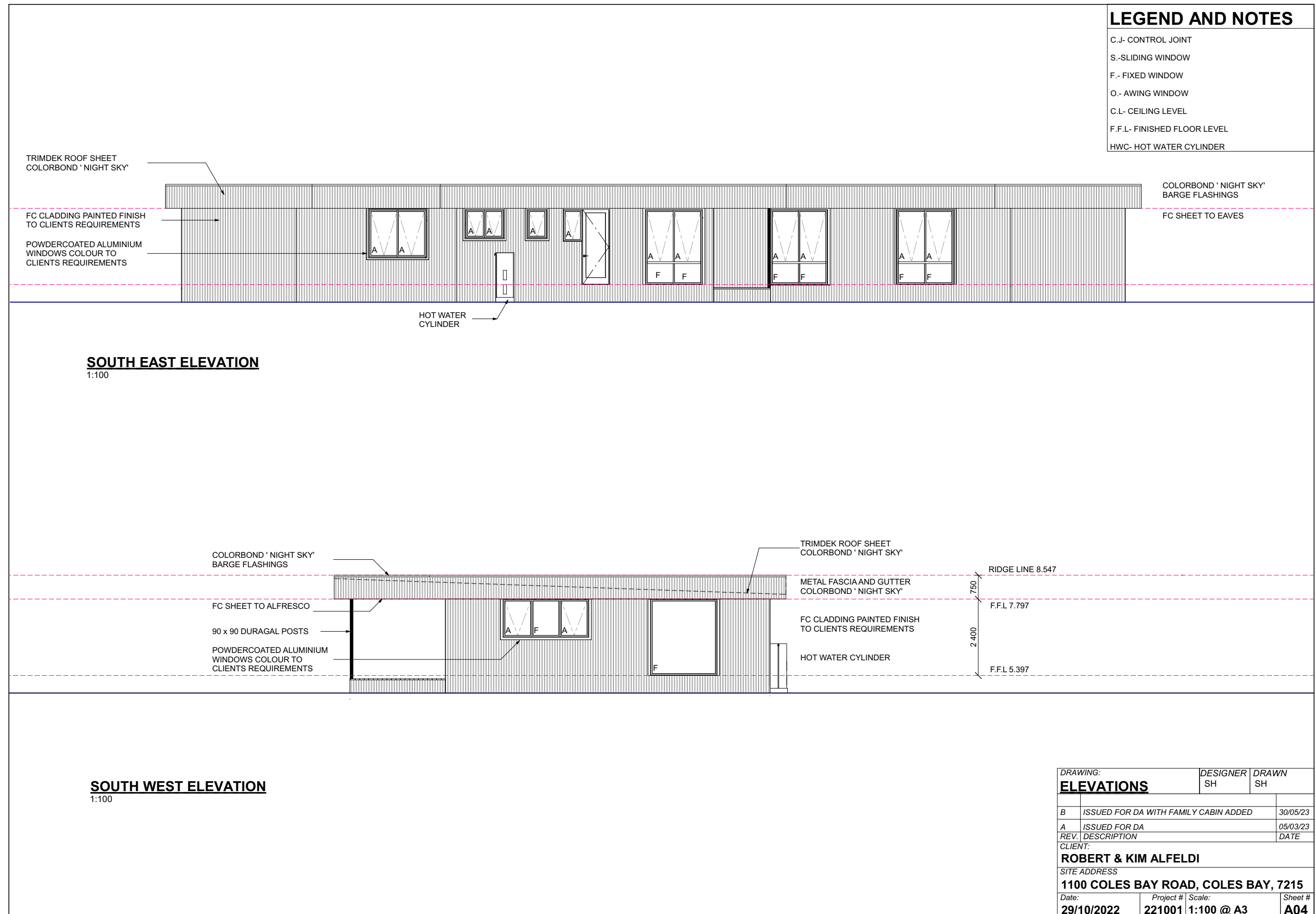
ALL SETOUTS AND SETBACKS TO
BE CONFIRMED BY SURVEYOR
BEFORE COMMENCING ANY
WORKS

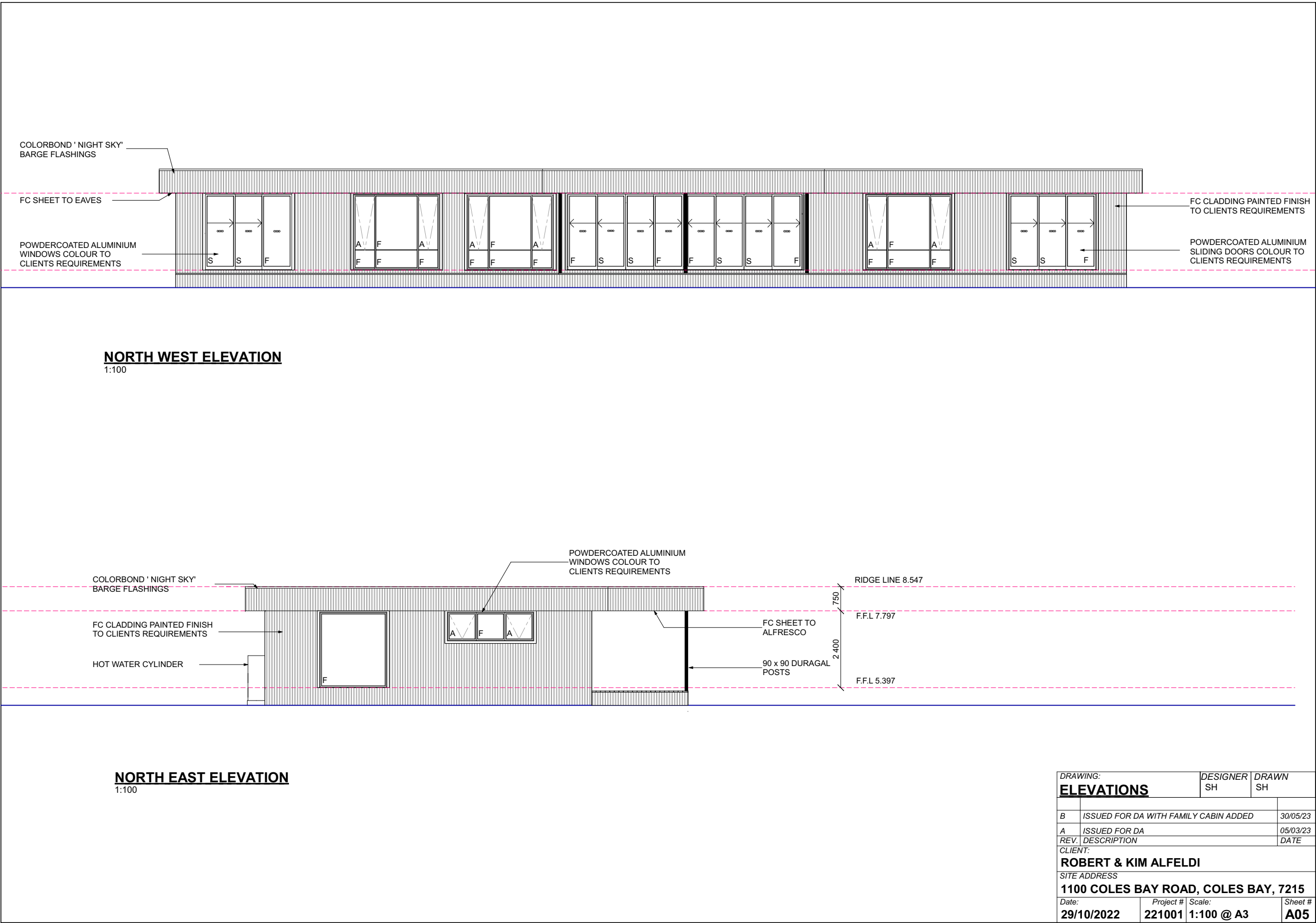
DRAWING:		DESIGNER	DRAWN
<u>LOCATION PLAN</u>		SH	SH
B	ISSUED FOR DA WITH FAMILY CABIN ADDED		30/05/23
A	ISSUED FOR DA		05/03/23
REV.	DESCRIPTION	DATE	
CLIENT:			
ROBERT & KIM ALFELDI			
SITE ADDRESS			
1100 COLES BAY ROAD, COLES BAY, 7215			
Date:	Project #	Scale:	Sheet #
29/10/2022	221001	1:5000 @ A3	A02

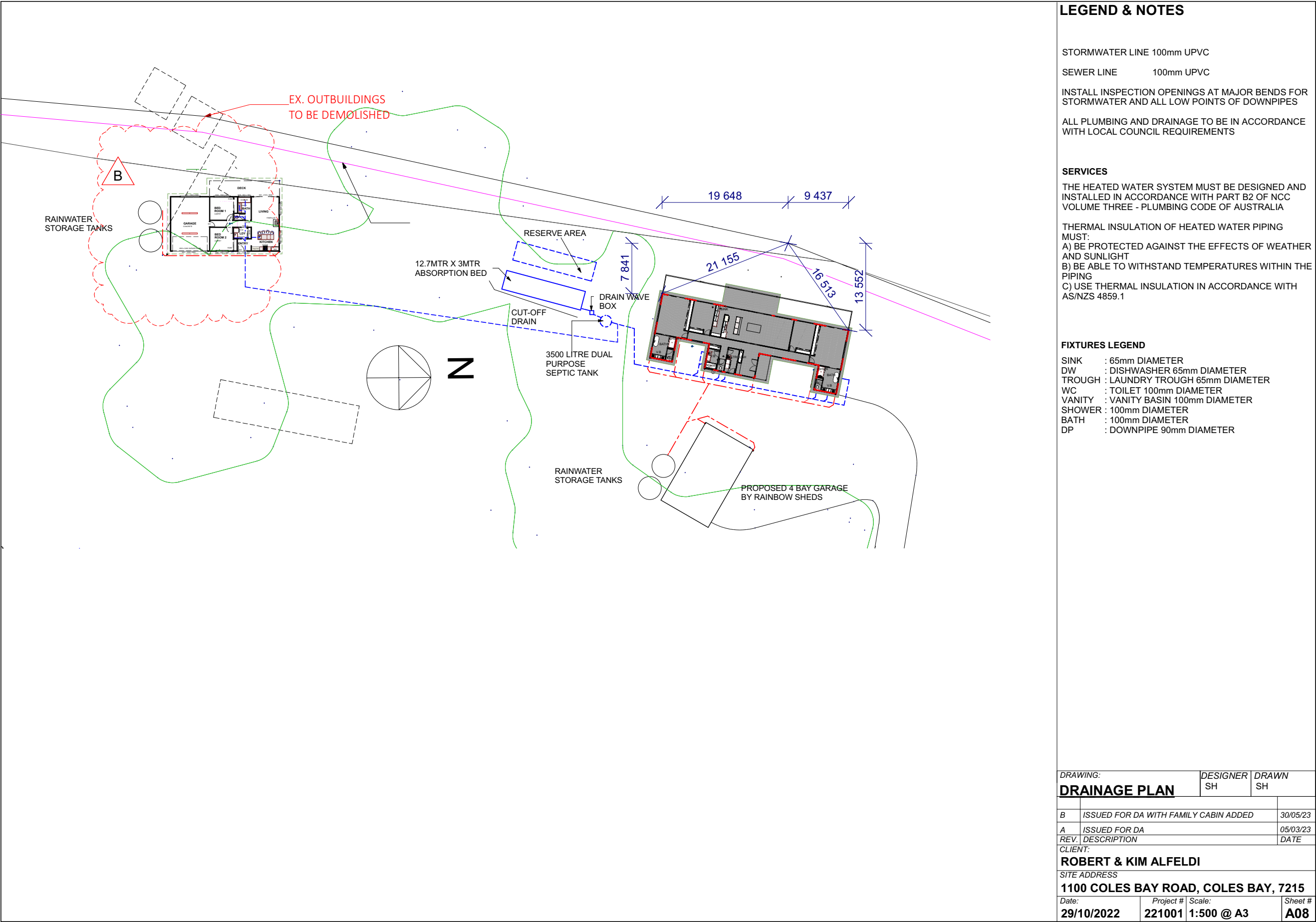


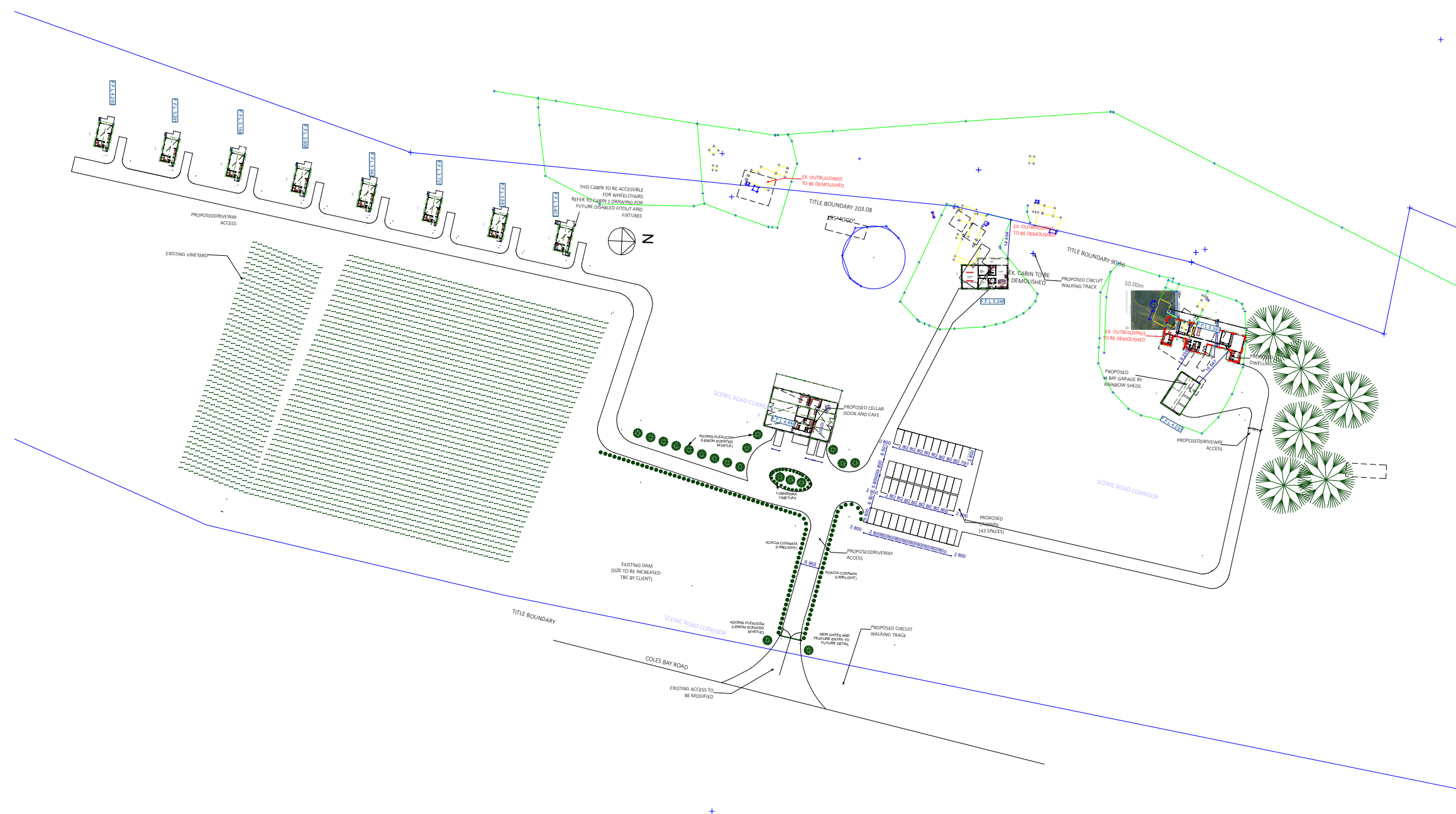
FLOOR PLAN
1:100

DRAWING: FLOOR PLAN		DESIGNER SH	DRAWN SH
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A	ISSUED FOR DA		05/03/23
REV.	DESCRIPTION	DATE	
CLIENT: ROBERT & KIM ALFELDI			
SITE ADDRESS 1100 COLES BAY ROAD, COLES BAY, 7215			
Date: 29/10/2022	Project # 221001	Scale: 1:100 @ A3	Sheet # A03





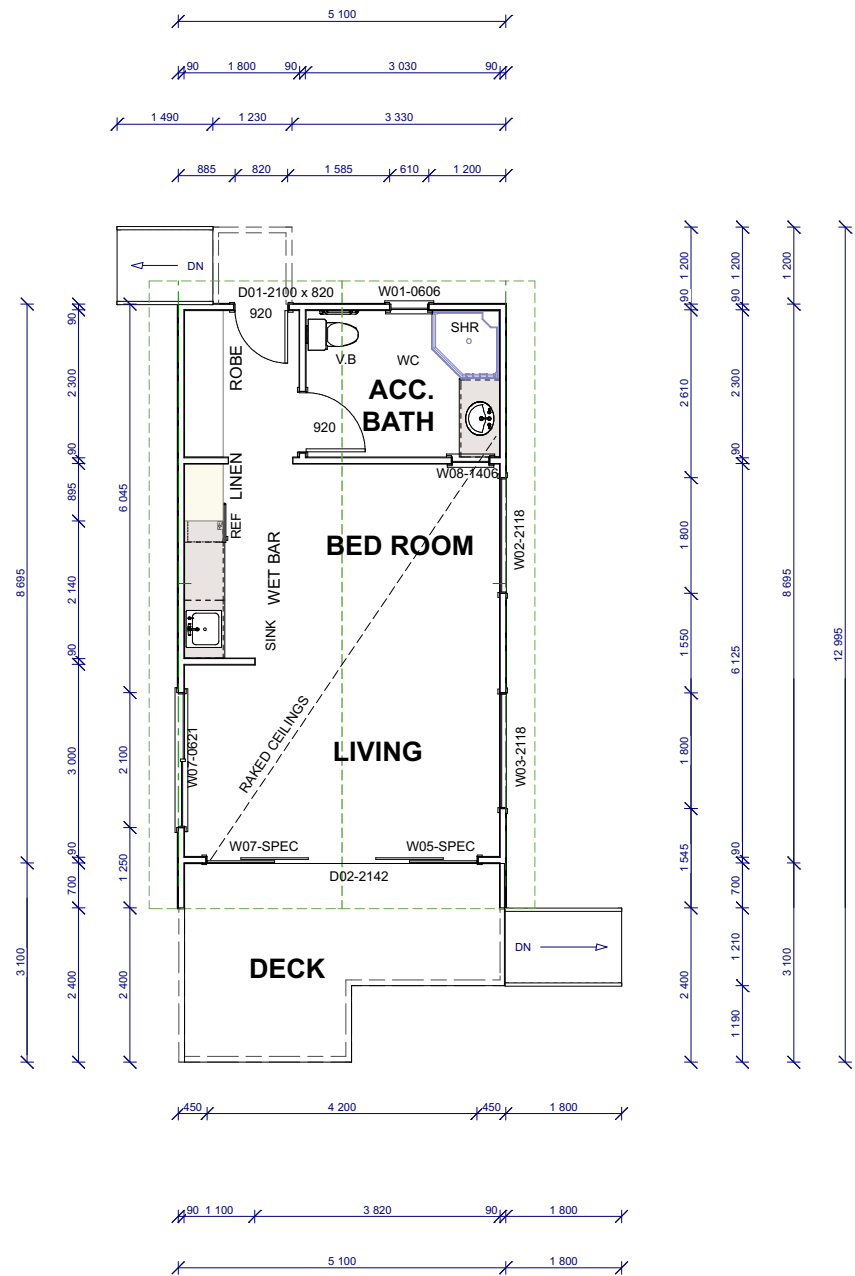
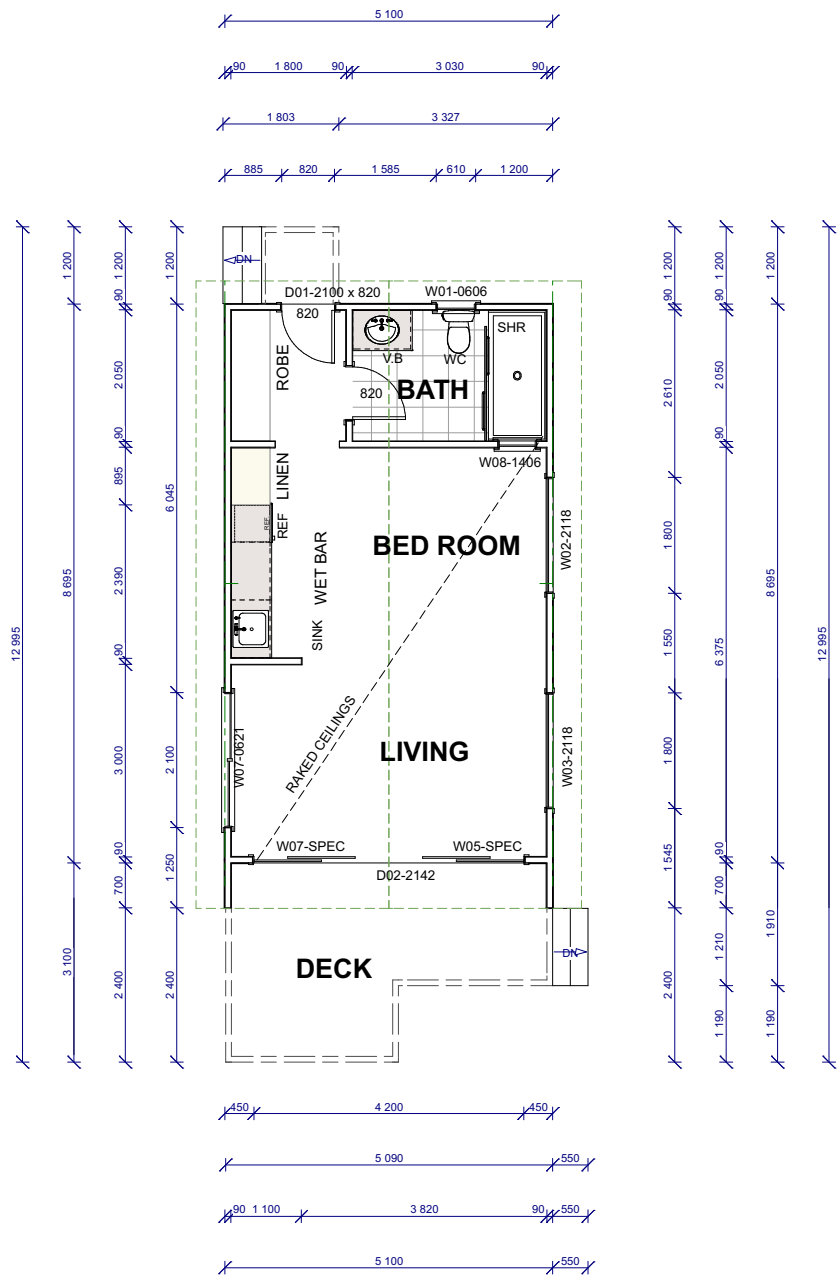




LANDSCAPING PLAN

1:1500

DRAWING:		DESIGNER	DRAWN
LANDSCAPING PLAN		SH	SH
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A	ISSUED FOR DA		05/03/22
REV.	DESCRIPTION		DATE
CLIENT:			
ROBERT & KIM ALFELDI			
SITE ADDRESS			
1100 COLES BAY ROAD, COLES BAY, 7215			
Date:	Project #	Scale:	Sheet
29/10/2022	221001	1:1500 @ A3	A09



DRAWING:		DESIGNER SH	DRAWN SH
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A	ISSUED FOR DA		05/03/23
REV.	DESCRIPTION	DATE	
CLIENT:			
ROBERT & KIM ALFELDI			
SITE ADDRESS			
1100 COLES BAY ROAD, COLES BAY, 7215			
Date:	Project #	Scale:	Sheet #
29/10/2022	221001	1:100 @ A3	A019

CABIN FLOOR LEVELS RIDGE HEIGHTS

CABIN 1 - 3.403	5.803	7.723
CABIN 2 - 3.581	5.981	7.901
CABIN 3 - 3.737	6.137	8.057
CABIN 4 - 3.542	5.942	7.862
CABIN 5 - 2.858	4.858	6.778
CABIN 6 - 3.154	5.554	7.474
CABIN 7 - 3.291	5.691	7.611
CABIN 8 - 4.293	6.693	8.613

COLORBOND METAL FASCIA
AND GUTTER TO CLIENTS
REQUIREMENTS

TIMBER DECK AND STAIRS TO
FUTURE DETAIL

NORTH ELEVATION
1:100

CUSTOM ORB ROOF SHEET
COLORBOND FINISH TO
CLIENTS REQUIREMENTS

FC CLADDING PAINTED FINISH
TO CLIENTS REQUIREMENTS

TIMBER LANDING AND STAIRS
TO FUTURE DETAIL

POWDERCOATED ALUMINIUM
WINDOWS COLOUR TO
CLIENTS REQUIREMENTS

COLORBOND 'NIGHT SKY'
BARGE FLASHINGS

FC CLADDING PAINTED FINISH
TO CLIENTS REQUIREMENTS

WEST ELEVATION
1:100

COLORBOND 'NIGHT SKY'
METAL FASCIA AND GUTTER

FEATURE TIMBER PANELLING
TO GABLE END

F.F.L (REFER TO NOTES)

SPECIAL SITE MEASURED
ALUMINIUM WINDOWS
COLOUR TO CLIENTS
REQUIREMENTS

POWDERCOATED ALUMINIUM
SLIDING DOORS COLOUR TO
CLIENTS REQUIREMENTS

COLORBOND METAL FASCIA
AND GUTTER TO CLIENTS
REQUIREMENTS

TIMBER LANDING AND STAIRS
TO FUTURE DETAIL

EAST ELEVATION
1:100

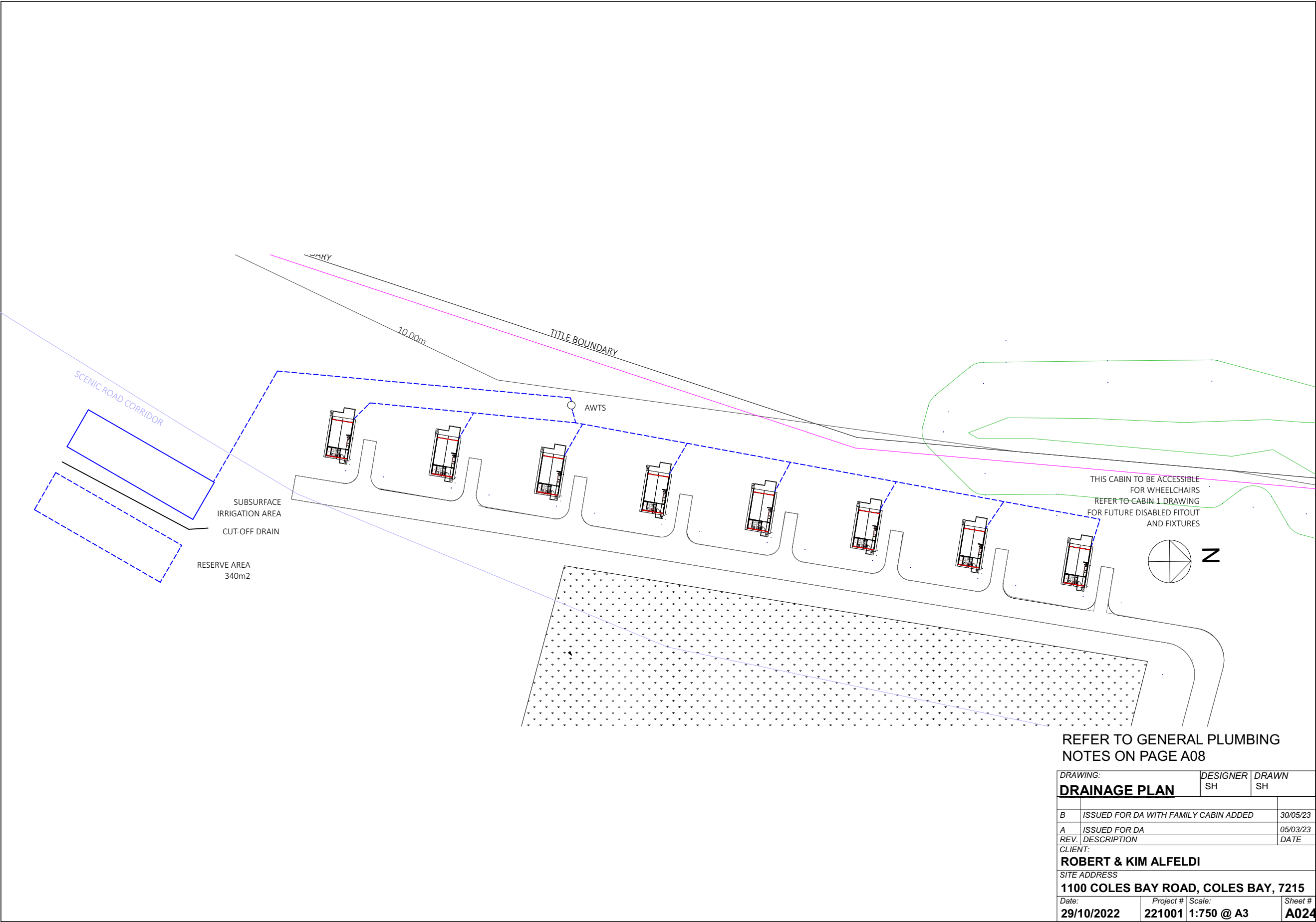
CUSTOM ORB ROOF SHEET
COLORBOND FINISH TO
CLIENTS REQUIREMENTS

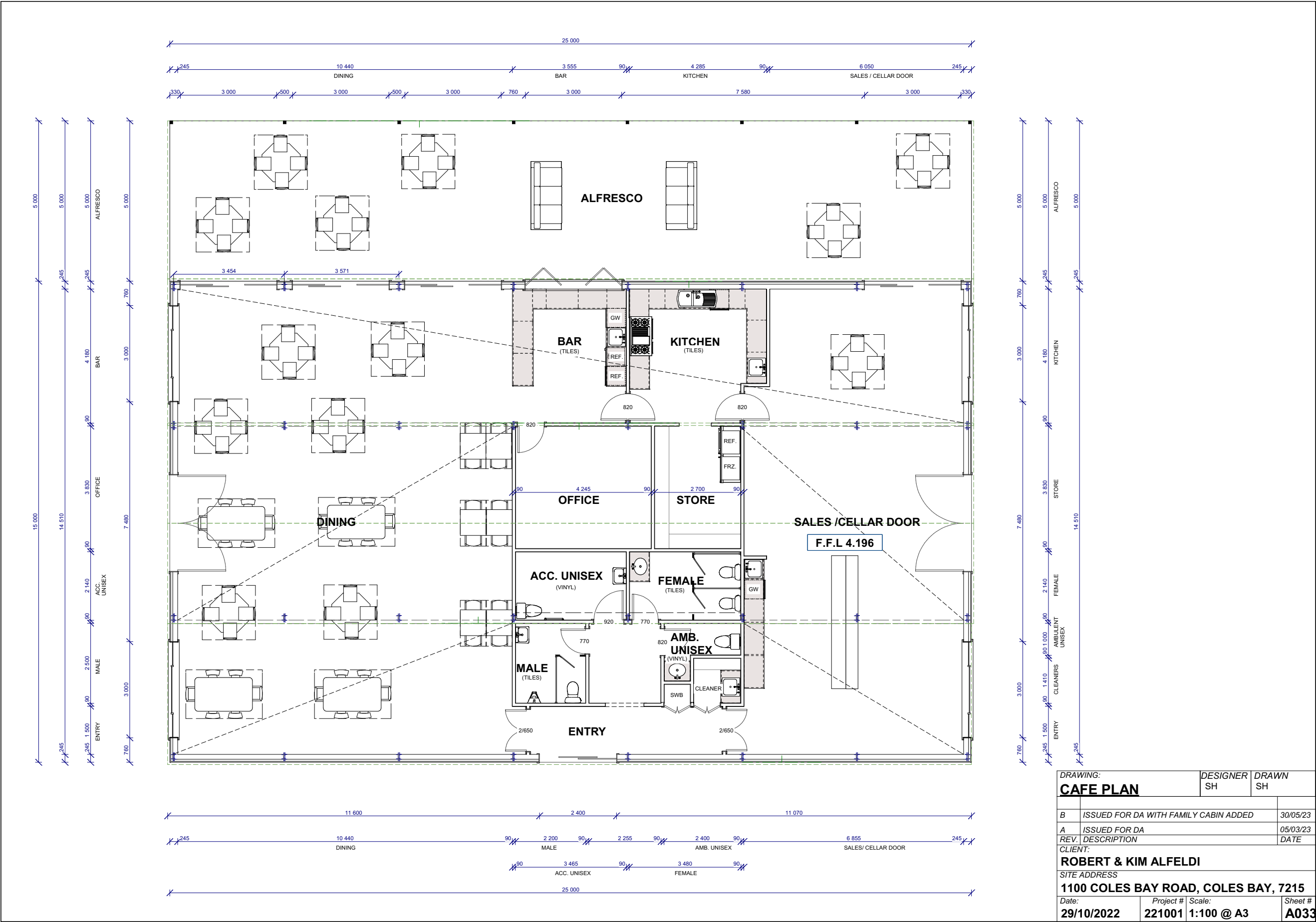
FC CLADDING PAINTED FINISH
TO CLIENTS REQUIREMENTS

TIMBER DECK AND STAIRS TO
FUTURE DETAIL

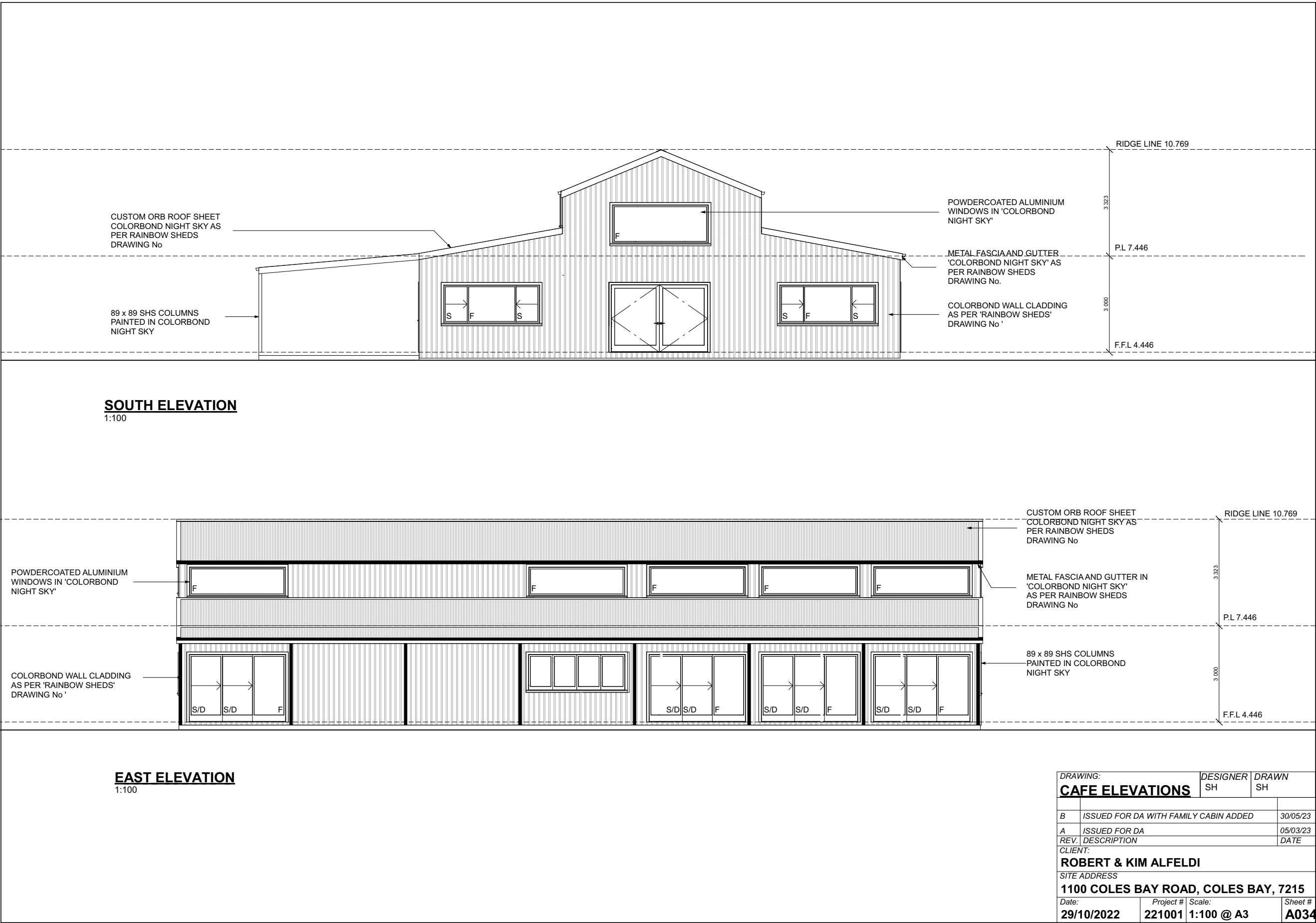
SOUTH ELEVATION
1:100

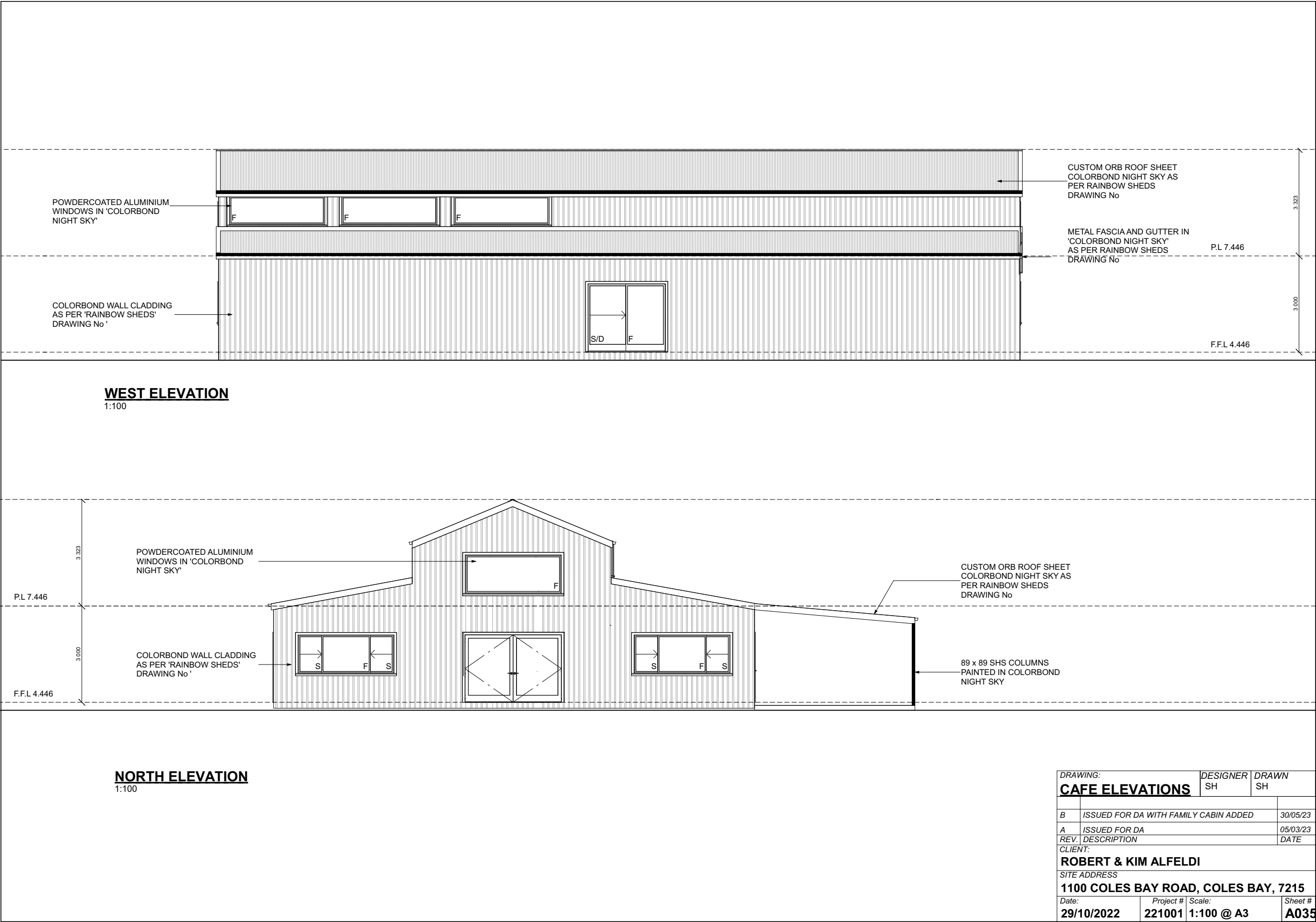
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ROBERT & KIM ALFELDI			
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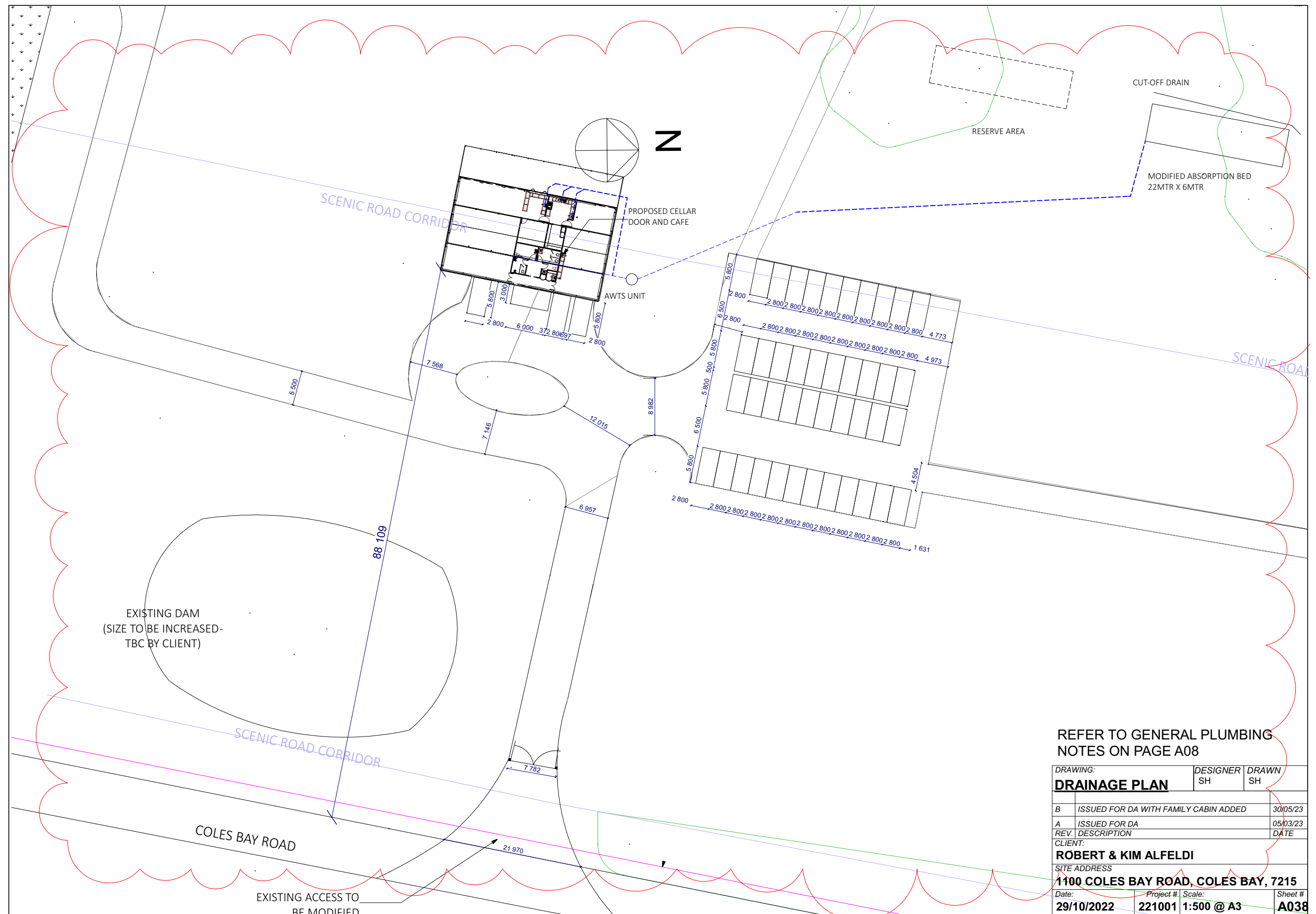


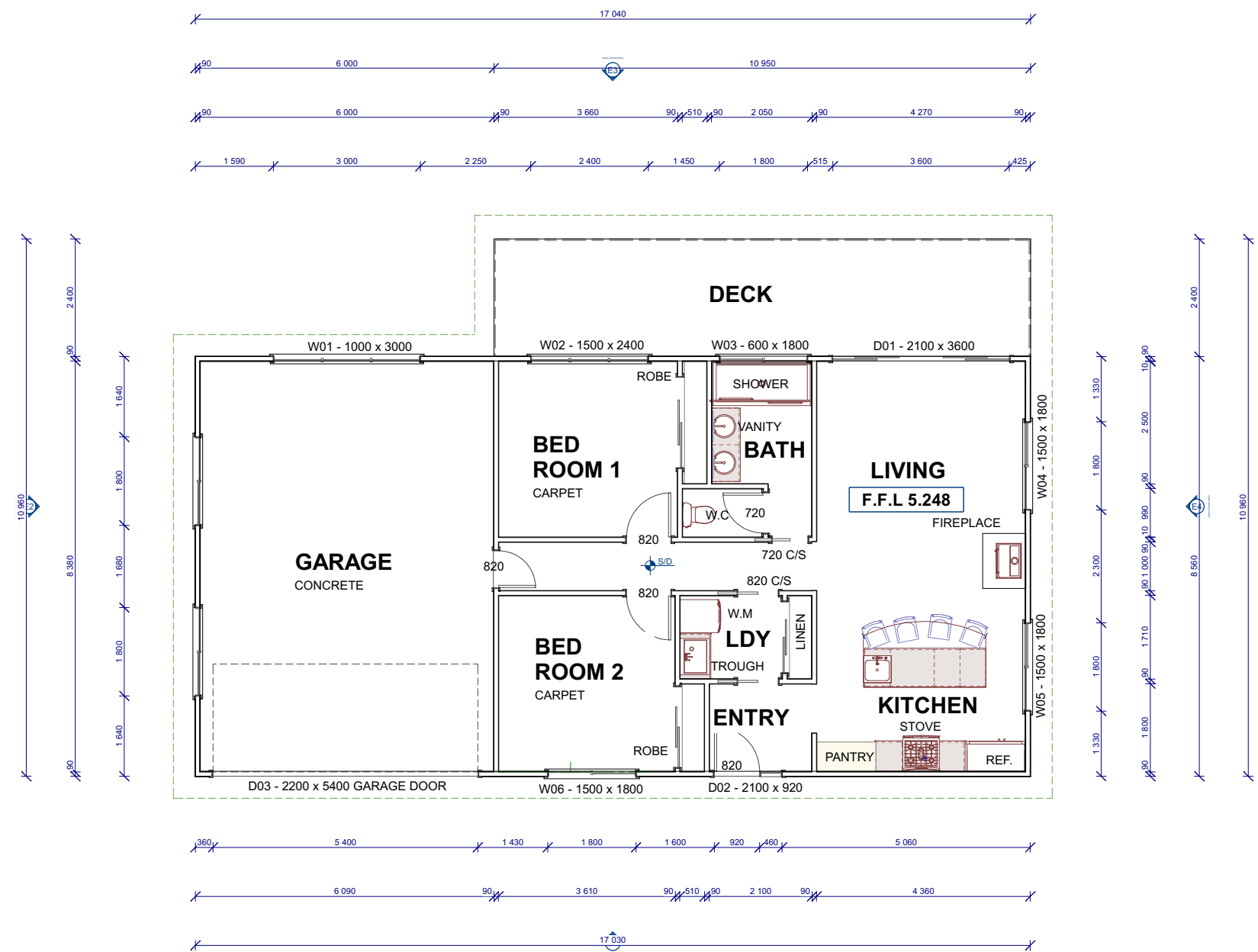


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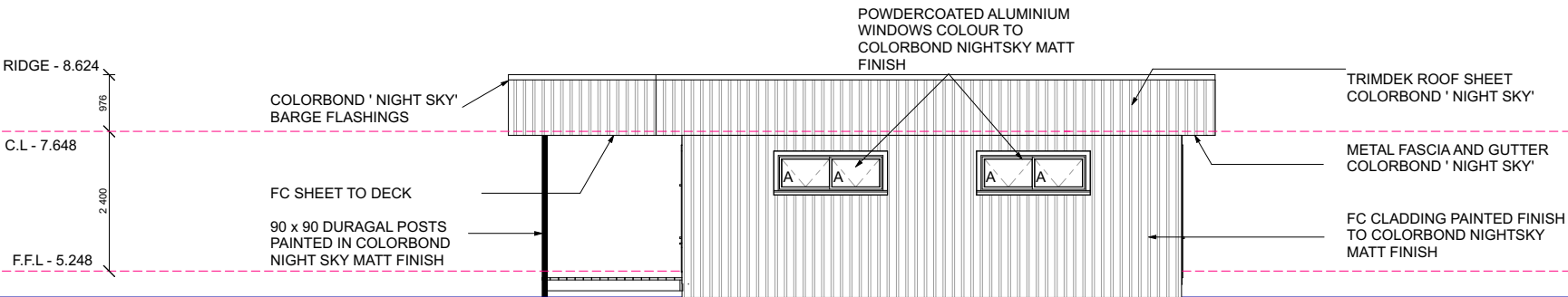




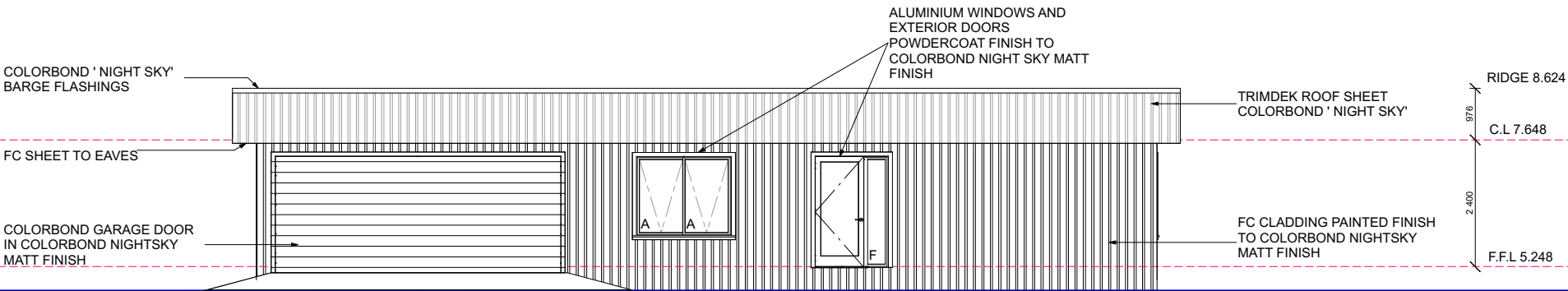
FAMILY CABIN AND STORAGE FLOOR PLAN

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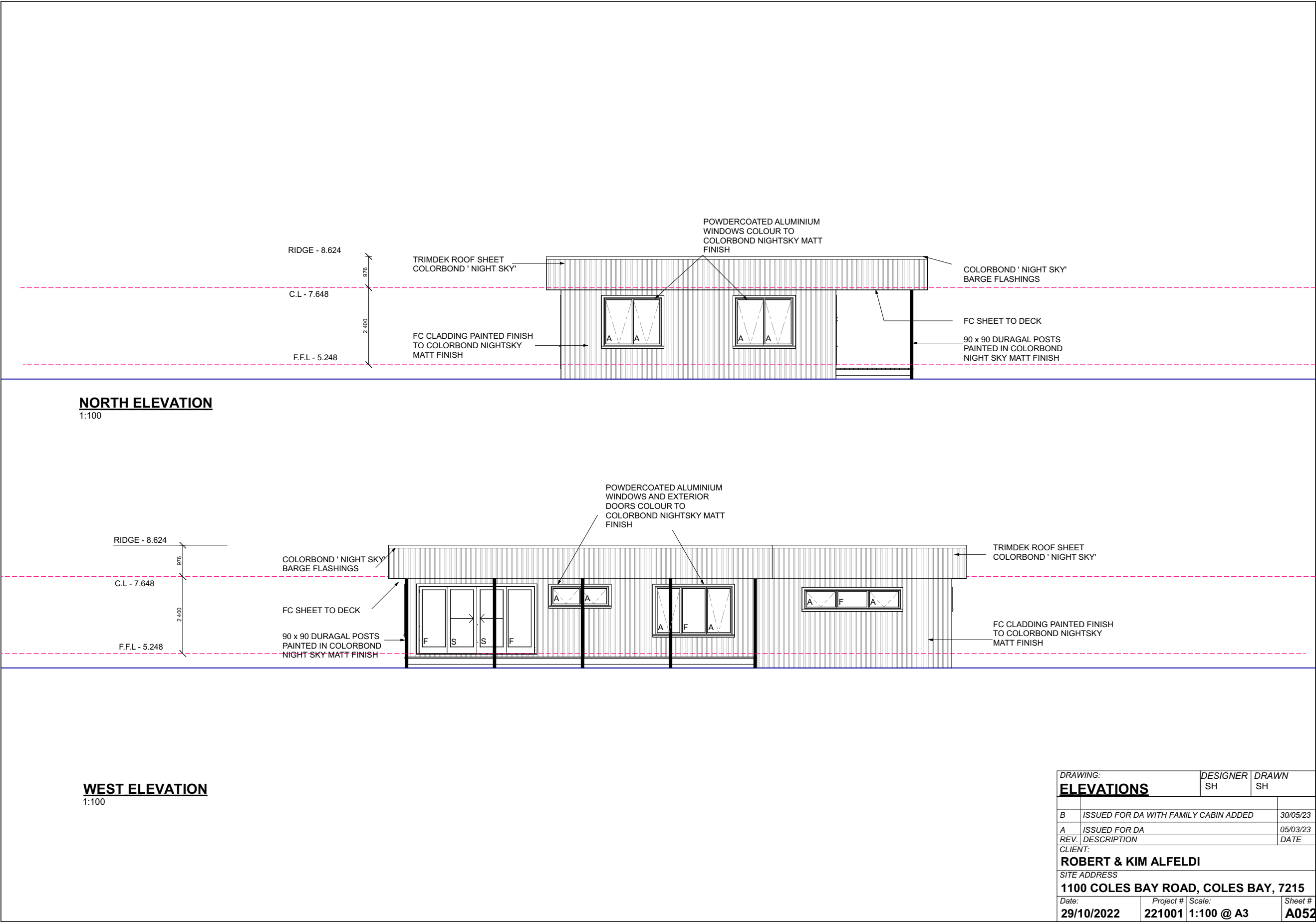


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A	ISSUED FOR DA		05/03/23
REV.	DESCRIPTION	DATE	
CLIENT: ROBERT & KIM ALFELDI			
SITE ADDRESS 1100 COLES BAY ROAD, COLES BAY, 7215			
Date: 29/10/2022	Project # 221001	Scale: 1:100 @ A3	Sheet # A051



Department of State Growth

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
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Email permits@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Ref: SRA-23-319



Robert Alfeldi
Wineglass Bay Estate
By email: ra@wineglassbayestate.com.au

Dear Robert

Crown Landowner Consent Granted – 1100 Coles Bay Road, Coles Bay

I refer to your recent request for Crown landowner consent relating to the development application at 1100 Coles Bay Road, Coles Bay for construction of accommodation cabins, café, cellar door, residence, and outbuildings.

I, Fiona McLeod, Director Asset Management, the Department of State Growth, having been duly delegated by the Minister under section 52 (1F) of the *Land Use Planning and Approvals Act 1993* (the Act), and in accordance with the provisions of section 52 (1B) (b) of the Act, hereby give my consent to the making of the application, insofar as it affects the State road network and any Crown land under the jurisdiction of this Department.

The consent given by this letter is for the making of the application only insofar as that it impacts Department of State Growth administered Crown land and is with reference to your application dated 9 May 2023, and the approved documents, as accessible via the link below:

<https://files.stategrowth.tas.gov.au/index.php/s/LDo4lZheXEKRATS>

A copy of the Instrument of Delegation from the Minister authorising the delegate to sign under section 52 of the Act can also be accessed via the above link.

Please access and download these documents for your records as soon as possible as this link will expire six months from the date of this letter.

In giving consent to lodge the subject development application, the Department notes the following applicable advice:

Access – construction or alteration (Access works permit required)

In giving consent to lodge the subject development application, the Department notes that the proposed access to the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways or contact permits@stategrowth.tas.gov.au.

On sealed State roads all new accesses must be sealed from the road to the property boundary as a minimum.

4 Salamanca Place Hobart - GPO Box 536 HOBART TAS 7001

- 2 -

Pursuant to Section 16 of the *Roads and Jetties Act 1935*, where a vehicle access has been constructed from land to a State highway or subsidiary road, the owner of that land is responsible for the maintenance and repair of the whole of the vehicular access.

Other types of works (pipeline, etc.) OR Construction of infrastructure in the road reserve/on Crown land (Works permit required)

In giving consent to lodge the subject development application, the Department notes that the works in the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings or contact permits@stategrowth.tas.gov.au.

The Department reserves the right to make a representation to the relevant Council in relation to any aspect of the proposed development relating to its road network and/or property.

Yours sincerely



Fiona McLeod

DIRECTOR ASSET MANAGEMENT

Delegate of

Minister for Infrastructure and Transport

Michael Ferguson MP

7 June 2023

cc: General Manager, Glamorgan Spring Bay Council



**WINEGLASS BAY ESTATE
1100 COLES BAY TOURIST ROAD,
COLES BAY
TRAFFIC IMPACT ASSESSMENT
JUNE 2023**



Traffic Impact Assessment



**Wineglass Bay Estate
1100 Coles Bay Tourist Road
Coles Bay Road**

TRAFFIC IMPACT ASSESSMENT

- Final
- June 2023

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Traffic Impact Assessment



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Document history and status

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2	28 th April 2023	R Burk	R Burk	28 th April 2023	Draft #2
3	9 th May 2023	R Burk	R Burk	9 th May 2023	Draft #3
4	5 th June 2023	R Burk	R Burk	5 th June 2023	Draft #4
5	30 th June 2023	R Burk	R Burk	30 th June 2023	Final

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Traffic Impact Assessment



1. Introduction

1.1 Background

An expansion of the Wineglass Bay Estate is proposed at 1100 Coles Bay Tourist Road, Coles Bay. This report has been prepared to assess the traffic impact of the proposal.

This TIA has been prepared based on Department of State Growth (DSG) guidelines and responds to Tasmanian Planning Scheme - Glamorgan-Spring Bay – Parking & Sustainable Transport Code C2 Road & Railway Assets Code C3.

1.2 Objectives

A Traffic Impact Assessment is a means for assisting in the planning and design of sustainable development that considers:

- Safety and capacity
- Equity and social justice
- Economic efficiency
- The environment and future development.

This TIA considers the impact of the proposal on projected traffic volumes expected by 2033.

1.3 Scope of Traffic Impact Assessment (TIA)

This TIA considers in detail the impact of the proposal on Coles Bay Tourist Road and proposed access.

1.4 References

- RTA Guide to Traffic Generating Development 2002
- Tasmanian Planning Scheme - Glamorgan-Spring Bay
- Austroads Guide Road Design Part 4A: Unsignalised & Signalised Intersections 2021
- Guide to Traffic Management Part 6: Intersections, Interchanges & Crossings 2020.
- AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking
- LGAT Tasmanian Standard Drawings

Traffic Impact Assessment



1.5 Statement of Qualifications and Experience

This TIA has been prepared by Richard Burk, an experienced and qualified traffic engineer in accordance with the requirements of the Department of State Growth's guidelines and Council's requirements. Richard's experience and qualifications include:

- 36 years professional experience in road and traffic engineering industry
 - Manager Traffic Engineering at the Department of State Growth until May 2017.
 - Previous national committee membership with Austroads Traffic Management Working Group and State Road Authorities Pavement Marking Working Group
- Master of Traffic, Monash University, 2004
- Post Graduate Diploma in Management, Deakin University, 1995
- Bachelor of Civil Engineering, University of Tasmania, 1987

A handwritten signature in blue ink, appearing to read 'R Burk', is positioned above the printed name.

Richard Burk

BE (Civil) M Traffic Dip Man. MIE Aust CPEng

Director Traffic and Civil Services Pty Ltd

Traffic Impact Assessment



1.6 Glossary of Terms

AADT	Annual Average Daily Traffic - The total number of vehicles travelling in both directions passing a point in a year divided by the number of days in a year.
Acceleration Lane	An auxiliary lane used to allow vehicles to increase speed without interfering with the main traffic stream. It is often used on the departure side of intersections.
Access	The driveway by which vehicles and/or pedestrians enter and/or leave the property adjacent to a road.
ADT	Average Daily Traffic – The average 24-hour volume being the total number of vehicles travelling in both directions passing a point in a stated period divided by the stated number of days in that period.
Austrroads	The Association of Australian and New Zealand road transport and traffic authorities and includes the Australian Local Government Association.
Delay	The additional travel time experienced by a vehicle or pedestrian with reference to a base travel time (e.g. the free flow travel time).
DSG	Department of State Growth – The Tasmanian Government Department which manages the State Road Network.
GFA	Gross Floor Area
Intersection Kerb	The place at which two or more roads meet or cross. A raised border of rigid material formed at the edge of a carriageway, pavement or bridge.
km/h	Kilometres per hour
Level of Service	An index of the operational performance of traffic on a given traffic lane, carriageway or road when accommodating various traffic volumes under different combinations of operating conditions. It is usually defined in terms of the convenience of travel and safety performance.
m	Metres
Median	A strip of road, not normally intended for use by traffic, which separates carriageways for traffic in opposite directions. Usually formed by painted lines, kerbed and paved areas grassed areas, etc.
Movement	A stream of vehicles that enters from the same approach and departs from the same exit (i.e. with the same origin and destination).
Phase	The part of a signal cycle during which one or more movements receive right-of-way subject to resolution of any vehicle or pedestrian conflicts by priority rules. A phase is identified by at least one movement gaining right-of-way at the start of it and at least one movement losing right-of-way at the end of it.

Traffic Impact Assessment



Sight Distance	The distance, measured along the road over which visibility occurs between a driver and an object or between two drivers at specific heights above the carriageway in their lane of travel.
Signal Phasing	Sequential arrangement of separately controlled groups of vehicle and pedestrian movements within a signal cycle to allow all vehicle and pedestrian movements to proceed.
SISD	Safe Intersection Sight Distance – The sight distance provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle on a minor road approach moving into a collision situation and to decelerate to a stop before reaching the collision point.
Speed	Distance travelled per unit time.
85th Percentile	The speed at which 85% of car drivers will travel slower and 15% will travel faster. A control method that allows a variable sequence and variable duration of signal displays depending on vehicle and pedestrian traffic demands.
Traffic-actuated Control	A control method that allows a variable sequence and variable duration of signal displays depending on vehicle and pedestrian traffic demands.
Traffic Growth Factor	A factor used to estimate the percentage annual increase in traffic volume.
Trip	A one-way vehicular movement from one point to another excluding the return journey. Therefore, a vehicle entering and leaving a land use is counted as two trips. (RTA Guide to Traffic generating Developments).
Turning Movement	The number of vehicles observed to make a particular turning movement (left or right turn, or through movement) at an intersection over a specified period.
Turning Movement Count	A traffic count at an intersection during which all turning movements are recorded.
Vehicle Actuated Traffic Signals	Traffic signals in which the phasing varies in accordance with the detected presence of vehicles on the signal approaches.
vpd	vehicles per day – The number of vehicles travelling in both directions passing a point during a day from midnight to midnight.
vph	vehicles per hour – The number of vehicles travelling in both directions passing a point during an hour.

1.7 Site Specific Glossary of Terms

GSB	Glamorgan Spring Bay
SSA	Safe System Assessment
WBE	Wineglass Bay Estate

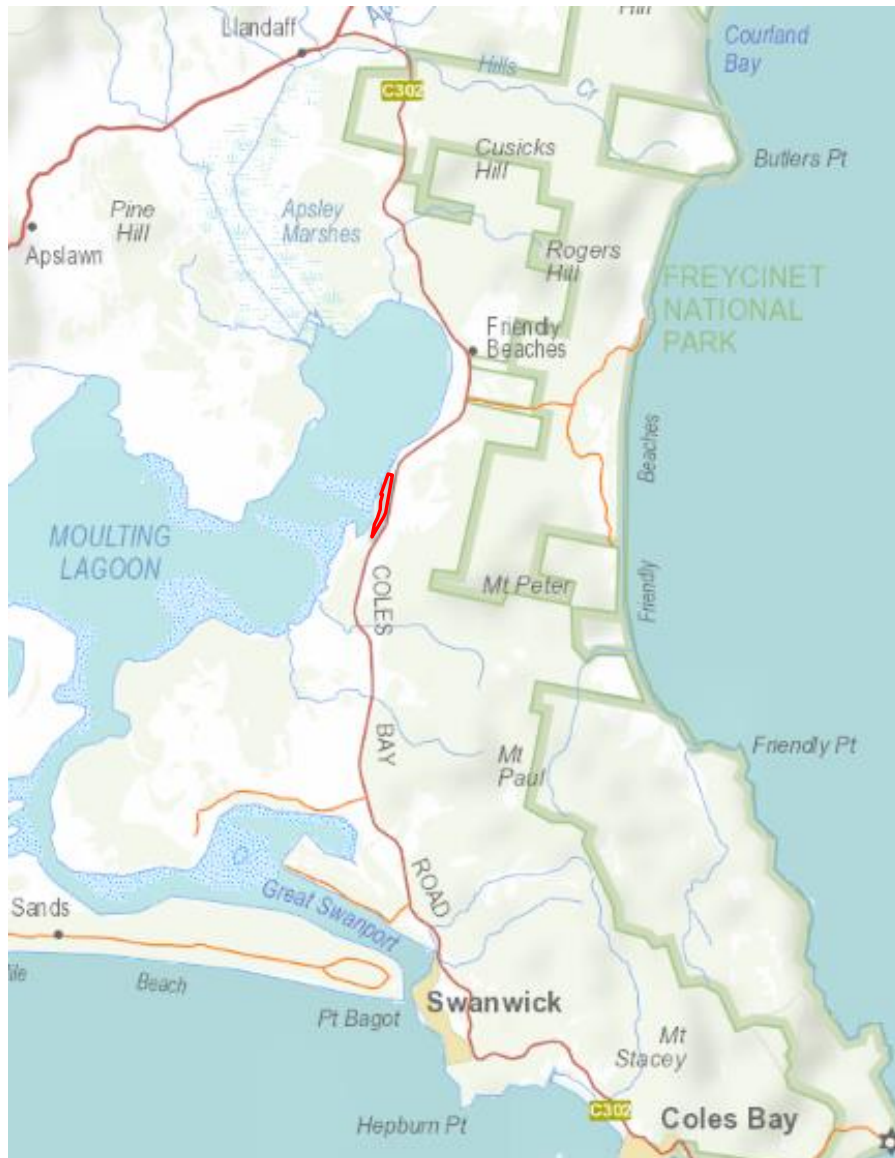
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2. Site Description

Figures 1 & 2 show the Wineglass Bay Estate property at 1100 Coles Bay Tourist Road some 11km South of the Tasman Highway. The development site is flat and cleared land that drains to Moulting Bay to the West.

Figure 1 – Development location – 1100 Coles Bay Tourist Road

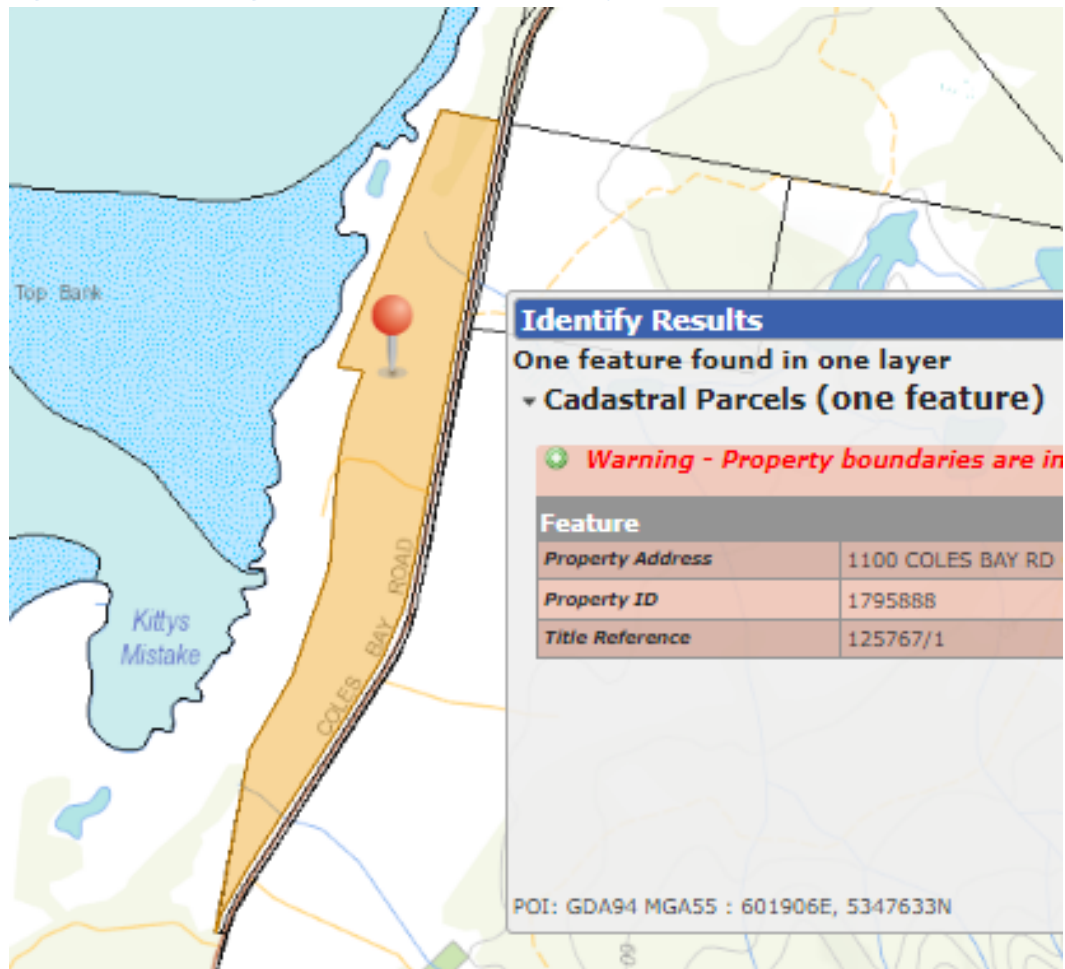


Source: The List, DPIPW

Traffic Impact Assessment



Figure 2 – Surrounding Road Network at 1100 Coles Bay Road



Source: The List, DPIPWE

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Figure 3 – Aerial view of Wineglass Bay Estate and access



Source: *The List*, DPIPW

Traffic Impact Assessment



3. Proposal, Planning Scheme and Road Owner objectives

3.1 Description of Proposed Development

The proposal is develop Wineglass Bay Estate with:

- 98 seat Café (285m2) & Cellar Door (90m2)
- 8* 1 Bed Cabins
- 4 Bed Residence and 4 bay garage.
- 3 bay garage.

Figure 4.0 shows the proposed development layout. Figures 4.1 to 4.5 show the development components extracted from the development plans which are attached in Appendix A.

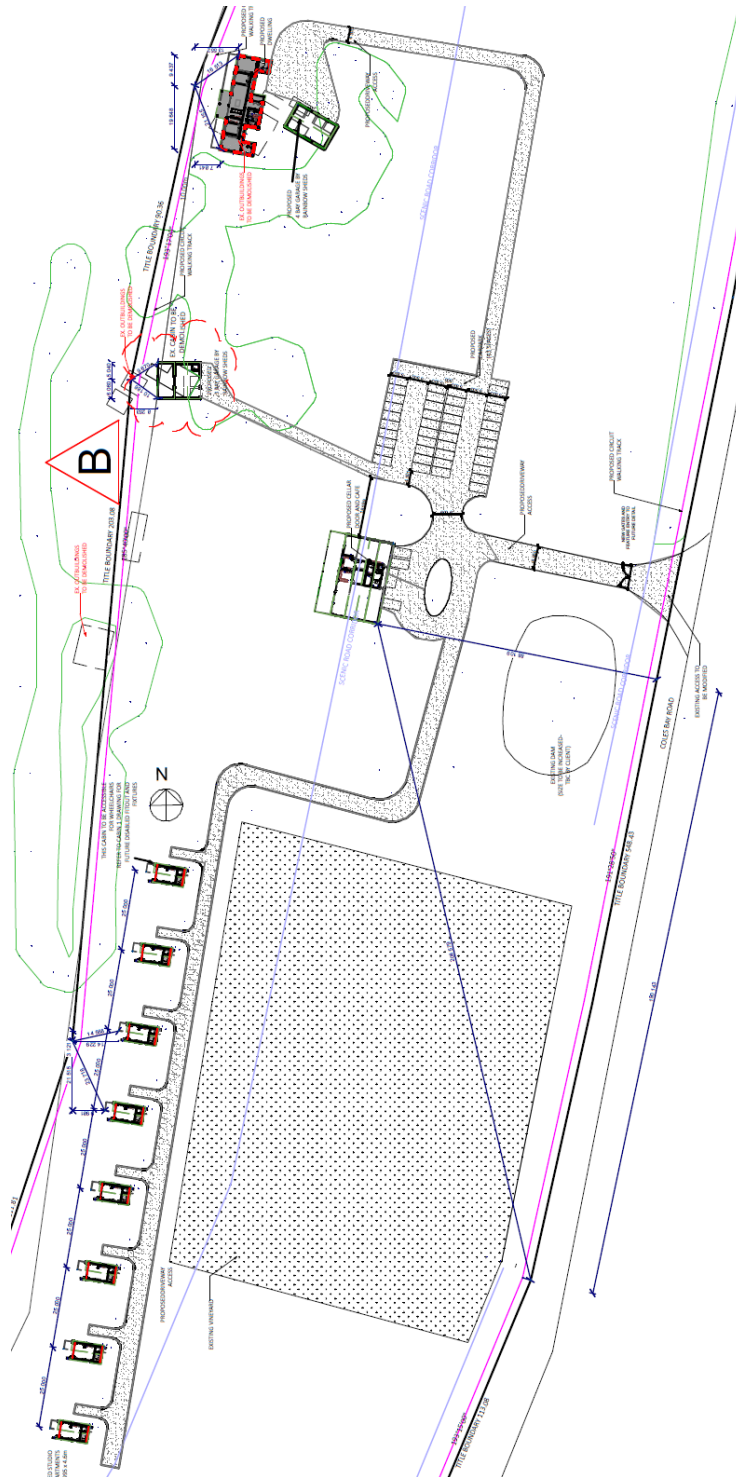
The developer has clarified that the intended staging of the site development is as follows:

- Stage 1 - Accommodation Units 8*1-bedroom cabins
(Generating estimated 32 vpd with 3 vph at peak times).
- Stage 2 – 4 Bedroom Residence
(Generating estimated 9vpd with 1 vph at peak times).
- Stage 3 – Café then Cellar Door
(Generating estimated 285 vpd and 29 vph at peak times).

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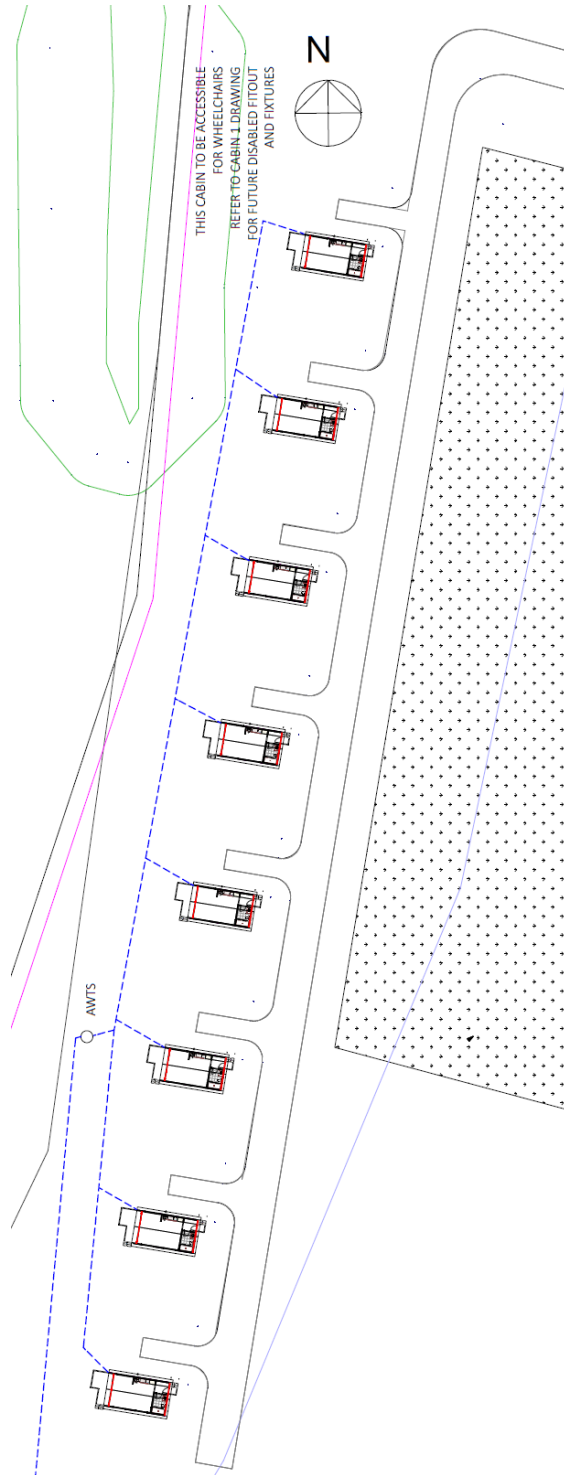
Figure 4.0 – Proposed development layout at Wineglass Bay Estate (1100 Coles Bay Rd)



Traffic Impact Assessment



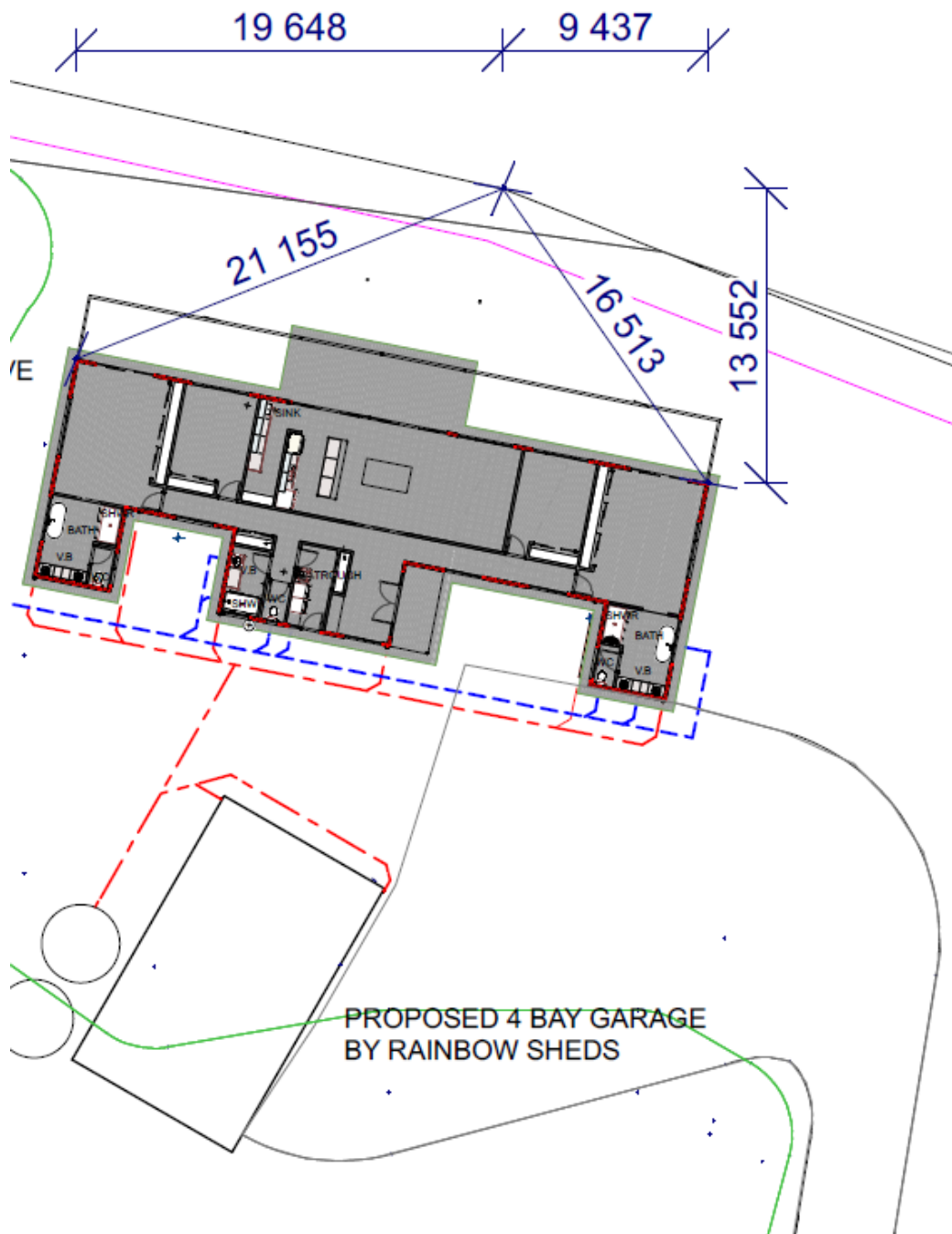
Figure 4.1 – Proposed 8*1 Bedroom Cabins and driveway.



Traffic Impact Assessment



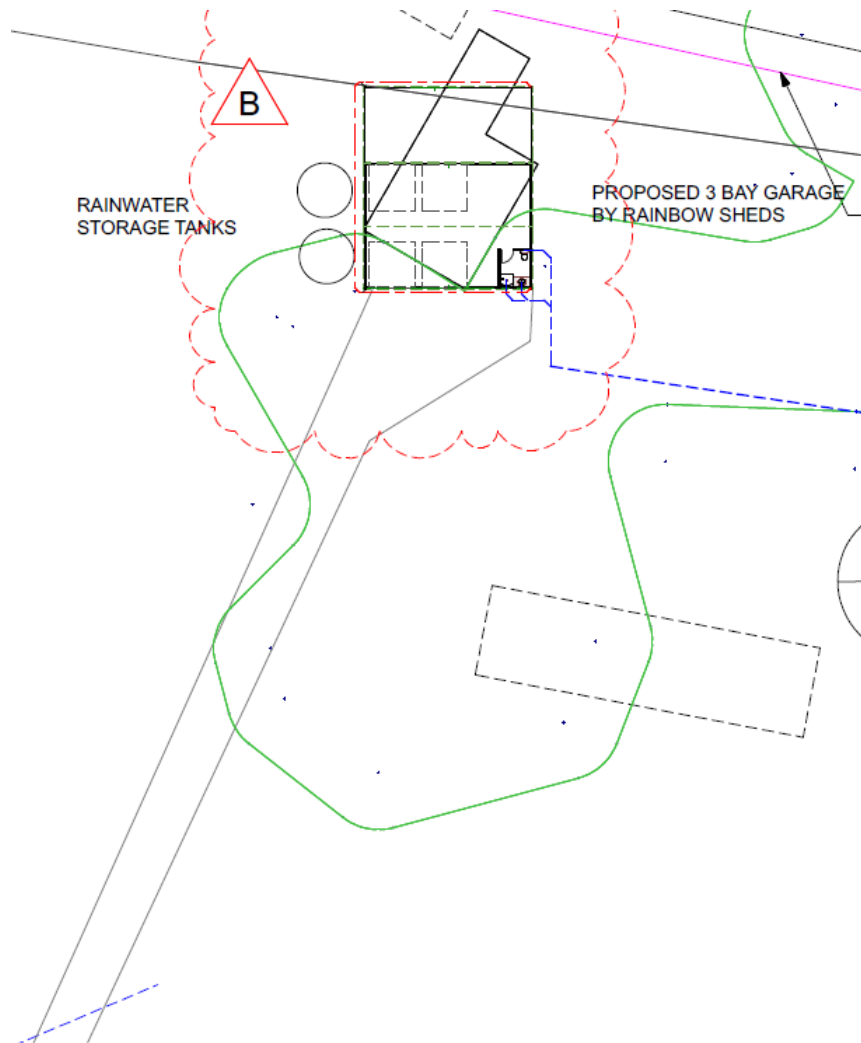
Figure 4.2 – Proposed 4 Bedroom Residence, 4 bay garage, and driveway.



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Figure 4.3 – Proposed 3bay garage and driveway.



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Figure 4.4 – Proposed Café & Cellar Door driveway and parking



Traffic Impact Assessment



3.2 Council Planning Scheme

The proposed development site zoning is shown in Figure 5 as per the Tasmanian Planning Scheme - Glamorgan-Spring Bay.

Figure 5 – Wineglass Bay Estate – 1100 Coles Bay Tourist Road zoned Rural



Source: *The List*, DPIPWE

3.3 State Road Network Objectives

DSG is the authority responsible for the State Road network impacted by the proposal. DSG objectives are to maintain traffic safety and capacity.

3.4 Local Road Network Objectives

Glamorgan-Spring Bay (GSBC) is the authority responsible for the Council Road network impacted by the proposal. GSBC objectives are to maintain traffic safety and capacity.

Traffic Impact Assessment



4. Existing Conditions

4.1 Transport Network

The transport system adjacent the development site consists of Coles Bay Tourist Road.

4.1.1 Coles Bay Tourist Road, Coles Bay

Coles Bay Tourist Road is a Category 4 Feeder Road in the State Road Hierarchy. The road does not have Limited Access status and is not part of the Tasmanian 26m Double B Network, see Appendix C. The Wineglass Bay Estate is at chainage 12.65 of Link 51 of Coles Bay Tourist Road, see Appendix C.

Coles Bay Road has a speed limit of 100km/h in the vicinity of the Wineglass Bay Estate. The seal width is 6.2m between edge lines with 0.6m sealed shoulders and the road is delineated with a Centreline and Edge Lines.

4.1.2 Coles Bay Tourist Road access to Wineglass Bay Estate

The existing access has a simple layout and is located on a straight and flat section of road with a gentle bend some 260m South of the access. The Speed Environment is estimated at 100km/h. Figures 6-17 show the nature of the junction and approaches.

Figure 6– Coles Bay TR / WBE Access



Source: *The List*, DPIPWE

Traffic Impact Assessment



Figure 7 – Elevation view of WBE Access to Coles Bay Tourist Road



Figure 8 – WBE Access approach to Coles Bay Tourist Road



Figure 9 – Looking right from WBE along Coles Bay Tourist Road



Sight distance
right is 255m.

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Figure 10 – Looking left from WBE along Coles Bay Tourist Road



Sight distance
left is 300m.

Figure 11 – Coles Bay Tourist Road Northern approach to the WBE access



Adequate width is available
between the edge line and
existing fence line (7m) to
cater for 3m widening for
Bar retrofit.

Figure 12 – Coles Bay Tourist Road Northern approach to the WBE access



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Figure 13 – Coles Bay Tourist Road Northern approach at the WBE access



Figure 14– Coles Bay Tourist Road Southern approach to the WBE access



Highlighted vegetation
limiting potential sight
distance approaching access
North of the bend.

Figure 15 – Coles Bay Tourist Road Southern approach at the WBE access



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Figure 16 – Southbound side view of WBE access with Coles Bay Tourist Road



Figure 17 – Northbound side view of WBE access with Coles Bay Tourist Road



4.2 Traffic Activity

Traffic activity from DSG records is summarised as follows, see Appendix E for details.

Coles Bay Tourist Road (approaching the Tasman Highway)

- AADT: 1,300 vpd (2019)
- % CV: 12%
- 4.4% compound annual growth
- Projected AADT: 1,416 vpd (2022)
- Projected AADT: 2,178 vpd (2033)
- Projected AADT: 3,200 vpd (2033) Peak Season (January Holidays) – See Appendix I for Seasonal effect which has been factored in.

Traffic Impact Assessment

**Wineglass Bay Estate access (approaching Coles Bay Tourist Road)**

- AADT: 6 vpd (2022) due to existing cabin.

4.3 Crash History

The Department of State Growth is supplied with reported crashes by Tasmania Police. The Department maintains a crash database from the crash reports which is used to monitor road safety, identify problem areas and develop improvement schemes.

The 5-year reported crash history records 1 serious crash involving a motorcyclist hitting an animal some 1.3km South of the access to Wineglass Bay Estate, see Figures 18 and 19. The crash history provides no evidence of a crash propensity in the vicinity of the access to Wineglass Bay Estate.

Figure 18 – 5 Year reported crash history summary for Coles Bay Tourist Road

Crash ID	Unit	Description	Date	Time	Severity	Light	Speed	Location
51811247	MC	167 - Animal (not ridden)	12-NOV-2022	14:37	Serious	Daylight	100	Coles Bay Road

MC | Motorcycle

Figure 19 – Reported crash location -1.3km South of Wineglass Bay Estate Access

**4.4 Services**

No street lighting is provided or required at the Coles Bay Rd / Wineglass Bay Estate Access.

Traffic Impact Assessment



4.5 Road Safety Review

4.5.1 Coles Bay Tourist Road

No safety issues were identified.

4.5.2 Wineglass Bay Estate access

The existing access has a simple layout suitable for operation of existing cabin.

4.6 Austroads Safe System Assessment

The Coles Bay Tourist Road / Wineglass Bay Estate access has been assessed in accordance with the Austroads Safe System assessment framework. This framework involves consideration of exposure, likelihood and severity to yield a risk framework score. High risk crash types and vulnerable road user crash types are assessed for each site and aggregated to provide an overall crash risk. Crash risk is considered in terms of three components:

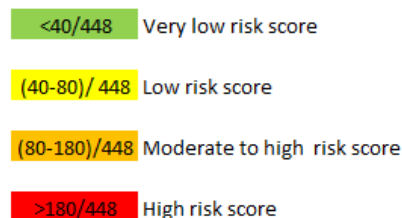
- Exposure (is low where low numbers of through and turning traffic) i.e. 1 out of 4
- Likelihood (is low where the infrastructure standard is high) i.e. 1 out of 4
- Severity (is low where the speed environment is low) i.e. 1 out of 4

The Austroads Safe System Assessment process enables the relative crash risk of an intersection or road link to be assessed. Vulnerable Road users are considered along with the most common crash types.

The crash risk score is an indication of how well the infrastructure satisfies the *safe system objective- a forgiving road system where crashes do not result in death or serious injury*.

From safe system assessment the Coles Bay Tourist Road / Wineglass Bay Estate access has been determined to be well aligned with the safe system objective with a crash risk score of 64 / 448. See Figure 20 and Appendix D for the assessment details.

Figure 20– Austroads Safe System Assessment alignment between crash score and risk



Traffic Impact Assessment



5. Traffic Generation and Assignment

This section of the report estimates how traffic generated by the proposal is distributed within the adjacent road network now and ten years future.

5.1 Traffic Growth

Assumed background traffic compound annual growth of 4.4% for Coles Bay Tourist Road.

5.2 Trip Generation

5.2.1 Residence, Accommodation and Café Operation

The following RTA traffic generation rates are applicable:

- 4-bedroom Single dwelling house - 9 vpd and 0.9 vph
- 1-bedroom Cabins - 4vpd and 0.4 vph
- Café - 100vpd & 10 vph/100m² of Gross Floor Area (GFA).

5.2.2 Proposed Cellar Door Operation

The developer has advised the following guide to the site operation:

- Initially the cellar door would be open 4 days/week (Thu-Sun 11am-5pm)
- Cellar door sales may expand to 6 days/ week during January.
- Limited staff working over winter, likely cellar door would be shut at this time.
- One person (a family member) will run the cellar door while open. Parking for that person would be behind the building on the gravel area by the back door of the shed.
- The parking indicated in the plan is intended for cellar door visitors.
- Contracted vineyard workers park by the vines where they work.
- The vineyard currently employs the services of a consultant who manages a crew of 2 for 4 days / month each year, subject to seasonal variation.
- At harvest each year, 20 staff work for 4-5 days each.
- Additional work is undertaken by the owners, on average of 1 day/week.
- The remaining land at the site has been earmarked for planting once a building is available for the storage of vineyard equipment.

Traffic Impact Assessment



5.2.3 Estimated Cellar Door traffic activity:

Open Thursday – Sunday (11am-5pm) with:

- 40 visitors per day weekdays
- 70 visitors per day on weekends during January- February

(a visit equates to 1 arrival and 1 departure.)

Operational traffic 10 vpd

Estimated peak activity for analysis purposes of 150 vehicle movements per day (150vpd) with peak hour activity 15 vph.

However, it is assessed that the cellar door traffic is part of the Café traffic.

5.2.4 Total estimated peak traffic generation:

- 4-bedroom residence: - 9vpd & 0.9 vph
- 8* 1 bedroom accommodation cabins – 32 vpd & 3.2 vph
- Café / Cellar Door (98 seat and 285m2) – 285 vpd & 28.5 vph

Total traffic fully developed – 326 vpd & 33 vph.

Existing traffic 6 vpd and 1 vph

The proposal is estimated to increase traffic activity at the site by 320vpd and 32 vph.

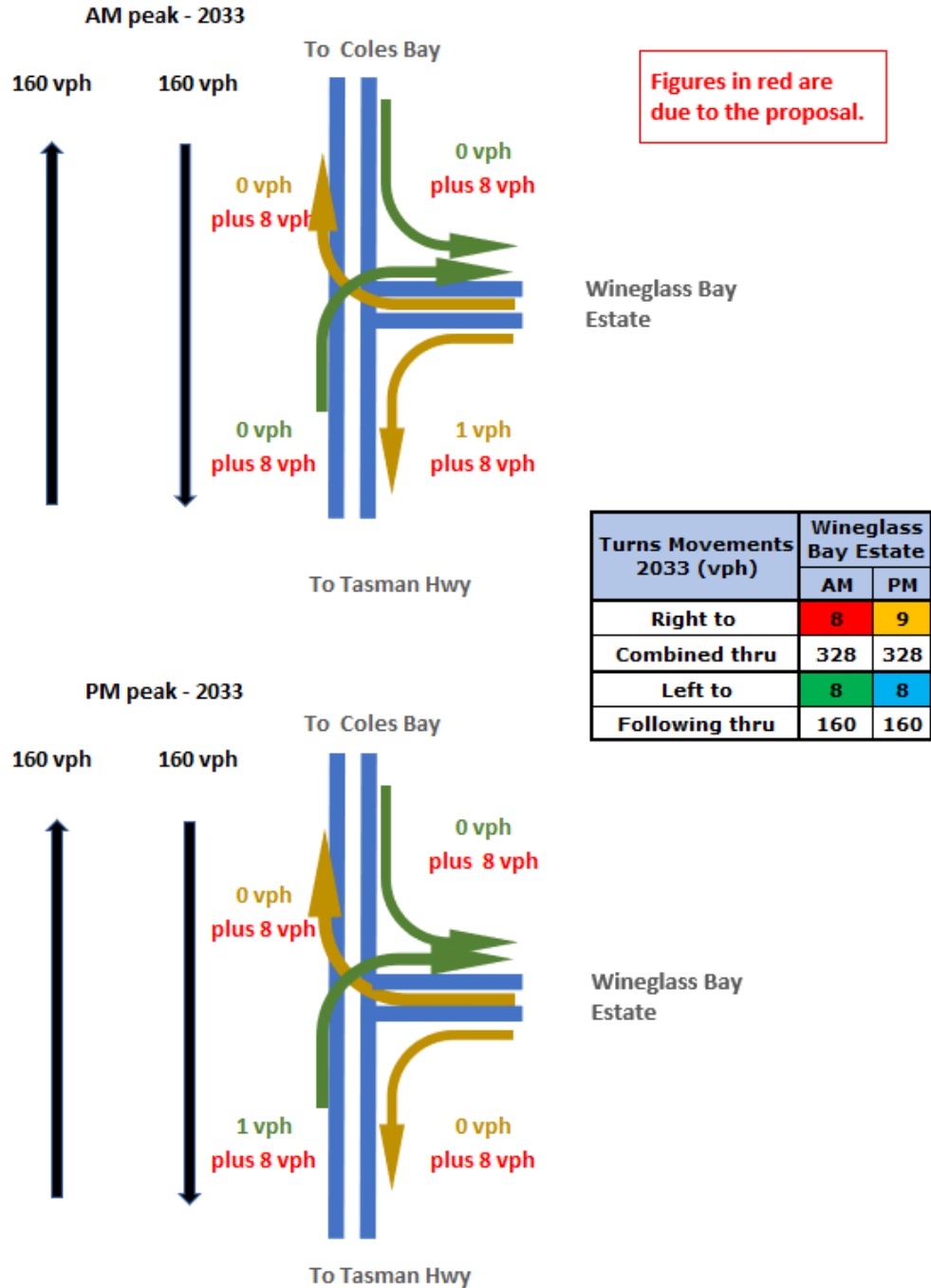
5.3 Trip Assignment

Traffic assignment at the impacted access is summarised in Figure 21.

Traffic Impact Assessment



Figure 21 – 2033 Traffic Assignment at Coles Bay TR / Wineglass Bay Estate Access



Traffic Impact Assessment



6. Impact on Road Network

6.1 Impact of traffic generated by the proposal.

The proposal is predicted to have a negligible impact on the Coles Bay Tourist Road access to Wineglass Bay Estate as retrofit of an Austroads BAR access layout is proposed. The access is estimated to operate at Level of Service A as traffic activity levels are low. Appendix B describes Austroads Levels of Service definitions.

6.2 Junction and access requirements

6.2.1 Sight Distance

Sight distance requirements are summarised in Figure 22.

Figure 22 – Sight distance summary

Major Rd - Minor Rd	Speed Limit (km/h)	Speed Environment (km/h)	Road Frontage Sight Distance		
			Austroads	Available	
			SISD (m)	Left(m)	Right(m)
Coles Bay - Wineglass Bay Estate	100	100	248	300	255

Austroads Compliant

6.2.2 Signage

No traffic management signage is required due to the proposal.

6.2.3 Junction warrants

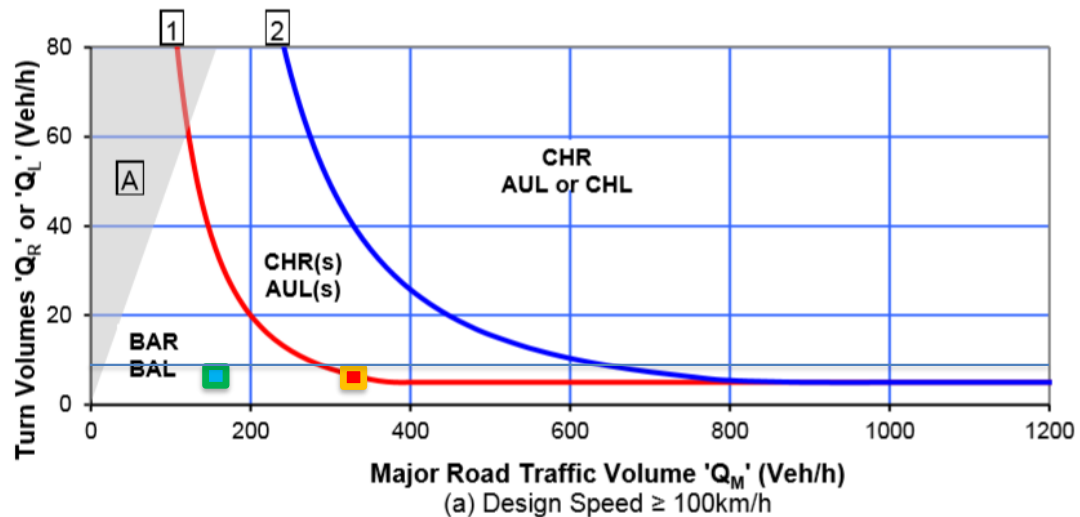
The junction standards required at the Coles Bay Tourist Road / Wineglass Bay Estate access are based on Austroads Guidelines which take into account the standard of the road, speed limit, through & side road traffic i.e. Austroads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings – 2020.

Figure 23 shows the relevant traffic movement summary and junction warrant chart post stage 3 of the development.

Traffic Impact Assessment



Figure 23 – Austroads junction warrant for Coles Bay TR /Wineglass Bay Estate Access
Post Stage 3 - 2033.



Source: Austroads GTM Part 6-2020

Turns Movements 2033 (vph)	Wineglass Bay Estate	
	AM	PM
Right to	8	9
Combined thru	328	328
Left to	8	8
Following thru	160	160

From projected turning data shown in Figure 23, a Basic Right (BAR) access layout is warranted, see Appendix F.

The proposal is to install a BAR right turn facility in advance of Stage 3. Stages 1 and 2 generate very low volumes of turning traffic i.e an estimated 1 vph where simple property access is adequate.

From assessment of the vegetation on the sight line and bend in Coles Bay on the Southern approach to the property access, see Figure 14, mitigation of the situation by increasing available sight distance with vegetation clearing (removing / pruning trees and bushes) is proposed to improve traffic safety for North Bound traffic approaching the access. Accordingly a BAL is not required.

6.3 Tasmanian Subdivision Guidelines & Transport Planning

No issues have been identified.

Traffic Impact Assessment



6.4 Proposed internal traffic management.

The proposed internal road and layout should be designed to accommodate General Access vehicles. For the estimated traffic of 309 vpd an S3 sealed rural road standard is adequate.

An S3 road has a 5.5m seal with 0.5m gravel shoulders as detailed in LGAT standard drawings TSD-R02, see online at:

<https://www.lgat.tas.gov.au/webdata/resources/files/LGAT%20Standard%20Drawings%20Release%20Version%20Dec%202013.pdf>

6.5 Proposed property access standard

The recommended Rural Road property access standard is detailed in the LGAT standard drawings TSD-R03-v1 and TSD-R04-v1 available online at:

<https://www.lgat.tas.gov.au/webdata/resources/files/LGAT%20Standard%20Drawings%20Release%20Version%20Dec%202013.pdf>

6.6 Impacts on road users.

6.6.1 Public Transport

No impact.

6.6.2 Delivery Vehicles

No impact.

6.6.3 Pedestrians and Cyclists

No impact.

6.6.4 Motorcyclists

Minimal impact.

6.7 Other impacts

6.7.1 Environmental

No applicable environmental impacts were identified in relation to:

- Noise, vibration or visual impact
- Community severance, pedestrian amenity
- Hazardous loads, air pollution or ecological impacts
- Heritage and Conservation

6.7.2 Street Lighting and Furniture

Street lighting along the proposed road is recommended.

Traffic Impact Assessment



6.8 Tasmanian Planning Scheme - Glamorgan-Spring Bay

Parking and Sustainable Transport Code C2

C2.5.1 Car parking numbers

Acceptable Solution A1: The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

- (a) 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,
- (b) The site is contained within a parking precinct plan and subject to Clause C2.7,
- (c) The site is subject to Clause C2.5.5; or
- (d) It relates to an intensification of an existing use or development or a change of use where:
 - i. The number of onsite car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional onsite car parking is required; or
 - ii. The number of onsite car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on-site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1.

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

Table C2.1 Parking Space Rates:

- **Residential use in any other zone:** 2 spaces per 3-bedroom dwelling.
- **Visitor Accommodation:** 1 space per self-contained accommodation unit.
- **Food Services:** 15 spaces / 100m² or 1 space per 3 seats whichever is greater.
- **General Retail:** 1 space / 30m²

Traffic Impact Assessment



Parking requirements to satisfy Table C2.1:

- 4 Bedroom residence – 2 spaces
- 8*1-bedroom self-contained cabins – 8 spaces
- Café (98 seat & 285m²) – 33 spaces (seats) or 43 spaces (floor area) i.e 43 spaces.
- Cellar Door (common customer to Café) - General Retail for 90m² – 3 spaces

Proposed parking:

- 4 Bedroom residence – 4 bay garage.
- 8*1-bedroom self-contained cabins – 8 spaces
- Café & Cellar Door - 43 +4 i.e 47 spaces

No drive through operation is proposed. **A1 is satisfied.**

C2.5.2 Bicycle parking numbers

Acceptable Solution A1: Bicycle parking spaces must:

- (a) *Be provided on the site or within 50m of the site; and*
- (b) *Be no less than the number specified in Table C2.1.*

Bicycle parking space to satisfy Table C2.1:

- 4 Bedroom residence – no requirement
- 8*1-bedroom self-contained cabins – no requirement
- Café (285m²) – 1 space / 75m² of floor area. i.e 4 spaces.
- Cellar Door (90m²) – 1 space / 100m² of floor area i.e 1 spaces

Proposal is to provide 5 bicycle parking spaces. **A1 is satisfied.**

Traffic Impact Assessment

**C2.5.3 Motorcycle parking numbers**

Acceptable Solution A1: *The number of on-site motorcycle parking spaces for all uses must:*

- (a) *Be no less no less than the number specified in Table C2.4. and*
- (b) *if an existing use or development is extended or intensified , the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle spaces is maintained.*

Table C2.4 has requirement for 1 motorcycle space where the number of required car parking spaces is 21-40 and 1 space for every additional 20 car parking spaces.
i.e where there are 47 car parking spaces 2 motorcycle parking spaces are required.

2 motorcycle parking spaces are proposed. **A1 is satisfied.**

C2.5.4 Loading Bays

Acceptable Solution A1: *A loading bay must be provided for uses with a floor area of more than 1,000m² in a single occupancy.*

The floor area is less than 1,000m². **A1 is not applicable.**

C2.6.1 Construction of parking areas

Acceptable Solution A1: *All parking, access ways, manoeuvring and circulation spaces must:*

- (a) *be constructed with a durable all-weather pavement,*
- (b) *be drained to the public stormwater system, or contain stormwater on the site; and*
- (c) *excluding all uses in the Rural Zone, Agricultural Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Public Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.*

A1 is satisfied as sealed car parking spaces and driveway are proposed with drainage to the public stormwater system.

Traffic Impact Assessment

**C2.6.2 Design and layout of parking areas**

Acceptable Solution A1.1: *Parking, accessways, manoeuvring and circulation spaces must*

(a) *comply with the following:*

- i. *have a gradient in accordance with Australian Standard AS 2890 Parking facilities, Parts 1-6. The site is flat but provided with drainage to the public stormwater system.*
- ii. *Provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces. Satisfied*
- iii. *Have an access width not less than the requirements in Table C2.2. Table C2.2 requires an access width of 5.5m. The proposed access width is 5.5m.*
- iv. *Have car parking space dimensions which satisfy Table C2.3. 90-degree parking space dimensions are 2.6m * 5.4m consistent with Table C2.3.*
- v. *Have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces. Combined access and manoeuvre space width is 6.4m satisfying requirement.*
- vi. *Have a vertical clearance of not less than 2.1 metres above the parking surface level, Satisfied.*
- vii. *Excluding a single dwelling, be delineated by line marking or other clear physical means. Satisfied.*

(b) *Comply with Australian Standard AS 2890 Parking facilities, Parts 1-6. Satisfied.*

A1.1 is satisfied.

Acceptable Solution A1.2

Parking spaces provided for use by persons with a disability must satisfy the following:

- (a) *Be located as close as practical to the main entry point to the building. Satisfied.*
- (b) *be incorporated into the overall car park design. Satisfied.*
- (c) *be designed and constructed in accordance with Australian/ New Zealand Standard AS/NZS 2890.6-2009 Parking facilities - Off-street parking for people with disabilities.*

AS/NZS 2890.6 indicates 1 accessible space should be provided per 50 car parking spaces as a guideline. 1 space is proposed. **A1.2 is satisfied.**

Traffic Impact Assessment

**C2.6.3 Number of accesses for vehicles****Acceptable Solution A1**

The number of accesses provided for each frontage must:

- (a) be no more than 1; or
- (b) no more than the existing number of accesses whichever is greater.

The proposal involves an existing 2-way access. **A1 is satisfied.**

C2.6.5 Pedestrian access**Acceptable Solution A1.1**

Applies to uses that require 10 or more car parking space must:

- (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:
 - i. a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
 - ii. protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and
- (b) be signed & line marked at points where pedestrians cross access ways or parking aisles.

Pedestrian facilities are not shown in the proposal. **A1.1 is not satisfied.**

Performance Criteria P1

Safe and convenient pedestrian access must be provided within parking areas, regarding:

- (a) the characteristics of the site.
- (b) the nature of the use
- (c) the number of parking spaces
- (d) the frequency of vehicle movements
- (e) the needs of persons with a disability
- (f) the location and number of footpath crossings
- (g) vehicle and pedestrian traffic safety
- (h) the location of any access ways or parking aisles
- (i) any protective devices proposed for pedestrian safety.

Factors relevant for provision of safe pedestrian access include:

- Safe System Assessment
- Shared Zone signage
- Site layout, contours and the relative position of units and associated parking spaces
- availability of alternative parking spaces

Traffic Impact Assessment

**Safe System Approach**

This approach involves application of a Safe System assessment framework for identifying and reducing crash risk for all road users. This framework involves consideration of risk exposure, likelihood and severity to yield a risk framework score. The proposed development risk scores are as follows:

- Pedestrian exposure is moderate (moderate number of pedestrians) i.e. 3 out of 4
- Crash likelihood is moderate (no formal separation and unwell patients) i.e. 3 out of 4
- Crash severity is low (10km/h speed environment) i.e. 1 out of 4

This yields a safe system score of 9 /64. This represents a low risk provided a low-speed environment is maintained.

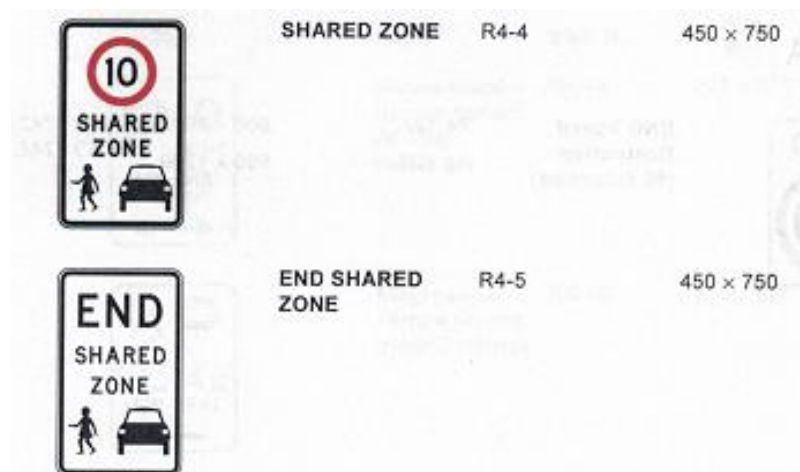
Signage

Formal signage of shared zones is a recognised pedestrian safety improvement where there is a mix of pedestrian, local access traffic only and situation where this is no kerb separation between pedestrians and vehicles. This is because Shared Zone signage includes provision of a regulator speed limit to keep speed to an appropriate level.

In the case of the proposed driveways a 10 km/hr speed limit would be considered normal. The proposed development is in keeping with this kind of situation. Figure 25 shows Shared Zone signage standards.

The Shared Zone Entry and Exit signage would be provided at the entrance and exit respectively.

Figure 25 – Shared Zone signage standards, AS1742.1-2014



Traffic Impact Assessment

**Alternative parking spaces**

There are no alternatives available.

Site layout

The carparks are limited width for formal separation of pedestrians and vehicles with marked walkways, so formalisation of a low-speed zone is a suitable mitigation. Provision of 10km/hr Shared and End Shared Zone signs at the carpark entrances and exits limits speed to a safe level for pedestrian activity. Figure 25 shows recommended signs.

P1 is satisfied.

A1.2: In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.

A1.2 is satisfied, see Appendix A.

Code C2.6.6 Loading Bays

Acceptable solution A1: The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 – 2002, Parking Facilities, Part2: Parking facilities -Off Street commercial vehicle facilities, for the type of vehicles likely to use the site.

A skip bin location with suitable access for an 8.8m rigid truck is proposed, see Appendix A.
A1 is satisfied.

Acceptable solution A2: The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with AS2890.2-2002, Parking Facilities, Part2: Parking Facilities -Off Street commercial vehicle facilities.

A skip bin location with suitable access for an 8.8m rigid truck is proposed, see Appendix A.
A2 is satisfied.

Traffic Impact Assessment

**Road and Railway Assets Code C3****C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction.**

Acceptable Solution A1.1 – Not applicable as the relevant roads are not Category 1.

Acceptable Solution A1.2 – *For a road, excluding a Category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.*

The proposal involves intensification in use of an existing access to Coles Bay Road:

- Coles Bay Road: - projected AADT 3,200 vpd (2033)
- Once fully developed the proposal will increase Coles Bay Road AADT by 320vpd.

DSG has considered this TIA and accepts proposed staging subject to:

- Sight line improvements on the Southern approach to the junction, see Figure 14
- Provision of BAR access layout before Stage 3

A1.2 is satisfied.

Acceptable Solution A1.3 – Not applicable as no rail network is involved.

Acceptable solution A1.4: *Vehicular traffic to and from the site, using and existing vehicle crossing or private level crossing will not increase by more than:*

- (a) *The amounts in Table C3.1*
- (b) *Allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road; and*

Coles Bay Tourist Road / Wineglass Bay Estate Access

Existing AADT - 6 vpd.

The proposal will increase traffic activity at the access to 326 vpd i.e a 320 vpd increase.

A1.4 is not satisfied from Table C3.1 as proposal involves more than 10 vehicle movements per day for vehicles up to 5.5m in length on a major road.

Traffic Impact Assessment



Performance Criteria P1: *Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:*

- (a) *any 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 advice received from the rail or road authority.*

A BAR junction is warranted and proposed at the access to 1100 Coles Bay Tourist Road. DSG has considered this TIA and accepts:

- Sight line improvements on the Southern approach to the junction, see Figure 14
- Provision of BAR access layout before Stage 3

Subject to these provisions there are no traffic capacity or safety issues with the proposal.
P1 is satisfied.

Acceptable solution A1.5: *Vehicular traffic must be able to enter and leave a major road in a forward direction.* **A1.5 is satisfied.**

C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area

Not applicable - the proposal is not within a road or railway attenuation area.

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area

Not applicable - no subdivision is proposed.

Traffic Impact Assessment



6.9 Department of State Growth requirements

DSG review of TIA

These reviews are required to:

- consider proposals and whether the TIA prepared satisfies DSG requirements.
- resolve any issues so the TIA can be finalised.
- enable the TIA endorsement provided by DSG to be communicated to Council as part of the Development application process.

These reviews are usually arranged by the TIA author. The email address for submissions is:

Development@stategrowth.tas.gov.au

Crown landowner consent

This is to provide DSG to opportunity to check alignment of proposals with DSG objectives for the road. If the proposal aligns with DSG objectives Crown Land Consent is issued by DSG. Crown Landowner Consent is required where there is a proposed change in use of property adjacent to a state road. The website for Crown Landowner Consent is:

https://www.transport.tas.gov.au/road/permits/crown_landownerconsent/

Access works permits

Developers must obtain an access works permit from DSG for proposed work within a state road reservation. Applications need to include:

- suitably design plans detailing the proposal and services affected.
- relevant design calculations for stormwater management and pavement design
- a traffic impact assessment

The website for access works permit applications is:

<https://www.transport.tas.gov.au/road/permits/road-access>

Summary of DGS requirements

DSG has been supplied a copy of this TIA and advised acceptability, see Appendix H. The developer also has Crown Landowner consent. The developer will need to apply for:

- Access works permit to undertake the required works in the State Road reservation:
 - mitigation of available sight distance with vegetation clearing (removing / pruning trees and bushes) considering the bend in Coles Bay Road on the Southern approach to the property access, see Figure 14,
 - provision of BAR before Stage 3.

Traffic Impact Assessment



7. Recommendations and Conclusions

This traffic impact assessment has been prepared to assess the proposed expansion of the Wineglass Bay Estate property with:

- Stage 1 - 8*1-bedroom self-contained accommodation cabins
- Stage 2 - 4-bedroom residence
- Stage 3 - Café & Cellar Door (375m2).

It is estimated the proposal will generate an additional 320 vpd in total once fully operational during the Tourist season.

The assessment has reviewed traffic activity at the site, existing road conditions, road safety, crash history, Austroads Safe System Assessment, Austroads junction warrants and Tasmanian Planning Scheme - Glamorgan-Spring Bay Parking & Sustainable Transport Code C2 and Road & Railway Assets Code C3 requirements.

Coles Bay Tourist Road is projected to have traffic activity of 3,200 vpd during the seasonal peak of 2033 in an 100km/h zone. The access approaches have minimal crash history and from traffic safety review and Safe System Assessment, are considered a low crash risk.

The proposal will increase traffic activity at the Wineglass Bay Estate access to Coles Bay Tourist Road from 6vpd to 326vpd once fully operational.

The Coles Bay Road / Wineglass Bay Estate access has a simple layout and meets the warrant for an Austroads Basic Right (BAR) before stage 3 of the development.

Evidence is provided to demonstrate the proposal can satisfy the Tasmanian Planning Scheme - Glamorgan-Spring Bay Parking & Sustainable Transport Code C2 and Road & Railway Assets Code C3.

Recommendations

Obtain DSG approvals:

- *Access Works Permit for sight line clearing on Southern approach to the access.*
- *Access Works Permit for BAR junction at the access in advance of Stage 3.*

Coles Bay Tourist Road approach to Wineglass Bay Estate access

- *Install Shared and End Shared Zone signage, see Figure 25, at the Wineglass Bay Estate driveway at the entrance and exit respectively.*

Traffic Impact Assessment



- *Improve sight distance by clearing vegetation along the sight line on Southern approach to the access.*
- *Retrofit a DSG Rural BAR right turn before stage 3 with dimensions shown in Appendix F for a 100km/h speed environment.*
- *Do not provide a driveway culvert as the roadsides drain away from the driveway and Coles Bay Tourist Road.*

DSG advice of acceptability of this TIA is attached in Appendix H.

Overall, it has been concluded that the proposed development access and Coles Bay Tourist Road should operate safely and efficiently provided the above recommendations are implemented.

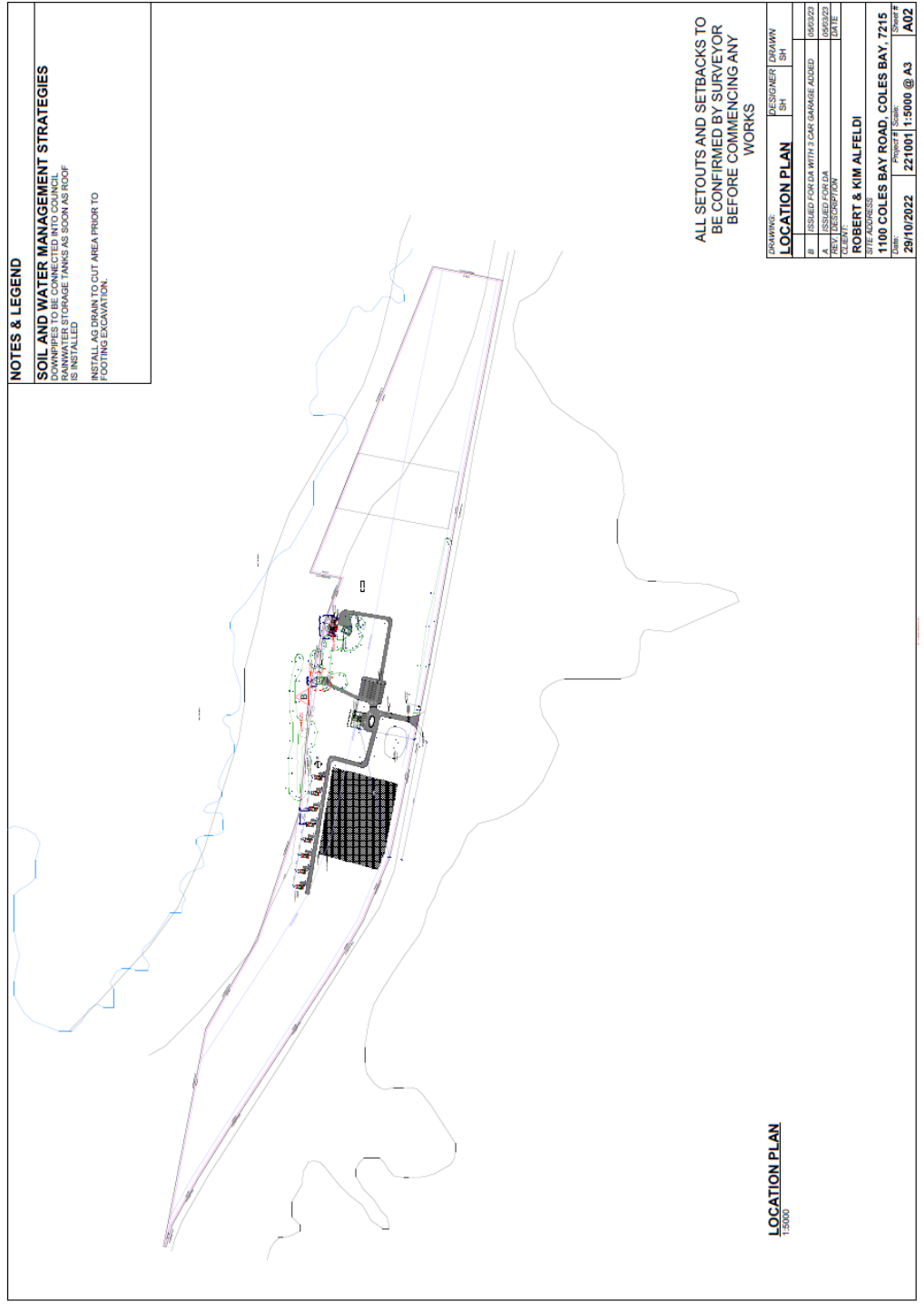
Based on the findings of this report the proposal is supported on traffic grounds.

Traffic Impact Assessment

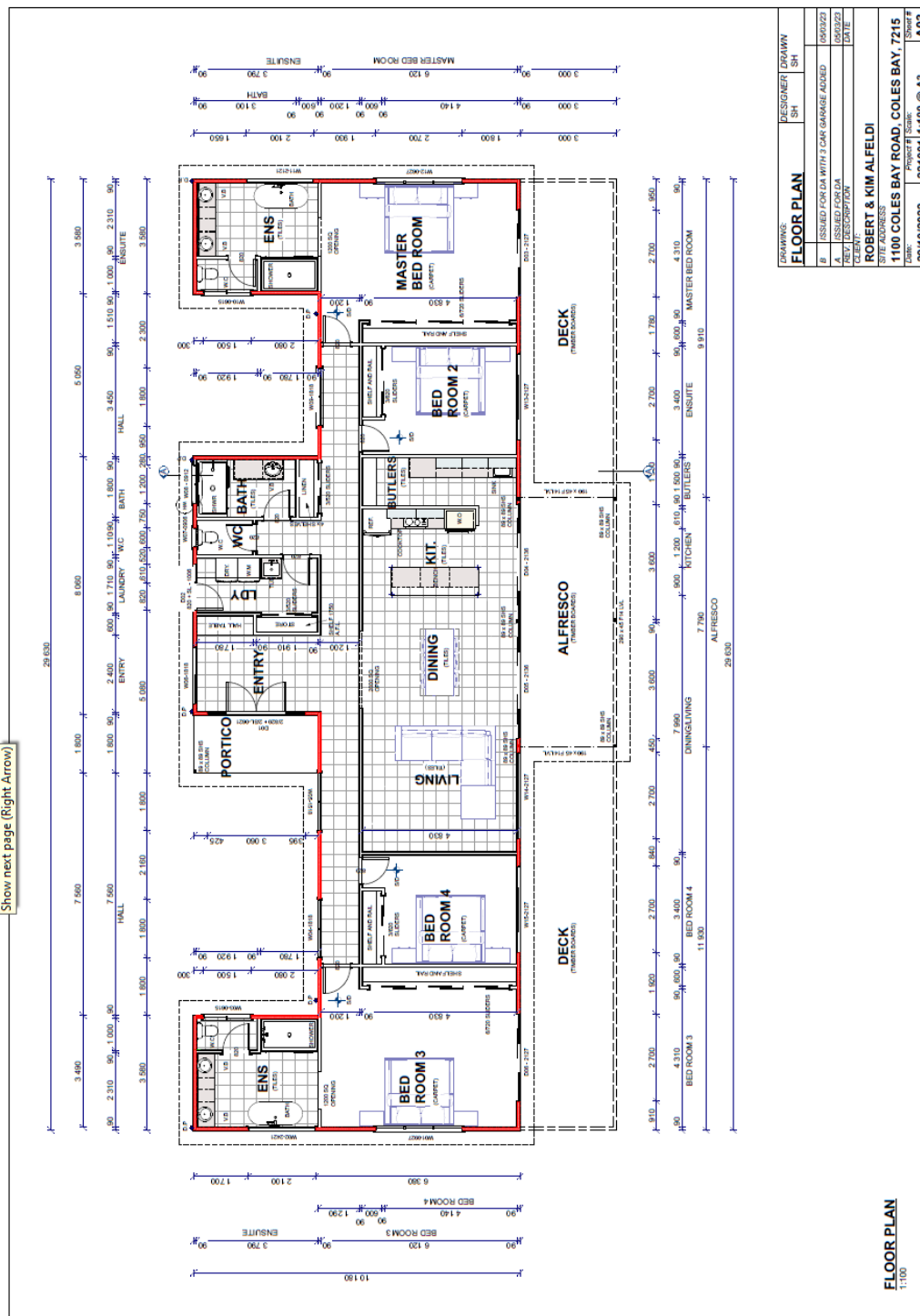


Appendices

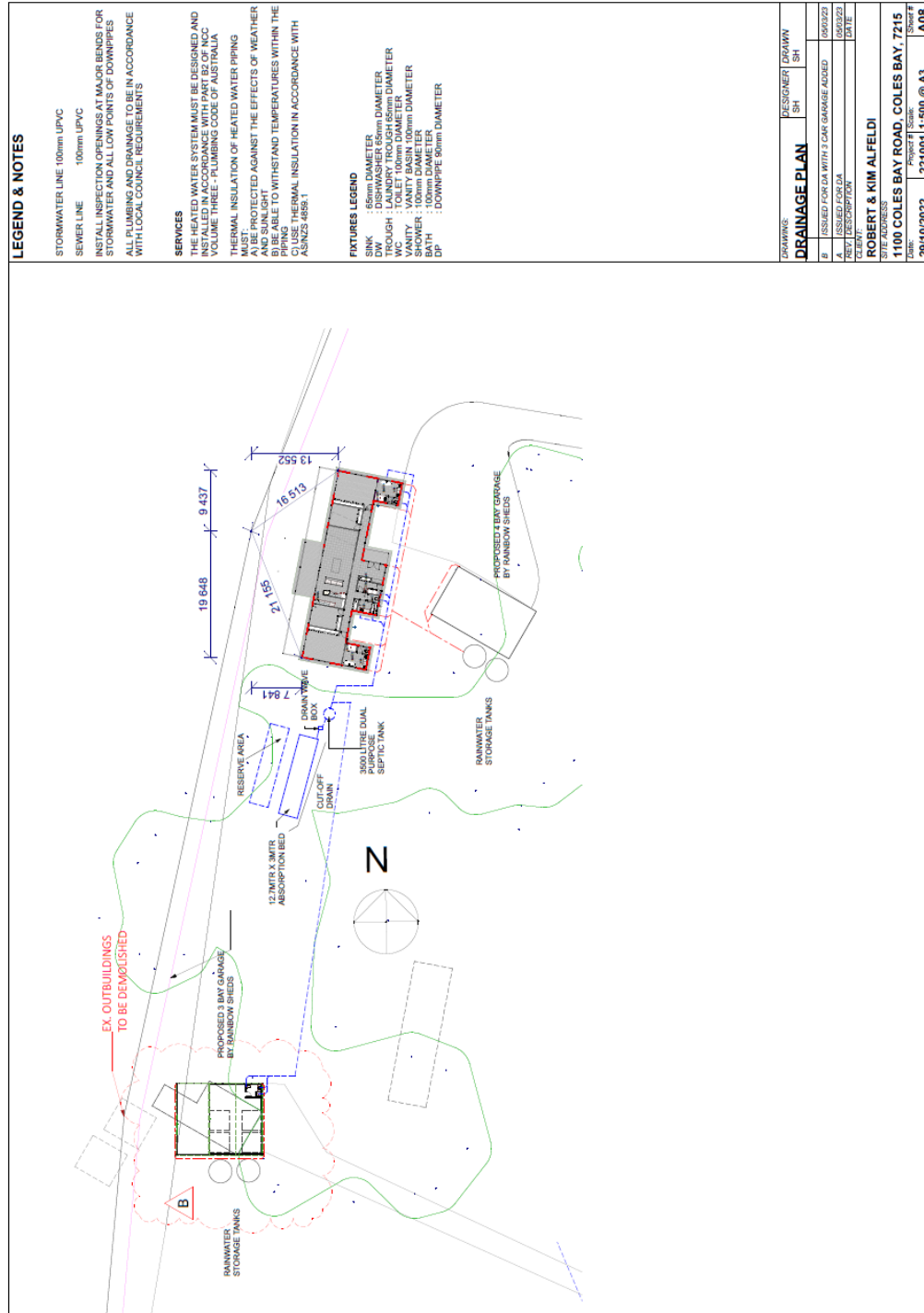
Traffic Impact Assessment



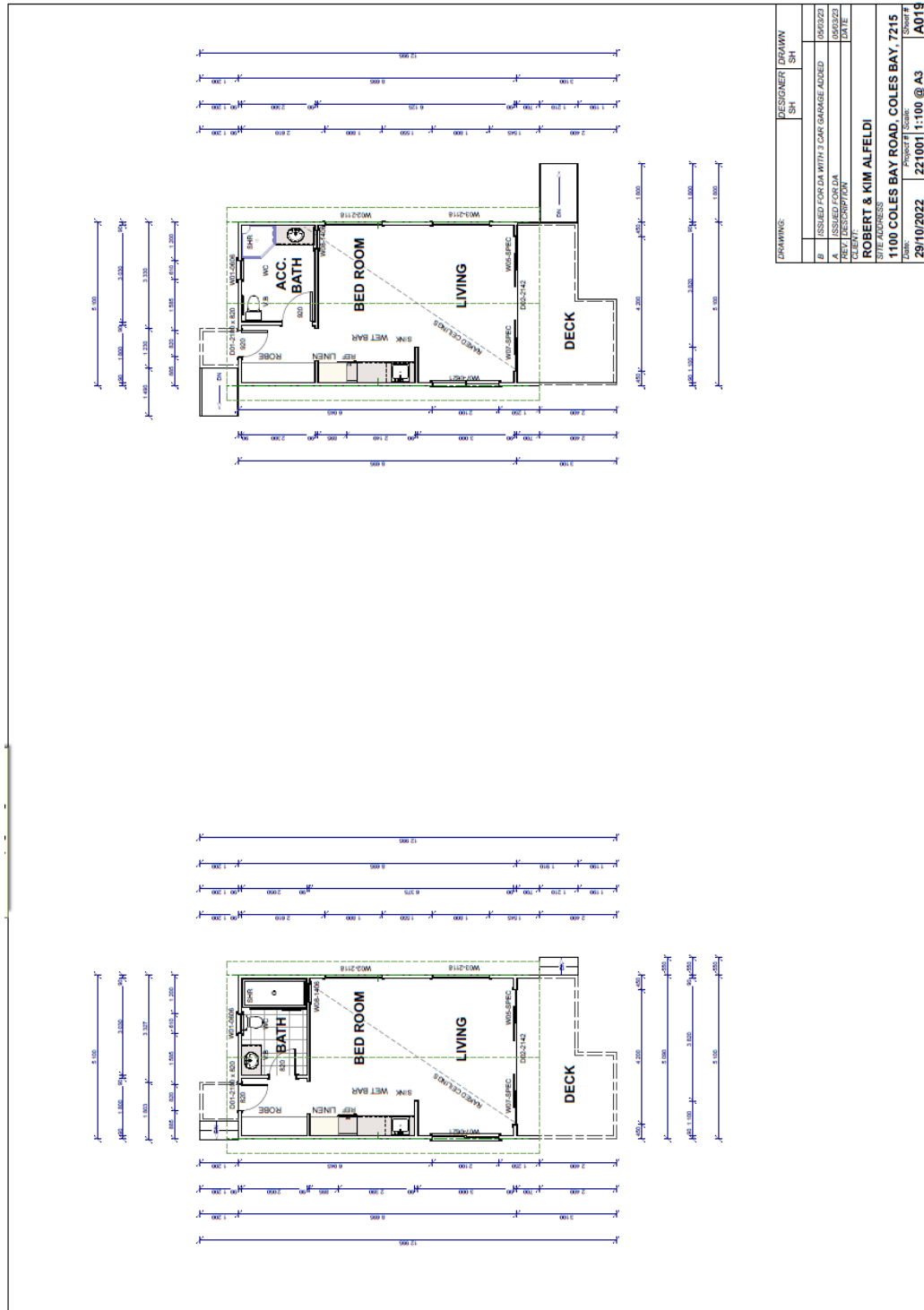
Traffic Impact Assessment



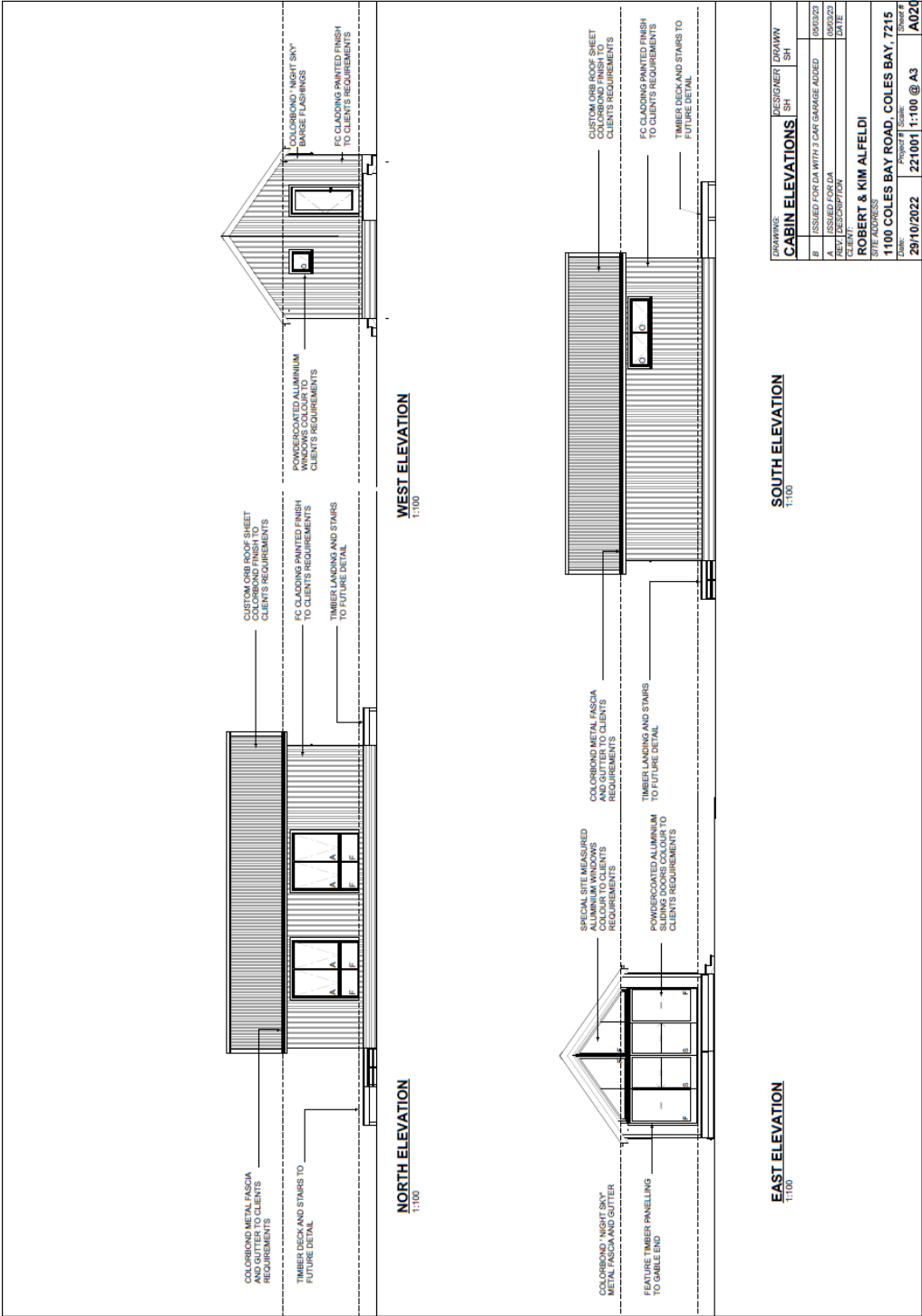




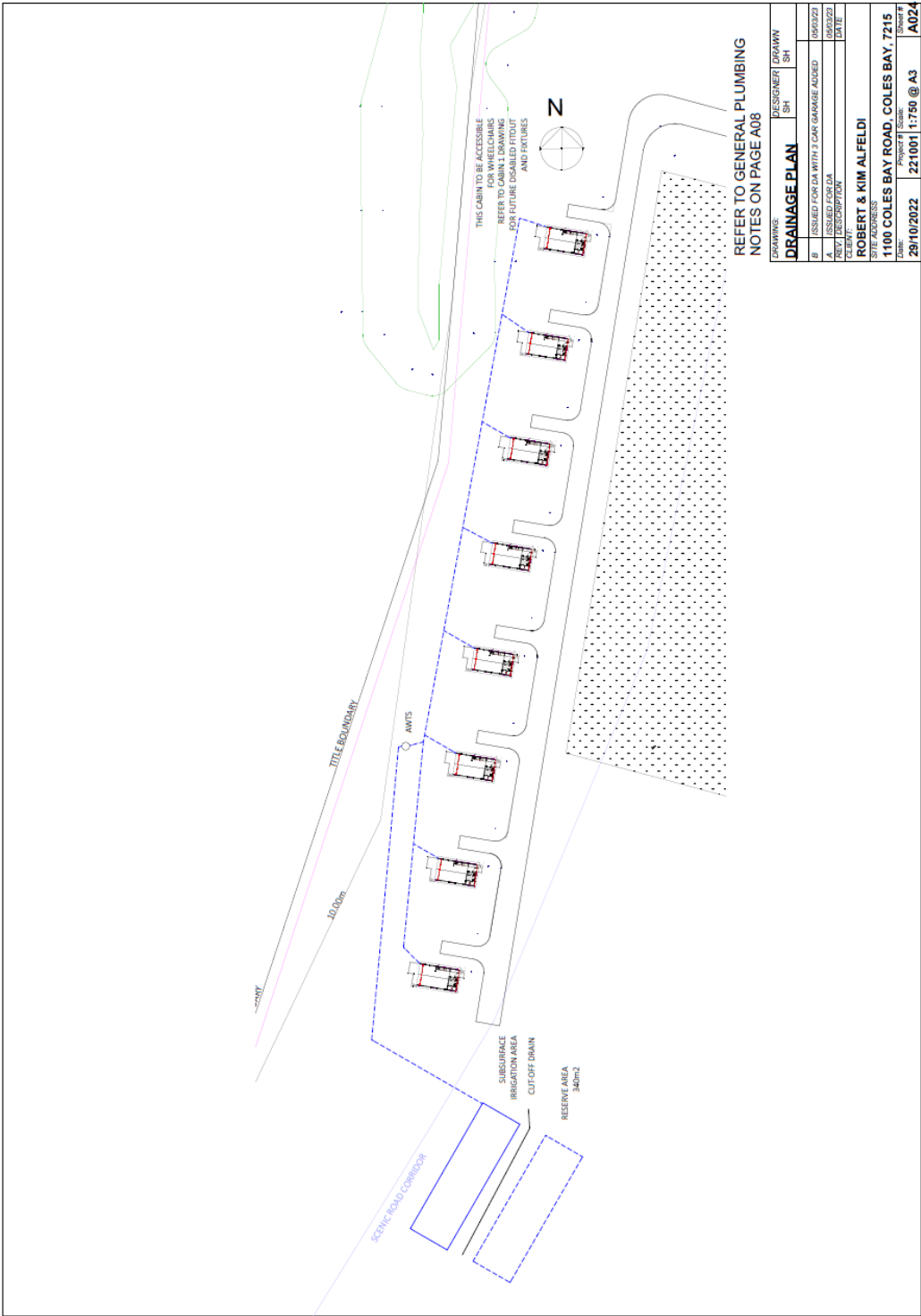
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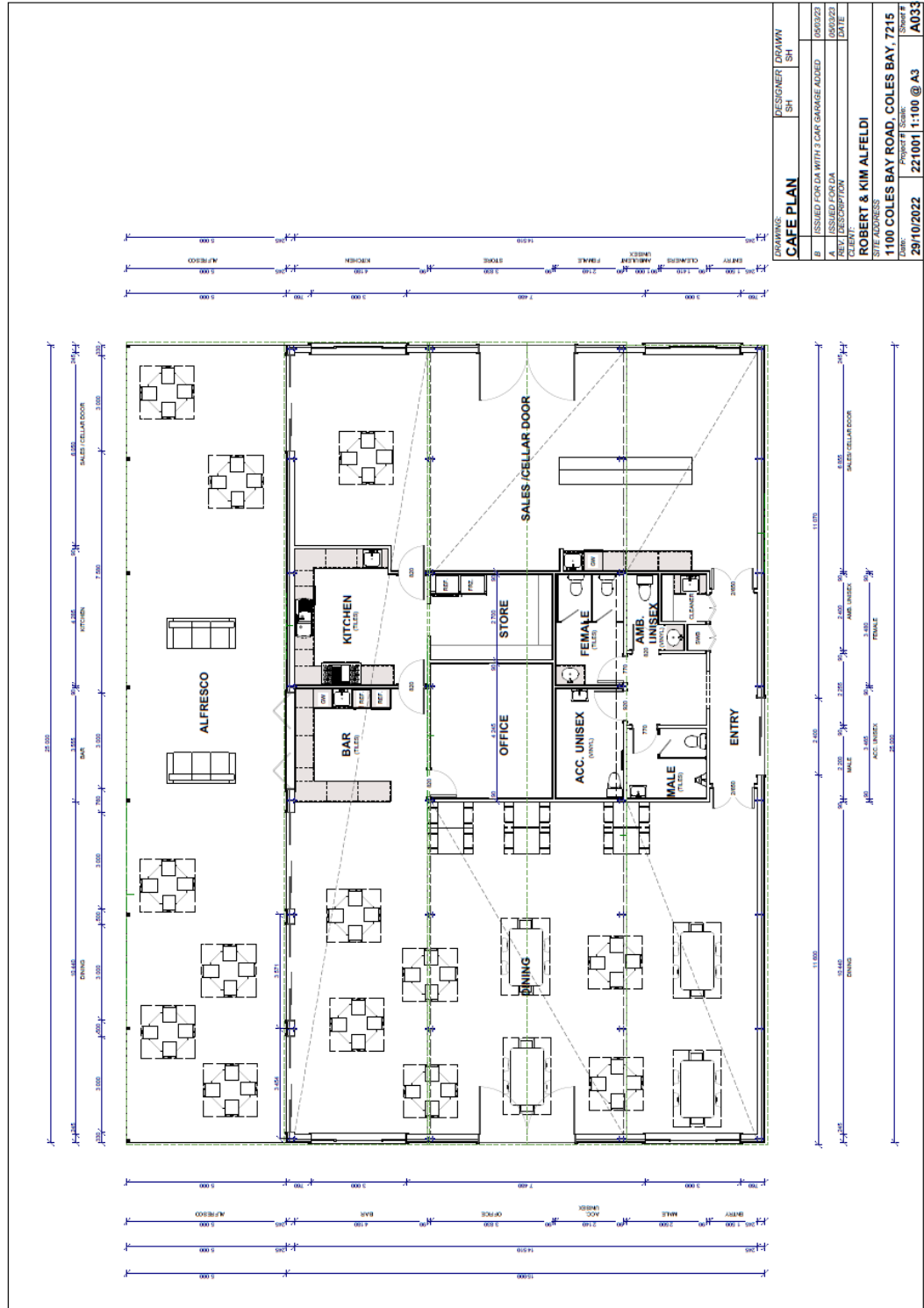
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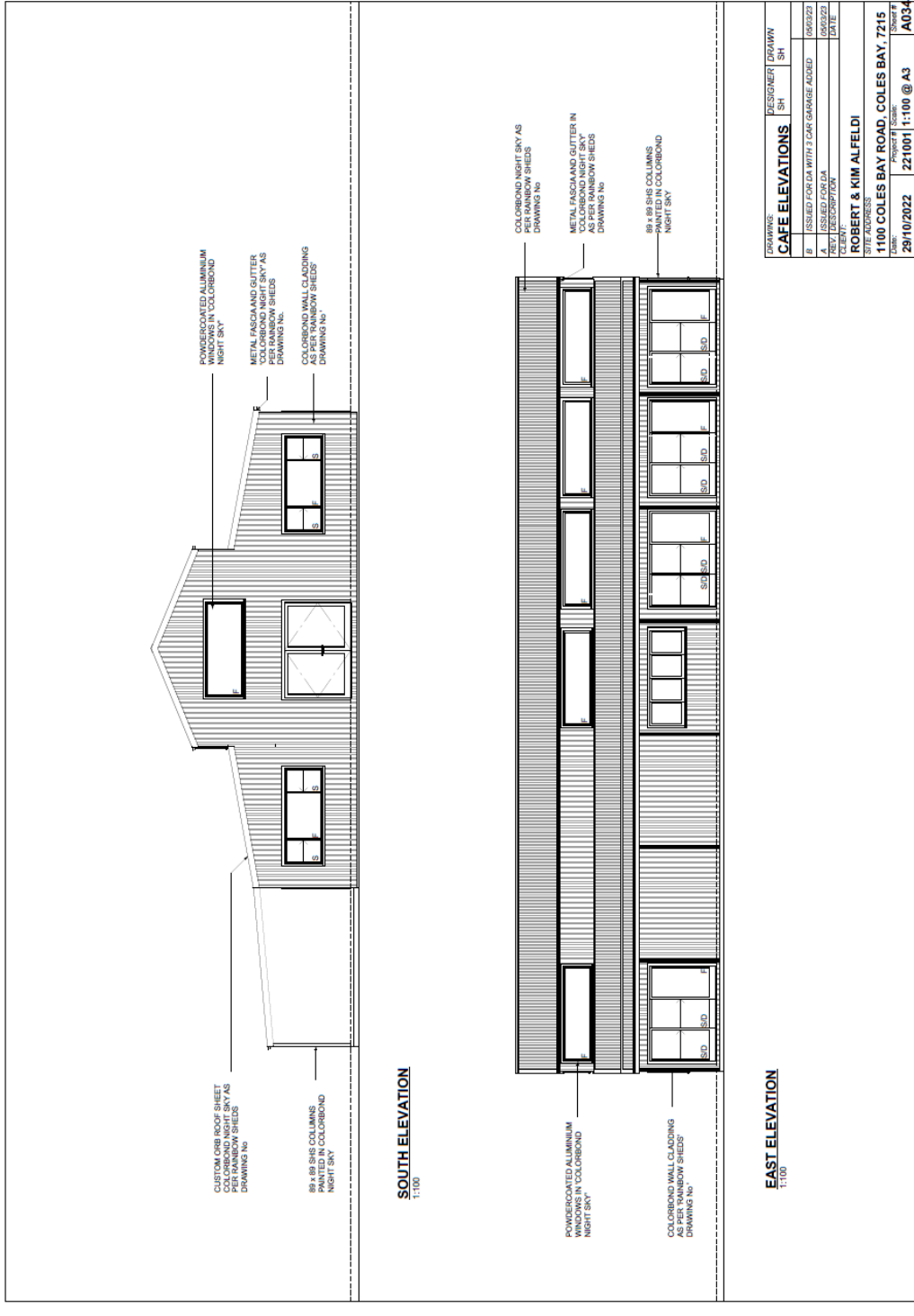
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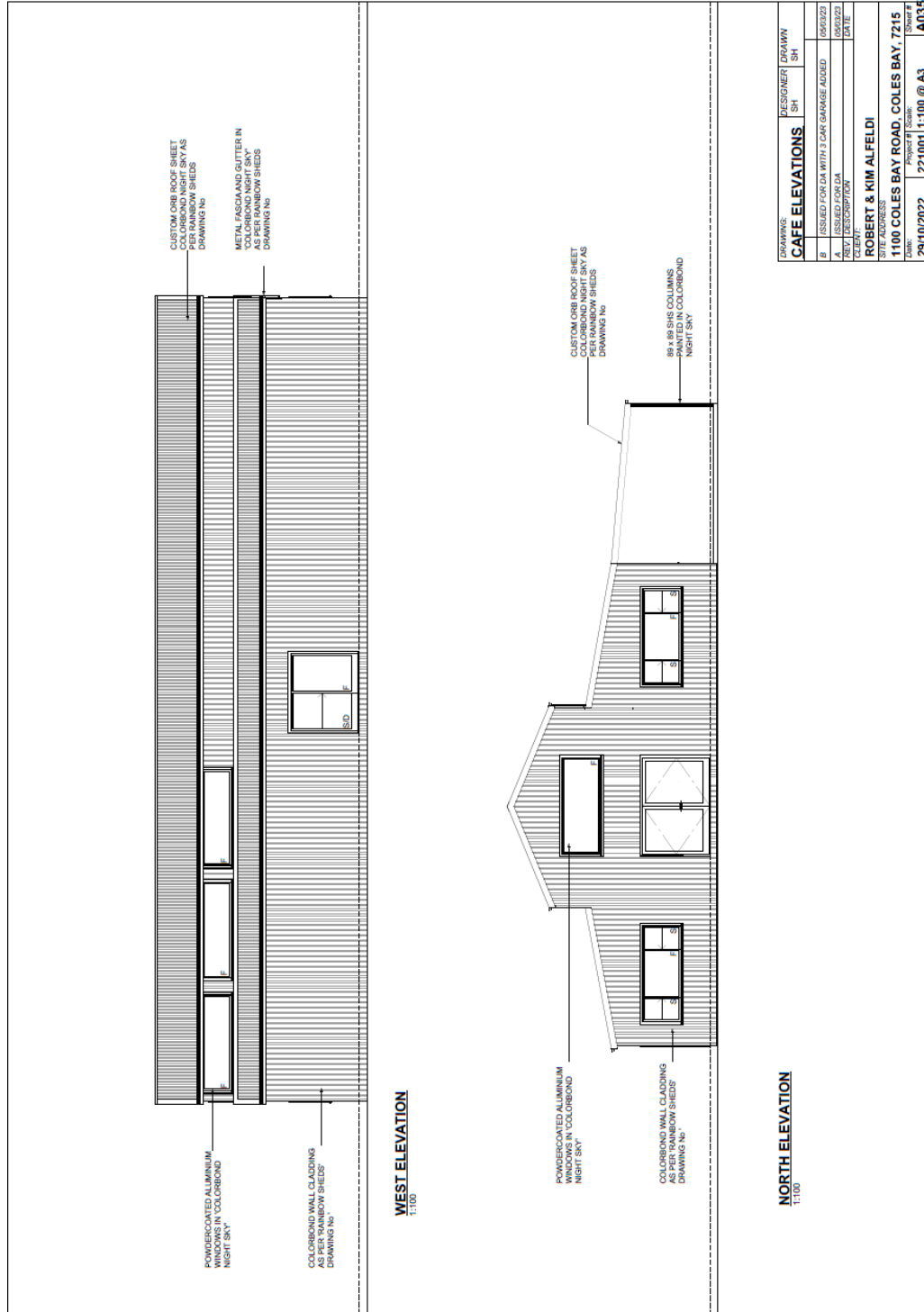


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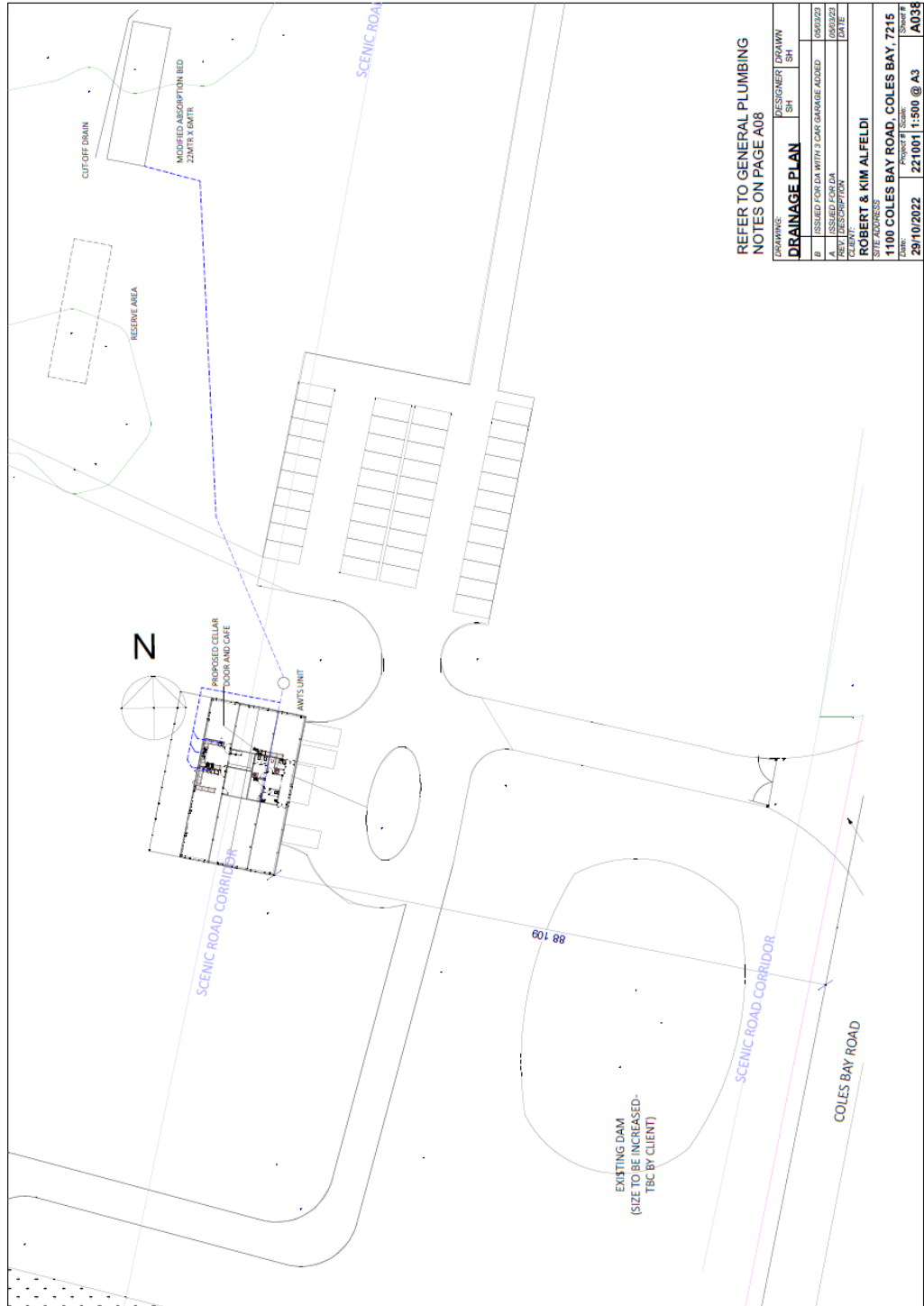


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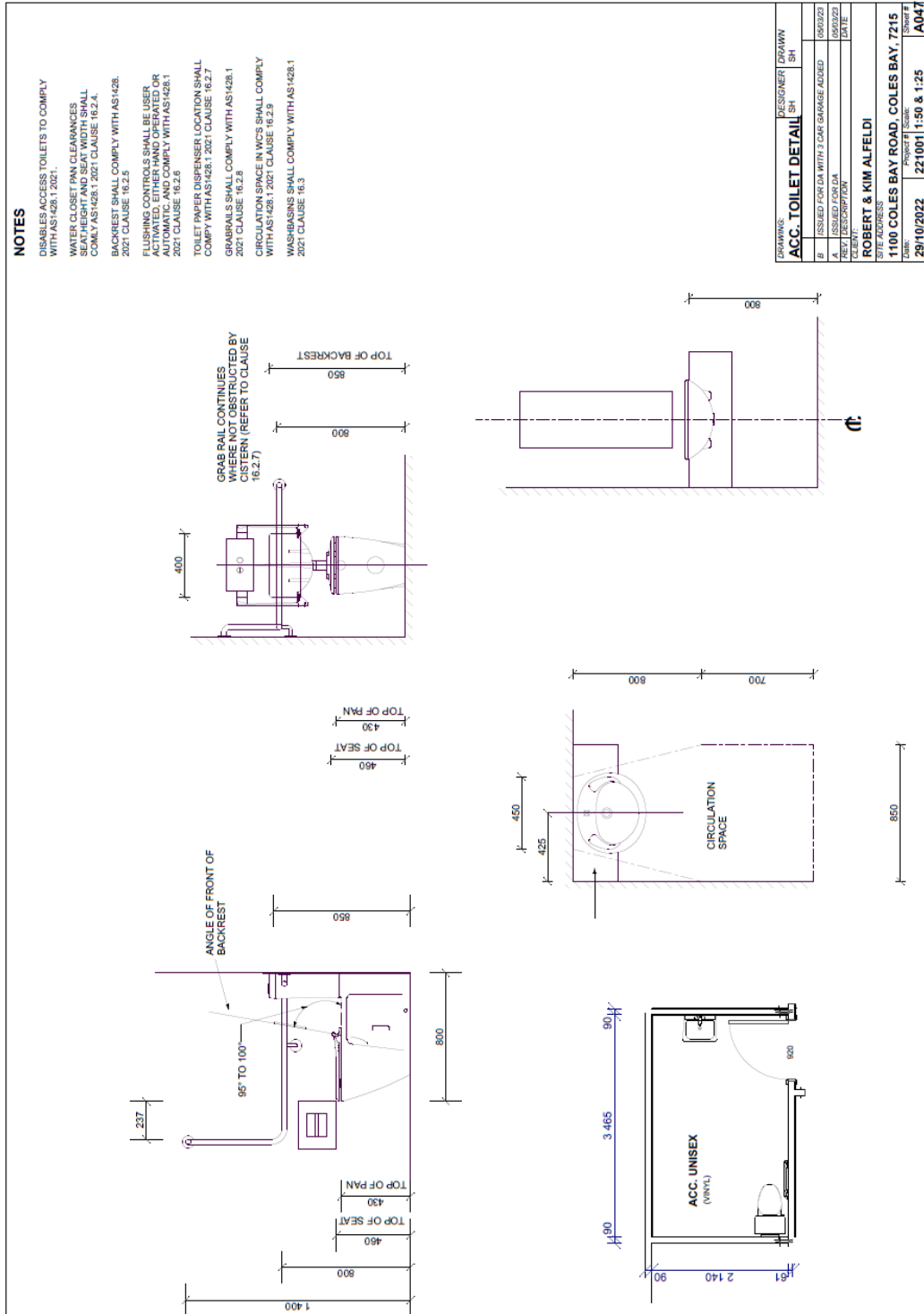




Traffic Impact Assessment



Traffic Impact Assessment





Appendix B – Austroads Level of Service descriptions

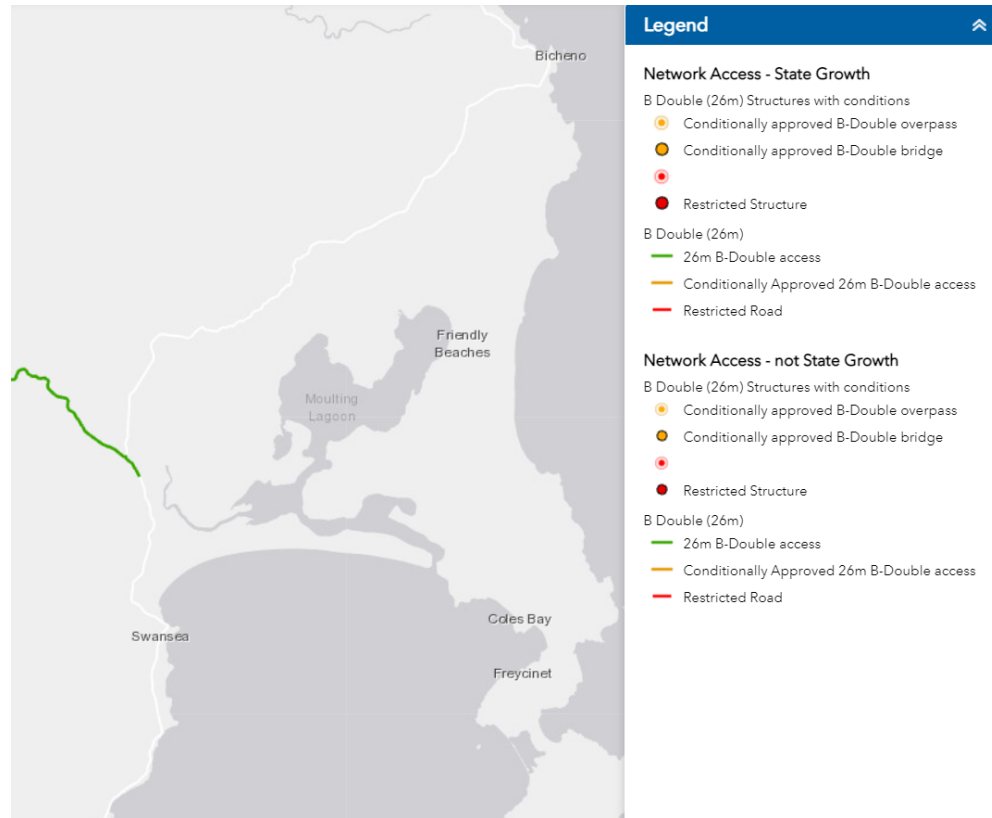
Level of service A	A condition of free-flow in which individual drivers are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to manoeuvre within the traffic stream is extremely high, and the general level of comfort and convenience provided is excellent.
Level of service B	In the zone of stable flow where drivers still have reasonable freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience is a little less than with level of service A.
Level of service C	Also in the zone of stable flow, but most drivers are restricted to some extent in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience declines noticeably at this level.
Level of service D	Close to the limit of stable flow and approaching unstable flow. All drivers are severely restricted in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience is poor, and small increases in traffic flow will generally cause operational problems.
Level of service E	Traffic volumes are at or close to capacity, and there is virtually no freedom to select desired speeds or to manoeuvre within the traffic stream. Flow is unstable and minor disturbances within the traffic stream will cause breakdown.
Level of service F	In the zone of forced flow, where the amount of traffic approaching the point under consideration exceeds that which can pass it. Flow breakdown occurs, and queuing and delays result.

Traffic Impact Assessment



Appendix C – State Road Information

Tasmanian 26m B Double Network



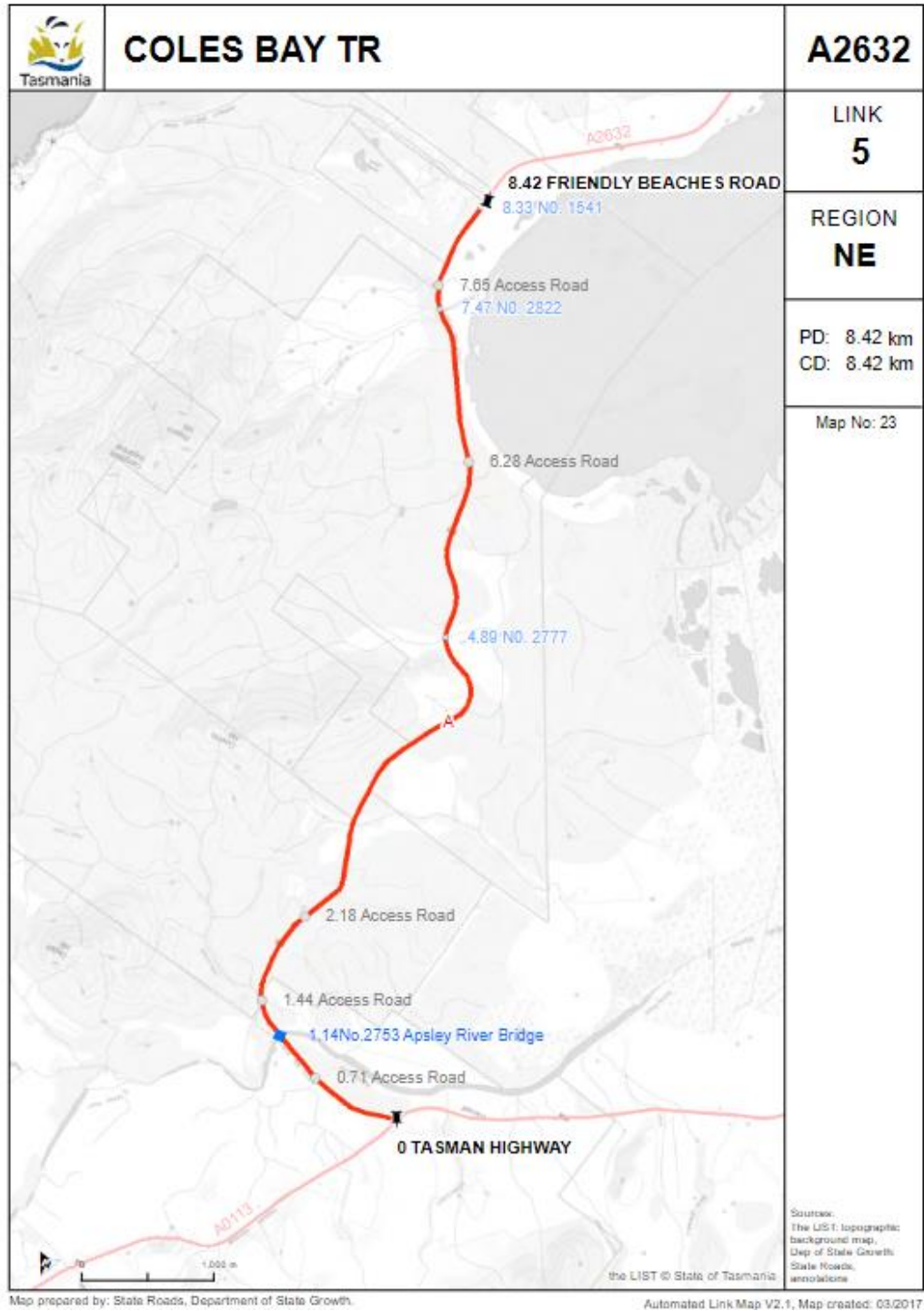
Limited Access State Road Network



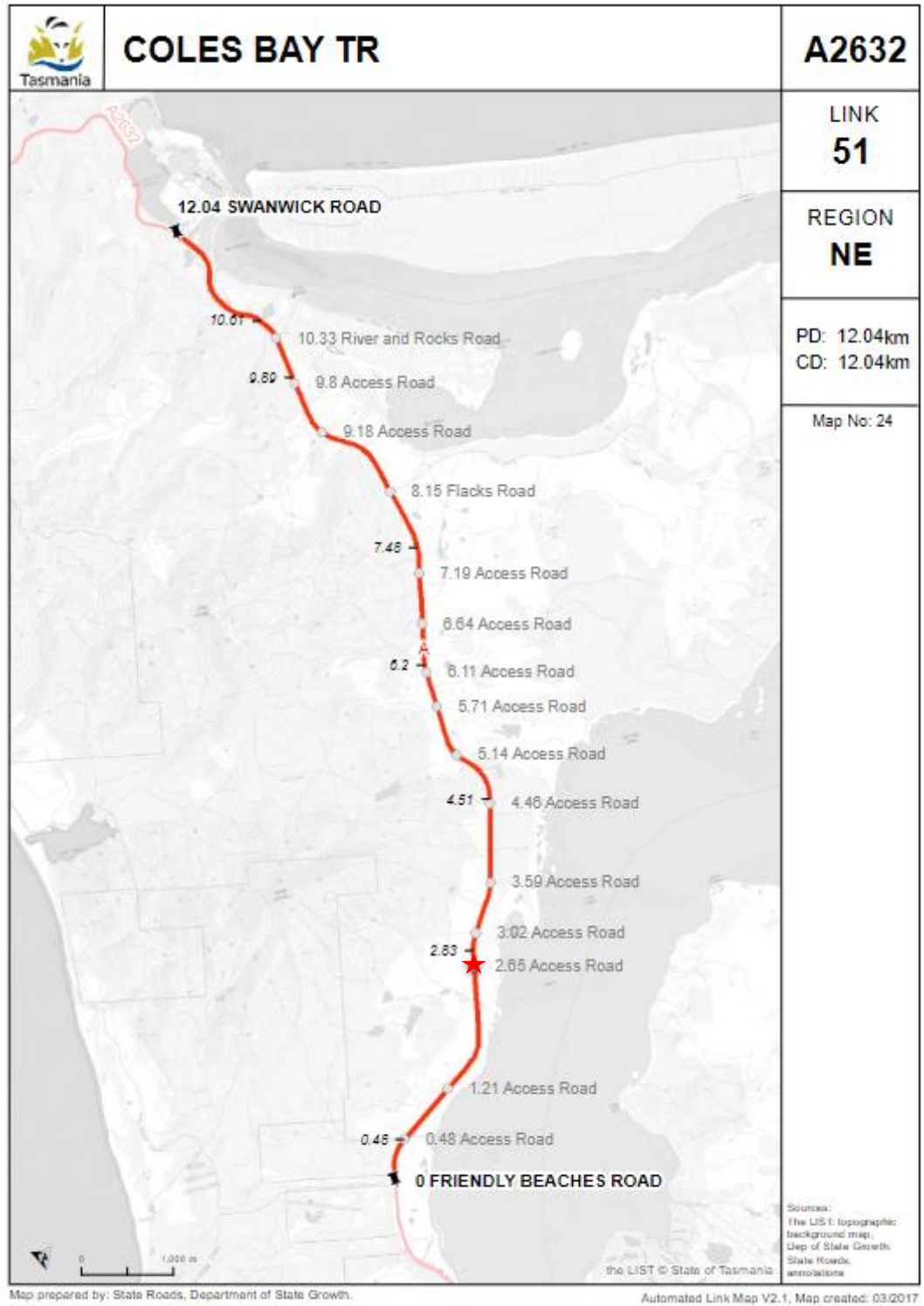
Traffic Impact Assessment



Department of State Growth Link Maps



Traffic Impact Assessment



Traffic Impact Assessment



Appendix D – Safe Systems Assessment

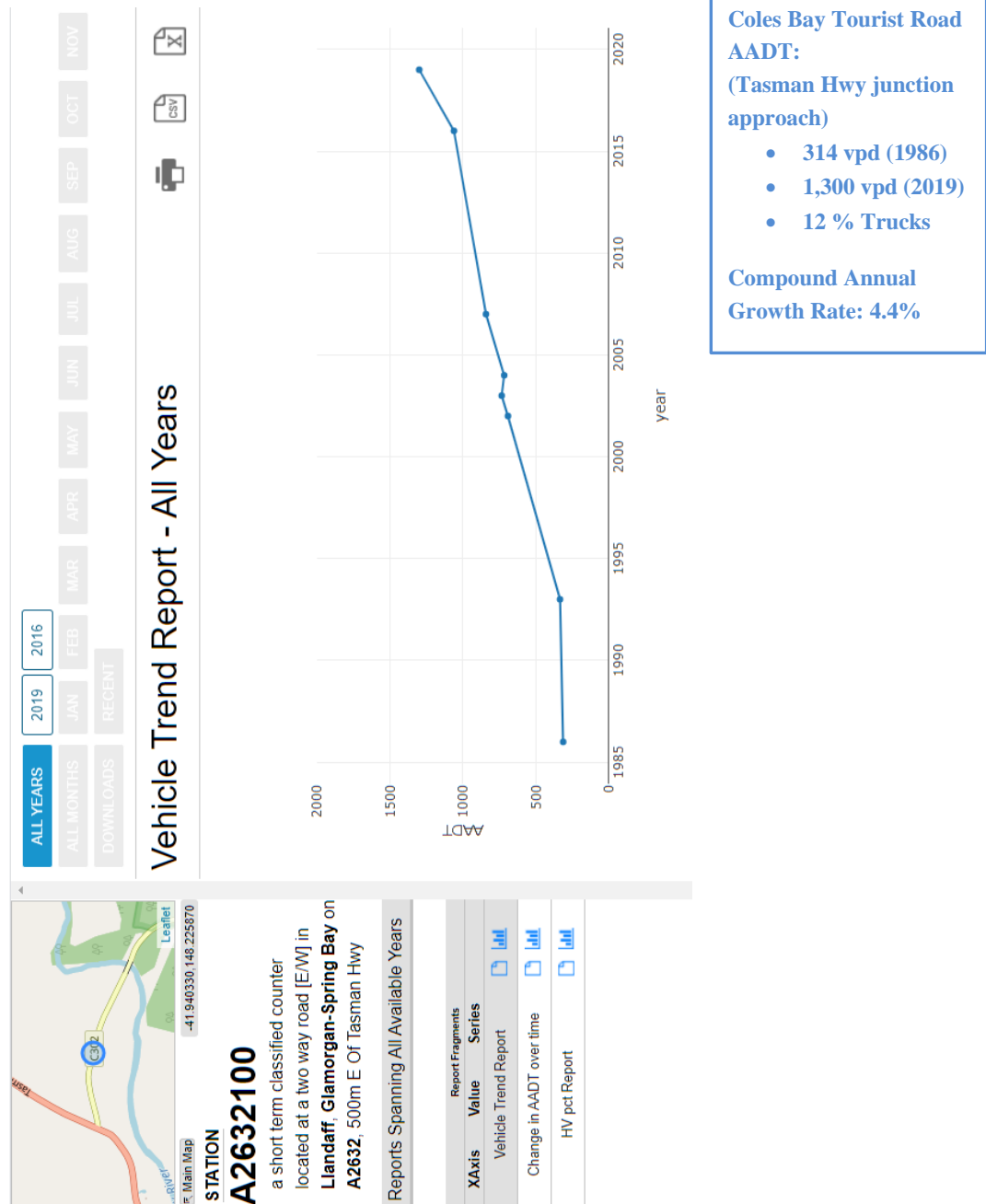
Existing Coles Bay Tourist Road approaches to the Wineglass Bay Estate Access								
Safe System Assessment		Run-off-road	Head-on	Intersection	Other	Pedestrian	Cyclist	Motorcyclist
Exposure	Justification (AADT 3,200 vpd)	Low traffic volume, no reported crashes.	Low traffic volume, no reported crashes.	Low traffic volume at 1100 Coles Bay Rd access and no crashes.	Bus route, no reported crashes	Very low pedestrian activity.	Low cyclist activity, no reported crashes.	Low motorcyclist activity, no reported crashes
	Score / 4	1	1	1	1	1	1	1
Likelihood	Justification	Category 4 State Road standard with some gentle bends , good delineation and adequate sight distance. Relatively hazard free roadsides	Category 4 State Road standard with some gentle bends , good delineation and adequate sight distance. Relatively hazard free roadsides	Simple access layout	Category 4 State Road standard with some gentle bends , good delineation and adequate sight distance. Relatively hazard free roadsides	No specific pedestrian facilities, pedestrian unfriendly environment	No specific facilities provided	Category 4 State Road standard with some gentle bends , good delineation and adequate sight distance. Relatively hazard free roadsides
		Score / 4	1	3	1	4	3	3
Severity	Justification (100 km/h speed limit and environment)	High Speed	High Speed	High Speed	High Speed	High Speed	High Speed	High Speed
		Score / 4	4	4	4	4	4	4
Product	Total Score / 64	4	4	12	4	16	12	12
		Total / 448						

Traffic Impact Assessment



Appendix E – Traffic Count Data

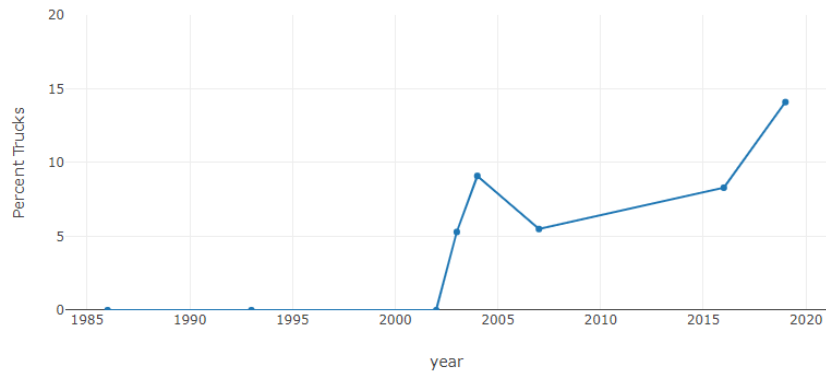
Coles Bay Tourist Road



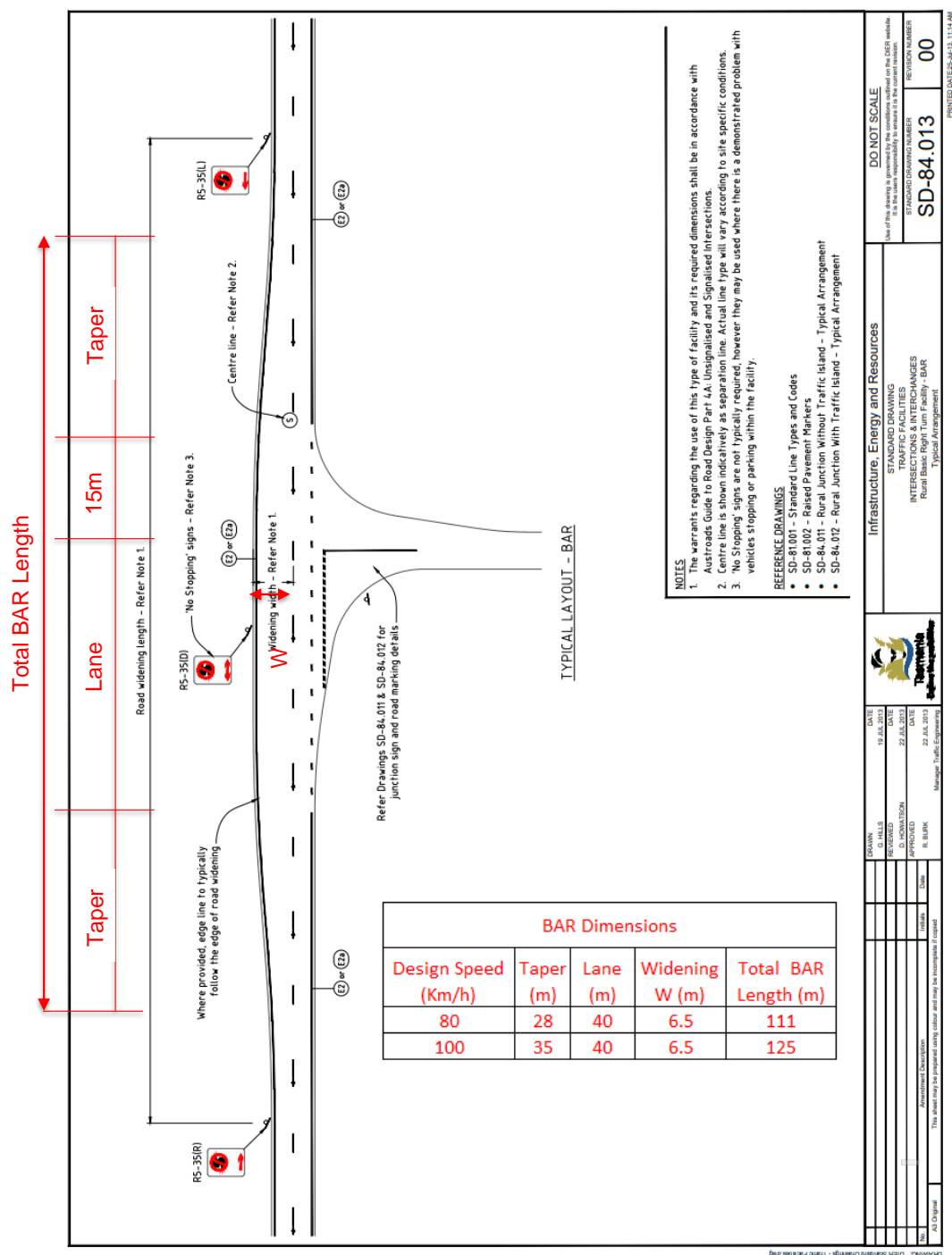
Traffic Impact Assessment



HV Pct Report - All Years



Appendix F – DSG BAR junction layout

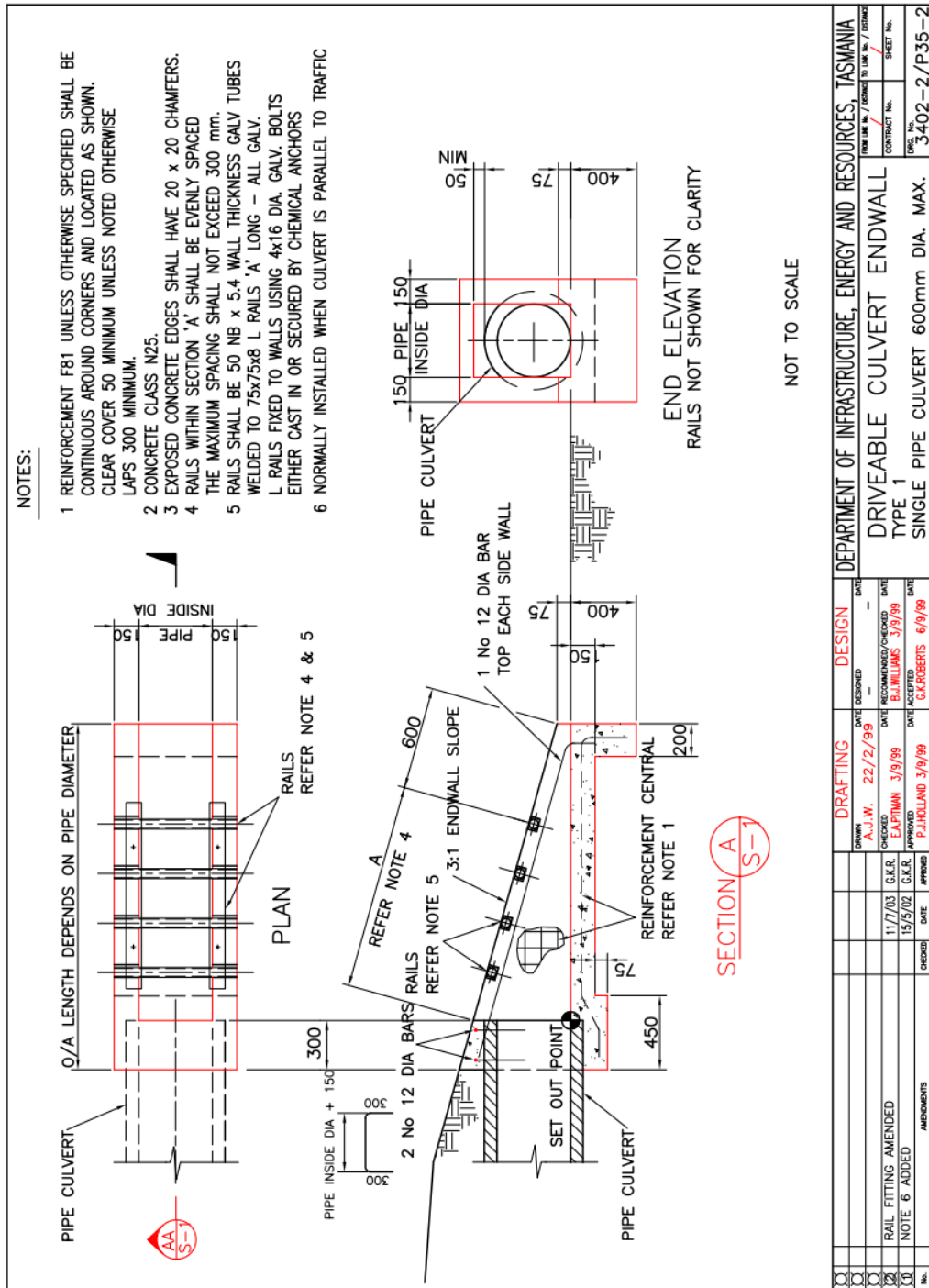


Source: DSG – State Roads

Traffic Impact Assessment



Appendix G – Driveable Culvert Headwall Type 1



Traffic Impact Assessment



Appendix H – DSG advice on TIA acceptability

RE: TIA for Accommodation , Cafe and Cellar Door...



Hills, Garry <Garry.H@stategrowth.tas.gov.au>

To: Richard Burk

Cc: Siale, Vili



10:24 AM

You replied to this message on 30/06/2023 10:27 AM.



Application SRA-23-319 for Crown Landowner Consent - APPROVED...
3 MB



RE Referral DA2023055 - RA1100 Coles Bay Rd.MSG
154 KB

Hello Richard – per the attached email advice, the applicant has been granted Crown landowner consent (which included the updated TIA) and we have responded to Councils referral, also attached for information.

Thanks, Garry

From: Richard Burk <richard.burk@trafficandcivil.com.au>
Sent: Friday, 30 June 2023 10:13 AM
To: Siale, Vili <Vili.Siale@stategrowth.tas.gov.au>; Hills, Garry <Garry.Hills@stategrowth.tas.gov.au>
Subject: FW: TIA for Accommodation , Cafe and Cellar Door at 1100 Coles Bay Tourist Road

Hi Vili,

Please advise on status.

Regards

RICHARD BURK

BE(civil) MTraffic Dip.Man. MIE Aust CPEng

DIRECTOR

Traffic and Civil Services Pty Ltd



0456 535 746
03 6334 1868



Traffic Impact Assessment



RE: Referral DA2023/055 - RA1100 Coles Bay Rd



Our Ref: D23/145024

Hello Rebecca – thank you for the referral regarding the above.

I advise that the department have no objection to this application however it is noted that modifications to access and future road upgrades are recommended by the submitted Traffic Impact Assessment. There is also a need for some service infrastructure works within the State road reservation.

In liaison with the applicants Traffic Engineering consultant, it is understood that development will occur over three stages per below:

- *The developer has clarified that the intended staging of the site development is as follows:*
 - o *Stage 1 - 4 Accommodation Units 8 x 1 Bedroom cabins (Generating estimated 32 vpd with 3 vph at peak times).*
 - o *Stage 2 – 4 Bedroom Residence (Generating estimated 50 vpd with 1 vph at peak times).*
 - o *Stage 3 – Café then Cellar Door (Generating estimated 285 vpd and 25 vph at peak times).*

Taking this into account, the department request the following conditions and notes be included on any planning permit issued by Council:

- Prior to the commencement of the Stage 1 use (8 x 1 Bedroom accommodation units), plans showing all service works to be undertaken in the road reservation (drainage, sewer, water, power and communications etc.) along with the required modifications to the existing property access as outlined by the applicant's Traffic Impact Assessment (prepared by TCS and dated 5 June 2023) will need to be submitted to the Department of State Growth for review and acceptance as part of a works permit application, see Note 1.
- Prior to the commencement of the Stage 3 use (Café and cellar door), detailed engineering plans showing all necessary works for the provision of road widening to implement a Basic Right Turn (BAR) facility as outlined by the applicant's Traffic Impact Assessment (prepared by TCS and dated 5 June 2023) will need to be submitted to the Department of State Growth for review and acceptance as part of a works permit application, see Note 1.

NOTE 1: A valid works permit is required for all works undertaken in the State road (Coles Bay Road) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/general_works_pathsways_stock_underpass

the expected commencement date for works to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

Let me know if you need any further information.

Thanks, Garry

Garry Hills | Principal Analyst Traffic Engineering
Infrastructure Tasmania | Department of State Growth
GPO Box 336, Hobart TAS 7001
Phone: (03) 6777 1940
www.stategrowth.tas.gov.au

Traffic Impact Assessment



From: Planning <planning@freycinet.tas.gov.au>
Sent: Tuesday, 13 June 2023 11:30 AM
To: info stategrowth <info@stategrowth.tas.gov.au>
Subject: Referral DA2023/055 - RA1100 Coles Bay Rd

Good morning,

Please see attached documents for your referral.

Kind regards,
Rebecca McConnon
Development & Compliance Officer - Trainee



6256 4766



rebecca.mcconnon@freycinet.tas.gov.au



www.gsbc.tas.gov.au



9 Melbourne Street, Triabunna, TAS, 7190



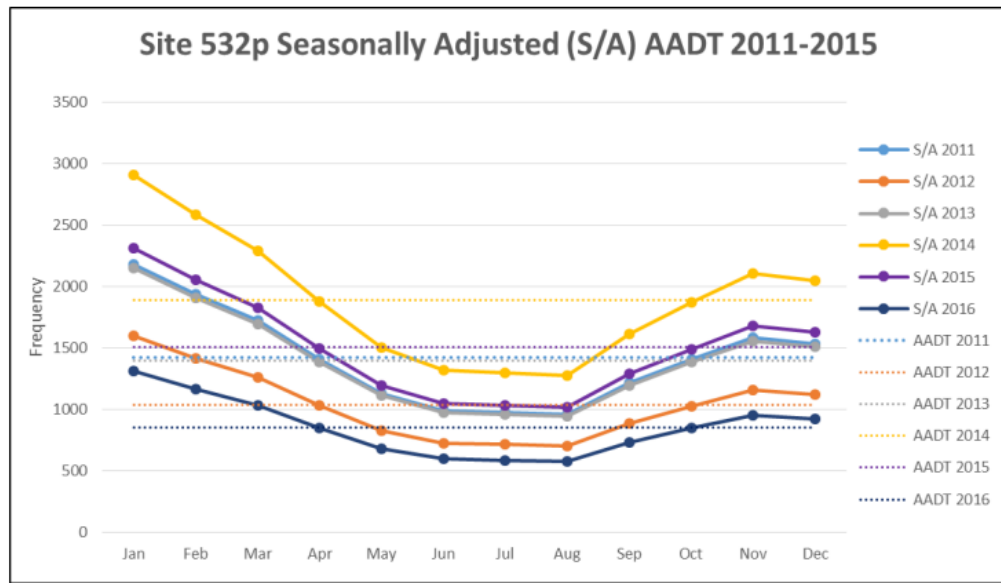
Traffic Impact Assessment



Appendix I – Seasonal Traffic Variation

Tasman Highway (Glen Gala Road southern junction)

During January traffic activity is up to double annual average traffic activity.



40K REPORT
Amendment AM2023-01

**Tasmanian Planning Scheme –
Glamorgan Spring Bay
Local Provisions Schedule
Planning Scheme Amendment**

**Amendment to rezone and subdivide 155 Rheban
Road, Orford**



Glamorgan Spring Bay Council



Senior Planning Consultant

14 August 2023, V0.1



Executive Summary

The purpose of this report is to consider representations that were received to AM2023-01 following completion of the statutory exhibition process under the *Land Use Planning and Approvals Act 1993* (Act).

AM2023-01 was initiated by the Glamorgan Spring Bay Planning Authority (Planning Authority) to rezone 155 Rheban Road, Orford from Future Urban to General Residential and approve a 90-lot subdivision.

Abbreviations

Act	Land Use Planning and Approvals Act 1993
AM2023-01	draft amendment AM2023-01
Planning Authority	Glamorgan Spring Bay Planning Authority
Commission	Tasmanian Planning Commission
Council	Glamorgan Spring Bay Council
Interim Scheme	Glamorgan Spring Bay Interim Planning Scheme 2015
LPS	Local Provisions Schedule
Practice Note 8	Practice Note 8 – Drafting Written LPS
Scheme	Tasmanian Planning Scheme – Glamorgan Spring Bay
SPAN	Submission to Planning Authority Notice TWDA 2022/01822-GSB
STRLUS	Southern Tasmanian Regional Land Use Strategy
Subject land / site	155 Rheban Road, Orford
TPS	Tasmanian Planning Scheme



AMD 2023-01 – Rezoning & Subdivision – 155 Rheban Rd, Orford
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Document Issue Status

Ver	Issue Date	Description	Originator	Checked	Approved
WD.01	11 Jul2023	Council Workshop 11 July 2023	MP		GSB
V1	14 August 2023	For Council consideration 22 Aug 23	MP		



V1 for Council meeting 22 August 2023

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Introduction

The purpose of this report is to consider representations that were received to the statutory exhibition of planning scheme amendment AM2023-01 to the Tasmanian Planning Scheme – Glamorgan Spring Bay (Scheme).

The exhibition process for amendments to a LPS was established at section 40 of the Act, subsections G to J, and summarized as follows:

- exhibition was completed for the required period of 28 days;
- a notice was placed in the local papers on two separate occasions;
- copies of AM2023-01 were available for viewing at the Council office for the notification period; and
- AM2023-01 was available from Council website for this period, with advice on how to make a representation.

AM2023-01 was exhibited for the statutory period of 28 days in accordance with the requirements of sections 40 G and H. This period ran from 12 April to 12 May 2023.

27 representations were received during that period.

Section 40K(2)(b) allows the Planning Authority to consider any representations that are received after the exhibition.

Section 40K of the Act requires the planning authority to submit a report to the Commission containing the following:

- a copy of each representation made during the exhibition period under s.40K(2)(a);
- a copy of any representations made following the exhibition period that the Planning Authority determines to include under s.40K(2)(b);
- a statement of the planning authority's opinion as to the merit of each representation made under s.40K(2)(c), in particular as to:
 - whether the draft Amendment should be modified; and
 - if recommended to be modified, the effect on the draft Amendment as a whole;
- a statement as to whether the planning authority is satisfied that the draft amendment meets the LPS criteria; and
- the recommendation of the planning authority in relation to the draft amendment.

This report includes recommendations that address the planning authority's report under Section 40K.

Following receipt of the planning authority report, the TPC will hold hearings into the draft amendments. The TPC will then retire to determine the draft amendments. That decision may be to approve, refuse or modify all or parts of each draft amendment.

Full copies of the representations were provided as a separate attachment to this report.



Summary of issues

A detailed response to the issues within representations follows. This section provides a summary of the key issues and concerns within the representations.

Act, RLUS, Structure Plan, Previous Amendment and associated issues

The following issues were raised in various representations:

1. the recent refusal of a previous proposal by the Commission;
2. the application is not for the same land as the previous rezoning.
3. lack of compliance with the outcomes and timeframes identified in the Triabunna/Orford Structure Plan;
4. the SGS Report is contrary to the Commission findings and was not critically reviewed;
5. the dismissive approach to the recent refusal of a similar proposal by the Tasmanian Planning Commission;
6. contests compliance with RMPS objective (b) for the orderly release of land;
7. the similarity to the previous proposal.
8. The previous rejection by the Tasmanian Planning Commission of a similar proposal as there were too many blocks and they were below the required size;
9. Local opposition and the lack of opportunity for local involvement prior to this stage;
10. Compliance with RMPS Objective 2(f) for promotion of health and wellbeing by ensuring a pleasant, safe and efficient place to work, live and recreate;
11. The proposal is contrary to the objectives of the Act, particularly its ability to provide for sustainable development; impact to amenity of existing residents of the area, capacity of existing infrastructure, and ability to promote healthy living in the area.
12. contests the validity of statements by the applicant and Council that the Structure Plan and STRLUS are out of date;
13. the recent refusal of a similar proposal by the Commission for lack of consistency with the STRLUS;
14. contests compliance with STRLUS, identifying the lack of changes since the previous decision but acknowledging the insertion of SRD1.1A0;
15. the lack of compliance with the growth strategy and scenario under the STRLUS;

The representations raise the relatively recent refusal of a similar application by the Commission. The decision on Draft amendments AM 2018-07(a) and (b) and permit SA 2017-04 identified the following as part of its assessment:

47. *The Commission agrees with Ms Westwood that the structure plan is in broad alignment with the regional strategy. In fact, the regional strategy anticipates local structure planning will be required to implement the regional growth strategy. It is expressly referred to in considering seasonal fluctuations in population on p 90, stating that settlements, identified in Table 4 Growth Management Strategies for Settlements, 'require more detailed local level structure planning to ensure both residential and tourism related growth is managed appropriately having regard to infrastructure, environmental and social issues'.*
48. *The Commission notes that the structure plan specifically states:
Any residential rezonings undertaken should be timed so as to contribute to the provision of a 15 year supply of land to meet the projected demand.
Given the vacant land analysis indicates there are currently many potential*

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infill development opportunities, these rezonings may not need to occur for a number of years. Monitoring the supply of vacant land will be an important action to ensure that rezonings occur only when the available land supply drops below 15 years. (p 58)

49. *The Commission is not convinced by Mr Wells' submissions that there is not already sufficient zoned land for a 15 year supply of land in Orford and therefore considers that the draft amendments are premature.*

...

54. *The Commission finds that the draft amendments:*

- *are not, as far as is practicable, consistent with the Regional Settlement Strategy under the regional strategy, particularly in that the draft amendments are not consistent with the growth strategy and growth scenario for Orford; and*
- *do not further Objective (b) of the Resource Management and Planning System in Schedule 1 because they do not represent an orderly release of land.*

These statements must be considered against the additional information provided by the applicant and subsequent revisions to the Southern Tasmanian Regional Land Use Strategy (RLUS) by the Minister for Planning and Structure Plan by Council to address issues around growth.

The SGS Report was prepared to provide a detailed examination of the specific land supply and availability within Orford, including an analysis of the likely lot yield from lands available for subdivision that was completed by an experienced surveying firm and remains uncontested by other expert evidence.

The SGS Report identified:

- The 15 year reserve established under the Structure Plan was appropriate;
- The 25 year growth allocation under the Structure Plan and RLUS was reached within 3-4 years and that growth continued;
- Growth occurred at 2.4% between 2006 and 2016, rather than the 0.4% projections within the RLUS and Structure Plans;
- Dwelling growth within Orford should be based on a 2% averaged annual growth rate;
- Short stay or holiday letting of houses had increased since online platforms had established, which were not accounted for in the RLUS and Structure Plan projections;
- PDA provided an analysis of likely yield from available lands within Orford;
- The PDA analysis identified likely realisation rates based on low and high yield scenarios, based on their experience and various aspects of the assessed lands;
- Short falls were projected in the supply of lots to the market in the 2021-2025 and 2031 to 2035 periods for both low and high demand scenarios;
- AM2023-01 would increase the available supply from 11 to 16 years on a low growth scenario, or 20 years on a high growth scenario;
- Considering the range of projections, SGS concluded that an additional 298 dwellings were projected to be required for Orford between 2020 and 2035 (p12).

2021 ABS data identifies that 142 dwellings were created between the 2016 and 2021 census (refer Table 2 in this report), compared to the 129 dwellings that the Structure Plan

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projected¹ would be required in Orford by 2030, and identification of the subject lands for residential rezoning (rather than low Density or Rural Living) in the Zonal Recommendations.

This suggests the following:

- an average growth rate of 3.22%, which is well above the 2% projection in the SGS Report;
- the 2% projection identified by SGS may be conservative and under-represent the future demands for lots and dwellings if recent trends continues;
- approval rates for dwellings in Orford have exceeded those identified in the Structure Plan that supported the General Residential zoning for the subject lands;
- even if that is not the case, there is a demonstrated need for the subject lands to be rezoned to maintain the 15 year reserve; and
- the demand justifies rezoning of the lands at the current time based on the SGS Report and projected development threshold in the Structure Plan.

The data presented by the 2021 Census confirms the analysis within the SGS Report and suggests the identified allocations are conservative. This information and the demonstration of actual demand in the 12 years since proclamation of the RLUS are new evidence since the Commission decision on AM 2018-07.

The Commission decision was also prior to amendments to the RLUS and the Structure Plan to address growth over the previous decade or so. The relevant statements in the Commission decision are no longer considered relevant to the assessment against the Structure Plan or the RLUS.

The Minister for Planning amended the RLUS to address the dated nature of statistical data it contained to include SRD1.1A in July 2022 and by including additional sites within the Urban Growth Boundary and revising SRD2.12 to allow consideration of land adjacent to the Urban Growth Boundary in May 2023. SRD1.1A is relevant to AM2023-01, while SRD2.12 is not as Orford does not have an urban growth boundary.

SRD1.1A specifically allows contemporary land supply and demand analysis within townships and other settlements to prevail over the allocation growth strategy or scenario at Table 3 of the RLUS. The SGS Report provided that assessment, as noted in the NSA and Assessment Reports.

SRD1.1A prevails over the decision criteria identified in the Commission assessment, and enables for contiguous development that is consistent with the identified criteria. The representations do not raise any additional data that affects the original assessment against SRD1.1A.

AM2023-01 follows the process established by the State under the Act and through the Regional Planning Framework Discussion Paper and draft Structure Planning Guidelines, and the amendments that were endorsed by the Minister for Planning to reflect the dated nature of statistical information within the RLUS. Claims that the process is not consistent with strategic planning processes are not supported.

Claims that the data within the RLUS and Structure Plan is not dated were demonstrated to be inconsistent with the application of the RLUS, the decisions by the Minister to revise the RLUS to establish SRD1.1A in July 2022 or more recent changes to the RLUS to include more sites within the Urban Growth Boundary and include SRD2.12 to enable growth. The

¹ P48 Table 17, Structure Plan



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Demographics section of this report provides responses to the key claims that demonstrates the data in the RLUS and Structure Plan were, in fact, out of date.

The growth strategy and scenario within the RLUS were recognised as out of date by the Minister for Planning, as demonstrated by multiple revisions to allow consideration of contemporary data. As noted within this and the Demographics section of this report, reliance on the Growth scenario and strategy published in the RLUS is not consistent with strategies SRD 1.1A and 2.12 within the Tasmanian Planning Scheme Addendum to the RLUS. The Structure Plan is considered to provide the settlement structure plan identified in SRD1.1A(e).

Claims of consistency with the RMPS Objectives regarding its ability to provide for sustainable development; impact to amenity of existing residents of the area, capacity of existing infrastructure, and ability to promote healthy living in the area are not supported.

Public infrastructure requirements were considered through the subdivision process at the developers cost, and address road, footpath, stormwater, open space, water and sewerage infrastructure. Taswater supported the proposal (refer SPAN TWDA 2022/01822-GSB, which specifically contradicts allegations regarding water and sewerage.

The Council went through a process in mid-2021 to revise the RLUS to support development of the site following up to date data on the development rates and availability of land at Orford in the SGS Report that supports this application. That decision was supported (5/2, minute reference 143/21) and ultimately created clause SDR1.1A. At the same meeting, Council also supported a revision to the Structure Plan to recognise the SGS Report and revise recommendation 9.2.2 point 3 to support rezoning the site in the short term (passed 7/0, minute reference 144/21).

No changes are recommended as a result of these issues within the representations.

The contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01.
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment;

Demographics

The following issues were raised in various representations:

1. contests Council acceptance of the SGS reporting without independent verification and the lack of a 15 year supply;
2. contests compliance with the growth scenario and strategy for Orford under the STRLUS;
3. Land supply – the lack of consideration of Solis and Holkham Court in supply and demand assessments and potential for oversupply of lots in the area and the failure of the SGS Report to allow for the Solis/Bayport land as part of its assessment, requesting that this is corrected;



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4. contests the demographic demonstration of demand in the area, citing that 67% of dwellings were unoccupied in the 2021 ABS census and this proposal will not result in permanent residents;
5. questions the projected population growth and need for the subdivision;
6. Failure to demonstrate demand for the proposal;
7. The failure of the SGS Report to identify actual growth as part of their analysis and justification of the projected population increase is not substantiated;
8. The SGS Report does not justify the proposed additional lots;

The NSA and SGS Reports clearly identify that growth exceeded the projections within the RLUS and Structure Plan. Since the NSA and SGS Reports were prepared, the 2021 ABS data confirmed much of the analysis within them, particularly around:

- the population growth in the area 2006 – 2016 and 2021;
- the dominance of unoccupied dwellings at 68% in SGS Report and 67.2% ABS census 2021 and the Tasmanian average of 14%;
- the impact of the actual growth (2.4% SGS) against the projected growth (0.4% RLUS) in land supply and availability.

The Commission decision on the previous amendment supported the need to maintain a 15 year supply of land under the Structure Plan at paragraph 48.

Remplan Community² provides the following data for population growth within Glamorgan Spring Bay, summarised in Table 1 and developed from the available Remplan data for the Orford local area.

Year	2021	2016	Change 2016 to 2021	2011
Location	Persons	Persons	%	Persons
Orford	676	615	9.10%	N/A*
Spring Beach	133	80	60.15%	N/A*
Total GSB	5,176	4,399	17.66% **	4,134
Notes:				
* ABS data was not available for 2011 as the locality area areas changed for Orford, Spring Beach following the 2011 census, but were consistent for the 2016 and 2021 census.				
** Percentage change for Glamorgan Spring Bay area.				

Table 1 - ABS Population data 2011-2021

(Source: compiled from Remplan community)

The overall population trend for the Glamorgan Spring Bay area is shown at Figure 1 and shows a stable pattern to 2015 and clear increase to 2022.

The data clearly shows that the population within Orford is increasing over time, which is consistent with the projections provided at Figure 4 of the SGS Report. Dwelling occupancy data for Orford was available for 2016 and 2021 census, as shown in Table 2.

ABS data provided through Remplan identifies slightly different data to the representors claim (63% v 67%), but confirms a consistently high rate for unoccupied dwellings across the Orford area, consistent with its recognition as a shack settlement within the RLUS. These figures are consistent with the dwelling projections provided at Table 2 of the SGS Report and the identified observations and trends within that report.

² Website: [REMPLAN Community](https://www.remplan.com.au/)



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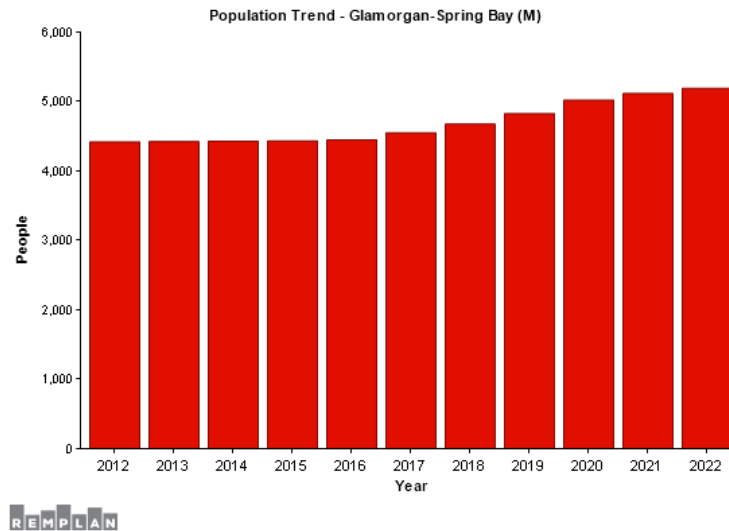


Figure 1 - Population growth 2012 - 2022
(source: Replan community/ABS)

Year	2021		2016	
Type	Dwellings	%	Dwellings	%
Occupied private dwellings	350	36.16%	293	35.47%
Unoccupied private dwellings	618	63.84%	529	64.04%
Non-private dwellings	0	0.00%	3	0.36%
Total	968	100.00%	826	100.00%

Definitions (Based on Australian Bureau of Statistics, Census Dictionary, 2021)

Table 2 - Dwelling Occupancy
(source: Replan community from ABS data)

The Tasmanian Planning Scheme established standardised controls based on the State Planning Provisions and do not include provisions that would regulate the occupancy of dwellings as holiday or second dwellings. The State established mandatory provisions for management of short stay visitor accommodation firstly through Planning Directive 6 and secondly through provisions across various zones under the Tasmanian Planning Scheme.

The use of dwellings as shacks or second/holiday houses was addressed through the State Planning Provisions by their inclusion within the Residential use class as dwellings, reflecting a long standing practice. The available data suggests that the high rate of unoccupied dwellings within the Orford locality represents the long term trend for the area.

No changes were identified following consideration of these issues to AM2023-01.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they raise issues relevant to consideration of the need, demand, supply and timing for rezoning of land within Orford relevant to AM2023-01;
- Determined to not require any changes to AM2023-01;

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- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment.

Amenity / character / suitability

The following issues were raised in various representations:

1. the impact of a (relatively) small lot subdivision on the existing character of East Shelley Beach area;
2. the change to a suburban character with this subdivision;
9. smaller lot sizes are not justified;
10. over development of the site;
11. impacts to local residents;
12. the rezoning should be consistent with the existing subdivision and development pattern in the area and seek Low Density subdivision rather than General Residential (suggesting 40 lots later in the submission);
13. density of lots and change in character from spacious shack settlement to more suburban density, noting designation in STRLUS as shack/holiday community;
14. the change from the existing low density character of the area.
15. delays in constructing houses on the lots, use for temporary holiday accommodation, and the construction of substandard structures;
16. lack of compatibility with the development pattern and amenity of the existing area at East Shelley Beach;
17. requests that Council consider the nature of the area and the suitability of this proposal for the character of the area.
18. the need to maintain the amenity and identity of the place;
19. compatibility with the character of the East Shelley Beach area against the suburban nature of the proposal;
20. Objects to the small lot sizes and lack of public open space, and requests a flat village green space of 5%, some larger lots or a village green be required by the Commission;
21. Impact of the small lot sizes and resulting dwellings and multiple dwellings on the safety, wellbeing, access, aesthetics and general liveability of the area;
22. lack of height restrictions to maintain amenity of existing properties, identifying a prohibition of 2-storey dwellings;
23. the inconsistent lot sizes with the existing East Shelley Beach character.
24. a restriction to single storey dwellings;
25. the negative impact of the recent Happy Valley and Rheban Rd subdivisions have had on the local community;
26. the suitability of the proposal to the coastal holiday character of Orford and the suburban nature of the subdivision with its visual, servicing and road impacts on a holiday community;
27. the intent of the original subdivider (grandfather) and lifestyle of the area;
28. the suitability of the proposal to the coastal shack/holiday character of the area.
29. lack of compatibility with the development pattern and amenity of the existing area at East Shelley Beach, with particular objection to kerb and channel type road edges and requests dish drains as more suitable to the area;
30. The impact on the character and amenity of the area of 90 additional lots and the resulting dwellings that will occur.



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31. The high density nature of the proposal, contending that it should be rural living with a minimum lot size of 1000 m²;
32. The suburban density of lots and their lack of suitability for a rural area;
33. New subdivisions should not have smaller lots than recent subdivisions (citing the Manning Drive area);
34. the impact of modern development practices, identifying images of sheds, caravans and buildings and existing areas in Russell St, West Shelley Beach, Integrity Way, Jetty Rd and Nautilus Drive areas; and
35. opposes the lack of vision and high standards that many consider appropriate to the area;
36. objects to recent trend for higher front fences supports lower fences through the planning scheme;
37. the lack of consideration of aesthetics in recent development, citing examples of the suitability of front fences on Integrity Way and Rheban Rd;
38. requests the ability to consider native hedging, bird life against the impact of dividing fences and concrete;
39. The ability of the proposed lots to accommodate the required dwelling and parking for the cars, boats and other accoutrements for holiday houses in the area;
40. The short sighted nature of the proposal and costs that will be incurred by the Council, community and environment;
41. The generally low standard of the proposal and impacts to the local community.
42. Impact of the additional population on traffic and pedestrian safety, particularly at and around the boat ramp;
43. The impact on amenity and values with the use of lots for caravans and sheds;
44. The ongoing cost to ratepayers;
45. The change in character of Orford and suburban nature of the proposal;
46. The incompatible nature of the proposal with the existing development in the area, particularly the density/size of the lots in contrast to the existing development pattern;
47. The opportunity for more dwellings per lot (citing 20.96/ha) against the recommended 15/ha in the NSA Report;
48. increased occupation of lots during peak periods as a holiday town;
49. The additional impact on the area during holiday times from the subdivision and amenity of the area for (permanent) residents.
50. The lack of public open space in the subdivision;
51. The lack of suitable family based public open space in the area;
52. 90 lots will overload the current amenities in the area, naming boat ramps and associated parking, boating and fishing;
53. The lack of low cost housing, such as setting aside 25% of lots for this purpose.
54. Impact of the proposal and walkway on the privacy of an adjoining property, requesting a six foot fence to that boundary;

As detailed at section 6.2 of the Assessment Report, rezoning to General Residential is consistent with the Structure Plan, which identified the subject land for rezoning to residential in the longer term (9.2.2 Recommended Actions and zonal recommendations diagram). Demographic information provided in the application and assessment reports and since confirmed by ABS data identifies that the thresholds for update residential land at Orford that supported rezoning of this land were met due to much higher demand than expected.

The land has access to full urban services and was provided with the required consent and conditions from Taswater to support the proposal. Subdivision for urban residential development is consistent with the strategic recognition of the land for rezoning and subdivision, public infrastructure provided to the area and the proposal.





The lot density requested by the representors is consistent with the development pattern when the area was first subdivided in 1949 and the lack of services at that time. The Low Density Residential zone is not consistent with the zoning identified in the Structure Plan and would require the Planning Authority to change its position on the rezoning and refuse the application for subdivision.

The density of lots is regulated through zoning, and dwellings per lot is regulated through controls for multiple dwellings within the zones under the Tasmanian Planning Scheme. Lots range in size from 475m² up to 1217m², with the majority between 500 and 900 m².

Some representations suggest that the specific landscape of the subject lands is unique to the area and requires protection. The site and surrounding landscape are relatively typical for the area, being a mix of cleared grazing lands adjoining established residential areas to the north and native vegetation or grazing lands to the south.

The Rheban Road corridor and area surrounding the site are not subject to Scenic Protection Area overlays, which supports this conclusion.

The unique landscape within this area arguably lies further north of the subject lands and comprises the coastal reserve and beach. Development of this area was largely a result of subdivision and survey work completed in or around 1949 and the creation of titles for the East Shelley Beach Road properties (based on the survey plan for the area).

A Specific Area Plan is the only tool under the Scheme that could be used to maintain the coastal character of the area. It is unclear what matters a Specific Area Plan would need to address to maintain a *coastal or shack character*.

Any such provisions would be required to meet the tests established for variation of the standards under the Tasmanian Planning Scheme at section 32(4), as follows:

- (4) *An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
 - (a) *a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
 - (b) *the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

A review of the existing Structure Plans is about to commence. This review could consider the use of area based provisions to reflect the coastal or shack character of Orford and other settlements across the municipal area.

The provision of low cost or affordable housing is not regulated through planning schemes. The appropriate place for any such controls is through revisions to the State Planning Provisions, so that affordable housing was addressed across the State in a consistent manner and provided with the relevant supporting tools to manage any such scheme outside the planning scheme.

Access to and use of community based recreation facilities (such as the boat ramp) is recognised as likely to increase through the subdivision and development of the subject lots. Higher population levels and resulting increases in usage of such facilities are likely to support improvements to the facilities in the area.



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The proposal includes the construction of a walkway to the road reservation that contains the creek and adjoins 22 East Shelley Beach Road. An existing access and walkway connects the Road to the coastal reserve and walkway to the northern side of the road, but not the southern. Privacy can be maintained to properties adjoining both the subject site and the creek and proposed walkway by fencing, which is regulated through the *Boundary Fences Act 1908*.

The representor from 22 East Shelley Beach Road expressed concern at the loss of privacy resulting from the proposal and walkway. That property has a taller solid fence to the rear portion of the back yard, with a lower wire fence to the remainder of the common boundary. It is not Council policy to require fencing to adjoining properties as part of the subdivision process.

No change is recommended as a result of these issues in the representations. The Planning Authority

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment;

Access to other services

The following issues were raised in various representations:

1. The lack of facilities for medical care and healthy communities and impacts on rural based health services, difficulties recruiting health practitioners and existing limitations on doctor services in the area;
2. The lack of availability of other services generally;
3. The suburban nature of the proposal and resultant impacts on mental health of resident;

Various representations identified a lack of access to medical facilities in the area.

Orford is recognised as a township in the RLUS that provides a range of services to local residents consistent with the Activity Centre hierarchy established within it. Access to medical and other facilities is addressed through the combination of requirements under the AC series of Regional Policies at section 18.6 of the TPS Addendum.

The subject land is proximate to the existing township of Orford and was assessed as compliant with the AC series of Regional Policies in both the NSA and Assessment Reports.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and



- Determine to not affect compliance with the LPS criteria in the original assessment;

Taswater (water and sewerage)

The following issues were raised in various representations:

1. Existing problems with water supply in the area during leak times and the impact of this proposal on existing problems;
2. The stretched nature of existing water and sewerage services in the area and impacts to the system from the proposed subdivision, identifying the existing failures as having driven Spring Bay Seafoods from the area through overflows and spills;
3. The suitability of existing infrastructure, particularly sewerage and water;
4. Constraints on and capacity of the existing sewer and water service networks, and risk of costs being imposed to other parties for this as a result of AM2023-01 and the associated subdivision.
5. Capacity for the water supply in the area, particularly in dry periods;
6. a contribution for upgrades to the existing sewerage treatment plant;
7. the claimed inability of Taswater to deal with existing odour emissions from the sewerage treatment plant and other infrastructure in the area;
8. the impact the additional houses will have on the odours they already experience at their property;
9. Impact on sewerage services in the area, and the ability of Taswater to resolve existing issues;
10. Odour impacts from the sewerage treatment plant to the subdivision and area.
11. Odour impacts from the sewerage treatment plant, and the apparent omission of the impact of the proposed expansion of the plant for a 40 cubic metre raw sewerage emergency storage tank to the area;
12. The odour assessment apparently did not consider a common transient atmospheric condition in the area that increases pollution odours in the area;
13. Overflows from the sewerage treatment plant in high rainfall events and contamination of East Shelley Beach;
14. The ability of the existing plant to accommodate the load from the proposed subdivision;
15. Existing compliance issues with the sewerage treatment plant, as documented by Taswater and attached to the representation;
16. Odour impacts to the area from the plant, questioning the relevance of the report given the lack of consideration of the loading of the plant from the proposed subdivision and limitations identified within the SEAM Report;
17. Cites that the reporting and assessments did not consider the required 400m buffer for the proposed 2050 population levels;
18. Questions what the action plan will be with the next overflow from the plant and resultant impact on residents and the area.
19. Attenuation Code: the proposal relied on assessment against C9.6.1 P1, where Taswater identified the existing plant was at capacity. The representation seeks revised assessment against the provisions of the Code to address required upgrades and associated operation of the wastewater lagoons, and potential for harmful emissions;
20. The application documentation does not support compliance with the requirements of the Attenuation Code and cannot be supported;
21. Effluent overflows to creeks from the sewerage treatment plant, odour and capacity of the plant to accommodate the proposal;



The issues regarding water and sewer capacity and impacts of the sewerage treatment plant and attenuation code were addressed by Taswater as part of their assessment of the proposal. Changes were required to the proposal and supporting documents to reflect Taswater's concerns prior to issuing consent for the proposal in the form of the SPAN TWDA 2022/01822-GSB.

The issues raised within the representations were referred to Taswater for comment, with the following response provided:

The water and sewerage related issues raised in the representations have been considered as part of our normal development assessment processes.

We are satisfied by internal review of the submitted Odour Reports forming part of this and previous applications that there are no odour issues for the proposed development from our STP.

We are satisfied that the STP can cater for the flows, with the plant being managed by us to accommodate the development with no conditions imposed on the developer, other than those in the SPAN.

We are satisfied that our water system can also cater for the development, also with no conditions imposed on the developer, other than those in the SPAN.

TasWater therefore advises that TasWater's Submission to Planning Authority Notice remains unchanged.

Following receipt of this advice, additional information was sought. A second response was provided, as follows:

TasWater maintains its position as stated in our Submission to Planning Authority Notice. That is, the development can be serviced subject only to the conditions listed in the Submission.

TasWater can confirm the Orford and Triabunna Water and Sewerage Strategy 2015-2050 is no longer current and is being updated by TasWater. The Strategy was written in 2015, and among other things, reflected the demands on our networks by a proposed significant development which is not currently proceeding.

TasWater is currently planning and undertaking project works to address known issues with our sewerage network caused by ground water infiltration issues including upgrades to our STP outfall and multiple pump stations. The proposed development will not contribute to the existing infiltration issues due to the use of welded pipe joints and current construction standards for the new sewerage infrastructure.

TasWater would not object to Council mapping based on the odour contours contained in the developer's report however, TasWater is of the opinion that Attenuation Area buffers around Sewerage Treatment Plants (STP's) should not be mapped in the LPS's. TasWater is undertaking a long term improvement program involving most STP's in the state, which may impact on attenuation distances and accordingly would prefer to rely on the code, rather than mapping buffers in the LPS's which may soon be out of date or incorrect.



The advice in these responses is clear: the various claims within the representations are either incorrect or based on out-of-date information and Taswater supports its previous assessment reflected in SPAN TWDA 2022/01822-GSB.

Taswater did not identify any support for or suggest any changes as a result of the matters raised within the representations.

The proposal and representations were also referred to the EPA as regulator of the Orford Sewage Treatment Plan. The EPA provided the following response:

Thank you for your query. It would be inappropriate for the EPA to comment on specific aspects of a Development Application. However, I note that:

- *The location of the proposed development does not meet the recommended attenuation distance for Sewage Treatment Plants.*
- *There is potential for land use conflict.*
- *The EPA does not recommend that sensitive land use developments are approved within the recommended attenuation distances for Sewage Treatment Plants.*

It is up to TasWater to consider whether accepting the increase in wastewater volumes as a result of the proposed development may impact on their ability to comply with the environmental conditions of their land use permit for the wastewater treatment plant. They must also consider if the decision to accept an increased volume of wastewater will impact their ability to comply with the law in relation to causing environmental nuisance or harm eg. increased odours, exceeding the design capacity, overflows of untreated wastewater into the environment.

The EPA provided general responses to the referral and deferred any specific comment to on compliance and impacts of the rezoning to Taswater. The EPA also declined to provide any comment or advice on specific attenuation areas for the Orford Wastewater Treatment Plant, consistent with their referral response and long standing practice.

Queries regarding breaches of the EPN were directed to the Annual Environmental Review Report for 2021-2022 on the Taswater website (available [here](#)).

The Plant operates under an Environmental Protection Notice (no. 8949/1) issued by the EPA in 2014, which includes the following condition to prevent emissions outside the title boundaries:

O. Odour Emission

- O1** The activity must be managed and operated so as to prevent the emission of odours that cause or are likely to cause an environmental nuisance beyond the boundary of the land.

Operation of the Plant under the terms of the EPN and the enforcement obligations of the EPA under condition O1 prohibit odour emissions from the site that would impact the land subject to AM2023-01. The existing regulatory regime for the Plant prohibits emissions that would impact the subject lands.

Conditions R1 and R2 require all complaints from the operation to be recorded and kept for a 2 year period. Taswater publish environmental reporting on their plants, with the most recent Orford report from September 2022 and provides the following regarding permit compliance and complaints (as previously noted).

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38.9 Non-compliance with other permit requirements



Table 38-I: EPN non-compliances

EPN Condition	Description of non-conformance	Future Actions to be taken
EF3 Effluent quality limits for discharge to water	Discharge compliance with permit limits	See section 38E Discharge compliance with permit limits and Performance Analysis
EM4 Discharge Management Plan	Discharge Management Plan overdue	Submission timeframe TBC. Plan in development for DMP submission dates following on from agreed format between TasWater and EPA.
OP2 Operational Procedures and Maintenance Manual	No contemporary Operational Procedures Manual	New SharePoint based solution for OPMMs currently being developed. First version to be implemented by June 2023.
OP3 Contingency Management Plan	No contemporary Contingency Management Plan	First revision has been completed and will be implemented in FY 2022-23 (finalisation pending EPA approval).

38.10 Complaints and incident reporting

No complaints were reported during the FY2021-22 reporting period.

Table 38-J: Incident Reporting

Date	Category	Details	Mitigation Actions
26 October 2021	Spill	Overtopping of final lagoon at STP with eventual discharge into East Shelly Beach area.	Communication with council and ShellMap regarding overflow. Longer term - assess requirements for additional storage.
12 May 2022	Spill	As above	As above

Figure 2 - Extract Taswater Environmental Reporting – Orford STP
(source: Orford STP 21-22.PDF.aspx)

Sections 38.9 and 38.10 of the Environmental Reporting for the Orford Sewerage Treatment Plant identify two incidents of spills or overtopping with actions including review for additional storage.

As previously noted, Taswater supported the proposal, the supporting reports and their previous assessment. The EPA referral does not provide any specific responses that suggest the support provided by Taswater should be reconsidered.

Representations raised the issue of limitations from the attenuation area on development of the proposed lots. C9 Attenuation Code of the Scheme allows attenuation areas to be shown on the overlay maps for planning schemes, which was not done through the LPS process. The Scheme did not do this through the LPS process, but the representation raises a valid point about the ability to develop the proposed lots if the application is successful.

The Glamorgan Spring Bay Interim Planning Scheme addressed attenuation under Code E9 Attenuation Code, though the application of attenuation distances from the boundary of the specific activity. Introduction of the Tasmanian Planning Scheme forced attenuation distances to be calculated from the site, which is defined as the lot(s) that an activity is located on. The difference between these two approaches is shown in Figure 3.

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Figure 3 - 350m buffer from the activity (left) and title boundaries (right)
(source: Council GIS)

The attenuation shown on the left at Figure 3 is consistent with Figure 3 of the Seam Attenuation Area Report, while the right image includes the significantly expanded buffer established through the LPS process and includes the access from Rheban Road that forms part of the subject title.

The change in the attenuation area draws an additional 39 lots and associated dwellings into the attenuation area for the Plant as a result of the administrative change to the operation of the Code.

The reports addressing the attenuation issues that support the application were accepted by Taswater and were not contested by the EPA. Variation of the standard buffer should be considered on that basis to exclude the existing developed areas and the land subject to AM2023-01, based on the reports addressing the attenuation issues.

This would most likely see the buffer on the right hand image at Figure 3 terminate at the Rheban Road easement. Establishment of the Buffer as an overlay was not part of the exhibited documents, and would need to be addressed as a substantial modification under section 40P of the Act. This would then remove potential conflicts with the Attenuation Code and the future development of the existing and proposed lots.

If the current applications are successful through the Commission assessment, it is appropriate to progress this through either a dedicated overlay map for the buffer for the Plant or a site specific qualification noting this change to the requirements of Table ZC9.2 of the Scheme. The latter is preferred, noting the previous objections of Taswater in this report and through the LPS process to establishment of mapped overlays for sewerage treatment plant.

In terms of the varying numbers across reports and representations, the EPN establishes a maximum daily capacity at **473** kilolitres (average dry weather flow – defined as the average of the daily flows to a wastewater treatment plant sustained during dry-weather periods with



limited infiltration³). The Seam report identifies the average daily inflow as 179 KI, which is within the approved limits of the plant and subject to the terms of the effective EPN for the site.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to the consideration of issues relevant to AM2023-01 and mapping of attenuation buffers that were assessed and supported by the relevant entities and expert assessment reports;
- Determined to require the following change to AM2023-01;
 - Establish an overlay for the attenuation buffer for the Orford Sewage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment.

Infrastructure

The following issues were raised in various representations:

1. lack of consideration of impacts of the proposal on infrastructure (sewerage treatment, power, water etc);
2. Capacity of infrastructure to accommodate the proposal and associated development;
3. Impact on existing infrastructure, noting the already low water pressure in the area during dry periods;
4. opposes future residential development in the POS area (5);
5. Lack of capacity with NBN, identifying existing service problems during peak periods;
6. The lack of infrastructure for foot traffic in the area;
7. Impact of heavy vehicle movements during construction;
8. Failure to comply with the stormwater, engineering and environmental standards within the Tasmanian Planning Scheme laws (sic);
9. inadequate access to the waterfront by comparison to other recent subdivisions;

The issues regarding water and sewer capacity were addressed in the previous section of this report.

The capacity of council infrastructure was assessed by the relevant authorities within Council and determined to either have sufficient capacity or require upgrading, with suitable conditions applied.

The POS on the proposal plan was required to be dedicated as a drainage reserve under condition 3 of the draft Planning Permit and transferred to Council, with condition 10 requiring a cash-in-lieu contribution for public open space. Development of that lot will be limited following its transfer to Council and management as part of the stormwater network. Residential development will not be possible on that basis.

Condition 3 should be revised to require the subject lot set aside for drainage on the Final Plan, as it is understood that all lots labelled as reserve must be transferred to the Crown. The required consent was not obtained for transfer to the Crown and ongoing management

³ [EPA Standard Conditions and Definitions](#)



of the reserve will be required by Council as part of its stormwater drainage network. Condition 3 should be revised as a result. Development within the POS/drainage area will therefore be limited.

Infrastructure such as the NBN and electricity were addressed at condition 42 on the draft permit, imposed pursuant to powers under clause 6.11.2 of the Scheme and the requirement that specific acts be done to the satisfaction of the planning authority (or delegate in this case and pursuant to s.6 of the Act). Appropriate conditions were provided on the draft permit under clause 6.11.2 of the Scheme and following the RMPS objectives for orderly development and coordination of approval systems, in addition to concerns raised in many of the representations.

The proposed subdivision includes footpaths and a connection through the POS/drainage lands to East Shelley Beach Road and the East Shelley Beach reserve. The conditions that Council can impose on a permit are legally required to be reasonable to the nature of the proposal. Conditions require the provision of road widening and footpaths to Rheban Road, which will be completed at the developers cost. The remainder of Rheban Road will be completed as more land is subdivided, or the Council is able to fund works from its budget.

The developer is required to fund all infrastructure for their subdivision, minimising or eliminating the cost to other parties as a result of this proposal.

The matter of fencing to maintain privacy from the proposed walkway can be addressed by additional conditions to the permit, as previously discussed.

The wording of condition 3 was raised within the representations and determined to have merit to the current process.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have some merit as they relate to matters relevant to the current assessment and identified some revisions to the recommended permit;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01;
- Determined to require revised wording for condition 3 of the draft permit issued under AM2023-01 as follows;
The POS shown on the Lot Layout Plan must be set aside for drainage on the Final Plan, when submitted.
- Determine to not affect compliance with the LPS criteria in the original assessment; and
- Determined to not require any alteration to the draft amendment.

Roads

The following issues were raised in various representations:

1. a minimum road width of 11 metres, not 8.9 metres;
2. a minimum road width of 11.2 metres, not 8.9 metres;
3. impact on safety and traffic congestion to the surrounding road network;
4. failure to comply with performance criteria for cul-de-sacs and internal lots;
5. the road layout lacks imagination, the proposed internal lots do not have frontage and is not in keeping with the character of East Shelley Beach (10);
6. failure to comply with performance criteria for internal lots and road construction;



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7. supports lack of road connection to East Shelley Beach Road;
8. The maintenance of sight lines for traffic safety with the proposed tree planting;
9. The high increase in traffic volumes from the proposal during peak or holiday periods;
10. Traffic impacts on existing narrow roads;

Representations supporting the limited connection to East Shelley Beach Road are noted and require no further response.

The Planning Scheme enables consideration of a range of matters for roads at clause 8.6.2 P1, specifically around provision of *an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to a range of matters*. That assessment was detailed in the NSA Report, reviewed in the Assessment Report and subject to further advice from the Road Authority.

Failure to comply with planning scheme requirements for road construction is unclear. The layout and design of the road network was assessed by Council's engineer and revised by the applicant to meet requirements. It is noted that while some representors may be engineers, they are not appointed as the Road Authority for Glamorgan Spring Bay Council. Conditions reflect on the draft permit following the advice of the Glamorgan Spring Bay Council Road Authority.

The Road Authority has separate statutory powers outside the planning system, subject to detailed engineering and industry standards, and a detailed approval process by the Road Authority. As many of the concerns in the representations relate to detailed design that is within the statutory purview of the Road Authority. The advice of the Road Authority was sought as follows:

I am reluctant to go out to 11m. It starts to look like a main road and speeds the traffic up. It would also be inconsistent with other developments and while this is larger overall, will still function in a similar way to other approved subdivisions.

Following the advice provided by the Road Authority, no change is proposed to the minimum required road width under the draft Planning Permit.

The lack of imagination is not a matter that can be assessed under the Planning Scheme.

Internal lots were assessed in the Assessment Report and were required to have dedicated access as part of their own title rather than right of way over the front lots. Conditions 2 and 25 of the draft Planning Permit established that requirement. The stated concerns regarding the failure to comply with the requirements for internal lots is otherwise unclear. Further responses may be required if additional grounds are identified.

No changes were required as a result of these issues in the representations.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment;



Stormwater flooding

The following issues were raised in various representations:

1. contests the effectiveness of the proposed stormwater treatments identified on the plans (1 & 2);
2. lack of documentation for ongoing costs of the stormwater management (3) and impacts of lack of maintenance (4);
3. contests compliance with the Coastal Erosion Hazard Code with installation of twin culvert pipes and the resultant erosion that will occur (6);
4. claims lack of compliance with pre-development flow limitation under draft permit condition 32 (7) and therefore the Tasmanian Stormwater Policy;
5. lack of compliance with the Tasmanian Stormwater Policy and the failure to provide a Stormwater Management Report did not allow adequate assessment of the DA (11);
6. questions whether the adjoining property owners provided owner consent and the required easements for the construction of a 1-metre retaining wall and stormwater drain to the rear of lot 77.
7. notes increased 1:100 flood events and need to provide for reserves to drainage reserves and more planning to these areas;
8. objects to lack of stormwater storage through development and requests reduction of impervious surfaces and retention of water holes for fighting bushfires;
9. Existing flooding problems with her property and cost of providing mitigation measures if the subdivision is approved;
10. Limitations and qualifications identified in the Aldanmark and Flussing reports and impacts for flooding of the site and future suitability for housing do not appear consistent with the impacts and outcome;
11. Dated and conservative nature of climate and rainfall data used in the reports;
12. Lack of consideration of stormwater impacts on Eash Shelley Beach;
13. Stormwater impacts from the proposal to the existing waterway and flooding of it and adjoining houses/properties;
14. Questions the impact on the surrounding area of the stormwater and sewerage from the development and particularly, the impacts to Eash Shelley beach for water quality and beach condition;
15. The need to fully investigate and consider stormwater issues in the area before any approvals are issued, by reference to the forced closure of Spring Bay Seafoods;

The effectiveness of proposed stormwater management techniques were considered by the Stormwater Authority within Council and the recommendations throughout this process and conditions on the draft Planning Permit reflect that advice.

Concerns about the dated nature of data within the respective reports were referred to Council's stormwater consultant, who provided the following advice:

As per our discussion yesterday the 2016 design intensity-frequency-duration (IFD) rainfall data which was used in my modelling described in the East Shelly Beach Urban Stormwater System Flood and Risk Study (2022) refers to the Bureau of Meteorology Design Rainfall Data System (2016). This system replaced the previously used Australian Rainfall and Runoff 1987 IFDs and the interim 2013 IFDs and remains the current rainfall IFD system for use in stormwater studies of this kind.

More information on the system can be found [here](#):

Loading factors are applied to this data to estimate the impacts of climate change.



Stormwater connections to new lots are required at clause 8.6.3 A3 of the Scheme and in conjunction with other controls under the C7.6.1 P3 Natural Assets Code for development and works. The application was assessed as compliant with the relevant standards following assessment against the requirements of the respective clauses. Conditions were imposed under the subject provisions and in accordance with clause 6.11.2 of the Scheme.

Councils engineer confirmed that the previous advice and conditions address the required matters for design of the stormwater system and will provide appropriate instruction to inform the detailed design process that follows the planning process.

In terms of flows and impacts to East Shelley Beach, the following is noted:

- General compliance is required with the Tasmanian Coastal Works Manual at condition 11;
- Condition 30b requires stormwater runoff to be no greater than pre-existing levels or accommodated within the public stormwater system; and
- Conditions 29-33 establish a range of requirements for the design of the stormwater system to satisfy,
- Management of sewerage was emissions from the nearby plant is managed through an EPN and addressed previously in this report.

No additional requirements are identified.

In terms of AM2023-012, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment;

Coastal & Erosion

The following issues were raised in various representations:

1. concern at stormwater impacts to the beach and potential pollution;
2. the likely coastal erosion impacts of the proposal on East Shelley Beach;
3. Failure to address C10 Coastal Erosion Hazard code requirements;
4. Failure to address C10 Coastal Erosion Hazard code requirements;
5. Impact of runoff on the beach and water quality resulting from the proposal;

The subdivision itself does not include land that is within or identified as affected by the Coastal Erosions Hazard Area overlay under the Scheme, or any other coastal overlays, as shown below.

Figure 4Figure 1 shows the coastal overlays under the Scheme shows that the coastal inundation, coastal erosion and overlays and future coastal refugia overlays apply to the coastal reserves on the northern side of East Shelley Beach Road. The subject site is shown within the red border.

The Waterway and Coastal Protection Area overlay is separated from the coast by the existing development in East Shelley Beach Road. An assessment was provided as part of

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the application documents and reviewed as part of the Council reporting that identified the proposal complied with the Waterway and Coastal Protection Area overlay.

The Site Plan shows connection through the road reservation to the coastal track through the existing road reservation adjacent the creek and stormwater upgrades. The Creek forms part of the Council public stormwater system under the *Urban Drainage Act 2013*.

An existing track provides access from East Shelley Beach Road to the coastal reserve, walking track and beach.

Coastal erosion impacts to East Shelley Beach are part of a natural process and as such are beyond the scope of this amendment. The impacts from the proposal were addressed by conditions for the stormwater system and specifically, condition 30b, which requires no increase in stormwater flow. Impacts are therefore expected to be minimal.

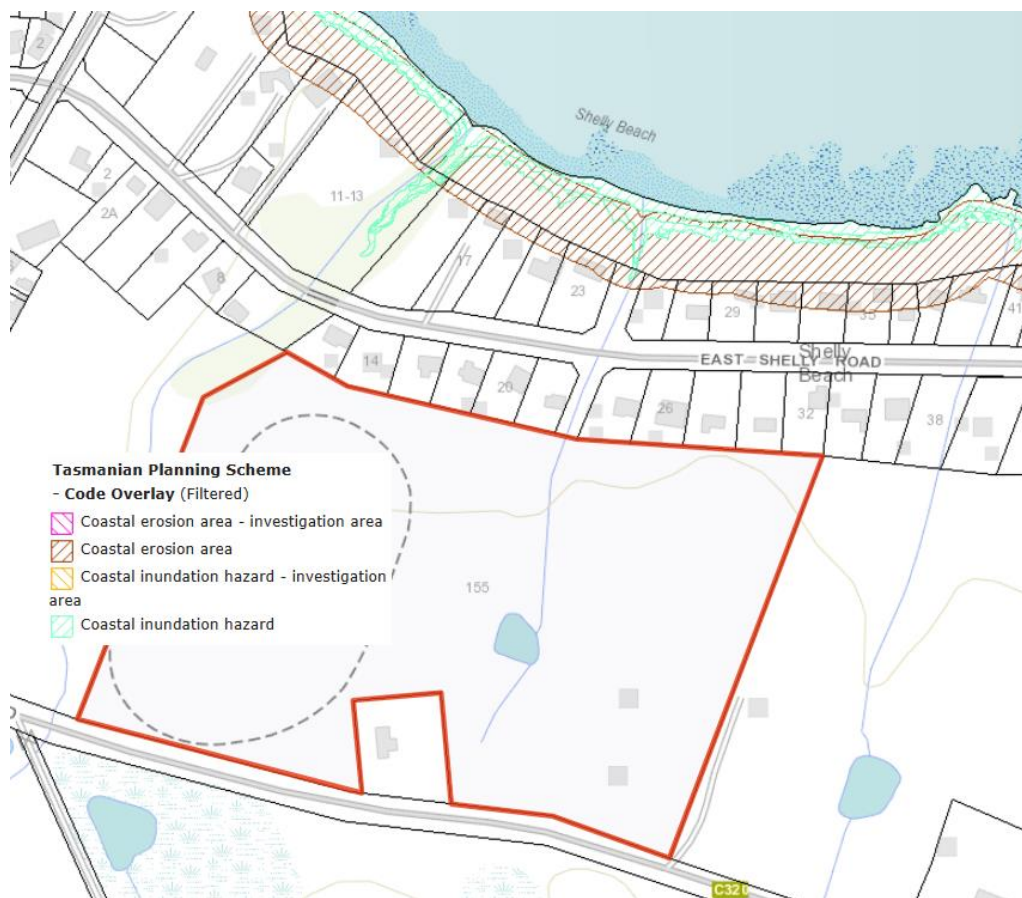


Figure 4 – Site and coastal overlays under the Scheme
(source: modified from LISTmap)

The representations did not provide any information that altered that assessment.

No change is required as a result of compliance with coastal requirements under the Scheme or assessment under the requirements of C10 Coastal Erosion Hazard code.

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Issues around the volume and quality of stormwater are addressed by the Engineering and Infrastructure Directorate, with appropriate conditions provided on the draft permit (as discussed elsewhere in this report). No further changes are considered necessary to address stormwater issues.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment;

Engineering comment

The following issues were raised in various representations:

1. flooding issues in the area and the impact of the proposal;
2. the reliance on 2012 data for flooding, which is outdated and inconsistent with multiple flood events since 2016;
3. the increasing flooding of the area identified by residents and within the Flussig Report;
4. outdated climate data from 2012 for supporting reports;
5. over-reliance on flood mitigation measures rather than sustainable design practices;
6. the impact of stormwater events on systems from increasing severity and frequency of storms, particularly over the last 18 months.
7. the inundation prone nature of the site and lack of suitable responses by the applicant;
8. Impact on stormwater, stormwater systems and the beach as a result;
9. Lack of compliance with stormwater requirements and use of conditions and particularly, condition 32;
10. Contests ability to meet the conditions requiring compliance with pre-development flows for a 1%AEP event;
11. The impact of the developed lands on the stormwater systems and their capacity;
12. Discretionary nature of wording of condition for compliance with the Tasmanian Coastal Works Manual;
13. use of the word *generally* in condition 11 that undermines compliance with the Tasmanian Coastal Works Manual;
14. Objection to use of condition for water sensitive urban design and determination of bond under conditions;
15. lack of response to matters by the applicant;

The potential for flooding of the site was recognised from the start of this process and the applicant was required to obtain extensive reports to address the concerns for the safe development of the lands, the management of flooding to the site and surrounding area and achievement of the required risk levels under C12 Flood Prone Areas Code of the Scheme. Those issues were subject to extensive engineering input before Councils engineers advised that they were satisfied with the proposals and reports, and that the required safety levels were met for both engineering and planning purposes.



Some of the Concerns about the dated nature of data within the respective reports were referred to Council's stormwater consultant for consideration and provided with the following response:

As per our discussion yesterday the 2016 design intensity-frequency-duration (IFD) rainfall data which was used in my modelling described in the East Shelly Beach Urban Stormwater System Flood and Risk Study (2022) refers to the Bureau of Meteorology Design Rainfall Data System (2016). This system replaced the previously used Australian Rainfall and Runoff 1987 IFDs and the interim 2013 IFDs and remains the current rainfall IFD system for use in stormwater studies of this kind.

More information on the system can be found [here](#):

Loading factors are applied to this data to estimate the impacts of climate change.

The issues around flooding of the site and how that will be managed were addressed to provide reassurance to Council staff that a solution can be developed to manage flooding with development of the site.

The conditions provided on the draft permit for the subdivision reflect accepted practice for implementation of flooding, stormwater design and management, water sensitive urban design, and implementation of guidelines such as the Tasmanian Coastal Works Manual and State Stormwater Strategy.

Manuals and Strategies typically include some flexibility in how you respond to or deal with specific issues, which enable consideration in a wide range of situations. The Tasmanian Coastal Works Manual provides 15 chapters across a wide range of issues accompanied by guidelines. Any planning permit conditions must reflect. The various statements contesting their implementation are not supported.

It is noted that the Council has separate legislated powers that regulate the design, approval and construction of infrastructure that exist outside any planning permit. The wording of the subject conditions reflects those powers.

Condition 32 establishes the requirements for the stormwater system and was subject to detailed consideration by the applicant's and Council's engineers prior to initiation of the amendment.

Condition 32c requires that the stormwater infrastructure maintains pre-development discharge levels from the site, which will limit or not prevent impacts to the foreshore and beach area as a result of stormwater from the site. Design of the stormwater system and determination of a compliance with the respective conditions and engineering requirements is a matter for qualified, experienced and insured engineers. Those matters sit under other legislation that is outside the scope of the current assessment or considerations by the Commission on the rezoning.

The advice from the relevant experts within Council is that the proposal can manage stormwater and flooding within the site and achieve the required safety levels for residential development.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;



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- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment;

Vegetation

The following issues were raised in various representations:

1. lack of assessment of native vegetation removal;
2. the lack of small lots to accommodate tree plantings and provide for flora and fauna;
3. the lack of a flora and fauna report and failure to protect Eucalyptus Ovata on the site;
4. Flora and Fauna assessment;

Concerns over vegetation issues generally related to the lack of specialist assessment under the Priority Vegetation Overlay for removal of a threatened species, and the ability of small lots to accommodate trees and vegetation once developed.

The site does not include any Priority Vegetation Area Overlay under the Scheme.



Figure 5 – Extract - Site and Regional Ecosystem Model mapping
(source: GIS)

Review of the Regional Ecosystem Model mapping that supports the Priority Vegetation Overlay under the Scheme showed that the subject vegetation was not identified in that project as shown in Figure 5. The Regional Ecosystem Model was developed and implemented across Tasmania as a way of addressing the complex requirements established for the Priority Vegetation Area Overlay under the State Planning Provisions. The Regional Ecosystem Model formed the basis of the Priority Vegetation Area Overlay under the Scheme.



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The subject provisions under the Tasmanian Planning Scheme apply to subdivisions within the Priority Vegetation Overlay. The priority vegetation overlay was not applied in this case and therefore is not regulated under the Scheme.

The eastern vegetation has an estimated area of approximately 1,700m² within the title and the portion around the northern end of the creek within the site an estimated area of approximately 2,700m².

A flora and fauna assessment was not required under the Scheme or to demonstrate compliance with the intent of the Regional Ecosystem Model and supports to the Priority Vegetation Area overlay within the Scheme.

Threatened species (flora and fauna) are regulated outside the planning system by State and/or Federal legislation. Those approval processes apply in addition to the any planning scheme and regardless of any permit that may be issued under this process.

No change is recommended based on native vegetation removal.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to matters that were addressed through development of the Priority Vegetation Overlay for the Local Provisions Schedule, but did not result in application of that overlay on the subject lands;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment.

Requested alterations

The following issues were raised in various representations:

- larger lot sizes; and
- a 20% increase to the lot sizes to increase the ambience of the subdivision.
- Increasing the number of larger lots to create a better fit with the area;
- substantial independent analysis to give confidence;
- That Council employ world's best practice to plan for the future and conserve the landscape and environment that is unique to the area.
- requests additional public open space to offset smaller lots;
- a single storey limitation on lots adjoining existing East Shelley Beach Rd properties to maintain privacy.
- restriction of caravans to a maximum of 2 per site;

Many representations requested larger lots, ranging from 20% to low density and rural living densities. The request for larger lots appears to presume they would result in single dwellings being developed upon the larger lots.

Recent development trends suggest that increased use of villa or strata unit developments is more likely to occur on sites with larger areas. This is contrary to the anti-suburban sentiment within many representations, it is highly likely that changing the density of lots (making some or all larger) would result in a similar density of dwellings though unit developments occurring on the larger lots.



As noted in response to other issues, supporting information provided by the applicant has since been proved to be accurate, if not conservative, in predicting ongoing demand and development trends in the area. The original reports and subsequent ABS data from the 2021 census provide confidence in the analysis that supports the project.

The costs of establishing and maintaining additional open space within the subdivision is not supported, particularly noting the proximity and connection to the coastal reserves and East Shelley Beach.

As noted, the proposed General Residential zone is consistent with the Structure Plan and is timely, given the demonstrated demands for residential properties in the Orford area.

Restriction on development of 2-storey homes would require establishment of a Specific Area Plan under the Scheme. As previously noted, the State Planning Provisions were established by the State and implemented standardised controls that regulate development.

Any new Specific Area Plan under the Scheme must meet the requirements of section 34(2) of the Act, as follows:

- (4) *An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
 - (a) *a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
 - (b) *the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

While the amenity of the area may be appreciated by residents and others, the available information is not likely to establish a suitable base to support establishment of a SAP under the tests at Section 32(4) of the Act. No change to AM2023-01 is proposed as a result of this set of issues.

Caravans are managed outside the planning scheme through bylaws. Management of the number of caravans on lots is not relevant to the current process.

The Scheme provides controls for sheds on vacant lots of land at clause 7.12 of the State Planning Provisions under the Low Density Residential, Rural Living and Landscape Conservation zones. The SPP do not allow sheds on vacant lots in the General Residential zones.

No change is recommended based on the requested alterations.

In terms of AM2023-01, the contentions within the various representations are:

- Recognised as valid concerns by the representors;
- Determined to have merit as they relate to matters that were relevant to the assessment of AM2023-01 but were not supported;
- Determined to not require any alteration to AM2023-01;
- Determined to not require any changes to the draft permit issued under AM2023-01; and
- Determine to not affect compliance with the LPS criteria in the original assessment.

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Summary of Representations

1. N & E Roberts

The representation opposes AM2023-01, as follows.

1. *the recent refusal of a previous proposal by the Commission;*
2. *lack of compliance with the outcomes and timeframes identified in the Triabunna/Orford Structure Plan;*
3. *the SGS Report is contrary to the Commission findings and was not critically reviewed;*
4. *contests the validity of statements by the applicant and Council that the Structure Plan and STRLUS are out of date;*
5. *inadequate access to the waterfront by comparison to other recent subdivisions;*
6. *over development of the site;*
7. *impacts to local residents;*
8. *the rezoning should be consistent with the existing subdivision and development pattern in the area and seek Low Density subdivision rather than General Residential (suggesting 40 lots later in the submission);*
9. *smaller lot sizes are not justified;*
10. *delays in constructing houses on the lots, use for temporary holiday accommodation, and the construction of sub-standard structures;*
11. *the application is not for the same land as the previous rezoning.*

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01. or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

2. M Pearce

The representation opposes AM2023-01, citing the following:

3. the dismissive approach to the recent refusal of a similar proposal by the Tasmanian Planning Commission;
4. the impact of a (relatively) small lot subdivision on the existing character of East Shelley Beach area;
5. the change to a suburban character with this subdivision;
6. requests:
 - larger lot sizes; and
 - a single storey limitation on lots adjoining existing East Shelley Beach Rd properties to maintain privacy.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.



Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

3. R Royle

The representation objects to AM2023-01, citing the following:

1. increased occupation of lots during peak periods as a holiday town;
2. lack of height restrictions to maintain amenity of existing properties, identifying a prohibition of 2-storey dwellings;
3. lack of consideration of impacts of the proposal on infrastructure (sewerage treatment, power, water etc);
4. increased stormwater impact from the development;
5. a minimum road width of 11 metres, not 8.9 metres;
6. the inconsistent lot sizes with the existing East Shelley Beach character.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

4. R Rex

The representation asks the following to be addressed:

1. a restriction to single storey dwellings;
2. a minimum road width of 11.2 metres, not 8.9 metres;
3. a contribution for upgrades to the existing sewerage treatment plant;
4. restriction of caravans to a maximum of 2 per site;
5. a 20% increase to the lot sizes to increase the ambience of the subdivision.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.



Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

5. N&N Bean

The representation opposes AM2023-01, citing the following:

1. The number of lots in the proposal (90 lots) and impact on amenity of the area;
2. Capacity of infrastructure to accommodate the proposal and associated development;
3. Effluent overflows to creeks from the sewerage treatment plant, odour and capacity of the plant to accommodate the proposal;
4. Impact of the proposal and walkway on the privacy of their property, requesting a six foot fence to that boundary;
5. Impact of the additional population on traffic and pedestrian safety, particularly at and around the boat ramp;
6. The lack of public open space in the subdivision;
7. The impact on amenity and values with the use of lots for caravans and sheds;
8. The additional impact on the area during holiday times from the subdivision and amenity of the area for (permanent) residents.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

6. R Cumming

The representation opposes AM2023-01 and requests the rezoning and DA be refused, citing the following:

16. contests the effectiveness of the proposed stormwater treatments identified on the plans (1 & 2);
17. lack of documentation for ongoing costs of the stormwater management (3) and impacts of lack of maintenance (4);
18. opposes future residential development in the POS area (5);
19. contests compliance with the Coastal Erosion Hazard Code with installation of twin culvert pipes and the resultant erosion that will occur (6);
20. claims lack of compliance with pre-development flow limitation under draft permit condition 32 (7) and therefore the Tasmanian Stormwater Policy;
21. application list identifies drawings not included in the documents provided (8);
22. failure to provide a contoured site plan, as required by the application checklist (9);
23. the road layout lacks imagination, the proposed internal lots do not have frontage and is not in keeping with the character of East Shelley Beach (10);

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24. lack of compliance with the Tasmanian Stormwater Policy and the failure to provide a Stormwater Management Report did not allow adequate assessment of the DA (11);
25. questions whether the adjoining property owners provided owner consent and the required easements for the construction of a 1-metre retaining wall and stormwater drain to the rear of lot 77.

As noted in the issues discussion, revisions were identified to condition 3 following matters within this representation. No other alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01, but revise condition 3 of the draft planning permit as follows:
The POS shown on the Lot Layout Plan must be set aside for drainage on the Final Plan, when submitted.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

7. A Westwood

The representation opposes AM2023-01, citing the following:

5. the recent refusal of a similar proposal by the Commission for lack of consistency with the STRLUS;
6. contests compliance with STRLUS, identifying the lack of changes since the previous decision but acknowledging the insertion of SRD1.1A0;
7. contests Council acceptance of the SGS reporting without independent verification and the lack of a 15 year supply;
8. contests compliance with the growth scenario and strategy for Orford under the STRLUS;
9. contests compliance with RMPs objective (b) for the orderly release of land;
10. lack of consideration of Solis and Holkham Court in supply and demand assessments;
11. density of lots and change in character from spacious shack settlement to more suburban density, noting designation in STRLUS as shack/holiday community;
12. impact on safety and traffic congestion to the surrounding road network;
13. failure to comply with performance criteria for cul-de-sacs and internal lots;
14. lack of assessment of native vegetation removal;

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.





Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

8. L Calvert

The representation expresses concern about AM2023-01, citing the following:

1. the negative impact of the recent Happy Valley and Rheban Rd subdivisions have had on the local community;
2. concern at stormwater impacts to the beach and potential pollution;
3. the suitability of the proposal to the coastal holiday character of Orford and the suburban nature of the subdivision with its visual, servicing and road impacts on a holiday community;
4. the change from the existing low density character of the area.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

9. M Ibbott

The representation opposes AM2023-01, citing the following:

1. the claimed inability of Taswater to deal with existing odour emissions from the sewerage treatment plant and other infrastructure in the area;
2. the impact the additional houses will have on the odours they already experience at their property;
3. the lack of consideration of aesthetics in recent development, citing examples of the suitability of front fences on Integrity Way and Rheban Rd;
4. requests the ability to consider native hedging, bird life against the impact of dividing fences and concrete;
5. requests that Council consider the nature of the area and the suitability of this proposal for the character of the area.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.



Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

10. J Smith

The representation opposes AM2023-01, citing the following:

1. the lack of compliance with the growth strategy and scenario under the STRLUS;
2. failure to consider the impacts of Holkham Court subdivisions and the Solis site in determining availability of land;
3. lack of compatibility with the development pattern and amenity of the existing area at East Shelley Beach;
4. failure to comply with performance criteria for internal notes and road construction;
5. the similarity to the previous proposal.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

11. N & H Bentley

The representation opposes AM2023-01, citing the following:

1. the intent of the original subdivider (grandfather) and lifestyle of the area;
2. the impact of modern development practices, identifying images of sheds, caravans and buildings and existing areas in Russell St, West Shelley Beach, Integrity Way, Jetty Rd and Nautilus Drive areas; and
3. the suitability of the proposal to the coastal shack/holiday character of the area.

Mr Bentley requests the Council considers these types of impacts that will result and whether this is a desirable future.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.



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12. J Nichols Gorringe

The representation opposes AM2023-01 and requests that Council reject it, citing the following:

1. contests the demographic demonstration of demand in the area, citing that 67% of dwellings were unoccupied in the 2021 ABS census and this proposal will not result in permanent residents;
2. opposes the lack of vision and high standards that many consider appropriate to the area;
3. the need to maintain the amenity and identity of the place;
4. questions the projected population growth and need for the subdivision;
5. compatibility with the character of the East Shelley Beach area against the suburban nature of the proposal;
6. the lack of small lots to accommodate tree plantings and provide for flora and fauna;
7. flooding issues in the area and the impact of the proposal;
8. the reliance on 2012 data for flooding, which is outdated and inconsistent with multiple flood events since 2016;
9. the likely coastal erosion impacts of the proposal on East Shelley Beach;
10. use of the word *generally* in condition 11 that undermines compliance with the Tasmanian Coastal Works Manual;
11. the lack of a flora and fauna report and failure to protect Eucalyptus Ovata on the site;

The representation recommends the following changes to the proposal:

- substantial independent analysis to give confidence;
- Flora and Fauna assessment;
- Increasing the number of larger lots to create a better fit with the area;
- That Council employ worlds best practice to plan for the future and conserve the landscape and environment that is unique to the area.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

13. T Ibbott

The representation identifies that the proposal requires some amendments to set a high standard of seaside living and recreation in a natural and safe environment, consistent with the intent of the area when first developed, citing the following:

1. Objects to the small lot sizes and lack of public open space, and requests a flat village green space of 5%, some larger lots or a village green be required by the Commission;





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2. notes increased 1:100 flood events and need to provide for reserves to drainage reserves and more planning to these areas;
3. lack of compatibility with the development pattern and amenity of the existing area at East Shelley Beach, with particular objection to kerb and channel type road edges and requests dish drains as more suitable to the area;
4. supports lack of road connection to East Shelley Beach Road;
5. requests additional public open space to offset smaller lots;
6. objects to lack of stormwater storage through development and requests reduction of impervious surfaces and retention of water holes for fighting bushfires;
7. supports consideration of biodiversity impacts on the land and provision of increased reserves and use of endemic plants;
8. objects to recent trend for higher font fences supports lower fences through the planning scheme;
9. sewerage odour impacts from the nearby treatment plant;

As noted in the discussion of the issues raised in the representations, alterations were recommended to establish a mapped attenuation buffer to the Sewerage Treatment Plant.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01, or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

14. S Hawkins

The representation urges Council to reject AM2023-01, citing the following:

1. the increasing flooding of the area identified by residents and within the Flussig Report;
2. outdated climate data from 2012 for supporting reports;
3. over-reliance on flood mitigation measures rather than sustainable design practices;
4. the impact of stormwater events on systems from increasing severity and frequency of storms, particularly over the last 18 months.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.



LPS Criteria: the amendment is consistent with the LPS criteria.

15. L Russell

The representation objects to AM2023-01 and urges Council to reject the application, citing the following:

1. the inundation prone nature of the site and lack of suitable responses by the applicant;
2. Failure to address C10 Coastal Erosion Hazard code requirements;

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

16. D Bevan

The representation opposes AM2023-01, citing the following:

1. The proposal is not appropriate for many reasons;
2. Impact on stormwater, stormwater systems and the beach as a result;
3. Lack of compliance with stormwater requirements and use of conditions and particularly, condition 32;
4. Contests ability to meet the conditions requiring compliance with pre-development flows for a 1%AEP event;
5. The impact of the developed lands on the stormwater systems and their capacity;
6. Discretionary nature of wording of condition for compliance with the Tasmanian Coastal Works Manual;
7. Objection to use of condition for water sensitive urban design and determination of bond under conditions;
8. lack of response to matters by the applicant;
9. Failure to address C10 Coastal Erosion Hazard code requirements;

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.



17. MJ Wilson

The representation objects to AM2023-01 and requests that Council refuse it, citing the following:

1. The lack of facilities for medical care and healthy communities and impacts on rural based health services, difficulties recruiting health practitioners and existing limitations on doctor services in the area;
2. The suburban nature of the proposal and resultant impacts on mental health of residents;
3. Failure to demonstrate demand for the proposal;
4. Impact on existing infrastructure, noting the already low water pressure in the area during dry periods.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

18. M Darling

The representation objects to AM2023-01, citing the following:

1. The change in character of Orford and suburban nature of the proposal;
2. The lack of availability of medical services at all times;
3. Lack of capacity with NBN, identifying existing service problems during peak periods;
4. Existing flooding problems with her property and cost of providing mitigation measures if the subdivision is approved;
5. Impact of runoff on the beach and water quality resulting from the proposal;
6. Impact on sewerage services in the area, and the ability of Taswater to resolve existing issues;
7. Odour impacts from the sewerage treatment plant to the subdivision and area.

As noted in the discussion of the issues raised in the representations, mapping of the attenuation buffer to the Sewerage Treatment Plant was recommended. No other alterations were identified as necessary from this representation.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.



Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

19. S Wilson

The representation opposes AM2023-01, citing the following:

1. Limitations and qualifications identified in the Aldanmark and Flushing reports and impacts for flooding of the site and future suitability for housing do not appear consistent with the impacts and outcome;
2. Dated and conservative nature of climate and rainfall data used in the reports;
3. Lack of consideration of stormwater impacts on Eash Shelley Beach;
4. The failure of the SGS Report to identify above actual growth as part of their analysis and justification of the projected population increase is not substantiated;
5. The SGS Report does not justify the proposed additional lots;
6. Odour impacts from the sewerage treatment plant, and the apparent omission of the impact of the proposed expansion of the plant for a 40 cubic metre raw sewerage emergency storage tank to the area;
7. The odour assessment apparently did not consider a common transient atmospheric condition in the area that increases pollution odours in the area;

As noted in the discussion of the issues raised in the representations, mapping of the attenuation buffer to the Sewerage Treatment Plant was recommended. No other alterations were identified as necessary from this representation.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

20. C Weily

The representation voices strong opposition to AM2023-01, citing the following:

1. The incompatible nature of the proposal with the existing development in the area, particularly the density/size of the lots in contrast to the existing development pattern;
2. The opportunity for more dwellings per lot (citing 20.96/ha) against the recommended 15/ha in the NSA Report;
3. The high likelihood of unoccupied dwellings in the subdivision, citing the recent ABS figures at 67.2% from the 2021 census, against the Tasmanian average of 14%;
4. Existing problems with water supply in the area during leak times and the impact of this proposal on existing problems;
5. Overflows from the sewerage treatment plant in high rainfall events and contamination of East Shelley Beach;



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6. The ability of the existing plant to accommodate the load from the proposed subdivision;
7. The maintenance of sight lines for traffic safety with the proposed tree planting;
8. The high increase in traffic volumes from the proposal during peak or holiday periods;
9. The ability of the proposed lots to accommodate the required dwelling and parking for the cars, boats and other accoutrements for holiday houses in the area;
10. Impact of the small lot sizes and resulting dwellings and multiple dwellings on the safety, wellbeing, access, aesthetics and general liveability of the area;
11. Stormwater impacts from the proposal to the existing waterway and flooding of it and adjoining houses/properties;
12. Questions the impact on the surrounding area of the stormwater and sewerage from the development and particularly, the impacts to Eash Shelley beach for water quality and beach condition;
13. Impact to the health and wellbeing of residents in the area, noting existing difficulties in seeing doctors.

As noted in the discussion of the issues raised in the representations, mapping of the attenuation buffer to the Sewerage Treatment Plant was recommended. No other alterations were identified as necessary from this representation.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

21. S Ibbott

The representation opposes AM2023-01 and requests that Council reject it, citing the following:

1. The stretched nature of existing water and sewerage services in the area and impacts to the system from the proposed subdivision, identifying the existing failures as having driven Spring Bay Seafoods from the area through overflows and spills;
2. Existing compliance issues with the sewerage treatment plant, as documented by Taswater and attached to the representation;
3. Odour impacts to the area from the plant, questioning the relevance of the report given the lack of consideration of the loading of the plant from the proposed subdivision and limitations identified within the SEAM Report;
4. Cites that the reporting and assessments did not consider the required 400m buffer for the proposed 2050 population levels;
5. Questions what the action plan will be with the next overflow from the plant and resultant impact on residents and the area.



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As noted in the discussion of the issues raised in the representations, mapping of the attenuation buffer to the Sewerage Treatment Plant was recommended. No other alterations were identified as necessary from this representation.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

22. D Scott

The representation opposes AM2023-01, does not think it is in the best interests of the community, and urges Council to reject it. The following reasons were cited:

1. The suburban density of lots and their lack of suitability for a rural area;
2. The impact on the character of the area and infrastructure;
3. Capacity for the water supply in the area, particularly in dry periods;
4. The need to fully investigate and consider stormwater issues in the area before any approvals are issued, by reference to the forced closure of Spring Bay Seafoods;
5. Traffic impacts on existing narrow roads;
6. The critical nature and timing of the current decision before Council.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

23. F Stevens

The representation opposes AM2023-01, citing the following:

1. The previous rejection by the Tasmanian Planning Commission of a similar proposal as there were too many blocks and they were below the required size;
2. Local opposition and the lack of opportunity for local involvement prior to this stage;
3. The lack of low cost housing, such as setting aside 25% of lots for this purpose.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.



Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

24. L&S Clark

The representation opposes AM2023-01, citing the following:

1. Compliance with RMPS Objective 2(f) for promotion of health and wellbeing by ensuring a pleasant, safe and efficient place to work, live and recreate;
2. 90 lots will overload the current amenities in the area, naming boat ramps and associated parking, boating and fishing;
3. The lack of suitable family based public open space in the area;
4. The lack of infrastructure for foot traffic in the area;
5. Impact of heavy vehicle movements during construction;
6. The suitability of existing infrastructure, particularly sewerage and water;
7. The impact on the character of the area of 90 additional lots and the resulting dwellings that will occur.

As noted in the discussion of the issues raised in the representations, mapping of the attenuation buffer to the Sewerage Treatment Plant was recommended. No other alterations were identified as necessary from this representation.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

25. All Urban Planning for T Burbury & B&M Annels

The representation opposes AM2023-01, identifying that no additional residential zoning should be considered until existing water and sewerage infrastructure is increased to accommodate the increased demands. The following issues were identified:

1. Attenuation Code: the proposal relied on assessment against C9.6.1 P1, where Taswater identified the existing plant was at capacity. The representation seeks revised assessment against the provisions of the Code to address required upgrades and associated operation of the wastewater lagoons, and potential for harmful emissions;



2. The application documentation does not support compliance with the requirements of the Attenuation Code and cannot be supported;
3. The proposal is contrary to the objectives of the Act, particularly its ability to provide for sustainable development; impact to amenity of existing residents of the area, capacity of existing infrastructure, and ability to promote healthy living in the area.

As noted in the discussion of the issues raised in the representations, mapping of the attenuation buffer to the Sewerage Treatment Plant was recommended. No other alterations were identified as necessary from this representation.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- revise the assessment of AM2023-01 and modification AM2023-01 by including a mapped attenuation buffer for the Orford Sewerage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

26. Bayport

The representation opposes AM2023-01, citing the following:

1. Land supply – the potential for oversupply of lots in the area and the failure of the SGS Report to allow for the Solis/Bayport land as part of its assessment, requesting that this is corrected; and
2. Constraints on and capacity of the existing sewer and water service networks, and risk of costs being imposed to other parties for this as a result of AM2023-01 and the associated subdivision.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.

27. I Cumming

The representation opposes AM2023-01, citing the following:

1. The short sighted nature of the proposal and costs that will be incurred by the Council, community and environment;

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2. Failure to comply with the stormwater, engineering and environmental standards within the Tasmanian Planning Scheme laws (sic);
3. The high density nature of the proposal, contending that it should be rural living with a minimum lot size of 1000 m²;
4. New subdivisions should not have smaller lots than recent subdivisions (citing the Manning Drive area);
5. The ongoing cost to ratepayers;
6. The generally low standard of the proposal and impacts to the local community.

As noted in the discussion of the issues raised in the representations, no alterations were identified as necessary.

Recommendation: That the representation is determined to:

- have merit as it raises matters relevant to consideration of AM2023-01,
- not alter the assessment of AM2023-01 or require modifications to AM2023-01; and
- not alter the assessment of SD2023-01 or modification of the draft planning permit.

Effect on Draft LPS as a whole: The recommendation provides effect to the policies of the statements in the Tasmanian Planning Scheme and Guidelines.

LPS Criteria: the amendment is consistent with the LPS criteria.



Other Referrals

Statutory referrals were completed for AM2023-01, as follows.

1. Aboriginal Heritage Tasmania

Aboriginal Heritage Tasmania provided the following advice:

1. there was a low likelihood of Aboriginal heritage being present on the lands;
2. Information on Unanticipated Discovery Plans and advice regarding application of the *Aboriginal Heritage Act 1975*; and
3. contact information for the department.

It is noted that the advice within this response contradicts some of the allegations within representations. It is standard practice to include notes for advice to applicants and developers regarding these matters.

No changes were identified as a result of this referral response.

Recommendation: That the referral response be accepted, determined to have merit, and that no modifications are required to AM2023-01 **or the draft planning permit.**

2. State Growth

AM2023-01 was referred to State Growth, who provided the following advice:

1. the proposal was remote from State Roads and would generate small increases to the use of their assets; and
2. No further comments were provided.

No changes were identified as a result of this referral response.

Recommendation: That the referral response be accepted, determined to have merit, and that no modifications are required to AM2023-01 **or the draft planning permit.**

3. TasNetworks

AM2023-01 was referred to TasNetworks, who provided the following advice:

1. the proposal not likely to impact TasNetworks operations.

No changes were identified as a result of this referral response.

Recommendation: That the referral response be accepted, determined to have merit, and that no modifications are required to AM2023-01 **or the draft planning permit.**

4. Taswater

AM2023-01 was referred to Taswater. No formal response was received to the referral.

Taswater is the statutory agency response for the provision of reticulated sewer and water services in Tasmania. The application documents included Submission to Planning Authority Notice TWDA 2022/01822-GSB (SPAN), which established their support for AM2023-01 and the conditions to that support and advised they did not wish to receive any further notification or attend hearings.



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It is noted that multiple conditions under the Asset Creation and Infrastructure Works section of the SPAN identify that works are required to support the proposal at the developers cost. This effectively addressed some of the issues that were raised in representations.

Recommendation: That the referral response be accepted, determined to have merit, and that no modifications are required to AM2023-01 **or the draft planning permit.**

Following the receipt of representations, additional referrals were provided for Taswater to respond to the range of issues that were raised.

The water and sewerage related issues raised in the representations have been considered as part of our normal development assessment processes.

We are satisfied by internal review of the submitted Odour Reports forming part of this and previous applications that there are no odour issues for the proposed development from our STP.

We are satisfied that the STP can cater for the flows, with the plant being managed by us to accommodate the development with no conditions imposed on the developer, other than those in the SPAN.

We are satisfied that our water system can also cater for the development, also with no conditions imposed on the developer, other than those in the SPAN.

TasWater therefore advises that TasWater's Submission to Planning Authority Notice remains unchanged.

Following receipt of this advice, additional information was sought. A second response was provided, as follows:

TasWater maintains its position as stated in our Submission to Planning Authority Notice. That is, the development can be serviced subject only to the conditions listed in the Submission.

TasWater can confirm the Orford and Triabunna Water and Sewerage Strategy 2015-2050 is no longer current and is being updated by TasWater. The Strategy was written in 2015, and among other things, reflected the demands on our networks by a proposed significant development which is not currently proceeding.

TasWater is currently planning and undertaking project works to address known issues with our sewerage network caused by ground water infiltration issues including upgrades to our STP outfall and multiple pump stations. The proposed development will not contribute to the existing infiltration issues due to the use of welded pipe joints and current construction standards for the new sewerage infrastructure.

TasWater would not object to Council mapping based on the odour contours contained in the developer's report however, TasWater is of the opinion that Attenuation Area buffers around Sewerage Treatment Plants (STP's) should not be mapped in the LPS's. TasWater is undertaking a long term improvement program involving most STP's in the state, which may impact on attenuation distances and accordingly would prefer to rely on the code, rather than mapping buffers in the LPS's which may soon be out of date or incorrect.



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The advice in these responses is clear: the various claims within the representations are either incorrect or based on out-of-date information and Taswater supports its previous assessment reflected in SPAN TWDA 2022/01822-GSB.

Recommendation: That the additional referral response be accepted, determined to have merit, and that no modifications are required to AM2023-01 **or the draft planning permit.**

5. Environmental Protection Agency

The proposal and representations were also referred to the EPA as regulator of the Orford Sewage Treatment Plan. The EPA provided the following response:

Thank you for your query. It would be inappropriate for the EPA to comment on specific aspects of a Development Application. However, I note that:

- *The location of the proposed development does not meet the recommended attenuation distance for Sewage Treatment Plants.*
- *There is potential for land use conflict.*
- *The EPA does not recommend that sensitive land use developments are approved within the recommended attenuation distances for Sewage Treatment Plants.*

It is up to TasWater to consider whether accepting the increase in wastewater volumes as a result of the proposed development may impact on their ability to comply with the environmental conditions of their land use permit for the wastewater treatment plant. They must also consider if the decision to accept an increased volume of wastewater will impact their ability to comply with the law in relation to causing environmental nuisance or harm eg. increased odours, exceeding the design capacity, overflows of untreated wastewater into the environment.

The EPA provided general responses to the referral and deferred any specific comment to on compliance and impacts of the rezoning to Taswater.

The EPA also declined to provide any comment or advice on specific attenuation areas for the Orford Wastewater Treatment Plant.

Recommendation: That the referral response be accepted, determined to have merit, and that no modifications are required to AM2023-01 **or the draft planning permit.**



Other matters

Application reference

The exhibited application documents contained some conflicting references to the application, most notably on the draft planning permit for subdivision.

For clarification, all references to the current application should be to AM2023-01.

Any references in the documents to AM2022-02 should be taken as an administrative error and be corrected to state AM2023-01.

Compliance with Triabunna Orford Structure Plan

Multiple representations identified compliance with the Structure Plan as a concern.

Review of the Council website identified that the Structure Plan provided was the June 2014 update and did not include the Addendum that was adopted by the Council in 2021.

The addendum included the following:

PREFACE

*This Addendum includes and is informed by the SGS ECONOMICS, Orford Residential Capacity and Demand Analysis, January 2021 (the **SGS Analysis**).*

*To the extent of any discrepancy between this Addendum and the Triabunna/Orford Structure Plan 2014 (the **Structure Plan**), this Addendum will prevail.*

REVISED GROWTH STRATEGY FOR ORFORD

Dwelling demand forecasts for Orford in the Structure Plan are at best 7 years old, and at worst 10 years old.

The SGS Analysis has determined that dwelling demand has been higher than forecast in the Structure Plan, and that there is possibly an insufficient supply of land in Orford over the next 15 years to meet demand for residential dwellings (depending on the capacity scenario). Additional residential land within the Orford suburb boundary would need to be released to meet the Structure Plan's objective of a 15-year supply at a conservative growth rate of 2% per annum.

The Structure Plan identifies land in the Solis Estate development as providing future residential land supply. The Solis Estate concept is an integrated lifestyle and tourism development centred around a future 18-hole golf course, commercial activity centre and other recreational facilities. Its land use planning status is as a Specific Area Plan overlaid on the Rural Resource zoning of the affected land. It is not an urban residential development in the traditional sense. The Solis Estate has not been effectively implemented to any significant degree since its inception in 2003, and is constrained by lack of service infrastructure. If regarded as part of the available residential land bank, Solis skews the apparent supply of residential land in the area covered by the Structure Plan, suggesting that a far greater supply of undeveloped residential land is available than in reality. However, Solis cannot be relied upon to provide the necessary capacity for growth either now or in the foreseeable future.

*This skewed apparent supply has prevented rezoning and development of more centrally located and better serviced land in Orford such as that between Rheban Road and East Shelly Road (the **Rheban Road land**). This land, in particular represents a superior strategic option for residential development in comparison to Solis in particular, but also residentially zoned land in North Orford (centred around Holkham Court) which is constrained by stormwater drainage and inundation issues with little scope for resolution.*

Under the 2014 projections in the Structure Plan there is insufficient land available to meet the projected demand within the suburb boundary, according to the low-capacity scenario. Without further rezoning/land release there is enough supply to last 11 to 15 years; with the rezoning of the Rheban Road land, this rises to 16-20 years.

Demand for housing in Orford is strong and is driven by both residential demand and tourism/holiday demand. Between the 2006 and 2016 censuses, the number of dwellings



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increased by 2.4 % per annum. If this trend were to continue from 2020, available supply would fall short even earlier.

To 2035 it is estimated that there will be demand for another 298 dwellings in the Orford area from 2020, at a conservative 2 % growth rate per annum. This level of demand is higher than foreshadowed in both the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) and the Structure Plan.

COMPARISON WITH STRLUS GROWTH STRATEGIES

STRLUS indicates a 'Low Growth Strategy' for Orford from 2010 to 2035 (25 years). This is defined to mean <10% over the entire period.

Alternative Growth Strategies are Medium Growth (10-20%) and High Growth (20-30%). Assuming 1 dwelling per lot, starting from a generally accepted base of 716 dwellings in 2010, the alternative growth scenarios are:

Low Growth (<10%) = 71 new dwellings = 787 dwellings in 2035

Medium Growth (10-20%) = max. 142 dwellings = 858 dwellings in 2035

High Growth (20-30%) = max. 214 dwellings = 930 dwellings in 2035

It is clear that the conservative 2% growth rate per annum projected by the SGS Analysis from 2020 onwards, resulting in another 298 dwellings can only be met by a 'High Growth Strategy'.

Revision of the Structure Document does not impact the assessment of AM2023-01.

Recommendation: That no further modifications are required to AM2023-01 under section 40K(2)(e) of the Act.

Conclusion

That, as a result of matters raised in the representations, AM2023-01 be modified as follows:

GSB-P1.7.1 Subdivision

Objective:	To prevent subdivision within Dolphin Sands other than that incidental to existing lots.	
Acceptable Solutions	Performance Criteria	
A1 Subdivision must: (a) be for the consolidation of lots with no additional lots are created; or (b) provide for public open space, a public reserve, public services or utilities.	P1	No performance criteria.
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for riparian or littoral reserves or utilities, must have an area of not less than 1 hectare.	P2	No performance criterion.
A3 Each lot, or a lot proposed in a plan of subdivision, excluding for riparian or littoral reserves or utilities, must have a minimum frontage of 60m.	P3	No performance criterion.

Draft Planning Permit AM2023-01



Issued to: Neil Shephard & Associates
Issued on: XX March 2023
Issued under: Delegated Authority / Issued pursuant to Planning Authority resolution
xxx/xx of date
Development: Subdivision (90 lots)
Site: 155 Rheban Road, Orford
Title: 149641/2
Legislation: Section 57 of the *Land Use Planning and Approvals Act 1993* / and the *Local Government (Building and Miscellaneous Provisions) Act 1993*

CONDITIONS

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.
Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.
2. Lots 31, 32, and 33 on the Lot Layout Plan must be modified so that the rights of way shown within their boundaries are removed and form part of lots 37, 38 and 39 on the Final Plan, when submitted.
3. The POS shown on the Lot Layout Plan must be shown as a drainage reserve on the Final Plan, when submitted.
4. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2022/01822-GSB, dated 13/01/2023 and attached to this permit.

Final Plan

5. A final approved plan of survey and schedule of easements as necessary, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
6. All land noted as roadway, footway, and open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.
7. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.
8. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
9. Prior to sealing the Final Plan of Survey or execution of the Schedule of Easements and associated documents, certification must be provided from an accredited bushfire practitioner that all recommendations and requirements of the Bushfire Hazard Report by North Barker Ecosystem Services, have been implemented and complied with.

Draft Planning Permit AM2023-01



Public Open Space

10. Prior to sealing the final plan of survey, a cash contribution for public open space must be provided to Council that is equal to 5% of the value of the area of land in CT149641/2 as at the date of lodgement of the final plan of survey.

The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001.

Advice: this condition is imposed pursuant to section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and Council policy.

Environment Management

11. All work must be generally in compliance with the Tasmanian Coastal Works Manual, available at <https://dpiwwe.tas.gov.au/conservation/coastal-management/managing-the-coast/tasmanian-coastal-works-manual>
12. The developer must implement a soil and water management plan (SWMP) to ensure that soil and sediment does not leave the site during the construction process and must provide a copy of the SWMP to Council's General Manager prior to the commencement of works.
13. Erosion and sedimentation measures, such as sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot and outside the Waterway and Coastal Protection Area during all works on the site. These works are to comply with a Stormwater Management Plan developed for the site.
14. No top soil is to be removed from the site.
15. All vehicles and equipment associated with construction of the development and/or operation of the use must be cleaned of soil prior to entering and leaving the site to minimise the introduction and/or spread of weeds and diseases to the satisfaction of Council's General Manager.
16. Suitable barriers must be erected during the construction of the development to ensure native vegetation that must be retained is not damaged during construction works.

Engineering

17. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.
18. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, these drawings must be submitted to and approved by the Glamorgan Spring Bay Council before development of the land commences. The detailed engineering drawings must show the following:
 - a) all existing and proposed services required by this permit;
 - b) all proposed stormwater infrastructure.
 - c) all existing and proposed roadwork required by this permit;
 - d) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - e) measures to be taken to limit or control erosion and sedimentation;
 - f) any other work required by this permit.

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19. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
20. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
21. Unless approved otherwise by Council's General Manager, roadworks must include -
 - a) Minimum road reserve of 18 metres and 25 metres at the cul-de-sac.
 - b) Fully sealed paved and drained carriageway with a minimum width of 8.9m (face of kerb to face of kerb) and 18 metres diameter at the cul-de-sac head.
 - c) Concrete kerb and channel both sides.
 - d) Reinforced concrete footpaths 1.50 metres wide on one side of the new road.
 - e) Underground stormwater drainage.
22. The carriageway surface course must be constructed with a 10mm nominal size hot-mix asphalt with a minimum compacted depth of 35mm in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager, unless approved otherwise by the Council's General Manager.
23. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
24. A reinforced concrete vehicle access must be located and constructed to each lot in accordance with the standards shown on standard drawings TSD-R09-v3, Urban Roads TSD-R06-v3 and TSD-RF01-v1 Guide to Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) and the satisfaction of Council's General Manager.
25. To the satisfaction of Council's General Manager, internal driveways for lot 21, 37 to 39, 42, 43, 51, 52 and 83, and areas set aside for vehicle parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and must include all of the following:
 - a) a minimum width carriageway of 3.6m;
 - b) have a sealed surface of asphalt, concrete or equivalent approved by Council's General Manager; and
 - c) drain to an approved stormwater system.
26. The developer must provide line marking and signage at the Rheban Road intersections.
27. The developer must provide road widening, kerb & channel and footpath as per LGAT standard drawings along the northern side of Rheban Road to the full extent of the development.

Landscaping

28. The road reserve must be landscaped by trees or plants in accordance with a landscape plan prepared by a landscape architect or other person approved by Council and submitted to Council for endorsement with the engineering drawings. The landscape plan must show the areas to be landscaped, the form of landscaping, and the species of plants and estimates of the cost of the works.

Drainage

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29. The developer must provide a piped stormwater property connection to each lot capable of servicing the building area of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager.
30. The developer must provide a piped minor stormwater drainage system designed to comply with all of the following:
 - d) be able to accommodate a storm with an Average Recurrence Interval (ARI) of 20 years, when the land serviced by the system is fully developed; and
 - e) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
31. The developer must provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.

Advice: The proposed roadway intercepts stormwater runoff from the existing roadway and from the upper catchment. It will be necessary for the development to address how the 1% AEP climate change flows intercepted and generated by the subdivision will be directed safely downstream.

32. The developer must provide an amended Stormwater Management Report. The report must be in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches, is to be submitted. The report, and any associated designs, must clearly show that the conditions of this permit are met by the proposed design.
 - a) Any measures required by the report to ensure that a tolerable risk for the development from flooding is achieved, and there is no increased risk of flooding onto adjacent land during the 5% AEP and the 1% AEP (inclusive of climate change), must be included in the engineering design drawings and implemented prior to the sealing of the Plan of Survey for any stage of the subdivision.
 - b) The report shall identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council) and that there are no unsafe flows over or within public roadways
 - c) Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels 1% flooding
 - d) All stormwater for the development must be designed and constructed to include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council for approval by the relevant / delegated officer for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime / replacement requirements for any treatment facilities.
33. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's General Manager.

Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing

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on site treatment to meet the targets, or as otherwise agreed by Council's General Manager. Where partial treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey.

Construction

34. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
35. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring hold point inspection by Council unless otherwise agreed by the Council's General Manager.
36. Subdivision works must be carried out under the direct supervision of an approved practicing professional civil engineer engaged by the subdivider and approved by the Council's General Manager.
37. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
 - a) Ensure soil, building waste and debris does not leave the site other than in an orderly fashion and disposed of at an approved facility;
 - b) Not burn debris or waste on site;
 - c) Promptly pay the costs associated with any alteration, extension, reinstatement, and repair or cleaning of Council infrastructure, public land or private property;
 - d) Ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage;
 - e) Provide a commercial skip (or similar) for the storage of construction waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

Sealing of Final Plan

38. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Glamorgan Spring Bay Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.

Advice: The minimum bond amount required during the maintenance and defects liability period is to be no less than 5% of the agreed value of the works. The developer is to enter into a formal Maintenance Bond Deed of Agreement with Council.

39. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
40. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the Final Plan of Survey.

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

Telecommunications and Electrical Reticulation

42. Underground electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
43. Street lighting must be provided in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

'As constructed' Drawings

44. Prior to the works being placed on the maintenance and defects liability period an 'as constructed' drawings with CCTV footage of all engineering works provided as part of this approval must be submitted to Council to the satisfaction of the Council's General Manager. These data must be prepared by a qualified and experienced civil engineer or other person approved by the General Manager in accordance with Council's *Guidelines for As Constructed Data*.

Maintenance and Defects Liability Period

45. The subdivision must be placed onto a twelve-month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
46. Prior to placing the subdivision onto the twelve-month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

Rep 1

Mr Neil and Dr Elizabeth Roberts
Property address: 8 East Shelly Beach Road
Orford
Sunday April 16, 2023

General Manager,
Glamorgan Spring Bay Council,
PO Box 6, Triabunna,
Tasmania 7190

Dear Sir,

Development Application 155 Rheban Road Orford, CT 149641/2

We have carefully followed the planning issues associated with the requested re-zoning and subdivision of the subject land over the past six years. We are very concerned by the willingness of the Council to support the interests of the developers behind this application rather than the local residents and landowners. The Council should be supporting those who stand to be affected, especially given the very recent examination of the proposal by the Tasmanian Planning Commission which rejected it such a short time ago. The financial pressures on the municipality are well known and it is understandable that Council is enthusiastic to endorse any opportunity to expand its rate base, but this does not justify the rejection of sound planning in decisions such as these.

Notwithstanding these introductory comments, our submission details are as follows.

1. This proposal was quite recently the subject of a detailed and thorough review by the Tasmanian Planning Commission which sought commentary and analysis from both planning professionals and the affected public. The finding is adequately summarized on page 4 of the applicant's submission.
2. The Triabunna/Orford Structure Plan 2014 is the basis for the planning of the subject site and provides for "*• Rezone land south of Orford to residential in the long term (refer to Zonal Recommendations map).*" on the basis of perceived future needs, but not in the short term because of "*• a lack of demonstrated demand for the rezoning and proposed lots*". A considerable amount of work was done by the TPC to measure demand versus supply in making this finding.
3. The applicant's submission (and the Council itself) chooses to portray the TPC's finding and the 2014 Structure Plan as "out of date" and relies on the specially funded SGS report to support the need for a drastic reassessment of the residential allotment supply in the area. Given the recency of the TPC's examination, this is simply absurd and cannot be accepted in logic without rejecting the TPC's work out of hand.
4. No consideration in the applicant's submission has been given to issues of impact on the amenity of the residents who own the existing residential lots in the area. For example:
 - . what is the impact of the increased demand for access to the seafront by the residents of the new subdivision?
 - . what provision is made for extra demand for car parking on or adjacent the sea front?
 - . what constraints will prevent new buildings in the proposed subdivision from looming over the existing residential lots and reducing their amenity accordingly?
5. The application is an over development of the site. Chapter 4 of the applicant's submission seeks to justify the adoption of the maximum technical density possible for the site. While this clearly makes economic and financial sense to the applicant, it does nothing to soften the impact of the development as far as the area (and its residents) is concerned. The claim that the use of one of

the LDR zone sizes (1200 square metres) is inconsistent with the size of the residential lots in the area (600 square metres) is *not* supported by the facts. An examination of Figure 14 (page 20) clearly shows that the adjacent lots (i.e. the ones in East Shelly Beach Road) are significantly larger than this. The contrast with the smaller lots in the West Shelly Beach area is obvious, but the applicant's proposal is *not in the West Shelly Beach area!* We submit that the Council should never consider a lot size less than the permitted LDR size of 1200 square metres in order to reduce impact and match neighbourhood character. The existence of the proposed public open space/drainage area within the proposal is NOT a justification of a smaller lot size as this land would have to be excluded from residential development in any case.

6. The proposal makes quite inadequate provision for access to the seafront. The contrast with the good pedestrian access in the West Shelly Beach residential area is stark. Council ensured that excellent access lanes were provided in these subdivisions and this has reduced the need for vehicular access (and parking) for those residents seeking access to the seafront. Good planning is recognised and well regarded. This applicant's plan provides just *one access point* for the 90 residential lots proposed. As argued in paragraph 5 above, a lower density development – say 40 lots – would significantly offset this problem.
7. The size of the development (90 lots) will have a significant long term effect on the pattern of use in the area. It can be observed that where a large supply of lots suddenly becomes available, many purchasers cannot or will not undertake the construction of a dwelling in the short or medium term. Their lots are used as temporary holiday accommodation involving on-site caravans, sheds or other sub-standard structures. This large number of lots, suddenly available, will thus cause a loss of amenity and property value to existing owners. Again, see paragraphs 5 and 6, a reduced number of lots (of a higher lot value) significantly reduces this problem.
8. We note that this application deals with only one of the two portions of Rheban Road land considered in the 2017 application by the TPC. We submit that any decision made by the Council on this application will be a precedent for a future application by the owner of the land closer to Jetty Road. All of our submission on this occasion thus applies to that land as if it were currently before Council.

We are happy to make ourselves available to Councillors and Council Officers to discuss our submission.

Yours sincerely,

Neil and Elizabeth Roberts (0413 277 428)

Residential address:
30 Andrea Court
Healesville, 3777

Rep 2

Mark Pearce
33 East Shelly Road
Orford Tas 7190
pearcey180@gmail.com
April 25th 2023

General Manager
Glamorgan Spring Bay Council
PO Box 6 Triabunna
Tas 7190

Dear Sir,

DEVELOPMENT APPLICATION 155 RHEBAN ROAD CT 149641/2

Notwithstanding the Council's apparent dismissive approach to the findings of the Tasmanian Planning Commission regarding this site, I consider the major flaw in this application is the total disregard for the existing character of East Shelly Beach.

The East Shelly Road strip, as you would well know, is made up of mostly large, treed blocks, with the majority containing holiday homes.

The many long-term owners of these homes, including me, treasure the atmosphere that this neighborhood has.

The proposal ignores the current charm of East Shelly by proposing 90, mostly very small blocks in this new development .

In particular the current residents on the southern side of East Shelly Road will likely have two houses on their back fence line, immediately turning the precinct into suburbia, in stark contrast to the existing situation.

I urge Council to consider the following:

1. Increase the average size of the blocks.
2. Place a single storey limit on the properties adjoining East Shelly Road ,to ensure there is no loss of privacy to those East Shelly Road properties affected.

Yours sincerely,
Mark Pearce

Rep 3

To whom it may concern ,
as owner of property 43 East Shelly Bch Rd Orford I wish to lodge an objection to the proposed 90 Lot Subdivision and Scheme Amendment at 155 Rheban Rd Orford .Ct 149641/2 .

My objection to the proposal is for following reasons :

1. It would appear that the project may be predicated on an average lot occupancy of approx 2 persons per Lot . See Table 15 Application . Orford is a holiday destination and the occupation per Lot is many times this in holiday periods .Any consideration must take in account these peaks .
2. There does not appear to be any height restrictions on the lots to preserve the character of the area . Two story dwellings should not be permitted .
3. The influx of occupants (caravans and campers are common on existing lots) will put extreme strain on infrastructure ie power , water , sewerage mains and treatment works . The application does not appear to have addressed this .
4. There is an existing issue with stormwater runoff during storms flooding the land and improvements below the proposed site in East Shelly Bch Rd . The proposed development will increase the severity of runoff and this has not been addressed .
5. The proposed road width of 8.9m will not be sufficient to allow parking during peak occupancy periods . Needs to be a minimum of 11m to allow parking both sides and traffic to pass .
6. Lot sizes are small which will lead to different buildings changing the character of East Shelly Bch .

I reiterate my objection to this development proceeding in its present form .

Rob Royle Mob 0407646180

Rep 4

I refer to the above and wish the following to be addressed.

A height restriction of 1 story be imposed.

Roads are to be widened from the current 8.9 meters to 11.2 meters to facilitate vehicle parking on both sides of the road.

A contribution from the developer for sewage upgrade will be required.

Restriction on the number of caravans on each site to two.

A 20% increase in lot sizes to increase the ambiance of the development.

Cheers Rob Rex 0418 107997

Lot 13 East Shelly Beach Road

Rep 5

Dear Sir/Madam

As advised by Alex Woodward I am making a representation by email on behalf of myself and my husband Nigel Bean in regards to the above subdivision. This is only a preliminary representation as a meeting planned with Alex on the 5th May 2023 to discuss our concerns had to be postponed due to other commitments Alex had until the 12th May 2023.

We are not against a development, but not one of this size (90 lots) on this parcel of land. We have owned our residence at 22 East Shelly Beach for the past 25 years, my husband is retired and I am about to retire and we were looking forward to spending quality time at our residence at Orford. We fear that the infrastructure to cope with the 90 lots would not be available for stormwater, sewerage and safety. At the moment there is affluent in the creeks running onto East Shelly Beach which has always been a problem. During peak holiday season there has also been a problem with smell from the pump station not being large enough to carry the volume.

The only walkway to the beach will be beside our property, which we have always maintained. I presume there will be at least a six foot fence erected for our privacy. During peak holiday season there is an enormous amount of traffic on East Shelly Beach Road especially with people launching their boats at the jetty. We have seen many near misses with people and children on bikes in front of our strip of road. I can only imagine the pedestrians and bikes coming onto East Shelly Beach Road from the only walkway beside us. I fear that there will be a major accident if this development goes forward with this amount of lots.

I did note that there was no public open space for recreation on the development. I also fear that many of the blocks being so small will just have caravans left on them or sheds built to live in. This would be a shame and devalue the area immensely and change the dynamics of our beautiful East Shelly Beach as it is now.

The beach at East Shelly during holiday time is always filled to capacity as it is not of significant size and would not be able to accommodate the large number of people this subdivision would bring with it. East Shelly Beach is mainly made up of retirees and we have relished the peace and serenity over the 25 years we have been there, I feel this is going to all change and we are seriously thinking of selling if this goes ahead with this many lots.

Thank you for your time in reading my preliminary application in regards to the development.

Kind regards

Noelene Bean
22 East Shelly Beach Road
ORFORD.

Mobile: 0438793550

Additional comment :
To the Planning Committee

I have already submitted a preliminary representation in regards to the above development on behalf of myself and my husband Nigel, but have since had a meeting with Peter Porch and a colleague on Friday, 12th May. As stated in my first application I am not against a development, but I am against a development of this many lots in a coastal town such as Orford. I cannot see that the infrastructure that Orford can offer will cater for a development of this size.

In regards to our concerns in relation to stormwater runoff from the 90 Lot Subdivision the Council is apparently happy with the Hydrologist report submitted by the Developer. This remains to be seen what happens if the development goes ahead.

Our next concern was the contaminated water that flows onto East Shelly Beach whenever the creeks are running. Peter was not interested in taking a walk and seeing for himself, apparently a Tas Water problem. Peter did state that Tas Water would be replacing all pump stations, which was a must any way as they cannot deal with the amount of volume now, let alone if a subdivision of this size goes ahead. This will not fix the contaminated water problem. We also mentioned that we are concerned in regards to the creek flooding beside our property.

Apparently the only walkway (Fire Escape) for the subdivision which runs beside our residence is Crown land and not the responsibility of the Council. The Council are only bound to mow once a year in regards to being a fire hazard. We have mown this piece of land for 26 years. Who will be responsible for maintaining this walkway if the subdivision goes ahead. We were also told that erecting a fence for privacy reasons would be completely up to us at our own cost.

One of our main concerns was for the safety of people using this walkway to cross to the beach or bike along East Shelly Beach Road. I don't know if Council are aware of the amount of traffic during peak holiday times that East Shelly Beach Road attracts. This is mainly because of launching of boats at the boat ramp. I can only imagine how many more boats there will be if a subdivision of this size goes

through, which will only add to the already unsafe conditions. We did bring this up in our meeting.

I feel that if this development goes ahead it will look like a shanty town of caravans and sheds, which I stated previously would be a shame and change the dynamics of our beautiful East Shelly Beach.

Thank you for your time in reading this application.

Kind regards

Noelene & Nigel Bean
22 East Shelly Beach Road
ORFORD.

Rep 6

10 May 2023

RE: Amended Representation to Application No. SA 2022/046

TO: GENERAL MANAGER Glamorgan Spring Bay Council

I request that this amended representation replace my earlier representation forwarded on 8 May 2023. It includes two additional items regarding stormwater.

My Name is Graeme Ross Cumming, owner of 49 East Shelly Beach Road, Orford.

I have over 50 years of professional engineering experience in urban infrastructure including subdivisions and stormwater runoff management as a practising Civil and Environmental Engineer.

I am also a member of the Institution of Public Works Engineers Australia (Tas), The Australian Water Association (ret 2023), a Fellow of the Institution of Engineers Australia, and a Chartered Engineer listed on the National Engineers Professional Register in the Divisions of Civil & Environmental Engineering.

I oppose the above Rezoning and Development Application on the following concerns:

1. Stormwater runoff from 37% of the lots (33 of 90 lots) have no stormwater treatment and this will result in discharge of stormwater contaminants into Prosser Bay and impact on the local environment.

The exhibited documents include an Aldanmark engineering drawing Sheet C105 REV F dated 16/02/2023. This drawing shows that stormwater runoff from 57 of the 90 lots and all of the roads are connected to stormwater treatment devices that include a FILTERA BIORETENTION GARDEN, two OCEANSAVE 0S0606 GPT (gross pollutant traps) and 16 OCEAN PROTECT PSORB STORMFILTERS. But it is noted that 37% of other lots (Lots 58 to 91) are **NOT** connected to any stormwater treatment device prior to discharge to the environment. The stormwater pipework (green lines) on Drawing C105 in the vicinity of Lots 71 & 72 clearly shows the stormwater lines from 33 lots totally by-passing the stormwater treatment devices.

2. There are no environmental engineering calculations provided to indicate the treatment performance of the three types of proprietary stormwater quality treatment systems shown on the engineering drawing. Non-performance will result in discharge of stormwater contaminants into Prosser Bay and impact on the local environment.

Devices are: PSORB STORMFILTERS, GPTs (Gross Pollutant Traps) and FILTERA BIORETENTION GARDEN. Calculations are required to verify that the environmental performance complies with the Tasmanian Stormwater Policy Guidance and Standards for Development, that the number of devices required are sufficient to treat all the lots and roads runoff and the annual maintenance cost can be determined. Do Council have the specialised expertise to undertake the performance assessment?

3. The ongoing annual cost to Council of maintaining the specialised equipment proposed for stormwater treatment is not included in the application documents.

Drawing Sheet C105 REV F dated 16/02/2023 shows a total of **16** OCEANPROTECT PSORB STORMFILTERS installed in the stormwater system. (They only treat 13 of the 90 lots plus Road 3. A FILTERA BIORETENTION GARDEN and a GPT treats 44 of the lots plus Road 1). If treatment is provided to another 33 lots currently shown un-connected to any treatment device (Lots 58 to 91), the number of STORMFILTERS will be significantly more than 16, possibly **30** STORMFILTERS. Manufacturer's technical data available at the OCEANPROTECT website states that these **STORMFILTERS require ongoing maintenance at 6 monthly intervals** and the filters require replacement of the filter material at ongoing intervals at between 1 to 3 years. This ongoing maintenance work needs to be undertaken by specialist engineering technicians. There is no information provided on the likely annual cost of this work which will be borne by Council. The ongoing cost would be many thousands of dollars per annum. This cost needs to be clarified.

4. Failure to undertake regular maintenance of the specialised equipment will result in discharge of stormwater contaminants into Prosser Bay and impact on the local environment.

5. Future residential development in the POS area should not be permitted.

In the Applicant's report (p17 5th para. & Fig 13) it is stated that the existing dam and watercourse are to be retained. But on Engineering Drawing C101 is noted that the *"existing dam is to be filled and compacted for future residential development"*. This needs clarification. Any attempt to develop lots along the creek line would lead to flood prone properties and high-water table issues. If the dam is filled in it is a lost opportunity to enhance the POS and provide some natural, low cost, stormwater treatment features for environmental benefit and to assist in reduction of peak flows in the natural stream.

6. The Application does not satisfy the requirements of the Tasmanian Planning Scheme's Coastal Erosion Hazard Code C.10 as the subdivision requires the installation of twin 1200mm diameter culvert pipes that will discharge a highly erosive storm flow into a Coastal Erosion Hazard Zone.

The Tasmanian Planning Scheme's Coastal Erosion Hazard Code (C.10, Performance Criteria P1.2) require that works "do not cause or contribute to any coastal erosion on the site, on adjacent land or public infrastructure". The proposed upgrade of the stormwater servicing the subdivision discharges into a Coastal Erosion Hazard Area classified as "High Erosion" on East Shelly Beach (Coastal Erosion Hazard Bands 20161201 on The List). Despite the proposed development relying on works in a Coastal Erosion Hazard area to accommodate unretained stormwater flow, there are no such references to this part of the Tasmanian Planning Scheme in the application. Furthermore, a "Coastal Erosion Hazard Report" (C.10, "Performance Criteria") is not provided in the development application.

7. The stormwater design does not comply with GSBC Draft Permit Condition (32.c) with respect to limiting net discharge stormwater flows to pre-development levels.

The Flood Inundation Report dated 22 Dec 2022 undertaken by Flussig Engineers determined (page 11) for the total creek catchment of 243 ha that for the east watercourse the *"post development model does increase the accumulative net discharge inside the existing watercourse"*. The increase is from 12.61m³/s to 15.48m³/s (an increase of 22.8% that equates to an extra **2.87 tonnes of water per second for a total flow of 15.48 tonnes of water per second**). This was modelled for the 1% (1 in 100 year flood) AEP (Annual Exceedance Probability). It would be expected that analysis for more frequent flood events such as the 5% AEP (1 in 20 year flood) and also for the smaller 10.3ha catchment of the actual proposed subdivision would also indicate similar or larger increases in flow.

The Tasmanian Stormwater Policy Guidance and Standards for Development sets requirements for restricting stormwater discharge from developments to a rate that is comparable to the existing capacity of the public drainage system.

The GSBC Draft Condition 33 reads:

"Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision". It is intended by the Policy Guidance that this can only be invoked in accordance with the Policy Guidance and Standards **if it is possible to provide the required treatment or flow reduction down-stream of the site**. In this case there is only a short section of creek in the Coastal Inundation Hazard Zone between the subdivision and East Shelly Beach and that is confined within a narrow strip of land between two properties and includes a walkway and a sewer pumpstation that is going to be modified to include an extra 40m³ of sewer detention storage. It is highly improbable that any stormwater treatment works can be achieved there. The method by which this will be achieved should not be left to be controlled by a future permit condition (as proposed in the Application document P29 3rd dot point and P48 Assessment Table) but should be clarified prior to a Permit being issued.

Therefore, the application does not demonstrate how it will comply with the Tasmanian Stormwater Policy Guidance and Standards for Development.

8. The Application (p3 Table of Contents) refers to several engineering drawings including Drawing number C501 REV C. But that drawing was not included in the documents provided.

9. Council Application checklist requires a site plan showing contours indicating levels to AHD. No levels are shown on the site plan contours.

10. The site road layout lacks imagination and is based on maximising the number of lots. This results in 4 lots (Lots 42,43, 51,52) isolated and hemmed in without proper road frontage and will likely be surrounded by drab timber fences on all 4 sides. This is not in keeping with the existing developed area at East Shelly Beach. The opportunity exists to enhance the POS to create a more open and liveable layout by reducing the number of lots.

11. The **Tasmanian Stormwater Policy Guidance and Standards for Development** (Section 2.6 on p58 of that document) requires that a Development Application for a residential development greater than 2,500m² (this development Area is over 10ha or 100,000m²) must be accompanied by a Stormwater Management Report to enable Council to adequately assess the Development Application. No Stormwater Management Report was included in the Exhibited Documents. Therefore, Council officers are not able to adequately assess the Development Application.

12. The exhibited documents include an Aldanmark engineering drawing Sheet C105 REV F dated 16/02/2023. This drawing shows a 1m max high retaining wall to be constructed to the rear of Lot 77. This is to the rear of properties #31 & #33 East Shelly Beach Road. This wall will require an agricultural drain to its rear at the level of the properties on the lower side (East Shelly Beach Road) and will need to have an outlet drainage path through #31 or #33 East Shelly Beach Road. Are these property owners aware of this and has a legal easement been secured?

All issues I have outlined above are of serious concern to me, my wife and the local community and on this basis the proposed Rezoning and Development Application should be rejected by Council.



Sincerely,
Ross Cumming
49 East Shelly Beach Road, Orford

Rep 7

Representation concerning Glamorgan Spring Bay draft planning scheme amendments AM 2023-01 & Draft Planning Permit SA 2022/046

To: the General Manager
Glamorgan Spring Bay Council

By email: planning@freycinet.tas.gov.au

I refer to the above draft planning scheme amendment and subdivision application seeking to rezone CT 149641/2 being a significant 10.26ha parcel of farm land located between East Shelly Beach Road and Rheban Road, Orford ('the Land'), from 'Future Urban' Zone to 'General Residential' Zone and to subdivide the Land into 90 lots.

Consistency of draft amendment with Regional Strategy

The Land (together with a neighbouring parcel of land) was previously the subject of a substantially similar combined rezoning and subdivision application (draft amendments AM 2018-08(a) and (b) and permit SA 2017-04) which was considered at length and rejected by the Tasmanian Planning Commission ('TPC') in their reasons for decision dated 24 July 2019 (the 'Decision').

In that Decision the previous draft amendments were found to be not, as far as is practicable, consistent with Regional Settlement Strategy under the Regional Strategy, being the Southern Tasmanian Land Use Strategy ('STRLUS'), in that they were not consistent with the growth strategy and growth scenario for Orford; and did not further Objective (b) of the Resource Management and Planning System in Schedule 1 because they did not represent an orderly release of land.

There has been no change to the Regional Settlement Strategy specified under STRLUS regarding the growth strategy and growth scenario for Orford since previous draft amendments 2018-08(a) and (b) concerning the Land were rejected in 2019.

I note that since the rejection of that draft amendment, regional policy SRD 1.1A has been inserted into the Settlement and Residential Development Strategy under STRLUS to enable the consideration of contemporary residential supply and demand information for rezoning proposals in towns defined as, amongst other things, Townships, such as Orford.

However it is incumbent on the planning authority under STRLUS to show that it has carried out the requisite strategic planning investigation and analysis to support such a proposal for further growth.

This is consistent with the existing requirements under regional planning policies for prudent monitoring and planning in respect to supply and demand of residential land to be carried out at a local level before any further rezoning of land takes place. Further rezonings should only occur when such monitoring and evaluation shows that available residential land has dropped below a 15 year supply. This monitoring and planning should have been done by the planning authority itself and referenced in the rezoning assessment.

It is therefore not sufficient and indeed inconsistent with STRLUS for the planning authority to accept wholesale and without independent evaluation, the data presented by the proponent of a subdivision, much less to annex it as an addendum to its local structure plan without such evaluation (or indeed community consultation), as has been the case in relation to this draft amendment.

The draft amendment (like it's previous iteration under AM2018-08(a) and (b)) is therefore not consistent with Regional Settlement Strategy under STRLUS, in that it is not consistent with the growth strategy and growth scenario for Orford and does not further Objective (b) of the Resource Management and Planning System in Schedule 1 because it does not represent an orderly release of land.

Failure to take into account Solis and Holkham Court

The question of whether or not the extensive Solis and Holkham Court subdivisions ought be taken into account when calculating existing residential land supply in Orford pursuant to the low growth strategy under STRLUS has already been decided in relation to the previous rejected draft amendments AM2018-08(a) and (b). It was then put to the Commission by the proponents that there were constraints on the development of those subdivisions and they should not be taken into account in that calculation. However in the Decision it was found that while unfortunate, the zoning of additional land for residential development could result in an over supply of infrastructure if constraints are quickly resolved (see paragraph 51 of the Decision).

It is doubtful that the planning report in support of the latest draft amendment has taken into account the very large Solis and Holkham subdivisions in determining existing residential land supply in Orford. The Solis estate alone comprises 300 available lots and a potential for a further 500 lots.

If these subdivisions have not been taken into account, the draft amendment does not further Objective (b) of the Resource Management and Planning System in Schedule 1 because it does not represent an orderly release of land.

Further, it is submitted that amendments to the Triabunna-Orford Structure Plan to reference the constraints on the Solis and Holkham Court subdivision are for the above reason contrary to the earlier findings of the Tasmanian Planning Commission and ought be removed.

General Residential Zoning and density of subdivision proposal

Aside from the above threshold issues going to the draft rezoning amendment, I am very concerned about the density of the proposed subdivision.

As the owner/occupier of property nearby at 37 East Shelly Road, my family and I will be affected the rezoning of the Land and subsequent subdivision. I have had a strong connection to the area for over 45 years and I care passionately about ensuring the areas unique shack/holiday character and rural/seaside landscape is respected and preserved.

This proposed high density subdivision is out of character with the allotments surrounding the Land on East Shelly Road and Jetty Road. Despite being under a 'General Residential' zoning these surrounding parcels are in effect low density allotments in common with the 'low density' zoning of the land which is directly to the east of the Land at Pine Hills Court and into Spring Beach. I believe any future development of the Land should maintain that low density. Indeed under the Regional Settlement Strategy, Orford/Spring Beach is categorised as a shack/holiday community. It is therefore inconsistent with STRLUS for a subdivision on the proposed scale and density to be approved.

Traffic Congestion and pedestrian and cyclist safety

The surrounding roads around the land in question (Rheban, Jetty and East Shelly Roads) are single-carriageway lacking in either footpaths or bike paths. They already face significant congestion and speed challenges with the number of vehicles, pedestrians and bikes all using the roads. In particular there are numerous children on bikes using Rheban Road going between Spring Beach and town/Shelly Beach during busy holiday times.

The situation is already dangerous and even if the rezoning of further residential land was found to comply with Regional Strategies as set out above (which is disputed) the creation of new subdivisions with single entry on to Rheban Road will only add unduly to this pressure. The rezoning therefore does not represent fair and orderly planning in accordance with State planning policies.

Non-compliance with performance criteria

The proposed subdivision does not accord with stringent planning performance criteria. For example, under the planning scheme requirements cul-de-sacs and

other terminal roads are not to be created or their use in road layout is to be kept to a minimum in favour of interconnected grid-like roads.

Yet this best practice requirement has not been followed, instead the two sides of the proposed subdivision do not connect by road. One side relies on a cul-de-sac design with a single access off Rheban Road and the other uses a loop design having a single access of Rheban Road. This layout would be a poor design outcome.

Also, under planning scheme requirements internal lots are to be avoided, yet the planning assessment in fact has required the creation of 9 additional internal lots (this is up from 3 in the previous 2017 application).

Native Vegetation

The mapping clearly indicates that some native vegetation will be removed to make way for the proposed subdivision, particularly on the north-western boundary. Council has not addressed this issue and should do so prior to any approval being granted.

Conclusion

I respectfully request that that this representation be submitted to the Tasmanian Planning Commission for its consideration in relation to the draft amendment and associated subdivision application.

I look forward to receiving an acknowledgement of receipt of my representation.

Yours faithfully,

Alison Westwood

37 East Shelly Road, Orford

Rep 8

SA2022/046 - 90 Lot Subdivision and Scheme amendment.

I wish to express my concerns about the proposed development at 155 Rheban Road.

As a resident and also owner of a short term rental property at Spring Beach, I am already very aware of the detrimental impact that the new Happy Valley Rd and Rheban Rd subdivisions have had on Spring Beach. The storm water runoff is eroding the beach and on many occasions discolouring the magnificent crystal clear waters. I am very concerned that this new development will have a similar detrimental effect on Shelly Beach.

I also feel very concerned about changing this beautiful coastal holiday destination, so appreciated by Tasmanians and interstate and international visitors for its novel low density, into a built-up suburban-like area. This high density sub-division would have such an impact not only on the beach but also visually and on road usage and local services.

Please reconsider this amendment and development and recognise the value of retaining this beautiful holiday destination and not allowing it to be destroyed by over-development.

Yours sincerely
Lorne Calvert
Villas 3 and 8, 314 Rheban Road, Spring Beach
mob: 0400126063

Rep 9

Margaret Ibbott
5 Hanlon Court,
Sandy Bay ,7005
28 East Shelly Beach Rd ,
Orford 7190
04180416853
ibbott13@gmail.com

May 10th 2023

RE:Presentation to Application No.SA 2022/046
Planning @Freycinet.tas.gov.au

The General Manager
Glamorgan Spring Bay Council

I have been in contact with TASWATER on many occasions in recent years. My concern is the strong sewage odour emanating from the pipe on our roof and coming from the pump in front of Overeem's house on East Shelly Beach Rd, At times of heavy use and in particular winds, our back yard is unusable due to the nauseating and overwhelming smell settling over my house and into the paddocks behind. Consequently, I have contacted TASWATER who rejected the idea and said it [was coming](#) from the rotting sea weed along the beach. I know this is wrong as this stink was there in times when there was no weed and this I have observed for years!

Please keep reading. However, TASWATER finally visited the site and agreed the problem was from the device on the foreshore and so they placed a taller pipe on our roof with a filtering round spinning thing to disperse the pong.

They also told us there would be another large box and filter placed on our property to prevent further problems (.January 2022)

This has never been provided and the stink last summer was present on many days .

Our concern is that if even a small intervention device could not be provided , how on earth is the sewage system going to be satisfactory if there are many more houses built on land adjoining my property? Please carefully ensure that the sewage system is adequate. I have observed flooding , spill overs and pump failures over recent years with the present

system.

As a long term visitor(65 years) I have seen deterioration of the much loved open green spaces and the erection of hideous fences. My observation and opinion of the recently constructed black metal fence on the corner of Integrity Way and Rheban Rd is that this is ugly and unsuitable to the country or village environment, not pleasing to the eye and clearly not regulated by a council with a aesthetics in mind. please keep reading

Is this really what Glamorgan Spring Bay Council really want?

Is this really conducive to good neighbourly relationships, does it allow for pleasant views and native hedge plantings to support bird life???

Is it supportive of a beautiful village with enough space for native flora and fauna or is it to be a region of dividing fences and surplus of concrete . As councillors, you and architects and planners have a responsibility to the future and must plan to provide a beautiful place to live for our and your grandchildren. Can there be more control over fences so the ugliness and division doesn't occur in any new subdivision

Don't leave next generations with a fenced concrete desert, but a beautiful well designed , safe and happy village .

So , please see this as an opportunity to do something beautiful on our lovely east coast. What we will see in ten years is indeed in your hands right now,

Thank you .

Yours sincerely

Margaret Ibbott

Rep 10

The General Manager
Glamorgan Spring Bay Council

I request the following representation be submitted to the Tasmanian Planning Commission.

- . The draft amendment is inconsistent with the Regional Settlement Strategy under the Regional Strategy (STRLUS) with regard to the growth strategy and growth scenario for Orford, as per the previous decision of the Tasmanian Planning Commission.
- . The proposal fails to take account of Solis and Holkham Court subdivisions when calculating existing residential land supply pursuant to the low growth strategy under STRLUS
- . The density of the proposed development is not consistent with the surrounding properties and the amenity of the area as a seaside/holiday environment. As a long time resident and land owner in the area for 27 years, I am concerned this will have a direct impact on myself, my family and neighbouring properties.
- . The proposal will add to the already congested infrastructure for cars, bicycles and pedestrians, which already creates a dangerous situation, in particular an area that is heavily populated with children at various times of the year.
- . The proposal does not seem to meet planning performance requirements for subdivisions in relation to internal lots and road construction.
- . The proposal does not seem to have changed adequately from the previous application for the land or addressed previous concerns of the Tasmanian Planning Commission.

Regards

John Smith
42 East Shelly Road, Orford

Mobile 0419 344 094

Rep 11

To the General Manager,

I am writing on behalf of my father, Nigel Bentley, and I.

Our family have been ongoing, permanent residents at this address since the 1950s. My grandparents built the house, my mother attended Orford primary (where I now teach) and my father's association began in 1961. He moved in permanently in 1998 and has lived here for the last 25 years. I began visiting as a baby and have lived here part time since 2021, when my mother passed away. In addition to the house at 67 East Shelly Rd, both my father and brother own land on Manning Drive. We absolutely love Orford, have called it our home for a lifetime and are very invested in the community's best interests. Sadly we have been witness to the destruction of the character of the place with residential developments popping up at an alarming rate without the appropriate and adequate infrastructure, particularly over the last 10 years.

My grandfather designed his dream house as a POW in a concentration camp in Japan during WWII, he then selected a beautiful beach side block at East Shelly Beach to build his dream home. I imagine he believed this town would turn into a beautiful seaside town reminiscent of his hometown in Cornwall. I am 100% sure he would be shocked, appalled and completely heartbroken if he could see what his beautiful sea side town has become. Not an idyllic seaside community where people chose to live permanently but row, upon row on Colourbond sheds and basic shack-style houses stacked on top of each other, on tiny blocks lining all the roads in and out of Shelly beach. And this council wants more! Ninety more! So we can have more people build shacks and sheds and store their boats and caravans.

There are many reasons this development should not go ahead, as stated in other people's submissions.

Our main reasons for opposing this development:

1. Current Inadequate Infrastructure (particularly Storm water)

- The current storm water disposal is severely inadequate in East Shelly
- This problem has increased over the years with each new subdivision without appropriate planning
- Lack of oversight to manage drainage in relation to planning of new subdivisions. This impacts many local residents.
- At 67 East Shelly Rd we are subject to increasing and regular flooding of our boatshed and easements on either side of the property. And the erosion and regular destruction of the beach access road at the side of our property from water running down Manning occurs after every heavy rain. As a result the council needs to regularly attend and repair.
- Regular flows into the bay where signs are placed warning of contaminated water. Swimming becomes undesirable as a result.
- No consideration of the needs of amenity for existing rate payers
- Our request, as permanent residents and existing rate payers, is for the council is to provide demonstratable and efficient removal of storm water before allowing a new subdivision which will increase the problem. This is currently not the case.**

2. Does Orford need yet another subdivision with more converted Colourbond sheds and shacks?

- Orford has many new subdivisions over recent years and there are many residential blocks for sale or recently sold
- Examples subdivisions -2 on Charles Street (on with 13 blocks), Mace Court, Louisville Road-15, Integrity Way-15, Happy valley Lane, Happy Valley Road, a new development near the bridge at Spring Beach Russel street and Paradise Court.
- Over the years subdivisions have spread in West and East Shelly Beach either side of Jetty Road, with small blocks with mainly shacks or modified sheds and caravans. These are for holiday makers and not for permanent residents
- New residences built in Orford are predominately very basic and/or built as holiday homes, is this what the community needs?
- An example of this “shack” development has been attached (Russel Street Orford). Is this what we want in Orford or do we want to create a community of local residents who will support local businesses?
- The council needs to have a firm plan of what it wants for both the character and needs of this community and work on attracting permanent residents rather than lines of shacks.
- A ninety lot Subdivision with blocks ranging 475-1217 square metres, which will most likely end up predominately as very basic/ Colourbond structures for a part time part time residents, is not what Orford needs**

3. Orford is not growing despite numerous new subdivisions over the last decade. Address true residential growth rather than increase capacity for part time residents

- Orford has many new subdivisions over recent years but this has had little effect on growth
- 2016 census median age 59 and those aged 5-9 years 34, 2021 census median age 62, and those aged 5-9 years 20. Median age is increasing and number of young families decreasing despite new subdivisions.
- Data from 2016 Census shows 68% of unoccupied houses
- Orford school decreasing numbers- Term 1 Headcount from DoE Key Data Paper, March 2022- 2021- 74 students, 2022-66 students. The current enrolment is 61 students.
- Rezoning this land to “general residential” and a huge subdivision will not increase growth in the area because, if this was the case, we should have seen a substantial growth over the last few years when you consider the number of new subdivisions (See point 2).**

We ask that you please consider the points above and do not allow yet another subdivision to go ahead while current infrastructure already does not meet the resident’s needs. If growth is truly what the community wants, please consider the type of growth our community wants and address what the community needs to attract more permanent residents. And finally I we ask that you consider the character the town. We have included a photo of my Grandmother, mother and the road to Spring Beach and also a photo of the type of development that the council currently allows. The aim should be to build a community rather than building soulless tin sheds and shacks for a part time population.

Yours sincerely,

Nigel Bentley

67 East Shelly Road, Orford, 7190

Helen Bentley

67 East Shelly Road, Orford, 7190

Grade 5/6 Teacher (Thursday, Friday)

Orford Primary School | Department of Education

35 Charles Street | Orford | TAS 7190

P: 03 62571126 | 0439409118 E helen.bentley1@decyp.tas.gov.au

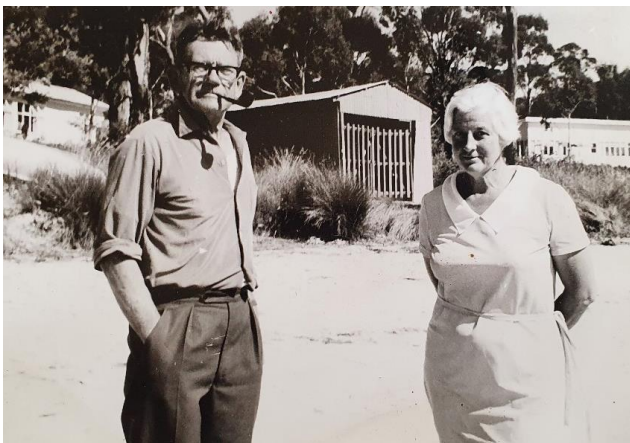
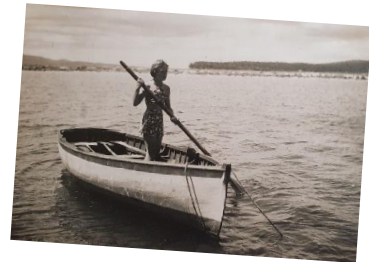


My grandfather designed his dream home while a POW in WWII. He chose Shelly Beach as his location to build it. We still live in this beautiful home.



My Grandmother, Mary Thomas in the early years at Orford.

My mother, as a young child growing up at Orford.



Mary and Bunny Thomas probably imagined Orford and Shelly Beach would have developed into a seaside town similar to their old home in Cornwall.

Below is the type of development our local council is allowing (Russel Street, Orford).
The same type of housing is going up at West Shelly. Integrity Way is the latest!
Is this what my grandparents wanted when they built here?



Is this the type of development East Shelly Beach needs?
Please consider what a 90-lot subdivision will create? Please consider the character of our beautiful home.

I implore you to take a drive around Russel Street and West Shelly Beach, Integrity Way, Jetty Road and Nautilus drive before you approve this subdivision. If you believe that more of what you see in these streets is what our community needs for growth, then go ahead and approve it. However, I despair if this is the future of our town if these types of development are it's future
Regards,

Helen Bentley

Rep 12

Joanne Nichols
48 East Shelly Rd
Orford Tas 7190

Greg Ingham
The General Manager
Glamorgan Spring Bay Council
9 Melbourne St
Triabunna Tas 7190

10/05/2023

**Representation opposing 155 Rheban Road -SA 2022/046
proposed development and rezoning application**

Dear Greg,

As a permanent resident at East Shelly beach, Orford, I object to the proposed 91 block subdivision and rezoning at 155 Rheban Road, Orford, SA 2022/046, and urge council to reject it.

INTRODUCTION

The proposed development cites population growth to support its proposal.

The methodology used for projected population growth and therefore need for 91 blocks is questionable.

The ABS 2021 Census states that Orford has 67.2% of its private dwellings unoccupied, the result of Orford being primarily a retirement and holiday locality. Blocks are more likely to be bought for holiday homes or Airbnb's, but with interest rates increasing and building costs continuing to rise, the second home is now less affordable.

It is important to note that development will not increase the permanent population of the area as Orford needs more businesses to create jobs to encourage families to live here. The influx of holiday makers is seasonal and does not contribute to the local community year-round. Services in the area are stretched in many areas, particularly health.

This is not an objection to Development or the developer per se, I question the need for it at this present time and subsequently the rezoning from future urban to general residential. If the application is to be considered, now or into the future then my objection is based on its lack of vision and high standards to which we should expect a development within our municipality to aspire.

We need developments which are sensitive to identity of place, which focus on high standards for:

- Maintaining the amenities and identity of place.
- Effluent, storm water and water infrastructures, to cope with forecast population growth and the future forecasts for heavier rainfall due to climate change.
- The treatment of our natural environment, determent of foreshore erosion, protection of our marine environment and waterways.

Am inspection of the plans for this development find of these lacking.

BASIS FOR APPEAL

Aesthetics & Amenities:

This development proposed is high density suburban sprawl, particularly Development Stage 5 and Stage 6 which does not reflect the aesthetics of East Shelly Beach area.

The East Shelly settlement is a low-density layout incorporating larger blocks allowing for arboreal growth and Flora and Fauna diversity. Small blocks are not conducive for tree planting and present a sterile landscape.

Cycle paths and public access to neighbouring areas is absent from the plans.

Infrastructure:

Flooding and effluent overflow is a significant problem in the East Shelly beach area causing damage to property, foreshore, some coastal erosion and contamination of the marine environment.

Infrastructure fails to cope with this at present and the impact another 91 blocks will have in the area is a major concern.

According to the Flussig Report provided in the development application 'significant flooding occurs through the proposed development area.'

This applicant is relying on outdated climate change research from 2012, which understates the current risk of flooding. We need up to date data to help evaluate the risk of flooding in an already flood prone site.

Over the last few years, we have seen extreme flooding events across the country, evidence that La Nina cycles result in extreme rainfall events which are predicted to increase in frequency and intensity into the future. On a personal note, the damage created to personal property from the floods of 2016 were the worst in 50 years (1966), and since then we have had two more within that range of severity.

The Development application is relying on Flood mitigation measures instead of sustainable development practices. The council is exposing itself to potential liability and the property owner's future expense.

Coastal erosion.

I see no mention of the effects of coastal erosion supported in the documents, and the developer's failure to address section C10 of the Tasmanian Planning scheme means that council could not have confidence in the claim that there are 'no environmental constraints' on the site.

Coastal erosion has become increasingly problematic at East Shelly which can only be exacerbated with the addition of a high-density build. A map on LIST shows East Shelly Beach as being a potential erosion hazard in the future.

In ordinary council meeting minutes from Tuesday March 28th, 2023, under Environment Management 11 (page 21) it says, "All work must be **generally** done in compliance with the Tasmanian Coastal Works Manual.' 'Generally,' is a very loose word and I find it quite concerning. This terminology allows for movement outside the parameters of the compliance code.

Flora and Fauna

This Development applicants have neglected to present a flora and fauna report.

The creek line and roadside vegetation are important areas for biodiversity, supporting endemic flora and fauna. I note that the developers intend to keep the creek line as POS and propose to remove most of the vegetation on Rheban Road for access. It is important that the varieties of tree here need to be recorded to prevent any potential loss of protected species and endangered species habitat.

All attempts must be made to retain on site any Eucalyptus Ovata which is a protected species under the Threatened Species act, and remnant habitat trees for the critically endangered Swift Parrot and Forty Spotted Pardalote, hence the importance of a Flora and fauna report.

Recommendations

Substantive analysis is lacking and new independent analysis and data supporting this proposal is needed to give confidence in this proposal. Storm water runoff from this development will only exacerbate the already high risk of coastal erosion at East Shelly beach.

A Flora and Fauna report is needed before any decision is made.

I suggest increasing the number of larger blocks into the development layout, interspersing them amongst the smaller 'Lego block' style rows (as seen in stage 5 & 6 of the development) thereby decreasing the total number of blocks but creating a more aesthetics appeal, and more in keeping to the aesthetics of the area.

Conclusion

There is little vision for the future with this proposal.

This is a standard urban subdivision, meeting minimum standards for design, use of the land and layout.

It is negligent in the recognition of its coastal location and fails to reflect the character and amenity of the area.

It is a one size fits all approach, more akin to residential development on the fringe of larger urban settlements.

Do we really want more of the same here? An extension to the great eastern seaboard suburbia?

A large percentage of the population who live in Orford are retirees who left suburban sprawl to move here for the amenities Orford provides. To build a development in this design will ruin the very landscape and amenities which people move to Orford to enjoy.

As someone who has been visiting the area annually since I was born, I admit I don't want the area to change dramatically, but I also accept growth is inevitable. However, I have seen evidence in other countries that it is possible for rural and regional areas to grow sustainably and sympathetically without damaging the very heart of what makes it unique.

Council needs to employ world's best practice when it comes to future planning for the Glamorgan Spring Bay area. Then future generations will thank the council and the State planning Scheme for visionary, quality developments, which include protecting and preserving our beautiful landscape and environment which is unique to us.

I urge council to reject the proposal.

Yours sincerely,

Jo Nichols Gorringe

Ph: 0438064573

Jonicho65@gmail.com

Rep 13

Tony Ibbott
5 Hanlon Court
Sandy Bay. TAS.7005
28 East Shelly Beach
Via Orford. TAS. 7190)

The General Manager
Glamorgan Spring Bay Council
P.O. Box 6, Triabunna. TAS. 7190
< Planning @ Freycinet.tas.gov.au>

**Request to Amend the Tasmanian Planning Scheme-
Glamorgan Spring Bay and Request to consider an
Application for Subdivision at 155 Rheban Road, Orford 10
March 2023**

Representation to Application No. SA 2022/046
Representation

The outcome this Representation seeks to achieve is the development and maintenance of high class, active and healthy beachside leisure living in a harmonious neighbourhood and natural environment capable of being managed in a sustainable manner.

This is a continuation of the aspirations started by those who settled the Shelly Beach area in the 1940's - 1960,s.

I would like to put on record just how difficult it is for lay members of the community to navigate their way around the State and Local Government planning and development systems. This means it is not a level playing field when it comes to community participation in the planning and development process.

From my personal research it would appear that while the Development Proposal may appear to meet the State and Glamorgan Spring Bay Local Planning Scheme objectives, it

does not always appear to be adequately informed by the Council Strategic Plan and other Council Plans.

The result is that the Development Proposal without some relevant amendments is likely to become a “missed opportunity to set a high standard of seaside living and recreation lifestyle in a natural and safe environment for children and families to live or stay away from the concrete jungle of the city”.

In the context of the above comments, the following items represent challenges for the Planning Authorities.

Lot Design

When East (circa 1940-1950) and West (circa 1950-1960) Shelly Beach were subdivided the then Spring Bay Council aspired to create a visionary beachside subdivision including foreshore vegetation and large lots of land where families could play cricket, volleyball, totem tennis, and children could ride bikes etc under parental supervision (all consistent with the GSBC current Strategic Plan’s Healthy lifestyle aspirations). As currently proposed Lots 74 & 75 which back onto number 28 East Shelly Beach Road are approximately half the size of that block, but without any public recreation space.

I object to the consistently small lot sizes rather than a range of lot sizes, however if these smaller Lot Sizes are to be applied, any ‘reasonable person’ would cater for child, family, and neighbourhood physical activity by providing a flat village green space from the 5% (or thereabouts) public open space requirement from a subdivision approval, in addition to the mandatory riparian reserves required by LUPA.

It is recommend that either some Lots are larger, or a village green (or similar) should be required by the TPC from the public open space requirement.

Waterway and Coastal Protection Code

I first moved to the East Coast in 1950 as a 5 year old and travelled daily to Orford on the school bus from Rheban. Consequently I saw both creeks that form part of this subdivision site flood the Rheban Road on a number of occasions. While rainfall on the East Coast in recent years has sometimes been sparse, interestingly, once in 100 year floods have become more frequent.

Hence, I strongly support the riparian reserves along both creeks to cater for flood events, and the maintenance of the water holes (from which I have seen water bombing helicopters refill when fighting fires at Spring Beach). In addition, the development of walking tracks and trails in these reserves is a positive step forward.

I recommend planting more appropriate endemic species along the creeks to mitigate against erosion while also providing wildlife corridors, and retaining the waters hole(s) for fire protection and slowing peak flooding during storm events.

Roads

The roads as proposed in the Traffic Plan would appear to meet the Performance Criteria – ‘cul-de-sacs are kept to an absolute minimum’ and – ‘connectivity with neighbouring road network is maximised’ – does not include the public riparian reserve along the creek between Number 22 and 24 East Shelly Beach Road.

According to the maps this would appear to be a walking and cycle connector only to the foreshore, the foreshore walking track, and beach. We fully support this approach in the interests of traffic reduction, 'hooning avoidance', and child safety in accordance with Performance Criteria .

The Development application makes reference to kerb and gutter standards. By far the majority of residents adjacent to the proposed subdivision do not want city kerb and gutter standards. They do not allow for vehicles and boats on trailers to pull off on to the nature strip, hence occupying the roadway (sometimes on both sides), creating a traffic safety hazard (especially for children on foot and/or bikes. The dish drains as used by the Mornington Peninsula Council in Victoria on their beachside subdivisions are much more flexible and appropriate for beachside living.

Ways and Public Open Space

The Objectives of this item are necessary but not sufficient. Not only must the Ways provide for pedestrian and cycle tracks and trails, but also address the open space – lot size issues outlined in Lot Design as cited above (EG. Lot size and/or village green open space for for kids to kick a footy, play cricket, bash a tennis ball etc). In addition the Open Space provided for such neighbourhood activity as required by LUPA is in addition to the required riparian reserves to cater for flooding creeks referred to in Waterway and Coastal Protection Code.

Stormwater Management Code

Recent years have seen both private lots and public authorities increase the areas of impervious surfaces

dramatically (Eg. Concrete driveways, paved decks, hardstand areas, parking and standing aprons, courtyards etc) as defined in the DA. This has lead to vastly increased stormwater run-off during high rainfall events, and wasted limited rainfall into drying soil at other times.

Hence the Performance Criteria for stormwater, drainage, and disposal are probably inadequate for storm events subdivision collection for emergency use including firefighting.

In the meantime, the Acceptable Solutions cited in the DA seem overly generous given the seriousness of this issue and consideration should be given to providing incentives to reduce the areas of impervious surfaces (EG gravel rather than concrete driveways, and trees and shrubs rather than dry baked summer lawns.

Biodiversity Code

The Purpose of this Code is strongly supported in the context of continuing degradation and loss of habitat, despite the existence of the GSBC Vegetation Management Plan 2015-2019.

Reference to this document if applied to the appropriate sections of the GSB Planning Scheme would support the creation of the creek bed riparian reserves as a habitat for a number of endemic plants and animals.

Threatened Fauna sighted in the last 5 years in the vicinity of the DA site include:-

Blue-tongued lizard

Eastern –barred bandicoot

Echidna

Masked Owl

Swift Parrot

White-bellied Sea Eagle

We fully support the GSBC Vegetation General Action Plan and the Weed Action Plan

Frontage fences for dwellings

Recently there has been a trend to build front fences that are of a height and style which do not adhere to the Objective, Acceptable Solutions, or Performance Criteria of the GSB Planning Scheme.

These are unsafe (entering and exiting driveways), ugly (paling and/or iron) and leave properties open to robbery behind tall fences when there is no-one at home.

We recommend Council enforces the Planning Scheme Standards for front fences.

Orford Sewage Treatment Plant Odour Assessment (Taswater)

The Report by Dr Steve Carter dated 15 July 2018 is OK as far as it goes, however it has followed a methodology that tested for Odour arising from the Sewage Treatment Plant.

The Sewage Odour that has been complained about by East Shelly Beach residents for years and is as yet unresolved appears to arise not from the Sewage Treatment Plant to the south of Rheban Road, but from a pumping Station on the foreshore in front of number 23 East Shelly Beach Road.

There may well be illegal stormwater into the sewage system somewhere around East Shelly Beach resulting in this pump station or somewhere adjacent to it flooding after heavy rains. This needs investigation by Taswater.

In conclusion, we would like to thank you for the opportunity to submit this Representation and trust it will be given

serious consideration in the Planning and Development process by the relevant Planning Authorities.

We repeat that the intent of this Representation is not to stop development , but rather to achieve an active, healthy and harmonious community, in a safe and natural beachside neighbourhood, which makes Orford an aesthetically pleasing, environmentally sustainable, and desirable place to be. We trust that the intent of this Representation will not be lost or sidelined by the application of undue regulation, interpretation, or application of bureaucratic rules as it is unreasonable to expect lay members of the community to do any more than we have in attempting to adhere to the public response period of a Development Application.

I wish you all well with your deliberations.

Tony Ibbott

28 East Shelly Beach Road

(Mobile) 0409 433 898

Rep 14

Sue Hawkins
260 Rheban Rd
Orford, TAS 7190

10th May 2023

The General Manager
Glamorgan Spring Bay Council
9 Melbourne St
Triabunna, TAS 7190

RE: Representation opposing 155 Rheban Road Development & Rezoning Application

As a permanent resident of Spring Beach, I urge Council to reject the proposed rezoning and subdivision at 155 Rheban Rd. According to the Flussig Report provided in the development application, "significant flooding occurs through the proposed development area." This was demonstrated in the 2022-23 flooding events experienced by residents at Shelly Beach. There has been considerable evidence Australia-wide that during La Nina cycles the frequency and intensity of extreme rainfall events increases, resulting in severe consequences for residents of flood-prone areas including uninsurability and expensive relocation. The application relies on outdated climate change research (dating from 2012) which understates the current risks of flooding. The application also places too much weight on flood mitigation measures at the expense of sustainable development practice. Placing 90 new residences on a site at high risk of inundation exposes the community to risk to life and property and Council to legal liability and future expense.

The Flussig Report notes (page 11) the post-development model "does increase the accumulative net discharge inside the existing watercourse," for both the East and West parts of the development. A 1-in-100 year flood event would lead to storm water discharge of approximately 1.87 tonnes per second. Given that we can no longer rely on these events being rarities, the severity of this impact should be of grave concern to Council. The authors of the CSIRO's 'Climate Change in Australia' report (updated December 2020) have high confidence that "extreme rainfall events will become more intense." Council cannot afford to base a major planning decision on the out-of-date data provided with this application.

There are significant infrastructure and environmental constraints on this site, including storm water runoff exacerbating the already high risk of coastal erosion at East Shelly Beach. The developer's failure to address section C10 of the Tasmanian Planning Scheme means Council cannot have confidence in the claim that there are 'no environmental constraints' on the site.

The well-publicised extreme flooding events nation-wide over the last 18 months place additional responsibility on Councils to ensure development decisions are based on best practice, independent advice and up-to-date climate change research. For these reasons, I urge Council to reject the proposed rezoning and subdivision at 155 Rheban Rd.

Sincerely,



Sue Hawkins

0407 429 558

Rep 15

Laura Russell
380 Cranes Rd
Dromedary, TAS 7030

10th May 2023

The General Manager
Glamorgan Spring Bay Council
9 Melbourne St
Triabunna, TAS 7190

RE: Representation opposing rezoning and subdivision of 155 Rheban Rd

I have a relative who is a resident of Spring Beach and have been a regular visitor to the area since the mid-1990s. I write to object to the proposed rezoning and subdivision of 155 Rheban Rd.

This site is prone to inundation, yet the developer has stated that “there are no infrastructure or environmental constraints that limit the density, location or form of development of the subject site.” The development application does not address section C10 (coastal erosion hazard) of the Tasmanian Planning Scheme; however, storm water from the site will discharge at East Shelly Beach. The List Map’s Coastal Erosion Hazard Area layer clearly shows this is a high risk zone. Failure to include section C10 in the development application means Council has not been provided with the necessary data to make an informed decision regarding the rezoning and development of the site; I would therefore urge Council to reject the application.

Sincerely,



Laura Russell

04000 51 012

Rep 16

1

SUBMISSION OPPOSING PROPOSED REZONING AND SUBDIVISION AT 155 RHEBAN ROAD

Prepared by David Bevan, 50 East Shelly Road
dl.bevan@gmail.com
11/05 2023

Introduction.

I am a resident of East Shelly beach with a background in engineering, education and agriculture.

I am a strong supporter of appropriate development.

The development application before us is not appropriate for this site for many reasons.

However, my principal interest and cause for concern in this case is stormwater and this appeal will focus on that.

With the proposed density of the subdivision, stormwater can not be controlled to anything like current levels, no matter what processes are put in place.

Massive beach erosion and fouled water will be the inevitable result. The only solution will be a lower density land development with much reduced area of paved surface.

I believe the contents of the consultants' reports support my position.

None of my comments below should be interpreted as personal criticism of Council staff.

What follows should be read while referring to the following section of the minutes of:

ORDINARY COUNCIL MEETING

AGENDA

TUESDAY 28 MARCH 2023 2:00 PM

Council Chambers, Triabunna

**4 PLANNING AUTHORITY SECTION 13 4.1 Draft Amendment AM2023-01 – Tasmanian
Planning Scheme - Glamorgan Spring Bay– Rezone 155 Rheban Road, Orford & 90-lot
subdivision.....14**

Basis for appeal

1 Storm water as a condition of approval

The recommendation from Council in its Conclusion states:

The assessment of the subdivision identified the application complies with the requirements for the Scheme and can be considered for approval subject to conditions.
(Page 19)

A major issue here is that stormwater design is relegated to a condition of approval. That is, the developer is not required to submit a final plan for storm water until after the DA is approved but before sealing by council.

A summary of the conditions is found on page 20:

Conditions 11 to 16 relate to management of environmental matters that result from the subdivision; and Conditions 17 to 44 deal with engineering requirements, access, parking, stormwater, maintaining water quality and construction matters for the proposal.

In particular and relevant to my opposing this development is also found on page 20:

32. The developer must provide an amended Stormwater Management Report. The report must be in accordance with the recommendations and procedures contained in the Australian Rainfall and Runoff 2019 Guidelines, and in particular Book 6, Chapter 7: Safety in Design Criteria and Book 9, Chapter 6: Modelling Approaches, is to be submitted. The report, and any associated designs, must clearly show that the conditions of this permit are met by the proposed design.

The design, preparation, submission and acceptance of a stormwater design should be a precondition of the development application. Its design should be signed off by all authorities prior to the approval of this development application. However that is not currently the case. It is a condition to be completed after approval and prior to sealing of the application. This is totally unsatisfactory and should not be accepted. If this is allowed, there will be no recourse should the system fail to perform as The Tasmanian planning Commission will no longer be involved.

2. Storm water runoff volumes

The conditions are very specific in addressing runoff allowances.

c) Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels 1% flooding (Item 31, page 24)
And

c) Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels 1% flooding (Item 32/c, page 24)

Why should we be concerned?

The runoff figures are dealt with in reports by Flussig and Aldanmark. For the total catchment of 243 hectares Flussig concludes (page 11) that the post development model does increase the accumulative net discharge, amounting to additional tonnes of water per second flowing over the beach.

Putting the total 243 hectare catchment to one side, consider the 10 hectare site alone through the eyes of a farmer.

It's currently grass. An intense rain event initiates the following. Rainfall initially soaks into the soil to reach field capacity. Surface runoff follows. Rain event ceases. Field capacity is reached once more and subsurface drainage resumes. We can see how this would result in a gradual process. But consider that paddock paved with roads, footpaths, houses, driveways etc. No time to reach soil field capacity. It all happens in an instant to produce flash flooding.

This is important. We must consider flow rates as well as water volumes.

This fact is conceded in the drawings. The water capacity of the culverts under East Shelly road has been doubled.

Consider this. 25mm of rain on 10 Ha produces 2500 cubic metres, or 2,500,000 litres. That's the volume of water of an Olympic swimming pool, pouring off what will basically be a 10 hectare concrete slab.

It's not rocket science. To contain runoff to 1% of pre development levels will be impossible with a fully paved high density subdivision.

3. Compliance with accepted standards

(a) The Tasmanian Coastal Works Manual

Environment Management

11. All work must be generally in compliance with the Tasmanian Coastal Works Manual
https://nre.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual.pdf (page 21)

The image below is from that manual. It shows what not to do. This is a photo of mild erosion. But with forecast flows over East Shelly Beach we will see a canyon.

Fig. 10.17 - Stormwater treatment swale in residential development



(b) Water Sensitive Urban Design Principles

33. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's General Manager. (Item 33 page 25)

The wording of the above is very loose to say the least. **"Incorporated into"** is a lot different to **"must comply with"**. **"to the satisfaction of the Council's General Manager."** is a loophole one could drive a bus through. This is frightening. That all of the above can be left as a condition of the development application, in the hands of the general manager, after the development application has been approved is simply appalling.

Water Sensitive Urban Design is a very extensive volume of developing knowledge. The use of things such as bioretention swales will need to be considered: In fact, without features such as bioretention swales, sediment basins, sand filters or constructed wetlands, this development simply cannot proceed if these benchmarks are to be compiled with.

4. Future council control in lieu of developer

"Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing on site treatment to meet the targets, or as otherwise agreed by Council's General Manager. Where partial

treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey."
(Item 33, paragraph 2, page 25.)

At the council's discretion the developer may pay a fee to the council to allow it to install appropriate treatment for storm water "downstream from the site".
This is totally unacceptable on two counts.

Firstly, we don't know what advice or mechanism will be used to establish a fair and equitable sum of money to be transferred to council to pay for this scheme.

Secondly, should there be a shortfall the ratepayers will effectively pay that shortfall. We need to be mindful of the ill fated Prosser Raw Water Scheme in considering this option.

Thirdly, it is proposed that infrastructure will be built downstream from the site. There is little space below the site to install this infrastructure, apart from a creek bed.

This is a recipe for disaster.

Despite the skill sets and best intentions of all involved, we will inevitably end up with storm water problems producing eroded beaches and fouled water in our much loved bay.

Summary

To summarise, we are being asked to approve of this development without the the storm water design complete and the construction entity undecided.

My concern is that the set regulatory targets can not and will not be met.

We will be left with an inadequate storm water system, eroded beach and fouled water.

The solution lies in a lower density development.

David Bevan



50 East Shelly Road, Orford

David Bevan, 75 Fisher Avenue Sandy Bay 2005, dl.bevan@gmail.com, 0418136832

Rep 17

22 Ryans Road

Spring Beach

10/05/2023

General manager

Glamorgan Spring Bay Council

Dear Sir,

I write to object to the rezoning and proposed subdivision of 155 Rheban Rd. I am a retired Medical Practitioner who has worked in the Glamorgan/Spring Bay area as a visiting General Practitioner. I have grave concerns for the impact of this proposal on both the provision of quality medical care and appropriate infrastructure to support a healthy community in the Orford/Spring Bay area.

The basic design of this proposed subdivision is similar to an urban landscape without any of the ameliorating attributes of an urban setting. Small block size and limited visual access to natural greenery have a detrimental health impact on inhabitants. Living space, which supports positive health outcomes, should be a planning priority in all communities and especially in rural ones like ours, where poor mental health is a well known and poorly managed problem.

Increasing the number of residents by making more land available for housing will increase the demands on local medical services. The developers have not established that there is sufficient population pressure to justify the number of blocks proposed, which would mean a ten percent increase in the number of houses in just one area (not including other residential developments already approved).

General medical practices statewide are understaffed, under-resourced and overstretched by an ageing population (associated with an increase in chronic disease) and the demands imposed by COVID-19. This is compounded in rural areas by a lack of ancillary medical services such as X Ray, Pathology, Physiotherapy, Dental services, etc. Rural people are also more disadvantaged than their urban counterparts having a higher incidence of diseases such as obesity, hypertension, diabetes, heart disease and consequently create a greater demand on local health services. Patients diagnosed with cancer in rural and regional Tasmania are often unable to get the support they need close to home and commonly face difficult decisions regarding their treatment options due to lack of local services. Thus there is already a huge pressure on the local medical services available, which should not be exacerbated.

Recruiting medical practitioners to rural areas is challenging as has been recently demonstrated in this community and Australia wide. It is noted that over the Christmas / New Year period 2022/23 there was no doctor available for ten days in the Orford / Triabunna area, suggesting that an even greater increase in the resident population would not be advisable.

I am also concerned that this proposal would place undue stress on the physical infrastructure in the area. In drier periods, residents are already experiencing low water pressure. Council has an obligation to ensure that new developments do not compromise or reduce the level of service provided to current residents.

The intense resource demands of the temporary summer population already have negative impacts on infrastructure, including community rubbish bins at beaches and picnic areas, which regularly overflow and consequently pose a health risk.

Council should reject this proposal in order to maintain the current healthy liveability of this beautiful part of Tasmania.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Wilson'.

Maryjean Wilson

Formerly (Dr) Maryjean Hope

Rep 18

General Manager
Glamorgan Spring Bay Council
PO Box 6 Triabunna Tasmania
East Shelley Road

50 West Shelly Road
Orford
08/05/2023

Dear Sir,

Proposed development 155 Rheban Road

I write to formally object to the proposed new development at 155 Rheban Road. I feel this changes the character of Orford and it has the potential to create long term problems for Council and the present residents of the town and East Shelly Beach in particular. I have general objections based on the character and services of our town and particular concerns that relate to stormwater and sewerage.

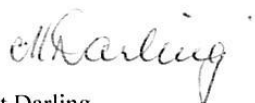
Provision of Services and amenities

1. People who live in rural communities such as ours have limited access to Health Services being limited to a Medical Centre and a Community Health Centre at the present time. As an older person I am very concerned that an increase in population of this size will impose even greater strain on the already stretched local health services to the detriment of current residents.
2. NBN cannot cope during the holiday period with extra population and the internet speeds are already very slow.

Stormwater and sewage

1. My house is on the southern side of West Shelly Road, between the road and the new housing developments north and east of the Bowls Club. My property is subject to regular and persistent flooding, which Council has been unable to contain or manage to date. As this has been a long standing problem I am concerned about the ability of Council to manage a similar situation likely to develop for present houses along East Shelly Road. Can we look forward to an immediate and substantial increase in rates while the Council puts new infrastructure in place if the subdivision is approved?
2. Shelly Beach remains a pleasant and popular walking and swimming spot. I worry that more rapid runoff from a new development will result in eroded channels in the beach and degradation of water quality, caused by sediment and rubbish carried in stormwater running off extra roofs, roads and driveways.
3. Near my house there seems to be an ongoing problem with the sewerage system with TasWater vehicles in frequent attendance. I wonder whether our present sewerage system can cope with an increase in demand. Given the obvious difficulties with pumping sewage near my house, can the present reticulation system cope with an additional 90 dwellings? I am concerned that the new development will result in the present apparently inadequate or unreliable system in Shelly Beach will fall further into disrepair.
4. What about the smell? With numbers of residents peaking to more than double the average in summer, will the treatment plant be able to operate without producing an invasive odour throughout the Shelly Beach area?

Yours faithfully



Margaret Darling

Rep 19

General Manager
Glamorgan Spring Bay Council

22 Ryans Road
Spring Beach
10/05/2023

Dear Sir,
Please find attached a submission questioning the proposal to rezone 155
Rheban Road and the associated subdivision development application.

I can be contacted by return email or telephone on 0409342749 if any further
information is required.

Regards
Steve Wilson

A handwritten signature in black ink, appearing to be 'Steve Wilson', with a long horizontal stroke extending to the right.

SUBMISSION OPPOSING PROPOSED REZONING AND SUBDIVISION AT 155 RHEBAN ROAD

Prepared by S.J.Wilson, 22 Ryans Road Spring Beach
maryjeanwilson@bigpond.com
08/05/2023

Introduction

This appeal relates to a proposal to rezone land at 155 Rheban Road from 'Future Urban' to 'General Residential' and for Council to approve a new 90 lot subdivision on the rezoned site. Several aspects of the application and supporting documents raise significant concerns about the suitability of the site for the proposed development and the justification for rezoning at the present time. The present submission is confined to the appellants areas of expertise with only brief additional comment to alert Council to the potential legal implications of approval. Absence of comment on other consultants reports should not be taken as approval of their methodology, or agreement with the conclusions put forward.

Two of the consultants' analyses offer only guarded support for the proposed subdivision, with caveats relating to climate change in one case and demographic issues in the other. It is of particular concern that caveats in the appended reports have been largely ignored in the proposal put to Council.

A full examination of legal issues relating to planning rules and processes are outside the scope of this submission. The prospect of litigation relating to approved development on what is clearly identified in the application as a flood prone site is, however, noted where appropriate.

Basis for appeal

1 Flood inundation consultants report.

The analyses by both Flussig and Aldanmark clearly show the site to be flood prone.

The Flussig report notes, in their introduction, that their modelling is limited by a lack of reliable data on likely rainfall events and storm surges into a future subject to climate change. They refer to the Climate Futures Tasmania study, as the most recent and complete source of data, as a basis for estimating future rainfall events. That study, completed in 2010 and based on modelling done in 2008/9 used computer models available at the time. These are now known to have been conservative, underestimating or omitting details like rainfall intensity and frequency of storm events. Such detail is essential for evaluating risk of flooding on what is known locally, and confirmed by the consultants, as a flood prone site. Critically for Council, the consultants down-play, or dismiss, the risk of future flooding, ignoring their own warning that their modelling is based on inadequate data.

The engineering notes (Aldanmark) also raise a concern about flooding, noting a need for a "hydraulic study to determine flood potential for the subject lands—".

The significant risk of flooding for this development raises questions about the insurability of new dwellings into the medium to longer term. It is notable that recent flood events in NSW and Queensland all suggest that planning for housing development has underestimated the effects of climate change on rainfall intensity, runoff and flooding.

There is another issue with the Flood Inundation report. It is noted that the scope of the study was specified by the developer and effects on coastal erosion are not explored. With outfalls onto an open beach the effect of a 25% (their estimate) increase in peak flow onto Shelley Beach and the impact of sediment on the inshore environment should be considered. The main body of the proposal notes the issue but dismisses its significance with no reference to the flooding study or engineers report.

2 Residential capacity and demand analysis

There is no conclusive evidence to show that population has increased above the STRULS growth strategy forecast for the Orford area. The population analysis also takes no account of other approved or flagged developments in the region. Consequently the application provides no real argument for rezoning the land at 155 Rheban Road. In fact the SGS report notes (Page 20) “these rezonings *may* not need to occur for a number of years”, and “there is *possibly* an insufficient supply of land in Orford”. This conclusion aligns with the Triabunna/Orford structure plan: “Rezoning *may* not need to be done for several years”.

The graph used to estimate population in the SGS study (Fig 2 in their report) has critical deficiencies. In particular, they have chosen to include an estimated population for 2017-2019 to justify rejecting the STRULS projection, in favour of a much steeper projected rise from their last real data point (2016). The source of the extra data, the reason it was selected and the statistical analyses behind the projected increase in population in the years from 2017 onwards are all a mystery. Clarification is needed.

With the trend shown for number of dwellings in Fig 4 there are similar problems. It is apparently based on real data from 2010 to 2016, but the scale used in the graph masks year by year variability. The latter is essential to estimate the trend within the period to 2016, and extrapolation beyond is not justified on either statistical or practical grounds.

To interpret these data and projections, context is important. Prior to 2017 bank interest rates were low, and expected to stay low and building costs were relatively stable. Since 2021 however, there has been a sharp and ongoing rise in building costs with material supply chain issues, labour shortages and interest rates continue to rise.

The SGS consultants report on residential capacity and demand offers only qualified support for the subdivision proposal. Further, their methodology relating to projected population and number of dwellings should be questioned. The tentative conclusions and the change in economic conditions over the years since real data was analysed do not justify an argument that 90 new building blocks should be released.

3 Sewage Odour assessment

Although not mentioned in the proposal put to Council, the appendix written by TasWater, shows there will be odour impacts on current residents of East Shelly Beach. TasWater

plans include a new 40 cubic meter emergency storage tank for raw sewage at the East Shelly Beach Sewage Pumping Station. There has been no analysis of odour intensity or distribution from this new facility, which is a part of the proposed development.

The analysis of odour impact from the present sewage treatment plant needs some clarification. A common transient atmospheric condition, usually occurring in the evening or early morning and lasting from a few minutes to several hours, can have a marked influence on pollutant/odour distribution. If this condition, has not been included in the model its omission would seriously affect the conclusions. Odour impacts may thus be seriously under-estimated.

Conclusions and recommendation

1. Two of the consultants' analyses offer only guarded support for the proposed subdivision, with caveats relating to demographic issues in one case and climate change in the other. These details are not included in the body of the proposal, but are clearly noted in the appendices and therefore available to Council. In both cases, these reservations suggest a cautious approach be taken by Council.
2. Given the extent of flooding in Orford and around the subject area in 2022/3, and stated exclusions in the consultants reports, it is recommended that council obtain independent opinion on the medium term insurability of new dwellings in the proposed subdivision.
3. The application presents no evidence to show that population and demand for housing has increased since 2017. If a new analysis of more recent data claims to support the proposal, a proper statistical analysis is needed to quantify the confidence (or otherwise) planning authorities should have in any projections presented.
4. Present residents of East Shelly Road have not been made aware of changes to the sewage pumping station, which may cause increased odour in their street.
5. Aspects of the modelling around the Orford sewage treatment plant odour assessment report need clarification and confirmation that the conclusions accurately reflect the model output and any limitations.
6. Given recent discussion about the legal position of local Councils after flood events interstate, it would seem prudent for Council to fully examine its legal liability.

Technical notes.

Author of this submission was a University of Tasmania Academic (now retired) with research and teaching responsibilities relevant to this submission. The following notes summarise technical difficulties with aspects of the Development Application and its supporting (Consultants) documentation.

1. *A member of the scientific oversight committee for the Climate Futures Tasmania project and report.* At the time it was recognised that there were several unavoidable limitations on the study. Those relevant to the present proposal were: (a) The capacity to estimate rainfall intensity in high rainfall events. (b) The capacity to estimate the frequency of extreme events. (c) The current emissions trajectory exceeds that used in the model so that there is an underestimate of expected effects on all aspects of climate. The consultants report notes a general limitation but does not specify their critical importance in estimating long term flood risk and its consequences for Council.

2. *Lecturer in statistics - data analyses and interpretation.* Much of the residential capacity and demand analysis is based on too few data points to draw 'safe' conclusions. Generally, graphs should clearly show the real data points used in any statistical analysis. Fitted lines (or curves) should indicate (ie quantify) the strength of the relationship they represent and, as a general rule, should not be extrapolated outside the range of real data. The extended lines in both the population and number of dwelling graphs are, at best, speculative and should not be read as firm estimates of future trends.
3. *Published research on aspects of air movement under inversion conditions* - The study uses wind modelling to estimate plume distribution and direction, concluding that there is no risk of pollutant (odour) impact on the proposed development. The modelling detail given is not sufficient to justify such a strong conclusion. There is a transition period between an inversion profile and a normal daytime lapse profile when wind flow and vertical mixing are not consistent with either. This condition is transient and could last from a few minutes to a few hours, when pollutants are trapped under an inversion cap and move with a katabatic flow. It is not clear whether this scenario is included in the model output.

S. J. Wilson

Rep 20

**Attention: General Manager
Glamorgan Spring Bay Council
May 11th 2023**

**Submission re proposed 90 Lot Subdivision and Scheme Amendment
155 Rheban Road Orford 7190**

I am writing this submission to voice my strong objections to the proposed 90 lot subdivision and planning scheme amendment at 155 Rheban Road, Orford.

To put this in context, I have been an Orford person since the early 1970's and have seen many changes which I have accepted as part of a growing area. However, this development is one I cannot let go without objection.

The reason we all love the Orford area is because of its natural beauty and liveability. All too often I have seen environments negatively impacted from being 'loved' by humans without adequate planning or an eye on sustainability.

Orford is **not** a suburb of Hobart and should not be treated as such. Developments in this area, need to be carefully planned to blend with the ambience of the surrounds, well researched and considered, so that we build community rather than putting things in place and then trying to fix the negative impacts later. We have all witnessed, experienced and lived with this in other developments in the area.

William Blake, an English poet said it best, 'hindsight is a wonderful thing, but foresight is better, especially when it comes to saving life or some pain'. I believe that this development will negatively impact on our area and lives at many levels.

My concerns are based around the following issues

- **The nature of the development.**

In the report developed by Neil Shephard and Associates, March 2023 to request an amendment to the Tasmanian Planning Scheme for this development to proceed, it is stated that this development is 'consistent with the density, character and amenity of existing adjoining development and that prevailing in the area' (page 21).

I contest this statement, as this is would be the largest, most dense housing proposal in the surrounding area. The land to the east of the site is open pasture and the developed houses to the north/west are all larger blocks in keeping with the ambience of the Orford area.

This report goes on to state that the aspirational ratio for General Residential is 15 dwellings per hectare. It notes that 28 blocks will be 650m², 59 between 650m² and 975m² (2 dwellings per lot), 3 lots above 957m² (3 dwellings per lot). The maximum number of potential dwellings in this development, therefore, is reported as 156 or 20.69 dwellings per hectare when the recommended is 15 dwellings per hectare.

The Shephard report states that

"It is unlikely that the subdivision will ultimately yield either the minimum or maximum number of dwellings, but rather something in between as some lots will be developed for large single dwellings and others for multiple dwellings. It is therefore quite likely that the ultimate net density for the subject site under the General Residential zone will be in the vicinity of the aspirational 15 dwellings/ha". (Page 36 Neil Shephard and Associates)

Are we prepared to risk this development on a 'quite likely???

I disagree that there is a high demand for residential lots in our area as 67.2% of our houses are unoccupied as reported on the 2021 Census compared with 14% in the remainder of Tasmania. If anything is 'quite likely', I believe that this development will only enhance the number of seasonally occupied spaces in our area with the resultant drawing on resources and infrastructure.

Impact on Infrastructure

The Neil Shephard and Associates report states that

"There are no infrastructure or environmental constraints that limit the density, location or form of development of the subject site" (page 20)

Water

The town water supply has been under considerable pressure during peak holiday times in the past. It is also my experience that those residents at the 'end of the line' in Manning Drive experience greatly reduced water pressure at those times of high demand. Has the impact on existing residences and ongoing community needs been factored in?

Sewage

Orford Sewage treatment lagoons are over the road from the proposed development. Whilst the report prepared by SEAM Environmental 2022, believes that a line of trees will ease the odour situation, my concern is about the overflow during high periods of rain. This has already led to contamination warning signs being displayed along Rheban Road at the development site and also on the beach at East Shelly.

My other concern is whether the current sewerage system can cope with this increase. It already becomes overloaded and overwhelmed during peak times.

Roads

If there is to be a line of trees along the boundary of the development's road frontage to reduce any odour from the sewage works, who ensures that this does not impact on the line of sight for traffic entering and exiting the area as well as those travelling along Rheban Road?

The 2021 Census results state that the average number of cars per dwelling in the Orford area is 2. That means that we will have at least 180 cars accessing this site at some point. It is my experience living in a street with only 8 permanent residents and 24 weekend/holiday residences, that there is a markedly high increase in the volume of traffic at holiday times.

Two blocks adjacent to my property are half the size of the surrounding blocks, approx. 525m². Parking becomes an issue, as they cannot house multiple cars, boat and trailer on these sized blocks. These are then parked on the street. I am not complaining about these neighbours, but I can see on a 90-block development predominantly of small blocks or multiple dwellings, that this will become a real issue for safety, wellbeing, access, aesthetics and general liveability.

Stormwater

Obviously, I am not an engineer, but I have major concerns because this site is a natural water course and in flood times, acts as a passageway for water coming from the Thumbs and surrounding hills. I have seen first-hand, the houses and the road along East Shelly under threat and underwater in very recent times.

I cannot understand how the additional runoff from the sealing of the roads, walkways, roofs etc within this development is not going to exacerbate this whole problem.

Flussig Engineers discuss stormwater infrastructure in their 2022 Flood Inundation report and state that

‘it is deemed that the post development model does increase the accumulation net discharge inside the existing watercourse’ page 11.

It appears that the developer is committed to the traditional approach of wastewater management and that is getting it piped and delivered off site as soon as possible.

Surely in this day and age, we have other ways to minimise the issue and not just create more of a problem elsewhere. East Shelly beach is already marked as high risk as a Coastal Erosion Hazard area. I am seriously concerned about the high volume of water that will be channelled through this area and the resultant foreshore erosion.

On a personal note, as a regular ocean swimmer, I have never seen the East Shelly, Jetty Road beach areas as clogged with dirty water as I have over the past two years.

Obviously at times of high rain the sea water is impacted however, this usually clears quickly. Lately this has not been the case. These areas have remained cloudy and clogged with weed for many months. I am concerned that with increased ‘net discharge’ this problem will only be exacerbated. Once again, the very things that we love and enjoy in our area – safe, sheltered and family friendly beaches are at risk. Too late to undo this damage once the ‘horse has bolted’.

- **Health and wellbeing**

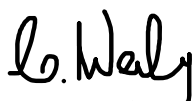
This is taken directly from the Neil Shephard and Associates report page 31.

<i>To promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i>	The proposed amendment will not raise any issues in respect of this objective. The rezoning will provide for a residential subdivision that will allow a well-planned, pleasant, efficient and safe environment for living and recreation.
--	--

I feel very angry that developers can ride so roughshod over the lives of others as they have in this sweeping statement. I am seriously concerned about the health and wellbeing of all our residents given my concerns as outlined above.

However, in very real and practical terms this area is struggling to meet the physical and mental health needs of its community at the moment. It is difficult for residents to be able to gain a GP appointment in a timely manner. Our ambulance service is **volunteer** and already stretched. This situation is not helped by adding such a large development to the mix.

In summary, I believe that this development is not consistent with the objective of the Land Use Planning and Approvals Act 1993 and Resource Management Planning system. I strongly urge you to **not** approve this 90 Lot Subdivision and Scheme Amendment.



Cheryl Weily
1 French Street Orford.

Rep 21

7/5/23

Greg Ingham
General Manager
Glamorgan Spring Bay Council
Via email: planning@fraycinet.tas.gov.au

Dear Mr Ingham,

Representation SA2022/046 – 155 Rheban Road, Orford

I wish to express my concern over the proposed rezoning and subdivision at 155 Rheban Rd, Orford.

This proposal is ill conceived, and if approved has the potential to jeopardise existing infrastructure and negatively impact amenity in the area for existing users.

Reading through the proposal, and placing it in a broader local context, an already stretched water and sewage system will be pushed to a point where service failures will impact existing residences, and those lots elsewhere within Orford which are already approved and ready for development.

Spring Bay Seafoods was driven from the area due to continued sewage spills rendering marine aquaculture of bivalves in the area untenable. Recent lagoon overtopping events have spilt sewage into waterways and ultimately Prosser Bay, and are a risk to public health. Adding additional loads to this system, especially under a climate change scenario where rainfall is likely to come in more intense bursts, will cause significant problems.

Taswater documentation and strategy (attached) indicates existing non-compliances, overtopping, and only a long term strategy to address potable water requirements, and sewage management. Nothing in the short term is identified to cope with additional loads. No additional lots should be approved within the Orford serviced area until the required infrastructure is built and able to cope with the increased demand for potable water, and commensurate increase in effluent volumes.

Should another treatment lagoon be added to the treatment plant to deal with increased effluent load, then the odour modelling presented as part of the DA would be irrelevant.

In summary;

- There have been (at least) two recent overflows of effluent Lagoon 4. The effluent goes down the creek that flows through the proposed development site. This creates a public health risk, and additional loads will only multiply this. I attach a photo of the sign on the Creek warning of the public health risk.

- The treatment plant is heavily loaded now and needs expansion (at least an extra lagoon). If TasWater agrees to do this, then many other assumptions in the planning document are violated.
- There is an identified water supply risk, which may be mitigated by additional infrastructure some time in the future, but at this point in time additional demands will exacerbate water restrictions for existing ratepayers.
- The modelled wind file used in the odour study does not match the measured winds at Orford from the BOM 1968-2022 dataset. As a result, the odour contours are incorrect. Further, aggregating the 9am and 3pm data averages wind speeds, therefore under-represents the significant periods of calm wind which are the primary source of concern for odour.
- The flow of the plant used for the odour modelling is incorrect. The SEAM report states the ADWF is 179kl/day, and this is the assumption the modelling is based on. The Taswater data (2022) indicates the ADWF is 281kl/day, and as high as 414 kl/day in some months – over double the assumed flows used in the SEAM report (pp94/286).
- The SEAM assertion that ‘the study did not consider upset conditions because there is little that can go wrong’ (pp96/286) is a significant weak point. Taswaters own reports indicate the variation in effluent between months is significant, and that the overtopping events and non-compliances in effluent quality clearly show upset conditions. As a rule of thumb waste water engineers use a multiplier of 3 for odour from lagoons exhibiting upset conditions. This renders the report findings almost nonsensical.
- Should another lagoon be built to address increased sewage needs, any odour modelling will be obsolete as well as incorrect.
- As the odour prediction is flawed, the best approach would be to adopt the buffer zone prescribed in Table 4-2 of the Tasmanian Planning Scheme.

For the projected 2050 population, the buffer distance is 400 m, which should be applied to the current proposal, and depending on the location of a new effluent lagoon, this may impact all the proposed development site.

I urge the council to assess the actual information, and consider what damage can easily be done if/when effluent starts running through properties, residents build in a strong odour zone and the coastal amenity of the area is significantly impacted. The actual damage, and reputational damage to the region would be massive.

Please reject this proposal on the grounds of common sense.

I am fully aware of my right to make further representation and provision of evidence to a TPC hearing. The professional advice I have taken is that it would be well worth pursuing this avenue to the final conclusion to delay or modify this ill considered proposal until appropriate infrastructure is in place

Kind Regards

A handwritten signature in black ink, appearing to read 'Sam Ibbott', is positioned above the printed name.

Sam Ibbott

sam@marinesolutions.net.au

0400697175

Effluent Spillage running through the proposed development site



Modelled Winds used in the Odour assessment.

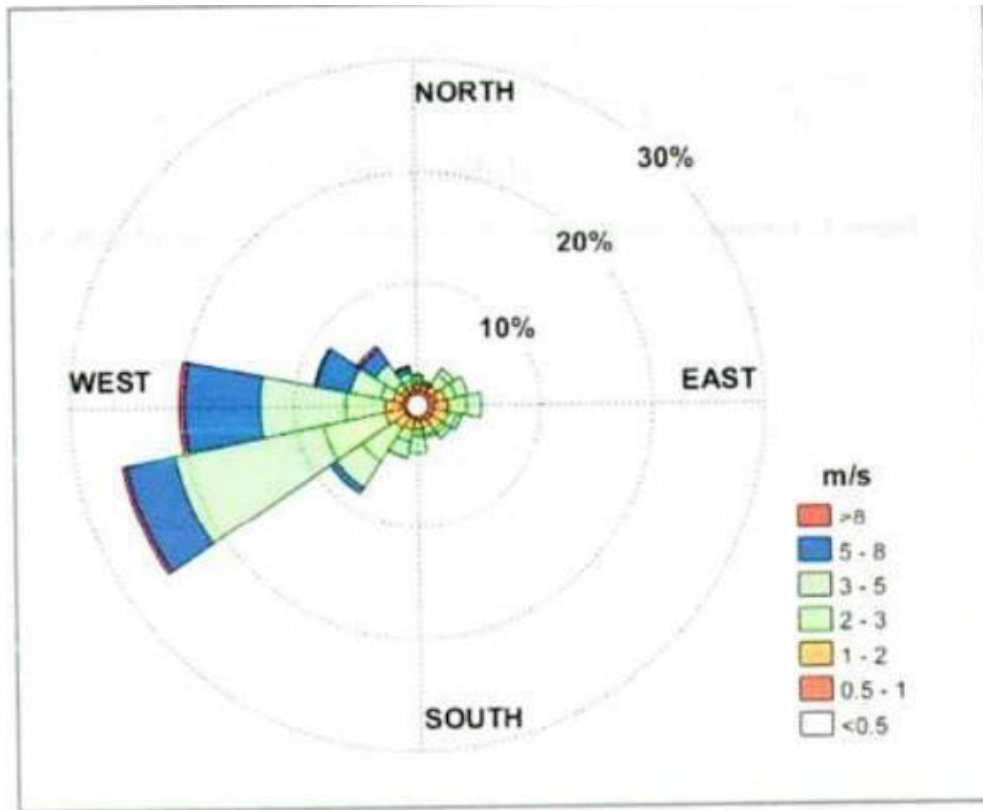


Figure 3. 2013 surface wind roses (m/s) predicted at the STP by TAPM.

Measured Winds at Orford 1968-2022

Rose of Wind direction versus Wind speed in km/h (01 Aug 1968 to 10 Aug 2022)

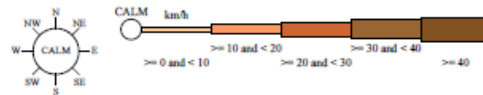
Custom times selected, refer to attached note for details

ORFORD (AUBIN COURT)

Site No: 092027 • Opened Jan 1951 • Still Open • Latitude: -42.5519° • Longitude: 147.8753° • Elevation 14m

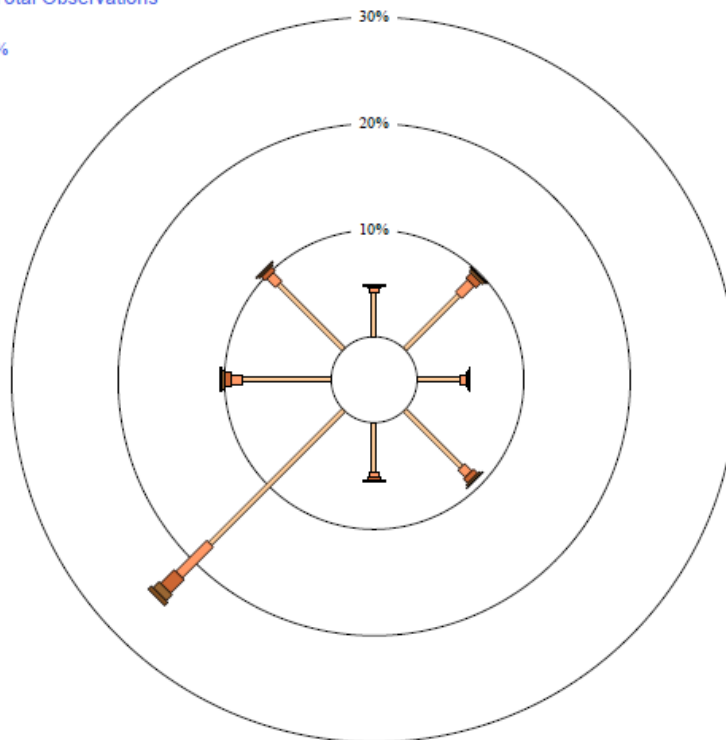
An asterisk (*) indicates that calm is less than 0.5%.

Other important info about this analysis is available in the accompanying notes.



9 am
18710 Total Observations

Calm 20%



Rose of Wind direction versus Wind speed in km/h (01 Aug 1968 to 10 Aug 2022)

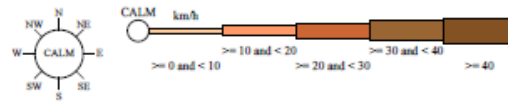
Custom times selected, refer to attached note for details

ORFORD (AUBIN COURT)

Site No: 092027 • Opened Jan 1951 • Still Open • Latitude: -42.5519° • Longitude: 147.8753° • Elevation 14m

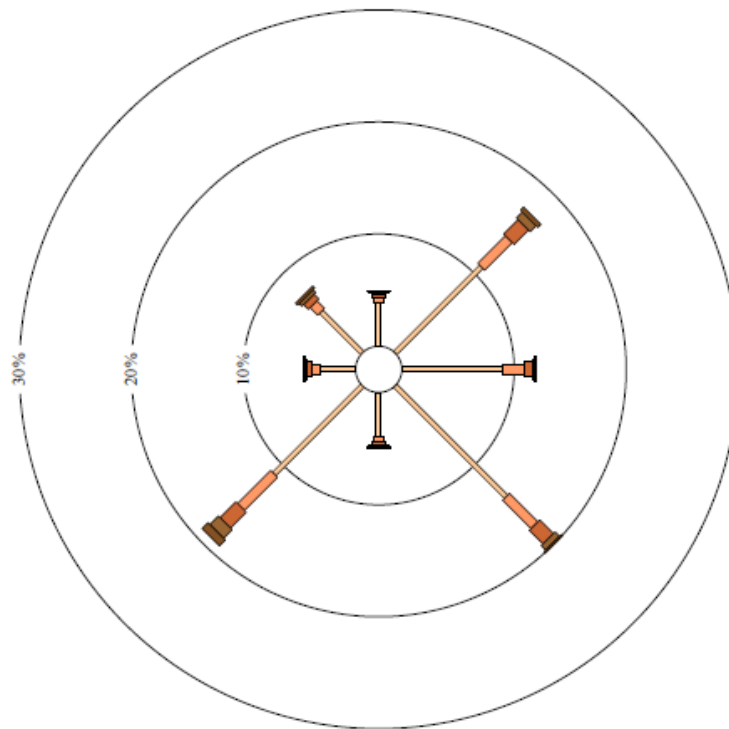
An asterisk (*) indicates that calm is less than 0.5%.

Other important info about this analysis is available in the accompanying notes.



3 pm
15948 Total Observations

Calm 10%



Rep 22

RECEIVED
12 MAY 2023

BY:

General Manager
Glamorgan Spring Bay Council

**Representation in objection to the proposed 90 Lot Subdivision and Scheme Amendment
155 Rheban Road Orford 7190**

As a long-term resident of this area, I feel strongly that the above subdivision and scheme amendment is **not** in the best interests of the community.

Nature of development - My objections are focused on the size of the blocks. This level of housing density does not fit with our area. It feels very much like a suburban development in a rural space. Not only does it not fit with our environment and ambience of the area, it will also place a heavy load on already stretched infrastructure.

Water – Our water supply is okay at the present moment due to the rain we have had. However, it was not that long ago that Council was thinking of alternative dam sites etc as we were in trouble in regard to water supply. The increased demand from this development and the resultant impact on water supply is of grave concern.

Stormwater – this area acts as a natural waterway at times of high rainfall. The management of the stormwater within this subdivision plan raises many questions and even the Council has asked for more information. I note that the Council are requesting a plan that takes into account climate change and ensures that runoff is safely directed downstream. The issue will be that this increased water flow being directed downstream poses a significant soil erosion issue at the foreshore of East Shelly and the beach area. This needs to be addressed and managed before any approvals are obtained, otherwise, we all have to live with the consequences after the event.

Traffic – the increased traffic flow on an already narrow road concerns me.

Once this development and amendment is approved, it is too late to go back. The horse will have bolted and a precedent set that I do not believe will enhance the area that I have lived and worked in for most of my life.

David Scott
Mercury Place
Spring Beach
11/5/2023

David Scott

Rep 23

In regard to the Development Application CT 149641/2 for a 90 lot subdivision for 155 Rheban Road, Orford it is my understanding that the original application was previously rejected by the Tasmanian Planning Commission on the grounds that the number of blocks were too many and the size of the blocks were below the size required.

Many local residents spent much time and effort in opposing the application, and it is very disappointing that an almost identical plan has now been proposed, enabled by the rezoning of the land by the Spring Bay Council. The local residents were not informed of the rezoning in a timely manner and were given no opportunity of disputing the rezoning by submission or application to the council.

In fairness and even handedness, local residents should have been allowed an opportunity to question and oppose the rezoning of the land. Many local residents remain certain that the number of blocks and the size of the blocks are incompatible with the rural nature of the area, and will greatly reduce the amenity of the local area.

Additionally, if the plan is to proceed as it seems that the Spring Bay Council is enabling the application by rezoning the land, there seems to be no provision in the application for the provision of low cost housing for disadvantaged local residents, perhaps a minimum of 25% of the blocks should be set aside for this purpose.

Thank you for your consideration in this matter.

Francis Stevens

Rep 24

To The General Manager

In relation to the above proposed development. We have concerns in regard to this for the following reasons.

In regards to the responses to the Schedule 1 objectives Part 2 (f)

- (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and The proposed amendment will not raise any issues in respect of this objective. The rezoning will provide for a residential subdivision that will allow a well-planned, pleasant, efficient and safe environment for living and recreation.

This proposed development does not meet the objectives for the following reasons.

90 proposed blocks will overload the current amenities

1. access to boat ramps and parking currently is in adequate for the current existing population
2. the majority of families purchasing these blocks will need to drive to the local beaches therefore the parking will be inadequate
3. Currently there is changes occurring to the fishing guidelines this will be impacted further with a percentage of owners of these blocks having boats and fishing
4. There is no additional public open space or recreational area for children play grounds. The current playground area only just meets the existing population
5. Currently there is a lot of foot traffic and bike riding around Orford. With access onto Rheban Road, a footpath and a cycle way needs to be provided for the safety of adults and children. This footpath and cycle way need to be down the side of Rheban Road to the local IGA, Library, Post Office and cafes. Rheban Road is extremely unsafe and poorly constructed for cyclists and pedestrians.

Following considerations need to be addressed

1. The Council needs to consider the increase in heavy vehicle movements during construction of the proposed development .
2. Consideration needs to be given to the fact that the current infrastructure particularly sewage and water falls well short of being adequate at peak times with the current population. These need significant improvements now before this proposal is considered.
3. 90 proposed new dwellings is a very significant proportional increase in the population of our quiet little beachside hamlet. Particularly during the summer peak months. This will put extreme additional pressure on our currently inadequate roads, pathways, beachside parking, boat ramps, sewerage, water and storm water as well as public open spaces and parklands.

Leanne and Shane Clark

Rep 25



12 May 2023

Mr Greg Ingham
General Manager
Glamorgan Spring Bay Council
PO Box 6

Dear Sir

Representation - SA2022/046 - 155 Rheban Road, Orford – 90 Lot Subdivision and Scheme Amendment

All Urban Planning Pty Ltd submits the following representation on behalf of Tim Burbury (61 East Shelley Beach Road) and Bob & Matthew Annells (63 East Shelley Beach Road).

It is submitted that no additional residential zoning should be approved within the Orford area until the existing water and sewer infrastructure is upgraded to cope with the increased demand for potable water, and commensurate increase in effluent volumes.

TasWater documentation and strategy¹ indicates existing non-compliances, overtopping, and only a long term strategy to address potable water requirements, and sewage management.

Projected Growth

Other water and sewerage risks for TW that require attention include insufficient system capacity to cater for projected growth. A potential major development, general residential expansion, and natural infill growth will result in challenges for TW because the systems' current loads are generally at or over the capacity of the assets.

Nothing in the short term has been identified to cope with additional loads.

These matters and the performance of the existing Orford sewage system are discussed in the representation of Sam Ibbott.

Attenuation Code

The Purpose of the Attenuation Code is twofold, to protect the amenity of sensitive uses and to minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions. In this case, it is necessary to ensure that the proposed General Residential zoning and subdivision will not interfere with or constrain the operation of the existing sewage treatment system by introducing new sensitive uses.

The proposal does not comply with the permitted Attenuation distance from the nearby sewerage treatment plant lagoons under Table C9.2 of the planning scheme. The proposed subdivision must therefore demonstrate that it satisfies the performance criteria P1 of Clause C9.6.1 of the

¹ Tas Water, Orford and Triabunna Water and Sewerage Strategy 2015-2050

Attenuation Code. All further proposals for development of the proposed lots would also be subject to discretionary assessment under Clause C9.5.2.

Given the existing sewage system has been identified by TasWater to be at capacity and inadequate to cater for future demand, it cannot be concluded that the proposal for a sensitive residential use subdivision within the attenuation area of the sewage treatment lagoons will not result in the potential for future unacceptable impacts.

It is submitted that a proper assessment under the Attenuation Code should have regard to the capacity of the existing system, its projected demands, any likely upgrades that may be required in order for the utility to function effectively, and the potential harmful emissions. These matters including the performance and future planning for the wastewater lagoons must be comprehensively addressed prior to re zoning the land or subdivision.

Based on the information provided the proposal for a sensitive use subdivision within the attenuation distance cannot be supported.

Objectives of the Act

Release of further lots that would be reliant on water and sewage systems that are already at capacity and that do not adequately assess the future operational requirements or effects from the sewage treatment plant, is not fair and orderly development.


The draft amendment does not further all the objectives set out in Schedule 1 of the Act, with specific reference to Schedule 1, Part 1 (b) & (d), and Schedule 1, Part 2 (a) & (b), as follows:

- With respect to Part 1, the Council and Commission cannot be satisfied that the draft amendment provides for the fair, orderly and sustainable use and development of the subject land given that the current water and sewage loads for Orford are generally at or over the capacity of the assets.
- The draft amendment is not considered fair in terms of its potential impact on the amenity of future residents from overtopping and upset conditions at the existing wastewater treatment lagoons or impacts from an upgraded facility into the future.
- The draft amendment is not considered to be orderly planning, as the existing sewage treatment system is reported to have insufficient capacity to accommodate demand from already approved lots and the proposal may lead to land use conflict between sensitive uses and the wastewater treatment lagoons. It may also compromise the ability to upgrade the sewage treatment system at its existing site in the future.
- The draft amendment does not represent fair and orderly development, as it may not provide healthy living standards for the future residents of the site and Orford more broadly if the above matters are not adequately resolved.

AllUrbanPlanning PTY LTD

Having regard to the above the proposed rezoning and subdivision should be refused.

Yours sincerely,



Frazer Read
Principal
All Urban Planning Pty Ltd

Rep 26



Bayport

Spring Bay (Tasmania) Pty Ltd
ABN: 95 105 085 952
55 Colemans Road
Carrum Downs, VIC 3201

P: (03) 9770 3700
F: (03) 9770 3711

12 May 2023

Planning Department
Glamorgan Spring Bay Council
9 Melbourne Street
TRIABUNNA TAS 7190

Dear Planning Department

**RE: Representation
90 lot subdivision and Scheme Amendment**

This representation is made on behalf of Spring Bay (Tasmania) Pty Ltd.

Having a significant landholding in the Orford Township and in vicinity of the above proposed subdivision, our primary concern is that any Planning Amendment and Subdivision of this scale is adequately considered against the following:

1. Land Supply Demand and Capacity - Availability of already zone residential land within the Orford Township.

Council should ensure they are satisfied that the proposed subdivision is justified and will not cause an over supply of residential land within the Orford Township.

The SGS report has ignored and not accounted for the development of the Louisville Road Specific Area Plan (Spring Bay Land) in it's assessment and this should be corrected as part of the SGS Demand and Capacity Assessment.

As you are aware, our office has been working with Council to activate development of our property and due consideration needs to be given to this.

Bayport Industries Pty Ltd.
ABN 72 005 107 031

bayport@bayportgroup.com.au
bayportgroup.com.au

Member of CCF, ALDE, and UDIA

Quality Management – ISO 9001
OHS Management – AS/NZS 4801
Environmental Management – ISO 14001



Bayport

Spring Bay (Tasmania) Pty Ltd
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 55 Colemans Road
 Carrum Downs, VIC 3201

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 F: (03) 9770 3711

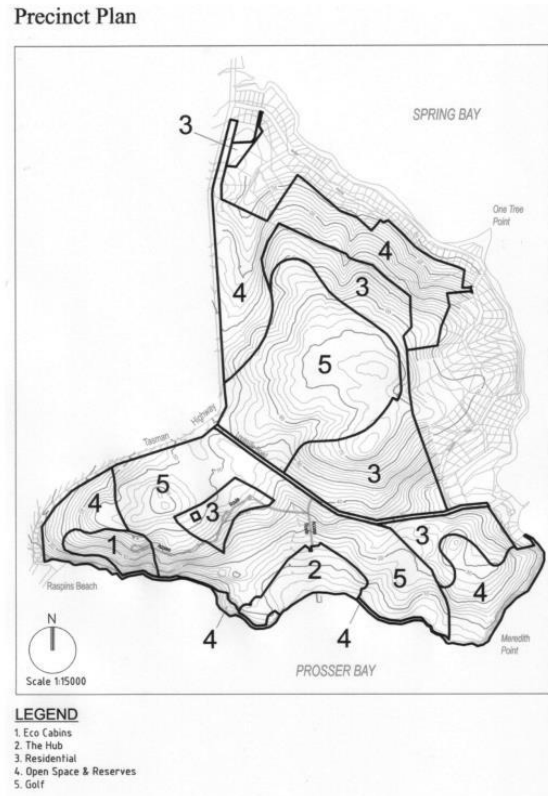


Figure 1 – Louisville Road Specific Area Plan

2. Capacity of existing Infrastructure to Service already zoned residential land

The constraints of both the existing Sewer and Water Network within the Orford Township are well documented. Any new proposed rezoning should first take into account servicing of existing zoned residential land and then any additional pressures and load which are put on the system.

Any additional upgrades (which could be costly) need to be clearly accounted and paid for by the introduction of new zoned residential land, and not those land owners which already hold residential zoned land.

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Conclusion:

Overall we have some concern that there is missing details in the application and the currently proposed subdivision has not accurately conveyed land supply availability within the Orford Township.

We also would like to see and have certainty that this proposed subdivision does not have a negative impact on Sewer and Water serviceability of the Spring Bay project.

Whilst we are supportive of further subdivision of the subject land, the decision should not be made on the basis of a lack of residential land availability. Council and the Tasmanian Planning commission should take the above into consideration when making their decisions.

Should you have any further questions please do not hesitate to contact me.

Yours sincerely,

Daniel Petroni
General Manager - Development

Bayport Industries Pty Ltd.
ABN 72 005 107 031

bayport@bayportgroup.com.au
bayportgroup.com.au

Member of CCF, ALDE, and UDIA

Quality Management – ISO 9001
OHS Management – AS/NZS 4801
Environmental Management – ISO 14001

Rep 27

12 May 2023

RE: Representation to Application No. SA 2022/046

TO: GENERAL MANAGER Glamorgan Spring Bay Council

Please find my representation to Development Application SA 2022/046 as follows.

My Name is Ian Cumming, and I am a resident of 49 East Shelly Beach Road, Orford.

I oppose the rezoning of the land and proposed subdivision at 155 Rheban Road.

This is a short-sighted development application which only seeks to maximise private profits while putting the burden of costs and irreversible problems onto adjacent land owners, beach users, the general community, and the Council.

I raise these serious issues for your consideration:

1. The nature of this high-density development is deeply unpopular within the broad community at large and will subject Council to enormous financial and legal risk.

The development proposal fails to comply with basic stormwater, engineering and environmental standards within the Tasmanian Planning Scheme laws as identified by qualified parties who have also submitted representations.

These issues cannot simply be amended by the developer and should not be accepted by Council on any basis, as in doing so the Council will inherit the legal and financial risk of the developer's shortcomings. The Council is not obliged to approve flawed applications.

It is highly likely that (if approved) litigation will be taken against the Council by many concerned members of the community, and this will incur more unnecessary time and costs for Council.

2. The proposed lot density is too high with some lots as small as 500m². Recent subdivisions in Orford at Alma Road and at Holkham Court have minimum lot sizes of 1,000m².

High density is not in keeping with the existing area at Shelly Beach and lot sizes should be limited to at least rural living per the existing zoning further to the east on Rheban Road to the south of Manning Drive.

3. By precedent, new subdivisions should not have lot sizes smaller than recent lots.

4. Ratepayers will be paying the costs for years while the developer will be long gone.

In summary, approving this development would set a dangerously low standard for the area, reduce the quality of new homes, subject the local foreshore to pollution and erosion, and expose Council to greater financial and legal risks both short-term and long-term.

Thank you for your consideration.

Sincerely,

Ian Cumming
49 East Shelly Beach Road
0409 299 98

Profit and Loss

Glamorgan Spring Bay Council
For the month ended 31 July 2023

Account	YTD Actual	YTD Budget	Budget Var	Var %	2023/24 Budget	Notes
Trading Income						
Rate Revenue	12,960,570	12,954,680	5,890	0%	12,954,680	
Statutory Charges	85,828	56,083	29,745	53%	691,962	
User Charges	323,098	313,688	9,410	3%	980,956	
Grants	594,487	1,705,688	(1,111,201)	-65%	1,863,715	1
Interest & Investment Revenue	23,673	9,600	14,073	147%	611,200	
Contributions	37,674	15,417	22,257	144%	185,004	
Other Revenue	483,804	409,013	74,791	18%	1,825,339	2
Total Trading Income	14,509,133	15,464,169	(955,036)	-6%	19,112,856	
Gross Profit	14,509,133	15,464,169	(955,036)	-6%	19,112,856	
Capital Grants						
Grants Commonwealth Capital - Other	171,683	0	171,683	0%	632,443	3
Grants Commonwealth Capital - Roads to Recovery	0	0	0	0%	31,510	
Grants State Capital - Other	49,366	0	49,366	0%	757,500	
Total Capital Grants	221,049	0	221,049	0%	1,421,453	
Other Income						
Net Gain (Loss) on Disposal of Assets	11,483	0	11,483	0%	0	
Total Other Income	11,483	0	11,483	0%	0	
Operating Expenses						
Employee Costs	347,349	504,993	(157,644)	-31%	5,703,604	4
Materials & Services	1,142,212	1,185,019	(42,807)	-4%	8,038,110	
Depreciation	294,507	288,058	6,449	2%	5,522,430	
Interest	(25,972)	18,602	(44,574)	-240%	189,543	
Other Expenses	11,986	14,607	(2,621)	-18%	219,284	
Total Operating Expenses	1,770,083	2,011,279	(241,196)	-12%	19,672,971	
Net Profit	12,739,050	13,452,890	(713,840)	-5%	(560,115)	
Total Comprehensive Result (incl Capital Income)	12,971,582	13,452,890	(481,308)	-4%	861,338	

NOTES OF BUDGET VARIANCES > \$50k and 10%.

1. July budget expected \$1.397m for 100% of Federal Assistance Grant, however was received at end of June. Opportunistic not budgeted Primary Health Tasmania Grant of \$27k expected in June, received in July. Black Summer grant funds \$259k received in 2022/23 for Telstra works, estimate to complete in June didn't occur; to be reforecast in adjusted 2023/24 budget.
2. Medical turnover higher than estimate from higher patient throughput.
3. Black Summer grant funds \$172k received in 2022/23 for helipad and road accessibility estimate for works in June didn't occur, to be reforecast in adjusted 2023/24 budget.
4. Temporary variance due to end of year fortnightly pay cycle split across end of June and beginning of July.

Statement of Financial Position

Glamorgan Spring Bay Council

As at 31 July 2023

Account	31 Jul 2023	30 Jun 2023
Assets		
Current Assets		
Cash & Cash Equivalents	8,620,887	7,378,375
Trade & Other Receivables	12,457,694	1,232,878
Other Assets	9,350	29,750
Total Current Assets	21,087,932	8,641,003
Non-current Assets		
Investment in Water Corporation	32,180,959	32,180,959
Property, Infrastructure, Plant & Equipment	170,077,091	170,216,240
Total Non-current Assets	202,258,050	202,397,199
Total Assets	223,345,981	211,038,202
Liabilities		
Current Liabilities		
Trade & Other Payables	934,540	468,081
Trust Funds & Deposits	386,142	406,067
Provisions	795,335	795,335
Contract Liabilities	0	788,036
Interest bearing Loans & Borrowings	2,058,204	2,077,666
Total Current Liabilities	4,174,221	4,535,185
Non-current Liabilities		
Provisions	103,327	103,327
Interest Bearing Loans & Borrowings	5,509,214	5,509,214
Total Non-current Liabilities	5,612,541	5,612,541
Total Liabilities	9,786,762	10,147,726
Net Assets	213,559,220	200,890,477
Equity		
Current Year Earnings	12,668,743	5,368,424
Retained Earnings	90,373,276	85,004,852
Equity - Asset Revaluation Reserve	109,317,978	109,317,978
Equity - Restricted Reserves	1,199,222	1,199,222
Total Equity	213,559,220	200,890,477

Statement of Cash Flows

Glamorgan Spring Bay Council

For the month ended 31 July 2023

Account	YTD Actual	2022/23 Actual
Operating Activities		
Receipts from customers	644,147	16,403,161
Payments to suppliers and employees	307,867	(14,563,438)
Receipts from operating grants	27,500	2,264,209
Cash receipts from other operating activities	104,140	726,295
Net Cash Flows from Operating Activities	1,083,654	4,830,227
Investing Activities		
Proceeds from sale of property, plant and equipment	12,632	536,896
Payment for property, plant and equipment	(214,386)	(3,134,406)
Receipts from capital grants	400,000	1,125,695
Other cash items from investing activities	0	(879,141)
Net Cash Flows from Investing Activities	198,246	(2,350,956)
Financing Activities		
Trust funds & deposits	(19,925)	(9,909)
Proceeds from/ repayment of long term loans	0	(219,084)
Other cash items from financing activities	(19,462)	860,375
Net Cash Flows from Financing Activities	(39,387)	631,381
Net Cash Flows	1,242,513	3,110,653
Cash and Cash Equivalents		
Cash and cash equivalents at beginning of period	7,299,006	4,188,352
Cash and cash equivalents at end of period	8,541,518	7,299,006
Net change in cash for period	1,242,513	3,110,653

Capital Works Detail
 Glamorgan Spring Bay Council
 For the period 1 July 2023 to 31 July 2023

	Cost YTD	% cost spent	Status	Carry Fwd Last Year	Renewal Works	New Works	Budget 2023/24	Council Funded	External Funded	External Funding Source	Details	Notes
Roads, Footpaths, Kerbs												
Road accessibility (Black Summer)	-	0%	In progress	60,000			60,000		60,000	Black summer bushfire recovery		1
Wielangta Road Corner Stabilisation	234,677	235%	In progress	100,000			100,000	50,000	50,000	Emergency management fund		
Swansea Main Street Paving	659	0%	In progress	200,000			200,000		200,000	Community Development Grant Cwth		
Sand River Road Buckland	19,284	48%	In progress	40,000			40,000	-	40,000	Defence Contribution		
Resheet Program	38,972	26%	In progress		150,000		150,000	150,000				
Reseal Program	-	0%	Not started		628,300		628,300	596,790				
Pavement renewal Program	-	0%	Not started		365,000		365,000	133,644				
Rheban Road Reinstatement	1,800	0%	In progress		151,000	250,000	401,000		401,000	Community Development Grant Cwth		
Footpath and disability compliance renewal	-	0%	Not started		150,000		150,000	150,000				
Kerb & Channel Renewal	-	0%	Not started		100,000		100,000	100,000				
Storm Damage Projects 2022	-	0%	Not started		125,000	125,000	250,000		187,500	Emergency management fund		
Design 2023-24	-	0%	Not started		30,000		30,000	30,000				
Contingency	-	0%	Not started		40,000		40,000	40,000				
Total Roads, Footpaths, Kerbs	295,392		-	400,000	1,739,300	375,000	2,514,300	1,312,934	1,201,366			
Bridges, Culverts												
Bridge - 17 Acre Creek Bridge Wielangta Rd	-	0%	to grant approval		400,000		400,000	80,000	320,000	Bridge renewal program		
Bridge - 24 Ferndale Rd	-	0%	to grant approval		150,000		150,000	50,000	100,000	Bridge renewal program		
Bridge - 47 Griffiths Rivulet Wielangta Rd	-	0%	to grant ap		51,000		51,000	21,000	30,000	Bridge renewal program		
Rosedale Rd 30% deck renewal	-	0%	to grant approval		90,000		90,000	20,000	70,000	Bridge renewal program		
Total Bridges, Culverts	-		-	-	691,000	-	691,000	171,000	520,000			
Parks, Reserves, Walking Tracks, Cemeteries												
Bicheno Triangle	834	0%	In progress	500,000			500,000		500,000	Community Development Grant Cwth		2
Bicheno Gulch	747	0%	In progress	1,300,000			1,300,000		1,300,000	Community Development Grant Cwth		
Coles Bay Foreshore	3,109	1%	In progress	600,000			600,000		600,000	Community Development Grant Cwth		
Playground Renewals	-	0%	Not started		115,507		115,507	115,507				
Walking/Cycling strategy	-	0%	Not started			20,000	20,000		20,000	Department of Health		
Walking bridge Bicheno (timber)	2,512		carry forward				-					
Total Parks, Reserves, Walking Tracks, Cemeteries	7,203		-	2,400,000	115,507	20,000	2,535,507	115,507	2,420,000			
Stormwater & Drainage												
Pit and Pipe Infill works	-	0%	In progress	60,000			60,000	60,000				
49 Rheban Rd design to West Shelley Bch Nautilus Detention Basin	-	0%	In progress	35,000			35,000	35,000				
Holkham Court	-	0%	In progress	40,000			40,000	40,000				
Pit and Pipe Renewal Program	-	0%	Not started		150,000		150,000	150,000				
System Upgrade	-	0%	Not started		20,237	20,000	40,237	40,237				
Total Stormwater & Drainage	-		-	135,000	170,237	20,000	325,237	325,237	-			
Building												
Heli-pad Swansea Emergency Services	245	0%	In progress	107,000			107,000		107,000	Black summer bushfire recovery		
Triabunna Depot kitchen bathroom	-	0%	In progress	15,000			15,000		15,000	Black summer bushfire recovery		
										Community Infrastructure Round 3 &		
Coles Bay Hall Annexe	-	0%	In progress		215,000	215,000	430,000		430,000	Tasmania Community Fund		
Public Amenities	-	0%	Not started		100,000		100,000	100,000				
Triabunna Depot	-	0%	Not started		65,000		65,000	65,000				
Total Building	245		-	122,000	380,000	215,000	717,000	165,000	552,000			
Marine Infrastructure												
Saltworks Toilet	-	0%	In progress	100,000			100,000		100,000	Community Infrastructure Round 3		
Saltworks Boat Ramp Upgrade	-	0%	In progress	99,123			99,123		99,123	State Grant MAST		
Triabunna Marina Car Park Upgrade	-	0%	Not started		25,000		25,000	25,000				
Total Marine Infrastructure	-		-	199,123	25,000	-	224,123	25,000	199,123			
Sewerage												
Swanwick Waste Water Driveway Seal	-	0%	Not started		10,000		10,000	10,000				
Total Marine Infrastructure	-		-	-	10,000	-	10,000	10,000	-			

14/08/2023

Capital Works Projects 2023-07

Capital Works Detail

Glamorgan Spring Bay Council

For the period 1 July 2023 to 31 July 2023

	Cost YTD	% cost spent	Status	Carry Fwd Last Year	Renewal Works	New Works	Budget 2023/24	Council Funded	External Funded	External Funding Source	Details	Notes
Plant & Equipment												
IT Computer Equipment	-	0%	Not started		20,000		20,000	20,000				
F90LR BT-50 crew cab swansea	-	0%	Not started		45,000		45,000	45,000				
MUX I62BW	-	0%	Not started		45,000		45,000	45,000				
H92ME BT50 dual cab	-	0%	Not started		45,000		45,000	45,000				
Backhoe Bicheno 4x4 JCB DH9566	155,357	97%	Completed		160,000		160,000	160,000				
Total Plant & Equipment	155,357		-	-	315,000	-	315,000	315,000	-			
Total Capital Works	458,196	6%		3,256,123	3,446,044	630,000	7,322,167	2,429,678	4,892,489			

Notes:

1 June 2023 expectation for spending was short by \$80k which will now be spent in 2023-24. Funds remain available, current year budget amounts should be adjusted to reflect further \$80k.

2 June 2023 expectation of completion did not happen with \$24k still to be spent in 2023-24. Funds remain available, current year budget amounts should be adjusted to reflect further \$24k.



JAMSET Pty Ltd
37 Wellington St
Swansea 190
Tasmania, Australia

Phone: 0407 997 161

Eliza Hazelwood
Glamorgan Spring Bay Council
9 Melbourne Street
Triabunna 7190
Tasmania, Australia

11 July 2023

Events - Request for Assistance

Dear Eliza,

The Freycinet Challenge will be running for its 22nd year on Saturday 7th & Sunday 8th October in Coles Bay. To continue our ability to provide a top-class, professional and safe event, we would like to request assistance from the Glamorgan Spring Bay council to help facilitate the successful running of the Challenge.

We are very thankful for the council's support in 2022, which was crucial in funding critical signage required for safe traffic management, amongst other essential support. We also acknowledge the essential role of the Glamorgan Spring Bay council in promoting and protecting the unique characteristics of the East Coast, and see our event as a vehicle to recognise the critical contribution that the council makes to both locals and visitors to the Coles Bay area.

Additional Costs for 2023

In reviewing the safety requirements of the event, we have been advised that we need additional on-water safety boats staffed with safety trained personnel to mitigate unnecessary risk to our paddlers, particularly in challenging weather conditions. Each safety boat costs \$750 for two-days, and we need three to meet safety standards.

Our Vision

Our central vision remains focused on creating an event that challenges like-minded multi-sport enthusiasts and their supporters, while showcasing the beauty of the Freycinet peninsula. The timing of the event is important as it provides an economic boost to the East Coast community after the long Tasmania winter and promotes local and homegrown Tasmanian businesses that contribute to this unique state. Partnering with local and homegrown businesses is essential to the success of this event.

Our Event & Benefits

The Freycinet Challenge is a multi-sport event, running over two days within the Freycinet National Park, at Coles Bay in Tasmania. It involves four different legs, including road cycling along the Coles Bay Road, mountain biking in trails south of Friendly Beaches, running along the Hazards-Wineglass

Bay loop and along Muir's Beach, and paddling along the coastline's off Muirs and Richardsons beaches. The hub of the event is located at the Village Green in Coles Bay, where all transitions between different legs start and finish, and where spectators primarily congregate throughout the two days.

Last year we had 343 athletes, with an estimated 300 - 350 spectators. The majority of these athletes competed in the two-day event, which means that many people stayed in and around Coles Bay and surrounding East Coast Towns for two-nights. This year, we are extending our reach by marketing to mainland athletes in the hope of bringing interstate competitors, which will build further exposure for local businesses and the stunning East Coast.

What we are seeking

Being a multisport event, risk mitigation is critical to ensure the safety of our athletes. The paddling leg that takes place each day requires the involvement of three Surf Life Saving boats to patrol and provide on-water assistance to athletes. For the number of athletes and course distance, three safety boats are required, at a cost of \$750 each over the days (Total = \$2,250).

We are seeking financial assistance of \$1500 from the council to offset this cost.

In addition to athlete safety, we are also committed to creating an event that can be enjoyed by athletes, their supporters and spectators, while also ensuring that we can return the area to its unspoiled state for tourists and locals to enjoy at the conclusion of the event.

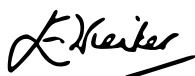
To facilitate this, we would like to seek your support in the following ways:

- Provision of extra wheelie bins / dumpsters positioned in locations primarily where spectators and competitors will be congregating throughout the two days i.e., the Village Green). Removal of bins at the conclusion of the event.
- Additional toilet paper and cleaning of the toilets at the Village Green, as they are in high use throughout the two days by both competitors and spectators.
- Assistance in informing Coles Bay residents about the event and associated road closures.
- Social media and marketing support through your existing channels to help promote the event and encourage people to compete and or/spectate over the course of the event.

Please do let me know if you require additional information to support our request at this time.

Thank you for your review and consideration of our request. We look forward to your response.

Kind regards,
Emma



Emma Wienker

On behalf of JAMSET, Freycinet Challenge organising committee



9 Melbourne Street (PO Box 6)
Triabunna TAS 7190

☎ 03 6256 4777

☎ 03 6256 4774

✉ admin@freycinet.tas.gov.au

🌐 www.gsbc.tas.gov.au

COMMUNITY SMALL GRANTS APPLICATION FORM	
Name of applicant	Freycinet Volunteer Marine Rescue Assoc Inc
Postal address	[REDACTED]
Contact person	Col Barney
Role if group applying	Commander
Contact number	[REDACTED]
Email address	[REDACTED]
Is your organisation an incorporated body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Project title and brief description (If insufficient space, please attach additional sheet)	
"Keep 'em Safe"	
The project is two fold. Our role is to provide safety education and to assist boaters, through Surf Life Saving Tasmania and Tasmania Police when things go wrong. We operate two vessels, carrying a total of ten Stormy Life Jacket. Although we're volunteers, maritime authorities demand that we operate to commercial standards including annual servicing for each life jacket at a cost of \$44 each. The second part of the project is to purchase an A3 sized laminating machine for the preparation of resources for public education, member training, recruiting and fundraising activities. The cost of the model recommended for our purpose is \$339.	
All purchases are from Hobart. Lifejackets remain with Stormy at least overnight for servicing - two trips.	
Outline intended outcomes of the project (for example, benefits of the project to the community, support from any other groups or organisations.	
The project will ensure out lifejackets are safe for our volunteers. \$44 per jacket is the minimum cost.	
We will cover any other costs identified by Stormy during the inspection service eg any valves replaced.	
The laminator will enable us to produce durable printed materials, in-house as required for routine activities including recruitment and fundraising. It will also us allow us to do this at short notice to meet changing circumstances and conditions.	
Funding sought from Council	\$ 779.00
Funding to be contributed by you or your organisation	\$travel
Funding to be contributed from other organisations (Provide details below of confirmed or anticipated contributions *)	\$0.00
Total Project Expenses	\$779 + travel
Signed	
Name (Please print)	Col Barney
Date	6 July 2023
*Details of other contributors:	

LifeJacket Service Cost

From: Stormy Admin <admin@stormylifejackets.com>
To: Freycinet V M R <freycinetvmr@fastmail.com.au>
Subject: Re: LifeJacket Service Cost
Date: Wednesday, August 09, 2023 8:50 AM
Size: 114 KB

Morning Col,

You are correct a standard service is \$44 + GST.

Kind Regards

Mitch Quarrell

T +61 (0)3 6245 0443 | **M** +61 (0) 0409 555 294

E mitch@stormylifejackets.com | **W** www.stormylifejackets.com

A 33 Electra Place, Mornington, TAS 7018, Australia

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Shopping method

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Product Code: FE5731001

Category Links: [Laminators](#)

Brand: Fellowes

\$339.00

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★★★★★ 4.5 (2)

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Size:

A3

A4




 Add Extra Cover

\$54.00 Repair / Replacement...

Quantity

1

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Add to Compare

Features

This Fellowes Saturn A3 Laminator has a sleek design and is ideal for use in the workplace or in the home. Jam free technology makes laminating easy while HeatGuard technology ensures that the machine is safe to touch. It can laminate using pouches of up to 125 microns and comes with a 10 pouch starter kit so you can start laminating straight away.



- This machine can laminate documents of up to A3 size, making it ideal for posters and signage.
- It's suitable for use with pouches between 80 and 125 microns.
- It has a laminating speed of 30 cm per minute.
- It has a warm up time of 1 minute so you can start using it right away.
- The jam release buttons releases tension between the rollers for pouch removal.
- The reverse mechanism enables easy retrieval and realignment of misfed documents.