

24 October 2018

Shane Wells  
Glamorgan Spring Bay Council  
PO Box 6  
Triabunna TAS 7190  
by email: admin@freycinet.tas.gov.au



Dear Mr Wells,

**FURTHER INFORMATION - CAMBRIA ESTATE, SWANSEA**

As the applicant, on behalf of our client Cambria Green Agriculture and Tourism Management Pty Ltd, I am writing to provide further information about the Draft Amendment - AM 2018/03, for Cambria Estate.

The information has been prepared in response to your letter of the 4 September 2018 and specific representations; and to consolidate our representation provided during the public advertising period. Detail is provided in the accompanying pages, and a consolidated revised version of the Cambria SAP has been provided.

We have continued community consultation during this timeframe, including an information session with representatives of the East Coast Alliance on the 20 September. Furthermore, The Mercury published an article by the client's representative Ronald Hu, *Seeking East Coast Harmony* (21 August 18, p 16-17).

If you have any queries in relation to the application please contact me on 6234 9281.

Yours sincerely,

Jen Welch  
Senior Planner  
Ireneinc Planning & Urban Design

## RESPONSE TO COUNCIL LETTER 04/09/18

The following addresses specific issues raised in Council's letter.

*1. Response to the criticisms of the supporting reports provided with the request undertaken as outlined in the representations forwarded to you with the representors consent.*

*On heritage these matters include the suggestion of National Heritage Trust listing, the degree of interaction between the various reports, what the appropriate curtilage around Cambria should be, that the reports are too focused on the homestead and the relationship between heritage values and historic land use.*

*On agricultural matters, these criticisms include the extent to which the hills precinct downplays agricultural potential, fettering and loss of land within the estate.*

### Natural Values

Further comments are provided with input from Mark Wapstra of EcoTas in response to representations specifically related to natural values.

### Heritage Values

Please refer to accompanying letters prepared by Sam Nichols in response to representations (no. 323 & 64).

The Cambria Homestead is listed on the Tasmanian Heritage Register and any works to the place will continue to require a discretionary application in accordance with the *Historic Cultural Heritage Act 1995*. The preparation of the Conservation Management Plan and the Landscape Conservation Management Plan that accompany the application not only improves knowledge and understanding of the sites heritage but also contributes to the communities understanding of the local and regional history.

Discretionary use and development is subject to consideration of the Plan Purpose and Local Area Objectives. The Plan Purpose continues to emphasise the importance of continued agricultural use of the land. A comparison of the Discretionary Use standards in the SAP with those in the GSBPS demonstrates concerns related to the fettering of agricultural land continue to be addressed. As demonstrated in the Comparative Use Table (Appendix E, Planning Report) the proposed SAP does not substantially modify existing use status and qualifications for the Precinct 4 - Hills Resort Precinct.

The standards of the SAP have been prepared based on the assessment of the agricultural potential of the land as addressed in the Agronomic Suitability Report for the land and as discussed in section 3.7 of the planning report. The agricultural potential of the land should also be considered with respect to the natural values within the western hills that are largely mapped as subject to the Biodiversity Code.

### Rep 236 - Stategrowth

A S43A application under LUPA has not been sought for a number of reasons; current provisions of the HCHA do not allow for S43A applications for Heritage places; and a S43A application requires the development to be otherwise prohibited within the scheme.

The application does not seek to include roads within the application area and therefore Landowner consent is not required. Issues related to the use and intensity of future development on the roads are addressed with the application of the Road and Railway Asset Code that control use and development impacting on state roads.

A number of other issues raised in the representation will be assessed when a development application is made to Council or are managed through recommended changes to the SAP.

As identified in the representation, the Swansea Structure plan does not include Cambria Estate as an option for relocation of the golf course. The reasoning is that Cambria land is on the northern edge of the

boundary of the Swansea Structure Plan and was outside the scope of the plan. The location of the subject land has the potential to address some of the issues within the Structure plan and influence the future of the township, without being specifically investigated and referenced. Likewise, the Structure Plan is indicative of a potential site for the Golf Course without prescribing that this is a mandatory location for it.

As mapped below there are a number of leases for extractive industries that impact on the subject land. As illustrated below, the resulting buffers from the Attenuation Code demonstrate that they will not unreasonably constrain future development of the subject land.

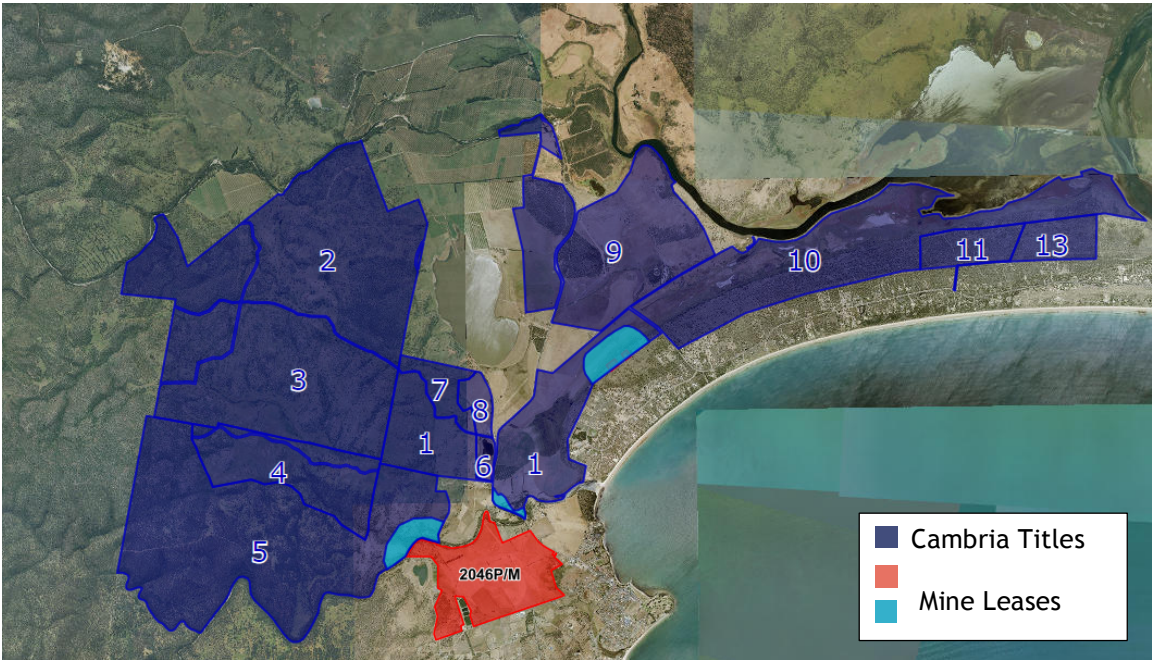


Figure 1: Mining leases and respective attenuation areas

### Scale of Development

As discussed in our representation it is recognised that there are concerns with the scale of the proposed development. The following recommended standards illustrate the extent of development anticipated within the different precincts, and is a means to manage potential impacts unique to the precincts should development be required to be assessed in respect of the Performance Criteria. It is recommended the following are included within the Development Standards:

\_\_\_ Scale of Development

<b>Objective:</b> That the scale of development is to be have regard to the rural and/or coastal character of the respective precincts.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>The total portion of the site located within Precinct 1 covered with roofed buildings must not exceed 2Ha.</p>	<p>P1</p> <p>The site coverage of development must not unreasonably impact on adjoining land having regard to the following:</p> <ul style="list-style-type: none"> <li>a) The bulk and form of the building when seen from adjoining dwellings and public vantage points;</li> <li>b) The impact and proximity to places of historic cultural significance.</li> </ul>

	<ul style="list-style-type: none"> <li>c) The continued operation of agricultural use of the land;</li> <li>d) If necessary for functional requirements of permitted or no permit required uses;</li> <li>e) Any buffers created by natural or other features; and</li> <li>f) The Plan Purpose and relevant Local Area Objectives.</li> </ul>
<p>A2</p> <p>The total portion of the site located within Precinct 2 covered with roofed buildings must not exceed 5,000m<sup>2</sup>.</p>	<p>P2</p> <p>The site coverage of development must not unreasonably impact on adjoining land having regard to the following:</p> <ul style="list-style-type: none"> <li>a) The bulk and form of the building when seen from adjoining dwellings and public vantage points, including from coastal locations;</li> <li>b) Building materials, colours and finishes;</li> <li>c) If necessary for functional requirements of permitted or no permit required uses;</li> <li>d) Any buffers created by natural or other features; and</li> <li>e) The Plan Purpose and relevant Local Area Objectives.</li> </ul>
<p>A3</p> <p>The total portion of the site located within Precinct 4 covered with roofed buildings must comply with either of the following:</p> <ul style="list-style-type: none"> <li>a) Not exceed 2 ha of the extent of the lot mapped within the precinct.</li> <li>b) Is necessary for the functional requirements of permitted or no permit required uses.</li> </ul>	<p>P3</p> <p>The site coverage of development must not unreasonably impact on adjoining land having regard to the following:</p> <ul style="list-style-type: none"> <li>a) The bulk and form of the building when seen from adjoining dwellings and public vantage points;</li> <li>b) The continued operation of agricultural use of the land;</li> <li>c) Building materials, colours and finishes;</li> <li>d) Offsets or other agreements for offsets; within the precinct;</li> <li>e) Any buffers created by natural or other features; and</li> <li>f) The Plan Purpose and relevant Local Area Objectives.</li> </ul>

The SAP results in limited development potential for Precinct 3, Agricultural Precinct and it is not considered necessary to include controls.

The potential offsets in scale standards for Precinct 4 (P3 (d)) above are intended so that each lot has permitted right to development if they are developed separately in the future. The Performance Criteria has been included to enable variations where, in addition to other criterion, there is scope for agreements to be entered to minimise development on other lots. An agreement could enable an intensification of development on one lot where it is agreed that a Part V would restrict further development on another lot or area of land.

*2. Suggested design provisions to guide, as may be appropriate, building materials, architectural style, bulk, relationship to topography and the like, and visual protection when viewed from the Great Eastern Drive or coastline.*

The visual qualities of the site have informed the process of developing the SAP as illustrated in Section 3.8 of the planning report. The titles as part of this application have limited coastal frontage that would result in impacts on visual impacts from public vantage points. Coastal edge setbacks will be further consolidated with the requirements from various Codes including coastal erosion hazard, inundation, and waterway and coastal protection. The immediate surrounds of the Great Eastern Drive on Tasman Highway are subject to the standards of the Scenic Landscape Corridor.

That part of the site that is seen from the junction of the Meredith River and Nine Mile Beach is a heritage listed place. Future design development will be carried out in accordance with the recommendations of the *Heritage Design Guidelines* (p. 3), which identifies potential development zones that are not within proximity or visually connected to the coast.

The coastal part of the site that is in proximity to Moulting Lagoon is only visible from a few public vantage points; the end of Boathouse Road, Swan River Road, and Yellow Sandbanks Road (1km); and from the Swan River itself. Boathouse Road is on the boundary of Precinct 3, where development is to be restricted to protect agricultural use of the land.

Proposed standards for design are based on existing standards within the Rural Resource Zone acknowledging that there are no Design Standards within the respective zones of the SPP. Further to Scenic Landscape Corridor standards the SAP proposes to include a number of Performance Criteria standards that have regard to visual impacts when seen from Tasman Highway. The SAP enables consideration of long views to the site, including hillsides to be considered in terms of visual impact in greater detail than exists under current provisions. Visual qualities of development from coast locations are considered to be appropriately managed through Performance Criteria and Local Area Objectives.

*3. Rationale for the size of the homestead precinct vs the sub-precinct parcels identified in the heritage assessments.*



Figure 2: (left) Local Areas Map, (right) Location plan of precinct (Source: Figure 1 Heritage Design Guidelines)

It is recognised that there are distinct differences between Precinct 1 and 3 and that greater refinement is capable of being undertaken to determine the spatial extents of the boundary between the two.



Clarification has been sought from Sam Nichols on the boundaries proposed in the Heritage Design Guidelines, and it is understood that the extents of the plan is the recommended curtilage to retain those aspects of the landscape that demonstrate the historic pattern of farming of the estate.

*4. The capacity or appropriateness to review the Tasmanian Heritage Register listing, nothing that the IPS applies only to the specific extent of the THR listing and which is much smaller than the areas of value identified thus far.*

This application does not seek to change the Tasmanian Heritage Register (THR) listing. The amendment to the ordinance for the Historic Heritage Code as detailed in 6.3.1 of the planning report seeks to rectify errors as identified in section 5.13. It is also recommended that mapping be updated as per recommendations of 2.5 of the Heritage Design Guidelines.

As identified in communications from Sam Nichols the THR listing applies to the entirety of certificate of title 148001/1. Further exclusion areas attached to the THR data sheet as an appendix to the Conservation Management Plan do not reference and are not related to the subject land.

Investigations into the landscape and built heritage of the place have substantially increased the knowledge and understanding of the heritage values of the place. Subsequent to the approval of the SAP, the CMP and Heritage Design Guidelines will be forwarded to the Tasmanian Heritage Council to be endorsed and to inform a revised listing of the values in order to progress future works on the site, and to recognise the extents of the values on the site.

*5. How the SAP may address the future SPP scenario where the priority vegetation areas is excluded from the agriculture Zone.*

The proposed amendment was prepared on the basis of existing zoning, where the Significant Agricultural Zone only applies to land adjoining the Tasman Highway (as shown below). The inclusion of land subject to Conservation covenants within the Environmental Management Zone as part of the amendment (as illustrated on p 70 of the planning report) clearly identifies that those areas should be retained for their natural values. No other changes are proposed in the SAP to vegetation mapping or zoning that would change the way in which the exclusion of priority vegetation would be addressed within the Agricultural Zone.

Changes proposed by Council in the draft LPP for Rural Resource Zone areas to be in the Agricultural Zone are not supported. Proposed changes by Council are inconsistent with identified agricultural potential for the land, and with mapped natural values; particularly within the precinct of the hills resort. The current drafting of the SPP that does not apply the Natural Assets Code to the Agricultural Zone (clause: C7.2.1(c)) is inconsistent with the natural values that have been identified on the site.

As can be seen in Figure 4, much of the western hills are mapped as priority vegetation. This vegetation would not be protected by the Natural Assets Code under current standards of the SPP and based on zoning changes recommended in the draft LPP.



Figure 3: Existing Zoning (Source: GSBIPS from figure 29 of the planning report)



Figure 4: Draft LPS zone mapping proposed by Council<sup>1</sup> (source: GSBC)

#### 6. The appropriateness of building setback standards.

As described in our representation from the 14/06/18, following community consultation increased setback provisions have been recommended to allow for an increased setback from Residential areas. Setbacks are otherwise prepared for consistency with State Planning Provisions. Setbacks from Tasman

<sup>1</sup> Glamorgan Spring Bay Council, 2018, accessed at <<http://gsbc.tas.gov.au/services-facilities/regulatory-services/>>

Highway are managed through the standards of the Scenic Landscape Corridor, setbacks from waterway and coastal areas will managed through the relevant code standards.

#### *7. Review the SAP clauses for residential use across the four precincts.*

Existing use status GSBIPS 2015:

- Significant Agriculture Zone - Discretionary, Only if a single dwelling necessary to support agricultural use on the property. Permitted if home-based business or an extension or replacement of an existing dwelling.

Use Standards 27.3.1 Sensitive Use (including residential use) A1 and P1, and 27.3.3 Discretionary Use P1, are applicable.

- Rural Resource Zone - Discretionary. Permitted if home-based business or an extension or replacement of an existing dwelling.

Use Standards 26.3.1 Sensitive Use (including residential use) A1 and P1, and 26.3.3 Discretionary Use P1 are applicable.

Proposed Use Status Cambria SAP:

- Precinct 3, Agricultural Precinct: Permitted if home-based business or an extension or replacement of an existing dwelling. Otherwise prohibited.
- All other precincts: Discretionary.

Use Standard 1.6.1 Discretionary Use P2 would be applicable.

The Cambria SAP Use Standards for Discretionary Use are consistent with those of the respective zones in the current scheme, with the exclusion of providing a specific standard for sensitive use, as current standards are considered repetitive and achieve the same outcome. Removal of sensitive uses is also consistent with the SPP standards for the Rural Zone. Discretionary use standards of the SAP are further consolidated with the requirement to have regard to the Plan Purpose and the Local Area Objectives.

There is an existing dwelling in Precinct 3 and given the importance of sustaining the high value agricultural potential land the SAP does not support further residential development, therefore qualifications have been included in the Use Table to restrict residential development consistent with the Significant Agricultural Zone.

#### *8. Justification for the proposed subdivision standards and how they relate to the SAP LAO's.*

Subdivision standards have been included in the SAP to facilitate the potential subdivision of the Cambria Homestead as described in section 6.2.4 of the Planning report, consistent with the subdivision potential enabled through 26.5.3 *Historic Heritage Places*.

Subdivision standards of the underlying zones change to varying degrees for both the underlying zones between the current scheme and the SPP. Subdivision of the land is not an essential component of the proposed SAP. It is recommended that the Development Standards for Subdivision be removed from the SAP. Subsequently, any application for subdivision would be subject to the underlying zone standards.



## RESPONSE TO REP 13 - TASMANIAN LAND CONSERVANCY

The following comments have been prepared in consultation with Mark Wapstra of ECOtas whom prepared ecological assessments that accompanied the application to Council.

*The ecological assessments undertaken by ECOtas (2016, 2017a, 2017b, 2018) identify that...*

This statement is concerning in that it identifies that TLC has apparent access to not only the baseline ecological assessment of the whole Cambria property (ECOtas 2016) but also the various addenda produced to address specific issues. The concern is that latter parts of their submission seem to suggest that the addenda have not been examined in detail because they specifically address several of their items.

*...identify that numerous threatened species and vegetation communities of state, national and international significance occur on the property subject to the Draft Planning Scheme Amendment.*

It is unsurprising that a property the size of Cambria supports threatened flora, fauna and vegetation communities, although ECOtas (2016) identified that at least several of the threatened flora species are of relatively low conservation significance (i.e. listed as rare with locally abundant populations, widespread distributions and high tolerance to disturbance). Furthermore, ECOtas identified that the threatened fauna values can be appropriately managed through provisions of existing legislation and policy to achieve a satisfactory conservation outcome. Most of the identified vegetation communities with conservation significance are already formally reserved in conservation covenants, or are otherwise subject to existing legislation and policy that appropriately deals with the management of these communities.

*Its location on the shores of several river systems and bordering the Moulting Lagoon Ramsar site signifies its critical ecological role in the region's surrounding natural values matrix.*

The ECOtas report includes substantial commentary on the context of the property including its position between Moulting Lagoon and the forested hills to the west, and specifically identified drainage systems and assessed their broad ecological values. The property is one of the older agricultural ventures on the east coast with a long history of primary production, vegetation clearing, forestry, sand-mining, and an airstrip. It is considered that well-designed development is able to be undertaken in balance with the identified ecological values.

*A large scale tourism based development comprising health retreat, agriculture, events, golf course, resort and accommodation has the potential to impact on these values and warrants detailed and lengthy consideration by Council and the community and also referral under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.*

It is recognised that there is potential for development and use of the site to impact on natural values, which is why a detailed assessment was undertaken in the conceptual stages of the project.

ECOtas (2016 p 90) includes lengthy discussion and consideration of the implications of the findings under various legislative and policy instruments, including the EPBCA. The subsequent addenda further considered the EPBCA in relation to threatened flora and fauna. Subsequent planning assessment and preparation of the amendment has been prepared in accordance with the recommendations of the ecological assessment.

*We urge the Council to seek more detailed information from the proponent (as suggested in the Attachment to this letter), to ensure the property's natural values are better defined, measures are identified for their permanent protection and that the natural values of the surrounding area,*

*including the TLC's current landholdings are not impacted by immediate or future activities contemplated in the proposal.*

The ecological assessment was in full compliance with DPIPWE's *Guidelines for Natural Values Assessments - Terrestrial Development Proposals*, and included field assessments, follow-up timed-targeted assessments, engagement with specialists and additional surveys and reporting, and discussions with officers of DPIPWE.

It is beyond the scope and unnecessary as part of this application to seek 'permanent protection' of further parts of the Cambria Estate. This statement makes no reference to the existing network of permanent reserves on the estate capturing a wide range of vegetation types, threatened flora and fauna.

It is not our role to identify areas for permanent protection and it is presumptive of TLC to push for "permanent protection" of further parts of the Cambria property. Such a statement makes no reference to the existing network of permanent reserves already established on the property. It is "easy" for TLC to suggest permanent reservation but such an action by a landowner should be entirely voluntary and in response to identified values warranting such inclusion in the reserve system.

It is not clear that TLC has any properties immediately adjacent to the Cambria property or in the vicinity such that the development would impact on the identified conservation values of their reserves (e.g. Long Point and the Big Punchbowl, both on the shores of Moulting Lagoon).

*The report ECOtas (2016). Ecological Assessment of Cambria Property, Swansea-Dolphin Sands, Tasmania. Report by Environmental Consulting Options Tasmania (ECOtas) for Cambria Green Agriculture & Tourism Management Pty Ltd, indicates that an ecological assessment was undertaken over a one month winter period (27 May 2016 and 26 June 2016). It is suggested that this assessment is inadequate to fully address the range of significant conservation issues occurring on the subject land, and that more detailed seasonal surveys are appropriate. We recommend expanded ecological assessments are undertaken particularly for the following state and nationally listed threatened species and communities:*

As discussed previously, the ecological assessment was in full compliance with DPIPWE's *Guidelines for Natural Values Assessments - Terrestrial Development Proposals*, and included field assessments, follow-up timed-targeted assessments, engagement with specialists and additional surveys and reporting, and discussions with officers of DPIPWE. The comments by TLC seem to imply that the only surveys were between 27 May 2016 and 26 June 2016. However, in accordance with the initial assessment and initial findings (see main section of ECOtas (2016)), follow up surveys were undertaken on a further three occasions, specifically targeting threatened flora with a seasonal flowering period and timed mammal surveys to coincide with the most appropriate activity period.

*Fauna: detailed and targeted species surveys in the appropriate season for swift .... Eagle nest protection zones to be secured.*

ECOtas (p. 70) have undertaken a detailed desktop and field assessment to determine the presence of fauna with commentary on particular priority species, with subsequent targeted assessments (see addenda). The proposed amendment includes standards for the protection of sea-eagle nesting sites, not currently afforded under the planning scheme.

If there are further issues with the impact on species then this can be clarified and addressed at the time of making a development application.

*Flora: expanded and targeted surveys in the appropriate season for Carex...*

*Vegetation Communities - detailed mapping and prescriptions for protection and restoration of Eucalyptus*

Similar to the response to additional surveys for fauna above, the ecological assessment and addenda provided as part of this application have been prepared that address the listed species and communities where necessary and in detail.

No further surveys or mapping is necessary as part of the application for an amendment. The detail of investigations undertaken greatly contributes to the understanding of the ecology of the estate that is of benefit to the landowners and to the community in general.

*Detailed assessment of the range of unique topographical features named on the subject land and their contribution to conservation at a landscape scale.*

The ecological assessment identified natural values of significance on the site and included recommendations for their management, in consideration of the topographic features as outlined (p. 12). There are no statutory requirements that would warrant a more detailed assessment of the topography.

*New Reserves Recommended and Improved Protection for Existing Reserves Recommended.*

*More detailed information is recommended on new protection zones for threatened species (e.g. Pterostylis ziegeleri grassland greenhood) and securing a network of permanent wildlife corridors and landscape linkages facilitating movement of species across the subject land and the surrounding area. Management actions be undertaken for the three private reserves (Meredith River-Dry Creek Reserve, Bayles Backwater White Gum Reserve, Didos Hill Peppermint Reserve) identified on the subject land to address gorse and weed removal and expanded where necessary to give additional resilience to the values they contain under a regime of changing land use.*

More detailed information has been provided in the addendum to the ecological assessment. The site is already the subject of a number of conservation covenants as discussed (p, 14), that are subject to property management plans. Areas subject to covenants are informally linked through the informal reserves of the river systems that are managed through the Waterway and Coastal Protection Code. Recognition should also be given to the historical agricultural use of the property and that appropriately located buildings within the landscape is able to retain existing linkages, and would be a desirable attraction for the development.

*Detailed assessment of water use, discharge and potential impact on wetlands, saltmarsh and the Moulting Lagoon Ramsar Site...*

*More detailed analysis is recommended on immediate and future water usage and protection measures related to run-off into Moulting Lagoon and the associated natural values integral to this internationally significant site.*

The proposed SAP does not change any applicable standards of the Scheme in relation to water management, other than recommended standards preventing the use of water from the aquifer. Future development will be in accordance with relevant codes for water management. Further information has been provided on the availability of water resources as part of our submission on the 14 June.

13 September 2018

Mr David Metcalf  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
Triabunna TAS 7190

**RESPONSE TO REPRESENTATION 64 TO THE REQUEST FOR AN AMENDMENT  
TO THE *GLAMORGAN SPRING BAY INTERIM PLANNING SCHEME 2015***

Dear Mr Metcalf,

**1.0 INTRODUCTION**

1. I have been asked to provide a response to submission number 64 [from Cultural Heritage Practitioners Tasmania (CHPT), dated 13 June 2018] to the request for an amendment to the *Glamorgan Spring Bay Interim Planning Scheme 2015* under the former Section 33 provisions of the *Land Use Planning and Approvals Act 1993* (hereafter referred to as the amendment proposal) to land forming the farm estate 'Cambria', near Swansea. This response was prepared under instructions from Ireneinc Planning and Urban Design and Cambria Green Agriculture & Tourism Pty Ltd, the owners of the 'Cambria' farm estate.
2. By way of background, I was engaged in my capacity as a Heritage Consultant and Architectural Historian (formerly of Trethowan Architecture) to prepare a Conservation Management Plan (CMP), dated 1 August 2017, and Heritage Design Guidelines, dated 28 November 2017, with regard to that component of the wider 'Cambria' farm estate that was included on the Tasmanian Heritage Register (THR) as THR ID 1559 – Cambria (hereafter referred to as the heritage place). THR ID 1559 accords with the cadastral boundaries of title reference 148001/1, which forms one of multiple titles that constitute the present 'Cambria' farm estate.
3. Due to the lack of history pertaining to the heritage place in the datasheet accompanying its entry in the THR, a historical study, prepared by the Glamorgan Spring Bay Historical Society Inc., was commissioned by Trethowan Architecture (dated 20 April 2016) on behalf of Cambria Green Agriculture & Tourism Pty Ltd to inform, as an appendix to, the CMP.
4. The same approach was taken with regard to the lack of understanding of those landscape-based elements of the heritage place, with a Landscape Management Plan (LCMP), prepared by Dr Catriona McLeod, commissioned by Trethowan Architecture (dated September 2016) on behalf of Cambria Green Agriculture & Tourism Pty Ltd to inform the CMP.
5. The CMP, its appended documents, and the Heritage Design Guidelines were commissioned by Cambria Green Agriculture & Tourism Pty Ltd to inform the subsequent amendment report prepared by Ireneinc Planning and Urban Design, dated 19 March 2018. They were prepared independent of the latter amendment report.
6. This response has been prepared by myself with the views expressed within being my own.



## 2.0 SOURCES OF INFORMATION

7. The following analysis draws upon a review of the submission prepared by CHPT, the LCMP prepared by Dr Catriona McLeod, and the CMP and Heritage Design Guidelines prepared by myself.

## 3.0 REPONSE TO SUBMISSION 64 FROM CHPT

8. The submission prepared by CHPT to the amendment proposal detailed two (2) main areas of comment:
  - I. *Proposed Zoning Change General*; and
  - II. *Cambria – The Conservation Management Plan (CMP) & Proposed Planning Controls*.



Figure 1 Aerial view of the extent of the 'Cambria' estate, shown dark blue.  
(Source: Land Information System Tasmania (The LIST))

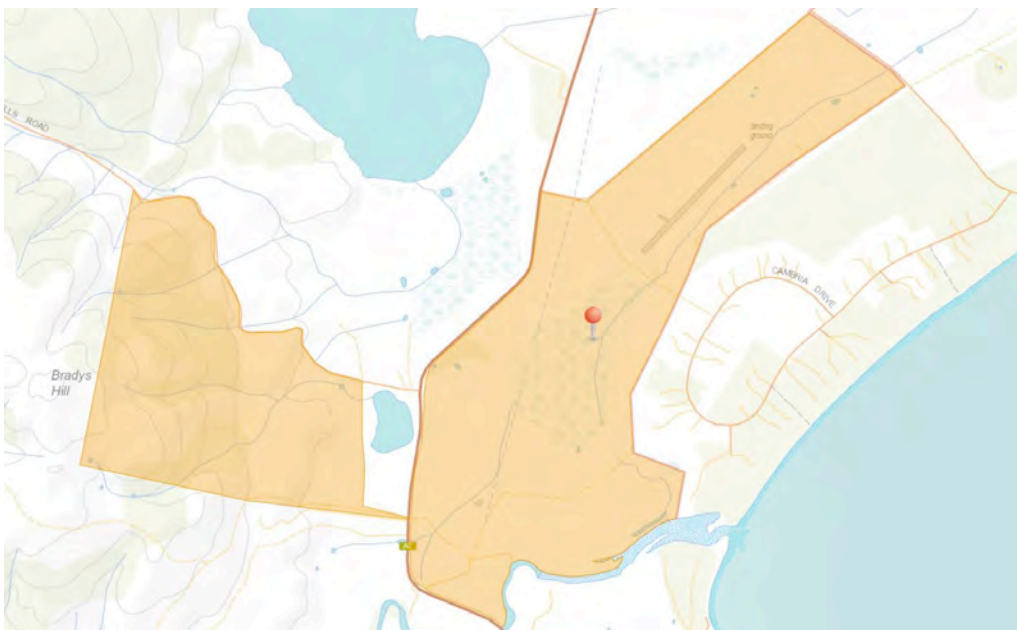


Figure 2 Extent of the heritage place THR ID 1559 – Cambria, shown in orange.  
(Source: Land Information System Tasmania (The LIST))

## Proposed Zoning Change General

9. Areas of comment relating to *Proposed Zoning Change General* identified the following:
  - I. That *the treatment of the Cambria estate (in the amendment proposal) is the centrepiece of the justification for the amendment application, and that other historic heritage and Aboriginal heritage is given very cursory consideration.*
  - II. That *all heritage values need to be identified and understood before any decisions are made that may affect the preservation of the cultural heritage of the area.*
  - III. That *all decisions of the Glamorgan Spring Bay Council must ensure that significant cultural heritage values are protected. This is a clear responsibility of the Council under LUPAA and the State Coastal Policy. There is extremely significant historic heritage in the area which reflects the early European settlement of the area. Plus there are known rare Aboriginal/early European contact sites, and known and potential Aboriginal heritage.*
  - IV. That *CHPT strongly opposes the lack of any control or guidance for other historic properties in the area (other than Cambria), either in the planning scheme amendment application generally or in the Conservation Management Plan. For example, the Plan includes no mention of other similarly early developments such as Redbanks (the temporary residence of the Merediths during the development of the property, and a neighbour who had on-going connections with subsequent owners of Cambria).*

10. In considering sub-paragraphs 9.I and 9.II, the identification of ongoing restoration and adaptive reuse opportunities for the heritage place is one initiative of the amendment proposal, amongst additional initiatives including the ongoing use of productive agricultural land for intensive agricultural purposes; and ecological restorative works to ensure the protection of important ecosystems that form part of the heritage place.<sup>1</sup> These initiatives will retain the historic heritage significance associated with the 195 years of operation of the 'Cambria' farm estate as an ongoing agricultural concern,<sup>2</sup> while identifying alternative income sources to undertake important restoration works to the homestead complex, an initiative not considered out of place considering the majority of the homestead, the main house in particular, was constructed from alternative income sources derived from the whaling industry, amongst others.<sup>3</sup> While the CMP identifies the potential for Aboriginal heritage on account of the heritage place occupying extensive land in a coastal locale,<sup>4</sup> it is noted that the identification of Aboriginal heritage is a specialist skill set beyond the architectural and landscape heritage skill sets utilised in the authoring of the CMP and LCMP. It is unclear what additional historic heritage has been only given 'cursory consideration' on account of the extensive analysis developed in order to ascertain the significance of the heritage place between its establishment by Europeans 1821 and the authoring of the CMP in 2017.

11. In considering sub-paragraphs 9.III and 9.IV, the high significance of the European settlement of the heritage place has been ascertained as a result of the CMP with multiple policies developed to ensure the management of this significance. It is uncertain what Aboriginal/early European contact sites the submission makes reference to as the extensive history informing the CMP and LCMP did not identify such occurrences in the European development of the heritage place. With regard to the concerns raised relating to the lack of control or guidance for other historic properties in the area, it is noted that the homesteads associated with 'Redbanks', 'Redcliff', 'Riversdale' and 'Belmont' (properties once associated with the wider land holdings held

<sup>1</sup> Ireneinc Planning and Urban Design 2018, *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, p.3.

<sup>2</sup> Trethowan Architecture 2017, *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 5.

<sup>3</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 23.

<sup>4</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 91.

by the Meredith family) are owned today by individual parties independent of the ownership of 'Cambria', as such it has been beyond the scope of this CMP to develop policies and recommend planning controls relating to land not owned by Cambria Green Agriculture & Tourism Management Pty Ltd.



Figure 3 Extent of the 'Homestead Precinct', proposed as an alternative curtilage to the heritage place, illustrating the extent of proposed development and conservation zones, overlaid across the precinct.

Source: Trethowan, 2017

## **Cambria – The Conservation Management Plan (CMP) & Proposed Planning Controls**

12. Areas of comment relating to *Cambria – The Conservation Management Plan (CMP) & Proposed Planning Controls* identified the following:
  - I. That CHPT strongly opposes the weakening of the development controls for the Heritage Precinct. Under this Plan, development within the Heritage Precinct will be discretionary only when it exceeds a 10 metre height limit, whereas the standard that usually applies in residential areas is an 8 metre height limit. It is completely unacceptable that the Heritage Precinct should receive lesser protection, especially given the sensitivity of the setting, significance of the landscapes and the potential for impacts on views in and out of the house.
  - II. That reference to the Indigenous significance of the farming estate of Cambria in the Landscape Conservation Management Plan by Catriona McLeod is far too brief and inadequate. Given the degree of significance that the area is likely to have, this is an aspect that requires more in depth consultation and exploration with relevant Tasmanian Aboriginal organisations (for example the Tasmanian Aboriginal Centre). The Cambria Estate is noted as a significant First Contact Site which gives it cultural significance to Tasmanian Aborigines. It is evident that this area is a highly important cultural landscape, therefore the



*Plan should prioritise consultation with the appropriate representatives of the Aboriginal community.*

- III. *That the CMP provides inadequate guidance for the management of archaeological heritage. The Plan makes only limited and inadequate reference to the archaeological potential of Cambria, especially given the various transient structures that have been documented.*
- IV. *That CHPT considers that the CMP does not adequately address the cultural landscape and setting values of Cambria. A proper assessment for the full estate, not just the statutory listed area, needs to be undertaken.*
- V. *That the proposed reduction of the heritage curtilage to the limits presently recorded in the Tasmanian Heritage Register (the entry for which is demonstrably limited in extent) is disappointing. A proper assessment of the grounds for such a reduction against heritage criteria rather than statutory limitations is essential. It is essential that there is an adequate curtilage for heritage conservation reasons.*
- VI. *That the Landscape Study is deficient in that it makes reference to the two surviving 'home paddocks', but does not provide any guidance for their future use and conservation. Further thought needs to be given to how these remainders will be interpreted and conserved.*
- VII. *That CHPT considers that generally the CMP provides sound guidance for the conservation works to be carried out for the house and outbuildings. However, the CMP is inadequate in that the conservation/reconstruction of the greenhouses that housed the early grape harvest is not considered.*

13. In considering sub-paragraph 12.I, a recommended outcome of the Heritage Design Guidelines accompanying the CMP was the identification of a new curtilage for the heritage place, extending to a total area of approximately 149 acres (refer Figure 3). This new curtilage, coined the 'Homestead Precinct' for the benefit of the Heritage Design Guidelines report, was subsequently divided into a series of conservation and development zones which were analysed based on their individual characteristics and accompanying heritage design guidelines, based on statutory considerations, policies, guidelines and best heritage practice.<sup>5</sup> A Core Heritage Zone (CHZ), being that area shaded green in Figure 3, was identified that included the main house, all outbuildings and gardens. A maximum building height of 10m for new buildings within the CHZ was identified based on the gutterline of the original timber barn of the homestead complex. A recommendation that all new buildings be restricted to that area immediately west of the barn and woolshed and north of the hedgerow bordering the northern edge of the main drive to the house (Cambria Lane) was also recommended. It was considered that new buildings in this locale would conserve the setting of the heritage place and retains views to and from the main house on account of the 10m height being lower than the roof form of the original timber barn.<sup>6</sup> Further, it is noted that the opinions formed in these reports do not preclude the assessment of a development application concerning the heritage place from assessment by Heritage Tasmania as prescribed in the *Historic Cultural Heritage Act 1995* (HCHA).<sup>7</sup>

14. In considering sub-paragraph 12.II, it is noted that both the CMP<sup>8</sup> and Heritage Design Guidelines<sup>9</sup> recommend that the relevant government agency concerned with indigenous heritage, Aboriginal Heritage Tasmania, be consulted upon the identification of Aboriginal relics with separate investigations made should this occasion occur. We note that Trethowan Architecture, on behalf of Cambria Green Agriculture and Tourism

<sup>5</sup> Trethowan Architecture 2017, *Heritage Design Guidelines – Cambria Estate, Swansea, Tasmania*, p. 8.

<sup>6</sup> *Heritage Design Guidelines – Cambria Estate, Swansea, Tasmania*, pp. 9-10.

<sup>7</sup> *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, p. 68.

<sup>8</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 91.

<sup>9</sup> *Heritage Design Guidelines – Cambria Estate, Swansea, Tasmania*, p. 7.



Management Pty Ltd commissioned the LCMP,<sup>10</sup> with a limitation of the CMP noted as its concentration on the European history of the heritage place and its incremental development over 195 years as an ongoing agricultural concern.<sup>11</sup> Further, we note that the amendment proposal report makes reference to an aboriginal cultural desktop assessment<sup>12</sup> having been prepared specifically with regard to the indigenous significance of the wider 'Cambria' estate in 2016; the sensitivities of those indigenous sites identified in the aboriginal cultural desktop assessment result in that report not forming part of the amendment proposal.

15. In summary, the purpose of the LCMP was to review the significance of landscape elements of the heritage place since its settlement in 1823 as a supporting document to the CMP. Notwithstanding the potential indigenous significance of the wider 'Cambria' estate, the identified intent of the CMP and supporting LCMP was as a response to the European significance of the heritage place, which has resulted in its inclusion on the THR.
16. In considering sub-paragraph 12.III, lack reference to archaeology in the policy section of the CMP is acknowledged, given that the report did identify areas of potential archaeological significance relating to transient structures.<sup>13</sup> A revision of the CMP to incorporate policy relating to archaeology could address these concerns.
17. In considering sub-paragraph 12.IV, a landscape assessment of the wider 'Cambria' estate was not part of the scope of our engagement, with the focus instead being the heritage place identified by Heritage Tasmania as being of significance thereby warranting its inclusion on the THR.
18. In considering sub-paragraph 12.V, the proposed reduction of the heritage curtilage from its current extent to the new approx. 149 acre curtilage referred to as the 'Homestead Precinct' was based on considerable historical research and physical analysis of the heritage place detailed across both the CMP and Heritage Design Guidelines reports. As such, we feel that the curtilage proposed as a result of this analysis is adequate and takes into account those issues relating to the conservation of the heritage place.
19. In considering sub-paragraph 12.VI and the provision of guidance for the future use and conservation the two former hedge-lined 'home paddocks', it is noted that the LCMP provides guidance on remedial works to hedge rows generally located within the heritage place,<sup>14</sup> while the specific guidance regarding future use and conservation of the 'home paddocks' is provided by the Heritage Design Guidelines.<sup>15</sup>
20. In considering sub-paragraph 12.VII, it is noted that conservation/reconstruction of the former greenhouse/hothouse has been identified as important in the CMP. The construction of the greenhouse/hothouse in c.1836 has been identified as forming the key period of significance of the heritage place.<sup>16</sup> While not addressed specifically, section 8.3.5 (Restoration and Reconstruction) provides individual policies to guide the reconstruction of all buildings that were in existence between 1855 and 1927, the greenhouse having been identified as one of these buildings.<sup>17</sup>

<sup>10</sup> Dr Catriona McLeod 2017, *Landscape Conservation Management Plan – Cambria, Swansea, Tasmania*, p. 1.

<sup>11</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 5.

<sup>12</sup> *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, p. 32.

<sup>13</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 46.

<sup>14</sup> *Landscape Conservation Management Plan – Cambria, Swansea, Tasmania*, p. 82.

<sup>15</sup> *Heritage Design Guidelines – Cambria Estate, Swansea, Tasmania*, p. 11.

<sup>16</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 97.

<sup>17</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 107.

#### 4.0 SUMMARY

21. In summary, we believe that the CMP, LCMP and Heritage Design Guidelines adequately address those concerns relating to the European-based significance of the heritage place raised by CHPT. We acknowledge the exception to this relates to the inclusion of archaeological-based policy in the CMP. A revision of the CMP to incorporate such policy could address this specific issue. The opinions formed in these reports do not preclude the assessment of any development within the heritage place as part of the application process for assessment by Heritage Tasmania as prescribed in the HCHA.

We trust this information is adequate in assisting the Glamorgan Spring Bay Council consider the proposed amendment to the *Glamorgan Spring Bay Interim Planning Scheme 2015* before them.

Yours sincerely,



Sam Nichols B.Arch M.ICOMOS

**Sam Nichols Design | Heritage | Conservation**

13 September 2018

Mr David Metcalf  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
Triabunna TAS 7190

**RESPONSE TO REPRESENTATION 323 TO THE REQUEST FOR AN AMENDMENT  
TO THE *GLAMORGAN SPRING BAY INTERIM PLANNING SCHEME 2015***

Dear Mr Metcalf,

**1.0 INTRODUCTION**

1. I have been asked to provide a response to submission number 323 [from Australia ICOMOS (ICOMOS), dated 15 June 2018] to the request for an amendment to the *Glamorgan Spring Bay Interim Planning Scheme 2015* under the former Section 33 provisions of the *Land Use Planning and Approvals Act 1993* (hereafter referred to as the amendment proposal) to land forming the farm estate 'Cambria', near Swansea. This response was prepared under instructions from Ireneinc Planning and Urban Design and Cambria Green Agriculture & Tourism Pty Ltd, the owners of the 'Cambria' farm estate.
2. By way of background, I was engaged in my capacity as a Heritage Consultant and Architectural Historian (formerly of Trethowan Architecture) to prepare a Conservation Management Plan (CMP), dated 1 August 2017, and Heritage Design Guidelines, dated 28 November 2017, with regard to that component of the wider 'Cambria' farm estate that was included on the Tasmanian Heritage Register (THR) as THR ID 1559 – Cambria (hereafter referred to as the heritage place). THR ID 1559 accords with the cadastral boundaries of title reference 148001/1, which forms one of multiple titles that constitute the present 'Cambria' farm estate.
3. Due to the lack of history pertaining to the heritage place in the datasheet accompanying its entry in the THR, a historical study, prepared by the Glamorgan Spring Bay Historical Society Inc., was commissioned by Trethowan Architecture (dated 20 April 2016) on behalf of Cambria Green Agriculture & Tourism Pty Ltd to inform, as an appendix to, the CMP.
4. The same approach was taken with regard to the lack of understanding of those landscape-based elements of the heritage place, with a Landscape Conservation Management Plan (LCMP), prepared by Dr Catriona McLeod, commissioned by Trethowan Architecture (dated September 2016) on behalf of Cambria Green Agriculture & Tourism Pty Ltd to inform, as an appendix to, the CMP.
5. The CMP, its appended documents, and the Heritage Design Guidelines were commissioned by Cambria Green Agriculture & Tourism Pty Ltd to inform the subsequent amendment report prepared by Ireneinc Planning and Urban Design, dated 19 March 2018. They were prepared independent of the Ireneinc report.
6. This response has been prepared by myself with the views expressed within being my own.

## 2.0 SOURCES OF INFORMATION

7. The following analysis draws upon a review of the submission prepared by ICOMOS, the LCMP, prepared by Dr Catriona McLeod, and the CMP and Heritage Design Guidelines prepared by myself.

## 3.0 REPONSE TO SUBMISSION 323 FROM ICOMOS

8. The submission prepared by Australia ICOMOS to the amendment proposal detailed three (3) main areas of comment:
  - I. Concerns with the scope of the CMP and LCMP reports
  - II. Concerns with the extent of the CMP and LCMP reports; and
  - III. Accordance with heritage best practice as outlined in *The Burra Charter*.



Figure 1 Aerial view of the extent of the 'Cambria' estate, shown dark blue.  
(Source: Land Information System Tasmania (The LIST))



Figure 2 Extent of the heritage place THR ID 1559 – Cambria, shown in orange.  
(Source: Land Information System Tasmania (The LIST))



## Concerns with the scope of the CMP and LCMP

9. The submission is correct in that the CMP and LCMP were prepared independently of the Amendment Report.
10. In considering the comment that the CMP and LCMP focused on 'a narrow scope of the 'Cambria' homestead', we note that the heritage place as defined by Heritage Tasmania constitutes all land relating to title reference 148001/1 (refer Figure 2). *The Macquarie Dictionary* (2017) defines a 'homestead' as a main residence on a sheep or cattle station or large farm. The main residence of 'Cambria', its associated outbuildings, gardens and remnant home paddocks are located within the heritage place with both the CMP and LCMP providing significant commentary with regard to their historical development, physical condition and subsequent policy development to guide their management.
11. In considering the comment the CMP and LCMP overlooks and down plays the 'land grant and land use over time', it is assumed that the land grant made reference to in the submission is the original 2,674-acre grant made to George Meredith in 1821 named 'Cambria' by him.<sup>1</sup> Upon reviewing the extensive historical analysis undertaken in the CMP, we note the extent of this original grant in conjunction with all that additional land accumulated by George Meredith, via either purchase or trade, by 1855 (refer Figure 3).<sup>2</sup> In 1871, subsequent subdivision undertaken by John Meredith, George Meredith's son, did not accord with the boundaries of the original 2,674-acre grant received by George Meredith (refer Figure 3). After 1871, it is apparent that subsequent subdivision has further strayed from the original land grant received by George Meredith (refer Figure 1). In reviewing historic and current mapping, little of the original 2,674-acre grant constitutes the current heritage place, the majority appearing to have been subdivided in 1969 to form the current Dolphin Sands housing estate (refer Figure 1).<sup>3</sup>

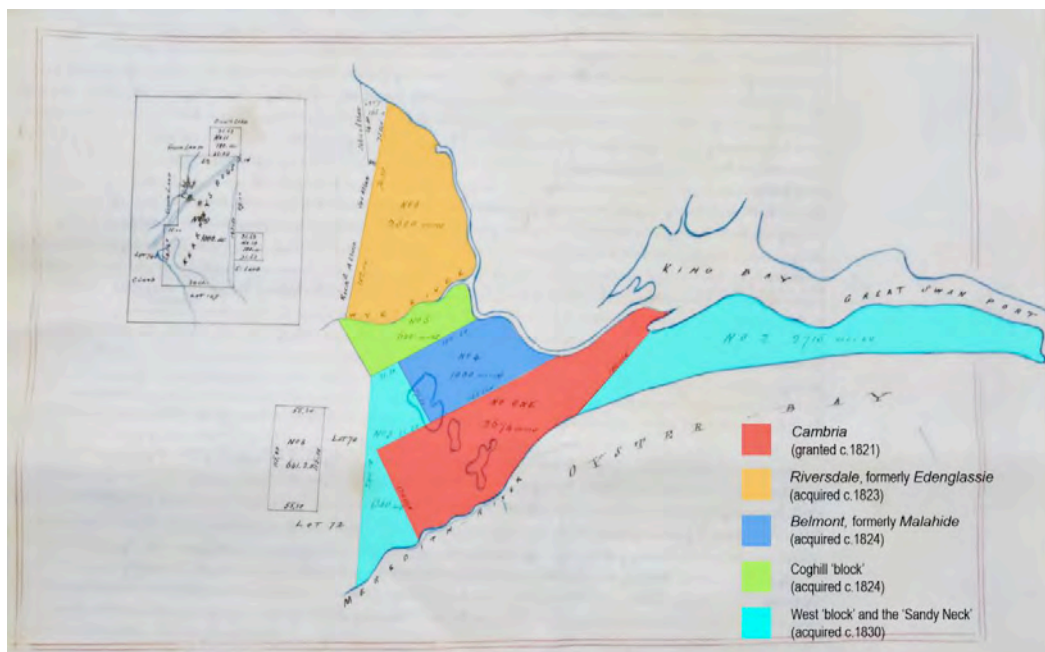


Figure 3 Extract of a plan of Cambria, c.1855. The documented early acquisition of land by George Meredith along the Meredith and Swan Rivers is coloured with regard to date of acquisition.  
(Source: Recorder of Titles, Land Tasmania, DPIPW)

<sup>1</sup> Trethowan Architecture 2017, *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 10.

<sup>2</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, pp. 6-8.

<sup>3</sup> *Conservation Management Plan – Cambria Estate, Swansea, Tasmania*, p. 12.

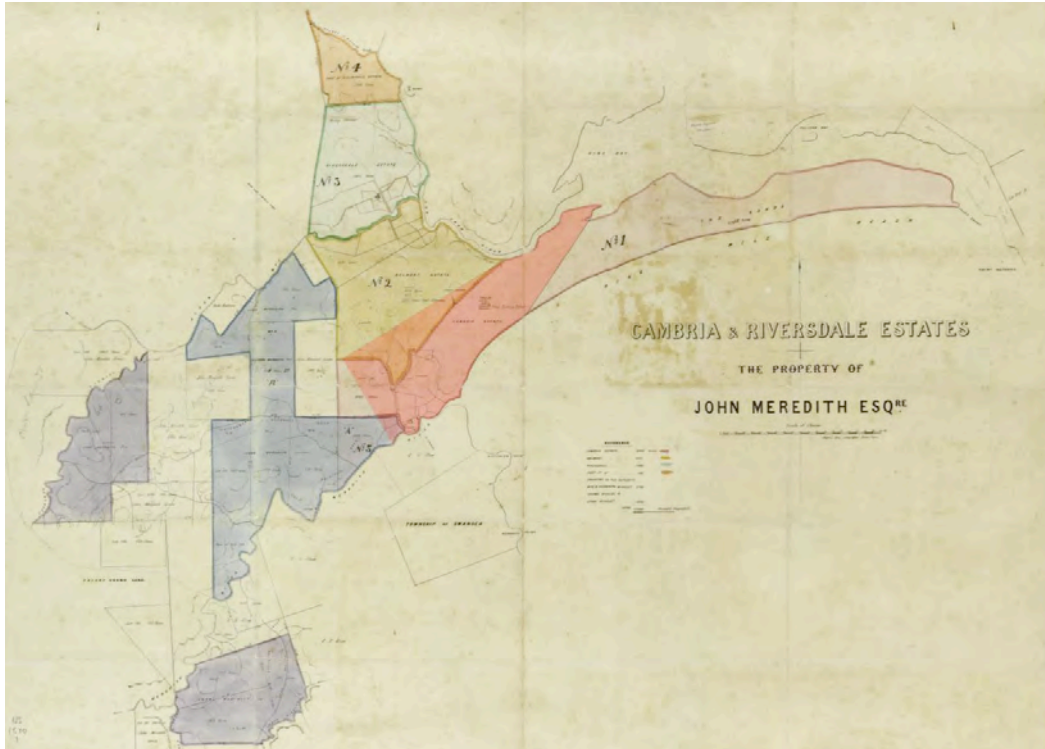


Figure 4 A sale plan for the larger Cambria estates, c.1871, detailing its subdivision into the smaller estates and farms of the Cambria Estate (Lot 1), Belmont Estate (Lot 2), Riversdale Estate (Lot 3), Woburn Farm (Lot 4), Lot 5, and Lots 6 and 7. The extent of the initial 1821 land grant is indicated by the red transparency. (Source: Tasmanian Archive and Heritage Office [NS1570/1/1])



Figure 5 Extent of the 'Homestead Precinct', proposed as an alternative curtilage to the heritage place, illustrating the extent of proposed development and conservation zones, overlaid across the precinct. (Source: Trethowan, 2017)

## Concerns with the extent of the CMP and LCMP

12. In considering the comment the CMP and LCMP does not go beyond the 'core homestead complex' to examine Cambria's significance as a relatively intact early land grant and farm estate that evolved in size over various owners, we acknowledge that the CMP and LCMP were prepared with regard to the heritage place only. Considering the remaining extent of the original 2,674-acre grant and its location majority within the curtilage of the heritage place, we believe the CMP and LCMP more than sufficiently identify the significance of 'Cambria' as an extant, rather than intact (as alluded to in the submission), land grant and its land use. While it is acknowledged that the wider 'Cambria' estate has contracted and expanded over time with regard to its ownership by various parties, this land is beyond the extent of the heritage place identified by Heritage Tasmania.
13. In considering the comment with regard to the adoption of heritage best practice as outlined in the Australia ICOMOS Burra Charter, we note that the development of the CMP has been in close accordance with the Burra Charter throughout. We acknowledge that the CMP and LCMP largely focus on the homestead complex, its main house, outbuildings and gardens, however, in order to supplement this, Heritage Design Guidelines were developed to guide the future use of the wider heritage place in order to appropriately the setting of the homestead complex as an ongoing agricultural concern. This report divided the heritage place into a series of zones, for which specific guidelines were developed to guide ongoing agricultural operations including appropriate areas for low-density (grazing) and high-density (irrigation/cropping) and the placement of farm buildings; areas for environmental rehabilitation along the banks of the Meredith River and the management of historically significant European landscape features such as hedge rows (refer Figure 5).

## 4.0 SUMMARY

14. In summary, we believe that the CMP, LCMP and Heritage Design Guidelines adequately address those concerns relating to the significance of the heritage place and heritage best practice raised by Australia ICOMOS. We believe that the CMP and LCMP adequately identify the significance of the heritage place and that heritage best practice has been observed in the development of the CMP, LCMP and Heritage Design Guidelines so that they will form useful guidance documents in the future management of the heritage place.

We trust this information is adequate in assisting the Glamorgan Spring Bay Council consider the proposed amendment to the *Glamorgan Spring Bay Interim Planning Scheme* 2015 before them.

Yours sincerely,



Sam Nichols B.Arch M.ICOMOS

**Sam Nichols Design | Heritage | Conservation**

## CAMBRIA SPECIFIC AREA PLAN



ireneinc & smithstreetstudio  
PLANNING & URBAN DESIGN

PLANNING TAS PTY LTD TRADING AS IRENEINC PLANNING & SMITH STREET STUDIO PLANNING & URBAN DESIGN ABN 78 114 905 074



## 1. CAMBRIA SPECIFIC AREA PLAN

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### 1.1 Plan Purpose

1.1.1 The purpose of the Cambria Specific Area Plan is to:

1. Provide for use and development of the site that utilises the agricultural, natural, and historic heritage assets as the basis for regionally significant economic tourism development.
2. Identify precincts that recognise the specific land characteristics and manages use and development that is appropriate to the features of the landscape.
3. Reinststate the importance of the Cambria Homestead as a focal point for the community and visitors.
4. Protect the most productive agricultural land and ensure that adjoining land uses conflicts are minimised or integrated with agricultural activities.

### 1.2 Application of this Plan

1.2.1 This specific area plan applies to the area of land designated as the Cambria Specific Area Plan on the overlay maps and in Figure 1.

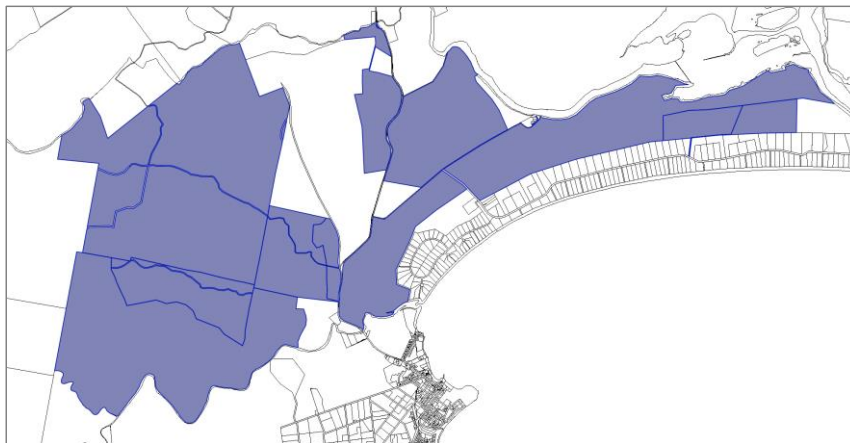


Figure 1: Cambria Specific Area Plan

### 1.3 Local Area Objectives

#### 1.3.1 Local Area Objectives

Reference Number	Area Description	Local Area Objectives
1.3.1.1	Cambria Homestead Precinct, shown in Local Area Map as 1	<p>The local area objectives for the Cambria Homestead Precinct are to:</p> <ul style="list-style-type: none"> <li>a) recognise and protect the cultural heritage values of the buildings and landscape.</li> <li>b) facilitate development that is sympathetic to the cultural heritage values of the place.</li> <li>c) provide facilities for visitors to the region, particularly event facilities and accommodation.</li> <li>d) encourage vibrant and diverse agricultural activities that benefit both local residents and visitors</li> <li>e) minimise fettering of adjacent agricultural land.</li> <li>f) enable innovation and integration between tourism operations and agricultural activities.</li> </ul>
1.3.1.2	Golf and Conservation Precinct, shown in Local Area Map as 2	<p>The Local Area Objectives for the Golf and Conservation Precinct are to:</p> <ul style="list-style-type: none"> <li>a) Provide for a golf course and clubrooms.</li> <li>b) protect and enhance the identified natural values of the place.</li> <li>c) Accommodate uses that foster an appreciation for the unique environmental values of the land and surrounds.</li> <li>d) Provide a skills training centre and accommodation for Cambria staff that would also benefit other activities in the region.</li> <li>e) Recognise the limitations from inundation and biodiversity with appropriate use and development.</li> </ul>
1.3.1.3	Agricultural Precinct, shown in Local Area Map as 3	<p>The Local Area Objectives for the Agricultural Precinct are to:</p> <ul style="list-style-type: none"> <li>a) Maintain use of the land for agricultural activities.</li> <li>b) Facilitate the development of an airstrip for tourism and emergency purposes.</li> <li>c) Improve connectivity to Swan River Road.</li> </ul>
1.3.1.4	Hills Resort Precinct, shown in Local Area Map as 4	<p>The Local Area Objectives for the Hills Resort Precinct are to:</p> <ul style="list-style-type: none"> <li>a) Provide for resort accommodation, central facilities and clusters of smaller villas within a landscaped setting.</li> <li>b) provide facilities for visitors to the region, particularly event facilities and accommodation.</li> <li>c) Retain native vegetation where possible.</li> <li>d) Facilitate a network of cycle and walking trails and associated tourism infrastructure.</li> </ul>

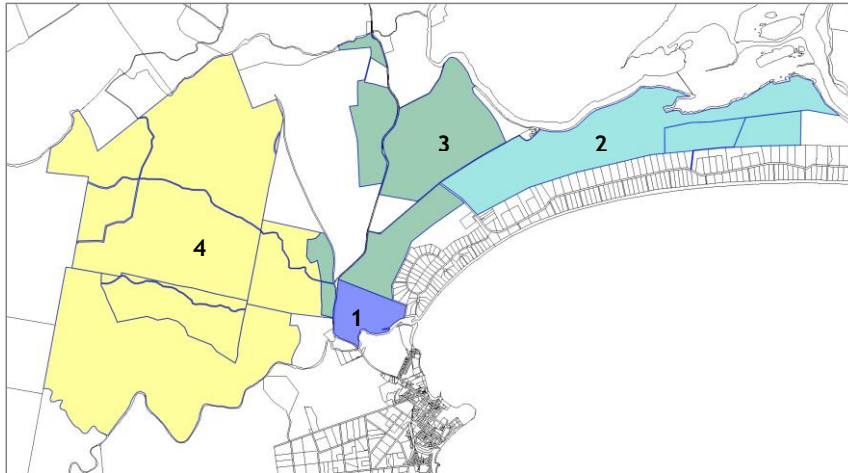


Figure 2: Local Areas Map

#### 1.4 Definition of Terms

1.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definitions
Suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.

#### 1.5 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	Only if in Precinct 1, 2, or 4.
Resource Development	If in Precinct 3; only if: for agriculture use, except controlled environment agriculture, forest operations, intensive animal husbandry, tree farming and plantation forestry. If in Precinct 1, 2 or 4; only if agriculture, bee keeping, crop production, forest operations in accordance with a Forest Practices Plan, horse stud or tree farming and plantation forestry in accordance with a Forest Practices Plan.
Utilities	Only if minor utilities
<b>Permitted</b>	
Educational and Occasional Care	Only if for home-based child care in accordance with a licence under the Child Care Act 2001
Residential	Only if home-based business or an extension or replacement of an existing dwelling.

Resource Development	Except where No Permit Required or Discretionary If in Precinct 1; except where no permit required, and Intensive Animal Husbandry.
Resource Processing	If in Precinct 1; only if for Winery.
Visitor Accommodation	Only if in Precinct 1.
<b>Discretionary</b>	
Community meeting and entertainment	Only if in Precinct 1 or 4.
Crematoria and cemeteries	Only if in Precinct 1.
Educational and Occasional Care	
Emergency Services	If In Precinct 3 only if associated with the use of the airstrip.
Extractive Industry	
Food Services	If in Precinct 3 only if for serving of agricultural produce primarily from the site.
General Retail and Hire	If in Precinct 3 only if for the sale of agricultural produce primarily from the site.
Pleasure Boat Facility	Only if in Precinct 2.
Research and Development	If in Precinct 3 only if for agricultural purposes.
Residential	If in Precinct 3 only if a single dwelling necessary to support agricultural use of the property.
Resource Development	If for Intensive animal husbandry
Resource Processing	If in Precinct 3 only if for the treating, processing and packing of produce from the area.
Sports and Recreation	
Tourist Operation	If in Precinct 3 only if associated with agricultural use on the site, or associated with the airstrip.
Transport depot and Distribution	Only if in Precinct 3 and associated with the airstrip. Only if in Precinct 2 or 4, and for transport and distribution of rural equipment and products. Otherwise prohibited.
Tourist Operation	If in Precinct 3 only if associated with agricultural use on the site, or associated with the airstrip.
Visitor Accommodation	If in Precinct 3 only if backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, overnight camping area or seasonal workers accommodation.
<b>Prohibited</b>	
All other uses	

## 1.6 Use Standards

### 1.6.1 Discretionary Use

<b>Objective:</b> To ensure that Use is consistent with the Plan Purpose	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solution.	<b>P1</b> Discretionary General Retail and Hire or Food Services use must be of a scale and intensity that is appropriate to its location with regard to the following: <ul style="list-style-type: none"> <li>a) an intensification of an existing approved discretionary use; or</li> <li>b) consistency with the Plan purpose and the Local Area Objectives; and</li> <li>c) maintains the existing retail hierarchy of the region.</li> </ul>
<b>A2</b> No Acceptable Solution	<b>P2</b> A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following: <ul style="list-style-type: none"> <li>a) the characteristics of the proposed non-agricultural use;</li> <li>b) the characteristics of the existing or likely agricultural use;</li> <li>c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</li> <li>d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use; and</li> <li>e) consistency with the Plan purpose and the Local Area Objectives.</li> </ul>

### 1.6.2 Operation of Airstrip

<b>Objective:</b> To ensure that the operation of the airstrip does not impact on the amenity of adjoining residential areas.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b> The use of the airstrip: <ul style="list-style-type: none"> <li>a) is for emergency services, or</li> <li>b) does not result in changes to increase the number of flights, or hours of operation of flights.</li> </ul>	<b>P1</b> An application for use that includes changes to increase the number of flights, or hours of operation of flights must demonstrate that the use will not result in unreasonable impacts on sensitive uses in Swansea and Dolphin Sands with regard to: <ul style="list-style-type: none"> <li>a) Existing flight activities;</li> <li>b) Number and frequency of flights;</li> </ul>



	<ul style="list-style-type: none"> <li>c) Flight paths;</li> <li>d) Hours of operation;</li> <li>e) Noise; and</li> <li>f) Operational and safety considerations of the aviation facilities.</li> </ul>
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## 1.7 Development Standards

### 1.7.1 Building Height

<b>Objective:</b> To ensure that building height contributes positively to the rural landscape.	
Acceptable Solution	Performance Criteria
<b>A1</b> Building height must be: no more than 12m, in Precinct 1 no greater than 10m.	<b>P1</b> Building height must satisfy the following: <ul style="list-style-type: none"> <li>a) not have unreasonable impact on adjoining properties having regard to the following;             <ul style="list-style-type: none"> <li>(i.) the topography and constraints of the site;</li> <li>(ii.) the separation from existing uses on adjoining properties;</li> <li>(iii.) the bulk and form of the building;</li> <li>(iv.) not result in adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy; and</li> <li>(v.) any buffers created by natural or other features;</li> </ul> </li> <li>b) the visual impact when seen from Tasman Highway;</li> <li>c) if in Precinct 1 the height must be compatible with the historic heritage significance of the place with regard to a statement prepared by a suitably qualified person; and</li> <li>d) be consistent with the Plan Purpose and relevant Local Area Objectives.</li> </ul>

### 1.7.2 Setback provisions for relevant precincts

<b>Objective:</b> The siting of buildings should minimise land use conflict with use of adjoining properties.	
Acceptable Solution	Performance Criteria
<b>A1</b> Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>a) not less than 5m; or</li> <li>b) if the setback of an existing building is within 5m, not less than the</li> </ul>	<b>P1</b> Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>a) the bulk and form of the building;</li> <li>b) the nature of existing use on the</li> </ul>

<p>existing building.</p> <p>Unless in Precinct 2 and the adjoining lot is for residential use where the setback is not less than 50m.</p>	<p>adjoining properties;</p> <p>c) separation from existing use on the adjoining properties;</p> <p>d) any buffers created by natural or other features; and</p> <p>e) the Plan Purpose and relevant Local Area Objectives.</p>
<p><b>A2</b></p> <p>Building setback for buildings for a sensitive use including visitor accommodation must comply with one of the following:</p> <p>a) not less than 200m from adjoining land in the Significant Agriculture Zone;</p> <p>b) not less than 100m from adjoining land in the Rural Resource Zone; or</p> <p>c) If an existing building for a sensitive use on the site, not less than the existing building.</p>	<p><b>P2</b></p> <p>Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use of land, having regard to:</p> <p>a) the size, shape and topography of the site;</p> <p>b) the setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>c) the location of existing buildings on the site;</p> <p>d) the nature of existing use on adjoining properties;</p> <p>e) any proposed attenuation measures;</p> <p>f) any buffers created by natural or other features; and</p> <p>g) the Plan Purpose and relevant Local Area Objectives.</p>

### 1.7.3 Design

<p><b>Objective:</b></p> <p>To ensure that the location and appearance of buildings and works minimises adverse impacts on the rural landscape.</p>	
Acceptable Solution	Performance Criteria
<p><b>A1</b></p> <p>The location of buildings and works must comply with any of the following:</p> <p>a) Be located within a building area, if provided on the title;</p> <p>b) be an addition or alteration to an existing building;</p> <p>c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p><b>P1</b></p> <p>The location of buildings and works is to demonstrate that it is appropriate for the location having regard to:</p> <p>a) the plan purpose and relevant local area objectives.</p> <p>b) where there is clearance of vegetation or they are located on a skyline or ridgeline:</p> <p>(i.) the availability of sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii.) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures; and</p>

	(iii.) an assessment by a suitably qualified person of the visual impact when seen from Tasman Highway.
A2 Development for Tourism or Visitor Accommodation related purposes, or in Precinct 1, must be in accordance with an approved Landscape Management Plan.	P2 A landscaping plan, prepared by a suitably qualified landscape architect demonstrates to the satisfaction of the planning authority that landscape character is identified, and plantings are sympathetic to the rural character, heritage significance, or biodiversity values of the area.

#### 1.7.4 Development in Precinct 2

<b>Objective:</b> To ensure that works protect nesting habitat of the white-bellied sea-eagle	
Acceptable Solution	Performance Criteria
A1 Development in Precinct 2 should be located a minimum of 200m from identified nests of the white-bellied sea-eagle.	A2 An application for development should be accompanied by advice from a suitably qualified person that demonstrates buildings and works will not have an unacceptable level of impact on the white-bellied sea-eagle.

#### 1.7.5 Water Supply

<b>Objective:</b> To protect the aquifer from development.	
Acceptable Solution	Performance Criteria
A1 Development is for alterations or extensions that will not result in increased demand for water supply.	P1 Development has a plan prepared by a suitably qualified person that identifies that there is sufficient water available for the anticipated use from development and that access to the aquifer is not required.

#### 1.7.6 Scale of Development

<b>Objective:</b> That the scale of development is to be have regard to the rural and/or coastal character of the respective precincts.	
Acceptable Solution	Performance Criteria
A1 The total portion of the site located within Precinct 1 covered with roofed buildings must not exceed 2Ha.	P1 The site coverage of development must not unreasonably impact on adjoining land having regard to the following: <ul style="list-style-type: none"> <li>a) The bulk and form of the building when seen from adjoining dwellings and public vantage points;</li> <li>b) The impact and proximity to places of historic cultural significance.</li> <li>c) The continued operation of agricultural</li> </ul>

**Commented [JW1]:** Ronald to confirm.  
This would include the building area of existing heritage buildings.

	<p>use of the land;</p> <p>d) If necessary for functional requirements of permitted or no permit required uses;</p> <p>e) Any buffers created by natural or other features; and</p> <p>f) The Plan Purpose and relevant Local Area Objectives.</p>
<p><b>A2</b></p> <p>The total portion of the site located within Precinct 2 covered with roofed buildings must not exceed 5,000m<sup>2</sup>.</p>	<p><b>P2</b></p> <p>The site coverage of development must not unreasonably impact on adjoining land having regard to the following:</p> <p>a) The bulk and form of the building when seen from adjoining dwellings and public vantage points, including from coastal locations;</p> <p>b) Building materials, colours and finishes;</p> <p>c) If necessary for functional requirements of permitted or no permit required uses;</p> <p>d) Any buffers created by natural or other features; and</p> <p>e) The Plan Purpose and relevant Local Area Objectives.</p>
<p><b>A3</b></p> <p>The total portion of the site located within Precinct 4 covered with roofed buildings must comply with either of the following:</p> <p>a) Not exceed 2 ha of the extent of the lot mapped within the precinct.</p> <p>b) Is necessary for the functional requirements of permitted or no permit required uses.</p>	<p><b>P3</b></p> <p>The site coverage of development must not unreasonably impact on adjoining land having regard to the following:</p> <p>a) The bulk and form of the building when seen from adjoining dwellings and public vantage points;</p> <p>b) The continued operation of agricultural use of the land;</p> <p>c) Building materials, colours and finishes;</p> <p>d) Offsets or other agreements for offsets; within the precinct;</p> <p>e) Any buffers created by natural or other features; and</p> <p>f) The Plan Purpose and relevant Local Area Objectives.</p>