

**Maree Tyrrell**

---

**From:** Planning  
**Sent:** Thursday, 19 December 2019 6:27 PM  
**To:** Contract Planner  
**Cc:**  
**Subject:** Attn: Nell - Rezoning of land under SPS

Hi Nell

Please find below an application for re-zoning of land under the Local Planning Schedule process.

Regards, Robyn

---

**From:**  
**Sent:** Thursday, 19 December 2019 5:53 PM  
**To:** Planning <planning@freycinet.tas.gov.au>  
**Subject:** Rezoning of land

Dear Marie ,

Further to my recent phone call regarding rezoning of land as a result of the state-wide Tasmanian Planning Scheme.

I wish to make application to the Glamorgan Spring Bay Council for rezoning of my property at Crossins Road Swansea ref                      from Primaryl production to a Landscape Conservation Zone.

Could you please indicate if there is any further action I should take.

Kind regards

Mr Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

**Representation to Glamorgan Spring Bay Planning Authority re the application of the Landscape Conservation Zone in the draft Local Provisions Schedule (LPS)**

Dear Mr Schroeder

***Summary of Representation***

\_\_\_\_\_ has reviewed the draft LPS Zone Maps and the Supporting Report and believes that Rural and Agriculture zones have, according to the Guidelines, been incorrectly applied to many of the 98 properties with conservation covenants in the Glamorgan Spring Bay (GSB) planning area. \_\_\_\_\_ proposes that the GSB Planning Authority write to these landowners as soon as possible to provide these landowners with the opportunity to request rezoning to \_\_\_\_\_ during the current Exhibition Period.

***Background***

\_\_\_\_\_. Private landholders in Tasmania there are currently 890 conservation covenants totalling 110,765 ha, or 1.62% of the state. The Trustees organize field days and forums on topics of relevance and interest to these conservation landholders. \_\_\_\_\_ has been supported by the three NRMs and the Tasmanian Land Conservancy for over 7 years.

We recently became aware that properties with conservation covenants registered on their titles are routinely being rezoned to Rural or Agriculture by local planning authorities during



the Draft LPS process. Furthermore, in correspondence from the planning authorities, these landholders are not being informed of the new Landscape Conservation Zone which is clearly the appropriate zone for most of the relevant titles on these properties according to the Guidelines.

### ***The relevant Guidelines***

The following are extracts from *Section 8A Guideline No. 1 - Local Provisions Schedule (LPS): zone and code application (version 2.0)*, June 2018 for 22.0 Landscape Conservation Zone, 20.0 Rural Zone, and 21.0 Agriculture Zone.

- LCZ 1        *The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, ... .*
- LCZ 2        *The Landscape Conservation Zone may be applied to:*  
*(a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;*
- RZ 1        *The Rural Zone should be applied to land ... which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.*
- AZ 6        *Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if: ...*  
*(c) for the identification and protection of significant natural values, ... which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;... or*  
*(e) it can be demonstrated that:*  
*(i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*  
*(ii) there are significant constraints to agricultural use occurring on the land; or*  
*(iii) the Agriculture Zone is otherwise not appropriate for the land.*

### ***Conservation covenants in GSB planning area***

Properties with conservation covenants typically contain threatened fauna, flora or vegetation communities, as defined in Schedule 3A of the *Nature Conservation Act 2002*, and have been 'identified for protection and conservation' by the Minister for Environment.

In the GSB planning area there are 89 covenants across 98 Property IDs with a total area of 12,830 ha, representing almost 5% of the GSB area. Many of these covenants apply to multiple titles, and in some cases to multiple Property IDs.

### ***The application of the Landscape Conservation Zone in GSB draft LPS***

Section 3.1.4 of the Supporting Document V4 outlines the approach taken for the application of the Landscape Conservation Zone in the GSB draft LPS. It appears to focus on the scenic values with little consideration of the natural values.

Only 8 of the 98 properties with conservation covenants have been fully or partly zoned as Landscape Conservation, based on their 'obvious scenic value'. The other 90 properties have been rezoned to Rural or Agriculture.

### ***Properties where Landscape Conservation Zone should have been applied***

believes that the GSB Planning Authority has incorrectly applied the above Guidelines to many of the 90 properties with conservation covenants in the GSB planning area that have been zoned as Rural or Agriculture.

Taken together Guidelines LZ 1 and LZ 2 make it clear that titles fully covered by a conservation covenant should be zoned Landscape Conservation because the fact of the conservation covenant means they necessarily meet the criteria, and titles partly covered by a covenant may also be zoned Landscape Conservation depending on the use of the non-covenanted part.

On titles where the covenant covers the whole area, or on partly covered titles where the non-covenanted part is unsuitable for agriculture, Guidelines RZ 1 and AZ 6 are clear that these titles should not be zoned Rural or Agriculture, respectively.

### ***Proposed action by the GSB Planning Authority***

proposes that the GSB Planning Authority write to these landowners as soon as possible to provide these landowners with the opportunity to request rezoning to Landscape Conservation during the current Exhibition Period which runs until 15 February 2020.

To assist the Planning Authority we are attaching an Excel spreadsheet containing the details of the 98 properties obtained from The List. The spreadsheet has sorted the properties by Address and PID and includes the Interim Planning Scheme Zone, the Draft LPS Zone and a satellite image assessment of whether the non-covenanted part of a title is either used or suitable for agriculture.

It is also suggested that you include the following information in your correspondence:

*Under the State-wide planning scheme a new zone has been created called Landscape Conservation Zone. The Guidelines state that Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation.*

*Your property has been identified as containing a conservation covenant on one or more titles.*

*While your property is currently zoned Rural or Agriculture in the Draft LPS you are entitled to make a representation requesting rezoning to Landscape Conservation instead if this is more appropriate for the affected titles on your property.*

*More details about Landscape Conservation Zone can be found in Section 8A Guideline No 1 and the State Planning Provisions documents.*

It is everyone's interest that properties throughout the state are correctly zoned so we trust that the Glamorgan Spring Bay Planning Authority will consider our request favourably.

Yours sincerely

**Maree Tyrrell**

---

**Subject:**

Query re-zoning proposal

---

**From:**

**Sent:** Thursday, 6 February 2020 11:50 AM

**To:** Contract Planner <contract.planner@freycinet.tas.gov.au>

**Subject:** Query re-zoning proposal

Thanks for your call and advice Nell.

request the zone classification remain  
as Community Purpose. This will facilitate any future works that may be required on the  
ie extensions due to increased FTE's).

The residence at the same address will remain for use of for  
accommodation purposes.

Please let me know if you require anything further on this matter.

Cheers.

## Maree Tyrrell

---

**From:**  
**Sent:** Wednesday, 29 January 2020 2:50 PM  
**To:** Contract Planner  
**Subject:** Representation - Draft Local Provisions Schedule

To Whom It May Concern,

Please consider this email a representation from                      regarding Glamorgan Spring Bay Council's Local Provisions Schedule.

The below table is land containing                      nfastructure (specifically water reservoirs, that fit the definition of Utilities) that we consider should be zoned Utilities:

NAME	TYPE	SERVICE	OWNEDBY
Orford Sewage Treatment Plant ORFORD	Treatment Plant	Sewer	TasWater
Bicheno WTP Reservoir No.1	Tank	Water	TasWater

re of the opinion that treatment plants for both water and sewer, and water storages should be zoned as Utilities, but pump stations are suited to the underlying/surrounding zoning remaining in place. There are also some other water storages within the municipality, however due to their small size and that they sit on private land parcels and/or with undefined boundaries around the infrastructure, then the underlying/surrounding zoning is also most suitable.

Regards



2 February 2020

Contract Planner,

Glamorgan Spring Bay Council

Dear Sir/Madam,

**Tasmanian Planning Scheme – Glamorgan Spring Bay draft LPS**

I wish to object to the change in zoning to both Coles Bay and Swanwick (in the Specific Area Plans) suggested in the draft LPS.

The LPS states that its provisions substitute for the provisions of the Low Density Residential Zone. It doesn't state what zoning provisions will come into effect. The LPS doesn't provide information on crucial requirements for any developments withing the SAPs. Development Standards for Buildings and Works and Development Standards for Subdivision are noted in the LPS '*This sub-clause is not used in this specific area plan.*' What plot size is required in these areas for any future developments? What are the requirements for setbacks and screening? There is no statement as to what zoning the areas within the LAPs will have, why isn't Coles Bay identified as a village? Is it because this zoning requires sewage and storm water services?

The problem for any future development in Coles Bay and Swanwick is that the only applicable Zoning for residential areas without a sewage system (and water and stormwater) is Low Density Residential. The State Planning Provisions make it clear that without the availability of water supply, sewage and stormwater services the only zoning applicable to any residential area is Low Density Residential, the problems experienced at Coles Bay show the reasons for this stipulation.

The mess that has been made in Coles Bay with raw sewage flowing over the foreshore is a result of the maladministration of the planning scheme over the last 20 years. The Council has allowed plots to be subdivided so that there are now too many houses in Coles Bay. The Council has also allowed properties with septic tanks sized for occasional holiday use to be continually let as holiday accommodation so that the septic tanks overflow due to the higher rates of inflow.

The SAP doesn't address these problems, it appears to be an attempt to make them permanent and more severe.

The stated purposes of the Specific Area Plan are given as:

*4.1.1 To provide for non-residential use that supports the attraction of, and provision of services to, visitors to the Freycinet Peninsula.*

There are too many tourists coming to the Freycinet Peninsula already. Who benefits from this increase in 'visitor' numbers? A small portion of the population (increasingly these people do not live in the local area) that accommodates those visitors. The rest of the local population suffers the resultant pollution

and overcrowding of facilities. I don't want more tourists in Coles Bay, I want less. More tourists mean more pollution and more crowding.

*4.1.2 To provide for use that is compatible with the character of the area.*

My understanding of the character of Coles Bay and Swanwick is that it is a small settlement consisting of some residents and many holiday shacks used by residents of other parts of Tasmania. Due to the Council's maladministration over the last 20 years, this character has been degraded somewhat by allowing higher density housing, (even after the State Planning Provisions were in place) and a massive increase in tourist numbers without a compensating increase in sewage provisions. However, I do not agree that this degraded character should become permanent as appears to be the purpose of the LPS.

*4.1.3 To provide for use that is of a scale that is compatible with the character of the area*

This is a repeat of 4.1.2 and my concerns remain that the aim of the LPS is to degrade the character of Coles Bay and Swanwick and reduce the amenity that the people that own properties in Coles Bay enjoy from their properties.

*4.1.4 To provide for use that is of a scale that does not unreasonably compromise the functioning of the Local Business Zone.*

It isn't clear what is meant here.

In summary I believe this LPS is unacceptable, it doesn't provide a clear explanation of what the 'Local Provisions' will be. It ignores the State Planning Provisions requirement that unless the area has sewage, water and stormwater services it must be zoned Low Density Residential. Further development of accommodation in Coles Bay must cease until the problems relating to sewage pollution are solved. I believe this is best done by ensuring that any visitor accommodation has adequate sewage treatment for the number of visitors it accommodates. This would require the council to monitor and control the number of visitors that the accommodation actually takes. I don't support the idea of putting a sewer system into either Coles Bay or Swanwick. This would be very expensive and most likely I would be required to help pay for it. More crucially if sewage systems were built it would open up the area to major development and forever change the character of Coles Bay and Swanwick, and negatively impact my enjoyment of the area.

Yours Sincerely



General Manager,  
Glamorgan Spring Bay Council,  
Melbourne Street,  
Triabunna, 7190.

Dear Chris,

**Submission in relation to the draft Local Provisions Schedule (Glamorgan Spring Bay), forming part of the Statewide Planning Provisions**

Please accept the following submission as our response to your invitation for public comment on the Local Provisions Schedule (LPS) being considered by Council.

The community of Orford, and in particular, the people of East Shelly, were faced in 2018/2019 with the peculiar situation of having to comment on a proposal to change the zoning on an area of land along Rheban Road from “rural” to “residential” in the knowledge that Council had *already* both *accepted* and *approved* an application for part of it for subdivision into residential lots. Hopefully, this “cart before the horse” situation will never be repeated once the Statewide Planning Provisions (SPP) and associated Local Provisions Schedules (LPS) come into force as Councils everywhere should then not accept applications which fall outside the SPP/LPS structure.

There were, of course, lessons learned from the reasoning behind the Tasmanian Planning Commission’s rejection of the Rheban Road re-zoning. We specifically reference these in this submission.

May we take this opportunity to applaud the Council’s work in developing its LPS response to the SPP. If we can assist in any further way, we would be most willing to meet with you or your officers.

Yours sincerely,

## **Submission Detail**

The Council's draft LPS Supporting Report draws our attention to the objectives of the state's planning schemes (page 15 of draft V1). The point of particular concern to the East Shelly community is the requirement to manage *"at a rate which enables people and communities to provide for their social, economic and cultural well-being ..."*

It is no mere semantic argument to draw attention to the phrase *"at a rate"*. Many of us acknowledge the inevitability of change as time goes on, but this does not mean that change should happen in an unplanned or uncontrolled way. Nor does it mean that change must be unjustifiably anticipated. We respectfully submit that the change in zoning in relation to the Rheban Road frontage in the East Shelly area to Future Urban Zone is an unjustified anticipation of future development needs. This submission provides justification of this view.

### *Part 1 Objective: (b) to provide for the fair, orderly and sustainable use of land ...*

Council's draft Supporting Report justifies the change to zoning of the Rheban Road rural land to Future Urban Zone on the basis that the services needed for future urban development are either already in place or can be easily extended without additions to the basic existing infrastructure. This, in and of itself, is not sufficient justification for a change **now** to a zoning which clearly sets up an anticipation of early and imminent residential development. The reasons we believe this change of zoning is *premature* now follow.

The Triabunna/Orford Structure Plan (Final Report, updated 2014) analyses in detail, the need for additional residential allotments in these two towns. (ref pp 47-48) The summarising sentence reads, *"Taking into account the estimated potential supply of residential land calculated in Section 3.1.1 above (note this should read 5.1.2) which indicates a potential existing supply of up to around 445 dwellings, it would appear that current supply is more than sufficient to accommodate the projected dwelling takeup to 2030."* It should be noted that this analysis excludes the proposed Solis development and since commentary and submission on Solis is specifically excluded at this time, one is lead to believe that the Solis development will, at some stage, proceed in its present form. Were that to happen, its 330 to 550 residential units so close to Orford would suggest excess supply much further into the future.

The Southern Tasmania Regional Land Use Strategy (STRLUS) document was specifically referenced by the Tasmanian Planning Commission in its rejection in 2019 of the Council's rezoning application in relation to the Rheban Road rural land to the south of the East Shelly houses. The STRLUS specifically identifies Orford as a township of low growth where any growth should be through consolidation rather than through greenfield development. The LPS Supporting Report (Draft V1, p49) claims that the use of the Future Urban Zone for the Rheban Road land is applied consistent with Triabunna/Orford Structure Plan. We challenge this claim on the basis of the forgoing.

Conclusion: There appears no justification, on the analysis and on the basis of existing Land Use Strategy documents, to anticipate the urban development of the Rheban Road land by changing the zoning to Future Urban Zone *at this time*.

### **Code 8.0 Scenic Protection Code**

The LPS Supporting Report points out that a Scenic Protection Code (or overlay) may be applied to a number of zones including the Rural Zone, Rural Living Zone and Landscape Conservation Zone. Our understanding is that Council proposes such an overlay for Raspines Beach on the basis of its scenic value with its views to Maria Island. We fully support this classification. We suggest that all of the areas leading into (and including) Spring Beach deserve the same classification because of their magnificent views across the Mercury Passage towards Maria Island. It would be most inappropriate for the gateway to Spring Beach, and those views, to be diminished by intensive urban development on its approaches.

Conclusion: To protect the scenic values of the Spring Beach area and its approaches, all of the land along Rheban Road between Jetty Road and the residential area of Spring Beach should, with the exception of the Utilities Zoned land, be zoned either Agricultural Zone or Rural Living Zone. A change of any part to Future Urban Zone is quite premature at this time.

---

**From:**  
**Sent:** Tuesday, 4 February 2020 10:30 AM  
**To:** Contract Planner  
**Subject:** Re: Our property zoning on conservation labd

Good morning Nell

If you feel our short email will suffice we are happy for it to be considered as our formal submission. The rural zoning does not apply to us at all as we do not farm only conserve the environment and its species. Thank you.

Get [Outlook for iOS](#)

---

**From:** Contract Planner <contract.planner@freycinet.tas.gov.au>  
**Sent:** Tuesday, February 4, 2020 9:42:29 AM  
**To:**  
**Subject:** Re: Our property zoning on conservation labd

Hi

Thank you for your email.

The Glamorgan Spring Bay draft Local Provisions Schedule is currently on exhibition until the 15 February 2020.

The process for changing the zoning of your property is that you write a short submission to Council stating that you would like to rezone your land and provide some reasons why the rural zone is not appropriate.

Council will consider your submission and make a recommendation to the Tasmanian Planning Commission (TPC) as to the merits of what you are proposing. If you make a submission, you will be invited to attend public hearings held by the TPC to present your case for a rezoning.

If you have any further questions, please don't hesitate to contact me on 0417 527706. Alternatively, if you would like me to consider your email below as a formal submission on the draft LPS please confirm by return email.

Regard  
Nell Nettlefold  
Planning Consultant

Glamorgan Spring Bay Council

---

**From:**  
**Sent:** Monday, 3 February 2020 3:52 PM

**To:** Contract Planner <contract.planner@freycinet.tas.gov.au>

**Subject:** Our property zoning on conservation labd

Good afternoon

We own a property at Lake Leake Road Swansea and wish to amend the zone from rural to landscape conservation. We would like to know the process we need to undertake in order to do this. This property is for conservation purposes and has no business operations at the site.

Kind Regards.

## Maree Tyrrell

---

**From:**  
**Sent:** Tuesday, 4 February 2020 10:42 AM  
**To:** Contract Planner  
**Subject:** FW: Submission in relation to the draft Local Provisions Schedule (G.S. B.), forming part of the statewide Planning Provisions.

-----Original Message-----

From: GSBC Admin  
Sent: Tuesday, 4 February 2020 10:31 AM  
To: Planning <planning@freycinet.tas.gov.au>  
Cc: Chris Schroeder <Chris.Schroeder@freycinet.tas.gov.au>; Josie Higgins <Josie.Higgins@freycinet.tas.gov.au>  
Subject: FW: Submission in relation to the draft Local Provisions Schedule (G.S. B.), forming part of the statewide Planning Provisions.

-----Original Message-----

From:  
Sent: Tuesday, 4 February 2020 7:24 AM  
To: GSBC Admin <admin@freycinet.tas.gov.au>  
Subject: Submission in relation to the draft Local Provisions Schedule (G.S. B.), forming part of the statewide Planning Provisions.

General Manager  
Glamorgan Spring Bay Council  
Melbourne Street  
Triabunna 7190.

Dear Chris,

My wife and I have been involved in the formation of submission.

We wholeheartedly support this submission and hope it will be useful in Council's long term planning and decision making.

Yours sincerely,

**Glamorgan Spring Bay  
Draft Local Provisions Schedule  
Submission relative to  
The Gulch, Bicheno**

**Prepared for**

**By**

**Jan 2020**

## Contents

<b>Purpose of this Report .....</b>	<b>3</b>
<b>Proposed Amendment to Local Provisions .....</b>	<b>3</b>
<b>Justification.....</b>	<b>5</b>
<b>Master Plan Development .....</b>	<b>5</b>
<b>Examples from Other Parts of the State.....</b>	<b>7</b>
<b>Stanley – Circular Head Interim Planning Scheme .....</b>	<b>7</b>
<b>Strahan – West Coast Interim Planning Scheme .....</b>	<b>8</b>
<b>Wynyard – Waratah/Wynyard Interim Planning Scheme .....</b>	<b>9</b>
<b>Consideration Under the Land Use Planning and Approval Act 1993 .....</b>	<b>9</b>
<b>Social Benefit.....</b>	<b>10</b>
<b>Economic Benefit.....</b>	<b>10</b>
<b>Environmental Benefit .....</b>	<b>10</b>
<b>State Policy .....</b>	<b>11</b>
<b>Impact on Other Land Owners.....</b>	<b>11</b>
<b>Conclusion .....</b>	<b>11</b>



The East Coast is experiencing a strong increase in visitor numbers. Whilst visitor numbers to Bicheno has increased by 23,000 persons over a ten year period the over night stays for Bicheno over the same period has increased by a staggering 40,000 bed nights<sup>1</sup>. This is one of the highest increases in bed night stays on the East Coast and represents a nearly 40% increase over ten years.

The proposal will assist the in meeting the growing demand for increased visitor nights in Bicheno.

## Our Business

are processors of fish, with wholesale markets in China, Sydney and Melbourne.

The site also has a restaurant and whale viewing room. 1 has constructed ( in previous stage of development) a bus standing / parking area , together with quality rest room facilities.



Figure 2 Lobster Shack and surrounding attractions

As a consequence, this part of Bicheno has become a destination for tourist groups.

Some photos of the site development are attached.

---

<sup>1</sup> Source – Tourism Tasmania – Bicheno and the East Coast – Research and Insights. 2019

## Purpose of this Report

The purpose of this report is to make a representation to the Glamorgan Spring Bay Local Provisions Schedule of the Planning Scheme.

## Proposed Amendment to Local Provisions

The proposal relates to changes to GSB-P2.0 Particular Purpose Zone – The Gulch

Insert “Visitor Accommodation” into GSB-P2.4 Use Table as a Permitted Use. With Qualification – if part of an existing building or an extension to an existing building.

Insert “Visitor Accommodation” into GSB-P2.4 Use Table as a Discretionary Use.

## The Area

The Gulch is a working port area that is in somewhat of a transition. It is adjacent to a significant Marine Park. It is a site with many natural values – whale watching, penguins, seals and unique bird colony. The area demonstrates many tourism values which align with the strategic direction of tourism in Tasmania.

Current public tourist facilities in area are - foreshore track, boat ramp, picnic area, public toilets, blow hole tourist destination. The Gulch is a major tourist destination in Bicheno.

The area around the Gulch is managed privately under a series of Crown Leases/Licences (see plan below).



Figure 1 Leased Areas - the Gulch



Figure 3 View out of Whale Viewing Room

## Justification

### Master Plan Development

A Master Plan is being developed for The Gulch area, basically as result of lobbying from the operators of [redacted]. The Master Plan to date really focusses on car parking matters. A response to the plan to date, prepared for [redacted] highlights more the commercial opportunities. (a copy of the latest Master Plan is attached)

A quote from this response is reproduced below:

*So what uses can we expect to find down at the Gulch (to create the attractions that will draw people to the area.)?*

- *Certainly, the current commercial ventures with expanded deck areas for eating/functions/viewing – [redacted] new distillery and the fish and chip shop. A further expansion of the deck area for viewing and café activities. A safer walkway along the front of the facility – not on the lease land but something that is much needed and which should be joint venture between the operators, council and maybe other levels of government.*
- *Tourist ventures – things to do with boating/sea/penguins. Purchase of charter boat for scenic tours of the Marine Park.*
- *Accommodation.*

To illustrate how the subject site could maybe fit into a commercially minded Master Plan the following concept plan has been prepared.

The scenario is based around the erection of five Visitor Accommodation units as the next stage of development of the [redacted] high end seafood outlet at The Gulch, Bicheno.



*Figure 4 Possible Visitor Accommodation Development*



Figure 5 Perspective of Visitor Units

The units shown in the plan above are at first floor level and thus there will be no disturbance to penguin nesting areas.



## Strahan – West Coast Interim Planning Scheme

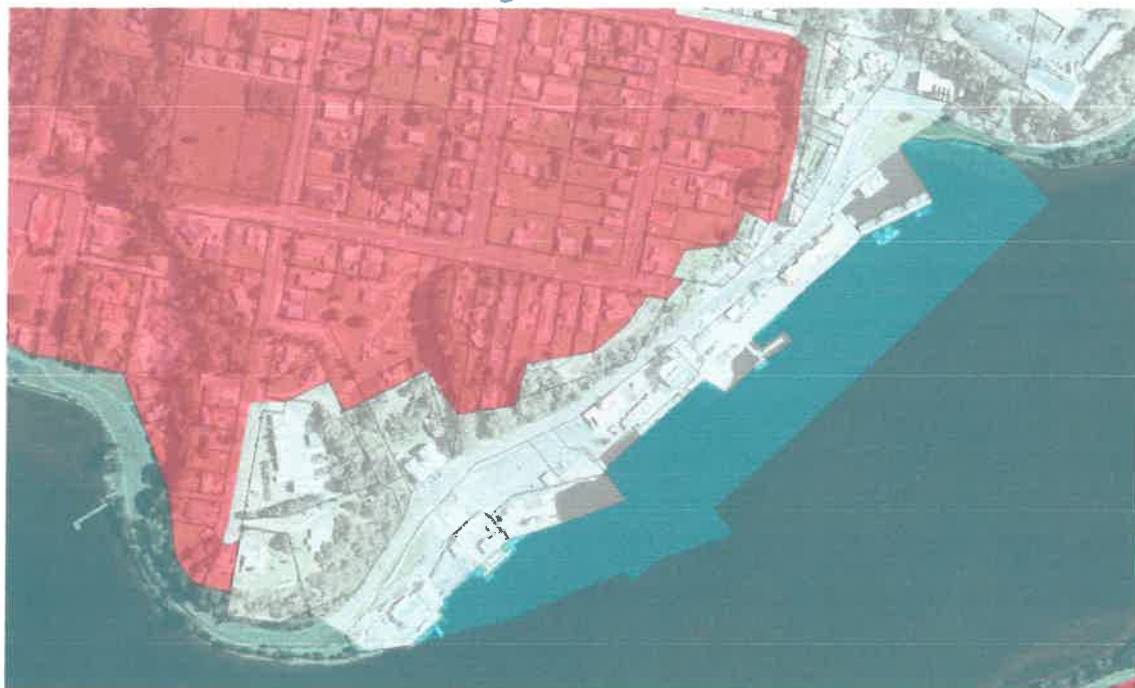


Figure 7 Zoning Strahan Port Area

### The relevant zone Local Business Zone

#### 20.1.1 Zone Purpose Statements

20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.

Within the zone Visitor Accommodation is Permitted, if

Visitor accommodation

If –

- (a) in a building;
- (b) located on a floor above road or pedestrian level or to the rear of active frontage premises; and
- (c) guest accommodation is for not more than 16 people

Otherwise the Visitor Accommodation is discretionary

### Examples from Other Parts of the State

There are many examples both locally and world wide where Visitor Accommodation has been successfully integrated into a small working port like Bicheno. The following are examples of working ports in something of a transition where tourism developments (Visitor Accommodation) can be successfully integrated into the Zones.

#### Stanley – Circular Head Interim Planning Scheme



Figure 6 Zoning Stanley Port Area

The relevant zone is Port and Marine Zone

##### **31.1.1 Zone Purpose Statements**

31.1.1.1 To provide for port and marine activity related to shipping and other associated transport facilities and supply and storage.

Within the Use Table

Visitor Accommodation is Discretionary with no qualification

*(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.*

There are many other provisions an LPS or an amendment must consider – but this is the most relevant.

The wording *significant social, economic or environmental benefit to the State, a region or a municipal area* is an interesting concept. There are very few amendments to a Planning Scheme which are significant – most are very minor changes to assist a development. Maybe these should not be approved as they fail the significance test. Maybe the wording in the Act needs to be toned down to reflect reality – that more often than not a change to a planning scheme is of little consequence to those other than the land owner/proponent.

The important issue is to look at the social, economic and environmental impact of the proposal – irrespective of the significance of any benefit the suggestion implies.

This is a change to the Use Table within the Specific Area Plan. As such the change itself is not significant – it is only a minor change. The social and economic impact to the local area is significant.

### Social Benefit

The social benefit of this development is somewhat obscure.

In Tasmania, and other States, there is growing tension in the housing market with claims uses of houses for AirBandB is taking properties out of the rental market and adding to the housing crisis.

For Governments, this becomes a balancing act of supporting and encouraging the development of the tourism industry whilst at the same time being seen to respond to the lack of affordable housing.

By being open and up front about the intended use of this units the proposal in a roundabout way is taking local pressure off the housing market by not converting two existing dwellings into Visitor Accommodation.

### Economic Benefit

In terms of economic benefit from the scenario discussed, there will be a number of jobs created during construction (estimated to be 6) and a further 1 EFT after completion (to service the units). This may not seem a great deal – but in a small township like Bicheno this would be a reasonable employment outcome. If other sites take up the proposal then the economic benefits can be multiplied many times.

There will be the added benefit of the new money visitors bring into the township – spending on tours, local products, restaurants and the like.

Add to this the spending of \$1.5m plus on the implementation of the Master Plan and the economic benefit to the area becomes quite significant.

### Environmental Benefit

The proposal in itself will have little environmental impact. The most significant issue is the protection of the fairy penguin habitat along the foreshore area of The Gulch.

To this end it is proposed that if the Visitor Accommodation is within an existing building or an extension to an existing building the Use should be Permitted. As such there will be no impact on existing Penguin nesting spots.



Figure 8 Zoning Around Wynyard Port Area

There are two zones around the Wynyard Port

Open Space Zone where Visitor Accommodation is a Discretionary Use, and

General Business Zone

#### **21.1.1 Zone Purpose Statements**

21.1.1.1 To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.

Where Visitor Accommodation is a Permitted Use, if

- |                       |  |
|-----------------------|--|
| Visitor accommodation | If –   |
|                       | (a) in a building; and   |
|                       | (b) located on a floor above road or pedestrian level or to the rear of active frontage premises |

Otherwise Visitor Accommodation is a Discretionary Use

### **Consideration Under the Land Use Planning and Approval Act 1993**

An LPS (or amendment to an LPS) must consider the provisions of section 32 of LUPAA 1993 – in particular:

- (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*





## **'THE GULCH' URBAN DESIGN STRATEGY REPORT**

**SEPTEMBER 2019**

---

**GILBY + BREWIN ARCHITECTURE / URBAN DESIGN**

---

New development will need further consideration in terms of impact on Penguin nesting spots. Thus new developments should be Discretionary so this can be fully assessed.

The greatest environmental impact will come from the implementation of parts of the Master Plan which aims to control and direct foreshore walkers along properly constructed walkways. This is a well proven strategy for assisting in preventing coastal erosion and protecting flora and fauna species. Such walkways, particularly if they were elevated in sections would assist in preserving and enhancing fairy penguin nesting areas which are found around the Gulch.

Previous works within the Gulch have proved that development on space limited sites can occur without negatively impacting on environmental matters. Where penguins were evident on-site works planned were modified to minimise any disturbance to penguin nesting areas and movement paths.

This only becomes a relevant consideration when Use and Development Standards are enacted – a proposal to add a defined use to a Use Table within a zone in itself will have no environmental impact – positive or negative.

## State Policy

The proposal will have no adverse impact on any approved State Policy.

## Impact on Other Land Owners

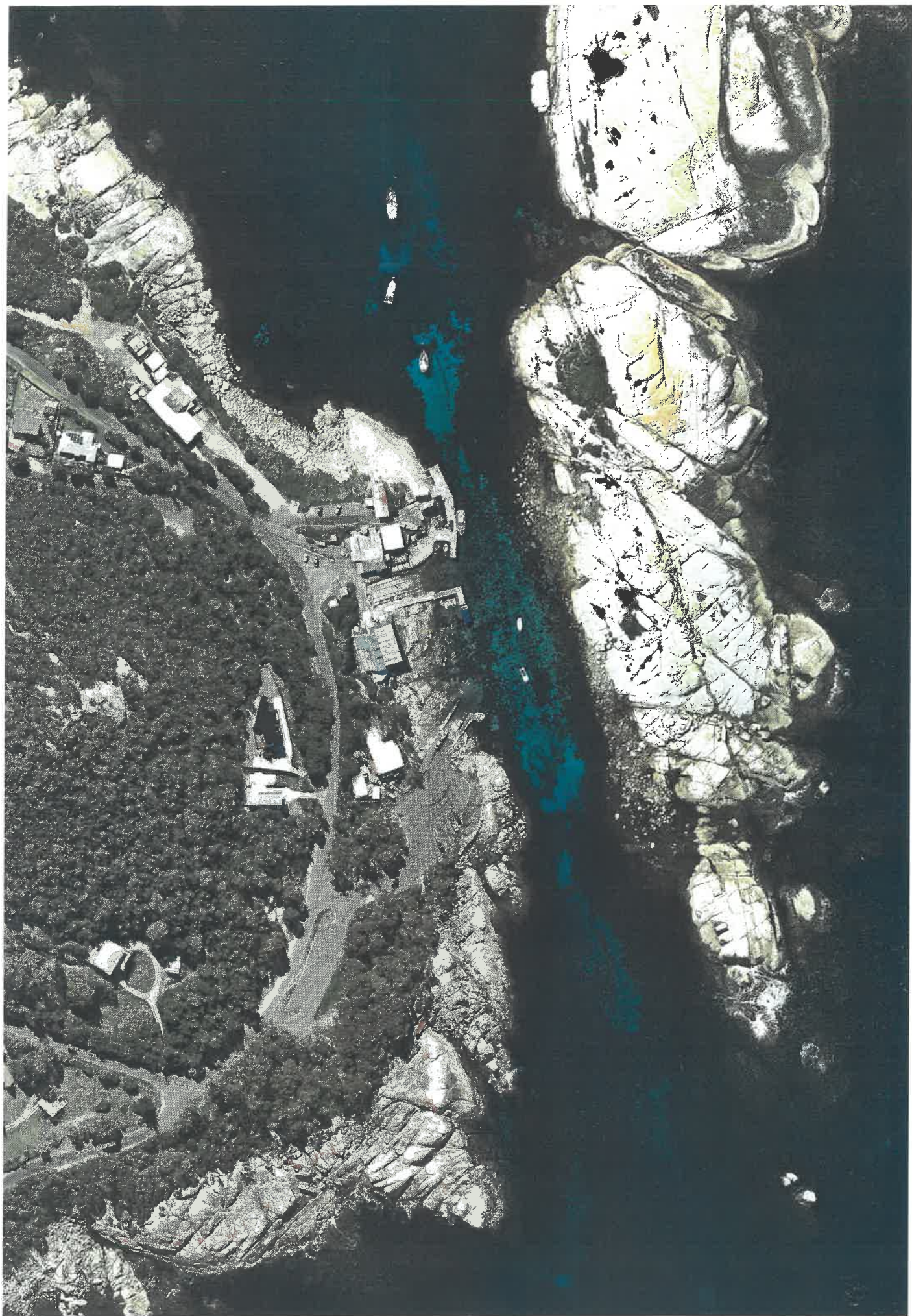
The only landowners the proposal will impact are those with a direct interest in the Gulch. Any other persons will be able to consider the impact of the development on their property if and when a proposal is advertised.

## Conclusion

The proposal will have little impact outside of The Gulch area. It will encourage Visitor Accommodation into an area of a Port area in transition, aligned with other similar areas within the State.

The proposal and implementation of a Master Plan with a commercial focus for the Gulch will bring strong economic benefit to both Bicheno and the wider region.





CONTENTS

1.0	INTRODUCTION	4
	1.1 Urban Design Strategy Overview	
	1.2 Economic Opportunity	
2.0	1.3 Consultation	
	SITE OPPORTUNITIES	6
	2.1 Site Analysis – Existing Issues	8
	2.2 Site Analysis – Key Opportunities	10
	2.3 Site Opportunities: Options	12
	2.4 Parking Strategy	14
	2.5 Material and character strategies	
3.0		16
	PRECEDENTS / CASE STUDIES	

Cover Image: The Gulch  
Source: East Coast Heritage  
Map

Opposite image: Aerial 2019  
Source: NearMap.com

*Note: This document has been  
designed to be printed as  
A3 Portrait with facing pages*







# 1.0 INTRODUCTION

## 1.1 URBAN DESIGN STRATEGY OVERVIEW

The Gulch is a unique coastal foreshore used for aquaculture, tourism and recreational boating. The area continues to be a hub for aquaculture and maritime use and is positioned to play an expanding role in meeting the needs of the visitor economy. The site is uniquely positioned to cater for tourists with its existing access to seafood, coastal tours, coastal walks and related businesses, with exceptional views over Governor Island and the coastal landscape.

However, The Gulch currently lacks an organisational structure and has poor circulation routes both across the site and to the town. The site also lacks safe pedestrian access, clear way finding, useable public space, sufficient public amenity for boaters and tourists and has insufficient and inefficient parking.

This report provides an urban design strategy to address these issues and realise the long-term potential of the Gulch, leveraging the tourism potential of the area as well as provide a safer, more pleasant environment for fishers, boaters and the local community.

The main elements of the design strategy include:

- Option for a new hospitality tenancy, tourist attraction or accommodation to the north of the site.
- Recommends areas of key focus for the creation of public space, adjacent to existing and future commercial tenancies (whisky distillery and fish & chip shop), and important historical sites (coal dump walls).
- Provides a strategy for parking, with a suggested redesign of the existing north and southern car parks.
- Options for new boardwalks and upgraded gravel trails to connect the established coastal route to the north and south of the Gulch while linking the existing waterfront amenity and businesses. Currently pedestrian access across the Gulch is insufficient – with narrow and sometimes dangerous access across the site. The proposed routes provide safer access and link the site directly to the town via the existing coastal walkway.
- Recommends the upgrade / addition of a new public amenities building to service the community and tourist crowds.
- Recommends the strategic removal of key buildings to improve site lines and the overall appearance of the area.
- Through precedent research, identifies material and design strategies for the next phase of design development.
- Improvement of site signage to improve wayfinding and visitor experience

These design strategies are dependent upon successful engagement and collaboration with both private and public stakeholders of the site, as well as the broader Bicheno community.

## 1.2 ECONOMIC OPPORTUNITY

The Gulch has shifted from an aquaculture to a service economy basis. With this shift, the Gulch is a popular destination and this popularity is expected to continue well into the future.

It is important that the masterplan guides the type of economic activities that are to be promoted within the Gulch.

Desired activities include:

- Continued access to wholesale and retail of seafood including café and take-away functions and associated food services including the distillery
- Boat tours and fishing charters, including individual or shared booking office
- Dive tours, training and retail
- Other tours such as kayaks, bike hire or snorkeling
- Public events, including a potential add on to the Bicheno Wine and Food event
- Weddings and functions

The current wine centre is the only existing lease that has sufficient size to accommodate buildings and car parking weddings and functions. A large restaurant would be a desirable use of this lease.

## 1.3 CONSULTATION

To date, only a limited consultation process has been undertaken, so it is important to state that this report is not a final concept. All improvements to the Gulch are long-term propositions and planning for the area will need to be responsive to community needs, investment opportunities and available public funds. The principles outlined in this masterplan provide an overarching framework to guide any short, medium or long-term private and public investment towards broad social, economic and environmental gains.

## 2.1 SITE ANALYSIS - EXISTING ISSUES



Fig 1



Fig 2



Fig 3



Fig 4



Fig 5



Fig 6

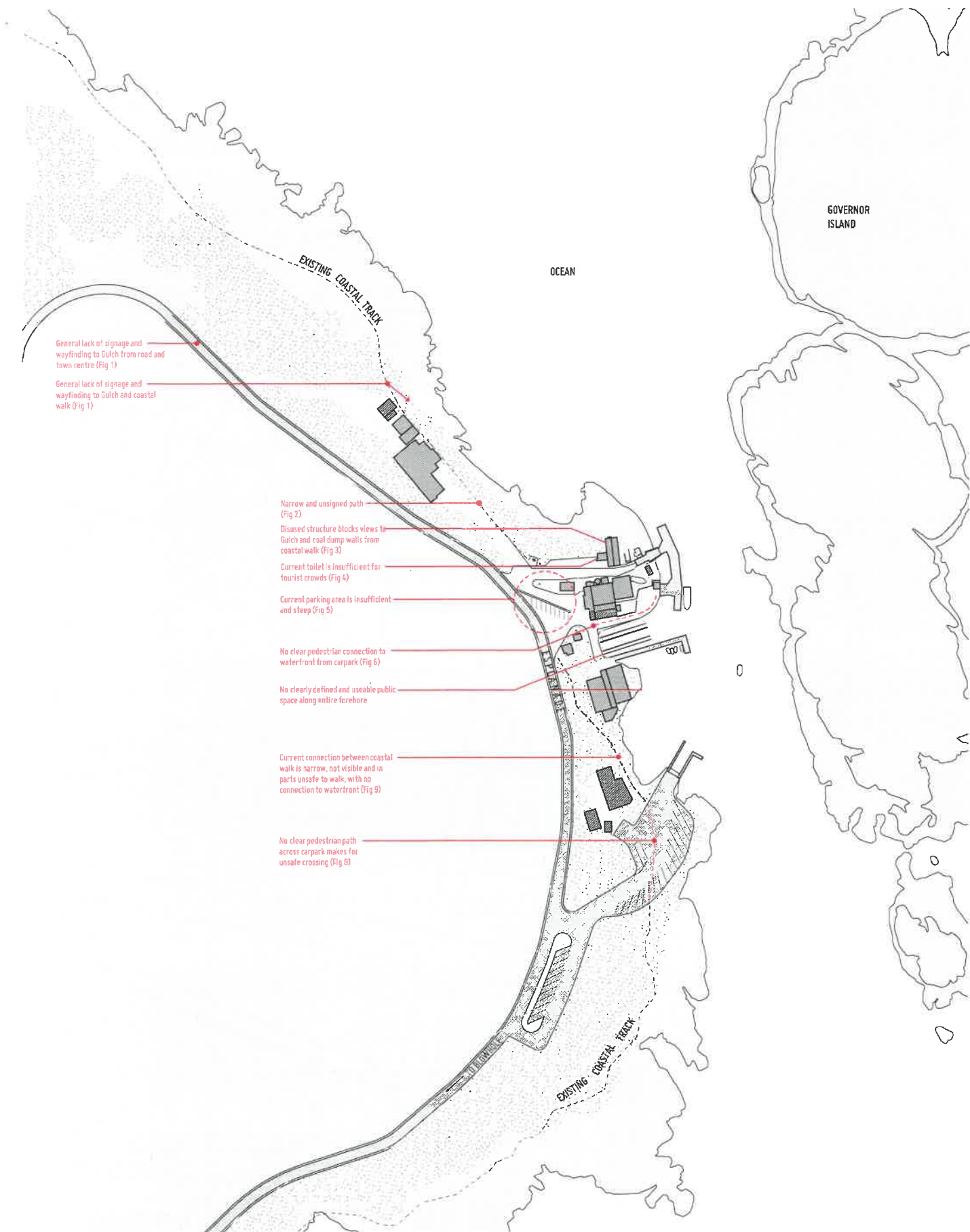


Fig 7



Fig 8







2.2 SITE ANALYSIS – KEY OPPORTUNITIES



Fig 1



Fig 2



Fig 3



Fig 4



Fig 5



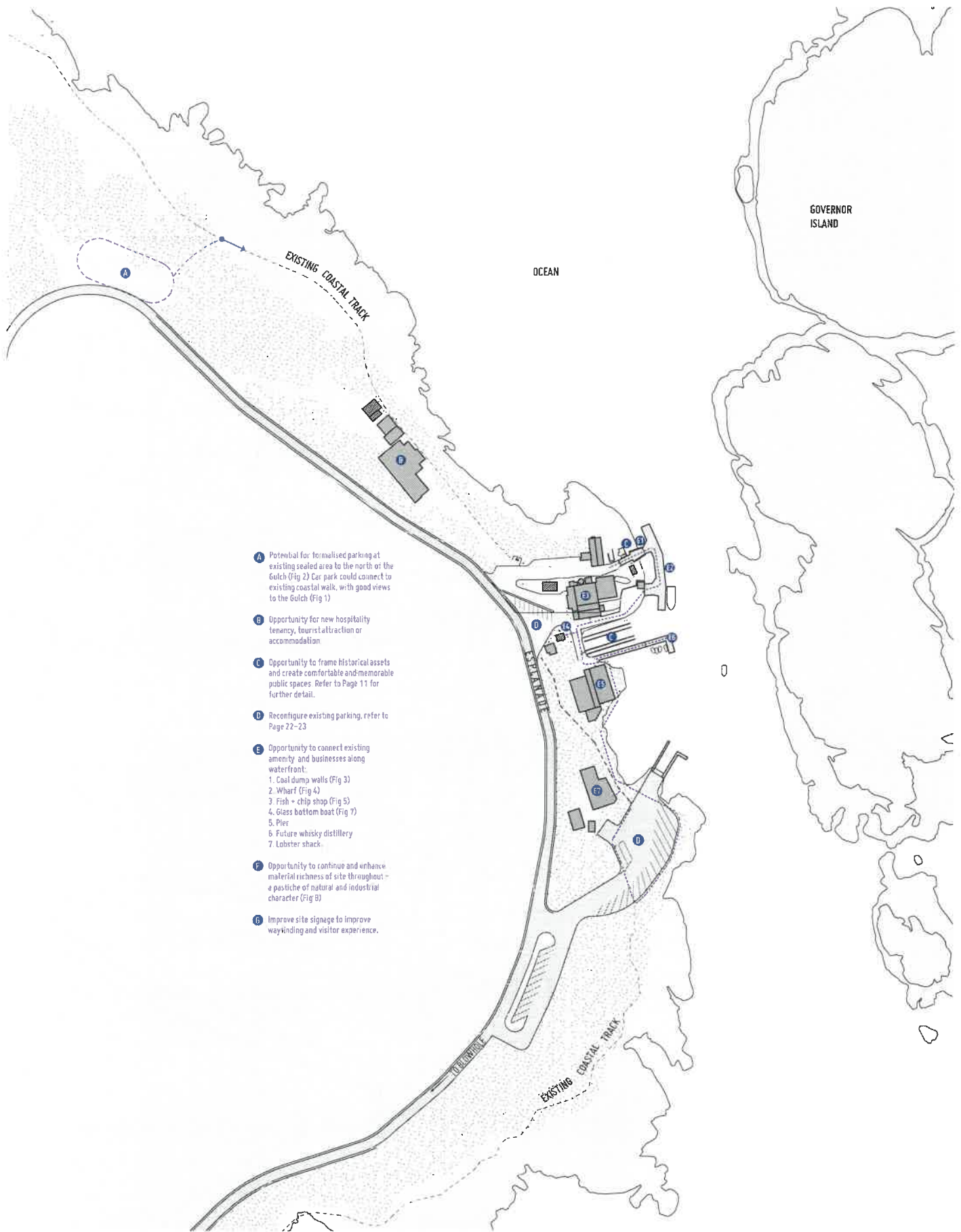
Fig 6



Fig 7

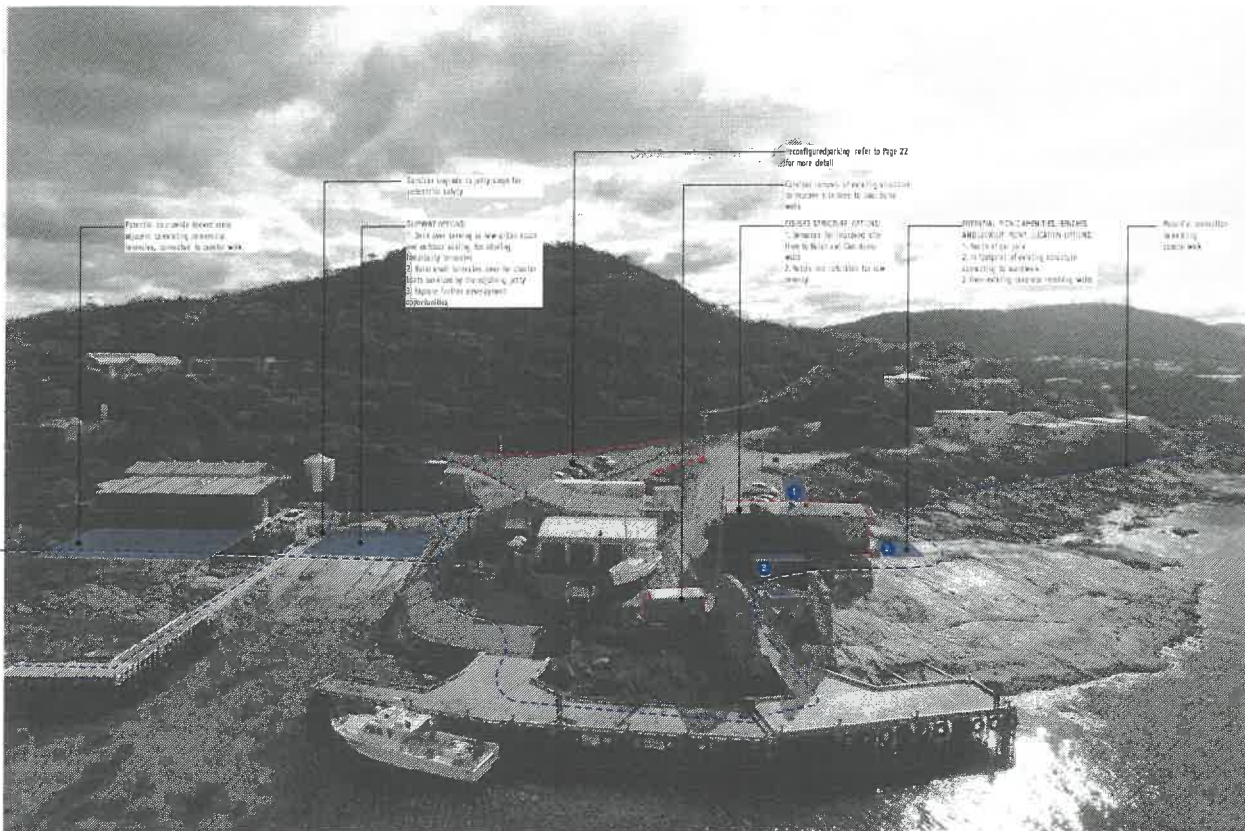


Fig 8

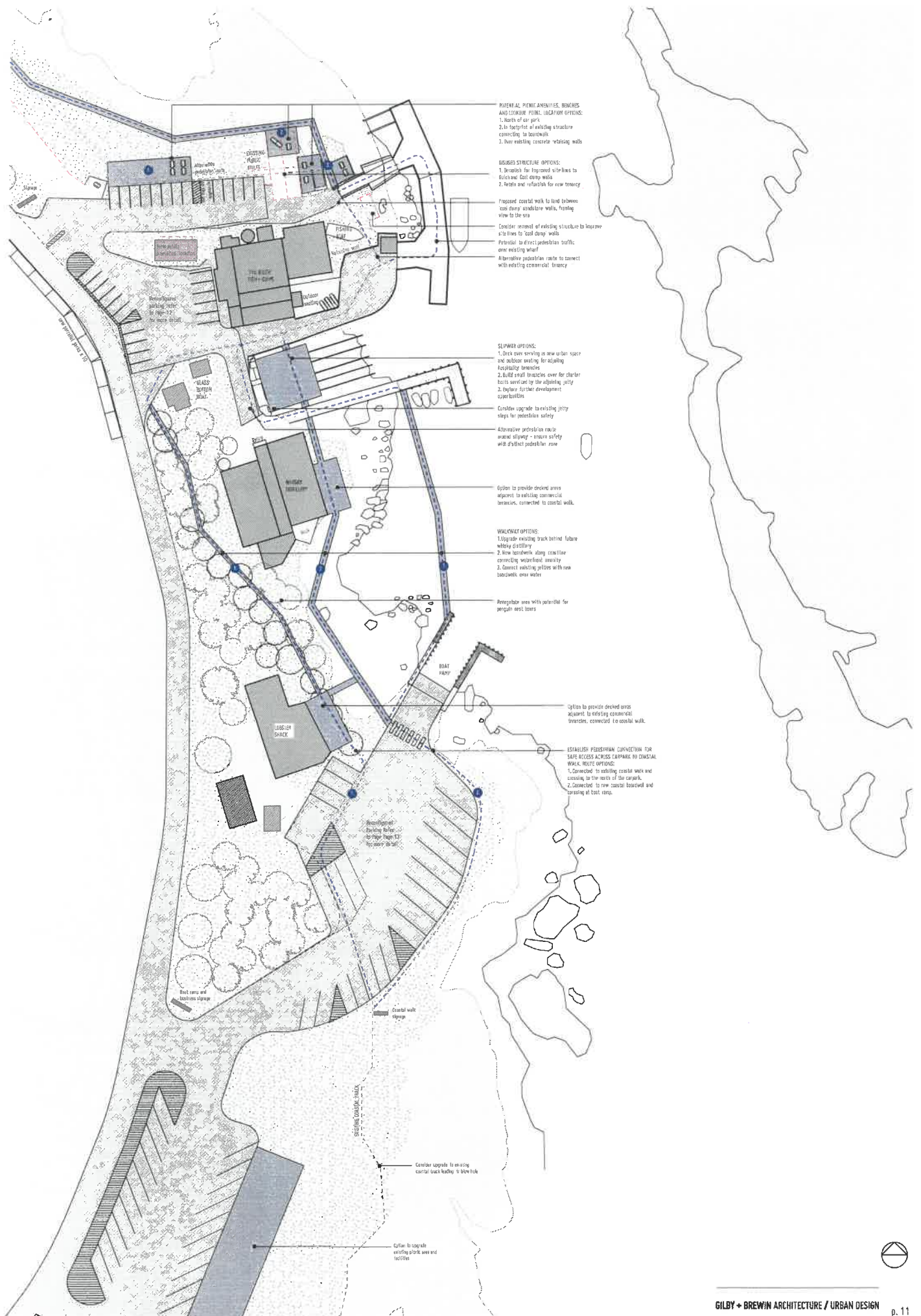




## 2.3 SITE DESIGN OPPORTUNITIES: OPTIONS

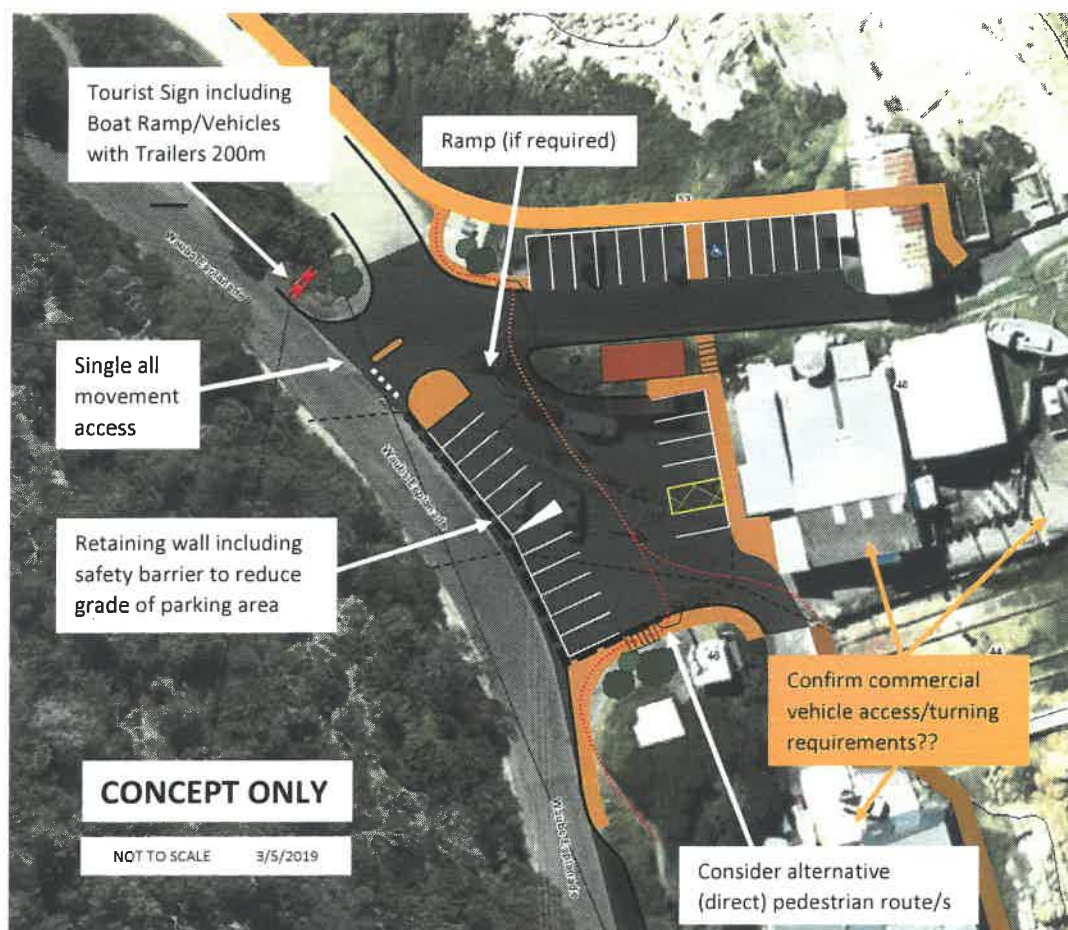






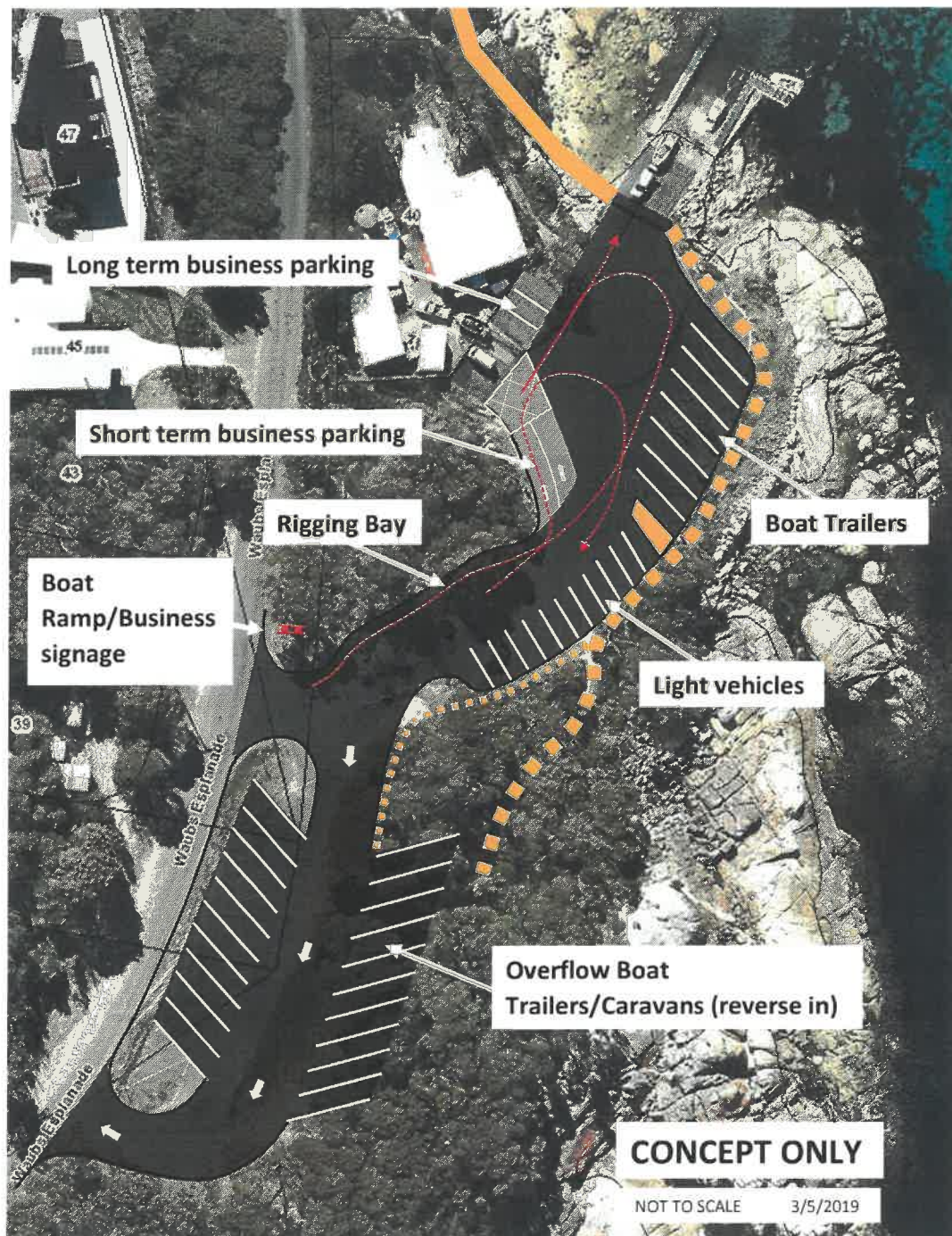
## 2.4 PARKING STRATEGY

The following parking strategies and recommendations have been provided by Mat Stirling, civil engineer from Brighton Council.



Parking Strategy, Northern Carpark  
NTS





Parking Strategy, Southern Carpark  
NTS

## 2.5 MATERIAL AND CHARACTER STRATEGIES

Any development / intervention to the Gulch needs to be aware of its existing character and charm. All strategies proposed in this report are responses to what is already there, and are an attempt to make the Gulch, as it is, more accessible and pedestrian friendly.

In order for the Gulch to retain its character, a considered material strategy must be deployed, in keeping with its charming 'ramshackle' quality — a juxtaposition of natural and built, of materials that show their weathering in the seaside location.

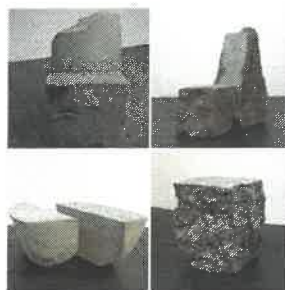
Carefully designed, simple and constrained insertions to existing conditions can greatly enhance the quality of an environment — these recommendations are for a sensitive spatial and material response to the landscape and existing conditions.



Use of 'as found' available natural elements  
 - granite from the site could be cut or simply moved as furniture or wayfinding.



The Gulch Granite



Stone furniture by Max Lamb



The Gap, Albany

Continuing the language of marine construction, including the use of hardwood timbers that will weather to match existing elements - particularly in relation to the potential boardwalk and decks



The Gulch Pier



The Gulch Wharf



Precedent - Navitas Harbour

Make use of and frame existing historical elements of the site. This may include adding elements such as urban furniture



Concrete behind coal walls



Slipway



Slipway Rails

Any new buildings or structures should pay attention to the simple maritime industrial qualities of the existing buildings - in terms of materials, roof forms and 'looseness' of appearance.



Fish and Chip Shop



Glass Bottom Boat



Shed Structure

Maintain and reestablish existing native coastal vegetation of low-lying trees and shrubs throughout the site.



Coastal Shrubs



Coastal Shrubs



Coastal Trees

Other materials recommendations:

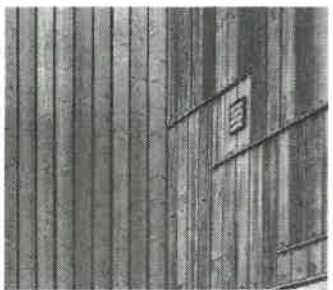
- Locally quarried sandstone, connecting the site to the bedrock of the surrounding region
- Steel with finish suitable to marine environment such as corten, often used in ship building
- Concrete to create robust built elements
- Local timbers, to connect to the materiality of the existing sheds.



Sandstone



Corten Steel



Local timbers, such as Tasmanian Oak



### 3.0 PRECEDENTS

#### WATERFRONT TENANCIES AND PUBLIC SPACE:

##### Brooke Street Pier and Princes Wharf No.1, Hobart

Circa Morris Nunn Architects

As part of the ongoing development on Hobart's waterfront, Princes Wharf has been renewed to make a new public space for the people of Tasmania, suitable for a variety of activities and events. The 1938 Princes Wharf Shed, as the oldest of Hobart's waterfront storage sheds, has been largely retained as is, with improvements to accessibility, infrastructure, activation, flexibility and environmental management capabilities.

Brooke St Pier continued the ongoing transformation of the old port facilities into an active urban civic precinct, marking the beginning of a new chapter in the evolving life of Hobart's waterfront.



## Mures Restaurant, Hobart

This precedent demonstrates the potential for hospitality tenancies to expand seating areas into the public realm, or over the water with the addition of large decked areas. It boosts the potential economy of the area while maintaining a lively public realm.





## ACCESS, WAYFINDING AND PUBLIC AMENITY

### GASP, Glenorchy, Tasmania

Room 11 Architects and McGregor Coxall

Room 11 has built a colourfully calibrated public walkway which deftly links previously marginalised, but surprisingly beautiful sections of foreshore. "We move on from nostalgic visions of place making and embrace interstitial 'spaces' with relish," states Thomas Bailey. Abundant birdlife and the silky surface of the river are able to be closely inspected as one walks the gentle arc which links an existing school, playground, major entertainment centre and rowing club.

1. Maintains and enhances existing industrial character through use of materials.
2. Provides simple integrated shelter / seating / and signage along walk, also acting as a 'gate' and wayfinding element.
3. Sweeping boardwalks allows for a direct pedestrian connection to the waterfront and connect existing foreshore amenity.
4. Shelters designed to frame the landscape, while providing a space of refuge from sun and weather.
5. Provision of public amenities – BBQ area and picnic space.



5



1



2



3



4

## The Gap, Albany

Department of Parks and Wildlife WA

The Gap and Natural Bridge in Torndirrup National Park, Albany sought to create a spectacular and rewarding visitor experience whilst responding to visitor risk, a need to increase visitor capacity and improve their access, overcome a confronting construction environment and address a highly corrosive coastal setting.

1. Simple low lying boardwalk that doesn't detract from landscape and views.
2. Strategic planting to keep public on boardwalk, preserving surrounding environment.
3. Well designed and integrated signage.
4. Furniture design and seating complements landscape.
5. Accessible walkway



1



2



3



4



5



## MATERIALS AND SENSITIVE INTERVENTIONS

### Shipwreck Lookout, Sydney

Neeson Murcutt Architects

The project comprises a series of landscape interventions that have enabled the peninsula to be opened to the public. The main viewing area is defined by a crisp brick platform and seal, with rough strewn recycled brick stabilising the edge in the inter tidal zone.

The combination of modest design interventions with a simple material palette sympathetic to the existing conditions allows the industrial history of the place to speak for itself. Well defined pedestrian routes and interpretive signage elements allow visitors to experience this history

1. Basic platform and bench with considered material choice of brick creates a simple but attractive public space at the waterfront.
2. Simple walkways with playful road mirrors provide hooks and views to the site.
3. Complementary materials to site.



## Navitas Harbour, Aarhus, Denmark

Marianne Levinsen Landskab

The project creates an outdoor space surrounding the building of Navitas, the Engineering and Technical Engineering School in Aarhus, by inviting city life into the harbour.

1 + 2. Simple interventions create useable public space and act as connector / wayfinding device

3. Material use takes from harbour front context.

4. Seating and walkway deftly integrated, dealing with sites changing levels and slope.



**Glamorgan Spring Bay Council**  
**Tasmanian Planning Scheme – Glamorgan Spring Bay draft LPS**  
**Review of Zoning in Bicheno Area**

We submit the following feedback in relation to the Council's review of zoning in the Bicheno area, specifically GSB-P5.0 Particular Purpose Zone – North Bicheno Future Urban.

We believe that Bicheno will grow over the coming decades and are concerned that the natural and environmental values which are intrinsic to people's lifestyles and the economic growth of the region must be protected if we are to maintain the beauty of this area. For this reason, we submit comments specific to the North Bicheno Future Urban rezoning.

**GSB\_P5.1 Zone Purpose**

GSB-P5 1.1 We have concerns over the term "***large scale integrated complexes comprised of multiple uses***" as this could include developments that have a significant impact on the environment. Small scale is more appropriate.

GSB-P5 1.2 "To ***reinforce the activity centre*** at Bicheno": we are concerned about the implications of this statement. It implies a spread of the shopping centre and we oppose this kind of development in this particular area, as we believe it is unnecessary in light of the fact that the town shopping precinct currently has multiple vacant buildings and many vacant lots. For the sake of impact on our natural environment, the shopping centre is best kept in one area.

GSB-P5 1.4 "To provide for the efficient ***servicing of future development*** of the area.": again we are concerned about what exactly this implies for the same reasons as stated above.

**GSB-P5.4 Use Table**

We agree with council that any development on this area should be in a manner that is sympathetic to the coastal location and we want assurances that this will be taken into account. Small scale visitor accommodation, *not* intensive, would fit with this. Small scale Food Services and Hotel Industry fits with this. The impacts on wildlife, particularly penguin habitat, must be minimised so any development must include protection of habitat from dogs, cats and people. Fencing of dune area is necessary to prevent erosion and it would be important for a public beach access and parking areas be included to alleviate the congestion which occurs on Gordon Street during summer. Ideally, a walkway behind the dunes could be included. One issue we are concerned about is that when this land is developed, there will be an increase in runoff of storm water which potentially will impact on the health and beauty of the beach (sand and ocean) which includes habitat for multiple species of land and ocean dwelling creatures.

**GSB-P5.5 Use Standards**

A3/P3 External lighting: Any lighting also needs to take into consideration the impacts on wildlife and habitat, particularly penguin habitat.

**GSB-P5.6 Development Standards for Buildings and Works**

A1 We agree that Building height must be no more than 5m and object to any potential increase of this height restriction.

## **GSBC draft LPS maps**

We have also had a close look at the GSBC draft LPS maps and make the following comments.

We note that Coastal Inundation Code is "High" around the Diamond Island point; and "Investigation" (potentially susceptible) behind Redbill Beach, which is the area to be rezoned North Bicheno Future Urban. When this area becomes affected by sea level rise with extreme events, then where will the penguins (and other wildlife) go if the land is already taken by people?

Natural assets Code: The whole coastline has been designated Waterway and Coastal Protection Area, as well as Future Coastal Refugia Area.

It is important that any future subdivision/development be generous to the needs of our wildlife and the health of our coastline.

## **Water**

One further concern we have regarding any development of the region is water, and we hope the Council will consider the following:

1. As the region continues to suffer from decreased rainfall and the water flow in our rivers declines, will the current water reservoir be sufficient to cope with an increase in population?
2. Will the sewage plant cope with an increase in population?
3. Will the Council consider opportunities to recycle grey-water for flushing toilets?
4. Will the Council consider promoting waterless toilets?
5. Will future developments be encouraged to capture substantial quantities of rainwater into tanks?

There are countless state-of-the-art technologies available that improve water conservation and reduce our impact on the environment that need to be accepted and promoted by councils across Australia. I hope that Glamorgan Spring Bay Council considers leading the way in this vital issue.

We appreciate the opportunity to comment on this rezoning.



Glamorgan Spring Bay Council  
Contract Planner  
By email: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

7<sup>th</sup> February 2020

To whom it may concern

RE:

We are the property owners of the abovementioned property which was known as \_\_\_\_\_ of the Blueman's Run subdivision previously owned by the Tasmanian Land Conservancy (TLC).

Whilst our rates notice states the address as "Tasman Highway", the property is nowhere near the Tasman Highway with entry being from Lake Leake Highway which also forms one boundary.

This property is approximately 142 hectares of which all but three hectares is subject to extensive nature conservation covenants.

Under the Glamorgan Spring Bay Council planning proposal our property would be rezoned as Rural, as would those other TLC "Blueman's Run" properties around us.

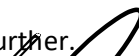
It is our view that our property, which on GSBC's own Natural Assets Map (number 6) is coded as being "Priority Vegetation", should be zoned as Landcare Conservation.

It is our further view that all the TLC Blueman's Run properties should be zoned as Landcare Conservation due to their proven high nature conservation value.

Significant mapping and assessment of this property and all other "Blueman's Run" land parcels took place by the TLC and DPIPWE. There are extensive reports as to the high natural value of these properties, supported by the covenants, making the proposed zoning as "Rural" quite inappropriate and at odds with the guidelines.

Accordingly, we request that pursuant to the guidelines that our property and those other properties from TLC Blueman's Run subdivision surrounding it be zoned as Landcare Conservation.

Please do not hesitate to contact us should you wish to discuss this further.



## Glamorgan Spring Bay Council draft LPS

### Particular Purpose Zone - The Gulch GSB-P2.0

This land to be rezoned is crown land looking onto one of the few marine reserves on the East Coast. Many people visit this area to see the bird colony on Governor's Island; to fish off the wharf; to eat from the existing restaurants; to go out on the glass-bottom boat; and to launch their boats. Importantly, this region also has habitat for little penguins and is part of Bicheno's penguin population which has repeatedly undermined by the presence of people, dogs and cats. A Tasmanian Heritage Listed Structure (ID 1498) is also in this zone.

Our primary concern for this area is that it is already congested at times. Despite the extension of parking for cars with boat trailers, there is often not enough parking for everyone wanting to be in this area. The foreshore and walkway is beautiful and to increase its usage with more buildings and parking areas will severely threaten the penguin habitat and spoil the beauty.

**Protection of the little penguin habitat and coastal foreshore has to be a priority.** Any expansion of businesses, buildings and car parks in this area will put more pressure on this fragile environment therefore any new businesses need to be created within existing building footprints.

People come to visit Bicheno for its beautiful natural environment. Bicheno's economic growth depends on the protection of our natural assets. For this reason, we submit the following:

#### **GSB-P2.1 Zone Purpose**

The purpose of the Particular Purpose Zone at "The Gulch" needs to be written so as to provide strong protection for the environment, visual amenity and heritage values of the area.

#### **GSB- P2.4 Use Table**

Use Class

PERMITTED                  Passive Recreation

We object to *Manufacturing and Processing, Resource Development and Resource Processing (Qualification - if associated with a maritime or aquaculture activity)* being included under Permitted. We believe that under the GSBC definition table this Use Class does not limit the size of manufacturing or processing, nor do the definition standards address any pollution associated with this type of use. We also believe that the impact of these type of uses on the Gulch's natural values; Governor Island Marine Reserve; and the little penguin habitat cannot be Permitted.

## Use Class

### DISCRETIONARY

We object to Resource Processing and Utilities being included as *discretionary* as the GSBC definitions define these types of use class not in keeping with the Gulch's unique beauty, natural amenity and wildlife habitat.

All other uses under Discretionary must remain within the existing building footprints and need precise qualifications that address our concerns regarding penguin habitat and this unique and beautiful environment.

### **GSB-P2.5 Use Standards**

Hours of Operation, Noise, External Lighting, Commercial vehicle movements & Outdoor Work Areas

We strongly believe that these use standards must provide protection for the little penguins that live in this area. Consultation as to best practices for this site for penguin protection needs to be made in discussion with DPIPWE and Birdlife Tasmania.

With any development comes an increase in traffic and there is no mention of traffic and visitor parking. In peak visitor times the area struggles with traffic and parking for existing businesses at the Gulch overflows onto the Esplanade. Added to this congestion, between dusk and dawn, are numbers of little penguins trying to cross the Esplanade to get to burrows. They become confused and blinded by car lights with some unable to get back to burrows to feed chicks. Again this highlights that further expansion of businesses and buildings in this area is not sustainable and will seriously threaten the little penguins which have their burrows in this area.

### **GSB-P2.6 Development Standard for Buildings and Works**

Building Height, Setback, Building design, Outdoor Storage Areas, Fencing

For the reasons already stated we object to any new buildings to be built in this area, and we prefer that any renovations be created on existing building footprints with no loss of vegetation.

Building renovation height must be not more than 5m and positioned at a lower elevation than Waubs Esplanade with building designs that do not detract from the natural visual amenity. Access to business premises from existing access points. There is a cleared area closer to the school which could be converted to a carpark if one is needed, which would prevent any loss of vegetation.

During any construction periods little penguin activity needs to be fully considered and prioritized with no loss of habitat or disruption to their breeding cycle. Any fencing used will need to be constructed in such a way as not to impede little penguin movements. As stated before, consultation with DPIPWE and Birdlife Tasmania is needed to ensure the complete protection of the little penguins in this area.

7 February 2020

To the Glamorgan Spring Bay Council

**LPS representation from**  
**'Request Rural Zone rather than proposed Agricultural Zone'**

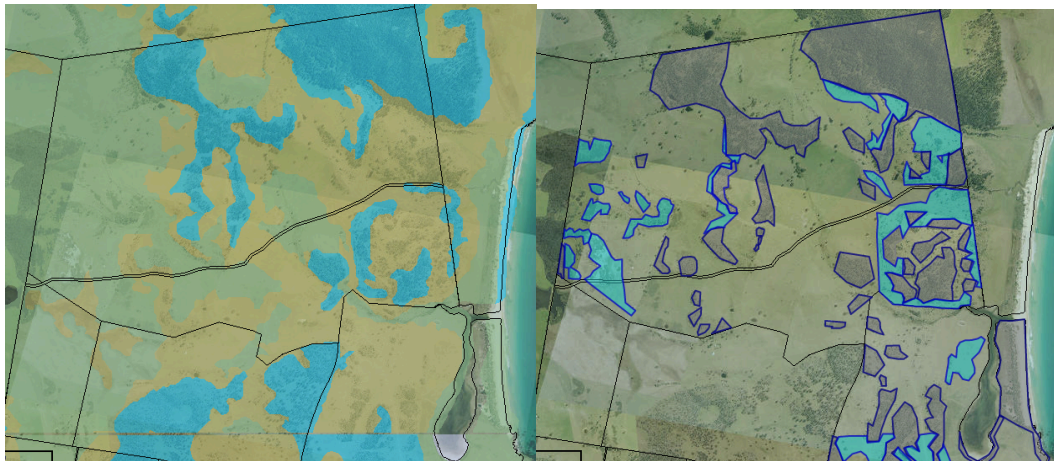
Please acknowledge receipt of this letter as I am requesting our land be zoned 20.0 Rural, rather than the proposed 21.0 Agriculture, on the titles  
The basis for my requests is consistent with the  
*Guideline No. 1 local provision schedule (LPS) zone and code application.*

In the *State Planning Provisions* in the 21.0 Agriculture Zone; 21.2 Use Table 'Research and Development' is listed as an un-qualified discretionary use on land zoned as 'Agricultural' and as such could be viewed as a prohibited use. I'm seeking to have our land zoned as 'Rural' on the above titles to preserve current and future 'Research and Development' opportunities with the University of Tasmania (Utas). We are encouraging collaborative research and development here and have a memorandum of understanding with UTas (see appendix 1). In the Rural Zone 'Research and Development' is listed as a permitted use 'if associated with Resource Development or Resource Processing' and is a more appropriate zone application here. The research includes a focus on dryland grazing, which is a regionally significant land use. The request for Rural Zoning based on preserving current and future 'Research and Development' opportunities is consistent with: *Guideline No 1, LPS code and zone application: AZ6* "Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if" (d) for the identification, provision or protection of strategically important uses that require an alternate zone"

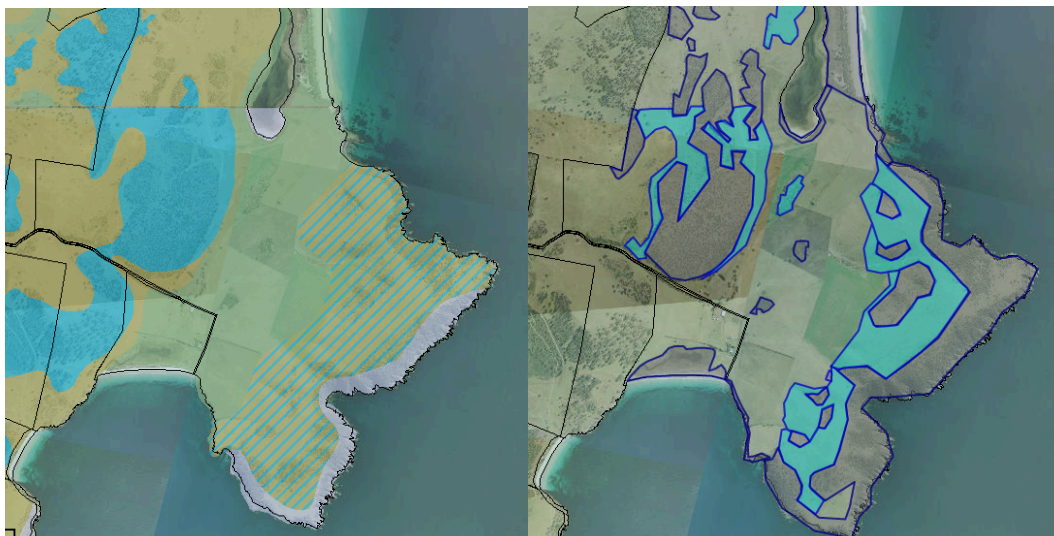
The property also has significant physical constraints making many areas unsuitable or restricted in Agricultural use, such that the Rural Zone should apply. This is consistent with *Guideline No 1, LPS code and zone application: AZ6* "Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if" (e) it can be demonstrated that "(i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone; (ii) there are significant constraints to agricultural use occurring on the land; or (iii) the Agriculture Zone is otherwise not appropriate for the land".

- i) The purpose of the SPP Agricultural Zone purpose 21.1.2 (c) is to minimize non agricultural land use in irrigation districts. We are not in an irrigation district and have no access to water licence allocations. Surface water is largely absent from all our farm dams in summer, and as such is a severe limitation to agricultural use now and into the future. One groundwater bore exists on the property, with limited recharge and is suitable for stock watering only.

- ii) I have create more accurate land capability mapping using aerial imagery and ground truthing (applying the land capability mapping principles see appendix 2). My mapping illustrates class 6 & 7 land is more widespread than illustrated on theLIST website, and which was used to create the proposed Agricultural Zone through the *Agricultural land mapping project* (see Figure 1 & 2) and as such the Agricultural Zone should not apply to our titles. If required by council, or the Tasmanian Planning Commission, I am willing to seek expert verification of the property land capability class mapping through Jason Lynch (Macquarie Franklin), or a similar qualified expert.



**Figure 1.** LEFT= theLIST land capability mapping; Right = ground trothed land capability mapping Class 6 (blue) & Class 7 grey over title (as of 25-1-2020). Note the expanded area of Class 6 & 7, which indicate more areas are of limited dryland grazing or no agricultural use (respectively), than mapped on theLIST website and applied when identifying land suitable for the proposed agricultural zone.



**Figure 2.** LEFT= theLIST land capability mapping; Right = ground trothed land capability mapping Class 6 (blue) & Class 7 grey over title (as of 25-1-2020). Note the expanded area of Class 6 & 7, which indicate more areas are of limited dryland grazing or no agricultural use (respectively), than mapped on theLIST website and applied when identifying land suitable for the proposed agricultural zone.



- a. Land capability mapping on theLIST website has some areas illustrated as class 7 (unsuitable for agriculture); however the mapping should be expanded to include:
  - i. Beaches, dunes, rocky cliffs, saltmarsh and wetlands, and threatened vegetation communities.
  - ii. Recent mapping by the University of Tasmania has noted threatened vegetation mapping (saltmarsh, and Bluegum woodlands), which required corrections to the TasVege 3.0 mapping.
- b. Some land capability class 4 and class 5-6 areas on theLIST website should be class 6.
  - i. These are highly erosion prone areas; including dry north slopes, with shallow soils and steep inclines.



**Figure.** Rocky seep inclines that occur over many areas (should be Class 6), but mapped as class 4.

- ii. Some areas exhibit signs of severe soil loss and soil movement, following land clearance, and this has been verified by staff from the University of Tasmania to be a result of land clearing and attempted pasture establishment.
- c. Some land capability class 6 areas on theLIST website should be class 7.
  - i. Rocky heavily forested areas including areas under non-grazing conservation covenant on Mt Murray.
- d. Some land capability class 4 areas on theLIST website should be class 6.
  - i. Sand sheet and ephemeral wetland areas

The report on the *Agricultural land mapping project* appears to have included land Class 6 areas as potential Agricultural Zone areas. Significant areas of Class 7 at Okehampton have not been identified on theLIST, and as such have not been considered in the proposed Agricultural Zone mapping. Furthermore, significant areas of Class 6 were mapped inaccurately as Class 4 to 5. The inclusion of Class 6 areas within the 'potential agricultural zone' appears to be on the basis of suitability for non grazing farming enterprises. For example, on page 8 of the *Agricultural land mapping project*, it states that Class 5 areas used for dryland grazing are possibly suitable for viticultural production. The inclusion of Class 5 (and perhaps Class 6) in the proposed agricultural zone appears to be on basis of speculation on the suitability for other agricultural ventures, which are dependent upon potential access to

water. As mentioned above, no water is available at Okehampton for irrigation. The lack of irrigation water and other factors (such as steep slopes, erosion prone areas and extreme rockyness) make many of our Class 6 areas unsuitable for other agricultural uses. The Grose (1999) *Land Capability Handbook, guidelines for the classification of agricultural land in Tasmania* (page 13) states that native vegetation (including native grassland) should be retained on Class 6 areas and this advice is not consistent with increased agricultural intensification (such as viticulture). On theLIST website, DPIPWE modelling created a map of the suitability of growing areas for table wines. Over our land the 'most suitable' areas for table wine grape production includes the steep, rocky inaccessible heavily wooded coastal cliffs where such ventures are not physically possible and as such I question the accuracy of the state governments modelling and mapping, including that used in the *Agricultural land mapping project* to identify our farm as a proposed Agricultural Zone.

Economic imperatives also undermine our request for Rural Zone application, as the marginal sheep farming tenancy does not provide adequate cash flow in the long term to provide a profitable business, and the lack of irrigation prevents other farming enterprises. The Rural Zone recognises areas with agricultural constraints, so as to enable potential business diversification through use and development, which should apply to our titles.

Kind regards,



**for purpose of**

**UNIVERSITY OF TASMANIA** ABN 30 764 374 782 of 2 Churchill Avenue, Sandy Bay in  
Tasmania, Australia ("**UTAS**");  
**AND**

## **Appendix 2:**

### **Principles applied for land capability mapping**

The Grose (1999) *Land Capability Handbook, guidelines for the classification of agricultural land in Tasmania* (second edition) has been used to remap land capability at Okehampton (see Figures 1 and 2)

The following land use class definitions are given on page 13 of the handbook:

#### **CLASS 6**

Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.

#### **CLASS 7**

Land with very severe to extreme limitations which make it unsuitable for agricultural use.

The following land use class definitions are given on page 24 of the handbook:

*Class 6 land* is often very steep, rocky or wetlands. The land may have either a single very severe limitation or a combination of several severe limitations. These limitations make this class of land unsuitable to be cleared for grazing and steeper areas should be left under a vegetative cover, because of the potential erosion hazard and low productivity. Conservation measures including revegetation or retention of existing vegetation cover should be adopted. Class 6 land usually remains under native pasture or other natural vegetation cover and is generally impractical to traverse by a wheeled vehicle due to steep slopes, excessive topographic variability, stoniness or wetness

*Class 7 land* has a similar set of limitations to those described for Class 6 but the limitations are very severe to extreme, making this land unsuitable for any form of agricultural use.

9<sup>th</sup> Feb 2020

Dear Sirs,

**RE: Glamorgan Spring Bay Draft Local Provisions Schedule Submission relative to Place, Orford**

Please accept this as a submission to the Local Provisions Schedule of the Glamorgan Spring Bay Planning Scheme.

The proposal is to change the zone of the subject land (below) from Low Density Residential to General Residential zone (map change only).

<i>Property Address</i>
<i>Property ID</i>
<i>Title Reference</i>


*Figure 1 Site*

Why do we suggest this change?

The site is currently being developed for 23 residential lots in 2 stages. The following documents are attached as appendices to this submission:

1. Copy of the approved plan



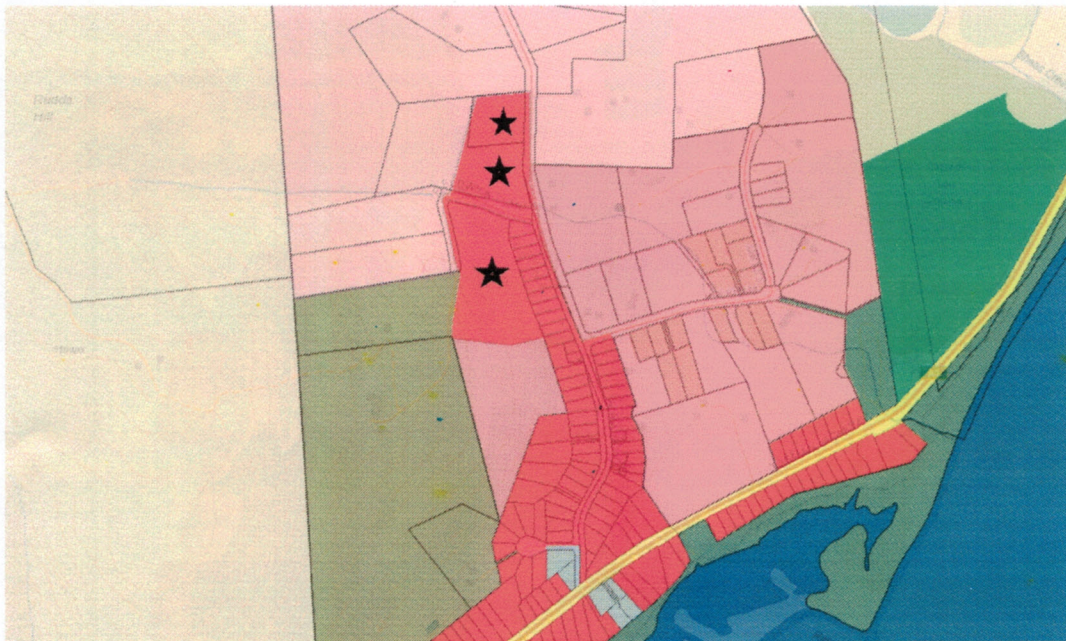
2. Copy of the Permit
3. Copy of the stormwater system connecting to the Golf Course.
4. Photos of the site and the developments above.

The site is fully serviced in terms of water, sewer and now stormwater – where excess run off will be directed to the golf course to assist with irrigation of the course – so the land is serviced. There are two distinct catchments covering this site – both are now directed into Council approved and maintained drainage systems.

I have commissioned a survey of available land and likely demand for General Residential lots in Orford – carried out by Knight Frank Real Estate Agents.

In the township Knight Frank point out that:

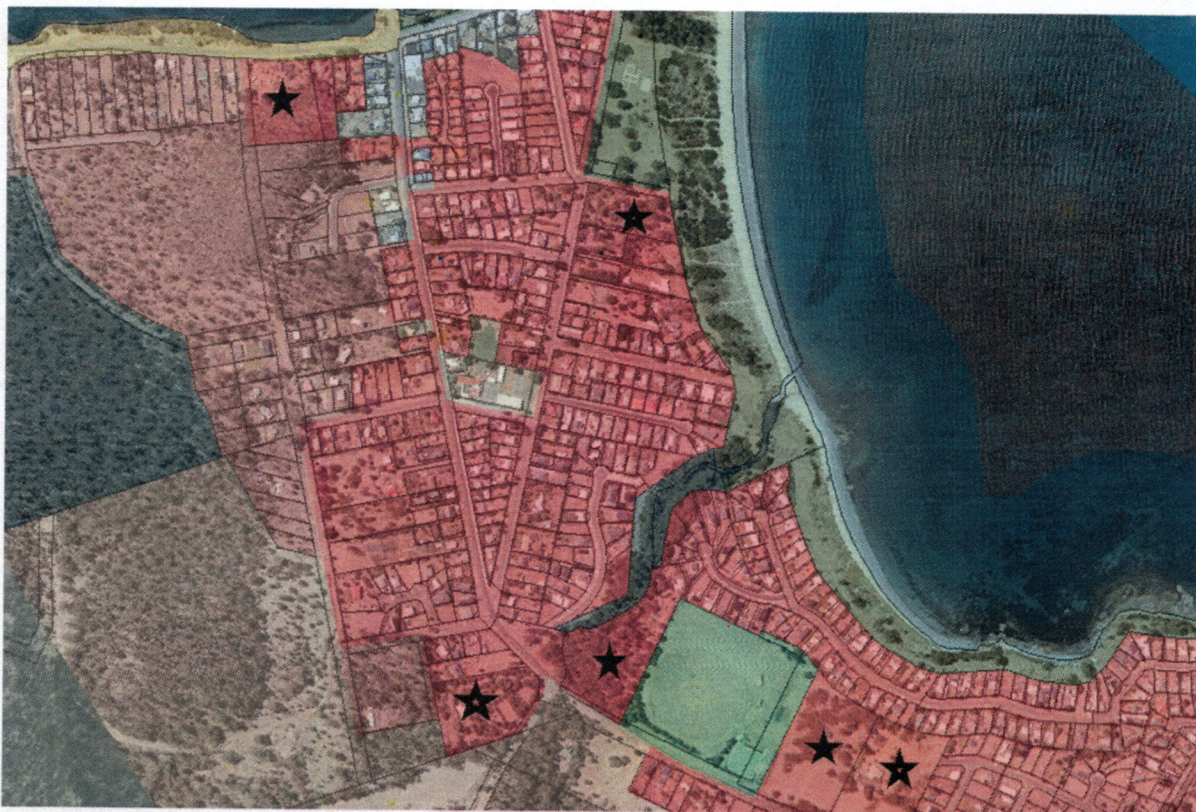
We estimate that there are currently 30 vacant, subdivided lots in Orford zoned General Residential use. We estimate there are 3 large lots on the northern side of the Prosser River,



*Figure 2 Vacant Gen Res Land with Subdivision potential (star)*

and a further 6 large lots on the southern side of the river with potential for subdivision.





*Figure 7 southern lots showing vegetation*

Demand for General Residential lots has been slow over the past ten years with the preference being rural live style lots. However, in the past four years demand has increased significantly with strong sales of this type of lot being recorded in the town.

Given the limitations on the current stock of General Residential lots with potential to subdivide and the scattering of previously subdivided lots in the township it is estimated that there would be less than 5 years supply of General Residential type lots in Orford.

The increase in demand has come from older couples downsizing from family homes in both Hobart and mainland Cities. There is a strong unmet demand for higher density type dwellings built around say community amenities or sporting centres (like golf courses).

The lots with the greatest appeal for subdivision are in Rheban Road – but they are severely impeded by inundation overlays.

An LPS (or amendment to an LPS) must consider the provisions of section 32 of LUPAA 1993 – in particular:

- (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.*



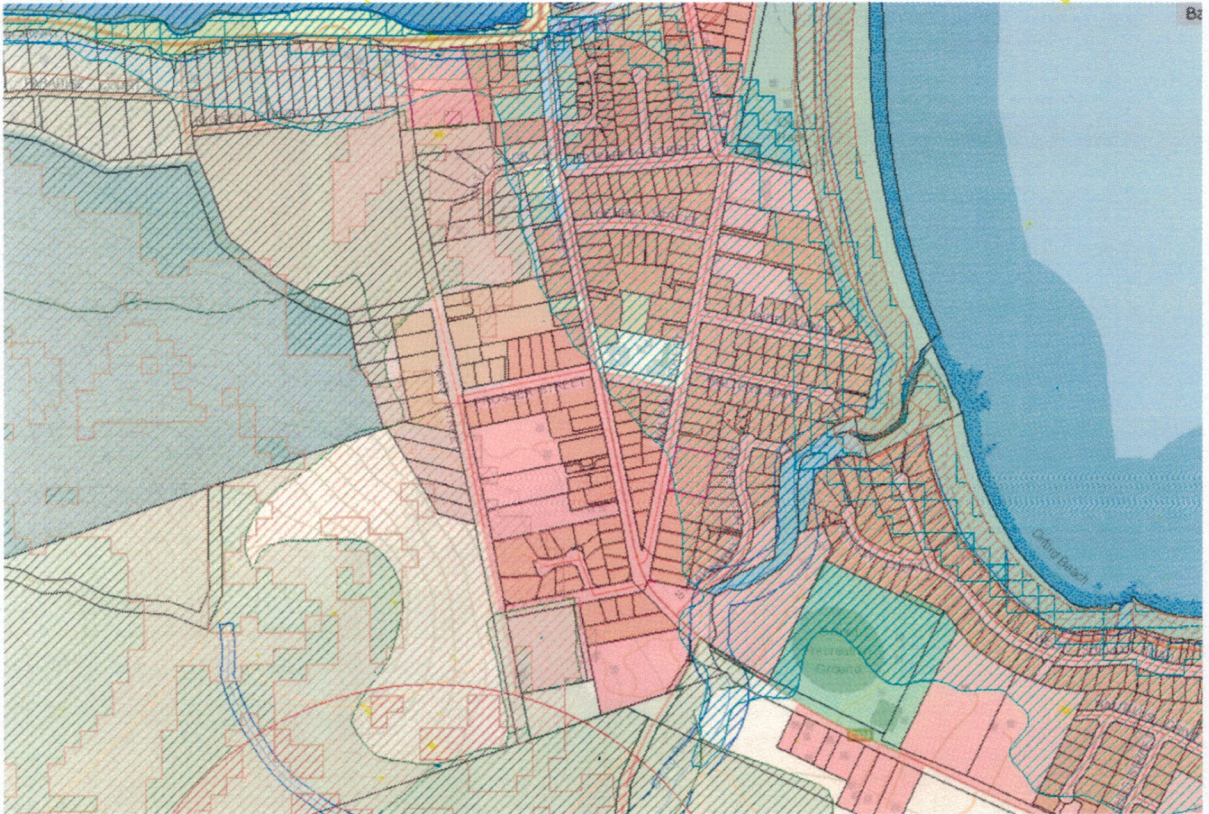


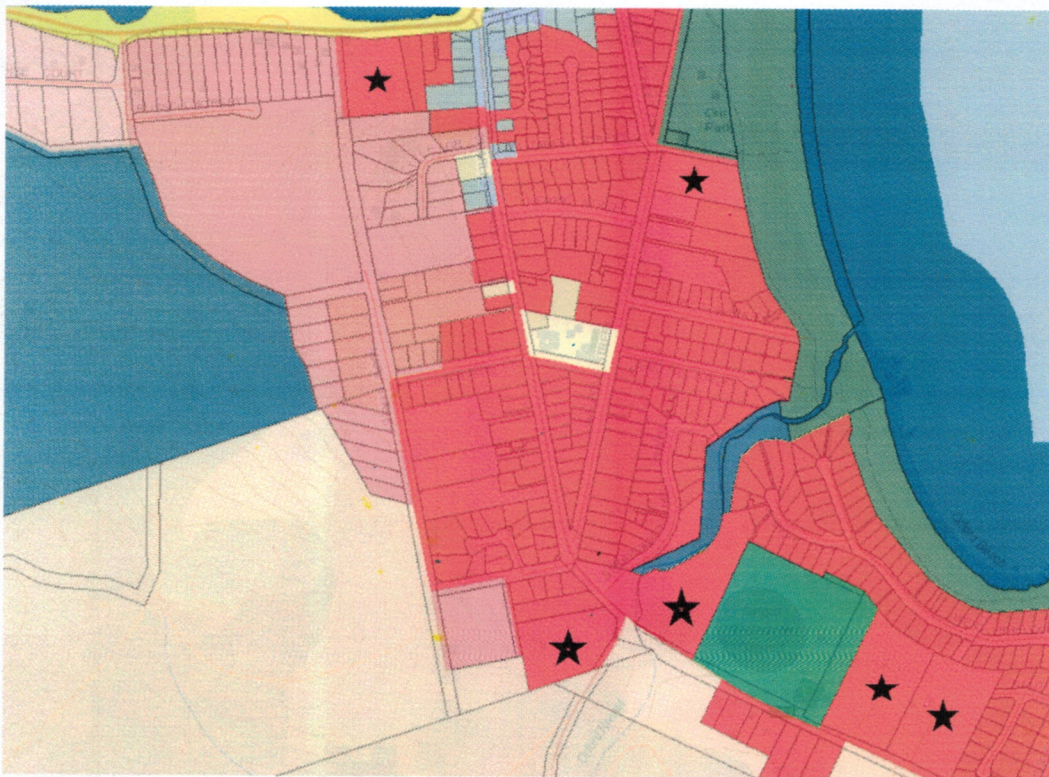
Figure 5 southern lots with overlay highlighted

Of the nine lots, seven are density vegetated and thus any form of General Residential subdivision will result in a loss of native vegetation and potential wildlife corridors on the fringe of the township.



Figure 6 northern vacant lots - showing vegetation





*Figure 3 Southern lots with potential for subdivision*

Of the three lots on the north all are impacted in some way by landslip issues or waterway and coastal protection matters, thus reducing the potential for subdivision.



*Figure 4 northern lots with overlays highlighted*

Four of the six lots on the southern side are severely impacted by flood inundation Overlay controls. There are landslide and heritage Overlay controls to consider.



There are many other provisions an LPS or an amendment must consider – but this is the most relevant.

The important issue is to look at the social, economic and environmental impact of the proposal.

#### **Social Benefit.**

A growing community needs housing choice. The choice can be generated by location, by lot size and by capitalising on features in a specific area. In this case the significant features worth considering are the golf course, the caravan park and the foreshore. In other locations in Tasmania and the mainland there is a propensity to allow higher density subdivision (through zoning) around features like golf courses and the like.

#### **Economic Benefit.**

Whilst there may be land already zoned for General Residential use development of these lots relies on willing partners – those with a desire to see out the potential of their land. Without a willingness to develop zoning becomes irrelevant. Indeed, lack of willing partners can throw completely the statistical supply and demand calculations. It can also stifle the development of an area by Planning Authorities not having the courage to back zone or bypass the land of unwilling partners.

Local jobs will be generated during the formation of the subdivision. There will be an ongoing increased demand for local services from new residents moving into the area.

With new residents will come the greater demand for local services – strengthening current shops, food outlets, service industries and creating opportunities for new services to establish in the town.

#### **Environmental Benefit.**

By allowing the subdivision and a higher density of development at the General Residential zone standards better use is being made of serviced land. Better use of land will slow the sprawl of townships and have good environmental outcomes.

Previous subdivision of the land has shown that the land can be subdivided without negative environmental impacts.

#### **Conclusion.**

As the applicant for this proposal I have recently invested some \$240k in off-site stormwater management solutions which not only benefits my land but also the Golf Course and other properties in the locale who can now connect into a Council maintained system.

The investment in this infrastructure has resulted in a level of serviced land which would be wasted if it could not be developed at a higher level than the current Low Density Residential Zone permits. The change of zone to General Residential use would allow a higher density style of development adjacent to a golf course which would assist in filling the space in the housing market for such dwellings close to community type facilities.

This proposal will not upset the current supply/demand equilibrium within the Orford township.

Yours faithfully



# VINEYARD

THIS PLAN WAS PREPARED AS A PROPOSED SUBDIVISION TO ACCOMPANY A DEVELOPMENT APPLICATION TO COUNCIL AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.

GROSS POLLUTANT TRAP

OUTLET TO PUBLIC DRAIN

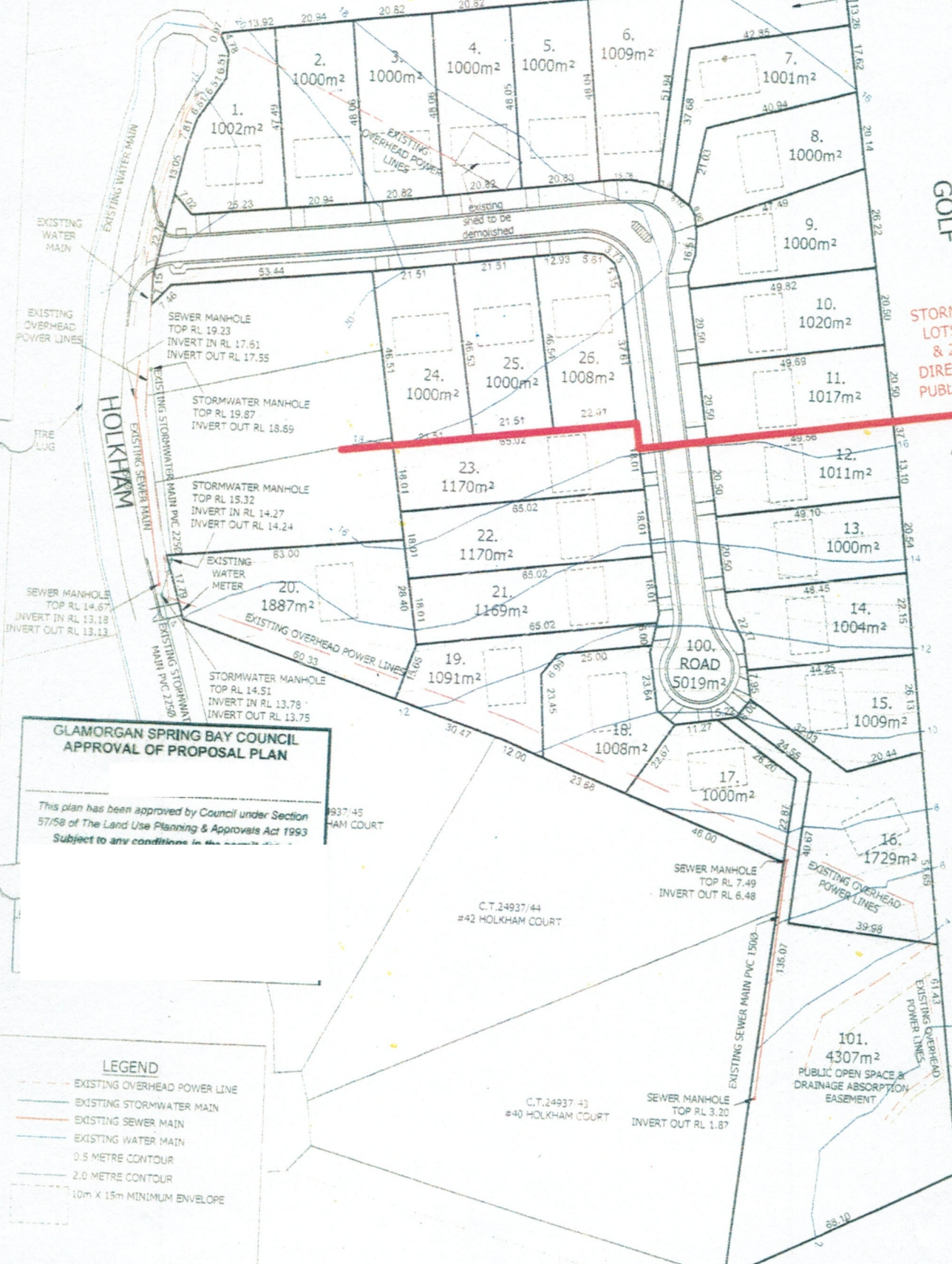
102. 777m<sup>2</sup>  
PUBLIC OPEN SPACE & DRAINAGE ABSORPTION EASEMENT  
TO BE REMOVED

GOLF

STORMWATER LOTS 1 - 11 & 24 - 26 DIRECTED TO PUBLIC DRAIN

C.T. 105653/3 ORFORD GOLF CLUB

COURSE



## GLAMORGAN SPRING BAY COUNCIL APPROVAL OF PROPOSAL PLAN

This plan has been approved by Council under Section 57/58 of The Land Use Planning & Approvals Act 1993  
Subject to any conditions in the approval

### LEGEND

- EXISTING OVERHEAD POWER LINE
- EXISTING STORMWATER MAIN
- EXISTING SEWER MAIN
- EXISTING WATER MAIN
- 0.5 METRE CONTOUR
- 2.0 METRE CONTOUR
- 10m x 15m MINIMUM ENVELOPE



OWNER:

FOLIO REI

GRANTEE:

# PLAN OF SURVEY



WOOLCOTT SURVEYS

BY SURVEYOR: BRETT RICHARD WOOLCOTT  
LOCATION: LAND DISTRICT OF PEMBROKE  
PARISH OF TRIABUNNA

SCALE 1:1250

LENGTHS IN METRES

Registered Number

DRAFT

APPROVED

EFFECTIVE

FROM .....

Recorder of Titles

LOT 300 IS COMPILED FROM C.T.176007/1 AND THIS SURVEY

ALL EXISTING SURVEY NUMBERS TO BE  
CROSS REFERENCED ON THIS PLAN

(S.P.42523)

(S.P.51844)

SEE  
ENLARGEMENT

100.

SET APART FOR  
DRAINAGE PURPOSES

(S.P.42523)

DRAINAGE EASEMENT  
3.00 WIDE  
(CREATED BY C.224832)  
(P.177905)

(P.173362)

(P.148748)



(D.105653)

ENLARGEMENT  
SCALE 1:2500

(D.105653)

(D.52131)

DRAINAGE EASEMENT 3.00 WIDE  
(CREATED BY C.224832)  
(P.177905)

(S.P.51844)

100.

(S.P.42523)

(S.P.51844)

(S.P.51844)

HOLKHAM COURT

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

ROAD

200.

24.

25.

26.

(S.P.176007)

25.58

63.00

17.79

DRAINAGE  
EASEMENT 'B'  
VARIABLE WIDTH  
(S.P.176007)

OUTLET TO PUBLIC  
RAIN MAINTAINED BY  
GLAMORGAN SPRING  
BAY COUNCIL

(S.P.164082)

(S.P.108710)

(S.P.176007)

(S.P.51844)

(S.P.42523)

300.  
2.003ha

ELECTRICITY  
INFRASTRUCTURE EASEMENT  
VARIABLE WIDTH  
(S.P.176007)

(S.P.24937)

(S.P.24937)

81.68

12.21

68.10

(S.P.172949)

(S.P.38575)

195.08

7.08

PIPELINE & SERVICES  
EASEMENT 'H' 3.00 WIDE

(171°04'40")  
(78.20)  
(79.51)  
(124°39')  
(24.27)  
(23.78)  
(161)  
(29.1E1)  
(140°15'58E)

(P.161649)

Registered Land Surveyor

Date

Council Delegate

Date

# Planning Permit

## Amended 10 Jan 2020



Issued to: Woolcott Surveyors  
Issued on: 4 November 2019  
Amended on: 9 January 2020 (to enable the subdivision to proceed in two stages)  
Amended on: 10 January 2020 (to correct a clerical error to condition 4)  
Issued under: Delegated Authority  
Development: Subdivision into 25 lots  
Site: !  
Title:  
Legislation: Sections 55 and 56 of the *Land Use Planning and Approvals Act 1993*

### CONDITIONS

#### Subdivision

1. The development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

- 1A. *The construction of the subdivision and the release of titles may be staged in the following manner:*

*Stage 1 – Lots 1 to 11 (inclusive), 24, 25, 26 and 102 with road works to the frontage of lot 11 and all other services required to service the stage 1 lots.*

*Stage 2 – Lots 12 – 17 (inclusive), 20, 23, 50 and 101 and balance of all works.*

- 1B. *Lots 100 and 101 on the Final Plan shall be subject to the notation set apart for drainage purposes.*

*Amended pursuant to section 56 of the Land Use Planning and Approvals Act 1993 on 9 January 2020.*

2. In accordance with the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 1.88% of the value of the area of land described as lots 6, 7 and 8 in the plan of subdivision 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* at the developer's expense.






- NOTES:
- 1. CONTOUR INTERVAL IS 0.5m, INDEX IS 2.0m.
  - 2. ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY

PROPOSED STORMWATER PIPELINE  
ORFORD



 <b>WOOLCOTT SURVEYS</b>		10 Goodman Court Invermay TAS 7248 PO Box 593 Mowbray Heights TAS 7248 Phone (03) 6332 3760 Fax (03) 6332 3764 Email: admin@woolcottsurveys.com.au		Job Number  H190201	
Drawn BRW	File name H190201_PROPOSALPLAN_V09.DWG	Date 29/07/19	Scale 1:2000 @ A3	Edition V.08	Sheet 1 OF 1



## Maree Tyrrell

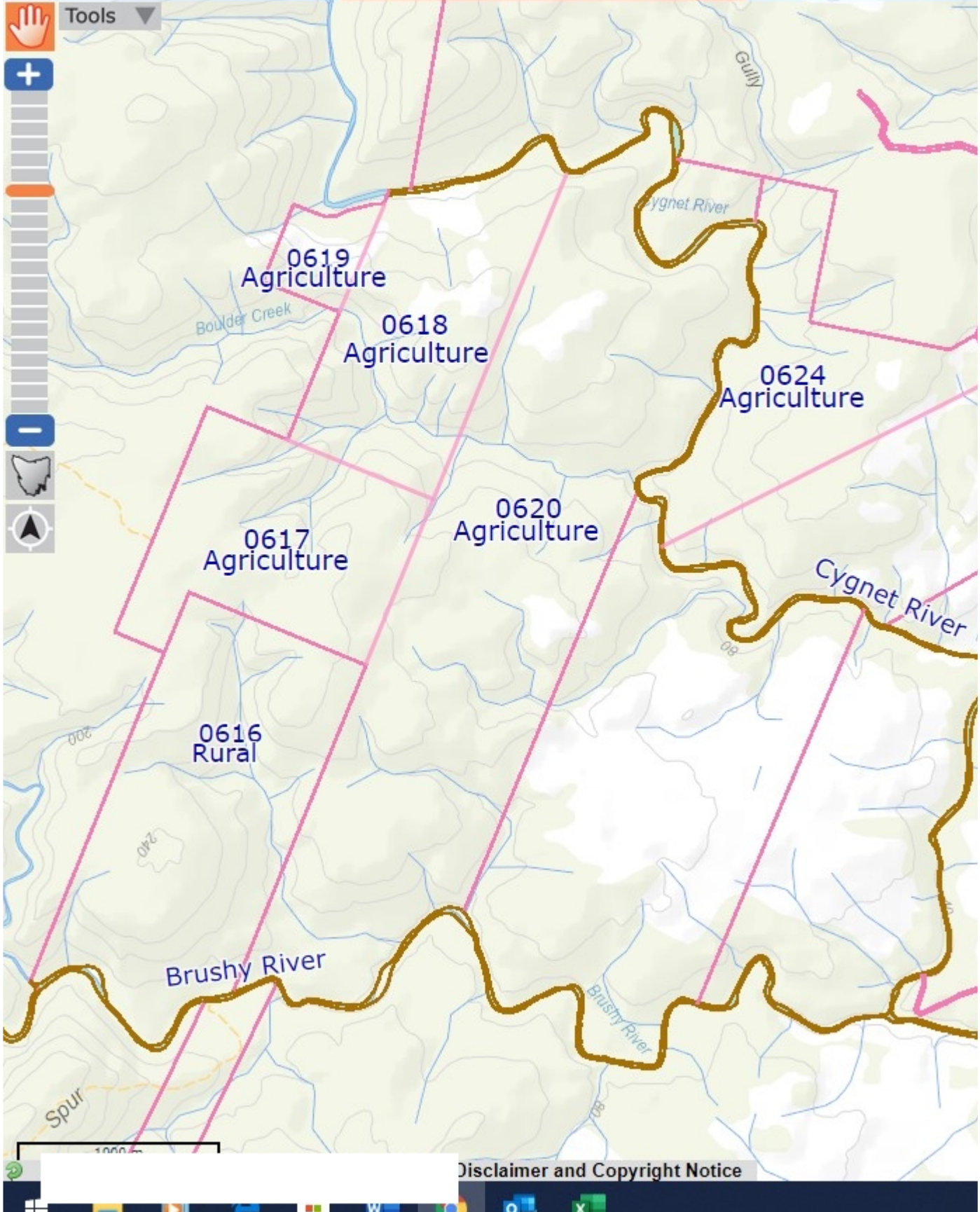
---

**From:**  
**Sent:** Wednesday, 12 February 2020 8:26 AM  
**To:** Contract Planner  
**Subject:** zoning of non agricultural land

Dear Nell

I am writing to comment on future zoning in the State Planning Scheme Local Provisions Schedule.  
I have several bush titles on my farm (between the Brushy and Cygnet rivers) that I believe should be zoned as Rural rather than Agricultural as they are not managed for commercial production and are unsuitable for any arable or livestock enterprise.  
We have not grazed sheep on these areas for over 20 years as they have been particularly venerable to changes in our climate and can no longer sustain such activity.

It is interesting to see that one of these titles has been zoned Rural and it is virtually identical in land capability as its neighbouring titles  
I would like to see these areas zoned Rural.



Disclaimer and Copyright Notice

The Second area that I have concerns about is title volume which was purchased for the dam site on it.

This block is geographically removed from our main property and unsustainable for any farming enterprise.

This title is about 90 Ha in total area.

13 Ha is Private Forrest Reserve as a negotiated offset for land that will be flooded by the dam.

About 18 Ha is planned to go under water.

I would like to see this block zoned Rural.

If there is any more information that you would like me to provide, please contact me.

Kind regards



## **Planning Scheme Amendment 07/2010 and Development Application Bicheno Golf Course**

We submit our concerns over the above proposal, albeit in a very brief form.

The primary concerns we have of this SAP is that the part of Denison Beach which is at the front of this land is one of the very few areas where dogs are not allowed on the beach. It is an important area for birds, some of which are listed as vulnerable or threatened. To open the land behind the beach up to more residential blocks would mean that these birds would be under more threat from dogs.

We are also concerned about continued ribbon development along the coast, and believe that urban areas should remain within the town boundary. There are more appropriate areas for subdivision within the Bicheno town, with numerous vacant lots in existence already. We believe that coastal protection is of utmost importance. The other area of consideration is how could Bicheno water supply cater for an expansion of the town?

**From:**  
**Sent:** Tuesday, 11 February 2020 4:36 PM  
**To:** Contract Planner;  
**Subject:** Representation relating to proposal for a Special Area Plan for the Bicheno Golf Club

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Dear planning department

My wife and I are rate-paying Bicheno residents, and wish to make a representation relating to the **Glamorgan Spring Bay Council Draft Local Planning Rules (Local Provisions Schedule)**

Our representation relates specifically to the proposal for a **Special Area Plan for the Bicheno Golf Club** (Glamorgan Spring Bay draft LPS – Specific Area Plan Map 13 November 2019.pdf, p. 1)

**WE RESPECTFULLY REQUEST THAT:  
THE PROPOSAL FOR A SPECIAL AREA PLAN FOR BICHENO GOLF CLUB BE REJECTED**

#### **Background and Rationale**

##### Community Input into Planning

The *Tasmanian State Coastal Policy 1996* states that communities have “an important role to play in coastal management” and encourages community “participation in decision making” and “input to policies and plans” (p. 11). My wife and I take our responsibilities as local citizens seriously, and we feel obliged to draw council’s attention to potential negative impacts of the proposed Special Area Plan - Bicheno Golf Course.

##### Environmental Issues

The Glamorgan Spring Bay *Community Strategic Plan 2013* was “in place when the draft LPS was being prepared” and states that Glamorgan Spring Bay will “Protect and promote our natural beauty, environment and heritage” (Glamorgan Spring Bay draft LPS – Supporting report 3 December 2019.pdf, pp. 70-71)

The *Tasmanian State Coastal Policy 1996* (p. 8) states:

*The coastal zone will be managed to conserve the diversity of all native flora and fauna and their habitats... Appropriate conservation measures will be adopted for the protection of migratory species and the protection and recovery of rare, vulnerable and endangered species in accordance with this Policy and other relevant Acts and policies.*

Any additional development in the Bicheno Golf Course area - particularly any new, concentrated residential development (with associated vegetation clearing, road construction, waste-water infrastructure etc) near the beach - has the potential to impact significantly on the coastal dune vegetation and wildlife.

The Glamorgan Spring Bay Council Bicheno Coastal Reserves **NATIVE FLORA AND FAUNA MANAGEMENT PLAN 2014 - 2019** identifies numerous examples of vegetation and wildlife that are currently under threat from increasing human encroachment on their fragile coastal environment. For example, “shorebirds of conservation significance” (including the Hooded Plover, Pied Oystercatcher, Red-capped Plover) have “declined over recent years mainly due to increased beach use by people” (p. 8).

The *Tasmanian State Coastal Policy 1996* suggests to: “where possible totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas” (p. 16).

##### Urban and Residential Planning Issues

The *Tasmanian State Coastal Policy 1996* states: “Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon development and unrelated cluster developments along the coast” (p. 16).

Any new urban and residential development in the Bicheno Golf Club area – an area which is well to the north of the established township and located within the 100km highway zone – would constitute the type of “ribbon” and “cluster”

development that the *Tasmanian State Coastal Policy* specifically discourages. On this basis alone the Special Area Plan should be rejected.

It is also relevant that there is still considerable vacant land within the Bicheno village precinct, and it makes sense for any future concentrated urban development to be located there. We note that the *Glamorgan Spring Bay Council Draft Local Planning Rules Local Provisions Schedule* already proposes some “North Bicheno Future Urban” rezoning (p. 3).

Thank you in advance for considering our representation.

## Maree Tyrrell

---

**From:**  
**Sent:** Tuesday, 11 February 2020 3:54 PM  
**To:** Contract Planner  
**Subject:** Representation on Draft Glamorgan Spring Bay Council LPS, Property ID  
**Attachments:** Conservation Covenants near Crossins Rd Swansea.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Mr. Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
Triabunna Tas 7190  
Attention: Contract Planner

**Representation about Draft Glamorgan Spring Bay Council LPS –  
Request to Change Zoning of Crossins Rd Swansea (Property ID and contiguous properties from ‘Rural’ to ‘Landscape  
Conservation’**

Dear Sir

We are owners of Crossins Rd Swansea. Our land comprises two lots (Vol totaling about 700 ha in size.  
Both lots are under Conservation Covenants with the exception of about 10 ha in total.

Many of the neighbouring lots are also under Conservation Covenants. This whole area, about 1600 ha in total, was purchased by the Tasmanian Land Conservancy, subdivided in 2014, named and subsequently placed under Conservation Covenants.

We note that in the draft Glamorgan-Spring Bay Local Provisions Schedule our land has been rezoned from Rural Resource to Rural as have most of the conservation covenanted land adjacent to us. We consider that zoning our land Rural is inappropriate and **request that our land be rezoned to Landscape Conservation** for the following reason:

*Guideline LCZ 1 in Section 8A Guideline No. 1 states:*

*The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.*

Land under a Conservation Covenant necessarily meets this criteria.

For the same reason we also **request that the neighbouring properties** that are under Conservation Covenants be rezoned to Landscape Conservation.

We also note that approximately 1,500 ha of land west of the Wye River and adjoining our property is under conservation covenants. It has also been zoned Rural in the draft LPS and therefore we **request that land be re-zoned Landscape Conservation** for the same reason as above.

In summary **we request that approximately 3100 ha** inappropriately zoned Rural in the draft LPS be **re-zoned Landscape Conservation** to satisfy the Planning Guidelines. Please see the attached figure taken from the LIST (11 February 2020) showing the relevant area.

Sincerely



[Home](#)[Maps](#)[Help](#)[Login](#)

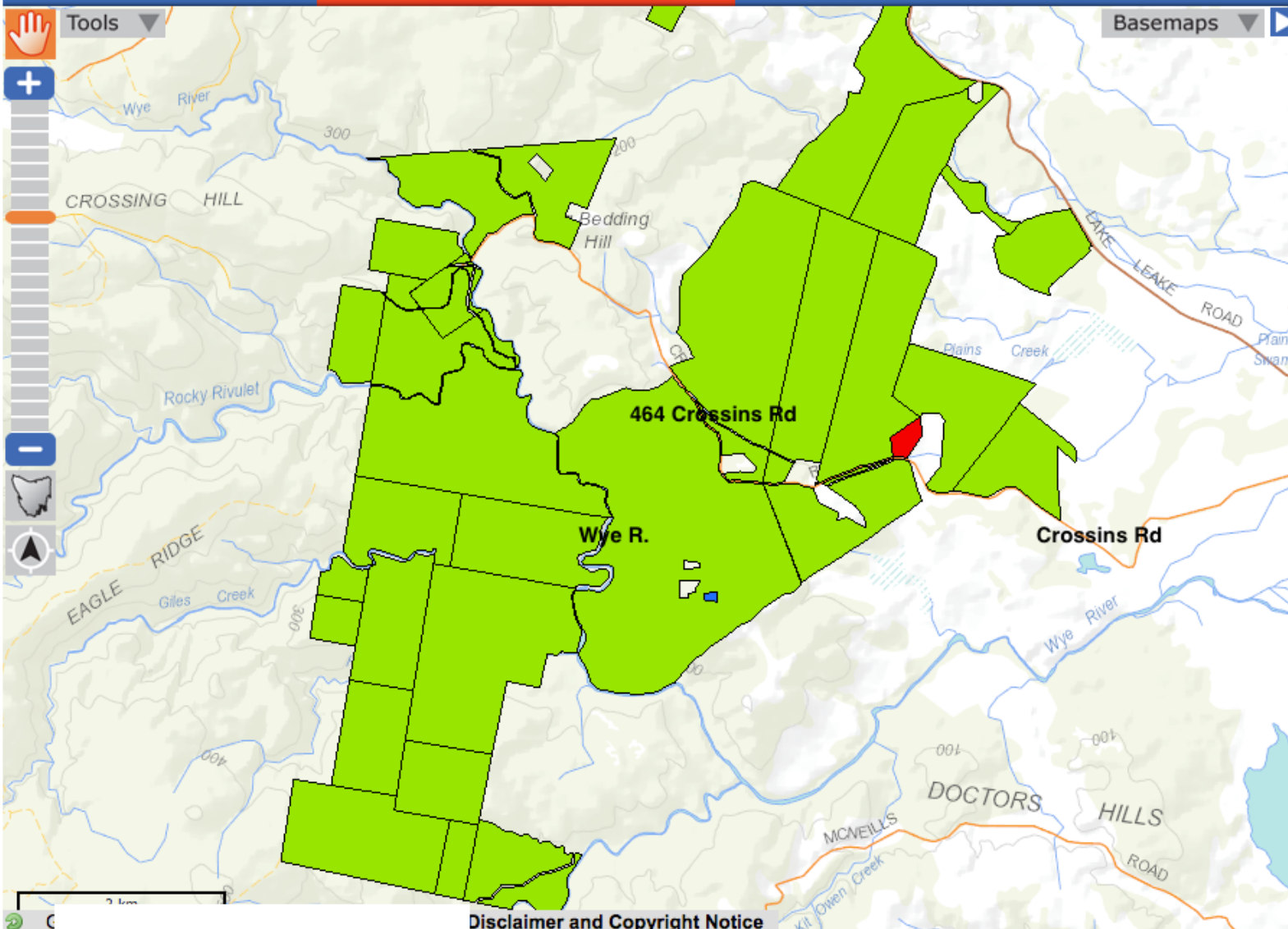
Tools



Basemaps

Add Layer +

- ☒ Drawing Tools
- ☐ Tasmanian Reserve Estate
- ☒ Conservation Covenants
- ☒ Cadastral Parcels



Disclaimer and Copyright Notice



theList Premium  
Property  
Report

LandTasmania

Our ref: /

1 / JAN 2020

14 January 2020

BY: .....

Mr Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

Dear Mr Schroeder

### **Representation – Glamorgan Spring Bay Draft Local Provisions Schedule**

Thank you for the opportunity to make a representation on the Glamorgan Spring Bay Draft Local Provisions Schedule (LPS). This representation raises matters related to:

- Flood-prone areas hazards;
- Coastal inundation hazards;
- Zoning; and
- Emergency management.

### **Flood-prone areas hazards**

The \_\_\_\_\_ notes that a Flood-Prone Areas Hazard Overlay, has not been included as part of the draft LPS. The Supporting Report, exhibited as part of the draft LPS documentation, makes the following explanatory statement:

#### *“3.2.12 Flood-Prone Areas Code*

*Clause LP1.7.10 of the SPPs state that ‘if a planning authority has flood-prone areas in its municipal area, the LPS must contain an overlay showing the areas for the application of the Flood-Prone Areas Hazard Code.’ The planning authority has insufficient data to demonstrate that riverine areas are known to be prone to flooding within the 1 per cent annual exceedance probability level and therefore the code is not used in the draft LPS.*

*The inability to produce a flood-prone hazard area overlay, **thereby not implementing the Flood-Prone Areas Code** is consistent with the SPPs and the Guidelines.”*

SES notes that while sufficient data is not available to inform a comprehensive Flood-Prone Areas Hazard Overlay for the municipal area, there are areas within the Glamorgan Spring Bay (GSB) municipal area that have been studied by a suitably qualified person and are known to be at risk from flooding. The *Saltwater Creek Flood Study 2018*, commissioned by GSB Council and prepared by Burbury Consulting, identified land within the municipality at

risk of flooding in a 1% AEP flood event and could inform a Flood-Prone Areas Hazard Overlay.

recommends that a Flood-Prone Areas Hazard Overlay, incorporating the 1% AEP extent from the *Saltwater Creek Flood Study 2018*, is included in the draft LPS.

In recognition of the limited flood-prone areas mapping across Tasmania, the State Government is undertaking the Tasmanian Flood Mapping Project. This project will deliver a state-wide comprehensive and consistent flood hazard map by 2020. The map will be made available to planning authorities for land use planning purposes, including updating LPS Flood-Prone Areas Hazard Overlays. The invite GSB Council to participate in this project.

Until the state-wide flood hazard map is delivered, many flood-prone areas will remain unmapped within a LPS Flood-Prone Areas Hazard Overlay.

take this opportunity to confirm that the absence of a Flood-Prone Areas Hazard Overlay in a LPS does not preclude the implementation of the Flood-Prone Areas Hazard Code.

The Flood-Prone Hazard Areas Code applies in a number of circumstances, including; to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is requested by a planning authority, as subject to risk from flood or that has the potential to cause increased risk from flood.

A planning authority may request such a report where it reasonably believes, based on information in its possession, that the land is subject to risk from flood, or has the potential to cause increased risk from flood.

is working with the Department of Justice to prepare draft guidance on what information a planning authority should use to determine if it reasonably believes that land is subject to risk from flood, or has the potential to cause increased risk from flood. A request will be made to the Tasmanian Planning Commission to consider issuing the guidance under section 8A of the *Land Use Planning and Approvals Act 1993*.

In the interim, suggests that, to determine if it reasonably believes that land is subject to risk from flood or has the potential to cause increased risk from flood, planning authorities should have regard to the best, publicly available flood hazard information including:

- any report adopted by a council in accordance with regulation 52(2)(b) of the *Building Regulations 2016*
- any flood study available on the [Australian Flood Risk Information Portal](#)
- any flood hazard report prepared in accordance with the Flood-Prone Areas Hazard Code
- any flood marks, photos, or other historical evidence that are publicly discoverable
- Flood Data books available from the Department of Primary Industries, Parks, Water and Environment
- the modelled 2016 flood high water mark extent map available on [ListMap](#) (layer called *June 2016 Flood HWM Extent*).

## **Coastal inundation hazards**

notes that the draft LPS includes a table headed, *GSB – Table C11.1 Coastal Inundation Hazard Bands AHD Levels*, and that the data included in this table has been informed by the Department of Premier and Cabinet's - *Coastal Hazards Technical Report - Appendix 9*. SES supports the inclusion of this table in the draft LPS.

This Table enables the full application of the Code and the forthcoming *Director's Determination – Building Requirements for Coastal Inundation Hazard Areas*.

## **Zoning**

notes that there are a number of proposed changes in zoning compared to the current interim planning scheme. These proposed zoning changes do not appear to significantly increase the potential future flood risk or coastal inundation risk land use profile.

## **Emergency Management**

notes that the Dolphin Sands area is surrounded by land at high risk of coastal inundation. Access to and from this locality may be limited during storms and elevated ocean water level events. The *draft LPS – GSB-P1.0 Particular Purpose Zone - Dolphin Sands*, in conjunction with the *Dolphin Sands Emergency Management Sub-plan*, is an important plan that contributes to the management of this risk. Regular reviews of the *Dolphin Sands Emergency Management Sub-plan* should continue to include specific consideration of coastal inundation emergencies in combination with changes to use and development in the locality.

Yours faithfully

2/12/2020



General Manager  
Glamorgan Spring Bay Council  
Melbourne Street  
Triabunna 7190

Dear Sir.

**Submission regarding the Statewide Planning Provisions relating to draft Local Provisions Schedule.**

I attach my contribution to the above.

I do so as someone who has been connected to Orford in one way or another for 55 years.

I thank you for the opportunity to participate in this important process.

Sincerely





## SUBMISSION IN RELATION TO STATEWIDE PLANNING PROVISIONS

### -LOCAL PROVISIONS SCHEDULE (GLAMORGAN SPRING BAY)

#### THE ISSUES IN RELATION TO THE ORFORD AREA

1. Development appears to be done in an ad hoc manner lacking appropriate guiding principles.
2. Planning principles are often comprised leading to confusion and resentment (e g varied property setbacks on cliff walk East Shelly Beach to Spring Beach).
3. There is little attention paid to the differences between village development and established rural/holiday development.
4. Regulations are complex and long winded. Councillors, Developers and residents must be able to understand them, or else why have them?
5. Unique features need protection.

1. Development is ad hoc.

A perfect example of ad hoc and inappropriate development is the poorly presented new dwellings on the north western side of the highway adjacent to the Orford bridge .This is a gateway development and reflects poorly on planning principles.

2. Planning principles are compromised.

Too often we witness setbacks which break Council “rules”.

These variations are often made because blocks are too small to accommodate dwellings within the specified foot print.

Planning guidelines must be rigidly applied to ensure trust and integrity in the system is maintained.

3. Village development is different to rural development.

Orford has a recognisable village, which I suggest runs from the Orford Golf Club to the Wielangta Road turnoff .Relatively high intensity living is appropriate within this boundary.

Outside this boundary there are established communities which have their own flavour, and any development must enhance this flavour, not sour it.

These communities include East and West Shelly Beach (although the latter has already been compromised), Spring Beach and Stapleton.

Quarter acre blocks are inappropriate in these iconic areas.

I make no observation on supply and demand of land for dwellings as I believe the market will work that out.

Council has, however, a pivotal role in protecting the heritage and liveability of these outlying precincts.

#### 4. Regulations are complex.

This is an opportunity to simplify regulations. Few people have the time or expertise to read, let alone understand them. Over the years I have spoken to Councillors who have no idea about their own rules.

Simplicity and clarity will result in better outcomes.

#### 5 Unique features need protection.

The approaches to any village are important, and Orford is no exception.

Many Australian towns have 'avenues of honour.'

Orford may not need such an avenue, but it does have natural assets worth preserving and enhancing. These include the beaches leading into Orford in the north and south, (Raspins and Spring), Maria Island, the Prosser River, and the road approaches. Outside the village precinct, it is important that any residential development be rural in scale, so as to help preserve the existing character of the town entry points.

The development Spring Beach Rise with its large blocks is a good example of development that recognises the environment it is in, albeit impossible to see from the main road, because of its location.

12th February 2020

PO BOX 9  
Melbourne Street  
Triabunna, TAS 7190

*By email: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)*

**GLAMORGAN SPRING BAY DRAFT LOCAL PROVISIONS SCHEDULE (LPS)**

This submission relates to the zoning of land within the footprint of the Swan Valley Irrigation Scheme as proposed by the Draft LPS.

I note with approval that much of the land within this footprint that is currently zoned Rural Resource under the current Interim Plan is proposed to be zoned Agriculture according to the draft LPS.

This proposed reclassification conforms to the methodology recommended by the Agriculture Land Mapping Project, prepared and published by the Department of Justice, Planning Policy Unit to inform the State Planning Provisions.

It is evident by the recent large scale grapevine planting in the district that, with the availability of irrigation, land which was once considered to have marginal agriculture value, can be transformed into land potentially suited to a variety of perennial horticulture ventures.

I would urge you to resist any representations arguing for modification of the published draft LPS Agriculture zone within the Swan Valley Irrigation Scheme.

Yours faithfully



Bicheno 13 February 2020

The Contract Planner

Glamorgan Spring Bay Council

By email [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

**Representation Re: Proposed Local Provisions Schedule (SAP Bicheno Golf-Course).**

Dear Contract Planner,

I refer to the above proposed SAP apparently recommended to be incorporated into the GSBC's Local Provisions Schedule of the New Statewide Planning Scheme.

This Bicheno 18hole Golf Course / Residential Subdivision proposal was approved in 2012 and was unusual in that the residential subdivision would remain zoned Open Space. A number of unusual restricting conditions were also part of the approval.

After the approval was suitably celebrated by the proponents and an immediate start was announced including photos of cutting down the first (and only) tree (yes hardhats and hi-vis vests galore) and a highly misleading virtual flyover video of the completed project was produced, the actual project stalled. The necessary land-swap between the Developer and the Golf Course owners never took place. Shortly after the Developer's land was offered for sale (advertised as a mortgagee sale) and was sold. All references to the new 18 Bicheno golf-course disappeared from the Golf Course website. The project is dead in more ways than the parrot in John Cleese's parrot sketch and has hung like the proverbial dead albatross around the neck of Planners dealing with Planning Scheme alterations.

A chance to ditch the albatross and return to a PS where realistic expectations were canvassed and incorporated was missed when the approval for this then dead proposal was carried forward into the then new 2015 GSBC Interim Planning Scheme, perhaps in the faint hope that the State Government or the Council would come to the rescue with funding and/ or other assistance (not unlike the infamous and even longer festering Solis Golf Course saga).

In 2020 it is clear that there are no plans to revive this proposal and if the proposed SAP is parachuted into the new Planning Scheme it will be an unnecessary and glaringly obvious anomaly imposed upon a supposedly strategic and long-lasting document that will guide future development for Bicheno.

I respectfully submit that this now historic aberration should be purged from the planned Statewide Scheme's GSBC Local Provisions Schedule.

Yours sincerely,



**From:**  
**Sent:** Monday, 17 February 2020 9:12 AM  
**To:** Contract Planner  
**Subject:** FW: Comment on the Statewide Planning Provisions and LPS.

From:  
Sent: Friday, 14 February 2020 4:50 PM  
To: GSBC Admin <admin@freycinet.tas.gov.au>  
Subject: Comment on the Statewide Planning Provisions and LPS.

Dear Chris  
I wish to support                                well researched submission regarding the above.  
Their work has highlighted important factors that have either been ignored or overlooked in past decision making.  
Hopefully this information will benefit future Planning undertakings.

Yours sincerely

13/02/2020

Glamorgan Springbay Council

9 Melbourne Street

Triabunna TAS 7190

To the contract Planner,

We are writing in regards to the proposed Glamorgan Spring Bay draft Local Provisions Schedule.

Property Number                      has been highlighted to change from existing ZONING of Rural to Agricultural. This property is on its own title from the adjoining properties and is privately owned.

It also has a single residential dwelling on it, land size approx. 3.6 hectares.

We do not believe this should be grouped into the agricultural zoning as the land size as well as the quality of the land would limit the use of this land for agricultural purposes.

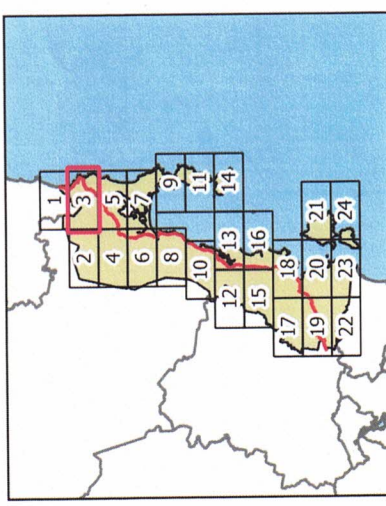
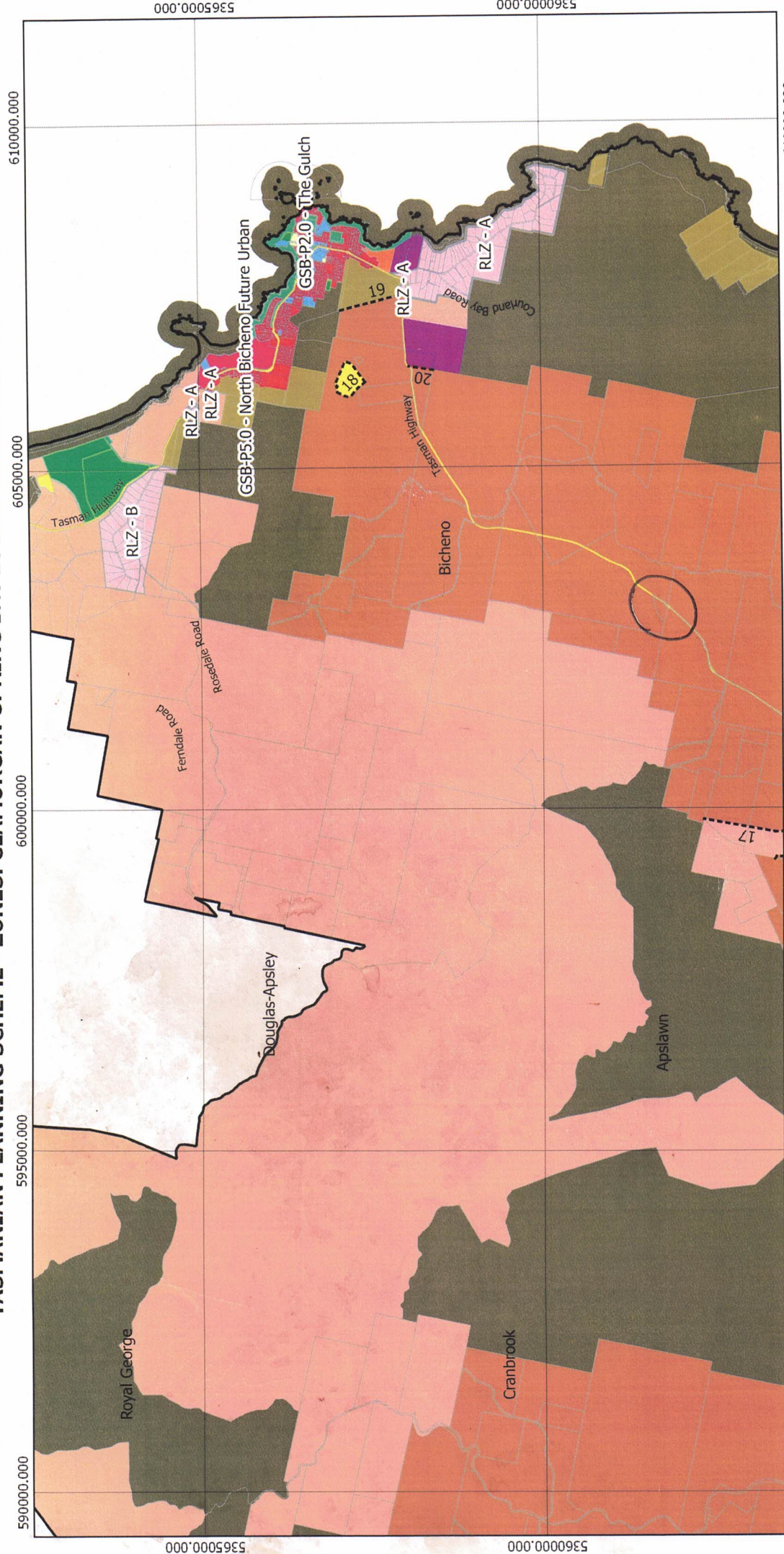
I've attached a copy of the title and GSBC Rates for your reference.

We look forward to a response.

Regards



TASMANIAN PLANNING SCHEME - ZONES: GLAMORGAN-SPRING DAT LOCAL PROVISIONS SCHEDULE



**Map 3 of 24**

0.5 0 0.5 1 1.5 2 km

Coordinate System: GDA 1994 MGA Zone 55  
Base data from the LST, © State of Tasmania  
Land title data current as of 26/09/2017

Disclaimer: Before taking any action based on data shown on this map, it should first be verified with the relevant council.

Date: 28/06/2019

**Legend**

General Residential	Rural	Community Purpose	Future Urban
Low Density Residential	Agriculture	Open Space	Particular Purpose
Rural Living A	Utilities	Recreation	Property Parcels
Rural Living B	Landscape Conservation	Local Business	LPS Boundary
Village	Environmental Management	General Industrial	Zone Boundary
	Major Tourism	Light Industrial	17-50m Contour and Straight Line to Title Corner
			18-Follows Fence Line and Tree Line
			19-Between Title Corner and Point
			20-Continuation of line from corner of 206455/1




**Date of Issue** **04/10/2019**
**Property Number**

 054  
1001984  
R1\_4381

## 2nd Instalment Rates Notice 2019/2020

### PROPERTY DETAILS

PROPERTY ADDRESS	
PROPERTY ID	
TITLE REFERENCE	
IMPROVEMENTS	DWELLING
CLASSIFICATION	Non-Vacant Residential
CAPITAL VALUE	\$350,000

### Overdue & Payable Now

**\$0.00**
**Instalment  
Amount**
**Due Date**
**\$339.00**
**1/11/2019**

Overdue & Payable Now	Instalment Amount	Total Payable (Including overdue amount)
<b>\$0.00</b>	<b>\$339.00</b>	<b>\$339.00</b>

### Recent payments

Payments received after Date of Issue (top right-hand corner of this page) are not included in this notice.

### Interest

Charged at the rate of 8.1% per annum will be applied on a daily basis on all overdue amounts.

**Property No:**
**Name:**
**Address:**

### Payment Slip

**AMOUNT DUE**
**\$339.00**


\*443 2839 9872747 21


 Post  
Billpay

 Billpay Code: \* 8215  
Reference: **9872747**

 Biller Code: 72132  
Ref No: **9872747**

 BPAY® this payment via Internet or phone banking.  
 BPAY View® – View and pay this bill using internet banking.  
 BPAY View Registration No.: **9872747**  
 Security Code: **QJRNBRQ**

For phone, online &amp; Aus Post payments

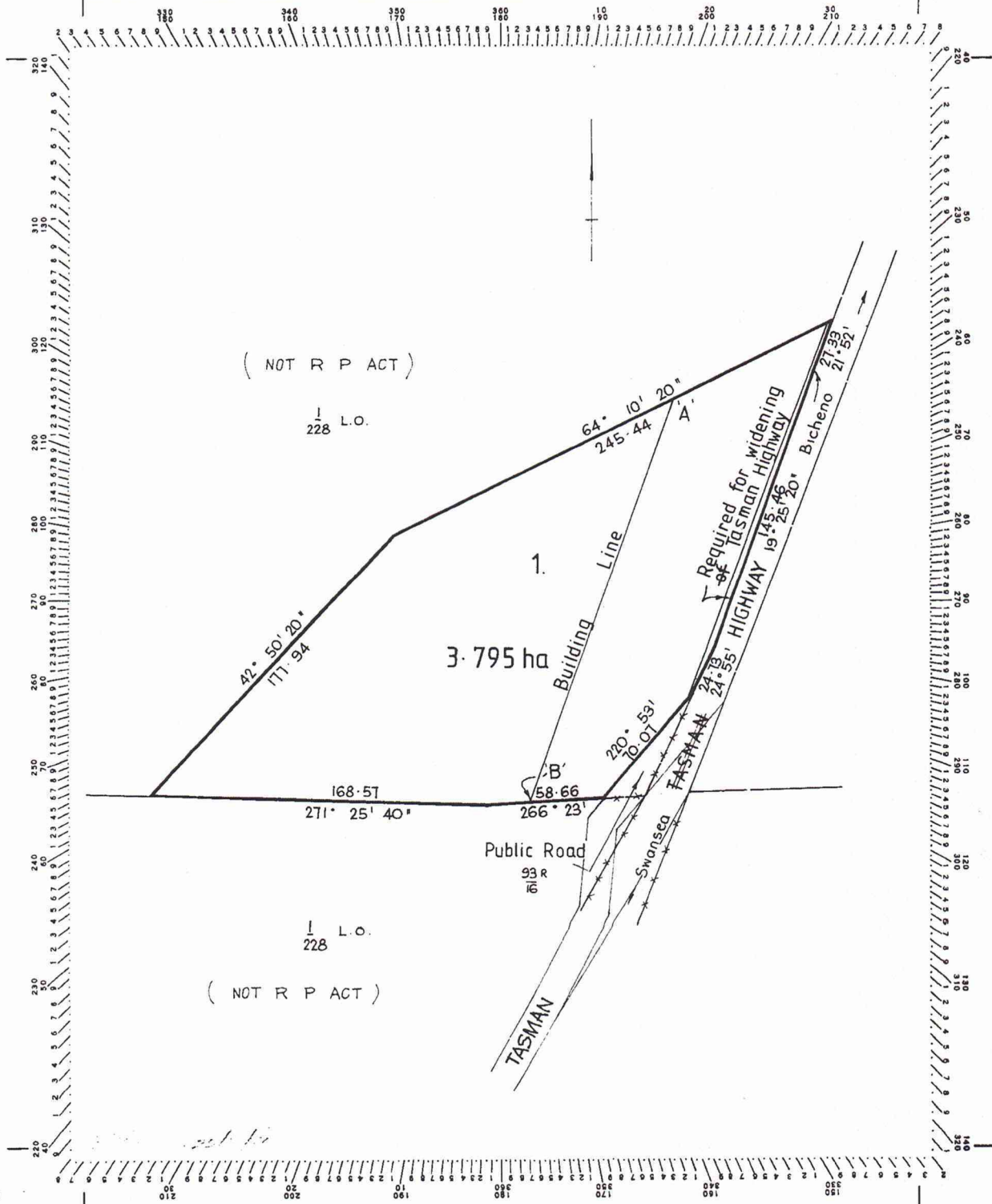
# GO GREEN. GO ELECTRONIC.

Receive &amp; pay your rates notices via email

 Register now at [gsbc.enotices.com.au](http://gsbc.enotices.com.au)  
 with eNotices reference number:


SP 14560

<p><b>Owner:</b></p> <p style="text-align: center;">Ltd.</p>	<p style="text-align: center;"><b>PLAN OF SURVEY</b></p> <p>by Surveyor <u>R. S. Gane</u> of land situated in the</p>	<p style="text-align: right;">Effective from: <b>- 6 AUG 1980</b></p> <p style="text-align: right;"><i>J. Bowden</i> <b>ACTING DEPUTY Recorder of titles</b></p>
<p><b>Title Reference:</b> Conv.</p>	<p><b>LAND DISTRICT-GLAMORGAN, PARISH - ST. ALBANS</b></p>	
<p><b>Grantee:</b> Part of Lot 293, 640 ac. Gtd. to G. Meredith.</p>	<p>SCALE 1: 2000      MEASUREMENTS IN METRES</p>	



13/02/2020

Glamorgan Springbay Council

9 Melbourne Street

Triabunna TAS 7190

To the contract Planner,

We are writing in regards to the proposed Glamorgan Spring Bay draft Local Provisions Schedule.

Property Number [redacted] has been highlighted to change from existing ZONING of Rural to Agricultural.

This parcel of land has 2 current operating Mining Lease 1 [redacted] issued to [redacted] permit number [redacted] respectively. 1 [redacted] is also located on this property, which runs a concrete batch plant, landscaping yard, contractor's storage yard and workshops.

Lilla Villa Quarry – 1 [redacted] is a level 2 Extractive Quarry, blasting and crushing is undertaken on this site. It is a hard rock Quarry which is also registered with Vic Roads – supplier no [redacted] This Quarry is a valuable resource in the GSBC municipality. It is the only VicRoads registered Quarry in the GSBC, able to supply contractors for DSG Roadworks. The Quarry also produces aggregates suitable for concrete. Material is supplied, but not limited to, for the use of pavement material under sealed roads, armour rock and concrete aggregates.

[redacted] is a level 2 Extractive Quarry, crushing is undertaken on this site. This Quarry produces road base material supplied but not limited to GSBC LGA, DPIPW, road shouldering and domestic use.

[redacted] supplier based in Bicheno. We service, but not limited to locality from Cranbrook, Coles Bay, Bicheno, St Marys, Four Mile Creek to Falmouth. We also supply this area with [redacted] products from our yard. We employ 7 full time local employees and Sub Contractors as required.

[redacted] operates 2 Visitor accommodation on this property.

We are writing raise the awareness of land being changed from Rural to Agricultural. Rezoning to Agricultural will make our operations a discretionary class, currently all permitted under Rural, which could impact across our current diverse range of business. It could affect potential future operational changes if the need arises to amend our permit or Mining Lease's. It would be detrimental to the GSBC community and future potential works DSG may release for the upgrade to the Great Eastern Drive if we were unable to supply material from these [redacted].



It would also be detrimental to the community if in the future that we are restricted from expanding our current ( ) business.

Property number ( ) remained zoned Rural when the Tasmanian Interim Planning applied its changes. The land is currently used only for grazing stock. Significant investment would be required to improve the soil quality of the pastures to make it viable to support any crop plantation. If the land was only able to be used for agricultural purposes, it is not able to make a profitable income, infrastructure upgrades in the way of water storage would also be required, as we experience below average rainfall on the East Coast.

I've attached a copy of the title, GSBC Rates, permit and current ( ) Lease for your reference.

We look forward to a response.

Regards

**Tenement Ref.**

**Holder**

**Operator**

**Marked Out Date** 21/07/2010

**Granted Date** 29/03/2011

**Term** Unknown

**Expiry Date** 21/03/2021

**Status** Granted

**Principal Product** Gravel

**Product Category(s)** Category 3 – Construction Minerals

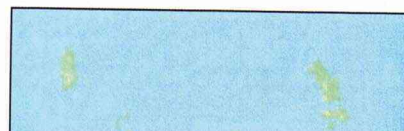
**Current Area** 30 hectares

**Issue Area** 30 hectares

**Land Tenure** Private Parcel

**Locality** Apsley River (4km SW of Bicheno)

**Charts** Unknown



**Tenement Ref.**  
**Holder**

**Operator**

**Marked Out Date** 16/06/2014

**Granted Date** 07/08/2014

**Term** Unknown

**Expiry Date** 10/02/2022

**Status** Granted

**Principal Product** Dolerite

**Product Category(s)** Category 3 – Construction Minerals

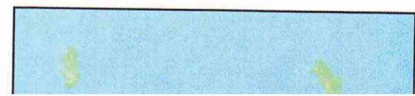
**Current Area** 6 hectares

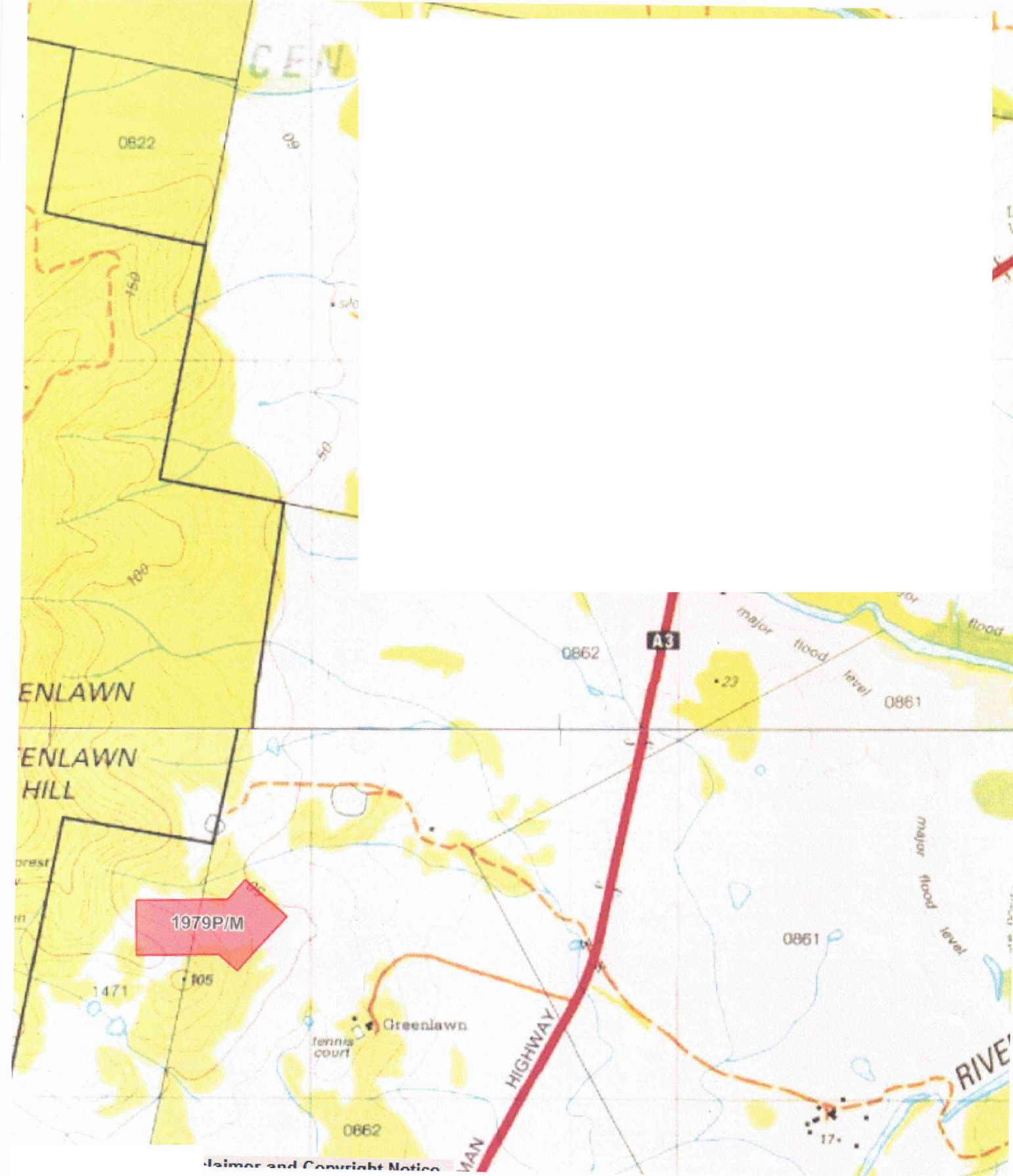
**Issue Area** 6 hectares

**Land Tenure** Private Parcel

**Locality** Bicheno

**Charts** Unknown







Use Class	Qualification
Extractive Industry	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Manufacturing and Processing	If for the processing of materials from Extractive Industry.
Pleasure Boat Facility	If for a boat ramp.
Research and Development	If associated with Resource Development or Resource Processing.
Residential	If for: (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) grain storage; (d) a liquid, solid or gas fuel depot; or (e) a woodyard.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If for guests accommodated within an existing building.
<b>Discretionary</b>	
Bulky Goods Sales	If for: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscaping materials supplier; (c) a timber yard; or (d) rural supplies.
Business and Professional Services	If not listed as Permitted.
Community Meeting and Entertainment	
Crematoria and Cemeteries	





GLAMORGAN  
SPRING BAY  
COUNCIL

PO Box 6  
TRIABUNNA TAS 7190

# ANNUAL RATE NOTICE 2019/2020

Rating Year - 01/07/2019 to 30/06/2020

Office 03 6256 4777

admin@freycinet.tas.gov.au

www.gsbc.tas.gov.au

ABN 95 641 533 778

Rates 03 6256 4782

rates@freycinet.tas.gov.au

Date of Issue: **02/07/2019**

Property Number:



054

R1\_7645

Overdue & Payable Now	
<b>\$0.00</b>	
Instalment Amount	Due Date
\$1,698.29	9/08/2019
Instalment Amount	Due Date
\$1,697.00	1/11/2019
Instalment Amount	Due Date
\$1,697.00	7/02/2020
Instalment Amount	Due Date
\$1,697.00	1/05/2020

## PROPERTY DETAILS

PROPERTY ADDRESS

PROPERTY ID

TITLE REFERENCE

IMPROVEMENTS

CLASSIFICATION Primary Production

CAPITAL VALUE \$2,150,000

## RATES & CHARGES DETAILS

General	Primary Production
Waste Base Levy	1 charge @ \$90.00 = \$90.00
Waste Service Charge	3 charges @ \$102.00 = \$306.00
Medical Charge	1 charge @ \$80.00 = \$80.00
Fire Levy	0.492291 cents * \$86,000 (AAV) = \$423.37

\$5,889.92

\$90.00

\$306.00

\$80.00

\$423.37

TOTAL CURRENT RATES: \$6,789.29

LESS PENSION REMISSION: \$0.00

BALANCE BROUGHT FORWARD: \$0.00

**TOTAL PAYABLE: \$6,789.29**

## Recent payments

Payments received after Date of Issue (top right-hand corner of this page) are not included in this notice.

## Interest

Charged at the rate of 8.1% per annum will be applied on a daily basis on all overdue amounts.

## Payment Slip

Property No: 2

Name: J

Address: F



\*443 2839 9853713 63

INSTALMENT PAYABLE	TOTAL RATES PAYABLE
<b>\$1,698.29</b>	<b>\$6,789.29</b>
Excluding overdue amounts	* A Discount of 2%, equating to \$135.79, will be given if these Rates are paid in full by 09/08/2019. *



Post  
Billpay

Billpay Code: 8215  
Ref: 2839 9853713 63



Bill Code: 72132  
Ref No: 9853713

BPAY® this payment via Internet or phone banking.  
BPAY View® - View and pay this bill using Internet banking.  
BPAY View Registration No.: 9853713

Pay in person at any post office.

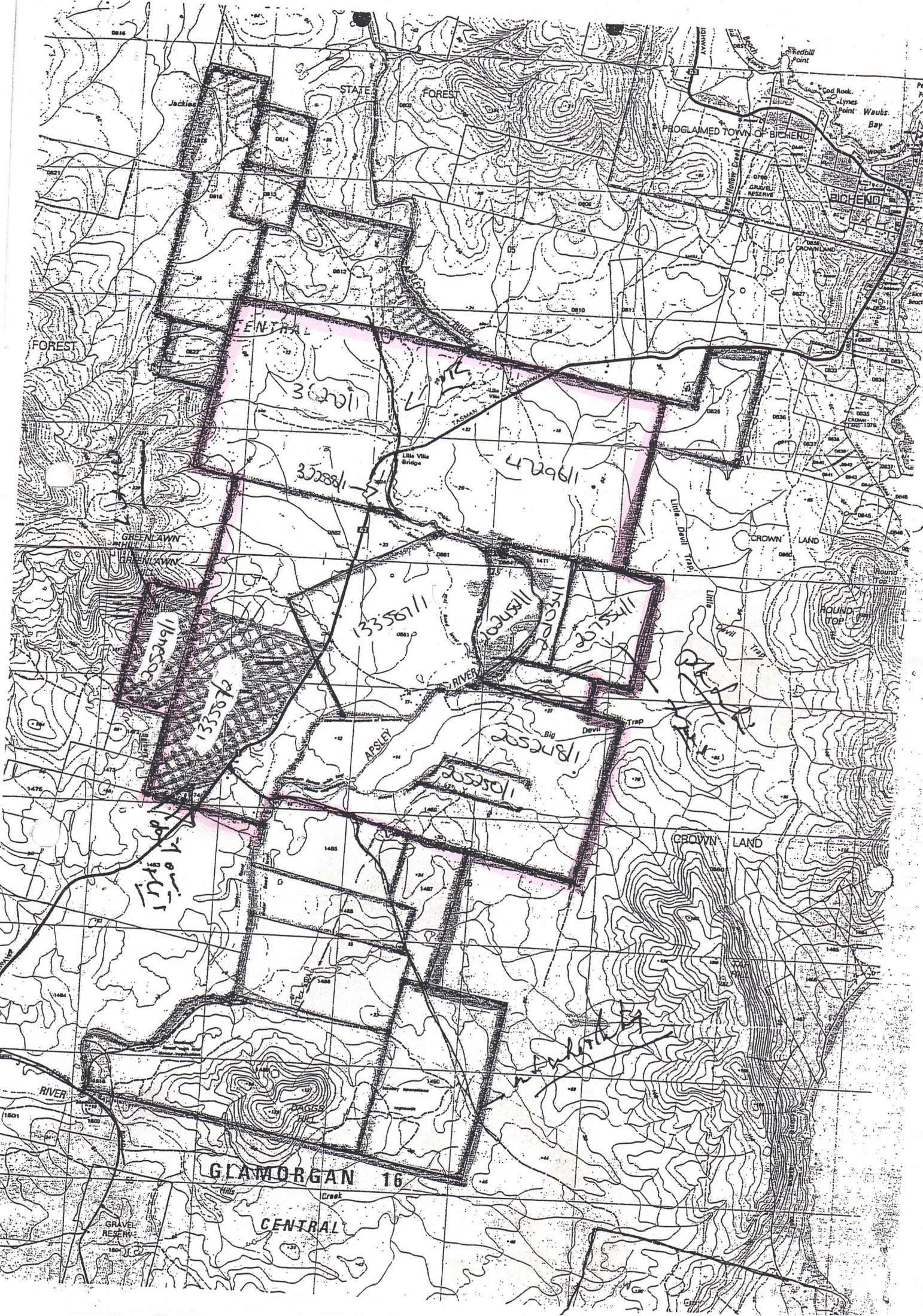
# GO GREEN. GO ELECTRONIC.

Receive & pay your rates notices via email

Register now at [gsbc.enotices.com.au](http://gsbc.enotices.com.au)  
with eNotices reference number:









---

**PERMIT PART B**  
**PERMIT CONDITIONS - ENVIRONMENTAL No. 8052**

---

Issued under the *Environmental Management and Pollution Control Act 1994*

Applicant:

Activity:           **The operation of a quarry (ACTIVITY TYPE: Crushing, grinding, milling or separating into different sizes (rocks, ores or minerals))**

The above activity has been assessed as a level 2 activity under the *Environmental Management and Pollution Control Act 1994* under delegation from the Board of the Environment Protection Authority.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of the Environment Protection Authority has required that this Permit Part B be included in any Permit granted under the *Land Use Planning and Approvals Act 1993* with respect to the above activity.

Municipality:                           **GLAMORGAN/SPRING BAY**  
Permit Application Reference:  
EPA file reference:

Date conditions approved:

2 - FEB 2011

Signed:

\_\_\_\_\_  
ACTING DIRECTOR, ENVIRONMENT PROTECTION  
AUTHORITY



## DEFINITIONS

Unless the contrary appears, words and expressions used in this Permit Part B have the meaning given to them in **Schedule 1** of this Permit and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Permit Part B, the EMPCA prevails to the extent of the inconsistency.

## ENVIRONMENTAL CONDITIONS

The person responsible for the activity must comply with the conditions contained in **Schedule 2** of this Permit Part B.

## INFORMATION

Attention is drawn to **Schedule 3**, which contains important additional information.



---

**PERMIT PART B**  
**PERMIT CONDITIONS - ENVIRONMENTAL No. 7391**

---

Issued under the *Environmental Management and Pollution Control Act 1994*

Applicant:

**BICHENO TAS 7215**

Activity:

**the operation of extractive pit (ACTIVITY TYPE: Crushing, Grinding or Milling (Rocks))**

**BICHENO TAS 7215**

The above activity has been assessed as a level 2 activity under the *Environmental Management and Pollution Control Act 1994* under delegation from the Board of Environmental Management and Pollution Control.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of Environmental Management and Pollution Control has required that this Permit Part B be included in any Permit granted under the *Land Use Planning and Approvals Act 1993* with respect to the above activity.

Municipality:

**GLAMORGAN/SPRING BAY**

Permit Application Reference:

DPIWE file reference:

**10 93 16**

Date conditions approved:

7 June 2007

Signed:

Libran Jones

**DIRECTOR OF ENVIRONMENT MANAGEMENT**

## DEFINITIONS

Unless the contrary appears, words and expressions used in this Permit Part B have the meaning given to them in **Schedule 1** of this Permit and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Permit Part B, the EMPCA prevails to the extent of the inconsistency.

## ENVIRONMENTAL CONDITIONS

The person responsible for the activity must comply with the conditions contained in **Schedule 2** of this Permit Part B.

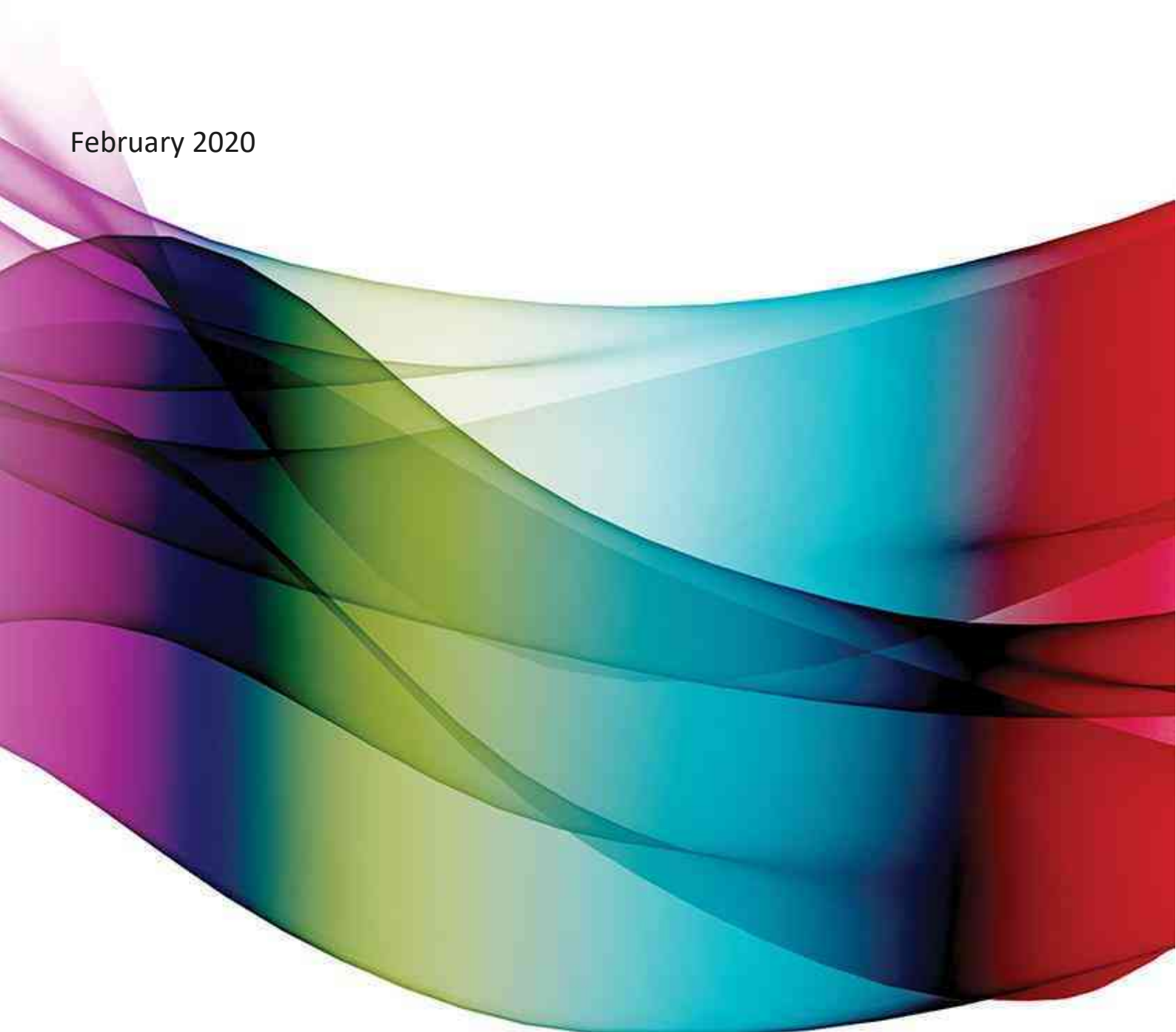
## INFORMATION

Attention is drawn to **Schedule 3**, which contains important additional information including legal obligations imposed by other legislation which must be complied with but does not form part of the conditions of this Permit.



# Glamorgan Spring Bay Council draft Local Provisions Schedule

February 2020



## Contents

1. Who i .....	4
2. Executive Summary .....	6
3. Overview .....	7
3.1. Glossary .....	7
3.2. Existing Assets .....	8
3.3. Planned Future Development .....	10
4. Submission .....	11
4.1. Overview .....	11
4.2. SPP Issues .....	14
4.2.1. Exemptions .....	14
4.2.2. Scenic Protection Code .....	15
5. Appendix 1 – Detailed Assessment .....	17
5.1. Zoning .....	17
5.2. Overlays: Natural Asset Code – Priority Vegetation Overlay .....	17
5.3. Scenic Protection Overlay .....	17
5.4. PPZs and SAPs .....	18
5.5. ETIPC .....	19
5.6. Amendments by Asset .....	19
5.6.1. Triabunna Substation .....	19
5.6.2. Communication sites .....	21
5.6.3. Electricity Transmission Corridors .....	21
5.6.4. Particular Purpose Zones and Specific Area Plans .....	23
6. Appendix 2 – SPP Issues .....	26

## Index of Figures

Figure 1	role in Tasmania's Electricity Supply System .....	5
Figure 2	Assets within Glamorgan Spring Bay LGA .....	9
Figure 3	LPS Mapping – ETIPC Triabunna Substation.....	20
Figure 4	Landscape Conservation Zone and ETIPC .....	21
Figure 5	Scenic Protection and ETIPC – Orford .....	22
Figure 6	Scenic Protection and ETIPC – Buckland.....	23

## Index of Tables

Table 1	Definitions.....	7
Table 2	Assets in Glamorgan Spring Bay LGA.....	8
Table 3	Policy Position – Submission Summary and GSB LPS evaluation.....	11
Table 4	Substation Policy Position Summary .....	20
Table 5	Substation Assessment Overview .....	20
Table 6	Electricity Transmission Corridor Policy Position Summary .....	23
Table 7	Electricity Transmission Corridor Assessment Overview .....	23
Table 8	PPZs and SAPs transitioning in draft LPS .....	23
Table 9	PPZ and SAP Policy Position Summary .....	24
Table 10	SAP Assessment Overview .....	24
Table 11	Exemptions and land use conflict with electricity transmission assets .....	27



## 1. Who is

was formed on 1 July 2014, through a merger between Aurora Energy's distribution network (the poles and wires) and Transend Networks (the big towers and lines). We're a Tasmanian state-owned corporation that supplies power from the generation source to homes and businesses through a network of transmission towers, substations and powerlines.

### Transmission

own, operate and maintain 3564 circuit kilometres of transmission lines and underground cables, 49 transmission substations and six switching stations across the state.

### Distribution

own, operate and maintain 22,400km of distribution overhead lines and underground cables, 227,000 power poles, 18 large distribution substations and 33,000 small distribution substations. There's also 20,000 embedded generation and photovoltaic (PV) grid-connected installations connected to the distribution network.

### Communications

own, operate and maintain communication network infrastructure to enable safe and efficient operation of the electricity system.

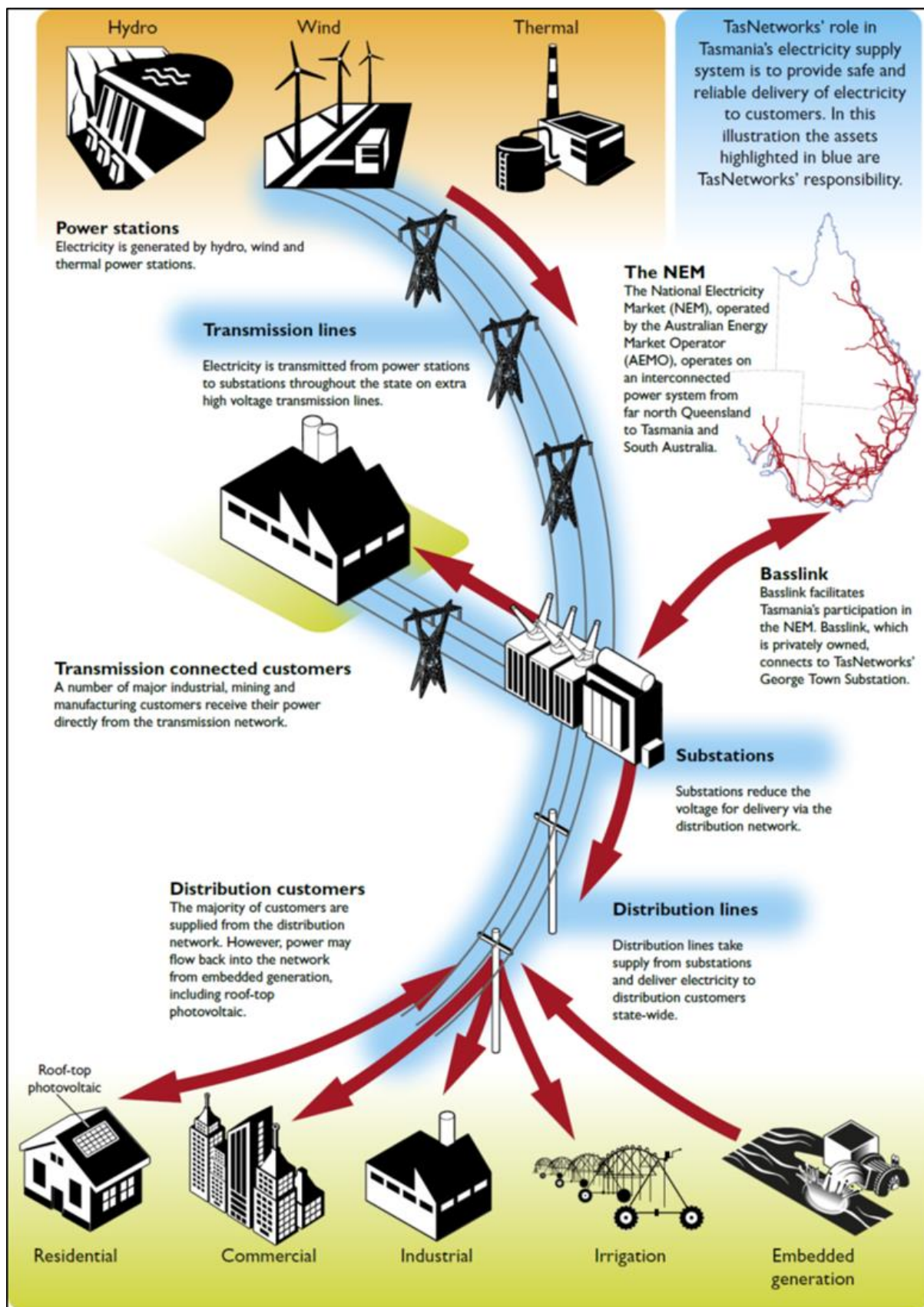


Figure 1

role in Tasmania's Electricity Supply System

## 2. Executive Summary

as a referral agency, has been notified of the public exhibition of Glamorgan Spring Bay Council's draft Local Provisions Schedule (LPS) under section 35B of the *Land Use Planning and Approvals Act 1993* (LUPAA). Council has been given direction by the Tasmanian Planning Commission (Commission) to publicly exhibit the draft LPS and invite representations. has undertaken a review of the draft LPS and makes the following representation with a view of seeking a state-wide consistent approach to major electricity infrastructure.

assets within the Glamorgan Spring Bay Local Government Area includes one substation, two communication sites and one electricity transmission corridor.

Electricity transmission infrastructure is protected by the Electricity Transmission Infrastructure Protection Code (ETIPC) under the State Planning Provisions (SPP). The ETIPC applies to transmission lines, terminal (or transmission) substations and switching stations and transmission communication assets. The purpose of the ETIPC is:

- *To protect use and development against hazards associated with proximity to electricity transmission infrastructure;*
- *To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure;*
- *To maintain future opportunities for electricity transmission infrastructure.*

The draft LPS includes the ETIPC Overlay maps which is based on data provided by

As part of its review, has examined the ETIPC Overlay maps to ensure that it applies to all relevant assets and that the locations of these assets is correct.

The draft LPS also includes the spatial application of zoning and overlays via the mapping. In preparing this representation, has reviewed the draft LPS maps for each of its assets. This representation seeks to ensure:

- Utilities zoning is applied to existing substations and communication facilities;
- Impacts on the strategic benefits and development potential of existing corridors through the application of the Landscape Conservation Zone are mitigated;
- The Natural Asset Code – Priority Vegetation Overlay is not applied to part of a substation or communication site that is cleared of native vegetation; and
- The Scenic Protection Code – Scenic Protection Area has not been applied to substations, communication site or corridors.

These submissions are consistent with those previously made by

on the Meander Valley, Brighton, Central Coast and Burnie draft LPS's as well as the draft State Planning Provisions and Interim Planning Schemes.

The LPS and the potential impact on future development has also been reviewed. These considerations include whether there is a permissible approval pathway for Utilities under



the Particular Purpose Zones (PPZ) or Specific Area Plans (SAP); and any Local Area Objectives or Site Specific Qualifications. representation is made having regard to the draft LPS requirements under LUPAA.

### 3. Overview

#### 3.1. Glossary

The following table provides the definitions of the terms used throughout this submission.

**Table 1 Definitions**

Term	Definition
Commission	Tasmanian Planning Commission
Council	Glamorgan Spring Bay Council
D	Discretionary
ESI exemption	Activities classified as ‘work of minor environmental impact’ for the purposes of Regulation 8 of the <i>Electricity Supply Industry Regulations 2008</i> .
ETC	Electricity Transmission Corridor
ETIPC	Electricity Transmission Infrastructure Protection Code
Guideline	<i>Guideline No. 1 – Local Provisions Schedule Zone and Code Application</i> (Tasmanian Planning Commission, 2018)
interim scheme	Glamorgan Spring Bay Interim Planning Scheme 2015
IPA	Inner Protection Area
LGA	Local Government Area
LPS	Glamorgan Spring Bay draft Local Provisions Schedule
LUPAA	<i>Land Use Planning and Approvals Act 1993</i>
NPR	No Permit Required
P	Permitted
PPZ	Particular Purpose Zone
SAP	Specific Area Plan
SPP	State Planning Provisions
SSQ	Site Specific Qualification
TPS	Tasmanian Planning Scheme
UWA	Unregistered Wayleave Agreement

### 3.2.

Glamorgan Spring Bay LGA is located in eastern planning geographic area. The Glamorgan Spring Bay LGA is serviced by a combination of 110kV transmission lines and 33, 22 and 11 kV distribution lines extending in a network from the terminal (or transmission) substations at St Mary's, Avoca, Sorell and Triabunna. Table 2 and Figure 2 present assets within Glamorgan Spring Bay LGA.

Notification and negotiation of work or changes in land use around these assets is critical for the safety and operation of the electricity network, the safety of people working on these assets and the general public whether living near or traversing the transmission network areas.

**Table 2** **Assets in Glamorgan Spring Bay LGA**

Asset	Location	Description
Substation sites (terminal)	- Triabunna Substation	- Contains 110kV transmission assets and is the main 22kV distribution supply point for local customers in the municipal area
Communication sites	- Triabunna Substation; - Haytons Hills	- Communication sites used in operation of the transmission electricity network
Electricity Transmission Corridor	- Triabunna Spur 110kV	- A 110kV transmission line which provides power to the Triabunna substation and has its source from Lindisfarne Substation in the south

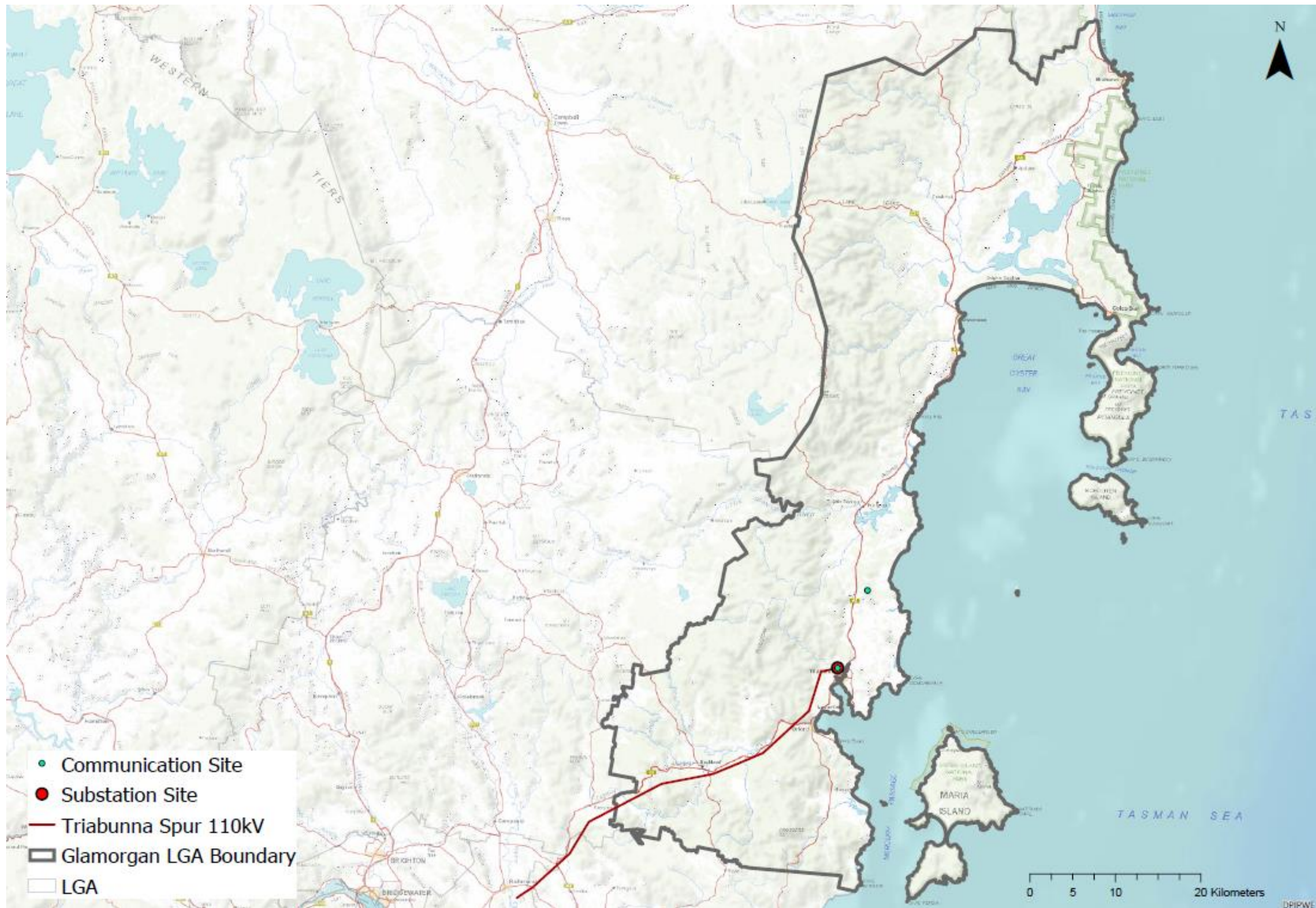


Figure 2 Assets within Glamorgan Spring Bay LGA



### 3.3. Planned Future Development

As Tasmania's transmission and distribution network service provider, we have a responsibility to ensure the infrastructure to supply Tasmanians with electricity evolves to meet customer and network requirements in an optimal and sustainable way. We achieve this through our network planning process to ensure the most economic and technically acceptable solution is pursued.

The need for network changes can arise for a number of factors. Annually undertakes a planning review that analyses the existing distribution and transmission networks and considers their future requirements to accommodate changes to load and generations, and whether there are any limitations in meeting the required performance standards. Our [Annual Planning Report 2019](#) indicates recently completed or ongoing projects in the Glamorgan Spring Bay LGA include replacement of kay poles on the 110 kV Triabunna Spur. Identified Eastern Planning Area network developments in the next five years in the Glamorgan Spring Bay LGA include the need for increased supply capacity to Swansea, Bicheno and Coles Bay supply area due to two distribution feeders reaching capacity. In this instance, these activities are likely to be classified as 'work of minor environmental impact' and as such, are unlikely to be subject to assessment under a planning scheme.

Integrated into our planning process is our [network transformation road map 2025](#). This ensures that what we do in the next 10 to 15 years facilitates an efficient and orderly transition of the network to its new roles in a changing energy sector. This includes consideration of impact of large scale wind farms, solar systems, pumped hydro (battery of the nation) batteries, electric vehicles, and a potential second inter connector. We have received connection and other inquiries regarding additional generation in the Eastern Planning Area which could require transmission upgrades which may be subject to planning approval. Given this context, it is important that the LPS provides for appropriate approval pathways for potential future development works.

## 4. Submission

### 4.1. Overview

is seeking state-wide consistency across all LPSs in the treatment of its assets.

policy position is summarised in Table 3 and is further detailed below. Appendix 1 provides more detailed analysis on an asset by asset basis.

Legend for Table 3:

Consistent with policy position, supported	
Inconsistent with policy position, amendments are possible to achieve consistency	
Inconsistent with policy position, Schedule 6 transition prevents amendments required for consistency	

**Table 3 Policy Position – Submission Summary and GSB LPS evaluation**

LPS Mapping / Controls	Submission	Rationale	GSB LPS evaluation summary
Zoning	<ul style="list-style-type: none"> <li>- Substations (terminal and zone) to be zoned Utilities</li> <li>- Communication sites to be zoned Utilities where the communications facility is the primary use of the site</li> </ul>	<ul style="list-style-type: none"> <li>- Reflects the primary use of the site and the nature of the asset</li> <li>- Reflects the long asset lifespan</li> <li>- Utilities zone allows for the future operation, maintenance modification and development requirements of the asset (this is particularly important for communications sites as these do not enjoy any ESI Act exemptions once established)</li> <li>- Clear message to the community about the existing and long term use of the site.</li> </ul>	<ul style="list-style-type: none"> <li>- Triabunna Substation: zoned Utilities, consistent with policy position and supported</li> <li>- Triabunna and Hayton's Hill Communication Sites: do not form part of the electricity transmission communications backbone and therefore do not require the application of the Utilities Zone.</li> </ul>
	No specific zoning is to be applied to ETC	<ul style="list-style-type: none"> <li>- Allows for other compatible uses to occur in corridor</li> </ul>	<ul style="list-style-type: none"> <li>- GSB LPS is consistent with this policy position and is supported</li> </ul>

LPS Mapping / Controls	Submission	Rationale	GSB LPS evaluation summary
		<ul style="list-style-type: none"> <li>- Corridors are protected by ETIPC</li> </ul>	
	Landscape Conservation Zone (through LPS rezoning) is not applied to ETC	<ul style="list-style-type: none"> <li>- Conflicts with the existing use of the land for electricity transmission</li> <li>- Diminishes strategic benefit of existing corridors making consideration of new corridors more likely</li> <li>- More onerous approvals pathway for augmentation of assets</li> <li>- Sends conflicting message to public regarding the ongoing use of the land</li> </ul>	<ul style="list-style-type: none"> <li>- Has been applied to ETC for Triabunna 110 kV Spur. Inconsistent with policy position, not supported.</li> </ul>
Natural Asset Code – Priority Vegetation Overlay	<p>Not to be applied to</p> <ul style="list-style-type: none"> <li>- Substations or communication sites where the site is cleared of native vegetation</li> </ul>	<ul style="list-style-type: none"> <li>- Assets are required to be cleared for safety and maintenance</li> <li>- Clearing of vegetation is exempt under ESI Act</li> <li>- Where asset already exists impact on the natural assets have already been assessed / approved and will continue to be impacted for the lifespan of the asset</li> <li>- Supports strategic value of the site</li> </ul>	<ul style="list-style-type: none"> <li>- Triabunna Substation: not applied. Consistent with policy position and supported.</li> <li>- Note: vegetation clearance exemptions from the application of a planning scheme for electricity infrastructure.</li> </ul>



LPS Mapping / Controls	Submission	Rationale	GSB LPS evaluation summary
		<ul style="list-style-type: none"> <li>- Clear messaging to community regarding the use of the site.</li> </ul>	
Scenic Protection Code Overlay	Not to be applied to <ul style="list-style-type: none"> <li>- substations,</li> <li>- communication sites, or</li> <li>- ETC</li> </ul>	<ul style="list-style-type: none"> <li>- Assets are required to be cleared for safety and maintenance</li> <li>- Where asset already exists impact on scenic quality / natural assets have already been assessed / approved and will continue to be impacted for the lifespan of the asset.</li> </ul>	<ul style="list-style-type: none"> <li>- Applied to Triabunna 110kV spur. Inconsistent with policy position and not supported. It is noted that this Code is being transitioned under Schedule 6 of LUPAA.</li> </ul>
Utilities Use Approval Status	In all zones, PPZs and SAPs the Use Class for Utilities and Minor Utilities must be either <ul style="list-style-type: none"> <li>- No Permit Required,</li> <li>- Permitted or</li> <li>- Discretionary</li> </ul> Utilities must not be Prohibited	The ability to consider Utilities Use Class in all zones is a requirement for the effective planning and development of linear utility infrastructure, which is required to be located in a range of areas and will be subject to multiple zonings.	<ul style="list-style-type: none"> <li>- All PPZ and SAP Use Tables allow for Minor Utilities and Utilities use consideration. Consistent with policy position and supported. Noted Schedule 6 transition for a number of PPZs and SAPs.</li> </ul>
SAPs	Not to apply to substations	To ensure that future development on these sites is not unreasonably affected by SAP.	<ul style="list-style-type: none"> <li>- Triabunna Substation: no SAP's applied. Consistent with policy position, supported.</li> </ul>
PPZs or SAPs use and development standards	Are drafted with at least a discretionary approval pathway. For example:	<ul style="list-style-type: none"> <li>- Consistent with policy in SPPs that enables consideration of Utilities in all zones and no finite</li> </ul>	<ul style="list-style-type: none"> <li>- PPZ: Dolphin Sands, North Bicheno Future Urban drafting inconsistent with policy position regarding</li> </ul>

LPS Mapping / Controls	Submission	Rationale	GSB LPS evaluation summary
	<ul style="list-style-type: none"> <li>- No absolute height limit</li> <li>- Allow subdivision for utilities</li> </ul>	quantitative development or subdivision standards.	<div>subdivision. Noted schedule 6 transition.</div> <ul style="list-style-type: none"> <li>- SAP: Spring Bay Marina (building height), Bicheno Golf Club (building height and subdivision), Louisville Road (subdivision) each have inconsistencies with the policy position. Noted Schedule 6 transition.</li> <li>- PPZ: The Gulch, Spring Bay Mill (schedule 6 transitioned), Sapphire Freycinet consistent with policy position</li> <li>- SAP: Coles Bay and Swanwick, Spring Bay Industrial consistent with policy position</li> </ul>
ETIPC	Is mapped and applied to relevant transmission infrastructure	Consistent with policy in SPPs	<ul style="list-style-type: none"> <li>- Applied as per SPPs</li> </ul>

## 4.2. SPP Issues

Please note, this aspect of representation should not be taken as a request to change or amend the SPPs. However, this information is provided to highlight fundamental land use conflict issues that could occur as each LPS implements the SPPs across the State.

### 4.2.1. Exemptions

In this representation, would like to highlight a failing in the SPPs that causes a fundamental conflict between existing electricity transmission easement rights and SPP Exemptions and will prevent implementation of the purpose of the ETIPC. This failing is resulting

from not applying the Code, in particular, the Electricity Transmission Corridor (ETC) and Inner Protection Area (IPA) to certain exemptions that would:

- On almost every occasion, conflict with easement rights (and have the potential to impact human safety) and compromise the Purpose of the Code; and
- Unless managed appropriately, have the potential to conflict with easement rights (and have the potential to impact human safety) and the Purpose of the Code.

Where the Code does not apply, easement rights still exist but can only be enforced once a breach has occurred or (at best) is imminent. This can result in a costly process of removal or relocation and in the interim, could pose a safety risk. When the Code applies, it provides developers, Council and an opportunity to avoid or manage this issue early in the application process. See Appendix 1 for benefits that can be realised by considering electricity transmission assets in the planning process and conflict examples.

#### **4.2.2. Scenic Protection Code**

The Scenic Protection Code does not apply to sites in the Utilities Zone. As a result, assuming a Utilities zoning, substations and communication sites are not subject to the application of this Code, thus supporting the continued and consolidated use and development of these sites for electricity infrastructure.

recognises that a Council may wish to regulate other activities in the ETC that could impact on scenic values. However, application of the Scenic Protection Code to new electricity transmission use and development within an existing ETC has a number of impacts in conflict with the continued use of these corridors:

- Does not recognise the already established vegetation clearance and scenic quality as a result.
- Does not recognise existing and continued use of these corridors, including vegetation clearance, for significant linear infrastructure on a state wide basis.
- Unreasonably diminishes the strategic benefit of the ETC.
- Devalues the substantial investment already made in the establishment of these corridors.
- Unreasonably fetters augmentation of existing corridors by imposing development standards relating to scenic protection to electricity transmission use and development in an existing electricity transmission corridor.
- Conflicts with the purpose of the ETIPC;
- Supports a misconception in the community that where the Scenic Protection Code (tree preservation) is applied, vegetation clearance will be limited, when in fact vegetation clearance for transmission lines is required and authorised by separate regulatory regimes in these locations.



If the Scenic Protection Code in the SPPs were amended to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC, these impacts could be largely mitigated. This approach recognises the presence of this substantial electricity infrastructure and:

- its place in a broader state-wide network that is essential to the safe and reliable provision of electricity to Tasmania (as recognised in the Regional Land Use Strategy);
- implements the purpose of the ETIPC;
- facilitates continued use or augmentation of existing corridors and ensures that future development (that is not otherwise exempt) can be efficiently provided.

The purpose of the Scenic Protection Code is to recognise and protect landscapes that are identified as important for their scenic values. In accordance with the Commission's Guidelines the Code is applied where: *SPC2 The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

The ETIPC Code Purpose is to:

- To protect use and development against hazards associated with proximity to electricity transmission infrastructure.
- To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.
- To maintain future opportunities for electricity transmission infrastructure.

The application of the Scenic Protection Code to electricity transmission use and development in an ETC is inconsistent with the ETIPC purpose to retain electricity transmission infrastructure in these locations and to maintain future development opportunities.

For works that do not have the benefit of ESI exemptions, it would be difficult to comply with the Scenic Protection Code standards. Further, these assets form part of a wider network that is essential to the safe and reliable provision of electricity to Tasmania which is recognised in the Regional Land Use Strategy.

Please note that these issues have been previously raised and discussed with Meander Valley Council, Brighton Council and Central Coast Council and the Commissioners throughout the draft LPS assessment process and will continue to be raised as part of this process.

## 5. Appendix 1 – Detailed Assessment

### 5.1. Zoning

The review of the draft LPS identified that the Utilities Zone has been applied to the Triabunna Substation which is supported by [redacted] No amendment is sort regarding the zoning substation site as the utilities zoning reflects the primary purpose of the site and is consistent with [redacted] policy position.

A range of zones have been applied to the Triabunna Spur ETC which is supported by [redacted] Notwithstanding this, the draft LPS has applied the Landscape Conservation Zone to a considerable amount of land near Orford which includes the ETC. TasNetworks acknowledges that the introduction of the Landscape Conservation Zone is per SPP drafting guidelines however would like to open discussions with Council and relevant stakeholders regarding the impacts that this change in zoning has on the continued operation of electricity transmission infrastructure and the development potential for existing corridors.

### 5.2. Overlays: Natural Asset Code – Priority Vegetation Overlay

This review has identified that the Natural Asset Code – Priority Vegetation Overlay has not been applied to the Triabunna Substation site which is supported by [redacted]

It is noted that the Code has been applied to the ETC. [redacted] makes no representation regarding this application, rather would like to note that vegetation management and clearance is required as a critical function of maintaining the safety of [redacted] ssets, and to recognise that vegetation removal is already approved in accordance with other Acts.

Under the *Electricity Supply Industry Act 1996* and associated *Electricity Supply Industry Regulations 2008* vegetation clearance for the safe and reliable operation of electricity infrastructure is classified as ‘work of minor environmental impact’ and as such, is not considered development for the purposes of LUPAA and is not subject to that Act in any way.

Further, the SPP provides for vegetation clearance exemptions under Table 4.4. Relevant to [redacted] his includes: Clause 4.4.1(b) *harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the construction and maintenance of electricity infrastructure in accordance with the Forest Practices Regulations 2007.*

### 5.3. Scenic Protection Overlay

This review has identified that the Scenic Protection Code Overlay – Scenic Landscape Corridor has been applied to the Triabunna Spur ETC. It is understood that this overlay has transitioned from the interim scheme.

The purpose of the Scenic Protection Code is to recognise and protect landscapes that are identified as important for their scenic values. In accordance with the Commission's Guidelines the Code is applied where: *SPC2 The scenic protection area overlay and the scenic road corridor overlay should be justified as having significant scenic values requiring protection from inappropriate development that would or may diminish those values.*

The ETIPC Code Purpose is to:

- *To protect use and development against hazards associated with proximity to electricity transmission infrastructure.*
- *To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.*
- *To maintain future opportunities for electricity transmission infrastructure.*

submits the Scenic Protection Overlay mapping is inconsistent with the ETIPC purpose to retain electricity transmission infrastructure in these locations and to maintain future development opportunities. believes that applying this Code to the ETC is inconsistent with the application guidelines for these locations given the presence of transmission infrastructure and associated State based and SPP vegetation clearance exemptions for existing and future electricity infrastructure.

The removal of the Scenic Protection Code Overlay would also remove the perception of controls affecting this land. As stated above, under the ESI exemption can clear vegetation to the extent necessary for the protection of electricity infrastructure or public safety. It also has exemptions under the SPPs for vegetation clearance. Accordingly it can undertake vegetation clearance, notwithstanding this Code.

For works that do not have the benefit of these exemptions, it would be difficult to comply with the Scenic Protection Code standards. Further, these assets form part of a wider network that is essential to the safe and reliable provision of electricity to Tasmania which is recognised in the Regional Land Use Strategy.

requests the Council support changes to the Scenic Protection Code in the SPPs to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC.

It is noted that this would require changes to the SPPs and if Council chooses to prepare a report in accordance with Section 35G of LUPAA, it would be greatly appreciated if these matters could be considered.

#### 5.4. PPZs and SAPs



A LPS may include provisions that modify the application of the SPPs to a particular area via a PPZ, SAP or SSQ. This review identifies that no such provisions apply to the Triabunna Substation or the Triabunna Spur ETC.

The draft LPS provisions have also been reviewed to assess the potential impact on future Utilities use and development. This review has identified a number of amendments are required to the Dolphin Sands PPZ and North Bicheno Future Urban PPZ as well as the Spring Bay Marina SAP, the Bicheno Golf Club SAP and Louisville Road SAP.

These requests are consistent with the SPP drafting conventions which enable the consideration of Utilities in all zones and no finite quantitative development or subdivision standards.

### **5.5. ETIPC**

Transmission infrastructure assets are often protected within easements. These are not however always easily apparent to developers and land owners. The application of the ETIPC Overlay provides for the spatial protection of these assets and then the opportunity for [redacted] and developers to negotiate outcomes at the planning phase of a development. It also provides an opportunity to highlight the ongoing responsibilities associated with the easement.

[redacted] has reviewed the application of the ETIPC within the draft LPS and is satisfied with how this code has been applied.

### **5.6. Amendments by Asset**

#### **5.6.1. Triabunna Substation**

The Triabunna Substation is located at [redacted] Within the interim scheme and the draft LPS the site is zoned Utilities which is supported by [redacted]

The Utilities zoning reflects the primary and future use of the site and is consistent with the zone application guidelines issued by the State and [redacted] policy position for substations. As such no amendment is requested regarding the zoning of the substation site.

Based on the Glamorgan Spring Bay Local Provisions Schedule – Codes: Electricity Transmission Infrastructure Overlay Map 3 of 3 it appears that the substation is appropriately reflected. It is noted that the interim scheme did not include the substation buffer overlay however, this has been rectified in the draft LPS mapping. This mapping is supported by [redacted]

Neither the Scenic Protection Code nor the Natural Assets Code has been applied to the site. Similarly, a Specific Area Plan, a Particular Purpose Zone nor a Site Specific Qualification has been applied to the site which is supported by [redacted] As such, no amendment is requested regarding Overlays to the site.



**Figure 3 LPS Mapping – ETIPC Triabunna Substation**

Table 4 and Table 5 provide an overview assessment of the proposed LPS planning controls applied to the site against the planning policy position with respect to substations.

**Table 4 Substation Policy Position Summary**

Zoning	Overlay	SAP / PPZ	ETIPC
Zoned Utilities	Not applied - Scenic Protection (SP) - Priority Vegetation (PV) - where the site is cleared of native vegetation	Not applied or - Utilities use is NPR, P or D. - No finite discretionary development standards	Applied

**Table 5 Substation Assessment Overview**

Asset	Consistent with zone policy (Y/N)	Consistent with code (Overlay) policy (Y/N)	Amendment Required (Y/N)	Amendment Request
1. Triabunna Substation	Y	Y	N	No amendment requested

### 5.6.2. Communication sites

has two communication sites within the Glamorgan Spring Bay LGA one is co-located at the Triabunna Substation and one at Neither of these communication sites from part of the electricity transmission backbone and as such are not required to be mapped by the ETIPC within the draft LPS.

TasNetworks therefore makes no submission regarding how communication sites are identified within the draft LPS.

### 5.6.3. Electricity Transmission Corridors

The Triabunna Spur 110kV (line reference TL456) is the sole electricity transmission corridor that extends through the LGA. The corridor is identified in Glamorgan Spring Bay Local Provisions Schedule – Code: Electricity Transmission Infrastructure Overlay and accurately identifies the Inner Protection Area and Electricity Transmission Corridor. This mapping is supported by

There are a range of zones applied to the land underneath this corridors and as the SPP allows for consideration of Utilities in all zones this is acceptable to

Having said this, a considerable amount of land surrounding Orford has been rezoned to the Landscape Conservation Zone as shown in the following figure which is an extract from the Tasmanian Planning Scheme – Zone: Glamorgan-Spring Bay Local Provisions Schedule Map 18 of 24 and the Glamorgan Spring Bay Local Provisions Schedule – Code: Electricity Transmission Infrastructure Overlay Map 3 of 3.



**Figure 4 Landscape Conservation Zone and ETIPC**

The introduction and subsequent rezoning of land within the ETC to the Landscape Conservation Zone has created a number of unforeseen issues for TasNetworks. Primarily the Landscape Conservation Zone – Zone Purpose is *to provide for the protection, conservation and management of landscape values*. This is considered to conflict with the Purpose of the ETIPC which is *to maintain future opportunities for electricity transmission infrastructure*.

Additionally, development approval for augmentation of an existing corridor under the Landscape Conservation Zone is more onerous than if under the Environmental Living or Rural Resource zones in the interim scheme or the Rural Zone under the SPP. For example the Acceptable Solution building height requirement in the Landscape Conservation Zone is 6m as opposed to 12m under the Rural Zone.

Further, [redacted] has concern regarding the rezoning of land within an ETC to the Landscape Conservation Zone and the inconsistent messaging it provides to the public. That being that the land is for 'conservation', where in fact clearing of vegetation within the ETC is exempt and augmentation of corridors can occur.

[redacted] acknowledges that the introduction of the Landscape Conservation Zone is per SPP drafting guidelines however would like to open discussions with Council and relevant stakeholders regarding the impacts that this change in zoning has on the continued operation of electricity transmission infrastructure across the State.

The Glamorgan Spring Bay Local Provisions Schedule – Code: Scenic Protection Code Map 18 of 24 and Map 19 of 24 identifies the Scenic Landscape Corridor extending between Buckland and Orford along the Tasman Highway. It is understood that this overlay has transitioned from the interim scheme. This Scenic Protection Corridor intersects with the Triabunna Spur ETC as shown in the following figures.

[redacted] has highlighted a number of issues created by the application of this Code where the ETIPC has also been applied in Section 4.7.2 of this representation. It is noted that if the suggested approach is supported, this would require changes to the SPPs and if Council chooses to prepare a report in accordance with Section 35G of LUPAA, it would be greatly appreciated if these matters could be considered, particularly with respect to changes to the Scenic Protection Code in the SPPs to ensure that, where this Code intersects with an ETC, it does not apply to electricity transmission use and development in that ETC.



**Figure 5 Scenic Protection and ETIPC – Orford**





**Figure 6 Scenic Protection and ETIPC – Buckland**

Neither a Particular Purpose Zone, a Specific Area Plan nor a Site Specific Qualification has been applied over the Triabunna Spur ETC within the draft LPS. This is supported by

The following table details policy position regarding ETC and assessment against the draft LPS.

**Table 6 Electricity Transmission Corridor Policy Position Summary**

Zoning	Overlay	ETIPC	SAP / PPZ
<ul style="list-style-type: none"> <li>- No specific zoning applied to ETC;</li> <li>- Landscape Conservation Zone not applied to ETC</li> </ul>	<ul style="list-style-type: none"> <li>- Scenic Protection Code not applied to ETC</li> </ul>	Applied	Not applied or <ul style="list-style-type: none"> <li>- Utilities use is NPR, P or D.</li> <li>- No finite discretionary development standards</li> </ul>

**Table 7 Electricity Transmission Corridor Assessment Overview**

Asset	Consistent with zone policy (Y/N)	Consistent with code (overlay) policy (Y/N)	Amendment required (Y/N)
Triabunna Spur	Y	Y	N

#### 5.6.4. Particular Purpose Zones and Specific Area Plans

The following table details the Particular Purpose Zones (PPZ) and the Specific Area Plans (SAP) within the draft LPS and identifies which of these are transitioning from the interim scheme to the draft LPS through schedule 6 provisions.

**Table 8 PPZs and SAPs transitioning in draft LPS**

Instrument	Transitioning as per s6 (Y/N)
<b>Particular Purpose Zones</b>	
P1.0 PPZ – Dolphin Sands	Y

Instrument	Transitioning as per s6 (Y/N)
P2.0 PPZ – The Gulch	N
P3.0 PPZ – Spring Bay Mill	Y
P4.0 PPZ – Saffire Freycinet	N
P5.0 PPZ – North Bicheno Future Urban	Y
<b>Specific Area Plans</b>	
S1.0 Spring Bay Marina SAP	Y
S2.0 Bicheno Golf Club SAP	Y
S3.0 Louisville Road SAP	Y
S4.0 Coles Bay and Swanwick SAP	N
S5.0 Spring Bay Industrial SAP	N

The following table provides an overview of policy position regarding PPZs and SAPs.

**Table 9 PPZ and SAP Policy Position Summary**

Application	Policy
Use Standards in PPZ or SAP	- Use Class for Utilities or Minor Utilities must be either NPR, P or D. Must not be Prohibited
Development Standards in PPZ or SAP	- Are not drafted without a discretionary approval pathway (e.g not include an absolute height limit) - Allow subdivision for Utilities use in all zones

The following provides an assessment of the PPZs and SAPs within the draft LPS. These amendments are in line with the SPP drafting conventions.

**Table 10 SAP Assessment Overview**

Instrument	Clause	Amendment requested or Clarification required
GSB-P1.0	P1.7.1	Amendment requested (in <i>italics</i> ):
PPZ Dolphin Sands	Subdivision A1	Subdivision must be for the consolidation of lots if no additional lots are created <i>or if for public open space, a riparian or littoral reserve or Utilities</i>

Instrument	Clause	Amendment requested or Clarification required
GSB-P2.0 PPZ The Gulch	No amendment sort	
GSB-P3.0 PPZ Spring Bay Mill	No amendment sort	
GSB-P4.0 PPZ Saffire Freycinet	No amendment sort	
GSB-P5.0 PPZ North Bicheno Future Urban	P5.7.1 Subdivision A1	Amendment requested (in <i>italics</i> ):  <i>Each lot, or a lot proposed in a plan of subdivision, must be:</i>  <i>(a) required for public use by the Crown, a council, or a State authority; or</i>  <i>(b) required for the provision of Utilities.</i>
GSB S1.0 Spring Bay Marina SAP	S1.7.1 Building height A1	Amendment requested (in <i>italics</i> ):  Building height must, <i>excluding for Utilities</i> , be not more than 8.5m.
GSB S2.0 Bicheno Golf Club SAP	S2.7.1 Building height A1	Amendment requested (in <i>italics</i> ):  Building height must, <i>excluding for Utilities</i> , be not more than 8m
	S2.8.1 Subdivision A1	Amendment requested (in <i>italics</i> ):  <i>Each lot, or a lot proposed in a plan of subdivision, must be:</i>  <i>(a) required for public use by the Crown, a council, or a State authority; or</i>  <i>(b) required for the provision of Utilities.</i>
GSB S3.0 Louisville Road SAP	S3.8.1 Lot design A1	Amendment requested (in <i>italics</i> ):  Each lot must have an area not less than: ...  <i>(c) ...; or</i>

Instrument	Clause	Amendment requested or Clarification required
		<i>(d) be required for public use by the Crown, a council, or a State authority; or (e) be required for the provision of Utilities.</i>
GSB S4.0  Coles Bay and Swanwick SAP	No amendment sort	
GSB S5.0  Spring Bay Industrial SAP	No amendment sort	

## 6. Appendix 2 – SPP Issues

**In addition to request regarding the Scenic Protection Code application, this appendix outlines the benefits of considering electricity transmission assets in the planning process for new development**

The following benefits can be realised if impact on electricity transmission assets are considered in the planning process. (See Table 1 for the list of relevant exemptions):

- Removes the incorrect perception that buildings and other works exempt under the SPPs can safely occur in a transmission line or underground cable easements without the need to consider asset easement rights or operational requirements.
- Empowers the Planning Authority to request further information, condition or refuse a development that conflict with the Code requirements and Purposes.
- Saves developers, Councils, and the community time, cost and distress associated with easement right enforcement after a building, structure or other works have either commenced construction or have been built.
- Reflects the reality with respect to what can and cannot safely occur in an electricity easement.
- Saves developers project delay and cost required as a result of reworking proposals to ensure easement rights are not compromised later in the process.



- Increases the chances of considering the impact of new development on electricity assets early in the planning assessment process, before significant expenditure on project preparation has occurred.
- Prevents land use conflict between existing critical electricity transmission assets and new development.
- Protects human safety.
- Aligns the planning considerations and electricity easement rights.
- Avoids increased acquisition or construction cost for future assets as a result of encroachment (eg: dwelling encroachments within strategically beneficial easements may not cause operational issues for existing assets. However, dwelling acquisition and increased community and social impact of processes required to remove dwellings in the easement if it is required later can be avoided if encroachment is prevented in the first place.
- Supports compliance with AS 7000.
- The strategic benefit of existing electricity easements and the strategic purpose of the Code is preserved.

### Conflict Examples

Table 1 presents examples of exempt development where \_\_\_\_\_ believes conflict with easement rights can occur.

Colour coding indicates the following:

Conflicts with easement rights and may be capable of management to ensure appropriate alignment with easement rights.
Conflicts with easement rights. In almost all cases, this exemption will pose a safety and operational hazard for overhead and underground transmission lines and cables.

**Table 11 Exemptions and land use conflict with electricity transmission assets**

SPP exemption	Comment
4.3.6 unroofed decks	<p>If not attached to a house and floor level is less than 1m above ground level.</p> <p>A deck of this nature can pose an impediment to safe access and due to other exemptions can be roofed without further assessment which is in conflict with easement rights and could compromise safety.</p>

SPP exemption	Comment
	A deck over the operational area required for an underground cable would always be unacceptable.
4.3.7 outbuildings	<p>One shed: up to 18m<sup>2</sup>, roof span 3m, height 2.4m, fill of up to 0.5m.</p> <p>Up to two shed: 10m<sup>2</sup>, sides 3.2m, height 2.4m.</p> <p>Similar to PD1.</p> <p>This type of building almost always poses a safety and operational hazard for transmission lines, cables and human safety.</p> <p>This type of building over the operational area required for an underground cable always poses an unacceptable safety risk.</p>
4.3.8 outbuildings in Rural Living Zone, Rural Zone or Agriculture Zone	<p>4.3.8</p> <p>Provides for an unlimited number of outbuilding per lot as follows:</p> <p>Floor area 108m<sup>2</sup>, height 6m, wall height 4m.</p>
4.3.9 agricultural buildings and works in the Rural Zone or Agriculture Zone	<p>Already subject to the Local Historic Heritage Code.</p> <p>Slightly broader than PD1.</p> <p>4.3.9</p> <p>New and broader than PD1 exemptions.</p> <p>Provides for unlimited number of outbuilding per lot as follows:</p> <p>Must be for agricultural use, floor area 200m<sup>2</sup>, height 12m.</p> <p>Already subject to the Local Historic Heritage Code and the Scenic Protection Code.</p> <p><b>TN COMMENT:</b></p> <p>These exemptions create a new and potentially more dangerous conflict with electricity transmission lines and cables where a larger and higher building can be constructed in an electricity transmission easement without the need for planning approval.</p>

SPP exemption	Comment
	<p>Buildings of this nature can severely impede [REDACTED] ability to safely access, operate and maintain electricity transmission lines. If built, these buildings could also present a threat to human safety.</p> <p>As a result, in almost all cases, if built, buildings covered by these exemptions would necessitate the enforcement of easement rights, either during or after construction and after the planning and building (exemption), process has occurred. This will likely mean relocating the proposal, a further planning assessment and added cost and time to a development.</p> <p>The nature of electricity transmission line assets (ie: running from isolated generation locations into populated areas) means the zones mentioned in this exemption are almost certain to contain (and appropriately so) electricity transmission assets. The cost of removing substantial agricultural buildings from easements required for new assets also adds to future asset construction costs.</p>
4.3.11 garden structures	<p>Unlimited number, 20m<sup>2</sup>, 3m height max. Already subject to the Local Historic Heritage Code.</p> <p>If not managed appropriately, this type of structure has the potential to compromise clearances and the safe and reliable operation of transmission lines and underground cables. Depending on location within an easement, could also present a threat to human safety.</p> <p>Cost of removal is limited, however still requires post breach enforcement of easement rights.</p>
4.5.1 ground mounted solar energy installations	<p>Each installation can be 18m<sup>2</sup> area. Already subject to the Local Historic Heritage Code.</p> <p>This type of activity has the potential to compromise clearances or adversely impact easement access (especially during emergency repair conditions).</p>
4.5.2 roof mounted solar energy installations	<p>Already subject to the Local Historic Heritage Code. This would likely only apply to existing buildings within easements.</p> <p>Encroachment is likely existing, however, this exemption has the potential to compromise clearances in what may be a compliant situation.</p>

SPP exemption	Comment
4.6.8 retaining walls	4.6.8 Allows for retaining 1m difference in ground level. This exemption is already subject to the Local Historic Heritage Code and the Landslip Hazard Code. Reflects what was in PD1.
4.6.9 land filling	<p>4.6.9 Allows for filling of up to 1m above ground level. This exemption is already subject to the Natural Assets Code, Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code and Landslip Hazard Code. Reflects what was in PD1.</p> <p><b>TN COMMENT:</b></p> <p>This type of activity has the potential to compromise ground clearances for existing transmission lines and safe operational separation for underground transmission cables. Subject to appropriate management, this type of activity can usually occur within transmission line easements, however, may pose a more challenging risk for underground cables.</p>
4.6.13 rain-water tanks	Rainwater, hot water & air conditioner exemptions with the 1.2m stand were already included in PD1 and were carried through to the draft and finalised SPPs.
4.6.14 rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone	<p>This was one exemption in the draft SPPs and was modified by the Commission into four exemptions. [REDACTED] requested the original exemption be subject to the Code.</p> <p>4.6.13: attached or located to the side or rear of a building and can be on a stand height 1.2m high. Subject to the Local Historic Heritage Code.</p>
4.6.15 fuel tanks in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone	<p>4.6.14 attached or located to the side or rear of a building with no height limit. Subject to the Local Historic Heritage Code.</p> <p>4.6.15 no height limit, no requirement is be located near a building. Limited when storage of hazardous chemicals is of a manifest quantity and Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code, Bushfire-Prone Areas Code or Landslip Hazard Code, applies and requires a permit for the use or development.</p>
4.6.16 fuel tanks in other zones	<p>4.6.16 must be attached or located to the side or rear of a building, max 1kL capacity, on a stand up to 1.2m high and subject to the Local Historic Heritage Code.</p> <p><b>TN COMMENT:</b></p>



SPP exemption	Comment
	<p>These exemptions allow for water tanks on stands and some have no height limit. These developments have the potential to compromise access to the easement, compromise ground clearances for existing transmission lines and safe operational separation for underground transmission cables. Depending on location in the easement, these developments could pose a threat to human safety. Subject to appropriate management, this type of activity may occur within transmission line easements, however, may pose a more challenging risk for underground cables.</p>

# TASMANIAN PLANNING COMMISSION



## Urgent Amendment GLA UA6-2017 Glamorgan Spring Bay Interim Planning Scheme 2015

- a) After clause 37.5.1, insert clause 38 Particular Purpose Zone 8 - Saffire Freycinet, and insert the following:

### **38.0 Particular Purpose Zone 8 - Saffire Freycinet**

#### **38.1 Zone Purpose**

##### **38.1.1 Zone Purpose Statements**

38.1.1.1 To provide for the continued use and development of Saffire Freycinet resort.

38.1.1.2 To ensure that any use and development compliments the existing use of the site and does not adversely impact on existing activity centres.

##### **38.1.2 Local Area Objectives**

*There are no Local Area Objectives for this zone.*

##### **38.1.3 Desired future Character Statements**

*There are no Desired Future Character Statements for this zone.*

#### **38.2 Use Table**

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Natural and Cultural Values Management	
Passive recreation	
Utilities	Only if minor utilities
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Community meeting and entertainment	
Food services	Only if: (a) replacing an existing use; or (b) less than an additional 200m <sup>2</sup> .
Tourist operation	
Visitor accommodation	
<b>Discretionary</b>	

<b>Use Class</b>	<b>Qualification</b>
<i>Educational and occasional care</i>	
<i>Emergency services</i>	
<i>Food Services</i>	<i>If not listed as Permitted</i>
<i>General retail and hire</i>	
<i>Hotel industry</i>	
<i>Pleasure boat facility</i>	
<i>Research and development</i>	
<i>Residential</i>	
<i>Sports and recreation</i>	
<i>Utilities</i>	<i>If not listed as No Permit Required.</i>
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
<i>All other uses</i>	

### **38.3 Use Standards**

#### **38.3.1 Discretionary Use**

<b>Objective:</b>	
<i>To ensure that discretionary uses complement the visitor accommodation and tourism use of the site.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<i>No Acceptable Solution.</i>	<i>Discretionary uses must satisfy all of the following:</i> <ul style="list-style-type: none"> <li><i>(a) complement visitor accommodation and tourism related uses in the area by providing supporting or related services;</i></li> <li><i>(b) not compromise the operational efficiency of the site; and</i></li> <li><i>(c) not be the dominant use within the zone.</i></li> </ul>

### **38.4 Development Standards for Buildings and Works**

#### **38.4.1 Building Height**

<b>Objective:</b>	
<i>To ensure that building height contributes positively to streetscape and landscape and does not result in unreasonable impact on the visual amenity of the area.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Building height must be no more than: 8m.	Building height must satisfy all of the following: (a) be compatible with the scale of existing buildings on the site; (b) minimise the impact on the visual character of the area having regard to: (i) the topography of the site; (ii) any existing vegetation; and (iii) visibility from Coles Bay Road, adjoining properties and public open spaces

#### 38.4.2 Setback

<b>Objective:</b>	
<i>To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on the amenity of adjoining land.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Building setback from frontage must be no less than: 10m	Building setback from frontage must be compatible with the character of the surrounding area, having regard to the following: (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from Coles Bay Road; (e) the safety of road users; and (f) the retention of vegetation.
<b>A2</b>	<b>P2</b>
Buildings and works must have a setback from a side or rear boundary of not less than: a) any existing building or works on the site; or (i) 5m; or	Buildings and works must be sited to not cause an unreasonable loss of amenity to adjoining properties having regard to: (a) the topography of the site;



(ii) half the wall height, whichever is the greater.	(b) the bulk and form of proposed buildings; (c) overshadowing; (d) overlooking; and (e) any existing screening or the ability to implement screening.
--	---

#### 38.4.3 Design

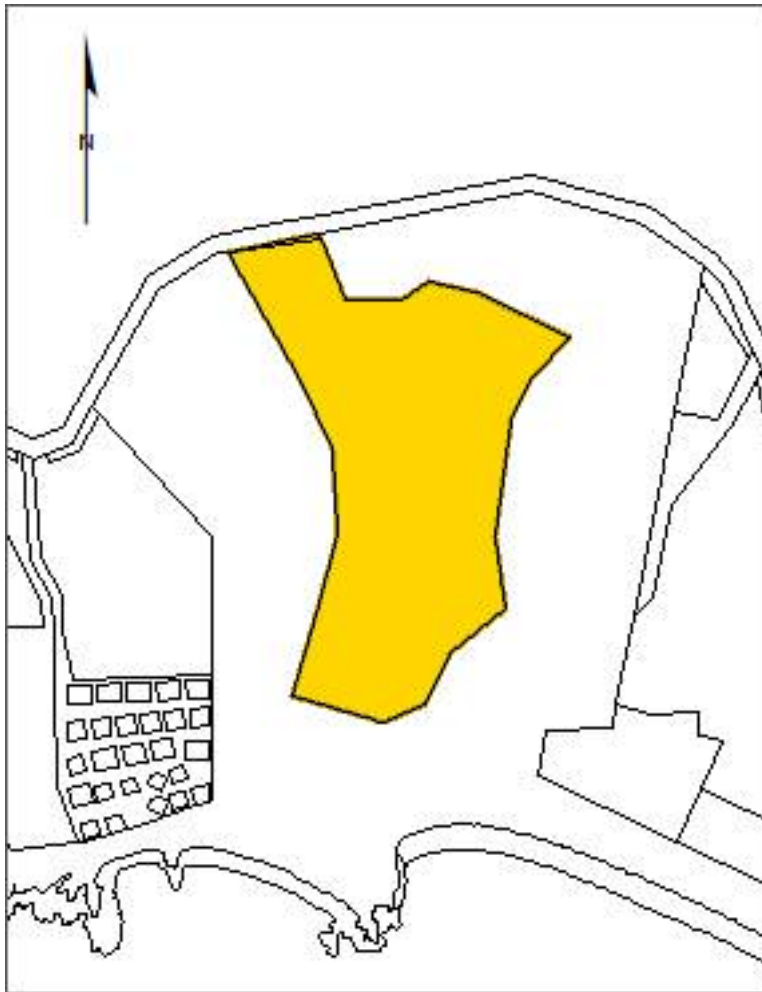
<b>Objective:</b>	
To ensure that development minimises visual impact on the landscape and natural values of the surrounding area.	
Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>
Exterior building surfaces must be non-reflective and coloured using dark toned colours specified in AS2700: 2011 Colour Standards for General Purposes (or as updated).	Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.
<b>A2</b>	<b>P2</b>
Fill and excavation must comply with all of the following: (a) height of fill and depth of excavation is no more than 1m from natural ground level, except for building support purposes; (b) extent is limited to the area required for the construction of buildings and vehicular access.	Fill and excavation must satisfy all of the following: (a) there is no unreasonable impact on natural values; (b) does not detract from the visual amenity of the area; (c) does not impact upon the privacy for adjoining properties; (d) does not affect land stability on the lot or adjoining land.

#### 38.5 Development Standards for Subdivision

<b>Objective:</b>	
To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road.	
Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>
Subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.	Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lot;

	<p>(b) <i>the existing buildings and the location of intended buildings; and</i></p> <p>(c) <i>the accessibility for vehicles providing for supplies, waste removal and emergency services.</i></p>
--	---

- b) Rezone the land at 2352 Coles Bay Road, Coles Bay on Certificate of Title 108305 Volume 1 to Particular Purpose Zone 8 - Saffire Freycinet as follows:



Particular Purpose Zone 8 – Saffire Freycinet

A handwritten signature in black ink, which appears to read "G. A. Alomes".

Greg Alomes  
**Executive Commissioner**  
**Tasmanian Planning Commission**

This amendment comes into effect on 16 August 2017

7 February 2020

Mr Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

By email: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

Dear Chris Schroeder

## LOCAL PROVISION SCHEDULE

I act for \_\_\_\_\_ the owner and operator of the

Pursuant to the information on Council's website I make this representation on its behalf.

By way of background we have acted for \_\_\_\_\_ throughout.

As part of the *Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)* process we made submissions to the Tasmanian Planning Commission which brought about an urgent amendment to the Interim Scheme which brought about the creation of clause 38.0 Particular Purpose Zone - Saffire Freycinet. For your records a copy of the Commission's decision is **attached**.

We, along with my client's planning consultant \_\_\_\_\_ liaised with Council's then planner Shane Wells. On or about 18 April 2018 we provided to Shane Wells the suggested template to be adopted under the Tasmanian Planning Scheme, copy **attached**.

We have now reviewed GSB-P4.0 and note that there are some variations including the way in which Food Services is treated. There are other seemingly minor drafting differences.

We also note there is a spelling mistake in respect of the overlay maps in that the resort is spelt "\_\_\_\_\_ copies **attached**.

We wish to be involved in the finalisation of the clause.

Yours faithfully



## GSB-P4.0 Particular Purpose Zone – Saffire Freycinet

### GSB-P4.1 Zone Purpose

The purpose of the Particular Purpose Zone – Saffire Freycinet is:

- GSB-P4.1.1 To provide for the continued use and development of Saffire Freycinet resort.
- GSB-P4.1.2 To provide for use and development that complements the existing use of the Saffire Freycinet resort and does not compromise or distort the role of existing activity centres.

### GSB-P4.2 Local Area Objectives

This clause is not used in this particular purpose zone.

### GSB-P4.3 Definition of Terms

This clause is not used in this particular purpose zone.

### GSB-P4.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Community Meeting and Entertainment	
Food Services <sup>1</sup>	
Tourist Operation	
Visitor Accommodation	
<b>Discretionary</b>	
Educational and Occasional Care	
Emergency Services	

---

<sup>1</sup> See use standard

General Retail and Hire	
Hotel Industry	
Pleasure Boat Facility	
Research and Development	
Residential	
Sports and Recreation	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## GSB-P4.5 Use Standards

### GSB-P4.5.1 Food Services

Objective:	That Food Services uses complement the visitor accommodation and tourism use of the Saffire Freycinet resort.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Food service must: <ul style="list-style-type: none"> <li>(a) replace an existing use; or</li> <li>(b) have an additional gross floor area of no more than 200m<sup>2</sup>.</li> </ul>		<b>P1</b> Food service must complement or support the Saffire Freycinet resort, having regard to: <ul style="list-style-type: none"> <li>(a) the size and scale of the proposed use;</li> <li>(b) the function of the Coles Bay activity centre;</li> <li>(c) the extent that the proposed use impacts on the Coles Bay activity centre; and</li> <li>(d) the extent that the use caters for demand from visitors to the accommodation.</li> </ul>

### GSB-P4.5.2 Discretionary Uses

Objective:	That discretionary uses complement the visitor accommodation and tourism use of Saffire Freycinet resort.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.		<b>P1</b> Discretionary use must complement or support the Freycinet Saffire Resort, having regard to: <ul style="list-style-type: none"> <li>(a) the operational efficiency of any Permitted use operating in the zone;</li> <li>(b) the scale of the use relative to any Permitted use operating in the zone;</li> <li>(c) the function of the Coles Bay activity centre; and</li> <li>(d) the degree to which the use duplicates commercial or retail uses that serve the residential population of Coles Bay.</li> </ul>

## GSB-P4.6 Development Standards for Buildings and Works

GSB-P4.6.1 Building height, setback and siting

Objective:	That height, setback and siting of buildings must not cause an unreasonable impact on the visual character of the site and the landscape values of the surrounding area. <sup>2</sup>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Building height must be no more than 8m.		<b>P1</b> Building height must be compatible with the visual character of the site and the surrounding area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site;</li> <li>(c) the bulk and form of proposed buildings; and</li> <li>(d) native vegetation to be retained, replaced or planted.</li> </ul>
<b>A2</b> Buildings must have a setback from frontage of not less than 10m.		<b>P2</b> Building setback from frontage must be compatible with the character of the surrounding area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of surrounding buildings;</li> <li>(c) the height bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from Coles Bay Road; and</li> <li>(e) the retention of native vegetation.</li> </ul>
<b>A3</b> Buildings must have a setback from a side or rear boundary of not less than: <ul style="list-style-type: none"> <li>(a) 5m; or</li> <li>(b) half the height of the wall</li> </ul> whichever is the greater.		<b>P3</b> Buildings must be sited to not cause an unreasonable impact to the adjoining Conservation Area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site</li> <li>(b) the height bulk and form of existing and proposed buildings;</li> </ul>

<sup>2</sup> Removed reference to streetscape – considered irrelevant.



	(c) native vegetation to be retained, replaced or planted.
--	--

GSB-P4.6.2 Building Design

Objective:	That building design includes materials and colours that minimise visual impact on in the landscape	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Exterior building surfaces must be coloured using dark or muted toned colours specified in AS2700: 2011 Colour Standards for General Purposes.		<b>P1</b> Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.

GSB-P4.6.3 Cut and fill

Objective:	That cut and fill has minimal impact to the landscape and to natural values.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Fill and excavation must: <ul style="list-style-type: none"> <li>(a) be no more than 1m from natural ground level, excluding any building foundation;</li> <li>(b) be required for the construction of buildings or access.</li> </ul>		<b>P1</b> Fill and excavation must minimise impact to natural values and to the landscape qualities of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the extent and depth proposed;</li> <li>(c) the proximity to adjoining land; and</li> <li>(d) the location of native vegetation.</li> </ul>

## GSB-P4.7 Development Standards for Subdivision

GSB-P4.7.1 Subdivision

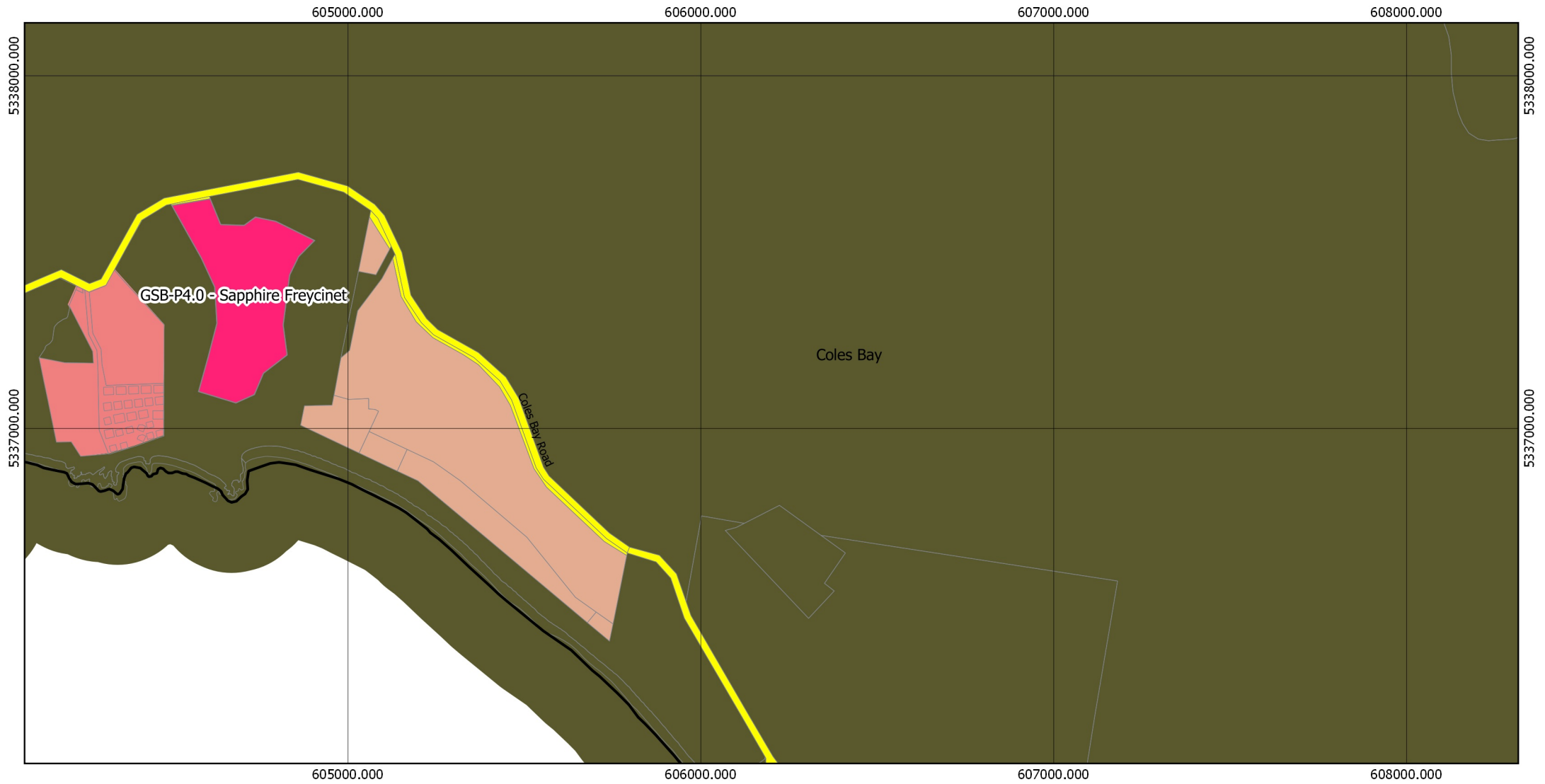
Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>		<b>P1</b>

<p>The subdivision does not create additional lots unless for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.</p>	<p>Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) the existing buildings and the location of intended buildings; and</li> <li>(c) the accessibility for vehicles providing for supplies, waste removal and emergency services.</li> </ul>
--	--

## GSB-P4.8 Tables

This clause is not used in this particular purpose zone.

# TASMANIAN PLANNING SCHEME - ZONES: GLAMORGAN-SPRING BAY LOCAL PROVISIONS SCHEDULE



## Legend

<span style="color: red;">■</span> General Residential	<span style="color: yellow;">■</span> Community Purpose	<span style="color: orange;">■</span> Rural	<span style="color: orange;">■</span> Future Urban
<span style="color: lightcoral;">■</span> Low Density Residential	<span style="color: green;">■</span> Open Space	<span style="color: brown;">■</span> Agriculture	<span style="color: magenta;">■</span> Particular Purpose
<span style="color: pink;">■</span> Rural Living A	<span style="color: limegreen;">■</span> Recreation	<span style="color: yellow;">■</span> Utilities	<span style="color: lightgrey;">■</span> Property Parcels
<span style="color: lightpink;">■</span> Rural Living B	<span style="color: lightblue;">■</span> Local Business	<span style="color: olivegreen;">■</span> Landscape Conservation	<span style="border: 1px solid black;">■</span> LPS Boundary
<span style="color: orange;">■</span> Village	<span style="color: purple;">■</span> General Industrial	<span style="color: darkolivegreen;">■</span> Environmental Management	<span style="border-top: 1px dashed black;">■</span> Zone Boundary
	<span style="color: magenta;">■</span> Light Industrial	<span style="color: grey;">■</span> Major Tourism	

## Muir's Beach Map 10 of 22

0 100 200 300 400 500 metres

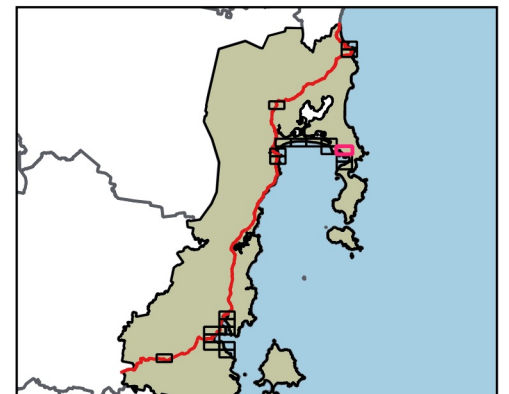


Coordinate System: GDA 1994 MGA Zone 55

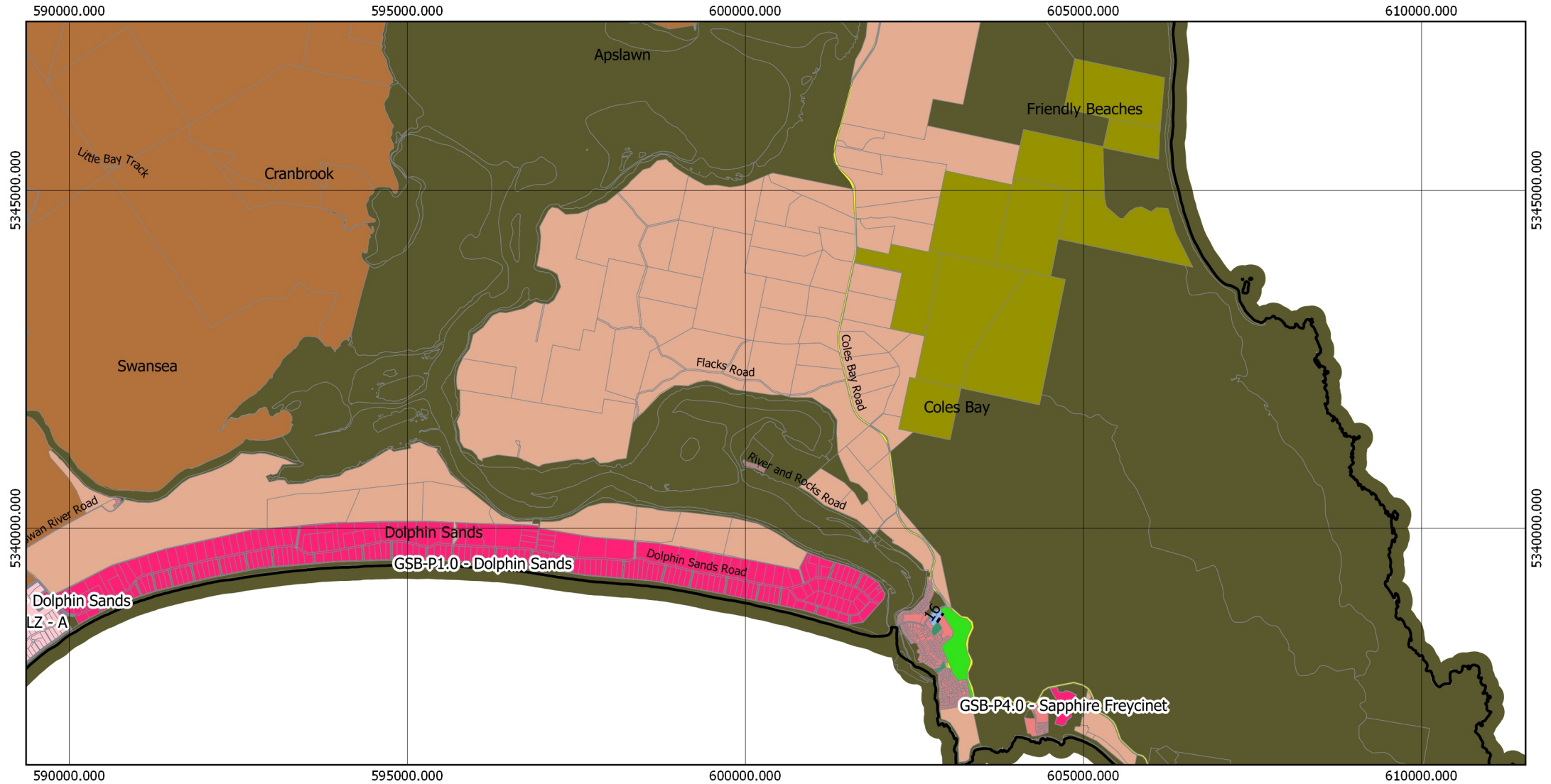
Base data from theLIST, © State of Tasmania  
Land title data current as of 26/09/2017

Disclaimer: Before taking any action based on data shown on this map, it should first be verified with the relevant council.

Date: 28/06/2019



# TASMANIAN PLANNING SCHEME - ZONES: GLAMORGAN-SPRING BAY LOCAL PROVISIONS SCHEDULE



## Legend

<span style="color: red;">■</span> General Residential	<span style="color: yellow;">■</span> Community Purpose	<span style="color: lightcoral;">■</span> Rural	<span style="color: orange;">■</span> Future Urban
<span style="color: lightcoral;">■</span> Low Density Residential	<span style="color: green;">■</span> Open Space	<span style="color: brown;">■</span> Agriculture	<span style="color: magenta;">■</span> Particular Purpose
<span style="color: lightpink;">■</span> Rural Living A	<span style="color: limegreen;">■</span> Recreation	<span style="color: yellow;">■</span> Utilities	<span style="color: white;">■</span> Property Parcels
<span style="color: lightpink;">■</span> Rural Living B	<span style="color: blue;">■</span> Local Business	<span style="color: olive;">■</span> Landscape Conservation	<span style="border: 1px solid black;"> </span> LPS Boundary
<span style="color: orange;">■</span> Village	<span style="color: purple;">■</span> General Industrial	<span style="color: darkolivegreen;">■</span> Environmental Management	<span style="border-top: 1px dashed black;"> </span> Zone Boundary
	<span style="color: purple;">■</span> Light Industrial	<span style="color: grey;">■</span> Major Tourism	16-Between Title Corner and Point

## Map 7 of 24

0.5 0 0.5 1 1.5 2 km

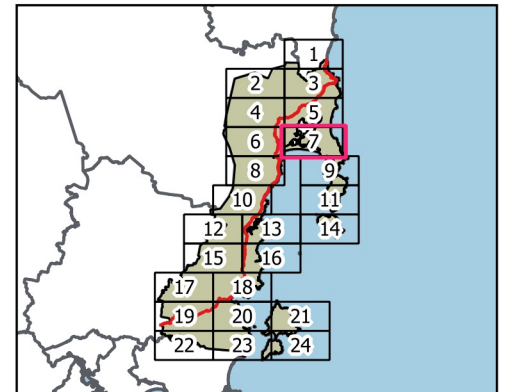


Coordinate System: GDA 1994 MGA Zone 55

Base data from theLIST, © State of Tasmania  
Land title data current as of 26/09/2017

Disclaimer: Before taking any action based on data shown on this map, it should first be verified with the relevant council.

Date: 28/06/2019





## Maree Tyrrell

---

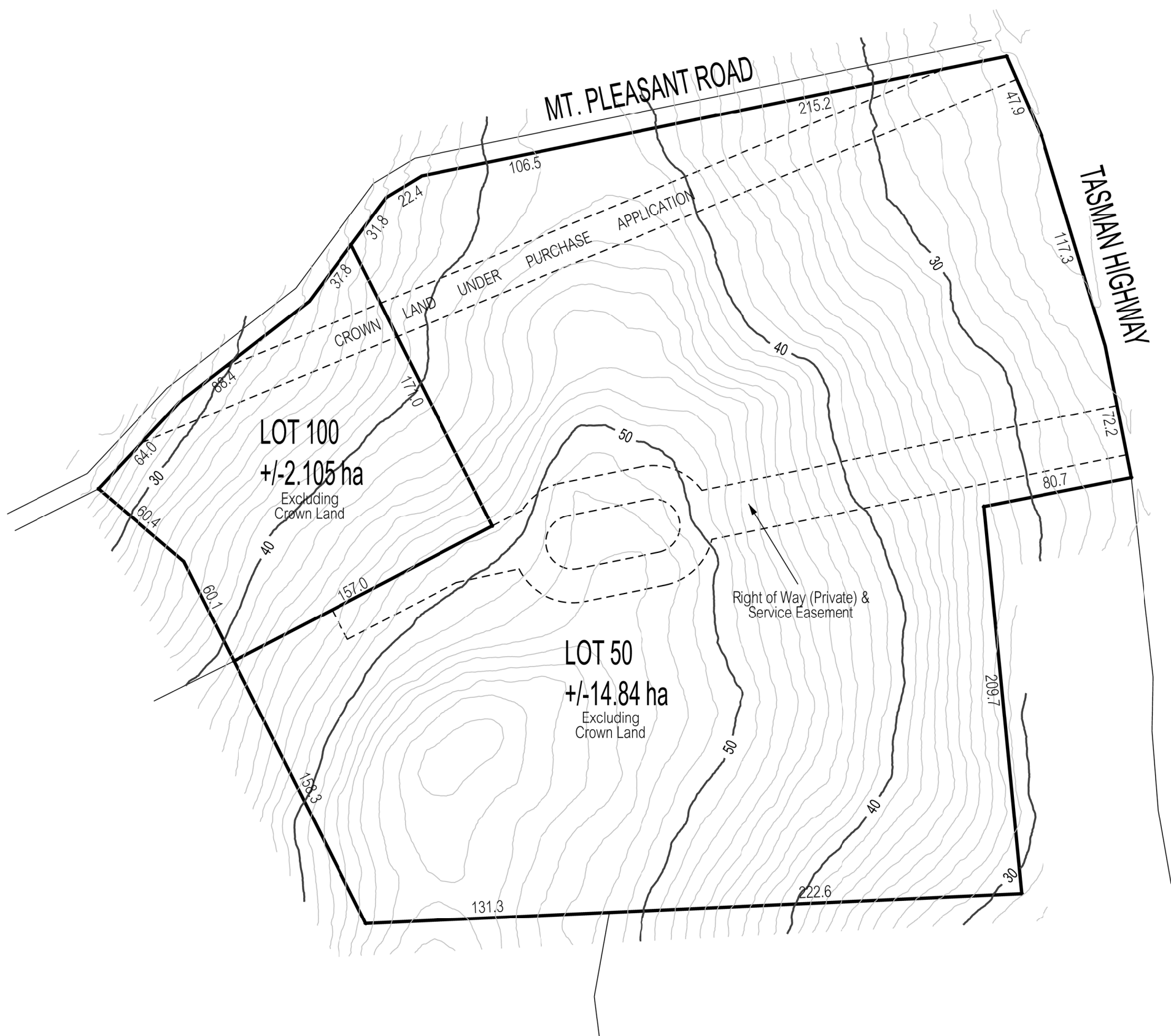
**From:**  
**Sent:** Thursday, 13 February 2020 6:48 PM  
**To:** Contract Planner  
**Cc:**  
**Subject:** Draft LPS  
**Attachments:**

To whom it may concern,

I write to object to the proposed zoning for the 18Ha on the NE corner of bounded by the Tasman Highway, Mount Pleasant Road, The Gala Estate vineyard, as described on the attached Proposed Plan of Subdivision, which is currently before the GSB Council for approval.

The area is shown on the Draft LPS is proposed to be 'Agriculture', which I believe to be an inappropriate zoning based on the attached Agricultural Assessment Report prepared by Roberts in June 2019, which assessed the land as being not suitable as agricultural land.

Yours sincerely,



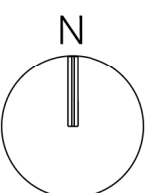
#### NOTES

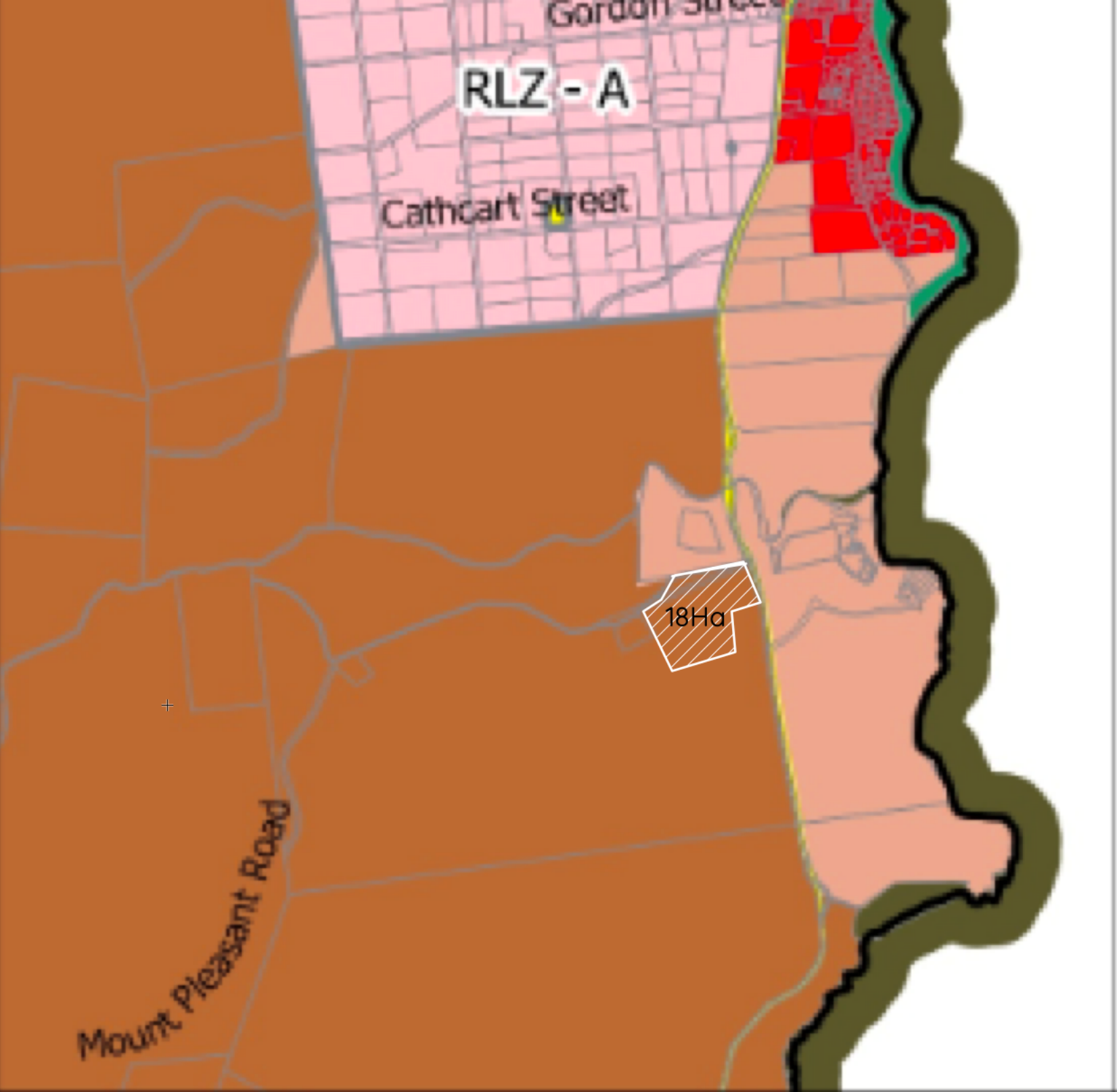
All distances and areas are approximate only and subject to final survey.  
Cadastre courtesy of LIST (TASMAP) - State of Tasmania / Detail Survey AHamilton & Assoc.  
Background Aerial Image - ESRI layer from LIST Website.  
Contours derived from processing the following LIDAR data;  
*The LiDAR dataset was collected as part of the Swansea Irrigation 2014 - LIDAR dataset;*  
*a project commissioned by Forestry Tasmania and delivered by AAM.*  
*Data was sourced from Geoscience Australia*

ANDY HAMILTON & ASSOCIATES - CONSULTING LAND SURVEYORS  
PO Box 12, KINGSTON BEACH 7050  
M: 0418 593 300  
E: ashassoc@bigpond.com

Scale 1:2500 (A3) File No: 8190  
Datum: Horizontal - GDA94  
Vertical - AHD  
Contour Interval: 1.0m  
Registered Surveyor ..... 17/10/2019 (V3)

## PROPOSAL PLAN





# **Agricultural Report**

‘Land Capability Assessment’

for the proposed

Freycinet Coast, Tasmania

which is part of

Swansea, Tasmania.

June 2019

Rod Hancl, B.Ag.Sc (Hon)

Senior Agronomist

Roberts Rural Supplies

49 Glenstone Rd, Bridgewater, Tasmania, 7030.



## Table of Contents

	Page
1. Forward	3.
2. Summary of Agricultural Report	4.
4.1 Introduction	4.
4.2 Tempus Retirement Village Block	5.
4.3 Land Capability Assessment	6.
4.4 Conclusion	10.
5. Appendix	
5.1 Freycinet – Modelled Land Capability Classes map	11.
5.2 Freycinet – Modelled land Capability Classes map correlated to the Kelvedon Estate agricultural property	12.
5.3 Topographic Map of the proposed Tempus Retirement Village block (17.9ha)	13.
5.4 Land Capability Classes map for the Tempus Retirement Village Block	14.
5.5 Photograph reference point map for Tempus Retirement Village Block	15.
6. References and Bibliography	16.

## 1. Forward

The following document is a Land Capability assessment of 17.91 ha of the North East area of the agricultural property. This area of land is being proposed for the development of the

In Tasmania the Department of Primary Industries, Water and Environment (DPIWE) have been actively involved for many years in producing reference literature and scaled maps (1:100 000) for Land Capability assessment. Noble 1992 documented the Land Capability Handbook for Land Capability surveys in Tasmania. Grose 1999 updated this Land Capability Handbook publication providing greater understanding for the ‘Guidelines for the Classification of Agricultural Land in Tasmania’. [https://dpiwwe.tas.gov.au/Documents/Land\\_Cap\\_Revised-handbook.pdf](https://dpiwwe.tas.gov.au/Documents/Land_Cap_Revised-handbook.pdf)

DPIWE has produced a ‘Modelled Land Capability Classes’ map for the Freycinet region which includes the agricultural property. “At the 1:100 000 map scale, the minimum area which can be adequately depicted on the map represents approximately 64 ha on the ground” (Noble 1992). Hence for a land capability assessment of the proposed 17.91 ha property requires a field assessment and this was completed on Thursday 13<sup>th</sup> June 2019.

[https://dpiwwe.tas.gov.au/Documents/Land\\_Cap\\_Freycinet\\_Map.pdf](https://dpiwwe.tas.gov.au/Documents/Land_Cap_Freycinet_Map.pdf)

Land capability should not be confused with land suitability. In Tasmania land capability is a classification system that is used to rate the land for grazing and cropping relevance. Land suitability by comparison considers a more detailed collection of resource information.

“Despite the inherent subjectivity in the methodology, land capability remains accepted form of land evaluation. In Tasmania it should be an essential input to all planning decisions in order to ensure that long-term sustainability and correct management of agricultural land is achieved” (Grose 1999).

## **2. Summary of the Agricultural Report**

The following document is a land capability assessment for the development on East Coast of Tasmania. This will encompass a new greenfield site proposed for an area of 17.91 hectares on the property. This block of land is located at the north east area of the estate bounded, in part, by the Tasman highway and the Mt Pleasant road. The report will provide clarity to the Glamorgan Spring Bay Planning Scheme 1994 prerequisites for the planned development of the property.

### **2.1 Introduction**

can be stated to be a fine wool coastal agricultural property comprising approximately 5300 hectares (13097 acres). It is located on the Tasman Highway approximately of Swansea. The major two primary production ventures on the property are sheep for super fine wool (i.e. 16 micron, e.g. sourced for Italian suite manufacture) and wine grape outcomes (personal comm.

Agriculturally the property can be considered to be located in a low rainfall area. The property reportedly once was considered to have an average rainfall of approximately 640 mm, but this statistic has lowered over the more recent years (personal comm. The BOM (Bureau of Metrology) data suggest a long-term average rainfall (Swansea Post Office, 1884 - 2008) of 593mm (i.e. approx. 24 inches) for the area but this would be away from this rural property. The property current sheep stocking rates consists of about 7000 head, but this is down on total capacity of the property due to lower rainfall outcomes of more recent years (personal comm.

Just over half the property or 2829 ha is covered with Eucalyptus woodlands and is not utilized for agriculture grazing outcomes with 1200 ha of this area being locked-up for conservation (via caveat) under the private forest reserve program. A further 1923 ha of the property consists of grazed native pasture woodlands, 511 ha of improved or renovated pastures and 28 ha of land is

utilized for forage cropping outcomes like lucerne, oats and rape type crops. But this 28 ha has been historically utilized for crops that include feed barley, poppies, freezer peas, onion seed, ryegrass seed and brassica seed production. The improved pasture would carry approximately 10 DSE / ha (dry-sheep equivalent) and the run country would carry about 4 DSE / ha. The other primary production on the farm includes 9 ha of award-winning wine grape production. (i.e. predominately Pinot noir and Chardonnay cultivars) (personal comm.

The Freycinet - Modelled Land Capability Classes map identifies the property in general to consist of land that could be either classified as Class 4, Class 5 or Class 6 at the scale of 1:100 000 (Appendix 5.1 and 5.2).

## **4.2 Proposed**

## **Development (17.91 ha)**

The proposed 18 ha development block is located at the north east area of the bounded, in part, by the Tasman highway and the Mt Pleasant road

The Freycinet - Modelled Land Capability Classes map identifies the property in general to consist of land that is classified as Class 5 at the scale of 1:100 000. Class 5 land has “slight to moderate limitations to pastoral use. This land is unsuitable to cropping, although some areas on easier slopes may be cultivated for pasture renewal. The effects of limitations on the grazing potential may be reduced to applying appropriate soil conservation and land management practices (Nobel 1992).

Historically, it can be stated, that this 18 ha area of land has not been cultivated due to the stony nature of soil profile. There is a section of land near the Tasman Highway that was once worked via farm equipment and drilled with pasture seed. But for most of the block there is high degree of stone on the soil surface and through the soil profile that makes it impossible to be cultivated as it is so very hard on the equipment that it could not be economically contemplated. And if



cultivation was possible it would create a high potential erosion risk. The shallow Iron stone type soil is so prolific with stones that when it was last renovated it was accomplished by clearing the land of weeds with a dozer. This was followed with a topdressing cocksfoot grass, clover pasture species and single super phosphate (i.e. 0-9-0-11) (SSP) fertilizer to complement the typical native grass production of the land. The SSP fertiliser application on this land have been quite regular over the last 10 years due to the good sheep and wool commodity prices in comparison to the longer-term farm input for this land. The grass production can be quite productive when rain falls at the right time of the year but in general this land is rotationally grazed at a capacity of 4 DSE / ha (i.e. 18 ha grazed at 4 DSE stocking rates equates to 72 sheep over this land area). (personal comm.

## 4.2 Land Capability Assessment

The Block is covered with areas of cleared land and areas of light woodlands. The woodland consist mainly of Eucalyptus White Gums, Peppermint Gums, Black Wattles, Gorse and Prickly Box. The capacity of this land is limited by average low rainfall with periods of drought. Notably the first 6 months of 2019 has been below average rainfall for this region of the East Coast of Tasmania. There is no doubt that the easiest manageable land on this 18 ha block can be classified to have a Class 5 land capability. The pastoral suitability is medium, and the land use options are limited. The small section area of the block (Pic. #1.) closest to the Tasman Highway has had a form of traditional pasture renovation.

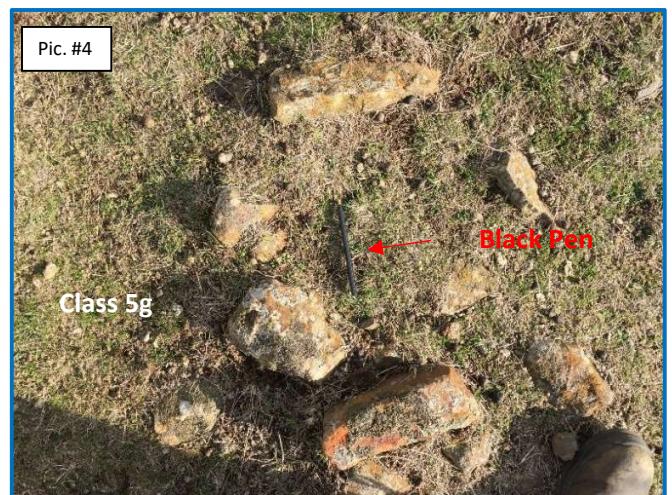
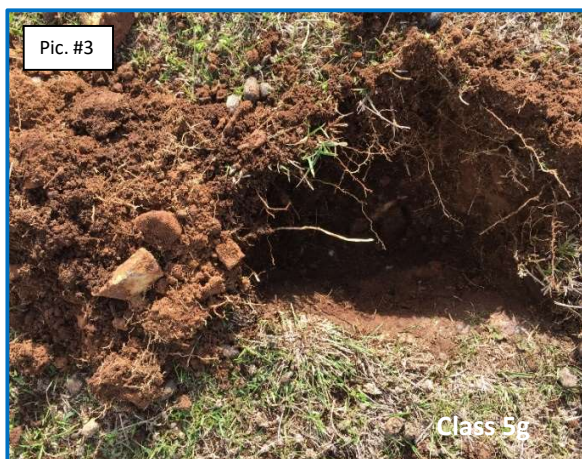


Picture #1. App. 5.5 Ref. Point A. Looking south.

Picture #2. App. 5.5 Ref. Point A. Looking southwest

This area has a brown sandy-loam topsoil over clay based subsoil (i.e. duplex soil, refer Chilvers 1996). Light disc-cultivation and subsequent pasture drilling has been achieved on this area of land.

The main soil type on the block can be considered a shallow red-brown stony clay-loam soil type (i.e. similar to a Krasnozems type soil, refer Chilvers 1996). The majority of the Class 5 land can be characterized to have a dominate sub class rating for the soil of 'g' (Pic. #3 & #4). The sub class 'g' is defined as 'Limitations caused by excess amounts of coarse fragments (particles of rock 2-600 mm in size), including gravel, pebbles and stone, which impact on machinery, damage crops or limit growth. Coarse fragments may occur on the soil surface or throughout the profile" (Gorse 1999).



Picture #3 & 4. App. 5.5 Ref. Point C.

Picture #5. App. 5.5 Ref. Point C. Looking southwest.

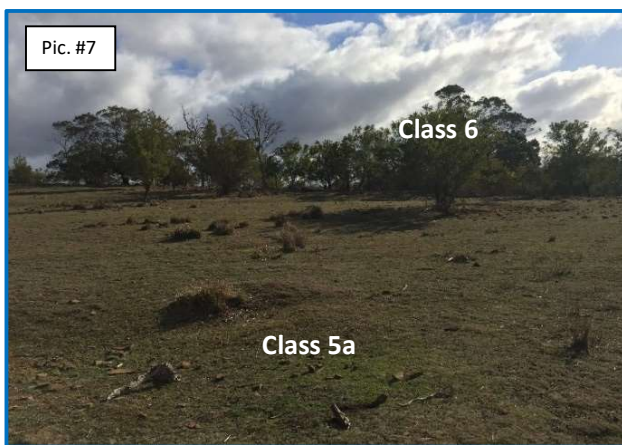




The block is also defined by areas of Class 6 Land. Class 6 land is “marginally suitable for grazing because of severe limitations. This land has low levels of production, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use” (Noble 1992). This type Class 6 land would be associated with the areas of land defined by establish woodlands and / or where rock outcrops on the soil surface.

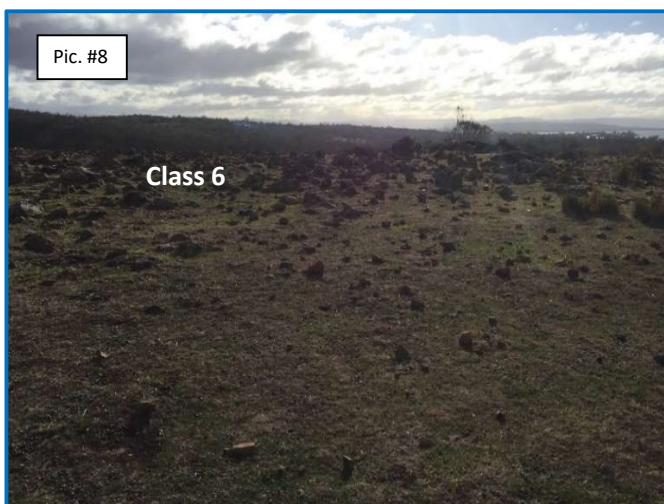
Picture #6. App. 5.5 Ref. Point B. Looking south.

Picture #7. App. 5.5 Ref. Point B. Looking west.



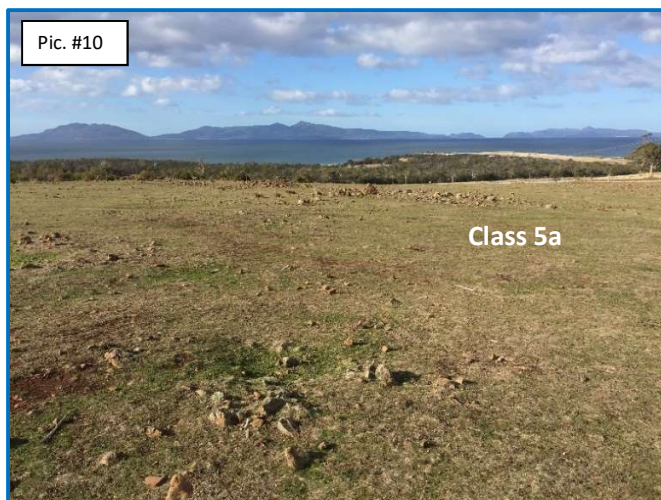
Picture #8. App. 5.5 Ref. Point D. looking north east.

Picture #9. App. 5.5 Ref. Point D. looking east.





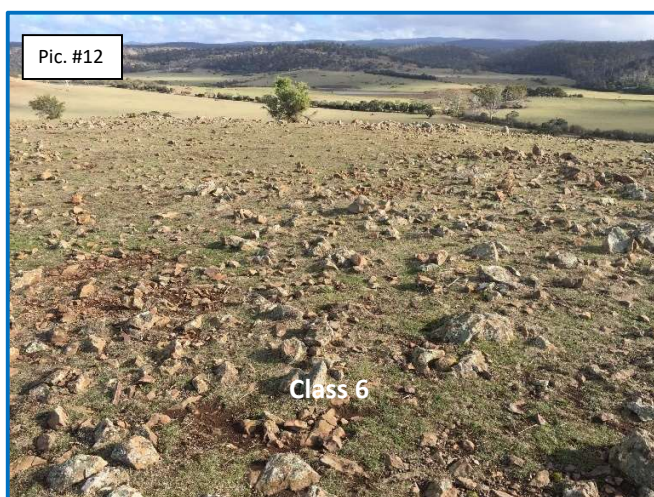
Picture #10. App. 5.5 Ref. Point D. looking south east.



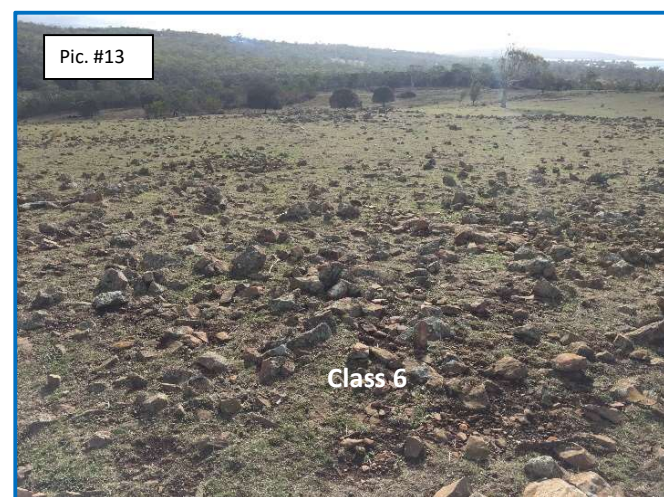
Picture #119. App. 5.5 Ref. Point D. looking south.



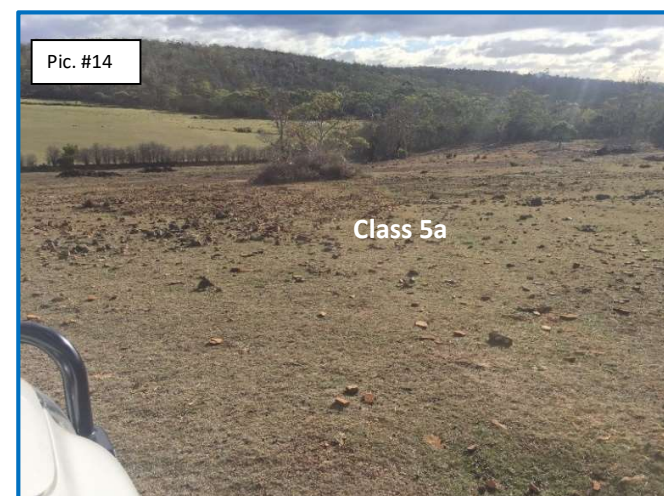
Picture #12. App. 5.5 Ref. Point D. looking south west.



Picture #13. App. 5.5 Ref. Point D. looking west.



Picture #14. App. 5.5 Ref. Point E. looking west





## 4.5 Conclusion

The DPIWE literature, Freycinet - Modelled Land Capability Classes map (Lynch 2002), identifies the block consists of land that is classified as Class 5 at the scale of 1:100 000. (Appendix 5.1). But their literature also identifies that this scale of land class modelling would only depict 64 ha accurately on the ground (Noble 1992).

Closer inspection of the 17.91 ha area of land proposed for the development site identifies that the land Capability Class can be further evaluated to include land that can be stated to be Class 5, Class 5a and Class 6 classifications (Noble 1992, Grose 1999).

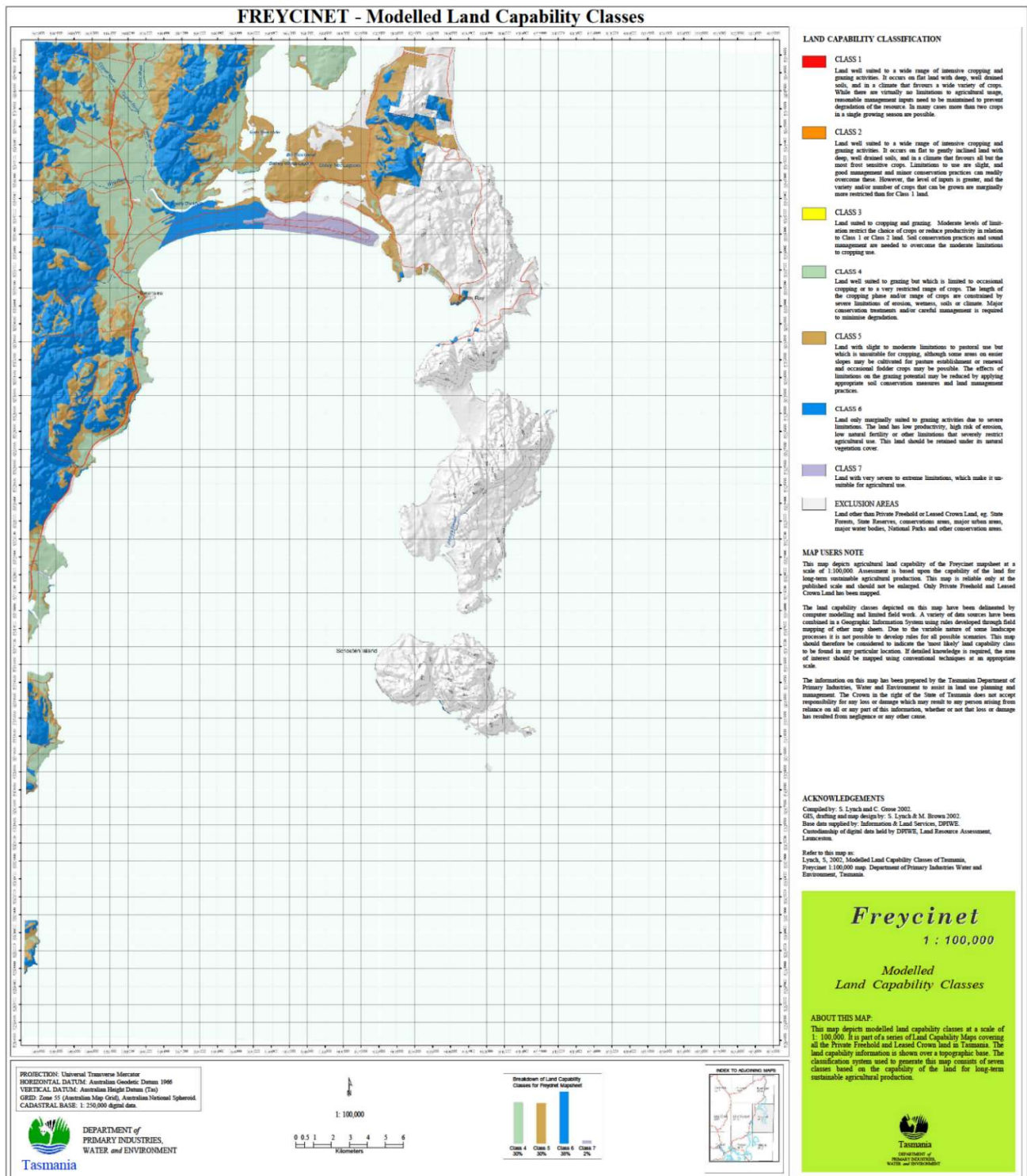
Agriculturally the proposed block can be described as land that is not suitable for cropping. Minor parts of the block could be cultivated for pasture renewal. But much of the area that could be cultivated is so stony on the surface and through the profile that the cost of damaging farm cultivation implement far out ways the benefits of new pasture establishment. Much of this country is best cleared of woody weeds by bulldozer and topdressing with seed and fertiliser to establish pasture renovation without any soil disturbance. There is also areas of established woodlands and rock out crops which are best left as native pasture due the serve restriction to agricultural grazing outcomes. This land is grazed at 4 DSE / ha which correlates to 76 sheep for the area.

The would have insignificant loss of grazing land, grazing potential or financial income if the business allocated this land to another planning outcome or venture.

## 5. Appendix

### 5.1. Freycinet – Modelled Land Capability Classes Map

[https://dpipwe.tas.gov.au/Documents/Land\\_Cap\\_Freycinet\\_Map.pdf](https://dpipwe.tas.gov.au/Documents/Land_Cap_Freycinet_Map.pdf)



## 5.2. Freycinet – Modelled Land Capability Classes map correlated to the property

This identifies DIPWE modelled land capability class for proposed

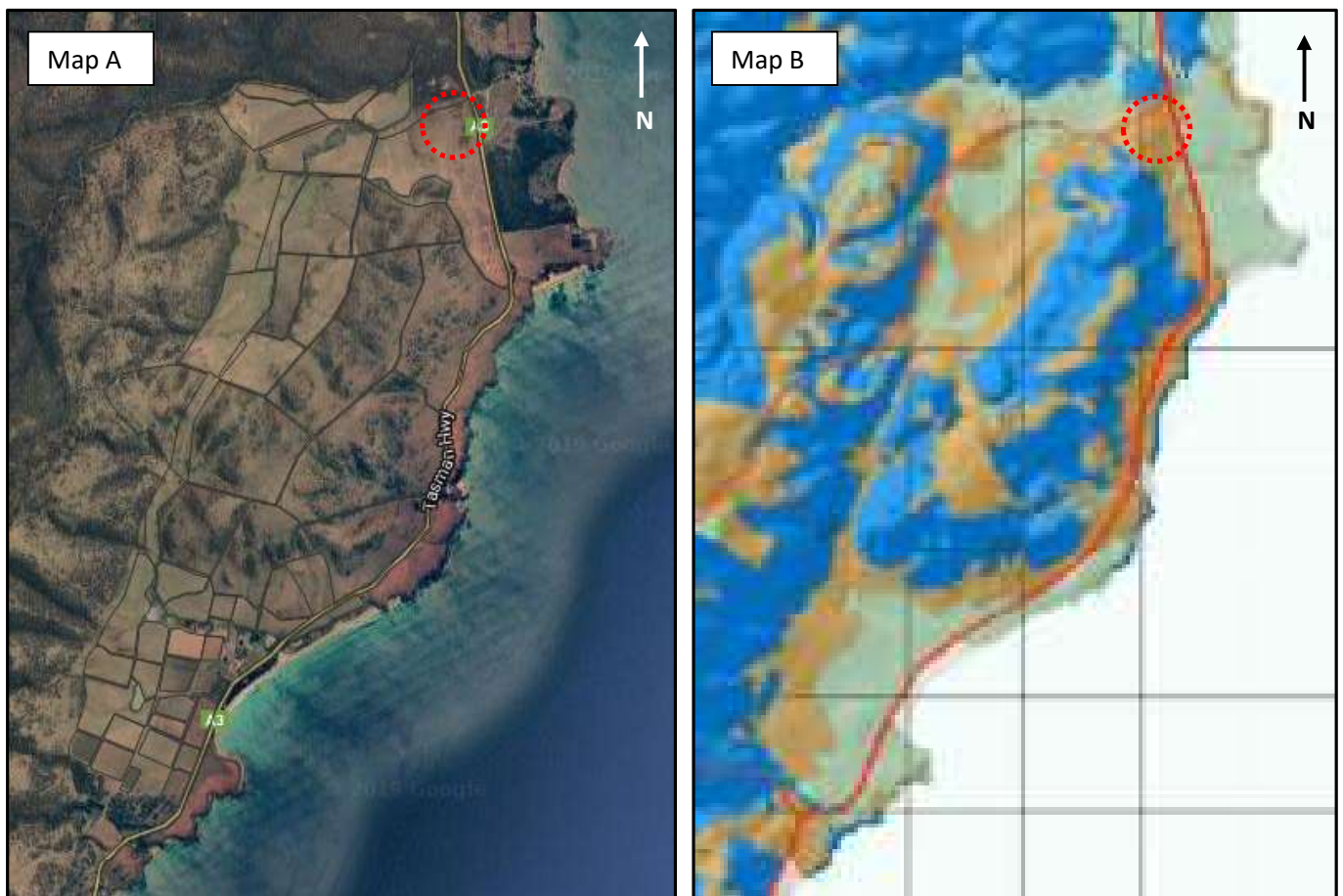
land area

Map A: Identifies basic paddock layout on

(i.e. Agworld software)

Map B: Identifies correlating Freycinet - Modelled Land Capability Classes map (i.e. Appendix 5.1)

Note: Red dotted circle on both Map A and Map B identifies the location of the 18 ha proposed development.

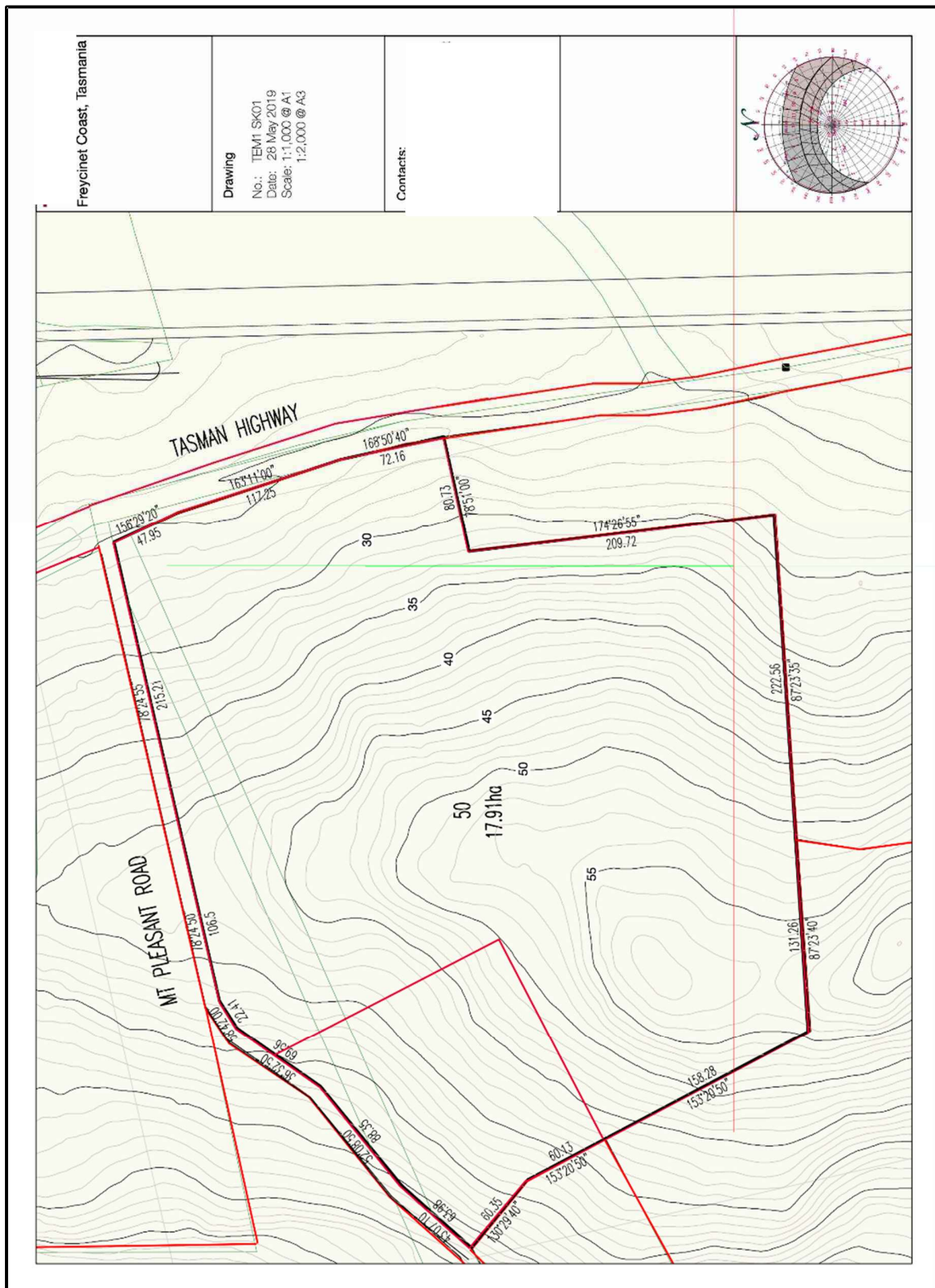


### 5.3. Topographic Map of the proposed

(17.9 ha)

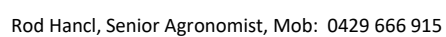
Identifies the location of

Tasman Highway and Mt Pleasant Road





Identifies land capability classifications of the land (i.e. below a scale of 1:100 000)





## 5.5. Photograph reference point map for

## Block

Reference points A, B, C, D and E marked on the map identifies the location and direction of view for photographs taken for this Agricultural Report



## **6. References and Bibliography**

Noble, K. E. (1992). Land Capability Handbook, Land capability Survey of Tasmania.  
Department of Primary Industry, Tasmania, Australia.

Grose, G.J. (1999). Land Capability Handbook, Guidelines for the classification of Agricultural Land in Tasmania. Department of Primary Industries, Water and Environment, Tasmania, Australia.

[https://dpiwwe.tas.gov.au/Documents/Land\\_Cap\\_Revised-handbook.pdf](https://dpiwwe.tas.gov.au/Documents/Land_Cap_Revised-handbook.pdf)

Chilvers, B. (1996). Managing Tasmania's Cropping Soils – a practical guide for farmers.  
Department of Primary Industry and Fisheries, Tasmania, Australia.

<https://dpiwwe.tas.gov.au/Documents/Managing-Tasmanias-Cropping-Soils-2000.pdf>

Lynch, S. (2002). Modelled Land Capability Classes of Tasmania, Freycinet 1:100,000 map.  
Department of Primary Industry and, Water and Environment, Tasmania, Australia.

[https://dpiwwe.tas.gov.au/Documents/Land\\_Cap\\_Freycinet\\_Map.pdf](https://dpiwwe.tas.gov.au/Documents/Land_Cap_Freycinet_Map.pdf)

Mr Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
Triabunna TAS 7190

By email: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

## **Tasmanian Planning Scheme – draft Glamorgan Spring Bay Local Provisions Schedule**

Dear Mr Schroeder

Thank you for your invitation to comment on the draft Glamorgan Spring Bay Local Provisions Schedule (draft LPS). \_\_\_\_\_ has reviewed the draft LPS, and supporting mapping and overlay information and believes it largely reflects a sound translation from the *Glamorgan Spring Bay Interim Planning Scheme 2015* in accordance with the Tasmanian Planning Commission's Guideline No. 1 Local Provisions Schedule (LPS): zone and code application.

However, a detailed review has highlighted a number of issues that will require rectification or further discussion with Council officers and the Tasmanian Planning Commission, particularly in terms of ensuring the application of appropriate zoning for mining leases, private timber reserves and part of Road Authority land. I have outlined each of the issues in the attached document for your consideration.

Please do not hesitate to contact \_\_\_\_\_ or  
email at \_\_\_\_\_ who can arrange for \_\_\_\_\_ to respond to  
any of the matters raised in this submission.

Yours sincerely

14 February 2020



## Attachment I. Local Provisions Schedule

## comments - draft Glamorgan Spring Bay

### Forest Resources

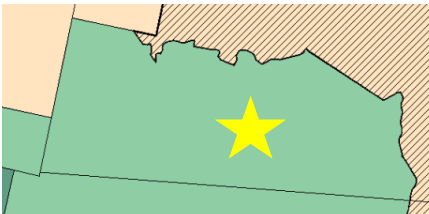
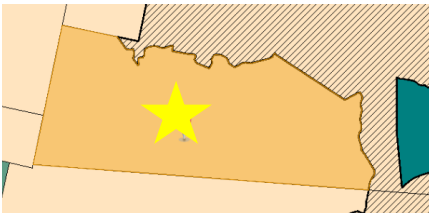
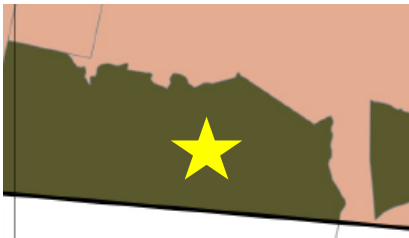
has reviewed the draft Glamorgan Spring Bay LPS zoning maps as these relate to forest resources, including the most appropriate zoning for Permanent Timber Production Zone Land (PTPZL) and Private Timber Reserves (PTR). acknowledges that the application of zoning across the rural landscape is based on a range of considerations and a desire to minimise spot zonings. However, the Rural Zone, as opposed to the Agriculture Zone or Landscape Conservation Zone, is generally considered to be the most appropriate zone for land that is subject to, or set aside for forestry activities. This is reflected in the intent of each of the three zones -

	Agriculture	Rural	Landscape Conservation
Intent	To provide for agricultural activities and avoid unrelated non-agricultural activities.	To provide for less significant agriculture as well as rural activities, forestry & quarries.	To protect the scenic and conservation value of landscapes.

is aware that activities associated with land declared as a PTR under the *Forest Practices Act 1985* will not affect the undertaking of forest operations allowed under the PTR due to the exemption under section 20 (7) of the *Land Use Planning and Approvals Act 1993*. Notwithstanding this, it is proposed that wherever possible, the application of the Rural Zone to land that is currently used for forestry activities or where forestry use is clearly intended is more appropriate and clearly aligned with the purpose of this zone.

### Zoning of Permanent Timber Production Zone Land

is an area of Permanent Timber Production Zone Land (PTPZL) that has been zoned as Environmental Management. Under the existing interim planning scheme, this land is currently zoned Rural Resource and should logically transition to the Rural Zone consistent with the Glamorgan Spring Bay Council supporting report (see excerpt below p.24). It is noted that other PTPZL land parcels – for example, PID and PID – have transitioned to the Rural Zone.

IPS Zoning	Proposed LPS Zoning
 <p>Image above indicates PTPZL mapping.</p>  <p>Image above indicates location of PID and Rural Resource zoning.</p>	 <p>Image above indicates application of the Environmental Management Zone.</p>

### Private Timber Reserves and the Agriculture Zone

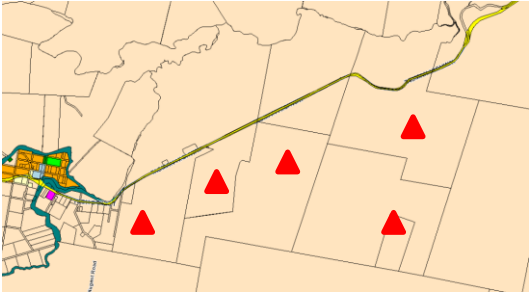
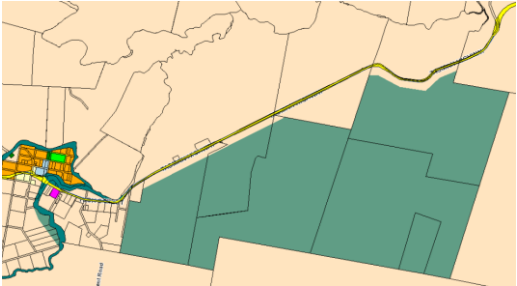
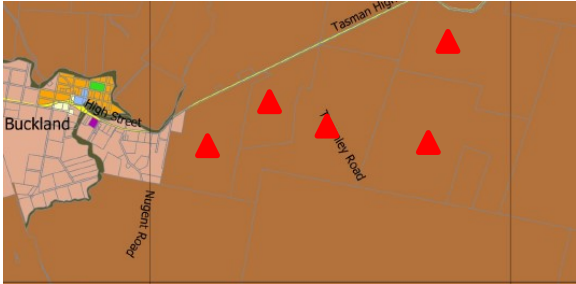
A private timber reserve is an area of private land set aside for forestry purposes and registered on the title. Under section 12 (1) of the *Forest Practices Act 1985*, the Forest Practices Authority can determine what other activities can be undertaken on a private timber reserve, however these activities must be

compatible with the use of the land as a private timber reserve. The following activities are currently considered to be compatible: grazing under well-established trees; nature based recreation; hunting; apiary sites; and for education and scientific purposes.

There is a cluster of Private Timber Reserves (PTRs) (

located to the east of Buckland, which are currently zoned Rural Resource and proposed to be rezoned to Agriculture. Based on aerial photography and other information, these properties are currently being used for plantation purposes. Ideally this cluster of PTRs should be zoned Rural and per the GSBC supporting report, particularly given they are not isolated examples but rather, form a substantial cluster.

A significant number of additional PTRs that are currently zoned Rural Resource have also been zoned Agriculture. It is proposed that the Rural Zone is more reflective of the forestry activities occurring on these land parcels.

IPS Zoning	Proposed LPS Zoning
 <p>Image above indicates the Rural Resource zoning applicable to the CT numbers identified above.</p>  <p>Image above indicates presence of PTRs and the apparent cluster of like titles.</p>	 <p>Image above indicates the proposed Agriculture Zone.</p>

### Private Timber Reserves and the Landscape Conservation Zone

There are three PTRs located in an area between Friendly Beaches and Coles Bay, which are currently zoned Rural Resource, and proposed to transition to the Landscape Conservation Zone under the draft LPS. The affected land parcels are (see below). Attachment 5.PDF of the Supporting Reports, *Friendly Beaches and Surrounds Strategic Direction*, acknowledges the above PTRs, but does not address the inconsistencies between the proposed Landscape Conservation zoning and the intended use of the land implied by the PTRs.

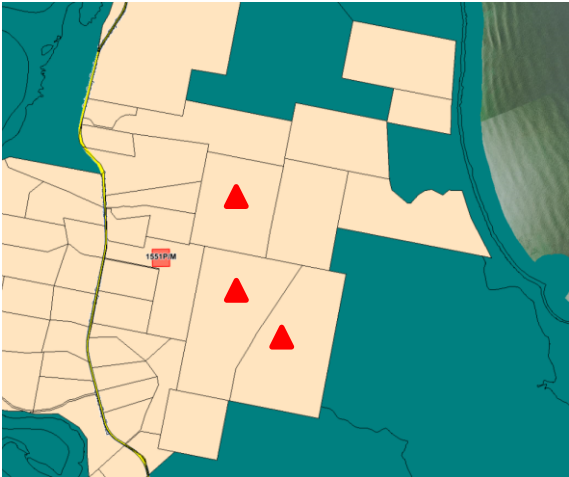
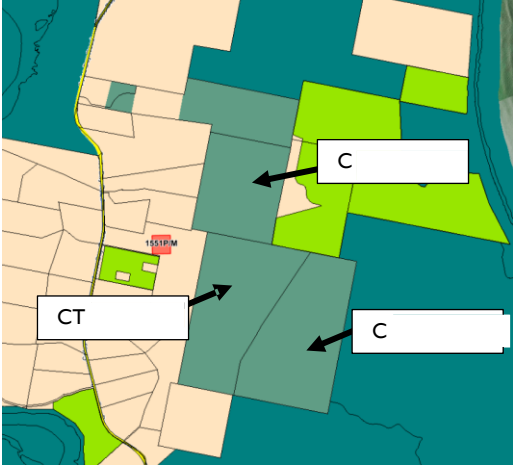
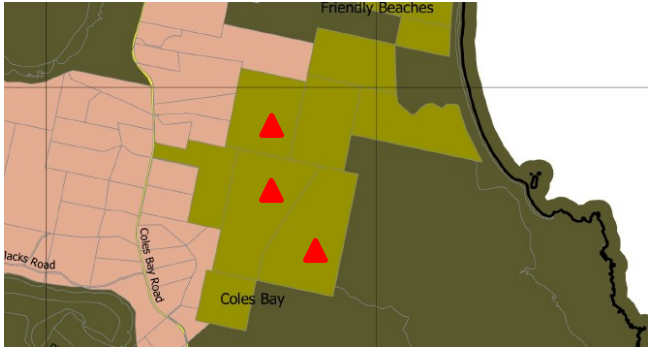
The Rural and Agriculture Zones support the establishment of Extractive Industries and Resource Development and allow a range of associated resource extraction activities and forestry operations to occur, often represented as Private Timber Reserves and Mining Leases.

In contrast, the Landscape Conservation Zone prohibits Extractive Industries and plantation forestry.

is concerned that the application of the Landscape Conservation Zone to these parcels may affect future mining lease operations (see below) and could have a sterilising effect on the rural land.

As previously noted, while certified forest practices on PTRs are exempt from the planning scheme, the underlying zoning should reflect the current or intended use of the land, consistent with the GSBC supporting report. If the intended use of the land is not forestry, advice should be sought from the Forest Practices Authority on whether that use is compatible with a PTR.

While recognising the scenic values associated with this land, any changes to zoning and the consequent limitations on rural activities and increased opportunity for residential uses, should be the subject of further consideration and analysis.

IPS Zoning	Proposed LPS Zoning
<div data-bbox="164 315 735 790"></div> <p data-bbox="164 808 699 869">Image above indicates the Rural Resource zoning applicable to the CT numbers identified above.</p> <div data-bbox="164 887 679 1350"></div> <p data-bbox="164 1368 775 1429">Image above indicates the Private Timber Reserves and the relevant CT numbers.</p>	<div data-bbox="802 315 1453 660"></div> <p data-bbox="802 678 1315 739">Image above indicates the proposed Landscape Conservation Zone over PTRs.</p>

**Mineral Resources**

The draft LPS maps indicate that a number of mining leases have transitioned from the Rural Resource Zone to the Agriculture Zone, and one mining lease has transitioned to the Landscape Conservation Zone.

While the status of Level 2 activities is Discretionary in the Rural and Agriculture zones based on a requirement under Section 25 of the *Environmental Management and Pollution Control Act 1994* (EMPCA), it may be appropriate to consider application of the Rural Zone in specific circumstances. This includes to quarries identified as being of strategic state, regional or local importance.

Certainty around continued access to future mineral resources and construction materials across the rural landscape is critical in supporting economic development and employment growth.

MRT provides the following comments on specific, not all, mining leases across the Glamorgan Spring Bay municipality.

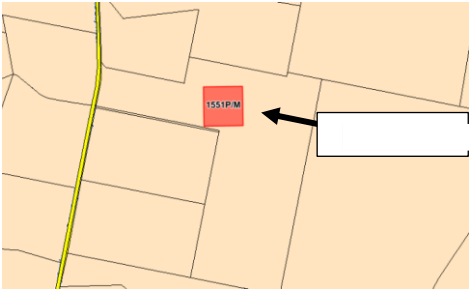

Mining Lease 1551P/M

Mining lease 1551P/M is currently located on CT (see below) in the Rural Resource Zone where this use is an allowable use (Discretionary). However the title on which the Mining Lease is located has been transitioned to the Landscape Conservation Zone.

Attachment 5.PDF of the Supporting Report, *Friendly Beaches and Surrounds Strategic Direction*, acknowledges this mining lease, but does not address the inconsistencies between the proposed zoning and the intended use implied by this lease. The Extractive Industries use is prohibited in the Landscape Conservation Zone, which means existing use rights would apply, but further development of the resource would be improbable, certainly beyond the existing lease boundary.

In contrast, the Rural and Agriculture Zones support the establishment of Extractive Industries and allows a range of associated resource extraction activities to occur, including mining activities.

                    is concerned that the application of the Landscape Conservation Zone to this parcel will affect future mining lease operations and could have a sterilising effect on the rural land in this vicinity. Until there is further consideration and analysis of the resource potential of this land,                      is seeking a transition to the Rural Zone.



IPS Zoning	Proposed LPS Zoning
<div>A map showing land parcels in a Rural Resource Zone. A red square labeled '1551P/M' is highlighted, with an arrow pointing to it from a white rectangular box on the right. The surrounding area is colored light orange.</div> <div>Image above indicates the location of 1551P/M within CT and the Rural Resource Zone.</div>	<div>A map showing land parcels, with the area containing the Mining Lease 1551P/M highlighted in a dark green color, indicating the Landscape Conservation Zone. A red triangle points to this area. The surrounding area is colored light orange.</div> <div>Map Number: 7 of 24 Image above indicates the application of the proposed Landscape Conservation Zone.</div>



### Mining lease

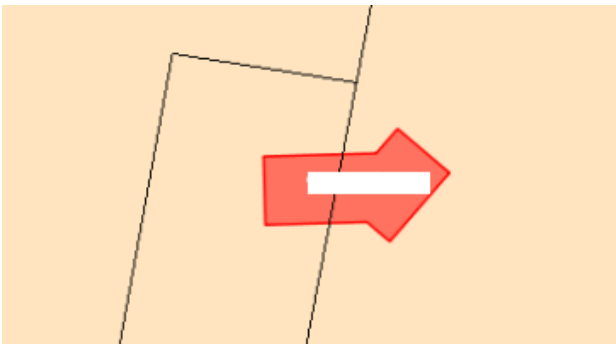
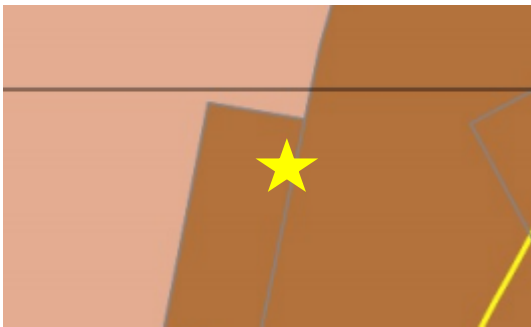
Mining Lease is located on title and is a significant Level 2 quarry producing high quality unweathered dolerite that meets Victorian Road Specifications. Given the adjacent Rural zoning it is proposed that this zone is extended across this parcel to more closely reflect the current use of the land.

Consistent with the treatment of the Tasmanian Sandstone Quarries Pty Ltd operation (Mining Lease referred to below) a dedicated Rural zoning appears to be appropriate for this site.

IPS Zoning	Proposed LPS Zoning
	
Image above indicates location of mining lease and Rural Resource zoning.	Map number 3 of 24 Image above indicates location of mining lease in relation to proposed Agriculture and Rural zones.

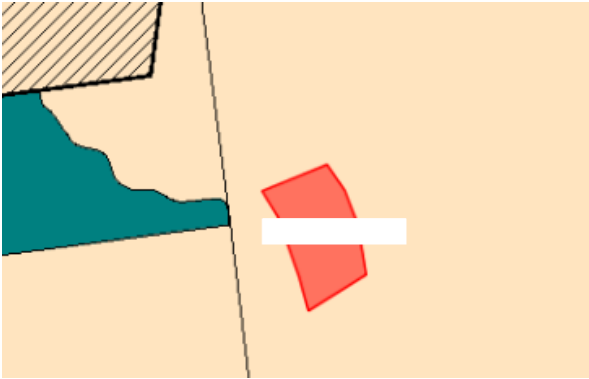

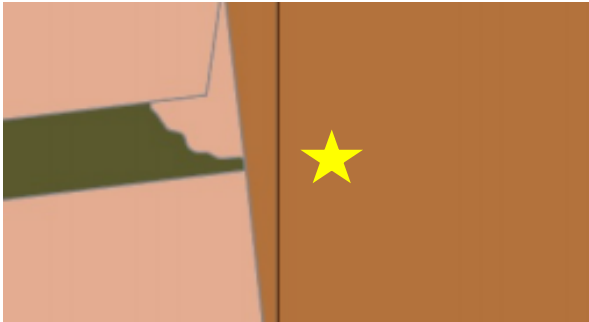
### Mining Lease

Mining Lease, which is located within, is also proposed to transition from the Rural Resource Zone to the Agriculture Zone. Given the constraints associated with further development of this quarry, MRT is satisfied with the current approach to zoning of this parcel.

IPS Zoning	Proposed LPS Zoning
	
Image above indicates location of mining lease and Rural Resource zoning.	Map number 3 of 24 Image above indicates location of mining lease in relation to proposed Agriculture and Rural zones.

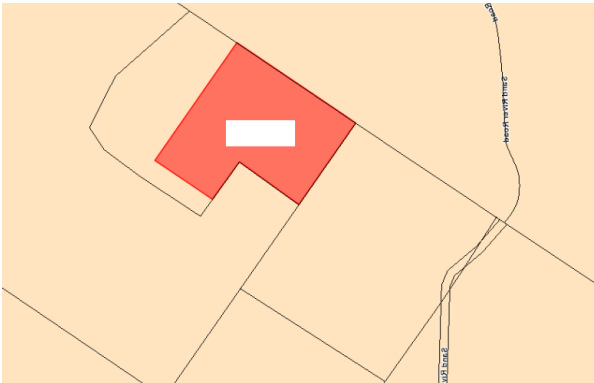
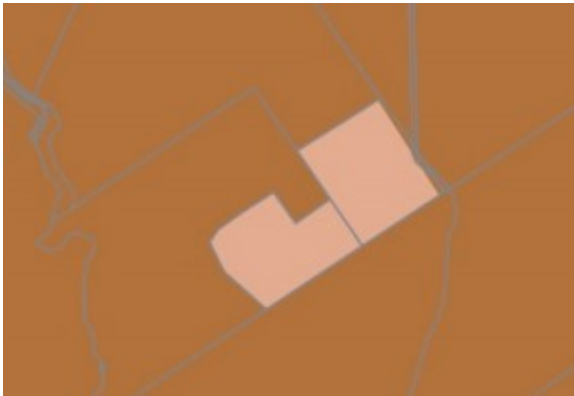
Mining Lease

Mining Lease is located on and lies within the Rural Resource Zone. The quarry is currently operating at Level 1 but has the potential to operate as a Level 2 enterprise in the future. The quarry is surrounded by a significant silvicultural operation which, combined with the extractive industry, would be more appropriately retained within the Rural Zone.

IPS Zoning	Proposed LPS Zoning
<div><p>Image above indicates location of mining lease and Rural Resource zoning.</p><p>Image indicating land uses of Extractive Industry and silviculture.</p></div>	<div><p>Map number 18 of 24</p><p>Image above indicates location of mining lease in relation to proposed Agriculture and Rural zones.</p></div>

Mining Lease                      – Tasmanian

Mining Lease                      is located on                      and is currently zoned Rural Resource. The draft LPS mapping indicates that the quarry will retain its equivalent Rural zoning in an otherwise broad application of the Agriculture Zone. The retention of the Rural Zone is supported by MRT due to the strength and nature of the resource. The quarry represents competent sandstone in an area where there are few conflicting uses.

IPS Zoning	Proposed LPS Zoning
<div></div> <div>Image above indicates location of mining lease and Rural Resource zoning.</div>	<div></div> <div>Map 17 of 24 Image above indicates the proposed Rural zoning in an otherwise Agriculture Zoned area.</div>

State Road Network

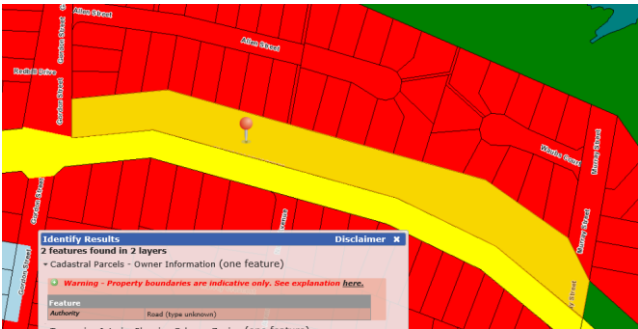


Application of the State Roads Casement Layer – Utilities Zone (UZ)

Section 3.1.1.8 Utilities Zone within the LPS Supporting Report (December 2019) states that ‘the State Road Casement layer published on the LIST has been used as a guidance map however in some locations it is inaccurate and has been modified to reflect the correct spatial alignment of the road corridor.’

A review of the mapping suggests that the proposed Utilities Zone Mapping is acceptable and for the vast majority of the time is consistent with the State Road Casement layer as provided by the Department of State Growth. considers that the proposed variations to the State Road Casement layer are minor in nature and not of consequence.

Application of the Open Space Zone (OSZ)

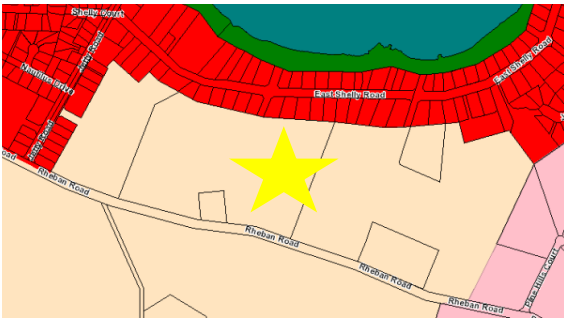
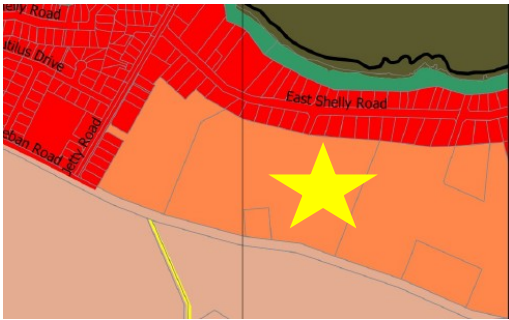
Section 3.1.1.11 Open Space Zone within the LPS Supporting Report suggests that existing Utilities Land at the Northern End of Bicheno, on the Tasman Highway, is rezoned to Open Space. acknowledges that this land parcel is not included in the State Road Casement Layer as noted in the Supporting Report (p.20), however as part of the built highway is located within this parcel, it is suggested that the Utilities Zone is retained. will commit to amending the State Road Casement layer to include this land parcel. Other existing uses on the land, including powerlines and a pedestrian / cycle path, are also appropriate for inclusion within the Utilities Zone.

IPS Zoning	Proposed LPS Zoning
<div></div> <p>Image above indicates the existing Utilities zoning associated with this parcel of Road Authority land.</p> <div></div> <p>Image above indicates extension of the road casement outside of the State Road Casement Layer.</p>	<div></div> <p>Map I of 22 Settlements Map Book – Bicheno North, indicates the proposed Open Space zoning on Road Authority Land.</p>

Application of the Future Urban Zone (FUZ)

Section 3.1.1.12 Future Urban Zone within the LPS Supporting Report proposes the conversion of Rural Resource zoned land to a residential zone, through the application of the Future Urban Zone. The affected parcels are Rheban Road ( , and The proposed rezoning, which includes approximately 30 hectares of land, has the potential to exacerbate existing challenging traffic conditions at the junction of the Tasman Highway and Charles Street. While it is acknowledged that the future development of this land is identified in the Triabunna – Orford Structure Plan, a Traffic Impact Assessment is required to understand the impact of future additional traffic generation at this location, and the safety implications for cars accessing the Tasman Highway-Charles Street junction.



IPS Zoning	Proposed LPS Zoning
 <p data-bbox="164 515 730 548">Image above indicates current Rural Resource Zone</p>	 <p data-bbox="810 515 1445 627">Maps 19/20 of 22 Settlements Map Book – Shelley Beach Image above indicates proposed extent of Future Urban Zone</p>

### Roads and Railway Assets Code

Section 3.2.3 Road and Railway Assets Code within the LPS Supporting Report (p. 42) supports the application of a mapped Road Attenuation Area for the Tasman Highway, Coles Bay Road, Lake Leake Road and Freestone Point Road. Consistent with the application of the Code, requests removal of this mapped attenuation area. A 50 metre buffer zone automatically applies to development adjacent to the State Road network under the Code. If this buffer is mapped and included within a planning scheme, any future changes to the alignment or width of individual roads would require a planning scheme amendment to update the mapped buffer zone. As a result, it is administratively simpler to rely on the Code provisions.

### Proposed New Specific Area Plan – Coles Bay and Swanwick

Section 4.2.1 of the supporting Report (p 56/ 59) outlines a proposal to apply a new Specific Area Plan to Coles Bay and Swanwick, which will allow a number of new uses – for example, Vehicle Parking and Transport Depot have been added as discretionary uses – some of which would result in increased traffic generation and movements. However, these impacts are broad and can be appropriately addressed at the development application stage.

## Maree Tyrrell

---

**From:**  
**Sent:** Friday, 14 February 2020 1:40 PM  
**To:** Contract Planner  
**Cc:**  
**Subject:** Glamorgan Spring Bay Local Provisions Schedule.

Thank you for the opportunity to make comment on the Glamorgan Spring Bay Local Provisions Schedule.

I write this in my capacity as \_\_\_\_\_ have been landholders and marine farmers in and around the Little Swanport Estuary for a period approaching four decades and three generations.

To give you some perspective of our operation and Marine Farming in the Municipality I offer the following:

### **The value of Marine farming in the Little Swanport Estuary to the local area:**

- There are four commercial operations
- Three shellfish nursery operations and two that produce shellfish for human consumption.
- The bulk of juvenile oysters (spat) supplied to the Tasmanian Oyster Industry (value 24 million dollars) spends some of its life in the Little Swanport Estuary.
- There are 21 FTE employed across the four shellfish companies.
- The marine farmers in Little Swanport have long partnered with the Triabunna District School whereby students are actively involved with the culture and production of pacific oysters. These oysters are then sold and the proceeds directed to the school. The results of these activities returned \$15463:50 cash to the school for financial year ending 2019 and we are on track to generate a similar return this year.
- It has been estimated that for every dollar spent in marine farming activities there is a three to one flow on effect to the local economy.

### **Marine farming in the Glamorgan Spring Bay Municipality**

- There are major shellfish producing areas in Dolphin Sands / Swanwick, Great Oyster Bay, Greater and Little Swanports and the Mercury Passage / Triabunna areas totalling seventeen businesses, not including finfish.
- Marine farming is a large employer in the municipality
- The bulk of these jobs are filled by younger people
- These jobs play an important role in retaining the youth and the families that surround them within the municipality and in regional Tasmania generally.

### **Some of the basic requirements of marine farming businesses**

- A clean marine environment
- Access across the foreshore to the water
- Shore bases and processing facilities
- Employees
- Supporting businesses and communities: Maintenance for boats, trailers, tractors and machinery. Fuel, plumbers, electricians etc...

The major threat to Marine Farming is from the cumulative impacts of human activities. Effluent entering waterways, runoff, both industrial and agricultural, competing use for the marine environment. These things and the developments and activities that generate them are, or should be initially assessed for their suitability by the relevant planning systems.

Listed below the objectives of the resource management and planning system of Tasmania and the objectives of the planning process established by the Land Use Planning and Approvals Act 1993.

**1. The objectives of the resource management and planning system of Tasmania are –**

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and***
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and***
- (c) to encourage public involvement in resource management and planning; and***
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and***
- (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.***

***The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule –***

- (a) to require sound strategic planning and co-ordinated action by State and local government; and***
- (b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and***
- (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and***
- (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and***
- (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and***
- (f) to 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***
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and***
- (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and***
- (i) to provide a planning framework which fully considers land capability.***

Further under section 5. Of the Act, ***any person on whom a function is imposed, or a power is conferred is to perform the function or exercise the power in a manner as to further the objectives of the act*** (above).

These objectives are sound and should not change under the current planning reform process. The issue is that these objectives are not always translating into outcomes on the ground... and in our case in the water and I can see no clear mechanism under the planning reform process or the Glamorgan Spring Bay Local Provisions Schedule by which to address this.

**Case in point.**

The recent construction and operation of a piggery in very close proximity to the Little Swanport Estuary and associated conservation area.

Under the existing interim planning scheme if one were to apply to construct a dwelling for human habitation there would be a requirement to install an effluent treatment facility of an appropriate standard.

A pig is a widely accepted human surrogate but in this case there is no requirement to assess the potential impacts that hundreds of pigs (the population of a small town) and the effluent thereof potentially have on the estuary, conservation area and river and the existing users and marine farming businesses that use them.

This is at odds with the objectives of the resource management and planning system of Tasmania and the objectives of the planning process established by the Land Use Planning and Approvals Act and section 42.2 of the State Policy on Water Quality which states ***“Areas designated for marine farming should be protected from adverse changes in water quality arising from adjacent land based activities or activities in the adjacent coastal area”***.

This is not a localised issue or one that hasn't been addressed in other jurisdictions. In NSW any development that is within 10km of a shellfish harvest area is referred to the NSW DPI Shellfish Program for comment. There are parallels in Tasmania. The equivalent of the NSW DPI Shellfish Program is the Tasmanian ShellMap program that sits within DPIWWE. This is a clear fit with the objectives of the resource management and planning system of Tasmania ***“to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State”***.

Clearly things are not working as they should.

In the absence of clear and concise mechanisms, functions and responsibilities under the Glamorgan Spring Bay Interim Planning Scheme concerning water quality protection generally, and more specifically within the Little Swanport area (I note that under **section E11.0 of the Interim Planning Scheme that a Policy for Waterway and Coastal Protection is non-existent**) and, given the value to the Municipality of the area and businesses within it I call on the Glamorgan Spring Bay Council to create a particular purpose zone and area specific plan for the Little Swanport Estuary in line with the new Tasmanian Planning Scheme requirements and associated Government policies.

Yours Sincerely,



## Glamorgan Spring Bay Council draft LPS

### Particular Purpose Zone - The Gulch GSB-P2.0

This is crown land that borders a marine reserve and is unique geographically and visually for its deep “gulch” harbour. This type of environment does not exist anywhere else in Tasmania and as such attracts a large number of visitors. It is also a high value little penguin habitat and part of Bicheno’s fragile penguin population. A Tasmanian Heritage Listed Structure (ID1498) is also in this zone.

This unique natural visual amenity needs to be available and maintained for **all** members of the community, our visitors and our wildlife. No visual pollution i.e. shop signage, tall buildings, concrete car parks etc. And protection of the little penguins environment and ability to move freely in this area has to be a priority.

The area is currently struggling from overuse with traffic and parking an issue for locals and visitors, not to mention our little penguins trying to get to their burrows. **Any expansion of businesses and buildings in this area will put more pressure on this fragile environment therefore any new businesses need to be created within existing building footprints.**

Our Bicheno community lifestyle and economic growth **relies** on our natural environment so it is imperative that we take all possible steps to protect our natural assets. For the above reasons we submit the following.

#### GSB-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone, “The Gulch” needs to be written so as to provide strong protection for the environment, visual amenity and heritage values of the area. The current wording states to “minimise” impact and needs to be replaced with **protect and enhance the distinctive local features and landscapes and the wildlife.**

#### GSB- P2.4 Use Table

##### Use Class

**PERMITTED**                      **Passive Recreation**    **Only use class to be permitted**

We object to **Manufacturing and processing, Resource Development and Resource Processing** (Qualification - if associated with a maritime or aquaculture activity) being included under *Permitted*. These use classes under the Glamorgan Spring Bay Council *definition* table do not limit the size of manufacturing or processing nor do the *definition standards* address any potential pollution associated with this type of use. For reasons stated in our opening paragraphs the impact of these type of uses on the Gulch natural visual amenity, Governor Island Marine Reserve and the little penguin habitat cannot be *Permitted*.

##### Use Class

## **DISCRETIONARY**

We object to **Resource Processing and Utilities** being included as *discretionary* as the GSBC *definitions* define these types of use classes to be not in keeping with the Gulch's unique natural amenity and wildlife.

All other uses under *Discretionary* need to remain within the existing building footprints and need precise qualifications that address the concerns in our opening statement.

### **GSB-P2.5 Use Standards**

#### **Hours of Operation, Noise, External Lighting, Commercial vehicle movements & Outdoor Work Areas**

These use standards need to provide adequate protection for the little penguins that live in this area. Consultation as to best practices for this site for penguin protection needs to be made in discussion with DPIPWE and Birdlife Tasmania.

No Mention has been given to traffic and visitor parking. In peak visitor times the Waubs Esplanade struggles with the traffic and parking generated from existing businesses. The Esplanade becomes a carpark. Added to this congestion, between dusk and dawn, are numbers of little penguins trying to cross the Esplanade to get to burrows. They become confused and blinded by car lights with some unable to get back to burrows to feed chicks. **Again this highlights that further expansion of businesses and buildings in this area is not sustainable.**

### **GSB-P2.6 Development Standard for Buildings and Works**

#### **Building Height, Setback, Building design, Outdoor Storage Areas, Fencing**

For the reasons outlined in our opening statement no new buildings to be built in this area and any renovations to be created on existing building footprints with no loss of vegetation.

Building renovation height must be not more than **5m** and positioned at a **lower elevation than Waubs Esplanade** with building designs that do not detract from the natural visual amenity. Access to business premises from existing access points.

During any construction periods little penguin activity needs to be fully considered and prioritised with no loss of habitat or disruption to their breeding cycle. Any fencing will need to be constructed in such a way as not to impede little penguin movements with consultation from DPIPWE and Birdlife Tasmania.

## **GSB-S2.0 Bicheno Golf club Specific Area Plan**

We request that the proposal for a Specific Area Plan for the Bicheno Golf Club be rejected in full and removed from the Glamorgan Spring Bay Local Provision Schedule for the following reasons

### **1. Residential lots within Town Boundary.**

Area is 3 kms from Bicheno town boundary in a 100km road zone. The Bicheno village has several areas set aside for future urban growth and when developed will give the town several hundred new house sites. The town presently has around 100 vacant lots. A residential development outside of the town boundaries is not needed for future growth.

*Southern Tasmania Regional Land Use Strategy 2010-2035 (p17)*

*By better integrating land use and infrastructure planning, we can ensure that new development makes use of excess capacity in existing infrastructure, rather than creating demand for new infrastructure in un-serviced areas.*

### **2. Availability of Potable Water**

A previous application (2012) for a similar subdivision involving the Golf Course stated that water consumption for the residential development would be 25 million litres. The capacity of the Bicheno water reservoir is 2,590 million litres when full. TasWater recently put Bicheno on stage 1 water restrictions. TasWater states that the trigger for stage 1 water restrictions is when the capacity of the reservoir is only 90 days. (during peak times Bicheno uses close to 1million litres a day) There is obviously not enough water to supply this Specific Area Plan.

### **3. Impost on Council Rate Payers**

Residential developments outside the town boundary can create financial burdens on Councils due to upkeep of subdivision and the responsibility for protection from coastal inundation and flooding.

### **4. Coastal inundation and flood waters**

This area is .4 metres above sea level (*Tasmap*) and sits behind the sand dunes of Denison Beach. From CSIRO data, sea level rises in the Glamorgan Spring Bay Council area, with medium range of increase in green house gases, may exceed .4 m by 2070.

*Southern Tasmanian Regional Land Use Strategy 2010 - 2035 (p 30)*

*Sea level rise, inundation and shoreline recession are significant issues not only for buildings and infrastructure, but for biodiversity, native vegetation, and native fauna. Greater responsiveness to this hazard is essential to ensure that prospective development opportunities are carefully considered against these issues.*

Rainfall on the east coast often comes from east coast lows and falls in large amounts in short bursts. When this happens the hills above the golf course shed water down into this low lying area creating flooding.

## **5. East Coast Tourism**

The East Coast Tourism Board in conjunction with the Great Eastern Drive promote the east coast as a place of natural beauty with open coastal vistas and small coastal hamlets. As hosts of a registered visitor accommodation our mainland and international guests stay here to see the natural coastal environment and constantly tell us to make sure we protect our coastal land from development. A residential development outside of the Bicheno town boundary will set a precedent for development on waterfront land. Our undeveloped coastal land is an important asset and needs to be protected to continue to attract visitors to the east coast.

The following statement is from the East Coast Tourism Website.

*The East Coast has been identified as one of the most tourism-dependent regions in Australia, so it is vital that we manage the future development of our industry and our natural resources and attractions in a planned, coordinated and sustainable way.*

## **6. Protection of wildlife habitat**

The area fronts the Denison Beach Shorebird protection zone, the most significant piece of coastal land for shorebird protection in the Glamorgan Spring Bay Council area and as stated in their publications “*is an important stronghold*” for vulnerable and threatened Fairy and White Feathered Tern and the endangered Little Tern. The area has also been identified for holding many endangered flora most notably the Apsley Heath. When this development was put forward in 2012 Parks and Wildlife and Birdlife Tasmania strongly opposed development.

*Southern Tasmania Regional Land Use Strategy 2010-2035 (p23)*

*The region also has expansive natural fauna and flora resources some of which are significant at a State or national level such as species listed under the Threatened Species Protection Act 1995 (Tas), the Nature Conservation Act 2002 (Tas) or Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).*

**In conclusion** the *Southern Tasmania Regional Land Use Strategy 2010-2035 (p30)* states:

*The State Coastal Policy 1996 provides a broad brush framework for the management of the coastal environment through the land use planning system. The realisation of the policy at a regional level will require consolidation of residential development and prevention of any further residential development outside of established settlements, particularly ribbon development.*

**For all of the above reasons we have stated, we request that the proposal for GSB-S2.0 Bicheno Golf Club Specific Area Plan be rejected in full.**



## **REPRESENTATION REGARDING GLAMORGAN SPRING BAY DRAFT LOCAL PROVISIONS SCHEDULE**

I am the owner of the land at East Shelly Road, Orford. I have held that property for over 10 years and have a longstanding connection with the Orford-Spring Beach area spanning over 40 years.

I make the following objections to the *Glamorgan Spring Bay Draft Local Provisions Schedule* (Draft LPS) which are dealt with in more detail below:

1. a zoning objection in relation to application of the Future Urban Zone (FUZ) to land at Orford;
2. a Natural Assets Zone mapping objection;
3. a Scenic Protection Zone mapping objection; and
4. an objection regarding the advertising of the Draft LPS.

### **1. ZONING OBJECTION**

I object to the Draft LPS insofar as it proposes to apply the FUZ to parcels of land at Orford currently zoned Rural Resource under the *Glamorgan Spring Bay Interim Planning Scheme, 2015* (IPS). In the immediate term, for the purposes of the Draft LPS, a zone equivalent to the Rural Resource Zone under the IPS should instead be applied.

Given the character of the surrounding area, constraints on development and traffic issues set out below, an appropriate residential rezoning would be to the Rural Living Zone (RLZ) or, in the alternative, the Low Density Residential Zone (LDRZ). Application of the General Residential Zone to the relevant land is not appropriate.

For the reasons set out below, it is essential that any rezoning of the land to FUZ is supported by strategic planning analysis of appropriate residential use and vacant land taking into consideration factors such as potential infill opportunities and 15 year supply, in accordance with the growth strategy applicable to Orford under the STRLUS.

#### **Grounds for Zoning objection**

In summary, the grounds for my zoning objection are that the application of the FUZ to the relevant parcels of land at Orford:

- is vague and ambiguous as to precisely which land is identified;
- fails to take into consideration the decision dated 24 July 2019 of the Tasmanian Planning Commission in relation to AM 2018-07(a) and (b);
- does not fall within the purpose of the FUZ under the Tasmanian Planning Scheme-State Planning Provisions (SPP's) as indicated by *Guideline No. 1-LPS zone and code application, June 2018* (Guidelines);
- is not consistent with regional land use strategy;
- is not supported by strategic planning analysis consistent with regional land use strategy and endorsed by Council;
- Is not consistent with the character of the surrounding area;

- Is inappropriate due to development constraints on the land and in the surrounding road infrastructure;
- is not consistent with Scenic Protection Code under the SPP's; and
- is not consistent with Natural Assets Code under the SPP's;

These grounds are expanded on below.

### **1.1 Ambiguity as to which land is proposed to be subject to FUZ**

Maps 19 and 20 of the *Tasmanian Planning Scheme – Zones: Glamorgan-Spring Bay Local Provisions Schedule, 13 November 2019* (Draft Zones) show 6 parcels of land shaded as FUZ. These are currently zoned Rural Resource under the IPS.

However the *Glamorgan Spring Bay Council Local Provisions Schedule Supporting Report, December 2019* (Supporting Report) refers only to 3 new FUZ lots being: "...Orford, 175 Rheban Road (CT 14748/3), 1 Pine Hills Crt (CT 161815/1) and 42A East Shelly Rd (CT 161815/2). Application of the Future Urban Zone from the Rural Resource Zone" (see table at para 3.1.1.12)

This inconsistency is vague and ambiguous and does not further the Objectives of the Resource Management and Planning System in Schedule 1 of the Act. As such it does not provide for the fair and orderly use and development of land or encourage public involvement in resource management and planning (as required in ss(1)(b) and (c) of Schedule 1). Consequently, by reason of failing to further these Schedule 1 Objectives, it also fails to satisfy the LPS criteria as required by s34(2) of the Act.

### **1.2 Lots shaded as FUZ subject of recent rezoning refusal**

The 3 lots shaded as FUZ on the Draft Zones (being additional to the 3 lots itemized in the Supporting Report) are CT 149641/2 (10.2 ha), CT 117058/150 (4.3 ha), and CT 149641/1 .4 ha. These lots were the subject of the decision of the Commission in AM 2018-07(a) and (b) concerning a draft amendment to rezone those parcels of land from Rural Resource Zone to General Residential Zone and an associated application for subdivision.

A footnote to paragraph 3.1.1.12 of the Supporting Report references the Commission's decision to reject the amendment stating that '*...it is noted that the two larger lots immediately to the west were subject for rezoning to GRZ however this amendment was rejected by the Commission.*'

No supporting information is provided to explain why the Commission's decision to refuse the rezoning of those lots to General Residential Zone is not relevant to the proposed zoning of that land as FUZ under the Draft LPS.

This matter is relevant to consideration of whether it is premature to apply the FUZ in this instance in light of the Commission's decision and highlights the lack of supporting evidence of strategic planning analysis of appropriate residential use and vacant land taking into consideration factors such as potential infill opportunities and 15 year supply.

Failure to address the Commission's decision in respect to application of the FUZ to the land does not further the Objectives of the Resource Management and Planning System in Schedule 1 of the Act in that it does not provide for the fair and orderly use and development of land or encourage public involvement in resource management and planning (as required in ss (1)(b) and (c) of Schedule 1). Consequently, by reason of failing to further these Schedule 1 Objectives, it also fails to satisfy the LPS criteria as required by s34(2) of the Act.

### **1.3 Application of FUZ not in accordance with the Guidelines**

The Supporting Report's 'Justification and Compliance Statement' in relation to application of the FUZ to the relevant land states:

*'The site has been identified in the Structure Plan as being within the settlement limits and suitable for residential type zoning. Holding the site in the FUZ for the short-medium term is consistent with the Structure Plan as it limits inappropriate development that may compromise the future development potential of the site consistent with the intent of the FUZ.'*

*The application of the FUZ to the site identifies and protects the site for future urban consolidation consistent with the surrounding pattern of development.*

*The application of the FUZ is consistent with the Structure Plan, meets FUZ1 of the Guidelines and is considered to meet the LPS criteria.<sup>6</sup>*

*<sup>6</sup> It is noted that the two larger lots immediately to the west were subject to a draft amendment to the IPS for rezoning to GRZ however this amendment was rejected by the Commission.'*

Clause 30.1 of the SPP's sets out that the purpose of the FUZ is:

*'30.1.1 To identify land intended for future urban use and development.'*

*30.1.2 To ensure that development does not compromise the potential for future urban use and development of the land.'*

*30.1.3 To support the planned rezoning of land for urban use and development in sequence with the planned expansion of infrastructure.'*

The 'Zone Application Guidelines' in relation to the FUZ under Clause 5.0 (30) of the Guidelines state:

*FUZ 1 The Future Urban Zone should be applied to land identified for future urban development to protect the land from use or development that may compromise its future development, consistent with the relevant regional*

*land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

*FUZ 2 The Future Urban Zone should be applied to land within an interim planning scheme Particular Purpose Zone which provides for the identification of future urban land.*

*FUZ 3 The Future Urban Zone may be applied to land identified in an interim planning scheme code or specific area plan overlay which provides for future urban land.*

*FUZ 4 The Future Urban Zone may be applied to sites or areas that require further structure or master planning before its release for urban development.*

Under FUZ 1 application of the FUZ should only apply where the land has been identified for future urban development consistent with the relevant regional land use strategy or supported by more detailed local strategic analysis that is both consistent with the relevant regional land use strategy and also endorsed by Council.

FUZ 1 is essentially a restatement of the overriding requirement for compliance with the LPS Criteria particularly as set out under s34(2)(e) and (f) of the Act. Further, the effect of FUZ 1 is that to the extent local planning studies, strategies and structure plans conflict with the regional land use strategy the regional land use strategy prevails.

Compliance with s34(2) LPS criteria is dealt with below and for the reasons set out, application of the FUZ to the relevant land is not made out under FUZ 1.

It is noted that FUZ 2 and FUZ 3 are not relevant to the application of FUZ to the relevant land, as none of the parcels come within an interim planning scheme Particular Purpose Zone or are identified in an interim planning scheme code or specific area plan overlay which provides for future urban land.

FUZ 4 is also not relevant, as FUZ 4 is merely additional to FUZ 1, 2 and 3. As a matter of interpretation, compliance with FUZ 4 alone would not suffice.

#### **1.4 Application of FUZ not consistent with regional land use policy**

As mentioned above, pursuant to Clause 4.0 of the Guidelines, the Draft LPS must also meet the LPS criteria under s34(2) of the the Act which prevails in the event of any conflict.

Section 34(2) of the Act states, relevantly, that:

*‘The LPS criteria to be met by a relevant planning authority are that the instrument -*



...

*(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*

*(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates.'*

The relevant regional land use strategy for the purposes of s34(2)(e) is the Southern Tasmanian Regional Land Use Strategy (STRLUS). The STRLUS does not identify the relevant land as being for future residential use.

Importantly, the STRLUS provides that Orford has the status of 'Township' to which a "low growth strategy" and "consolidation growth scenario" applies (see para 19.5.2).

Paragraph 19.5.2 of the STRLUS provides that a "low growth strategy" allows a less than 10% increase in the number of potential dwellings. The percentage growth is calculated as the increase that can occur across a 25 year planning period from the number of dwellings existing at the declaration date.

Paragraph 19.5.2 goes on to provide "...a consolidation scenario indicates that growth should be predominantly from infill development which can involve development of existing subdivided lots, subdivision of existing zoned but vacant or developed residential, construction of additional dwellings on existing developed lots, redeveloping existing developed lots".

'Infill Development' is defined under the STRLUS as:

*'Development within existing urban areas through:*

- a. Small scale subdivision or unit development on existing residential lots; or*
- b. Redevelopment of brownfield or greyfield sites.*

*May involve increases in density.'*

In the Commission's decision in relation to AM2018/07(a) and (b) referred to above, it was found that there were 716 existing dwellings in Orford as at the declaration date, which pursuant to the 'low growth strategy' for Orford under the STRLUS allowed for an increase of 71 dwellings over the period 2010-2035 (see para 28). As indicated by the Commission in that decision, in accordance with the 'consolidation growth scenario' for Orford there is currently ample supply of residential land to satisfy this allowance and further, Council should undertake a vacant land analysis taking into consideration infill opportunities and 15 year supply before determining whether the rezoning of additional residential land is required.

These considerations apply equally to the question of whether the rezoning of additional FUZ land in Orford is required. Therefore, applying the FUZ to the relevant land is premature and not consistent with the STRLUS.

### **1.5 Application of FUZ not supported by strategic planning analysis consistent with regional land use strategy and endorsed by Council**

As set out above, pursuant to FUZ 1 and section 34(2)(f) application of the FUZ must be supported by strategic planning analysis consistent with the STRLUS and endorsed by Council.

The relevant strategic plan for the purposes of s34(2)(f) is the *Glamorgan Spring Bay Community Strategic Plan, July 2013* (Strategic Plan). Similarly to the STRLUS, the Strategic Plan does not identify the relevant parcels of land as future urban land.

As mentioned, the effect of FUZ 1 is that to the extent local planning studies, strategies and structure plans conflict with the regional land use strategy, the regional land use strategy prevails.

The *Triabunna Orford Structure Plan, June 2014* (Structure Plan) relied upon in the Supporting Report should therefore be read in the context of the applicable 'combined low growth strategy' and 'consolidated growth scenario' provided for under the STRLUS.

The broad statement in the Supporting Report that: '*The site has been identified in the Structure Plan as being within the settlement limits and suitable for residential type zoning*' does not constitute supporting evidence of 'strategic planning analysis consistent with the STRLUS' as required by FUZ 1.

Supporting evidence of strategic land analysis consistent with the combined low growth strategy and consolidated growth scenario for Orford under the STRLUS, including material going to vacant land analysis taking into account infill opportunities and 15 year supply would be required to satisfy FUZ 1. Similarly, supporting evidence of strategic planning analysis as to the specific future residential use identified for the land would be required. There is no such supporting evidence in the Draft LPS. Therefore, the Draft LPS insofar as it seeks to apply the FUZ to the land, does not satisfy the requirements of FUZ 1 or satisfy the LPS criteria as provided by s34(2)(f).

Further, it is noted that one of the future direction's under the Strategic Plan is to "*protect and promote our natural beauty, environment and heritage*" (Future Direction 4). The Strategic Plan expands on Direction 4 stating:

*"The character, heritage and identity of our townships is a strength to build on. Good urban design and land use planning can allow growth without compromising the natural or built environment.*

...

*"Natural beauty makes us a popular destination, which over time will attract property development. This is good for the economy*

*and local employment but must not compromise the values that make us a great place to live and visit.”*

Considerations such as the essential character of the surrounding area, development constraints, natural assets and scenic value are matters that fall within Direction 4 of the Strategic Plan. Such matters are discussed in further detail at points 6-8 inclusive below.

In failing to consider the Strategic Plan and such matters under Direction 4, the Draft LPS has failed to comply with s34(2)(f) of the Act.

### **1.6 Inconsistency with character of surrounding land**

The character of the immediately surrounding area comprises low density seaside allotments to the North along East Shelly Road and to the West along Jetty Road, Rural land to the south across Rheban Road and very spacious Rural Living allotments to the East. The character of the immediately surrounding area as described is therefore not consistent with the application of a broad zoning of FUZ allowing generally for future urban development of the land and is not consistent with Direction 4 of the Strategic Plan thereby not satisfying the s34(2) LPS criteria.

Care should be taken to ensure any rezoning reflects the low density and rural living density of the surrounding zones.

### **1.7 Development and Infrastructure Constraints**

Future urban development of the land is constrained by 3 watercourses running south from the Rheban Road boundary of the land towards East Shelly Beach. The existence of these watercourses would largely obstruct the grid-like subdivision design of any future residential development of the relevant parcels of land. Future residential subdivision would largely be limited to a cul-de-sac subdivision formation with access in and out limited to Rheban Road.

This constraint is evidenced by the twin cul-de-sac design on either side of one of the watercourses being the subject of the subdivision application in AM 2018-07(a) and (b) referred to above. In that regard, it is noted that cul-de-sac subdivision designs are identified as a poor planning outcome under the IPS. Therefore as a matter of best planning practice this constraint makes application of the FUZ to the majority of the relevant parcels of land inappropriate.

Furthermore, Rheban Road is essentially a narrow country road lacking in foot/bike path infrastructure. Cyclists of all ages use that section of Rheban Road between Spring Beach and Shelly Beach/Orford which is especially busy in holiday periods. The necessity for any new residential subdivisions in this particular area of land to rely on access from Rheban Road would exacerbate problems already caused by poor traffic infrastructure.

By reason of the above development and road infrastructure constraints application of the FUZ to the land is inappropriate. It is also not consistent

with Direction 4 of the Strategic Plan and thereby does not satisfy the s34(2) LPS criteria.

### **1.8 Draft LPS inconsistent with SPP's Scenic Protection Code**

The southern boundary of the relevant land forms a scenic road corridor on the approach to Spring Beach from the Jetty Road intersection, with views across largely undeveloped rural land to Prosser Bay. Applying the FUZ to that land is inconsistent with preserving the visual amenity and scenic values of the area referred to above under the SPP's Scenic Protection Code. It is therefore inconsistent with s34(2) of the LPS criteria.

Maintaining a Rural or Rural Living zoning would allow for the preservation of the scenic values of this road corridor under the Code (whereas it is noted that lower density residential zoning is not compatible with the Code).

### **1.9 Draft LPS inconsistent with SPP's Natural Assets Code**

As mentioned at 1.7 above, there are 3 watercourses and 4 dams on the relevant land which are identified under the existing Coastal Inundation Hazard Area Overlay. Applying the FUZ to that land is inconsistent with recognizing and protecting these waterways and riparian areas in order to minimise impacts on water quality, river condition and their natural ecological function under the SPP's Natural Assets Code. It is therefore not consistent with s34(2) of the LPS criteria.

## **2. NATURAL ASSETS ZONE MAPPING OBJECTION**

The *Glamorgan Spring Bay Local Provisions Schedule – Codes: Natural Assets Code* fails to identify the watercourses and dams on the relevant land. In that regard, map 20 shows large watercourses to the south of the 6 relevant lots that stop at Rheban road but are marked again north of the land where the watercourses run out to the bay.

This can be contrasted with the existing Coastal Inundation Hazard Area Overlay which clearly marks the 3 watercourses and 4 dams in the area of the relevant land.

One of the dams in particular is an important catchment for fire-fighting purposes. For example, in January 2019 I observed a water-carrying helicopter refilling numerous times from the dam to fight a fire on Hoods Road, near Stapleton Beach. Likewise, the importance of the 3 waterways running through the area of land is demonstrating by a recent clearing and deepening of creek beds either side of East Shelly Road running along the Northern boundary of the relevant land. The importance of these 3 waterways for stormwater drainage and as riparian reserves should be recognised and they should be identified on the Natural Assets Zone mapping in order to minimise impacts on water quality, river condition and their natural ecological function in accordance with clause 7.0 of the SPP's.

Any future rezoning should have regard to these geographical features. I therefore object to the Draft LPS Natural Assets Zone mapping



### **3. SCENIC PROTECTION ZONE MAPPING OBJECTION**

The '*Glamorgan Spring Bay Local Provisions Schedule – Codes: Scenic Protection Zone*' maps are inadequate for meeting the purpose of recognising and protecting areas that are identified as important for their scenic values under the SPP's. For example in maps 18- 20 inclusive covering the areas from Orford, Shelly Beach and Spring Beach, protection is only given to a small section of scenic road corridor on Tasman Highway running along the Prosser River. These maps should include at a Minimum:

1. the scenic road corridor along Rheban Road to Spring Beach from the Jetty Road intersection;
2. the scenic road corridor into and along Spring Beach; and
3. the scenic protection area of the foreshore walking trails such as from Orford to Spring Beach.

Any future rezonings should have regard to these scenic values. I therefore object to the Draft LPS Scenic Protection Zone mapping.

### **4. ADVERTISING OF DRAFT LPS**

Pursuant to section 35D of the Act, Council has an obligation to ensure the relevant exhibition documents in relation to the Draft LPS are, for the exhibition period, available for viewing and downloading by the public at the electronic address specified.

I attempted without success to open the exhibition documents using the Council link on several occasions throughout the exhibition period. I eventually accessed the documents through the State Government's IPlan website. I am concerned that other members of the public experienced similar problems accessing the documents from the Council website and in frustration simply gave up trying, thereby not participating in the public comment process. I wish to ensure that in the future matters Council observes the requirements for electronic exhibition of documents.

Accordingly, it's my view that the Council has failed comply with its obligations under s35D of the Act. Such failure does not further the Objectives of the Resource Management and Planning System in Schedule 1 of the Act in that it does not provide for the fair and orderly use and development of land or encourage public involvement in resource management and planning (as required in subsections (1)(b) and (c) of Schedule 1). Consequently, by reason of failing to further these Schedule 1 Objectives, it also fails to satisfy the LPS criteria as required by s34(2) of the Act.

14 February 2020

We would like to submit that the Glamorgan Spring Bay Council draft planning scheme consider the inclusion of a Lighting Management Policy (LMP) to address the issues surrounding light pollution.

Light pollution is defined as the inappropriate or excessive use of artificial light at night. As a chapter of the International Dark Sky Association (IDA) we advocate for the recognition concerning light pollutions negative impact upon the night sky and the potential risk it presents to all living things. With light pollution increasing at an annual rate of of 2.2% between 2012 and 2016 [Kyba et al (2017)], it is important for government at all levels to take action to help reverse the impact of this serious pollutant.

There are far ranging benefits in the proper management of light pollution, in regards to current and future lighting, as it seeks to minimise sky glow which will benefit the following values:

- Astronomy and Astrotourism; an increase in Astrotourists will diversify the regional economy, growing tourism and creating jobs,
- Wildlife; reducing impacts on breeding, migratory and foraging behaviours, protecting Environment Protection and Biodiversity Conservation Act Listed species,
- Heritage; enhance the visibility of the night sky for traditional activities including indigenous astronomy,
- Energy consumption; better planning for light at night will lead to reduced energy consumption, reduced energy costs and potentially reduced maintenance costs,
- Reduced greenhouse gas emissions.

It is also important to note the particular impact light pollution has been shown to have on migratory species given the recognised nesting areas of various species, particular penguins, that can be found within the region. With Australia part of The Convention on Migratory Species (CMS) treaty the Department of the Environment and Energy have actioned the '[National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds](#)'. Going forward, councils will play a key role in Australia's commitment to the CMS, and the implementation of LMP's will be required to properly address these issues.

Regards

14 Feb 2020

General Manager

Glamorgan Spring Bay Council

Via email - [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au) and [planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)

Dear Mr Schroeder,

**REPRESENTATION TO GLAMORGAN SPRING BAY DRAFT LOCAL PROVISION SCHEDULE  
- TASMANIAN PLANNING SCHEME CONSULTATION; TRANSITIONING LOUISVILLE ROAD  
SPECIFIC AREA PLAN**

have been engaged by Spring Bay (Tasmania) Pty Ltd to prepare a representation on the *Draft Glamorgan Spring Bay Local Provision*; in particular the provisions of GSB-S3.0 Louisville Road Specific Area Plan.

It is understood that the F3.0 Louisville Road Specific Area Plan of the *Glamorgan Spring Bay Interim Planning Scheme 2015* is being transitioned under Schedule 6, Clause 8 of the *Land Use Planning and Approvals Act 1993* (the Act) and the additional transitional provisions under Schedule 6 of the *Land Use Planning and Approvals Amendment (Transitional Provisions) Bill 2017* (the Amendment Bill).

Department of Justice, Minister's Advisory Statement "Transitional Arrangements for Existing Provisions" of June 2017, includes the following on page 2:

*The transitional provisions at Schedule 6, Clause 8C of the Amendment Bill provide for existing PPZs, SAPs and SSs to be modified to conform with the SPP requirements such as terminology, clause numbering, references and to ensure they achieve the effect intended.*

A review of the draft GSB-S3.0 Louisville Road Specific Area Plan provisions was undertaken considering the previously approved Solis (Tasmania) P/L - Louisville Road, Orford - Precinct Subdivision, SU07001.

**GSB-S3.6.1 Precinct Boundaries**

It is noted that:

- the SPP template, does not provide for Desired Future Character Statements for Specific Area Plans; and

- Scheme Clause F3.1.1 Desired Future Character Statements of each Precinct have been transitioned to GSB-S3.3.1 Local Area Objectives for each Precinct.

The transition from:

Clause F3.2.3 of the *Glamorgan Spring Bay Interim Planning Scheme 2015* (the Scheme), which reads:

*Any application for use or development that does not comply with the above precinct or area boundaries shall be considered as a discretionary application pursuant to section 57 of the Act and must be consistent with the Purpose and Desired Future Character Statements of the specific area plan.*

To:

GSB-S3.6.1 Precinct Boundaries

This clause is in addition to Rural Zone - clause 20.3 Use Standards

Objective: That use is consistent with precinct and area boundaries	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Use must be sited within the precinct or area boundaries shown in Figure GSB-S31.1 and GSB-S3.2</p>	<p>P1</p> <p>The location of any use outside the precinct and area boundaries in Figures GSB-S3.1 and GSB-S3.2 must be consistent with:</p> <p>(a) the purpose of the Specific Area Plan; and</p> <p>(b) the Local Area Objectives for the Precinct in which the use is predominantly located.</p>

Is considered generally consistent with the transition requirements, although greater clarity as to how the term “use” relates to GSB-S3.5 Use Table would prove helpful in clarifying the intent of the draft provision.

For example, Vehicle Parking is a Permitted Use if located within the Golf Precinct but based on GSB-S3.5 Use Table, it is a Prohibited use in all other Precincts. The way Acceptable Solution A1 is written, the use Vehicle Parking could be sited within any of the precinct or area boundaries as shown in Figure GSB-S31.1 and GSB-S3.2 and still comply with the Acceptable Solution.

A suggested alternate drafting might be:

*Use as qualified in GSB-S3.5 Use Table, must be sited within the precinct or area boundaries shown in Figure GSB-S31.1 and GSB-S3.2.*

Furthermore, the intent of Performance Criteria P1, would be clarified if the term “predominantly” in P1(b) was replaced with a more specific criterion such as “50% or more of the use area”, so that the alternate drafting might be:

*...and*

*(b) the Local Area Objectives for the Precinct in which 50 percent or more of the use area is located.*



### **GSB-S3.7.6 Energy and water efficiency – Acceptable Solution A3**

This clause is in addition to Rural Zone - clause 20.4 Development for Buildings and Works.

Objective: That buildings minimise energy and water use.	
Acceptable Solution	Performance Criteria
<b>A3</b>  Stormwater drainage from development must;  (a) be reused on the golf course and returned to natural watercourses entering the Prosser River or Spring Bay;  (b) exit the land subject to the Specific Area Plan at an equivalent concentration , condition, volume and velocity as would have occurred prior to the clearing of land for agricultural use.	<b>P3</b>  No Performance Criterion.

The above draft LPS provision appears to be an exact transition of Clause F3.7.3 Services Acceptable Solution A4 and Performance Criteria P4 as shown below.

Objective: That buildings minimise energy and water use.	
Acceptable Solution	Performance Criteria
<b>A4</b>  Stormwater drainage from development must;  (a) be reused on the golf course and returned to natural watercourses entering the Prosser River or Spring Bay;  (b) exit the land subject to the Specific Area Plan at an equivalent concentration , condition, volume and velocity as would have occurred prior to the clearing of land for agricultural use.	<b>P4</b>  No Performance Criterion.

Whilst this is in keeping with the Ministerial Directives, it is considered that the current SAP provisions are not implementable; and the draft LPS process provides an opportunity to update the provisions to better enable the policy intent of the current Scheme provisions.

Firstly, Acceptable Solution A4 (a).

- Some potential development areas are below the level of the golf course and the Acceptable Solution can only be met via the implementation of pumped stormwater technology, which can impose a significant economic burden on development.

- A suggested alternative drafting would limit the reuse to areas that can be serviced via gravity flow, as per below:
  - *“...be reused on the golf course and returned, via natural gravity flows, to natural watercourses entering the Prosser River or Spring Bay”;*

Secondly - Acceptable Solution A4 (b).

- How is the “concentration, condition, volume and velocity as would have occurred prior to the clearing of land for agricultural use” to be determined?
- Hence, how is equivalent to be defined?
- A suggested alternative drafting would reference relevant State Policy or Water Sensitive Urban Design Standards that need to be achieved; as per below:
  - *“...exit the land subject to the Specific Area Plan to achieve Stormwater Quality and Quantity targets as per the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) and all stormwater flow management estimates should be prepared according to methodologies described in Australian Rainfall and Runoff (Engineering Australia 2004) or through catchment modelling completed by a suitably qualified person.*

### **Summary**

The proposed transition of the F3.0 Louisville Road Specific Area Plan of the *Glamorgan Spring Bay Interim Planning Scheme 2015* to GSB-S3.0 Louisville Road Specific Area Plan *Draft Glamorgan Spring Bay Local Provision Schedule*, is considered consistent with the Ministerial Directive and generally supported.

Notwithstanding the constraints of the transitional provisions, some suggestions for drafting refinements are proposed to better achieve the intended effect of the Specific Area policy intent.

If Council requires any further information or clarification with respect to this application, please contact me on

Yours faithfully

14 February 2020

Mr Chris Schroeder  
General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

By email: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

Dear Chris Schroeder

## LOCAL PROVISIONS SCHEDULE

I act for \_\_\_\_\_ the operator of

\_\_\_\_\_ was one of the first eco-tourism ventures in the Glamorgan Spring Bay area, having been established in 1992. \_\_\_\_\_ operates the \_\_\_\_\_ which covers the entire peninsula including Schouten Island, Wineglass Bay, Bluestone Bay and back along Friendly Beaches to the award-winning Friendly Beaches Lodge, my client and located on \_\_\_\_\_ within the national park.

\_\_\_\_\_ was also a founder of \_\_\_\_\_ of Australia. My client has been a significant contributor to the prosperity of the area for nearly three decades.

My client welcomes the opportunity to make a representation regarding the Glamorgan Spring Bay draft Local Provision Schedule. I make this representation on my client's behalf pursuant to the information on Council's website.

\_\_\_\_\_ owns two pieces of land (**the properties**) within the Glamorgan Spring Bay municipality and the boundaries of the National Park:

- (a) Certificate of Title \_\_\_\_\_ this land is the site of the Friendly Beaches Lodge; and
- (b) Certificate of Title \_\_\_\_\_ – this adjoining land is used solely to access the Lodge land and currently has no structures on site.

My client supports Council's decision to re-zone the properties and some of the surrounding area from the Rural Resource Zone which is contained in the *Glamorgan Spring Bay Interim Planning Scheme 2015* to the Landscape Conservation Zone which will form part of the Tasmanian Planning Scheme. This will be more appropriate zoning, as it will recognise that the area has natural landscape values and will place importance on any visual impacts of future developments. I note that the Rural Resource Zone was not appropriate and was a product of historic zoning.

It is critical that the land adjacent to the National Park, such as the land near Mount Paul, is re-zoned into the Landscape Conservation Zone and the Environmental Management Zone. This has occurred in the draft LPS. This is because the land adjacent to the National Park and surrounding Mount Paul is high in environmental values. The proposed re-zoning will protect those high environmental values more so than other zones, such as the Rural zone.

My client asks to be notified of any changes to the application of the Tasmanian Planning Scheme to the properties and the surrounding land in the area.

Yours faithfully



14<sup>th</sup> February 2020

Nell Nettlefold  
Consultant Planner  
Glamorgan Spring Bay Council  
Triabunna 7190

[contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

Dear Ms Nettlefold

I make submissions on the following three areas in the Glamorgan Spring Bay draft Local Provision Schedule:

1. GSB-S2.0 Special Area Plan for the Bicheno Golf Club
2. GSB-P5.0 Particular Purpose Zone – North Bicheno Future Urban
3. GSB-P2.0 The Gulch

I have been a resident of Bicheno since 1988, living at the Denison River until 2003 and since then at Tasman Hwy Bicheno.

I am very grateful that I have been able to live in this beautiful part of the world.

However, I was very early confronted by the fact that despite land use strategies and the wonderful language therein, the sustainable ecological health of this region will rarely be protected by decision makers at any level of government or in the courts.

I with others, have seen proposals for completely inappropriate development on the coastal lands along the Denison Beach for:

1986 - a 70 metre windmill & tourist facility. Appealed and approval denied

2005 – an amendment to the plans to rezone land at 18482 Tasman Hwy, north of Bicheno from coastal rural to resort residential and permit application for the use and development for 15 visitor accommodation units, manager's residence, and wine bar/café. After 3 applications, sundry appeals, finally approved.

2011 – Golf Club-residential development. 61 home, new golf club premises and an additional 9 holes. Approved after appeals. The land was subsequently sold under a mortgagee sale.

In addition to these significant proposals, there have been numerous other proposals which have urbanised this coastal town of Bicheno with associated destruction of vegetation, small lot development and associated problems eg storm water run-off discharging to small creeks and into the sea, poorly planned provision for future sustainability in terms of water and waste . The worst example being in 2003 Diamond Island Heights a 55 lot subdivision adjacent to where I live.

My submissions are below.

Thankyou.

## **1. GSB-S2.0 Special Area Plan for the Bicheno Golf Club**

**I submit that this proposal should be rejected and completely removed from the Glamorgan Spring Bay Local Provision Schedule.**

### Background

The Golf Club SAP was approved in 2012 after representations and appeals by local residents, Bird Life Tasmania and the Department of Primary Industry Parks, Water and Environment.

### Rationale

I consider the decision to approve a 61 lot residential development on land on the coastal side of the Tasman Hwy, outside the town boundary, adjacent to highly sensitive endangered bird-breeding habitat was **completely outrageous**.

In 2012 the relevant State and Local Government planning documents delineated planning principles which should have been sufficient to deny approval:

### Strategic planning principles contained in:

The Land Use Planning and Approvals Act 1993

The Tasmanian State Coastal Policy 1996

The Southern Tasmania Regional Land Use Strategy 2010 – 2035

Vision East 2030 Land Use Framework

Glamorgan Spring Bay Community Strategic Plan 2013

Glamorgan Spring Bay Council Bicheno Coastal Reserves *Native Flora and Fauna Management Plan 2014-2019*

The key planning principles which I consider were ignored in the decision to approve the Golf Club SAP in 2012:

1. **Compact** and contained planned urban residential, visitor accommodation and commercial development to avoid 'ribbon' development and unrelated cluster development along the coast not only for protection of the coastal environment, but also for the scenic amenity. The Golf Club SAP is a cluster development outside the town boundary, it is not low-density or semi-rural as described in the proposal and will be visible from the Tasman Hwy.
2. **Future Land availability** – land for the above purposes should be made available within town boundaries where municipal services for example, water and waste disposal are provided. The Golf Club SAP did not establish a need for further residential land to be made available. In 2020 Bicheno has approximately 98 residential lots vacant. On present takeup this is 35 yrs supply. Further, GSB-P.1 North Bicheno Future Urban provides for future residential/visitor accommodation which will be satisfy demand after 2055.

3. **Environmental sustainability** – planning for and management of the conservation of the diversity of all native flora and fauna and their habitats particularly in the coastal zones. The Golf Club SAP would significantly impact the coastal and dune vegetation through clearing for homes, roads and services.
4. **Legal responsibility for the protection of flora and fauna** classified as endangered or of high conservation significance. The Golf Club SAP will mean that the adjacent beach breeding area for endangered and threatened shorebird species, Red capped plover, Hooded plover and Pied oyster catchers will be severely compromised by human and domestic animal intrusion. The Status report of these birds 2011/12 says that ‘the beaches in Glamorgan Spring Bay are among the most important beaches in Tasmania for birds to breed, feed and rest. The southern Denison Beach was noted as having only 5 breeding pairs of hooded plovers in November 2011. Protection of our shorebirds is even more critical in 2020 with climate change resulting in higher sea-levels and storm surges causing further pressure on habitat.
5. **Sustainable resource planning** – water, waste disposal. The Golf Club SAP application stated that the annual potable water consumption would be 25 million litres, of which 4 million would be supplied by the development. At that time, Southern Water were to contract to provide water on a non-guaranteed ‘restricted supply’ basis. TasWater would no doubt be obligated to also supply water. The capacity of the Bicheno water reservoir when full is 2,590 million litres. **However**, TasWater recently declared Stage 1 water restrictions for Bicheno, which are triggered by there being capacity for only 90 days @ an estimated supply need of close to 1million litres per day. Clearly there is no local capacity to supply the Golf Club SAP development.

## **2 GSB-P5.0 Particular Purpose Zone – North Bicheno Future Urban**

### **Submission:**

I recognise that Bicheno will grow over the coming decades as it has over the last 35 years during which time I have lived in the area. I make this submission from my observations over this time that planning for future development has been ad hoc with little vision shown and a considerable loss of habitat for all wildlife. I am extremely concerned that the natural and environmental values which underpin ecological health of the coast and hinterland must be central to our thinking about development. The health and well-being of the environment and the economy of the region depends on planning for sustainable development.

### **GSB-5.1 Zone purpose**

I

think that the Zone purpose proposed could be re-drafted to properly provide for sustainable development.

My suggested objectives for the zone are:

1. To provide for the development of sustainable, high quality visitor accommodation and residential uses
2. To provide for the protection and maintenance of a high standard of environmental management in a sensitive coastal environment
3. To ensure the protection of dune morphology and ecology from detrimental impacts
4. To provide for development which has a positive relationship to the adjacent high value environment, particularly the Fairy Penguin colonies along Redbill Beach,
5. To ensure that the non-residential/visitor accommodation uses are of a small scale which are of a scale respectful of the special area
6. To ensure that development of the built structures is appropriately designed and blend into the landscape
7. To ensure minimal visual impact upon surrounding locations including the Tasman Highway corridor.

My specific concerns which I consider justify a complete re-drafting of the Zone Purpose GSB-P5.1 are below:

### **GSB-P5 1.1**

I agree that it is very important to provide for future residential and visitor accommodation in Bicheno and this area may offer the ideal site, however the words '*in a manner sympathetic to the coastal location*' lack clarity and are inadequate in protecting the natural assets of this beautiful area adjacent to Redbill Beach. Further the use of the word '*sympathetic*' provides for uncertainty and potential litigation.



I submit that the values underlying the term 'sympathetic' must be clearly defined. Such a 'purpose' requires clear definitions of the types of development which would protect these values. Egs small scale visitor accommodation, low rise residential development and SMALL scale Food Services, definitely not 'large scale' – see my point below.

I have great concern over the term “**large scale integrated complexes comprised of multiple uses**” as this could include developments that have a significant impact on the environment and distort the integrity of the township. Already existing in the township is the Silver Sands renamed 'Tas Shacks' which occupies the most glorious position in Bicheno on Peggy's Point. At this date, it is closed awaiting re-development.

I submit that “**large scale integrated complexes comprised of multiple uses**” would severely compromise the environment and wildlife in this coastal area which nominally, are protected under the Natural Assets Code and should be **REMOVED** from GSB-P5 1.1.

#### GSB-P5 1.2

“To **reinforce the activity centre** at Bicheno”: I am concerned about the implications of this statement. It implies a spread of the shopping and business centre and I oppose this zone being used in this way. Bicheno township shopping and business precinct has multiple vacant buildings, some of which are large and several are buildings which are currently used other than as commercial shopfronts. There are also several large vacant lots zoned commercial.

The several large lots in Bicheno zoned Commercial will cater for commercial development (and parking) for decades – to at least 2050.

Specifically: There are the current dormant premises of The Silver Sands ('Tas Shacks') which is a former hotel-motel on a large block of land on Peggy's Pt; a substantial block on the corner of Foster and Burgess Streets; the land on Morrison St and Tasman Highway opposite the Uniting Church and other commercial blocks in Burgess St to the north.

#### GSB-P5 1.3

I submit that the purpose as expressed ‘*To protect environmental values and avoid unreasonable loss of views of, and through the area*’ are extremely vague.

‘*Unreasonable loss*’ – I fear that loss which is ‘*unreasonable*’ does not include the natural environment

I submit that the purpose in 1.3 could be expressed more clearly in order that the environment, its wildlife and extraordinary beauty be guaranteed for the future.

#### GSB-P5 1.4

“To provide for the efficient **servicing of future development** of the area.”: again I am concerned about what exactly this implies and the scope of development in this highly valued area.

There has been much local discussion on the congestion which occurs on Gordon Street during summer being the main beach access to Redbill Beach.





It may be important for a public beach access to be included in the Zone purposes to address this problem - perhaps a parking area on the highway and a walkway down to the beach. Disability access could be provided for.

I submit that potential 'services' be clearly listed in the **Use Table** – some as Permitted & others Discretionary.

#### **GSB-P5.4 Use Table**

##### **Permitted**

Residential – I accept this as a permitted use if for single dwelling.

Home-based business – I submit that this use be moved to **Discretionary**

Visitor accommodation – I submit that this use be qualified as small, home based.

Qualifications to all permitted developments should provide for the full protection of the whole ecology of the coastal area with its extraordinary wildlife, including extensive penguin habitat.

Fencing of the coastal dunes on the land side of the zone will be necessary to prevent access of humans and dogs which would negatively impact on the ecology, and also prevent erosion by restricting access to the dunes.

##### **Discretionary**

Qualifications to all the 'discretionary' uses must also provide for protection of the values of the coastal area.

I submit that for all 'discretionary' uses the key qualification must be that the scale of any development be limited to *small scale in keeping with the special nature of this zone*. Particularly noted for the use 'Hotel Industry'.

#### **GSB-P5.5 Use Standards**

A3/P3 External lighting: Any lighting also needs to take into consideration the impacts on wildlife and habitat.

I submit that all lighting be restricted to specific seasonal hours to reduce impact on wildlife. Residential amenity is necessarily protected and it is equally or more important that impacts on environmental ie wildlife habitats be minimised.

#### **GSB-P5.6 Development Standards for Buildings and Works**

A1/P1 Building height: I agree that Building height must be no more than 5m and submit that P1 include '*Building height of 5m must not cause.....*'

#### **GSBC draft LPS maps – comments:**

I endorse the comments made by

I have also had a close look at the GSBC draft LPS maps and make the following comments.

I note that Coastal Inundation Code is "High" around the Diamond Island point; and "Investigation" (potentially susceptible) behind Redbill Beach, which is the area to be rezoned North Bicheno Future Urban. This raises a vital question which needs to be addressed in the planning provisions – 'provision for wildlife habitat when future flooding/inundation of this area caused by sea level rise coupled with extreme weather events occurs.

Natural assets Code: The whole coastline has been designated Waterway and Coastal Protection Area, as well as Future Coastal Refugia Area.

It is important that any future subdivision/development be generous to the needs of our wildlife and the health of our coastline.



## **Water**

One further concern I have regarding any development of the region is water. As the region continues to suffer from decreased rainfall and the water flow in our rivers declines, will the current water reservoir be sufficient to cope with an increase in population? I have noted some of the issues with Bicheno water supply above in my previous submission. Also will the sewage plant cope with an increase in population? Will the council consider opportunities to recycle grey-water for flushing toilets? Will future developments be encouraged to capture substantial quantities of rainwater into tanks? There are countless state-of-the-art technologies available that improve water conservation and reduce our impact on the environment that need to be accepted and promoted by councils across Australia. I hope that Glamorgan Spring Bay Council considers leading the way!

Thankyou for the opportunity to make a submission on GSB-5.0 Particular Purpose Zone – North Bicheno Future Urban.

It would be wonderful to see visionary long-term development which will provide for a sustainable future.

## **GSB-P2.0 Particular Purpose Zone – The Gulch**

The Gulch, on Crown Land, is an historic, unique and exciting area. Immediately adjacent to a marine reserve, when one steps down the ramp onto the jetty, the noise of the sea birds on Governor's Island is often deafening, the sea air is invigorating, the sea may be racing through the channel between the shore and the island and its not uncommon to see seals fishing, and dolphins playing.

It is also a high value Little penguin habitat, an important part of Bicheno's fragile penguin breeding area. A Tasmanian Heritage Listed Structure (ID 1498) is also in this zone.

What an incredible place this is. Sadly, in the midst of the natural beauty of this special place, over many decades, there have spawned ugly industrial buildings, many of which are partly idle and some very dilapidated. NO protection has been given to the local environment on shore.

The once busy fishing port serves mostly pleasure craft. The slipway has now been removed so that any fishing boat which needs to be taken out of the water for cleaning or maritime inspection must now go to Triabunna or St Helens.

This special area does not exist anywhere else in Tasmania and the immediacy and accessibility of its natural beauty attracts a large number of visitors.

The area is currently struggling from overuse with traffic and parking an issue for locals and visitors. Any expansion of businesses and buildings in this area will put more pressure on this fragile environment.

It is very important that the the Zone purpose protect the unique attributes and values of the area.

### **GSB-P2.1 Zone Purpose**

I submit the following changes to the Zone purposes beginning with the protection of the unique qualities and values of the 'The Gulch'

GSB-P2 1.1 To provide for the protection of the natural environment, the visual amenity and heritage values

GSB-P2 1.2 To provide for the maritime, aquaculture, tourism and related activities

GSB-P2 1.3 To ensure that any development or proposal for new business is restricted to the existing footprint of the built environment and is of a scale which does not impact on the historic and environmental values of the area

GSB-P2 1.4 To ensure that any off-site impact is minimized with priority being given to the protection of wildlife

## GSB- P2.4 Use Table

### Use Class

**PERMITTED**                      **Passive Recreation – I agree.**

I object to **Manufacturing and processing, Resource Development and Resource Processing** (Qualification - if associated with a maritime or aquaculture activity) being included under *Permitted*. These use classes under the GSBC *definition* table do not limit the size of manufacturing or processing nor do the *definition standards* address any potential pollution associated with this type of use and for reasons stated in our opening paragraphs the impact of these type of uses on the Gulch natural visual amenity, Governor Island Marine Reserve and the little penguin habitat must not be classed as *Permitted*.

### Use Class

#### **DISCRETIONARY**

I object to **Resource Processing and Utilities** being included as *discretionary* as the GSBC *definitions* define these types of use class not in keeping with the Gulch's unique natural amenity and wildlife.

All other uses under *Discretionary* need to remain within the existing building footprints and need precise qualifications which address the concerns in my opening statement.

## GSB-P2.5 Use Standards

### **Hours of Operation, Noise, External Lighting, Commercial vehicle movements & Outdoor Work Areas**

These use standards need to provide adequate protection for the Little penguin colony and all wildlife which live in or move through this area. Consultation as to best practices for this site for penguin protection and other wildlife needs to be made in discussion with DPIPWE and Birdlife Tasmania.

Traffic and visitor parking must specifically be provided for. In peak visitor times The Esplanade struggles with traffic and parking for existing businesses and overflows onto the Esplanade. Between dusk and dawn, Little penguins are trying to cross the Esplanade to get to burrows. They become confused and blinded by car lights with some unable to get back to burrows to feed chicks.

**GSB-P2.6 Development Standard for Buildings and Works**  
**Building Height, Setback, Building design, Outdoor Storage Areas, Fencing**

For the reasons as outlined in my opening statement no new buildings to be built in this area and any renovations or proposals for new business or uses must be created on existing building footprints with no loss of vegetation.

Building renovation height must be not more than 5m and positioned at a lower elevation than The Esplanade with building designs that do not detract from the natural visual amenity. Access to business premises from existing access points and an existing suspended parking area not be repeated or considered a precedent.

During any construction period Little penguin activity needs to be fully considered and prioritised with no loss of habitat or disruption to their breeding cycle. Any fencing used will need to be constructed in such a way as not to impede little penguin movements. Consultation with DPIPWE and Birdlife Tasmania

To: Contract Planner Glamorgan Spring Bay Council

Re: Glamorgan Spring Bay Draft Local Provision Schedule Documents

From: Triabunna 7190

The Documents, Glamorgan Spring Bay Draft Local Provision Schedule cannot possibly be put to the Tasmanian Planning Commission.

The Draft lacks accurate information, map overlays, non existing sites, incomplete listings, proper adjustment/alteration to the GSBC Interim Planning Scheme.

I believe the document fails the criteria/intent of the Tasmanian Planning Scheme and acceptance as is will too often prove so.

Respectfully Yours,



14<sup>th</sup> February 2020

Contract Planner  
Glamorgan Spring Bay Council

By email: contract.planner@freycinet.tas.gov.au

Dear Contract Planner,

**Draft Local Provisions Schedule – Zoning of  
Beach**

**Boltons**

We are writing to object to the proposed zoning of land we own in Certificate of Title [redacted]. This title is located at Boltons Beach and accessed from the Hermitage Road. The land is zoned Rural Resource under the Glamorgan Spring Bay Interim Planning Scheme 2015 but is zoned Agriculture in the draft Local Provisions Schedule (LPS). We contend that the land in [redacted] (copy enclosed) should be zoned Rural in the LPS for the following reasons:

1. The title is only 13.84 ha in area and is not viable for agriculture given the small area and complete lack of a reliable water supply.
2. The title is identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST, however the more detailed analysis undertaken for the draft LPS recommended it be zoned Rural and indeed it was included in this zone in the initial draft LPS.

AK Consulting subsequently carried out a peer review of the draft mapping as it was recognised that the Agricultural Land Mapping project took a very conservative approach and as a result there were areas of land with very limited agricultural potential that were identified as potential agricultural land.

However for reasons that are unclear AK Consulting recommended that the land in [redacted] be zoned Agriculture rather than the previously recommended Rural zoning. We believe that this decision could not have been based on a detailed analysis of our title, as even a cursory analysis would have shown that it is not a viable agricultural unit.

3. The land in CT [redacted] which is immediately to the south of our title was identified as 'Unconstrained' agricultural land but included in the Rural zone in the initial draft LPS, as was our land. Unlike our land, the AK Consulting review did not recommend that this land be included in the Agriculture zone.

CT [redacted] has an area of approximately 15.38ha which is slightly larger than our title, however like our land, our neighbours title is not a viable agricultural unit and we assume that this resulted in the decision to leave this title in the Rural zone.

4. The Supporting Report (V4 December 2019), Glamorgan Spring Bay draft Local Provisions Schedule at 3.1.2 Application of New Zones states in part that
  - "Rural Zone, to apply to non-urban land where agricultural use is limited by topography, existing lot size, surrounding use and development but the land can still provide for use and development that is compatible with uses occurring on agricultural land."

The State Government document Ministers Direction No.1 "LPS zone and code application" states at RZ3 (Pg.14):

The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:

- (a) It can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;
- (b) It can be demonstrated that there are significant constraints to agricultural use occurring on the land;

We contend that our land has limited or no potential for agricultural use due to its size and lack of a water supply. It is also not integral to the management of a larger farm holding. The land is also capable of "development that is compatible with uses occurring on agricultural land."

5. State Revenue office have classified the land in ( ) as 'General' and not 'Primary Production land' (PPL) and we pay land tax based on this classification. To have the land classified as PPL we would need to prove to the satisfaction of State Revenue that there is a reasonable expectation that primary production on the land would generate a profit. It is not possible, given the size of our land and lack of water, to demonstrate that any type of agricultural enterprise can generate a profit.

We request that a review be undertaken of the decision to change the proposed zoning of our land from Rural to Agriculture. We believe that a more detailed analysis of our land will substantiate a Rural zoning.

Please contact \_\_\_\_\_ or email \_\_\_\_\_ if you require any further information in regard to this representation.

Yours Faithfully

### SEARCH OF TORRENS TITLE

VOLUME	FOLIO
EDITION	DATE OF ISSUE
2	28-Feb-2017

SEARCH DATE : 12-Feb-2020

SEARCH TIME : 03.11 PM

### DESCRIPTION OF LAND

Parish of RAVENSDALE, Land District of PEMBROKE

Lot 1 on Plan

Derivation : Part of Lot 1

Prior CT

### SCHEDULE 1

as tenants  
in common in equal shares Registered 28-Feb-2017 at  
12.01 PM

### SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP EASEMENTS in Schedule of Easements

SP FENCING PROVISION in Schedule of Easements

### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

05 D 435  
ANNEXURE TO **CERTIFICATE OF TITLE**  
**FOLIO OF REGISTER**

VOL.

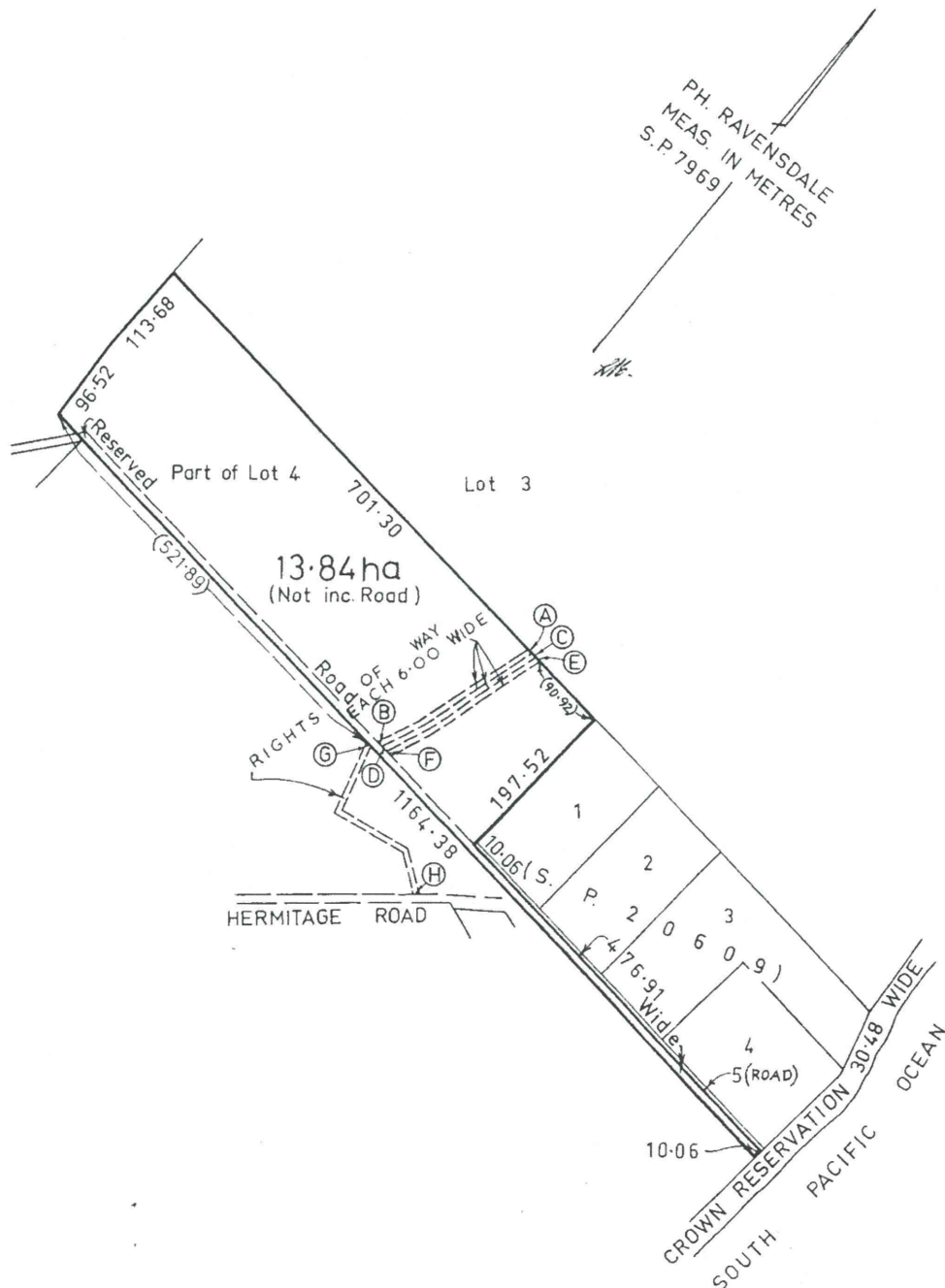
FOL.



Recorder of Titles

REGISTERED NUMBER

Lot 1 of this plan consists of all the  
land comprised in the above-mentioned  
cancelled folio of the Register



## **Tasmanian State-wide Planning Scheme**

### **Representation from a group of residents of [redacted] (Coles Bay) in response to the draft Local Provisions Schedule of the Tasmanian Planning Scheme**

#### **Introduction**

[redacted] pocket of private land adjacent to [redacted] and situated within the bounds of Freycinet National Park. George Meredith, one of the first settlers at Swansea, established a whale 'fishery' at Parsons Cove in 1824. It became known as [redacted] Harry Parsons retired to Coles Bay in the 1920s and promoted the tourist potential of the area. He established shacks at The Fisheries, which were the forerunners of today's holiday homes in the area.

Thirty-eight residents' shacks are located amongst the trees on the slopes behind the beach. Small dinghies are stored on and launched from the beach and a number of small boats are usually moored in the bay. Many shacks have remained in the hands of the original families, who have been holidaying in the area since the 1950s. Visitors often come to spend the day on the beach.

The shacks became a legacy of history when the National Park was established around The Fisheries, making it essential for special consideration within the Council's planning scheme.

#### **Submission**

Views of the Hazards from Tasmania's Great Eastern Drive and the approach to Coles Bay are iconic and of national significance from a tourist and environmental perspective.

The Council's current approach to development at [redacted] supports additional urban growth without the necessary consideration of environmental and infrastructure impacts.

During the past year, a group of residents [redacted] have made numerous approaches to the Glamorgan Spring Bay Council regarding the lack of any strategic approach to future development at [redacted]

The Council's ad hoc approach to future development at [redacted] is exemplified by the lack of consideration given to the impact(s) additional development will have on Freycinet National Park and adjacent properties.

The concern of residents of [redacted] can be best illustrated by the omission of a provision contained in the Glamorgan Spring Bay Planning Scheme (1994), which unfortunately was not transferred into the current Glamorgan Spring Bay Interim Planning



Scheme (2015). This provision specifically prohibited future subdivision (as well as a range of other uses and developments at [redacted]). The extract from the 1994 Scheme (page 4) provides a rationale for the provision, citing the 'unique' character of [redacted] and the potentially damaging impact of further development at [redacted] on Freycinet National Park.

Given the 'obvious purpose' and importance of the provision in the 1994 Glamorgan Spring Bay Planning Scheme, residents did not consider that this provision would be 'over-looked' in transitions to the Glamorgan Spring Bay Interim Planning Scheme (2015).

Residents took the view that the subdivision restriction formed such an obvious and important role in ensuring the existing level of development at [redacted] that the provision would simply be 'transferred' into the 2015 Glamorgan Spring Bay Interim Planning Scheme as a matter of course. Consequently, residents did not see the need to make any representation at that time (nor were they advised of the provision's exclusion).

The 'obvious purpose' of the provision prohibiting future subdivision at [redacted] reflected existing environmental concerns about over-development. As a result of massive growth in the region, these concerns have significantly increased during subsequent years.

Not only have environmental concerns increased over recent times due to development in the area, but they have been compounded by a substantial increase in human activity as a result of the recent unprecedented level of tourism activity.

With the location of [redacted] on the doorstep of Freycinet National Park and, in particular, iconic Wineglass Bay, a further increase in ad hoc development at this location with resultant negative impacts needs no detailed explanation. If it was considered necessary to prohibit subdivision at [redacted] under the 1994 Glamorgan Spring Bay Planning Scheme in order to protect important environmental features on the Peninsula, it is plainly obvious that this prohibition is even more necessary today.

The catalyst for the introduction of the original subdivision prohibition at [redacted] was a commitment to limit human impacts in order to protect the diverse environmental values of the National Park and surrounding area. Whilst the increase in human traffic impacts directly on the environmental values of the National Park and its environs, any increase in human activity also impacts on local services such as roads, car parking, toilets, waste management, fire management and other infrastructure issues. It is therefore evident that additional subdivision within [redacted] will impact on both the environment and Council services. The additional impacts on infrastructure would likely not have been considered when the prohibition was introduced in the 1994 Glamorgan Spring Bay Planning Scheme, making it even more important for the prohibition to be reinstated as soon as possible.

For the above reasons, we request that the Glamorgan Spring Bay Council and the Tasmanian Planning Commission recognise the ever-increasing negative development

pressures on Freycinet National Park. To limit these pressures, we ask the Council to re-instate the subdivision prohibitions of the 1994 Planning Scheme insofar as is concerned.

This submission is presented on behalf of residents of listed below.

## Extract from the 1994 Glamorgan Spring Bay Planning Scheme

### **b) Non-settlement areas**

The area to the south of Coles Bay is occupied by the National Park that contains the area known as ' '. This freehold subdivision is unique and accordingly is subject to some specific controls.

**VII.** Use or development within ' ' shall be subject to specific controls to mitigate any impact on the Freycinet National Park.

### ***b) Discretionary Use or Development***

The following use or development is discretionary in the Village zone:

*Active Recreation*

*Child Care Centre*

*Civic Building/Centre*

*Communal Dwelling*

*Educational Establishment*

*Local Shop*

*Miscellaneous*

*Multiple Dwelling Units*

*Subdivision*

*Telecommunications Infrastructure*

*Visitor Accommodation \**

***c) Prohibited Use or Development***

The following use or development is prohibited in the Village zone:

- Use or development not specifically defined as exempt, permitted or discretionary within this zone.

Notwithstanding the provisions of the above, any use or development other than that identified as either exempt or permitted shall be prohibited in the area known as at Coles Bay.

**Maree Tyrrell**

---

**From:**  
**Sent:** Saturday, 15 February 2020 12:10 PM  
**To:** Contract Planner  
**Subject:** FW: Public Comment on the Statewide Planning Provisions (SPP) and the Local Provisions Schedule (LPS)

To whom it may concern,

We are ratepayers of the GSBC for properties we have owned at East Shelly Road and French Street for 26 years and 7 years respectively.

Concerns are shared with respect to the above and we wish to support in principle the submissions made by and that of

It would be appreciated if we can be informed of further future actions related to the above.

Yours faithfully  
Phil and Elizabeth Cooper



I submit the following comments and feedback in relation to the draft Local Provisions Schedule for Glamorgan Spring Bay Council, Tasmanian Planning Scheme.

There are several areas and descriptors of matters in the draft of concern to me and which I believe would negatively impact upon the scenic and environmental values so desired by residents and visitors alike. In short, the very reasons people want to live and visit here.

At the end of the specifics please find some further generalized concerns.

#### **GSB- 5.0 NORTH BICHENO FUTURE URBAN**

GSB-P5.1.1. Full stop after the word location. Delete “including large scale integrated complexes comprised of multiple uses.”

GSB-P5.1.2 Delete in full. There is already adequate commercially zoned property in the town centre.

GSB-P5.1.3 add “scenic” after protect.

#### **GSB-P5.4 Use Table**

##### **Permitted**

Visitor Accommodation, under qualification – add “Small scale, a maximum of 3 units on any single block, buildings/hard surfaces may cover up to 50% of total block size to reduce storm water and pollutant run off flows.”

##### **Discretionary**

Food services, under qualification – add “Licensed food van, pop up, small scale café/coffee shop.”  
Definitely no supermarket, no commercial premises unless integrated into a small scale tourism project.

#### **GSB-P5.5 Use Standards**

A3 part (b) add “or reserves.”

P3 add - or environmental after residential in 3<sup>rd</sup> line and add (c) distance from wildlife habitat.

GSB-P5.6.1 Building height – Performance criteria P1 add - None, delete all other words, that is, not allow any development over 5 metres.

A covenant to protect intermittent creek and wetland adjacent to Redbill Drive at the Southern end of the proposed residential zone.

Definitive protection of dunes, natural vegetation and the ecologically important habitat areas of beach and dunes from Redbill to Diamond Island. At present a farm fence delineates the dunes and natural vegetation from a sheep grazing paddock.

To protect the stands of native pines.

To not allow any buildings or subdivision in areas at risk of coastal inundation.

A single fenced access point from the subdivision to the beach with provision for carparking on the Tasman Highway near to Gordon Street or at another suitable site.

To ensure that the subdivision is suitably staged to enable the capacity of the Bicheno water supply and sewerage system to meet future needs. We really don't need a replication of the scenario at Coles Bay where basic infrastructure has had an incapacity to meet demand for the past decade.

A requirement for the use of rainwater tanks and a grey water recycling system on each dwelling.

## 2.

### **GSB-P2.0 PARTICULAR PURPOSE ZONE – THE GULCH**

GSB-P2.1.2 add “,environmental” after historic.

GSB-P.2.4 Use class – Strengthen – add “Protection of the natural environment, heritage values and scenic amenity.”

Permitted

“Passive Recreation” only. Delete all other.

Discretionary

Add “Resource Development, Resource Processing” – both with the qualification “If associated with existing maritime or aquaculture industries.” New proponents of this type of commercial/industrial business should be located in the industrial or commercial zones.

GSB-P2.5 Use Standards, after residential add “or environmental” or “or ecological” amenity.

GSB-P2.5.1 Hours of operation A1 (b) substitute 7 p.m. for 5 p.m. (c) 9 a.m. to 7 p.m. (for Sunday and Public Holiday).

Performance Criteria P1 add “Restrict speed of cars along the Waubs Esplanade to a maximum of 30 Km hour.” or place this speed restriction elsewhere in GSBC bylaws to enable its implementation.

GSB-P2.5.3 External lighting add after zone “or impact upon penguin, bird or other native species.”

GSB-P2.6.1 Acceptable Solutions A1 Delete 10m and replace with “5 metres.”

P1 Performance Criteria (b) add “,reserves” or buildings. No acceptable solution, an absolute 5 metres maximum height limit, with buildings at a lower elevation than Waubs Esplanade.

GSB-P2.6.2 Setback - P1 (c) Delete minimize, add “prevent” the loss of....

GSB-P2.6.3 Building design A1 Acceptable solutions add “Building must be on an existing building footprint.”

P1 Performance Criteria (d) delete minimize, add “prevent” the loss of....

GSB-P2.6.5 Fencing – P1 Performance criteria add “(f) must not impede the movement of Little Penguins from the coastline to their burrows.” and add (g) minimizes the loss of vegetation along the fence line.

### **GSB-S2.0 BICHENO GOLF CLUB SPECIFIC AREA PLAN**

This plan should be completely rejected. It proposes an unnecessary residential development and an expansion of the golf course and clubhouse. We are not going to experience a golf led recovery, the Greg Norman designed Solis golf course between Orford and Triabunna has languished unloved and underdeveloped for many, many years. This SAP should be removed altogether from the Local Provisions Schedule.

The Tasmanian State Coastal Policy 1996 aims to protect environmentally sensitive areas, to discourage ribbon and cluster developments (which this SAP is), to conserve the diversity of natural flora and fauna and their habitats and for the protection of migratory species and the protection and recovery of rare, vulnerable and endangered species for up to 1 kilometre from the high water mark.

### 3.

In no way does this SAP meet the GSBC stated objectives of the native flora and fauna management plan or the strategic plan.

#### **OTHER**

I must make comment upon the difficulty in accessing the various sections of the GSBC Local Provisions Schedule on the Iplan site. I variously received the notification that the site could not be reached, that I was an unauthorized person, had reached end of page and also, I could not access the maps section.

Serious consideration of all previous plans and legislation such as The Land Use Planning and Approvals Act, The Tasmanian State Coastal Policy, The Southern Tasmanian Regional Land Use Strategy, Vision East 2030 Land Use framework, Glamorgan Spring Bay Strategic Plan, Glamorgan Spring Bay Council Coastal Reserves Native Flora and Fauna Management Plan and the Urbis Bicheno Structure Plan and other town plans must occur, together with the community consultations, submissions and feedback.

From memory the Urbis plan identified in 2014 around 100 hectares of residential and rural residential lots available in Bicheno (including the North Bicheno Future Urban), around 450 lots in total. The projected need by 2030 was for about 100 new dwellings and holiday homes.

The recognition of the reality of a drought effected central East coast, now at 4 years with 10 years of below average rainfall, global warming, increased ocean temperatures and acidification and the impact of all of these on our built and natural environment for future developments.

More critically, the availability and sustainability of water supply should be integrated into the planning process.

I thank you for the opportunity to make this submission.

15 February 2020

Mick Purves  
Senior Planning Consultant  
Glamorgan Spring Bay Council  
9 Melbourne Street  
TRIABUNNA TAS 7190

Dear Mr. Purves

**RE: Glamorgan Spring Bay Draft Local Provision  
Schedule Documents**

on (the land  
owner) in it's capacity

n in relation to the currently  
exhibited documents on a planning technical basis. In addition to  
dated 14 February 2020 we make the  
following submission for additional consideration by Council and  
the Planning Commission regarding the exhibited documents:

Figure GSB3.2 Application of this Plan.

Figure GSB-SB-1 reflects the precinct plan as appears within the  
Glamorgan Spring Bay Interim Planning Scheme 2015.

On 24 January 2007 Glamorgan Spring Bay Council granted  
planning permit SU07001 - Precinct Subdivision. The permit  
granted in favour of the subject land was for the creation of Precinct  
Subdivision Boundaries. Subsequent to the permit being issued  
Council sealed and delivered the Precinct Plan back to the land  
owner. Whilst the boundaries on the sealed plan are similar we note  
that they are not exactly in line with the Precinct Plan contained in  
the current scheme.

The land owner contends that having received approval and benefit  
of the Planning Permit SU07001, the precinct boundaries reflected  
in the Precinct Plan should now be updated to reflect those shown  
in the sealed plan and that figure GSB3.1 should be substituted to

achieve the effect intended by the relevant Sealed Plan and other permits issued by council which remain on foot.

GSB-3.2.2 The current version on exhibition has omitted clause F3.2.3 of the currently approved SAP contained in the Glamorgan Spring Bay Interim Planning Scheme which states the following:

*“F3.2.3 Any use or development which does not comply with the above precinct or area boundaries shall be considered as a discretionary application pursuant to Section 57 of the Act and must satisfy the following:*

- a. Be consistent with the Desired Future Character Statements for the specific area plan.*
- b. Be, in the context of the Specific Area Plan, only a minor departure from the precinct and specific area provisions.*

In our opinion it is important that the above text is carried over to allow Council Officers to continue to use their discretion into the future, as was done when it issued Planning Permit SU07001.

Any omission of such text would put into question, or even remove, council’s ability to continue using this discretion. It may also unintentional call into questions a number of permits which have already been issued and are current on the subject site.

Council officers must be able to continue using the their discretion to ensure the original intent of the development is fulfilled.

GSB-S3.2.3 (a) and (b)

We understand that the above clauses are intended to replace clause 3.4.1 of the current planning scheme. From a drafting perspective it is viewed that GSB-S3.2.3(a) and (b) would be better fitted under the subheading of “*Site Specific Qualifications*” in accordance with practice note 8.

We suggest that clause GSB-S3.2.3 (a) and (b) are moved under the new sub heading “*Site Specific Qualification*” positioned after “*Use Standards*” section.





#### GSB-S3.4 Definition of Terms

Landscaping plan definition should be moved and merged with clause GSB-S3.2.3 (a) and (b) under the new sub section “Site Specific Qualifications”.

#### GSB-S3.5 Use Table

It is noted that whilst the local area objectives for the Residential Precinct contain reference to “provide a retirement village” the use table does not contain same references.

For the purposes of clarifying intent of the local area objective we recommend that Retirement Living is added to table under Permitted uses with the residential land.

In addition to above it is noted that the “Discretionary” uses as currently shown in the exhibited document appears to limit council discretion as currently allowed and raised in our second point of this letter.

#### Conclusion:

Overall we have some concern that there is some detail missing. With regards to future applications we want to ensure that the original intent for the development is not lost in the transition of the Specific Area Plan, and that Council discretion to evaluate each application is maintained.

Should you have any further questions please do not hesitate to contact me.

Yours sincerely,



The General Manager  
Glamorgan Spring Bay Council  
Melbourne Street Triabunna 15 February 2020

Attention: Nell Nettlefold, Planner

**Submission to Glamorgan Spring Bay for the Draft Local Provisions Schedule (DLPS)**

Dear Planners and Council, we are raising the following issues in relation to the draft schedule so that the Draft Local Provision Schedule might be modified to better reflect and protect the values present and the land use on the ground. We believe if Council is uncertain, then more resources are required to investigate the options, before any changes are made simply for the purpose of consolidation and lines on the map. Inappropriate changes can result in loss of values to the community and once in place they are very difficult to be retracted.

Yours Sincerely

The following Zoning changes are not supported for the reasons discussed below:

**Swansea Zone Modifications Issues for the DLPS include:**

**1.- Expanded use of Open Space Zone (OSZ) along foreshore in Swansea in lieu of Environmental Management Zone (EMZ) for consistency.**

There are significant Little Penguin colonies on beaches in south Swansea from Aqua Sands Drive to Coswell Beach. Refer 'Population decreases in Little Penguins *Eudyptula minor* in southeastern Tasmania, Australia, over the past 45 years', **Article (PDF Available) in [Marine Ornithology](#) 35(1):71-76 · January 2007 C Stevenson**

These beaches are planned for OSZ (supporting doc p. 21 discusses the northern extension of these beaches). OSZ is for passive recreation. These areas should be in the EMZ. Coswell Beach is a Conservation Area managed by PWS for Penguin habitat and for shorebird breeding, particularly important for Hooded Plovers.

*(The following items in italics are taken from the supporting document)*

*Note that in OSZ 4 The Open Space Zone should not be applied to land: (a) with significant natural values (see Environmental Management Zone);*

*The purpose of the Environmental Management Zone is: 23.1.1 To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value. 23.1.2 To allow for compatible use or development where it is consistent with*

- (a) the protection, conservation and management of the values of the land;  
and (b) applicable reserved land management objectives and objectives of  
reserve management plans.*

*EMZ 1 The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as: (a) land reserved under the Nature Conservation Act 2002; (c) riparian, littoral or coastal reserves; (e) any other public land where the primary purpose is for the protection and conservation of such values.*

The rationale in the Draft LPS, refer below, for the change in zoning is for the reason of consistency but the significant natural values will not be accounted for.

*Re change from EMZ to OSZ for South Swansea foreshore*

*Similarly, to the justification provided above, the draft LPS has taken a consistent approach to zoning areas of the Swansea foreshore that are adjacent to the General Residential Zone (GRZ), to OSZ. The land proposed to be zoned OSZ from Utilities outside the State road casement area and is used and developed as a walking track. Both zone changes are consistent with OSZ 1(a) and (b) and meet the DLPS criteria.*

**Bicheno Zone modifications include:**

**2. Change of zone for Whalers Lookout to Open Space from Environmental Management Zone.** The DLPS states for Lookout Rock and Whalers Lookout;

*While the Structure Plan has no recommendations on zoning for either site, Council is of the view that given their close proximity to each other, consistent zoning is preferable. The natural and landscape amenity they provide within an urban setting and the passive recreational values are more consistent with the OSZ rather than the EMZ.*

*In the DLPS, Whaler's Lookout is EMZ whilst nearby Lookout Rock is OSZ. Both sites are important physical landmarks administered by PWS and although they contain some threatened vegetation, they are predominately managed as recreational assets. The Bicheno Structure Plan refers to Whaler's Lookout as: Whalers Lookout is a significant landform to the northeast of central Bicheno, and provides a key geographic feature for the town. The hill is covered in vegetation and contains a walking track leading to Whalers Lookout, which provides panoramic views over Bicheno and beyond.*

These sites cannot be made Landscape Conservation Zone (LCZ) because they are state reserves and Open Space (Refer Open Space Zone description below) does not capture the values present (Support doc p.20 & 34). We would argue that these sites are more environmentally significant then for the purpose of walking and passive recreation and they should both be allocated to Environmental Management Zone to maintain their significance.

These two sites are significant for their vegetation including the yellow rock orchid (*Dockrillia striolata*), Oyster Bay Pine and other significant remnant east coast flora. They have been managed by Council and Coastcare and local volunteers over many years principally to control Boneseed, Pittosporum and other weeds. These efforts should be continued to ensure biodiversity is not lost within the Bicheno township.

*19.1.1 Open Space Zone Purpose Statements*

*19.1.1.1 To provide land for open space purposes including for [passive recreation](#) and natural or landscape [amenity](#).*

*19.1.1.2*

*To encourage open space networks that are linked through the provision of walking and cycle trails.*

*OSZ 4 The Open Space Zone should not be applied to land: (a) with significant natural values (see Environmental Management Zone);*

**Other Swansea Zone Modifications Issues for the LPS include:**

**Waterloo Point Swansea**

This crown land recreation reserve on the headland at the golf course has a significant Short Tailed Shearwater population and is currently in land proposed for Recreation zone (refer definition below). It is also a significant Aboriginal heritage site with an extensive midden. The Loontitetermairrelehoiner track goes through the colony and the midden and is one of the Parks and Wildlife Service's 60 Great Short Walks.

A section adjacent to the golf course and including the track on the headland would be better zoned Environmental Management to protect the habitat and midden from future recreation development. This DLPS is about consolidation of zones but some values could be lost in doing this. Such a zone would also help to formalise the delineation between the golf course and the coastal reserve for better management outcomes.

*The purpose of the Recreation Zone is: 28.1.1 To provide for active and organised recreational use and development ranging from small community facilities to major sporting facilities.*

**Change of Zoning from Community Purpose Zone to General Residential Zone at location of Bridge St Scout Hall in Swansea.**

At Bridge St Swansea there is a large corner block on the Esplanade which currently is the site of the Scout Hall. It is owned by the Presbyterian Church. The recent rezoning of the adjacent Swansea esplanade to General Residential Zone has decreased the amenity and holiday character of the town and as a result this land

becomes even more significant for maintenance of connection to the esplanade and as a beachside public open space zone for the use of future generations and visitors to the adjacent holiday park.

The land will also serve to maintain some endemic coastal vegetation, which is generally removed for views. In the longer term this land should be purchased by Council and maintained in the Community Purpose Zone. The community use of this site will only increase as the density of Swansea increases.

### **Change of Zoning of Town Hall and original SES Building from Community Purpose Zone to Local Business Zone in Swansea.**

The Draft Local Provision Schedule states that this  
*zoning consolidates the LBZ along the main street of Swansea and has been applied in accordance with LBZ1 of the Guidelines. The application of the LBZ is not considered to be of a scale to have any significant bearing on the regional policies for the Activity Centre Network in the RLUS.*

The rationale for the change is not strong enough to make the change. The town hall is a heritage feature and will never be anything but a town hall for the community benefit. Likewise now the original SES Building will be a community activity centre and complementary to the town hall as a community asset. This land parcel should be maintained for the Community benefit and not sold on in the future for other use. These sites should be retained in the Community Purpose Zone as there is no disadvantage in doing so and it may prevent inappropriate use into the future.

### **Possible Zone Changes to Consider for Swansea**

#### **Kennedia Place from General Residential Zone to Low Density Residential Zone**

Residents have long argued that this subdivision was intended to be Low Density Residential (refer definition below) but was zoned Residential despite the current and use being Low Density. This change would support a lower density of occupation to better protect the Little Penguin colony from the pressures of people, noise, interference and their pets.

*The purpose of the Low Density Residential Zone is: 10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development. 10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.*

*LDRZ 1 The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:*

- (b) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and*



*where there is justification for a strategic intention not to support development at higher densities.*

**The Change from Rural Resource to the General Residential Zone to the land bounded by the Tasman Highway and the Cathcart Street reservation at Swansea should not be supported.**

There is no public stormwater drainage infrastructure to service the increase in stormwater runoff from any future urban development at this site. A stormwater catchment plan should be completed before this site is made ready for residential zoning. The reason is that the current infrastructure cannot cope with the undeveloped sites in this catchment in high rainfall events, which would only be exacerbated when the sites are developed into General Residential use. The catchment area includes this block and across currently unmade Cathcart St on Old Spring Bay Rd the 5 hectare lot at 59 Old Spring Bay Road which is already inappropriately zoned General Residential.

---

Contract GSBC Planner  
Glamorgan Spring Bay Council  
Email: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

15 February 2020

**RE: Glamorgan Spring Bay draft Local Provisions Schedule (GSB draft LPS)**

Please see attached our representation regarding the Glamorgan Spring Bay draft Local Provisions Schedule (GSB draft LPS).

Our representation has been prepared with expert planning input. We would please like the opportunity to present at any GSBC draft LPS hearings.

Could you please confirm that you have received our representation.

Yours sincerely,

---

## Introduction

Thank you for the opportunity to comment on the Glamorgan Spring Bay draft Local Provisions Schedule (draft LPS). Members of the   have reviewed the draft LPS, including the Glamorgan Spring Bay Local Provisions Schedule Supporting Report (Supporting Report).

The review conducted of the draft LPS has focussed on the zone and overlay provisions as they apply to the Freycinet Peninsula and are considered in the context of:

- fostering health and well-being of residents and visitors at Coles Bay, Swanwick and the Fisheries;
- the unique scenic values surrounding the Fisheries and the important spatial relationship the settlement has to the Hazards; and
- scenic landscape values and protecting the natural attributes of one of the most visited locations in Tasmania.

In consideration of the matters raised in this representation, we urge the Glamorgan Spring Bay Council and (subsequently the Tasmanian Planning Commission) to consider the following amendments to the draft LPS:

- remove the GBS-S4.0 Coles Bay and Swanwick Specific Area Plan from the draft LPS instrument and mapbooks;
- introduce a Specific Area Plan over the Low Density Residential Zone at The Fisheries, reinstating the previous subdivision provisions of the Glamorgan Spring Bay Planning Scheme 1994;
- spatially applying the 22.0 Landscape Conservation Zone to additional properties to protect important landscape values within the municipal area that have not been captured by the draft LPS; and
- applying the C8.0 Scenic Protection Code to the Freycinet Peninsula, and other areas across the Glamorgan Spring Bay Municipality, including identification of a scenic protection area on the overlay maps.

Each of these points is considered in further detail below.

## Coles Bay and Swanwick Specific Area Plan

The 'GBS-4.0 Coles Bay and Swanwick Specific Area Plan' (SAP) introduces new local provisions to spatial areas at Coles Bay and Swanwick (refer to Figures 1 and 2). This will substitute provisions of the underlying Low Density Residential Zone (refer to Maps 7 and 9, Zone Mapbooks) to facilitate a broader range of non-residential use and development.

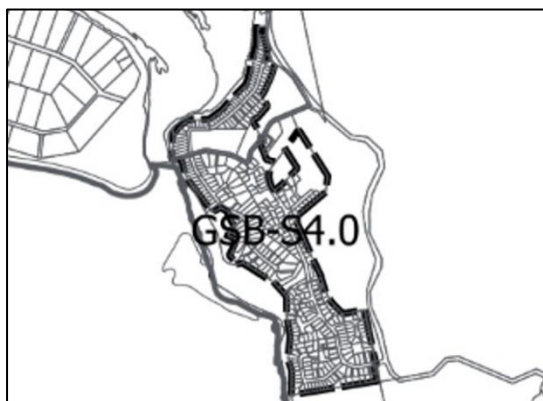


Figure 1: Spatial area (bold dashed line) the GBS -4.0 Coles Bay and Swanwick SAP as it applies to Swanwick (source: Mapbook, Specific Area Plan, GBS draft LPS)



Figure 2: Spatial area (bold dashed line) the GBS -4.0 Coles Bay and Swanwick SAP as it applies to Coles Bay (source: Mapbook, Specific Area Plan, GBS draft LPS)

## Coles Bay and Swanwick Character

The Freycinet Peninsula has three main local settlements:

- Coles Bay;
- Swanwick; and
- The Fisheries.

The SAP only applies to Coles Bay and Swanwick. The Fisheries is discussed in further detail below.



Figure 3: Settlements of the Freycinet Peninsula.

---

At the 2016 Australian Bureau of Statistics Census (ABS Census), there were 353 people in the Coles Bay area (which includes Swanwick, Coles Bay and the immediate surrounds) with a median age of 53.

The number of private dwellings was recorded as 476, of which 80 per cent were recorded as unoccupied at time of the ABS census. This reflects the seasonal holiday nature of the area, with the unoccupied dwellings largely being attributed to their use as short-term rental accommodation or dwellings being utilised by owners for weekend or summer homes.

Most of the private dwellings as referred to above are in the Low Density Residential of the SPPs which are spatially applied to Coles Bay, Swanwick and The Fisheries in the draft LPS.

The character of the Low Density Residential Zone at Coles Bay is predominantly defined by single detached dwellings (refer to Figure 4) on single titles. Other than visitor accommodation, non-residential uses are generally absent from the residential area of Coles Bay and are confined to two areas where the Local Business Zone of the SPPs is spatially applied in the draft LPS (refer to Maps 7 and 9, Zone Mapbooks).

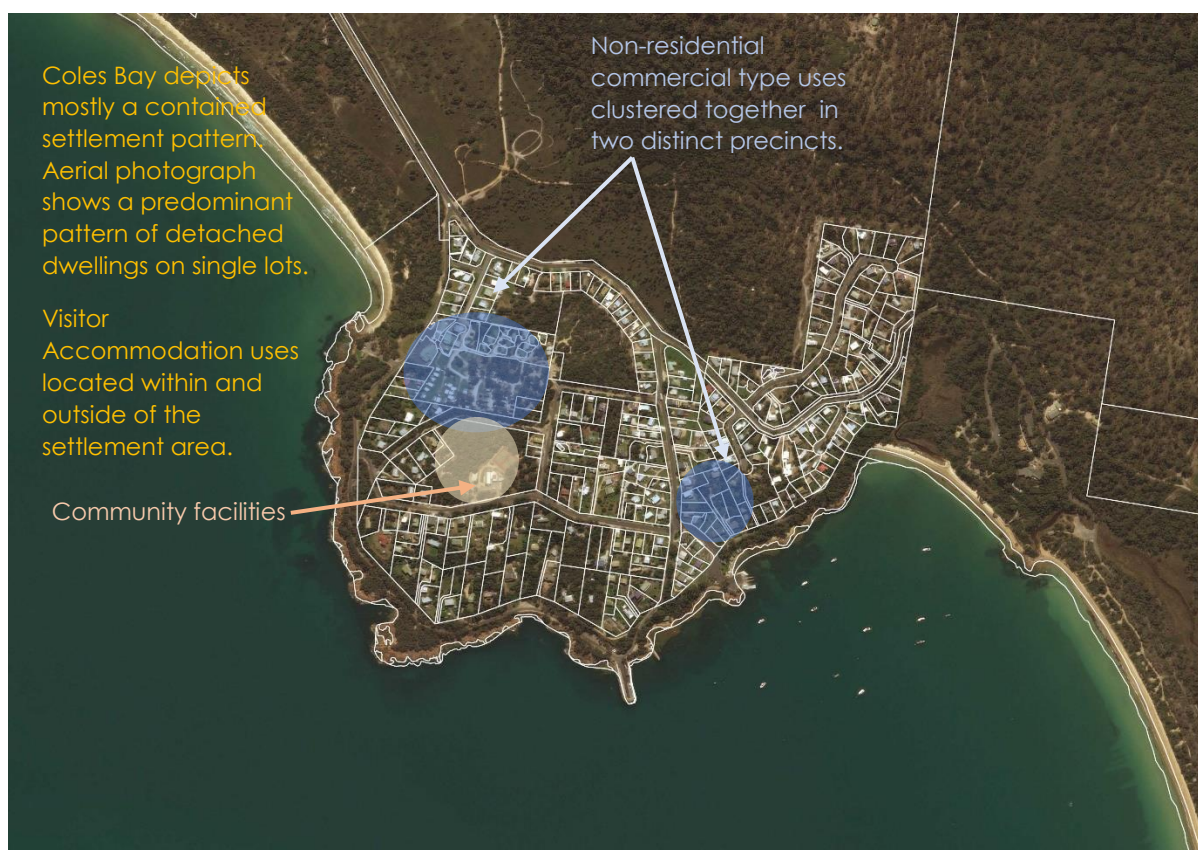


Figure 4: Cadastral parcels at Coles Bay.

The character of the Low Density Residential Zone at Swanwick is also predominantly defined by single detached dwellings (refer to Figure 5) on individual titles. There are



---

also a number of lots within the Low Density Residential Zone that are vacant, due to the recent subdivision of this land. The Freycinet Golf Course separates the residential area from Coles Bay Road and the Coles Bay Conservation Area and is outside of the spatial area of the Low Density Residential Zone. Other than visitor accommodation, non-residential uses are also generally absent from the residential area of Swanwick. Generally, commercial/business uses are encouraged to the area where the Local Business Zone of the SPPs is applied.



Figure 5: Cadastral parcels at Swanwick

### Specific Area Plan - Impact on Character and Residential Amenity

The SAP substitutes the Use Table at Clause 10.3 and the Use Standard at Clause 10.3.1. If the draft LPS is adopted without modification, the SAP provides planning

---

permit pathways for non-residential uses that would otherwise be prohibited on land zoned Low Density Residential.

It is noted that the Use Standard at Clause GSB-S4.6.1 is the same structure and format of Clause 10.3.1 in the 10.0 Low Density Residential Zone of the SPPs. The Clause GSB-S4.6.1, however, substitutes Clause 10.3.1 modifying the acceptable solutions for non-residential Discretionary Uses allowing:

- increased hours of operation during weekdays and weekends;
- increased hours for commercial vehicle movements for weekdays and weekends;
- a gross floor area of not more than 250m<sup>2</sup> for a non-residential Discretionary use before it enlivens the corresponding performance criterion.

Where an application demonstrates compliance with all of the acceptable solutions of Clause GSB-S4.6.1, the performance criteria are not enlivened, and no further assessment is required by the planning authority with respect to the impact non-residential Discretionary uses have on residential amenity.

The Supporting Report is devoid of evidence with respect to giving explanation for the proposed Use Standards particularly with respect to the introduction of a gross floor area of no more than 250m<sup>2</sup> as an acceptable solution and how this is consistent with the objective of Clause GSB-S4.6.1.

The implementation of these provisions has a lack of regard to the predominantly established residential character of Coles Bay and Swanwick (as described above) and could facilitate an undesirable mixed use settlement pattern, which:

- diminishes the residential amenity;
- undermines the established residential character by facilitating greater mix of non-residential development such as 'Transport Depot and Distribution';
- could facilitate the take up of vacant lots for non-residential uses detracting from the recently approved Local Business Zone at Swanwick;
- advocates an ad hoc approach to use and development; and
- potentially fragments commercial development and undermines the purpose of the spatial application of the Local Business Zone in the draft LPS.

To simply state that the Village Zone of the SPPs provides for a similar Use Standard is not sufficient. VZ 1 of *Guideline No.1, Local Provisions Schedule (LPS): zone and code application* advises the Village Zone should only be applied where there is an unstructured mix of residential, commercial and community services and there is a strategic intent to maintain a mix. This is not demonstrated for either Coles Bay or Swanwick.

Additionally, the rationale provided in the Supporting Report (page 58) is primarily attributed to the growth in the visitor economy and that this has resulted in an:

- increase in partial change of use from dwelling to Visitor Accommodation;
- parking congestion around the boat ramp and walking track entrance;
- increase support services such as businesses to manage rental properties;

- 
- shortage of long-term affordable accommodation for employees working in the tourism industry.

These points are also not substantiated with any data or evidence. Furthermore, the Supporting Report states that the purpose of the SAP is also to align the LPS with the [Freycinet Peninsula Master Plan \(June 2019\)](#).

The Supporting Report does not demonstrate compliance with the LPS criteria of the Act. This is discussed in further detail below.

### Coles Bay Township Structure Plan

The Glamorgan Spring Bay Council resolved to endorse the [Coles Bay Township Structure Plan](#) (Structure Plan) at its meeting held on 26 April 2016. The Structure Plan is intended to guide use and development over the next 20 years until 2035.

*The vision for Coles Bay at page 47 as articulated by the Structure Plan..."aims to balance the existing character with future opportunities to improve the liveability and amenity for both residents and visitors. It should continue to undertake key capital works projects upgrading infrastructure and services for local residents and visitors with a focus on walking links and open spaces while protecting the natural and coastal features".*

The Structure Plan at page 48 provides that the vision for Swanwick includes: "...to retain the existing seaside village characteristics while continuing to improve and gradually develop the town for local and seasonal residents, retirees and the holiday market...

*A small local business precinct should be encouraged and designed to fit in with the local character, catering for residents and the holiday market however should not detract from the existing tourism market in Coles Bay."*

The vision statements provided in conjunction with the recommendations and actions contained within Structure Plan recognises the importance of responding to the visitor economy. However, it does not promote a mixed use approach to either settlement. While the Structure Plan may need review particularly with respect to Coles Bay and its future role, it is concluded that the introduction of the SAP in the draft LPS is premature.

### Freycinet Peninsula Master Plan

The [Freycinet Peninsula Master Plan](#) (Master Plan) was released by the Tasmania Government in June 2019. The Plan is a 20-year plan with most initiatives completed within the first five to ten years.

The Master Plan is a non-statutory document but has been signed off by the Tasmanian Government and the Glamorgan Spring Bay Council (GSBC) and is relied upon in the Supporting Report for the justification of the SAP.

There is no justification to introduce non-residential uses to Coles Bay and Swanwick, especially when considering the findings of the Master Plan.

One of the main findings of the Master Plan, (although note with much community opposition), is the construction of a new Visitor Gateway hub north of Coles Bay. The Coles Bay Road will be realigned, so that all tourist traffic is re-directed to the hub.

The Visitor Gateway is proposed to be the largest and main visitor centre on Freycinet Peninsula with: full service visitor information, tourist operator ticketing, transport interchange, food and retail, potential accommodation, toilets and showers, RV camping, connection to Coles Bay precincts and new short walks.

The report does not conclude to create more commercial activities and or non-residential uses in Coles Bay or Swanwick. Instead, the report proposes a new commercial hub be created north of Coles Bay. The SAP introduces provisions that are contrary to this report.

### Requirements of the Land Use Planning and Approvals Act 1993

The introduction of the proposed SAP must demonstrate that it is compliant with Section 32(4)(b) and Section 34 of the Act. The proposed SAP has not demonstrated this required compliance (refer to table below) and therefore must be removed from the draft LPS instrument and relevant mapping.

LPS Criteria	
<b>Section 32(4)(b)</b>	
<b>(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</b>	
The Supporting Report does not identify clearly the particular environmental, social or spatial qualities to substantiate the rationale for substitution of the Low Density Residential Zone provisions of the SPPs.	
<b>Section 34(2)</b>	
<b>(c) furthers the objectives set out in Schedule 1</b>	
The Supporting Report does not provide a response to the objectives in context of the proposed SAP it only makes a general statement that it upholds the objectives set out in Schedule 1.	
The proposed SAP will give rise to ad hoc use and development in residential areas without any of the assessment of the likely impacts on character or amenity that may result. The proposed SAP is not considered to represent orderly use and development or a coordinated strategic approach and therefore does not further the objectives set out in Schedule 1.	
<b>(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates</b>	
Section 5.0 addresses compliance with the LPS criteria. Attachment 7 of the Supporting Report assesses the draft LPS against the policies of the Southern Tasmania Regional Land Use Strategy 2010-2035 (RLUS).	
The policies particularly relevant to the SAP are as follows:	



---

Physical Infrastructure 2.1 Use infrastructure to delivery planned growth and encourage compact urban form.

Activity Centre 2.4 – Encourage structure and economic development planning for all activity centres; and

Settlement and Residential Development 1.2 – manage growth through hierarchy of strategy, structure plans, subdivision control and development control.

These policies are addressed generally in context of the proposed SAP but does not consider them in any extensive detail.

The RLUS places a reliance on local structure plans to manage growth and development. It is demonstrated that the Coles Bay Township Structure Plan does not articulate a mixed use approach for either Coles Bay or Swanwick as intended by the proposed SAP.

While the Coles Bay Township Structure Plan may require review in light of more recent investigations, the proposed SAP is not considered to be as far as practical consistent with the RLUS.

**(f) has regard to the strategic plan, prepared under [section 66](#) of the [Local Government Act 1993](#) , that applies in relation to the land to which the relevant planning instrument relates;**

The Glamorgan Spring Bay Community Strategic Plan is prepared under section 66 of the Local Government Act 1993. It is acknowledged that this strategic plan provides broad strategic direction across the municipal area.

There are six Future Directions articulated within the document. Direction 3 seeks to grow the economy and employment opportunities. Direction 4 is focussed on protecting and promoting the natural beauty and environment. One of the strategic outcomes seeks for villages and towns in the municipal area to grow but not at the expense of their individual character and identity.

The relaxation of the provisions in the Low Density Residential Zone are such that impacts could negatively impact on the character and identity of Coles Bay and Swanwick

The introduction of this new local provision is not substantiated against the LPS criteria of section 34(b) of the *Act* for the following reasons:

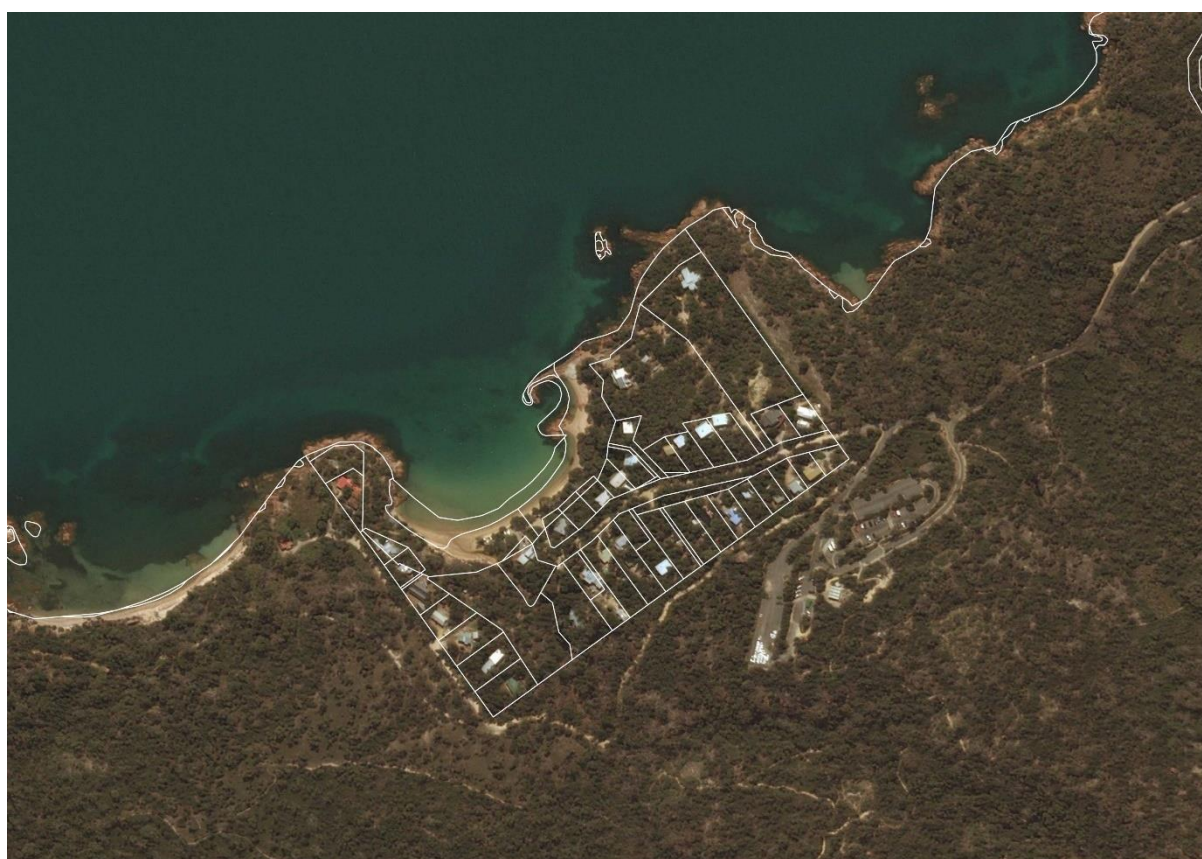
- The Supporting Report does not provide any evidence for the particular economic, environmental or social reasons for requiring the substitution of the provisions of the 10.0 Low Density Residential Zone.
- Introduces local provisions contrary to the strategic intent for Swanwick and Coles Bay as articulated in the Coles Bay Township Structure Plan, the Community Strategic Plan, and the Southern Tasmania Regional Land Use Strategy; and

- 
- Provides for use and development that is contrary to the fundamental purpose of the underlying 10.0 Low Density Residential Zone which is to protect residential amenity from unreasonable impacts in an area where there is no mixed use pattern;
  - Undermines the provisions of the spatial application of the 14.0 Local Business Zone of Coles Bay and Swanwick, especially the recent approved amendment AM2018-05 (19 March 2019) to the Glamorgan Spring Bay Interim Planning Scheme 2015 by the Tasmanian Planning Commission.

For the reasons stated above, it is considered that the draft LPS must be amended to remove the introduction of this new local provision.

## The Fisheries

The Glamorgan Spring Bay draft Local Provisions Schedule should reinstate the provisions for subdivision to the spatial area known as 'The Fisheries' (Figure 6), which existed in the Glamorgan Spring Bay Planning Scheme 1994 (the former Scheme).



*Figure 6: Cadastral parcels of the area known as "The Fisheries".*

Clause 8.1.3 of the former Scheme regulated use and development at the 'The Fisheries'. Subclause (b) listed subdivision as discretionary within the zone. However subclause (c) excluded 'The Fisheries', therefore prohibiting subdivision.

---

Without the community being aware, this prohibition was lifted when the 'Low Density Residential Zone' was applied to 'The Fisheries' in the Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme).

The draft LPS has applied the equivalent zone from the Interim Scheme in accordance with LDRZ 1 of Guideline 1. Additionally, the draft LPS instrument does not propose to substitute the provisions of Clause 10.6 of the Low Density Residential Zone of the SPPs. The concern is that the unmodified provisions of the Low Density Residential Zone of the SPPs will continue to place undue pressure on large lots in this area to be subdivided (refer to Figure 6).

For example, the Low Density Residential Zone of the SPPs provides for a permit pathway to create new residential lots with areas ranging between 1200m<sup>2</sup> and 1500m<sup>2</sup>. While the Development Standards for Subdivision at Clause 10.6 of the Low Density Residential Zone provide opportunity for further subdivision, it is acknowledged that there are several practical interactions between the landslide risk/geotechnical limitations, wastewater location, bushfire requirements, biodiversity protection, drainage and stormwater management that present challenges with respect to creating new lots. However, it is not to say that these challenges could not be overcome and place the planning authority in a position where they must grant a permit for subdivision.

Additionally, the visual prominence of 'The Fisheries' (refer to Figure 7) in the landscape further emphasises the importance of retaining the traditional shack-like character of this settlement. If intensification of use and development is allowed, then the underlying shack character could be undermined by the opportunity of new dwellings or visitor accommodation. This in turn is likely to result in further clearance of vegetation to manage bushfire risk and consequently increase the dominance of buildings and structures in this iconic landscape.



Figure 7: Visual perspective of "The Fisheries" in context of the Hazards.



---

The challenges and the visual prominence of 'The Fisheries' reinforces that there is a need to impose tighter use and development controls. Therefore it is recommended that the prohibition of subdivision be reinstated in the draft LPS instrument by introducing a Specific Area Plan which substitutes Clause 10.6 of the Low Density Residential Zone of the SPPs.

The introduction of this local provision is also considered to be consistent with the principles articulated by the Tasmanian State Coastal Policy in that:

- the natural and cultural values of the coast will be protected; and
- the focus of Coles Bay and Swanwick to remain the key settlements servicing the Freycinet Peninsula will be retained.

Furthermore this approach is aligned with the RLUS, the Glamorgan Community Spring Bay Community Strategic Plan and the Objectives set out at Schedule 1 of the Act.

The SAP would be compliant with Section 32(4) and Section 34 of the Act and can be supported.

## Landscape Conservation Zone

The Landscape Conservation Zone of the SPPs is a new zone that was not previously available to the interim planning schemes. We commend the Council for applying the Landscape Conservation Zone to land identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate. We support all areas (fourteen titles) proposed to be zoned Landscape Conservation.

In addition, we recommend that all titles within Glamorgan Spring Bay Council Municipality, with a conservation covenant be zoned Landscape Conservation.

This is in accordance with LCZ 1, LCZ 3 and LCZ 4 of *Guideline No.1, Local Provisions Schedule (LPS): zone and code application*.

We recommend that the draft LPS apply the Landscape Conservation Zone to additional titles on the Freycinet Peninsula. These are detailed below.

The following properties are proposed to be in the Rural Zone:

### **Property 1**

Property Address Lot 1 FLACKS RD COLES BAY TAS 7215

Property ID 3321029

Title Reference 167856/1

### **Property 2**

Property Address: FLACKS RD COLES BAY TAS 7215

Property ID: 2074855

Title Reference: 52694/7

---

### Property 3

Property Address: 65 FLACKS RD COLES BAY TAS 7215

Property ID: 5290246

Title Reference: 13015/4

### Property 4

Property Address: COLES BAY RD COLES BAY TAS 7215

Property ID: 2046408

Title Reference: 108848/2

These are subject to conservation covenants and it is recommended that these properties be in the Landscape Conservation Zone.

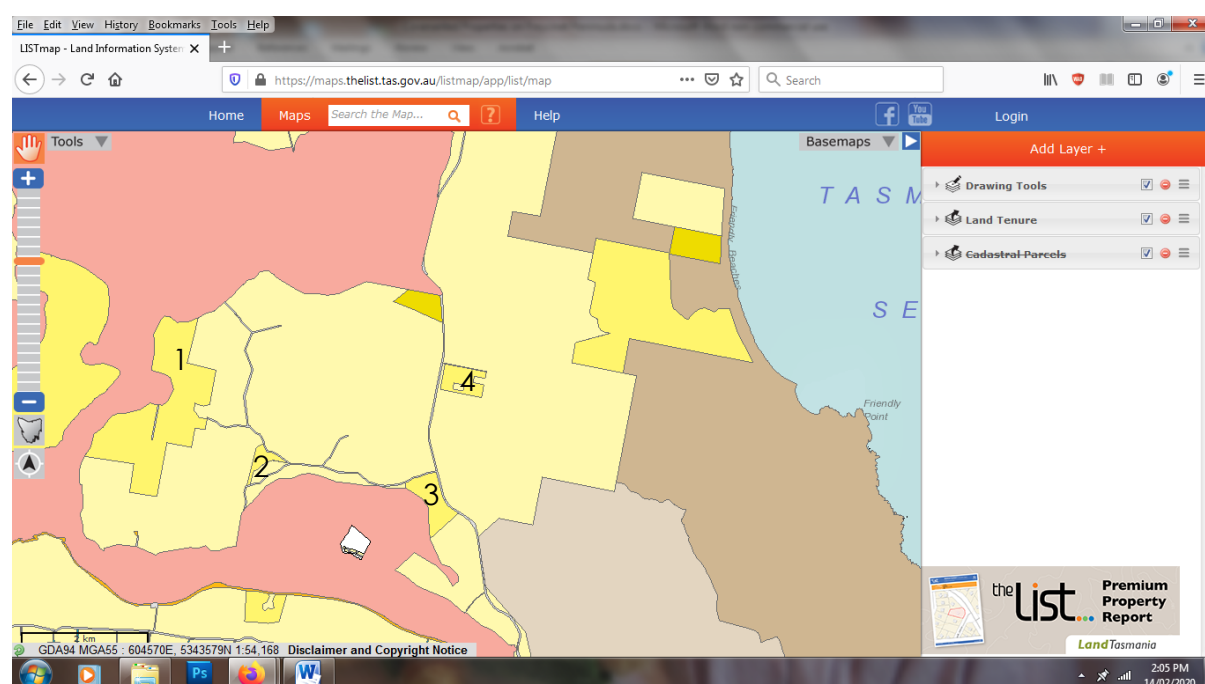


Figure 8 – Conservation covenanted properties 1 to 4.

### Property 5

Property Address: 477 COLES BAY RD FRIENDLY BEACHES TAS 7215

Property ID 1892282

Title Reference: 40678/1

(note check title/covenant boundary over river)



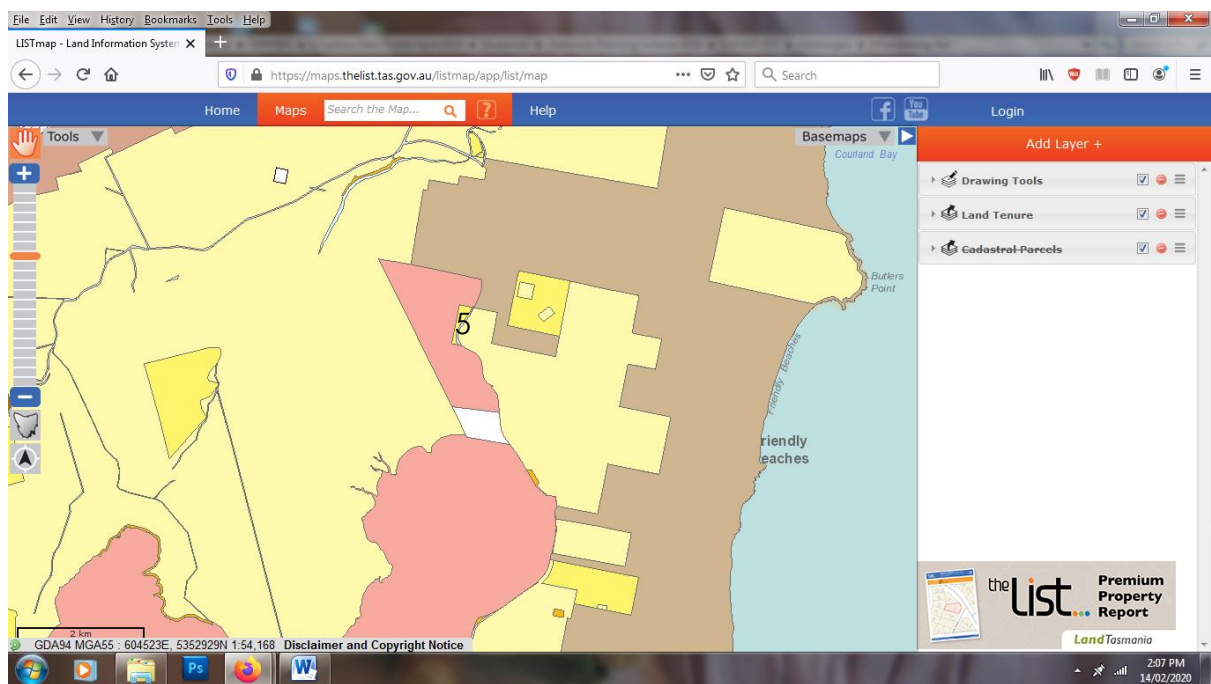


Figure 9 – Conservation covenanted property 5.

---

## Other Vegetated Land

We recommend that all land on Freycinet Peninsula, and Glamorgan Spring Bay Municipality more broadly, with high natural and scenic values, be zoned Landscape Conservation Zone. This may require split zoning.

In particular we recommend that vegetated areas, adjoining the internationally significant Moulting Lagoon Game Reserve Ramsar Site be zoned Landscape Conservation Zone.

As per the [Moulting Lagoon Game Reserve \(Ramsar Site\) Management Plan 2003](#), 'Moulting Lagoon Game Reserve 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. Thirteen plant species found in the Moulting Lagoon area are of particular importance for conservation because of their threatened status. Moulting Lagoon/Great Oyster Bay is a site of geoconservation significance, and the spit at Nine Mile Beach is one of only two mid-bay spits in Tasmania.'

More specifically, we recommend that all vegetated land west of the Coles Bay Road, (highlighted in Figure 10), which forms an important part of the catchment of Moulting Lagoon, be Landscape Conservation Zone.

This area provides a critical buffer and helps maintain the integrity of Moulting Lagoon Game Reserve Ramsar Site. Any changes in land use, especially if zoned Rural, which is currently proposed for this entire area, will negatively impact this sensitive wetland. Changes in land use will potentially create pollutants e.g. rural pollution. There is also increasing pressure from tourism, which could be overwhelming for the lagoon, and for the maintenance of natural values.

The area highlighted in Figure 10 contains significant values:

- areas of conservation covenants. Some of this covenanted land is owned and managed as Permanent Reserves by the Tasmanian Land Conservancy, such as the [Big Punchbowl Reserve](#);
- revolving properties. The Tasmanian Land Conservancy revolves properties – that is they buy, covenant and sell properties with high conservation values. An example of this is [The Croft](#), located at 65 Flacks Road;
- areas of Land for Wildlife;
- The Tasmanian Devil conservation reserve;
- large areas of native vegetation;
- areas of important scenic values (especially as seen from Moulting Lagoon and the Coles Bay Road);
- threatened native vegetation communities;
- threatened species;

- 
- habitat and or refuge for threatened species;
  - important corridor habitat;
  - links to existing reserves;
  - natural areas that are stepping stones and/or refuge for wildlife; and
  - lagoon river frontage.



Figure 10 – vegetated land adjoining Moulting Lagoon, should be zoned LCZ.



---

## 5.0 Scenic Protection Code

The Coles Bay Conservation Area covers a total of 2297 hectares and immediately adjoins Freycinet National Park (Figure 1). The draft LPS has spatially applied the Environmental Management Zone of the SPPs to both these areas.

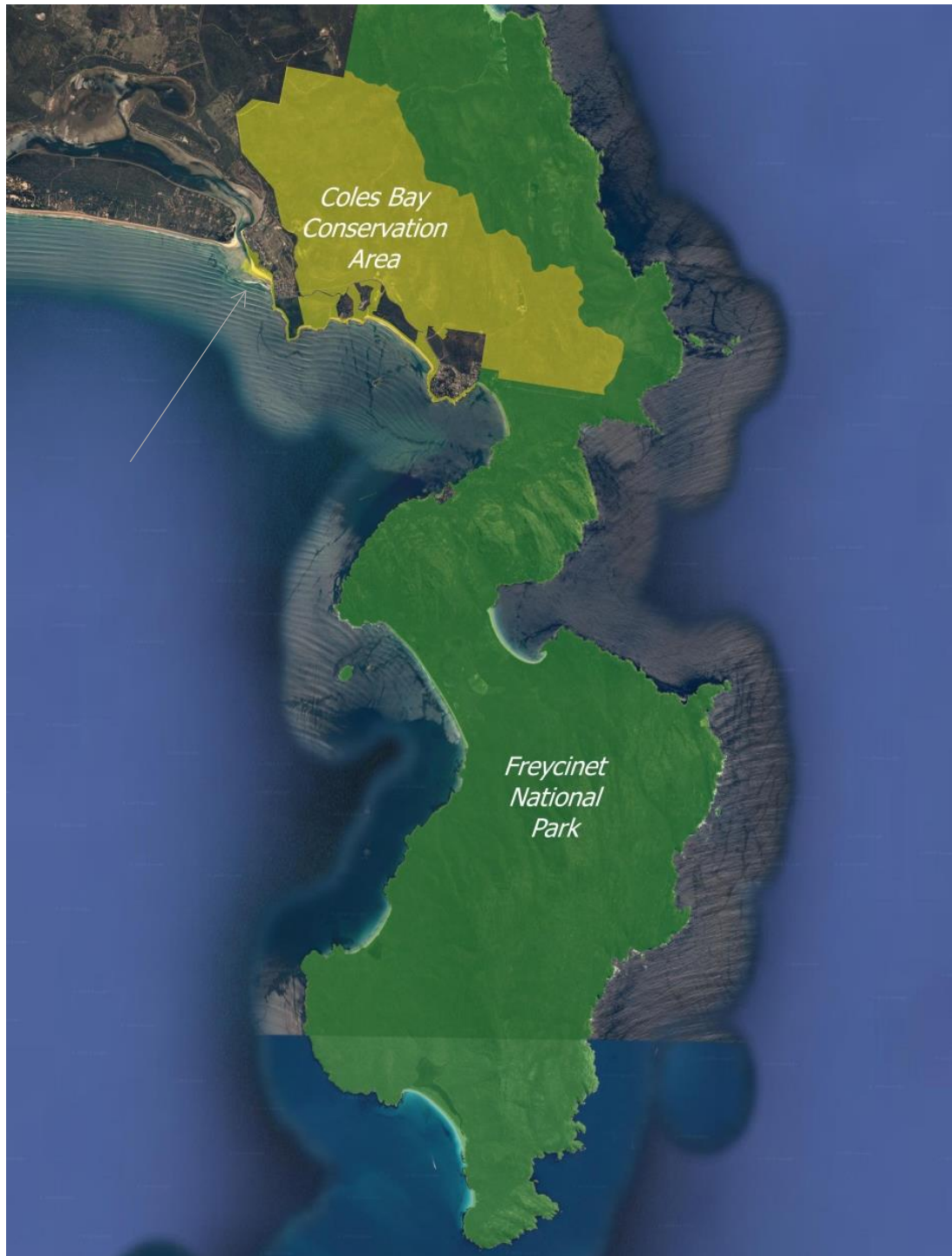


Figure 11: Coles Bay Conservation Area and spatial relationship to the Freycinet National Park1 - Coles Bay Conservation Area.



---

The C8.0 Scenic Protection Code of the SPPs, provides that a scenic protection area overlay, or a scenic road corridor can be applied to land identified at the local or regional level as important for protection of scenic values as per SPC 1 of *Guideline No.1, Local Provisions Schedule (LPS): zone and code application*. The Scenic Protection Code of the SPPs can be applied to land zoned Environmental Management Zone if it can be demonstrated that it contains native vegetation with scenic values or identified as having significant scenic views.

One such area is the Coles Bay Conservation Area. However, scenic protection area overlay is not applied to this area and is not shown on any of the Code overlay maps. Although it is noted that a scenic road corridor is shown for Coles Bay Road which runs immediately to the west of Coles Bay Conservation Area.

The overlay maps only identify scenic protection areas for small geographic areas adjacent to Swanwick and Coles Bay in this location.

It is appreciated that in review of the Supporting Report and in particular Attachment 4 that the application of the C8.0 Scenic Protection Code has been duly considered. Nevertheless, the lack of application of a scenic protection area to the all-important Freycinet National Park and adjoining Coles Bay Conservation Area fails to recognise the importance of protecting the scenic landscape values that should be afforded to these prominent locations.

Therefore the request is made for the inclusion of a scenic protection area to be shown on the Scenic Protection Code overlay maps in the draft LPS for the Coles Bay Conservation Area and the adjoining Freycinet National Park.

The Scenic Protection Code should also be placed over all areas seen from the [Great Eastern Drive](#). The Great Eastern Drive extends for around 176 kms between Orford and St Helens on Tasmania's east coast.

As stated by [www.greateasterndrive.com.au](http://www.greateasterndrive.com.au) as "Experience one of Australia's greatest road trips on the Great Eastern Drive. This is a true journey of discovery that will lead you to the best-loved places and experiences of Tasmania's east coast region. Here, every turn unveils a new view to take your breath away, and a new invitation to stop and explore. In this road trip itinerary we show you what's on offer from south to north, or if you prefer from north to south. Just choose and shape an adventure to suit you."

Much of the [Great Eastern Drive](#) is located within the boundaries of Glamorgan Spring Bay Municipality.

Additionally, this representation calls for the provisions embedded within the C8.0 Scenic Protection Code of the SPPs to be reviewed, fine-tuning the use and development controls (including exemptions) with respect to assessment development to areas where this Code applies, especially if it is to be an effective planning tool to manage landscape values.

---

We express sincere concern that there is an inability to deliver the objectives through this Code as there are certain exemptions afforded to use and development that allows for detrimental impact on landscape values. This of course extends beyond the municipal boundaries and requires careful consideration at a State level to support and protect the natural assets that underpin the tourism economy and our precious natural/cultural landscapes.

**Glamorgan Spring Bay Council  
Draft Local Provisions Schedule  
Submission**

15<sup>TH</sup> February 2020

---

**With reference to Glamorgan Spring Bay Local Provisions Schedule**

**Swansea MAP No.11/22**

This submission supports the zoning of the land located on the southern boundary of the town of Swansea to remain zoned Rural, taking into account the character of this area, and the close proximity of the coastal reserve, and the following environmental matters.

- There is a recognised Wetland on 69 Old Spring Bay Rd.
- This area cannot be serviced by town sewerage system.
- There must be a limit to the number of septic tank systems in this area.
- The site is located close to the Coswell Beach Conservation Area, which contains a Little (Fairy)Penguin colony.
- The Little Penguin is listed as a Protected species in Tasmania and will be adversely impacted by proposed rezoning of the site (other than Rural).
- This conservation area provides nesting habitat for the protected Little Penguin.
- Any proposed rezoning or future development of a scale envisaged (say) as a Rural Living zone to allow Multiple Dwellings will have significant impact on the Little Penguins and surrounds.

We support Council's view that a continuum of Rural zoning of this area is appropriate to ensure total avoidance of any adverse impact and the protection of the coastal reserve and surrounding environmentally sensitive areas including the wetland and the protected Little Penguin colony.

Yours Faithfully

13 February 2020

The General Manager  
Glamorgan Spring Bay Council

Attention: Nell Nettlefold

### **Draft Local Provisions Schedule**

I refer to my discussion with Nell Nettlefold on 11 February 2020 concerning the Glamorgan Spring Bay draft Local Provisions Schedule (LPS) prepared and submitted to the Tasmanian Planning Commission, specifically the proposal to classify the Orford Golf Course as Recreational under the LPS.

By way of background, the Orford Golf Club was founded in 1957. It currently has some 270 members and serves as a community hub for members and non-members alike. As well as its regular weekly and mid-week competitions, a social day is held on the last Sunday of each month which is attended by up to 100 people including members and non-members from the community. The facilities are used for private functions by the community and the course has many visitors year-round.

The Orford Golf Club currently owns some 200 acres of land of which approximately half is currently used as a golf course. The remaining land is undeveloped. That land utilised as a golf course is clearly defined as being south of Shea's Creek and is identified as such under the current IPS Zoning.

The supporting report states "The draft LPS proposes to extend the application of the RZ to cover the entire golf course consistent with its on ground spatial extent."

This is not consistent with the current usage of this section of land. The land proposed to be covered by the extension has never been utilised for golf or any other sporting/recreational purpose. Nor has there ever been any intention to use the land as part of the golf course. The land has been held by the Club for some 60 years and has always been regarded as a valuable asset to the Club, only to be utilised in extraordinary circumstances if required at some stage in the future. To extend the zone as recreational would be restrictive for potential future uses. The terrain is largely unsuitable for other sporting pursuits and would most likely be only suitable as a golf course, which as stated, the Club has no intention of doing.

There is no objection to the recreation zone over the footprint of the course (as currently), but we do object re that land owned by the Club but not part of the course footprint. It is not suggested that this land be rezoned as residential, but that it could continue with no substantial change as currently zoned (rural residential), or rural under the draft LPS.

We understand that split zoning of single titles could be problematic. But in this situation, we believe it is justified. Alternatively, the current single title could be subdivided into two separate titles and be zoned accordingly. The Club recently considered such a proposal but agreed not to proceed at this stage, but perhaps this is a course of action the Club should bring on in order to more appropriately deal with the draft LPS zoning. In other words, it may be premature to rezone at this time until the Club can proceed with the subdivision, if that is what is required.

Should you have any questions, please do not hesitate to contact me on

Regards



14 February, 2020

Nel Nettlefold  
Glamorgan Spring Bay Council  
9 Melbourne Street, PO Box 6,  
Triabunna TAS 7190  
E: [contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

Dear Nel

## GLAMORGAN SPRING BAY COUNCIL LOCAL PLANNING SCHEDULES

\_\_\_\_\_ is a for-purpose, apolitical, conservation organisation that protects nature on private land \_\_\_\_\_. Since humble beginnings in 2001, with \$50 in the bank and a handful of volunteers, the \_\_\_\_\_ has grown to become one of Tasmania's largest private landholders. Our mission is to look after Tasmania's unique natural places, rare ecosystems, and the habitat of threatened plants and wildlife on private land. We value nature and the cultural, social and economic benefits it provides us all.

The \_\_\_\_\_ works across four main areas:

- PROTECTING NATURE in the \_\_\_\_\_ reserves, in partnership with private landholders, and by selling protected properties to conservation-minded buyers.
- LOOKING AFTER NATURE through reserve management principles informed by robust science.
- INNOVATING FOR NATURE by using smart business principles, bold ideas and leading technologies.
- INVOLVING PEOPLE by providing opportunities to experience nature, achieve nature conservation and support the work of the \_\_\_\_\_

Read more about our work in the [Annual Report](#).

Three of our twenty reserves across the state are in the Glamorgan Spring Bay municipality:

- [The Big Punchbowl Reserve](#) (PID 3321029)
- [Long Point](#) (PID 2666631)
- [Little Swanport](#) (PID 7533133)

We also currently \_\_\_\_\_ several covenanted lifestyle blocks in the municipality and are currently settling on another major purchase. Our total estate in the municipality (by the end of March) will be in excess of 3,000 hectares. Our primary aim as landholders is to protect and manage areas with significant conservation values for nature and for the public good. We work with the local community to encourage nature conservation in surrounding areas, connecting habitat to build resilience across the landscape.

It is in the state's interest to look after nature, and planning instruments that protect natural assets across Tasmania are critical. The public benefit from healthy and intact natural

systems includes water quality and retention, ecosystem function, pollination services, soil health and stability, aesthetic values, landscape resilience in a changing climate and personal wellbeing.

While the public focus is often on national parks, extensive estate is protected through conservation covenants on private land. The Department of Primary Industries, Parks, Water and Environment (DPIPWE) along with the agricultural sector and regional Natural Resource Management (NRM) committees, acknowledge the significant role of private landowners in conserving Tasmania's natural capital and the public and private benefits that flow from this approach. 'Capable land stewardship conserves the natural environment, providing benefits for future Tasmanians and visitors while enabling landowners to maintain market access and capitalise on new opportunities' ([DPIPWE's Private Land Conservation Program](#)).

Covenants are legally binding under the *Nature Conservation Act (2002)* and are registered on the land title. Usually established in perpetuity, covenants give peace of mind that natural values, such as native flora and fauna, natural wetlands and geo-conservation assets, will persist for generations. Nature conservation on private land makes an enormous contribution to the National Reserve System, Australia's network of protected areas.

In Tasmania, as at September 2019, there were 886 conservation covenants, protecting 109,325 hectares across a diversity of habitats. Many of these covenants are vegetation communities that are poorly protected on public land. On-title protections identify the conservation values onsite, and the required management to ensure their wellbeing.

The view from Devil's Corner at Cherry Tree Hill is familiar to Glamorgan Spring Bay locals, and many visitors to the area. While people may focus on the spectacular Freycinet National Park in the distance, in the foreground and behind the vineyard, there are fifteen private properties with an on-title conservation protection (two belonging to the Private landholders are making a huge contribution to ecosystem health, species habitat, water quality in Moulting Lagoon and the scenic qualities of the area. The sum is greater than the parts when protected areas are connected across the landscape (see tenure map attached).



Private land conservation, from Cherry Tree Hill. Image by Eddie Safarik

As an organisation with land and associated partnerships throughout the state we have a strong interest in planning provisions, particularly regarding the recognition and protection of

natural assets. The            welcomes the opportunity to provide feedback on the Glamorgan Spring Bay Local Provisions Schedule. We also wish to provide some general comments on the Tasmanian Planning Scheme Statewide Planning Provisions.

In summary:

### **Environmental Management Zoning**

The            believes our Long Point, The Big Punchbowl and Little Swanport reserves (PIDs above) should all be zoned Environmental Management. The purpose of these reserves aligns with the Environmental Management Zone Purpose:

23.1.1 To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value; and

23.1.2 To allow for compatible use or development where it is consistent with:  
(a) the protection, conservation and management of the values of the land; and  
(b) applicable reserved land management objectives and objectives of reserve management plans.

Unlike the Landscape Conservation Zone, the Environmental Management Zone recognises ecological and scientific values, which are important values on these reserves. The            is implementing long-term ecological monitoring to track the condition and trajectory of any changes to natural assets. Our science and research programs are delivered in collaboration with state and Commonwealth bodies, universities and community organisations - locally, nationally and internationally.

If it is deemed that these listed properties will not be zoned Environmental Management, the next best option is Landscape Conservation zoning. Rural is not appropriate for the values and land use.

### **Zoning conservation covenants**

In Tasmania, privately protected land covers a smaller area than publicly protected land, but it contains a higher percentage of threatened communities. Despite this, many properties with conservation covenants on title are currently zoned rural. All properties under conservation covenant (apart from the            permanent reserves, mentioned above) should be zoned Landscape Conservation.

Private reserves, including all private Conservation Covenants and            reserves, have a reserve management plan prepared by experts to protect, conserve and manage the ecological, scientific, cultural and aesthetic values of the area in the public interest. These plans guide the protection and management of the land.

Zoning for the broader landscape should also be carefully considered to avoid diminishing the surrounding natural values through fragmentation.

### **Mapping natural assets**

To maintain connectivity in the landscape, natural values must be understood: mapping plays a critical role. The Priority Vegetation layer must be a statewide resource that is current and maintained. All species and vegetation communities listed under the *Threatened Species Protection Act*, *Nature Conservation Act* and the *EPBC Act* should be included in the priority vegetation mapping. Beyond the mapping of threatened species and communities, important cross tenure landscape linkages and corridors should also be recognised. In a changing climate, priorities for nature conservation will also change and it is important for the planning system to be able to respond effectively based on current data.

### **Reducing fragmentation in the landscape**

The connectivity of natural values is critical to achieve conservation outcomes. Connecting habitat from the coastal or riparian zones, to ridgelines enables species movement across habitats while building resilience in the landscape. Fragmentation of natural values impacts ecological function. Permitting development or a land use incongruent with ecological health, will impact the integrity of these systems.

By example, Moulting Lagoon is an internationally significant Ramsar listed wetland which supports a large number of waterbirds at key stages of their lifecycles. As noted in the Moulting Lagoon Game Reserve (Ramsar Site) Management Plan 2003, it provides year-round habitat for approximately 8000 black swans and is a critical late-summer staging area for shelducks, chestnut teal, and several shorebird species. It is also home to the largest Tasmanian flock of greenshank and 13 threatened plant species. One of only ten Ramsar sites listed in Tasmania, Moulting Lagoon is a site of geoconservation significance. Both the Big Punchbowl and Long Point reserves flank Moulting Lagoon.

It is critical to maintain an intact vegetation buffer to protect the health and integrity of this internationally significant wetland. All vegetated land west of the Coles Bay Road should be maintained and zoned Landscape Conservation.

Likewise, maintaining intact vegetation on rivers such as the Little Swanport and Prosser is critical for the health of both waterways and catchments.

### **Consistent application of the Natural Assets Code**

It is important to have a Natural Assets Code as this is an essential tool in the protection of biodiversity and sustainable use. The [Natural Assets Code information sheet](#) notes that 'The Natural Assets Code provides consistency across the State regarding the protection of important natural values and recognises the significant role that other State and Commonwealth legislation has in biodiversity conservation'.

While claiming to provide consistency, the Natural Assets Code does not apply to the agricultural zone. This must be amended as a matter of urgency.

The code also needs a full and thorough review to remove the exemptions, omissions and terminology vagaries. Without a stronger commitment to the protection of our natural assets there will be continued fragmentation and degradation of important habitat. If the priority vegetation layer is not applied across all zones the risk of further extinctions in Tasmania will increase, while also adding more species to the endangered list. There is also a unique opportunity to apply a landscape-scale, cross-tenure approach that identifies habitat linkages, corridors and climate refugia.

Let's not miss the opportunity to ensure that natural assets such as irreplaceable, rare and significant species and vegetation communities are recognised, valued and protected.

### **Future conservation covenants**

The runs the [Revolving Fund program](#), where property with high conservation values is bought, and an on-title conservation protection established before the land is sold. Small-scale building envelopes are often defined within the title, identifying a site where disturbance will have the lowest impact on the conservation values that are being protected. A human presence in these natural settings helps to manage the natural values. While the exact location of future Revolving Fund properties cannot currently be discerned, the planning provisions should enable small-scale, appropriate residential opportunities for these situations.

**Applying the Precautionary Principle**

Furthering the objectives of the Resource Management and Planning System (RMPS) as outlined in Schedule 1 of the *Land Use Planning and Approvals Act 1993* through sustainable development involves:

‘managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –

(a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

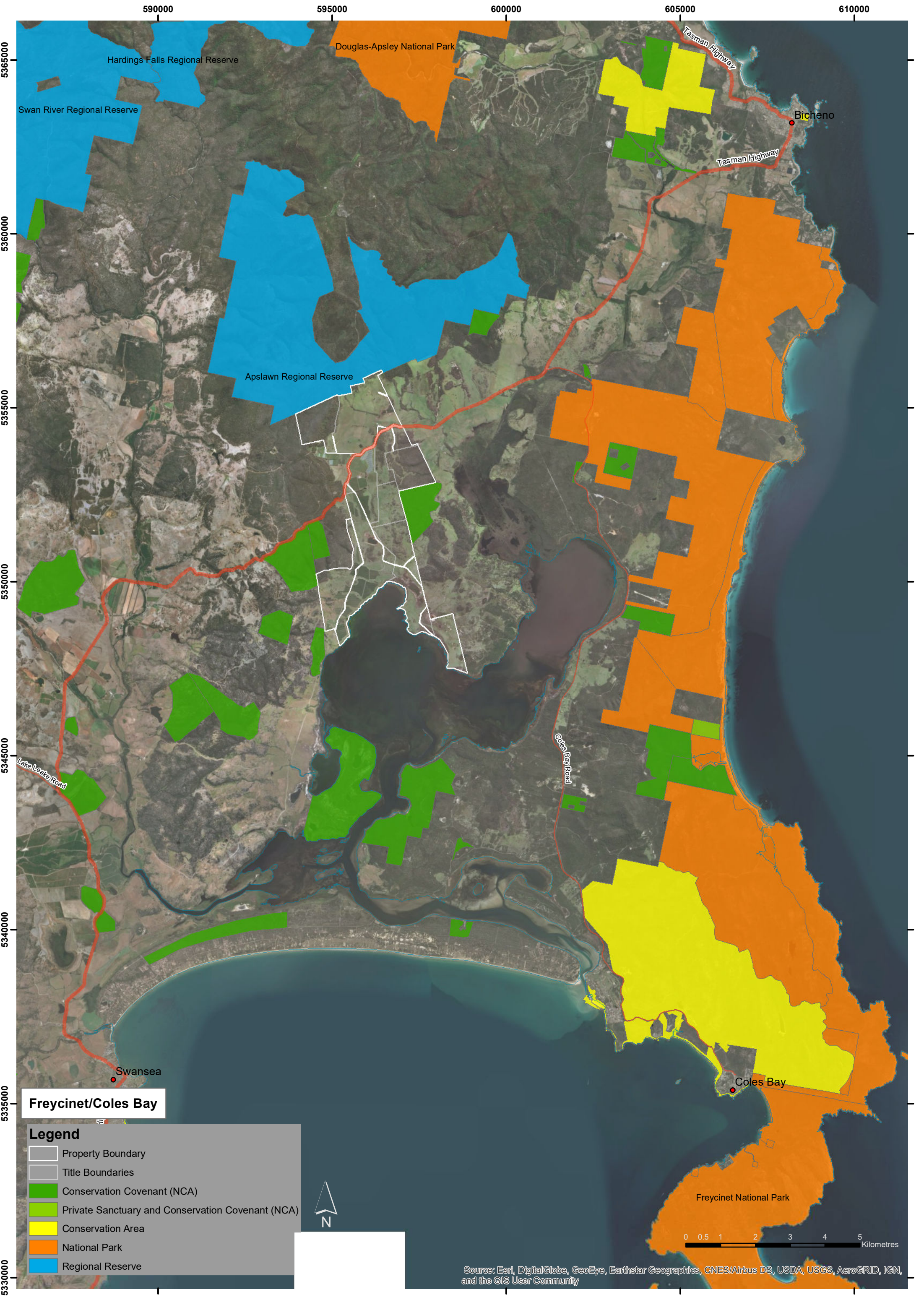
(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.’

With unprecedented seasonal variations, natural systems and vegetation communities are changing. Now more than ever, we need good planning, based on the best information available at the time. Applying current research, monitoring and mapping data is critical to ensure sustainable use. The most up to date information must inform decisions, and when we don’t have adequate information, the precautionary principle should apply.

We welcome the opportunity to present this, and additional information (including PIDs of new Revolving Fund properties and a reserve for proposed re-zoning) at a hearing.

Yours sincerely





590000

595000

600000

605000

610000

5365000

5360000

5355000

5350000

5345000

5340000

5335000

5330000

Hardings Falls Regional Reserve

Douglas-Apsley National Park

Tasman Highway

Bicheno

Tasman Highway

Apslawn Regional Reserve

Lake Leake Road

Coles Bay Road

Swansea

Coles Bay

Freycinet National Park

### Freycinet/Coles Bay

- Legend**
- Property Boundary
  - Title Boundaries
  - Conservation Covenant (NCA)
  - Private Sanctuary and Conservation Covenant (NCA)
  - Conservation Area
  - National Park
  - Regional Reserve



0 0.5 1 2 3 4 5 Kilometres

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



## Maree Tyrrell

---

**From:**  
**Sent:** Tuesday, 4 February 2020 10:42 AM  
**To:** Contract Planner  
**Subject:** FW: Submission in relation to the draft Local Provisions Schedule (G.S. B.), forming part of the statewide Planning Provisions.

-----Original Message-----

From: GSBC Admin  
Sent: Tuesday, 4 February 2020 10:31 AM  
To: Planning <planning@freycinet.tas.gov.au>  
Cc: Chris Schroeder <Chris.Schroeder@freycinet.tas.gov.au>; Josie Higgins <Josie.Higgins@freycinet.tas.gov.au>  
Subject: FW: Submission in relation to the draft Local Provisions Schedule (G.S. B.), forming part of the statewide Planning Provisions.

-----Original Message-----

From:  
Sent: Tuesday, 4 February 2020 7:24 AM  
To: GSBC Admin <admin@freycinet.tas.gov.au>  
Subject: Submission in relation to the draft Local Provisions Schedule (G.S. B.), forming part of the statewide Planning Provisions.

General Manager  
Glamorgan Spring Bay Council  
Melbourne Street  
Triabunna 7190.

Dear Chris,

My wife and I have been involved in the formation of submission.

We wholeheartedly support this submission and hope it will be useful in Council's long term planning and decision making.

Yours sincerely,

15<sup>th</sup>, February 2020

Dear Madam/Sir,

Please find this our representation in regard to the Glamorgan Spring Bay draft Local Provisions Schedule. Our property title number [redacted] is currently zoned "Significant Agriculture" and it is proposed to rezone to "Agriculture" under the Glamorgan Spring Bay draft Local Provisions Schedule.

Our property, [redacted] is 44.774 hectares and as the [redacted] it is rocky. This rocky soil extends across the western and northern reaches of the entire property. Further, the southern land of the property is heavily subjected to river rock. How anyone could interrupt rocks as "Significant Agriculture" is indicative of the lack of feet on the ground or local consultative research. Rather, what we see here is the possibly the outcome of a computer based study to complete an onerous zoning process.

Our neighbours' properties to the south including [redacted] are currently zoned "Rural Resource" and are proposed to be rezoned "Rural" in the draft Local Provisions Schedule. Likewise, our other adjoining neighbours to the south east with Tasman Highway frontage, currently zoned "Significant Agriculture" are proposed to be rezoned "Rural" in the draft Local Provisions Schedule.

Further we raise objection to the suggested low risk rating of "Landslip Hazard Code". In January 2016 we suffered the heaviest westerly rain and flooding in living memory. At the time and following this event there was no land slippage on [redacted] During this time, we were carrying sheep and they safely sought shelter on the very land slip area as marked on the Swansea North Map 8 of 22 area. We also contend that the Natural Assets Code map 8 of 22 suggesting the north west corner of our property is a "Priority Vegetation Area" is just not an accurate description of the area identified a large part of which is a house site.

We therefore request under the draft Local Provisions Schedule we be rezoned "Rural" in a similar manner to neighbours. This we believe sit's more in tune with the new zoning intent and proposed outcomes.

Having only just found out about the closure date of representations to be submitted; this has impacted our ability to research our representation which we recognise as limited, our apologies for this. However, after being out of the country during the last zoning exercise, better late than never comes to mind.

We therefore trust you will consider this request in a strategic manner. Taking in our remarks, reviewing the property location and come to a favourable consideration. We are available at any time on email or [redacted] to further discuss this matter.

Yours respectfully,

General Manager  
Glamorgan-Spring Bay Council  
[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)

Attn: Nell Nettlefold

Dear Nell,

## **GLAMORGAN SPRING BAY DRAFT LOCAL PROVISIONS SCHEDULES (LPS)**

I write in relation to Council's draft LPS that is currently on public exhibition. Please consider this submission as a representation on behalf of

### **1. Louiseville Road Specific Area Plan**

Section GSB-S3.0 Louiseville Road Specific Area Plan (SAP) is intended to facilitate the development of a tourism, recreational, and residential estate at Triabunna. It defines various precincts that are intended for different uses.

Clause GSB-S3.8 A1 specifies minimum lot size requirements for subdivision that override the standard zone requirements. This includes a minimum lot size of 450m<sup>2</sup> for the Residential Precinct and 250m<sup>2</sup> for the Hub Precinct. There is no discretion available to consider any variation to this requirement.

The Residential Precinct directly interfaces with a significant area of bushland within the Open Space & Reserves Precinct to the north. Other parts of the Residential Precinct interface with what appears to be surrounding grasslands. Future subdivisions within these precincts will therefore be required under Section C13.0 of the State Planning Provisions (Bushfire-Prone Areas Code) to accommodate hazard management areas from surrounding bushfire fuels to limit the Bushfire Attack Level to future buildings to a maximum of BAL-19.

Of concern to is that the SAP will mandate the creation of relatively small lots that will unlikely be able to accommodate BAL-19 separation. For example, the required separation for lots adjoining the bushland in the northern section of the Open Space & Reserves Precinct will likely be in the range of 23-34m (depending on the fuel type and slope).

Given this is the case, it is unclear whether the expectation is that perimeter firebreaks will be established on private land in the Open Space & Reserves Precinct and Golf Precinct to achieve the required separations and if so, who would be responsible for

their maintenance. If the expectation is that lot owners will be responsible for maintaining fuels within adjoining precincts, consideration should be given to whether the relevant land use provisions allow for this.

A simple solution to this issue would be to provide Performance Criteria to allow the planning authority discretion to consider variations to clause GSB-S3.8 A1. The Performance Criteria should allow for flexibility so that future lots can contain their required hazard management areas within their precinct.

## 2. North Bicheno Future Urban Particular Purpose Zone

Section GSB-P5.0 applies to a future growth area that is within the Bushfire-Prone Areas Overlay. The long term development of the land will infill the area between the Tasman Hwy and the coast.

Clause GSB-P5.6.2 requires that new buildings and works be assessed at Council's discretion (as there is no Acceptable Solution) and must be in accordance with a 'development plan' approved by Council. The requirement is as follows:

<p><b>A1</b></p> <p><i>Buildings and works are for an addition or alteration of an existing use</i></p>	<p><b>P1</b></p> <p><i>Buildings and works must be in accordance with a <b>development plan</b> approved by Council that may specify:</i></p> <ul style="list-style-type: none"><li><i>(a) the provision of services;</i></li><li><i>(b) the design of roads;</i></li><li><i>(c) the subdivision of land, including lot size and frontage for all or part of the site;</i></li><li><i>(d) the use of land;</i></li><li><i>(e) the density of development; and</i></li><li><i>(f) any requirements for development not otherwise specified in this zone for setback, design, landscaping, outbuildings, fencing, outdoor storage areas, signage and requirements for particular uses.</i></li></ul>
---	--

It's clear that the intention is that a concept master plan be developed for the area, although 'development plan' is not a defined term and it unclear through what process it will be 'approved by Council'.

For the purposes of future master planning it is important that all site constraints are identified and considered in the design, including bushfire protection requirements as these will affect the siting of building areas. It is noted that the site is also largely subject to coastal inundation and this should also be considered in any future development plan.



For this purpose, P1 specifies that the development plan must consider any requirements for development not addressed in the zone for a limited range of matters. In responding to P1(f) it is possible a designer may consider bushfire and coastal inundation however these are not specifically referred to and could easily be overlooked. For example, it is possible that a ‘development plan’ is prepared that shows a conceptual lot layout that conforms to the relevant residential standards but does not factor in the need for BAL-19 separation from the coastal fuels east of the PPZ.

To ensure future master planning does not overlook natural hazard considerations we recommend that P1(f) be amended to be more specific as follows:

*(f) any requirements for development not otherwise specified in this zone for setback, design, landscaping, outbuildings, fencing, outdoor storage areas, signage, bushfire, coastal inundation and requirements for particular uses.*

### 3. The Gulch Particular Purpose Zone

Section GSB-P2.0 applies to land intended primarily for maritime, aquaculture, tourism and related activities that minimise impact on the historic and landscape values of the area.

Clause GSB-P2.6.3 requires that development must “*minimise the loss of native vegetation*” but are silent about the need to factor in bushfire protection when determining what “minimise” entails. The requirement is as follows:

<p><i>A1</i></p> <p><i>Building and works is for additions or alterations only.</i></p>	<p><i>P1</i></p> <p><i>Building and works must:</i></p> <ul style="list-style-type: none"> <li><i>(a) be of a scale consistent with other buildings in the zone;</i></li> <li><i>(b) use materials that are compatible with other buildings in the zone;</i></li> <li><i>(c) minimise the extent of cut and fill;</i></li> <li><i>(d) <b>minimise the loss of native vegetation;</b> and</i></li> <li><i>(e) maintain the coastal views from Waubs Esplanade.</i></li> </ul>
---	--

It is recognised that clause 5.2.6 of the State Planning Provisions partially addresses this issue as it ensures that PPZ does not override the Bushfire-Prone Areas Code’s requirement for hazard management areas. Notwithstanding this, it may not be immediately obvious to readers that this is the case.

Furthermore, the scope of the Bushfire-Prone Areas Code is limited to subdivision and defined vulnerable and hazardous uses. There is no requirement under the Code (or

any other part of the Tasmanian Planning Scheme) to provide hazard management areas for any other type of building as they are regulated for bushfire protection through the *Building Act 2016* and associated regulations. Therefore, it is unclear whether bushfire protection will necessarily be considered when determining what is considered minimal vegetation removal.

To remove ambiguity, it is recommended that the P1(d) be amended as follows:

*(d) minimise the loss of native vegetation, having regard to bushfire protection requirements;*

If you would like to discuss this matter further, please contact myself on on  
or at .

Yours sincerely,

14 February, 2020

Chris Schroeder

General Manager

Glamorgan Spring Bay Council

P.O. Box 6, Triabunna, TAS, 7190

[planner@freycinet.tas.gov.au](mailto:planner@freycinet.tas.gov.au)

cc: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

**Re: Public Comment on the Statewide Planning Provisions (SPP)  
and the Local Provisions Schedule (LPS)**

### **Representation**

The purpose of this representation is threefold, namely :-

- (1) To say just how difficult it is for 'jo blow' to understand the complexities of the planning system
- (2) To confirm some positives of the proposed system, and
- (3) To highlight some omissions and additions.

# **1 Tasmanian Planning Scheme**

## **State Planning Provisions**

- 1.1 We support in principle the development of a simplified single State planning scheme.
- 1.2 Notwithstanding that “one size does not fit all” so we support the concept of a well thought out Local Provisions Schedule.
- 1.3 We believe the Zones, Codes, and Specific Area Plans are NOT negotiable, and this may contravene principles of natural justice. We would urge the Tasmanian Planning Commission to review this.
- 1.4 Notwithstanding 1.3 above, we are generally satisfied with the Zoning categories, if not their application.
- 1.5 Likewise, the Codes appear to be satisfactory and there has been some very good work done by people such as Inspiring Place in the Background Report Version 4 December 2019 to inform the Codes.
- 1.6 We understand that the application of Zones and Codes is the role of GSBC under the Local Planning Scheme, and that Guidance as to how Zoning should be applied is contained in something called the Section 8A Guidelines, however we were not able to locate these?
- 1.7 As a general comment though, Orford and surrounds historically was developed with quality lot sizes and housing, whereas in recent years ‘development’ has been driven by quantity rather than quality. This is going to end up with, ‘slums by the sea” development unless this is turned around in the near future.
- 1.8 The East Coast is a place of Natural beauty and scenic value, however the built environment leaves a lot to be desired. We must improve the quality of the built environment.

## **2. Demand & Zoning**

2.1 The University of Tasmania Institute for the study of Social Change Insight Nine Report," Regional population trends in Tasmania: Issues and Options," identifies 15 of 29 Tasmanian Councils with ageing communities as declining in population between 2020 and 2042, including GSB with a decline of 6.5%, as well as Break O'Day, Flinders, and Tasman.

These will be characterised by Hyper-ageing, the natural decline being replaced by migration, and tourism.

The consequence of these trends is that demand will be by market segments Eg. Aged Units, Affordable housing, Tourist accommodation) based on consolidated infill development within walking/riding distance from town services (education, health, communication, groceries, etc).

2.2 The Southern Tasmanian Regional Land Use Strategy (STRLUS) identifies Orford as a township of low growth (less than 10%) where any growth should be through infill consolidation rather than by green fields development. Hence, the area listed as Future Urban Zone adjacent to Rheban Road in the State Planning Provisions does not meet the Zoning Guidelines and is inconsistent with State and Regional policies. The proposed Zoning classification for this area is both inappropriate and premature, and would be more appropriately Zoned as Low Density Residential in light of the infrastructure constraints ( low rainfall dry climate water supply, Sewage flooding during storm events at the East Shelly Beach sewage pumping station, lack of bike/walking tracks, need for habitat corridors, occasional flooding during storm events etc).



2.3 We understand that the Orford Golf Club owns land surplus to its requirements (as it can only ever cater for a 9 hole course) and that this land has been Zoned as Recreational (possibly without consultation). This land has the potential to be available for infill development in consultation with the Golf Club legal entity. This could be seen as another example of premature and/or inappropriate zoning?

### **3. Specific Area Plans**

3.1 In general we support the SAP's and while we understand that these have been inserted as approved and are not able to be commented on, there is a case for each of the SAP's to be implemented as approved or not all. For example, we understand the Solis development (Louisville Road Specific Area Plan) was approved as an integrated Golf Course, accommodation, and residential development. As such it must proceed as a whole or not at all. To do otherwise will be to ensure the Golf Course never happens.

### **4. Codes**

4.1 In general we support the State Planning Provision Codes being applied to the Local Provisions Schedule, with the addition of the following comments.

#### **4.2 Local Historic Heritage Code (C6-0)**

Add to the Register "The Graveyard at Rheban on the southern side of Emerald Bay."

Restore the Railway cutting from the Quarries at Luther Point which was filled in by Council some 10-20 years ago. The cutting needs restoration and historic information provided for tourist traffic.

### **4.3 Natural Assets Code (C7.0)**

This Code is vital to the maintenance of Remnant Vegetation and Habitat for threatened and other species and the maintenance of wildlife corridors.

Species identified during the current summer holidays at East shelly Beach include: a sea eagle, a wedge tail eagle, an echidna, an eastern barred bandicoot, a blue tongued lizard, and numerous other bird species.

### **4.4 Scenic Protection Code (C8.0)**

Add to the Register, “Spring Beach,” which is a beautiful white beach with crystal clear green/blue water looking out on Maria Island and book-ended by the cliffs at both ends. It is highly valued and much painted and photographed.

The Scenic Protection Code needs to be applied and compliance ensured to front fences along scenic corridors including The Tasman Highway and Rheban Road to Spring Beach.

### **4.5 Coastal Erosion Hazard Code (C10.0)**

We note the identification of Raspin’s and Millington’s Beaches as areas of coastal erosion, however there appears to be no plan to re-route the Tasman Highway, for example, via the old Alma Road to the Tasman Highway prior to Barton Avenue?

Evidence from other places shows building walls only makes the beach erode faster so that is not a good option.

#### **4.6 Coastal Inundation Hazard Code (C11.0)**

Develop Strategies and Policies for 'getting ahead ' of impacts of sea level rise, storm events, and further inundation of unstable sand foreshores and allow no further development on such foreshores.

#### **4.7 Front Fences (SPP Table 4.6)**

Ensure design and building compliance of Front Fences in accordance with SPP 4.6.3 for fences within 4.5metres of a frontage:

- 1.2 m high if solid
- 1.8m high if openings above the height of 1.2m of 30% transparency
- Currently there are numerous fences being constructed which flout these Codes and nothing is being done to ensure compliance . I f something is not done soon we will have a child run over due to lack of vision arising from solid fences over the 1.2m height limit. This is a major public safety risk.

### **5. Conclusion**

With the application of the Tasmanian Planning Scheme and the State Planning Provisions, it is imperative that the interests and suburban characteristics of larger urban Councils do not lead to, 'suburbs in the paddocks' and 'slums by the sea,' in rural and coastal communities.

Hence the importance of a strong Glamorgan Spring Bay Local Provisions Schedule which strengthens rural communities in villages such as Buckland and Orford, and townships such as Swansea and Triabunna through infill development which promotes the efficient provision of human and infrastructure services.

While strengthening our communities, the application of the GSB Local Provisions Schedule and SPP Codes must be enforced by strong compliance to protect Local Heritage Values and sites (Code C6.0), Natural Assets (CodeC7.0), Scenic values and Protection (Code C8.0) including Front Fences, Town Gateways and main streets in addition to natural view fields of Maria Island, Mercury Passage, and Freycinet Peninsula.

In addition, preparedness for hazards such as Coastal Erosion (CodeC10.0, Coastal inundation (C11.0), Flood prone areas (C12.0), and Bushfire prone areas (C13.0) need to be planned for, sometimes in long term and radical ways before it is too late (NB: I believe Clarence council is one who has addressed these issues, though the dwellings on Roches beach may well be at risk of storm events).

I understand the Insurance Institute of Australia regards the movement of cyclones further south to the Gold Coast currently constitute their most significant risk (in addition to bushfires now I suspect). As evidence elsewhere demonstrates sea walls are not the answer and only increase the rate of sand being sucked out to sea, so radical plans such as re-routing the Tasman Highway at a higher altitude than Raspins Beach before all the land gets built on along Alma Road (or elsewhere). This needs real vision and leadership!

I trust this Representation is accepted in the spirit of contribution in which it is made, and would be happy to meet with anyone and discuss any aspect of the content. Please call me on Mobile

or contact me at this email address. I first came to the East Coast in 1950, so have seen both positive developments , mistakes made and missed opportunities..





## Maree Tyrrell

---

**From:**  
**Sent:** Tuesday, 18 February 2020 9:12 AM  
**To:** Contract Planner  
**Subject:** Attention: Contract Planner: rezoning of conservation property

Hi,  
We are the owners of Crossins Rd ( ), Swansea, which is 148 Hectares currently under a Conservation Covenant with an exclusion zone of 7 hectares.

You are probably already aware that most of the neighbouring lots are also under Conservation Covenants. This whole area, about 1600 ha in total, was purchased by the Tasmanian Land Conservancy, subdivided in 2014, renamed Blueman's Run and subsequently placed under Conservation Covenants.

In the draft Glamorgan-Spring Bay Local Provisions Schedule our land has been rezoned from Rural Resource to Rural as have most of the conservation covenanted land in Blueman's Run. We consider that zoning our land Rural is inappropriate and request that our land be rezoned to Landscape Conservation for the following reason:

Guidelines No. 1 Local Provisions Schedule: zone and code application June 2018 states that land 'identified for protection and conservation' should be zoned Landscape Conservation. See in particular 22.0 Landscape Conservation Zone.

We strongly suggest that all the properties in Blueman's Run that are under Conservation Covenants be rezoned to Landscape Conservation.

Regards,

The General Manager  
Glamorgan Spring Bay Council  
Melbourne Street  
Triabunna.  
Attention: Nell Nettlefold, Planner

14 February 2020

Dear Ms Nettlefold

**Tasmanian Planning Scheme LPS Submission**

Thank you for meeting with me on 11 February to clarify the content of the TPS and LPS. We are the owners of \_\_\_\_\_ and have taken an active interest in land use planning in the Swansea locality. I am aware that the proposed zonings for Swansea are those supported by the previous Council. Sites and public buildings previously endorsed by Council for disposal as being surplus are being reviewed by the current Council and indeed in the case of the former SES buildings in Arnol Street are being refurbished for community use. The "Structure Plan" prepared by Aurecon Pty Ltd was to have been an Access Plan and address the need for connectivity with urban form guidelines (e.g. street pattern, footpaths and cycleways) in the area.

The Local Provisions Schedule Supporting Report IV section 3.2.12 Flood Prone Access Code states: *The inability to produce a flood prone hazard area overlay thereby not implementing the Flood Prone Areas Code is consistent with the SPP and the Guidelines.* What is meant by inability and why is this acceptable to State and Local Government when flooding is hazardous to property, personal safety and the natural environment ? Council was required under the Urban Drainage Act 2013 to develop Stormwater System Management Plans by 19 December 2019 including maps showing all public stormwater systems within the urban area of its municipal area. Has Council not complied with the Drainage Act ? The mapping of 1 in 100 year flood events and the provision of existing and proposed public stormwater drainage infrastructure should be a prerequisite for the rezoning of land for residential and other urban uses.

We are concerned about the following General Residential zones in existing flood prone areas as apparently there are no Stormwater System Management Plans in the Swansea area:

- The General Residential Zone of flood liable land bounded by Maria Street, Wellington Street and River Road. Evidence of the need to raise the level of land or buildings above the floodplain can be seen on the River Road triangular shaped lot near the Julia Street intersection. Imported fill has created a local "eyesore" (see photograph) that planning controls should have prevented. Planning approval should be required for any landfill. Fill deposited to 1m above existing ground level is permissible under the LPS and this has created an uneven surface and possible health hazard from unconsolidated materials. Filling should not be permitted in the floodplain as it reduces the storage capacity of the floodplain, raises the level of floods and diverts flood water downstream.

- The General Residential Zone of land bounded by the Tasman Highway and the Cathcart Street reservation. The zone is in the same stormwater catchment as the approved 42 lot residential subdivision at 59 Old Spring Bay Road. Although approved over 3 years ago (planning permit 22 November 2016) no residential development has occurred indicating a lack of demand for small lot residential land in this locality. There is no public stormwater drainage infrastructure to service the increase in stormwater runoff from any future urban development.

We are concerned about specific zoning changes that do not reflect the community use of existing facilities:

- Page 8. B. Swansea, Franklin and Noyes Streets. General Residential Zone for the Community Purpose Zone. This includes a Council owned residence, community garden at 8 Noyes Street and the adjacent Police Station and police residence at 6 Noyes Street. Development controls in the TPS could result in redevelopment of these sites inconsistent with the character of the historic Noyes Street townscape. The statement that these uses “are not significant enough” is misleading and does not justify the zoning change.
- Page 9. C. 12 Bridge Street. Application of the GRZ from the Community Purpose Zone consistent with the CPZ of the guidelines. The “Scout Hall” is used by the community (PCYC & drum and flag corp.) and occasional RV campers. We believe the land is owned by the Presbyterian Church. It is subject to flooding being low lying and contains significant trees growing on the Schouten Beach sand dunes. Rezoning to General Residential may result in further subdivision (similar lot sizes to the recent Esplanade subdivision), loss of mature indigenous trees and local open space. Local amenity has been detrimentally impacted by the recent subdivision and General Residential zoning of the previous Swansea Holiday Park site fronting the Esplanade (see attached photographs). The CPZ should be retained.

The zoning of the two “holiday parks” is inconsistent; Swansea Beach Chalet accessed from Shaw Street is zoned General Residential and Swansea Holiday Park in Bridge Street is zoned Local Business. Both “holiday parks” provide accommodation for tourist and temporary visitors. The LPS states that neither zoning is entirely appropriate and it would seem the previous Recreation Resort zoning was appropriate and should have been retained in the TPS. The LPS should protect visitor accommodation and not enable a change of land use to residential. The recent subdivision of the Swansea Holiday Park to create a General Residential Zone addressing the Esplanade has reduced the size of the facility to cater for visitors and impacted on the visual quality of Schouten Beach through the construction of a two storey residence, “Beach House”, that overlooks the beach (see photographs). The “Beach House” blocks local residents views of Great Oyster Bay and Freycinet Peninsular.

#### **Code 6.0 Local Historic Heritage Code**

“Braeside” is a State Heritage listed property situated at 21 Julia Street, Swansea. The code specifically excludes Tasmanian Heritage listed properties from the LPS. The 22 local heritage listed properties are given protection in the LPS as Council is required, inter alia, to ensure that the height and bulk of proposed buildings are compatible with local heritage

significance and that fences match the existing original fences of the site. There are no similar requirements for a Tasmanian Heritage Listed property in the LPS.

The listing criteria for “Braeside” states; *This building is of historic heritage significance because its townscape associations are regarded as important to the community’s sense of place.* The State Planning Provisions contain a maximum permissible building envelope (see attached axonometric drawing) that does not allow for any variation except for the “frontage setback”. The envelope permits a three storey building or roof forms to 8.5 m high 6m from a property boundary. A building of this height and scale would adversely impact the character of the single storey “Braeside” and be a dominant building in the Swansea townscape. An adjacent high building at 23 Julia Street would dominate views of “Braeside” due to altering the silhouette of the heritage cottages roof forms when seen from Julia Street. A 3m high boundary wall would obliterate the existing 1m high historic boundary fence, overshadow our garden and block winter sunlight to our living/dining room. It would be incompatible with the scale and 4 m setback of “Braeside Cottage” from the common property boundary of 21 and 23 Julia Street.

Swansea has previously branded itself as “the Historic heart of the East Coast” but the town entry sign on Victoria Street has recently been removed. Many of the town’s buildings are heritage listed and the streetscapes of the pre 1960’s town centre gardens and buildings (orthogonal grid pattern prior to cul-de-sac subdivision) have a collective heritage value for many local residents and most visitors and tourists. The LPS provides an opportunity for Council and the community to identify a Local Heritage Precinct (ie overlay map) and list it in the Local Provisions Schedule. It would require a heritage architect or urban designer to assess the characteristics of the streetscapes of the streets shown on the marked up 2017 air photograph of Swansea. The characteristics of the built and natural elements that comprise the streetscape would be documented and guidance provided for new developments to protect and enhance a streetscape. The SPP states that a : *Local Heritage Precinct means a area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values, and is shown on an overlay map in the Local Provisions Schedule and listed in the local heritage precincts list in the LPS.* I have provided a few images to support the need for a Local Heritage Precinct for Swansea’s historic (pre 1960’s) town centre to guide development and the desirable character of the streetscapes.

Please contact me should you wish to clarify any of my comments.

Photographs illustrating planning issues



View of General Residential Zone land with River Road and extensive landfill along road frontage. Note this land is low lying and a part of Saltwater Creek catchment, crisscrossed by tributaries. Rezoning should preferably be Rural Living Zone and any General Residential zoning should be subject to a detailed investigation of flooding and a catchment management study.



The "Scout Hall" from Beach Street. Note significant trees along foreshore sand dune and low lying topography subject to stormwater inundation.





View across Swansea Holiday Park to recently constructed “Beach House” on the Esplanade. Note the 600 – 800mm high masonry retaining wall and the proximity of the building to the adjacent “Scout Hall”. This two storey building overlooks Schouten Beach and dominates views of Great Oyster Bay and the Freycinet Peninsular from the southern end of the Swansea Holiday Park and nearby residences. Similar landfill or elevation of future residence(s) on the “Scout Hall” site would be required to accommodate cross site stormwater flows and would impact local amenity.



View of existing community garden situated to the rear of 8 Noyes Street and shown as General Residential Zone in the LPS. This community facility should be a Community Purpose Zone as also the Council owned residence and the adjacent Swansea Police Station and associated residence.



This recently constructed residential building is located on the corner of the Tasman Highway and Julia Street. The building height and bulk overshadows the adjacent yellow brick residence.



View of new residence and boundary wall as seen from Julia Street. The high masonry wall on the property boundary and patio above has resulted in overlooking with the absence of any screening vegetation between properties.

Note that pedestrian access for the public is unsafe and the nature strip cannot be mowed, so is unkempt. The building dominates the streetscape as also the vehicles permanently parked on the nature strip.



View of the vacant land at 23 Julia Street and “Braeside” at 21 Julia Street. Note the sympathetic 1976 “wing” built on the footprint of the c. 1850 original cottage. The “wing” is setdown c.600 mm below the level of the driveway.



View of “Braeside” from Julia Street. *The building is of historic heritage significance because its townscape associations are regarded as important to the community’s sense of place* ( Tasmanian Heritage Register Datasheet). The building is State Heritage Listed (THR ID Number 1,550). A possible 8.5 m high building (permissible in the prescribed building envelope) on the adjacent vacant lot would dominate views of the townscape and be detrimental to the listed heritage value of “Braeside”.



**Images of Swansea Streetscapes and buildings in the Historic Town Centre**



View of Wellington Street from Noyes Street intersection. Note significant trees, hedges and low fences.



View of Noyes Street with Meredith House on left and All Saints Church of England on Right. Note significant trees, low fences and hedge.



Southern side of Noyes Street. Note significant trees, civic buildings including the former Swansea Courthouse, Police Office (red brick building) and Council Residence at 8 Noyes Street.



View of Victoria St. streetscape. Note former 1860 local school now East Coast Heritage Museum on corner of Noyes Street and Victoria Street.





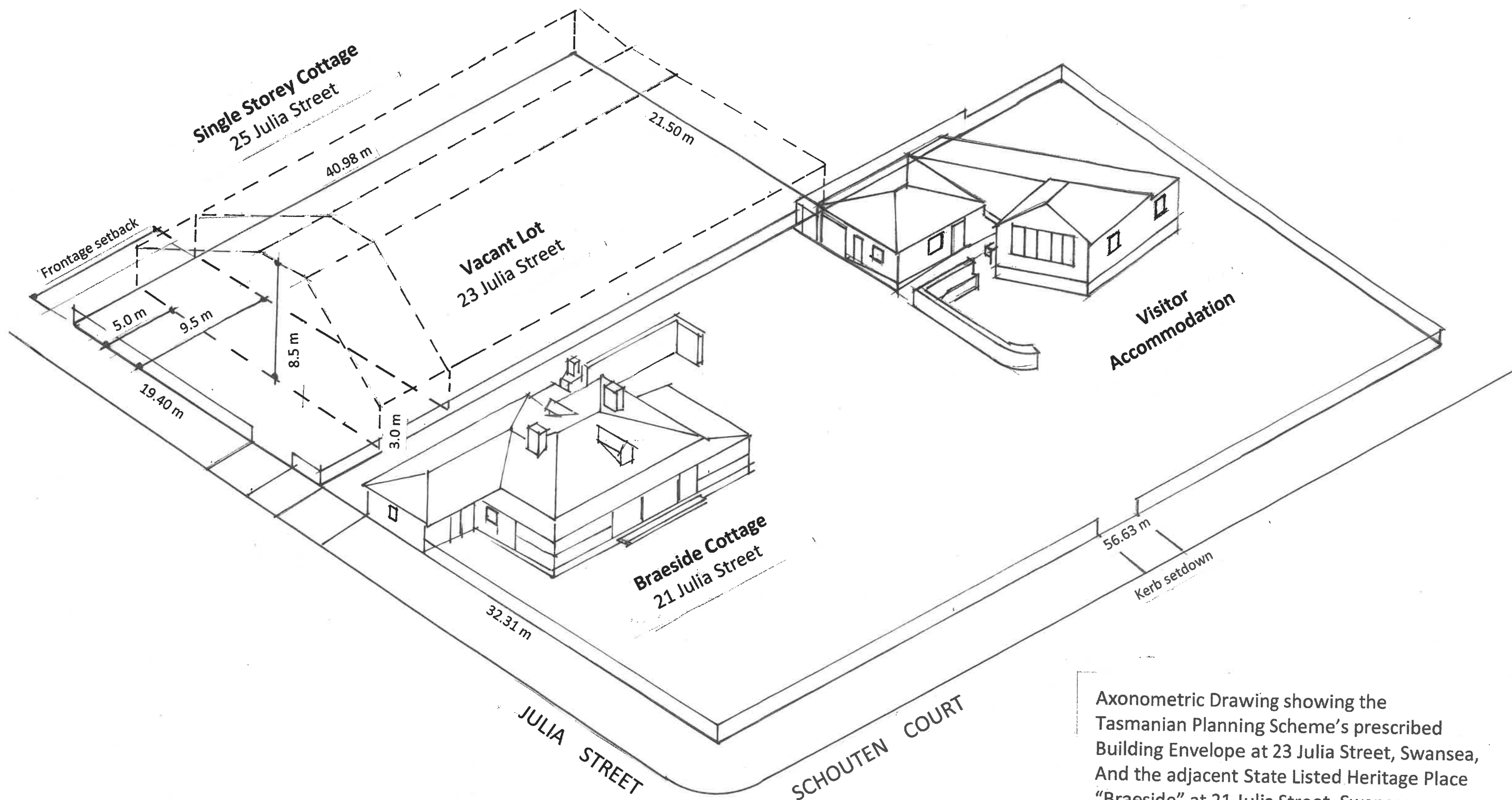
Franklin St. streetscape.



Simple Cottage in Julia Street. Note low height of picket fence.



Gemmels Cottage in Bridge Street located within Swansea Holiday Park.



Axonometric Drawing showing the Tasmanian Planning Scheme's prescribed Building Envelope at 23 Julia Street, Swansea, And the adjacent State Listed Heritage Place "Braeside" at 21 Julia Street, Swansea.

Scale: 1:250

Drawn: R. Bartlett

Date: 2.02.2020



NORTH



**Map of Proposed Local Heritage Precinct  
Swansea Historic Town Centre.  
Listing based on streetscape assessment with guidelines.**



Streets to be included in the assessment  
and proposed overlay



## Maree Tyrrell

---

**From:** Mick Purves  
**Sent:** Thursday, 16 April 2020 12:37 PM  
**To:**  
**Cc:** Maree Tyrrell; Maree Tyrrell  
**Subject:** FW: FW: New Planning Scheme  
**Attachments:** 7308 Tasman Highway zoning.pdf

Good afternoon

Please see the following email correspondence complaining about the proposed zoning of 7308 Tasman Highway, Orford.

The property owner missed the public exhibition of the Local Provision Schedule.

I shall be recommending to Council that they consider the issues raised within the email as a late representation to the LPS.

You may wish to update your records for the representations to the LPS to reflect this late addition.

Please advise if you have any questions.

Thanks and regards



**Mick Purves**  
Senior Planning Consultant  
(3 days per week)

Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA 7190  
P: 6256 4768  
E: [mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)

---

**From:** Mick Purves <mick.purves@freycinet.tas.gov.au>  
**Sent:** Thursday, 16 April 2020 12:29 PM  
**To:**  
**Cc:** Contract Planner <contract.planner@freycinet.tas.gov.au>  
**Subject:** RE: FW: New Planning Scheme

Hi

I am currently working through representations that were received to the statutory notification of the Local Provision Schedule (LPS), which finished in mid February. Map sheets 18 and 20 of the zoning identify that 7308 Tasman Highway was notified as being within the Landscape Conservation zone. Please see attached extract of the zoning map book.



The LPS assessment and determination process is set in the Land Use Planning and Approvals Act 1993. Public exhibition is the only process available for you to raise your concerns before the assessment body. Notification requirements are similarly set in the act, which were followed by the Council for the LPS. They do not include notification of individual property owners.

I shall recommend to Council that they consider your concerns as a representation to the LPS. This is the best that I can offer in the current circumstances.

It is likely that the Council will accept my recommendation under the circumstances. It will then be up to the Tasmanian Planning Commission to determine whether they will accept your concerns as a late representation. The Commission runs the actual assessment process for the LPS.

I hope this information helps your current situation.

Thanks and regards



**Mick Purves**

Senior Planning Consultant  
(3 days per week)

Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA 7190  
P: 6256 4768  
E: [mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)

**From:**

**Sent:** Thursday, 2 April 2020 3:24 PM

**To:** Planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>

**Cc:** Contract Planner <[contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)>

**Subject:** Re: FW: New Planning Scheme

No worries, thanks for the update.  
Hope to hear from them soon

On Thu, 2 Apr 2020 at 14:07, Planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)> wrote:

Good afternoon

Unfortunately Shane Wells hasn't been with Council since last September.

I have copied in our contract planner who is progressing the Local Provisions Schedule for us.

Kind regards



**Robyn Bevilacqua**

Graduate Planner

Glamorgan Spring Bay Council

PO Box 6

TRIABUNNA 7190

P: 6256 4727

E: [robyn@freycinet.tas.gov.au](mailto:robyn@freycinet.tas.gov.au)

**From:** \_\_\_\_\_

**Sent:** Thursday, 2 April 2020 3:02 PM

**To:** Planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>

**Subject:** Fwd: New Planning Scheme

G'day

Re:      [Tasman Highway - Orford](#)

Could someone please reply to my email below

Thank you

----- Forwarded message -----

From: \_\_\_\_\_

Date: Thu, 2 Apr 2020 at 13:57

Subject: Re: New Planning Scheme  
To: Shane Wells <[shane.wells@freycinet.tas.gov.au](mailto:shane.wells@freycinet.tas.gov.au)>

Hi Shane,

It has been more than 2 years since our meeting in March 2018 and more than a year since my email below.

Could you reply or get someone to reply please.

Thanks

On Thu, 7 Feb 2019 at 14:06,

Hi Shane,

Re: Tasman Highway Orford.

We met in your office on 8th March 2018 regarding this matter. Thank you for the opportunity to meet you in person last year. You indicated (then) nothing would happen in a years time.

I just would like to say again that I am extremely unhappy with your proposal as it will greatly devalue my land. The area already has thousands upon thousands of hectares in the forest at the back but you want my land to add to the green space. If this is your intention and it is not negotiable could you see that I am suitably and fairly compensate for the rezoning privilege?

My land is my superannuation. I bought it under the impression the township of Orford would expand and need land for major developments. However in the last ten or so years Orford remains small in area and population.

It would be a lot more beneficial for the State if my land was re-zoned to rural residential and if some land could be subdivided for retirement residential units, building of hospital and schools, shopping centres

etc. Imagine it could change Orford from a weekend town to a rather major city to rival St Helen, for example.

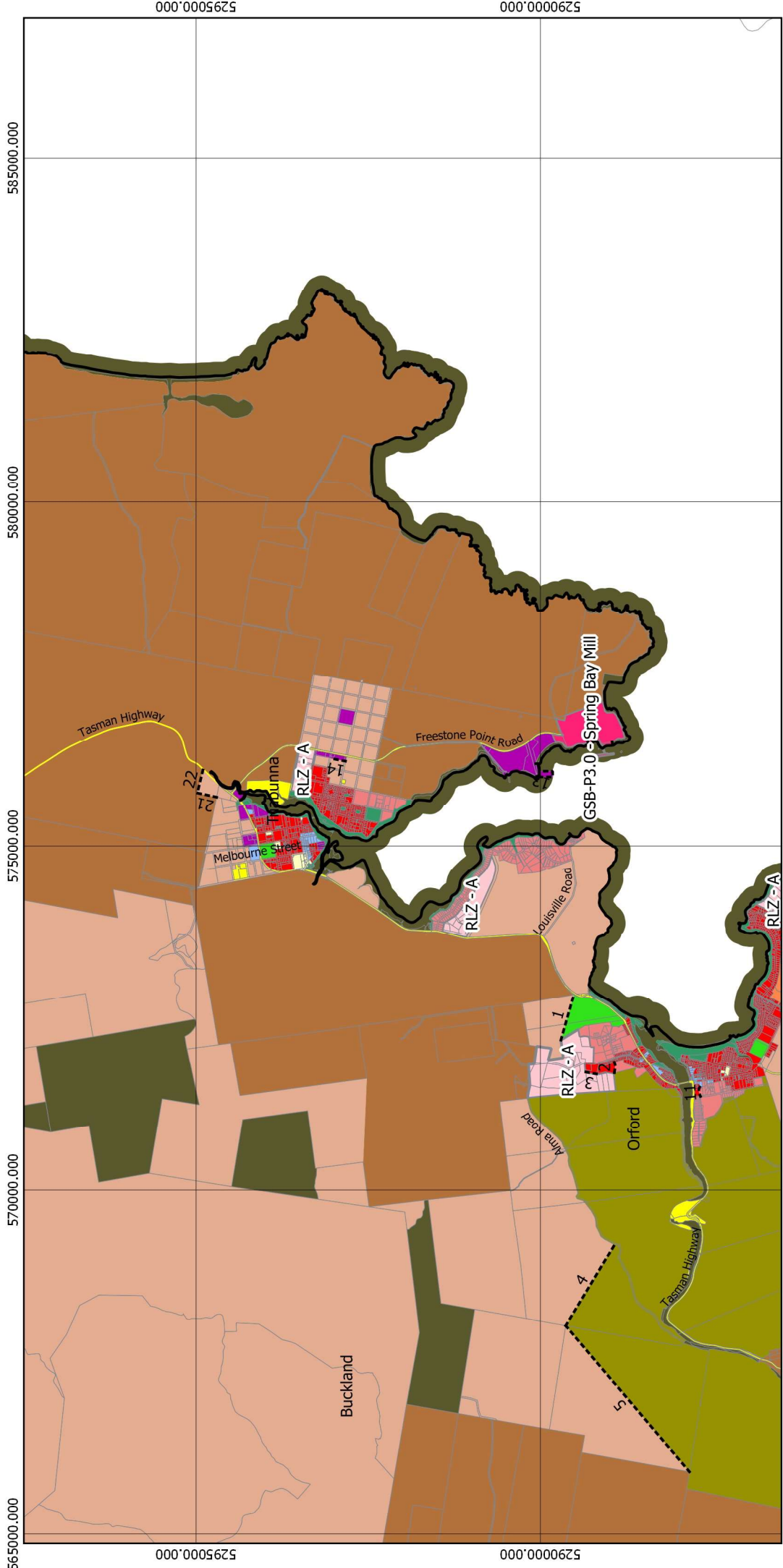
Tasmania in general as a whole has almost half green space already making it very prone to destructive bush fires. The State could benefit greatly from increased number of residents and my land could be made available for these purposes.

I am hoping for a very favourable outcome.

Sincerely,

owner of      Tasman Highway, Orford

TASMANIAN PLANNING SCHEME - ZONES: GLAMORGAN-SPRING BAY LOCAL PROVISIONS SCHEDULE



### Legend

	General Residential		Community Purpose		Rural		Future Urban
	Low Density Residential		Open Space		Agriculture		Particular Purpose
	Rural Living A		Recreation		Utilities		Property Parcels
	Rural Living B		Local Business		Landscape Conservation		LPS Boundary
	Village		General Industrial		Environmental Management		Zone Boundary
			Light Industrial		Major Tourism		Between title corners
							-1994 Planning Scheme Boundary
							-1994 Planning Scheme Boundary
							-Between Title Corners

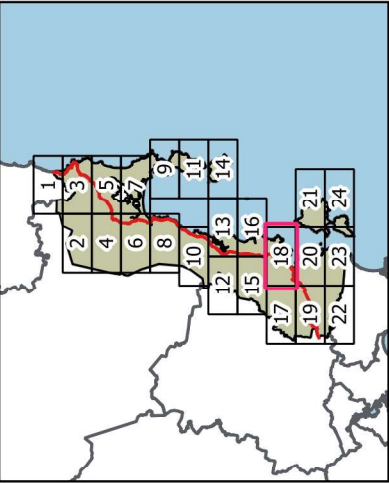
### Map 18 of 24

0.5 0 0.5 1 1.5 2 km

Coordinate System: GDA 1994 MGA Zone 55  
Base data from theLIS, © State of Tasmania  
Land title data current as of 26/09/2017

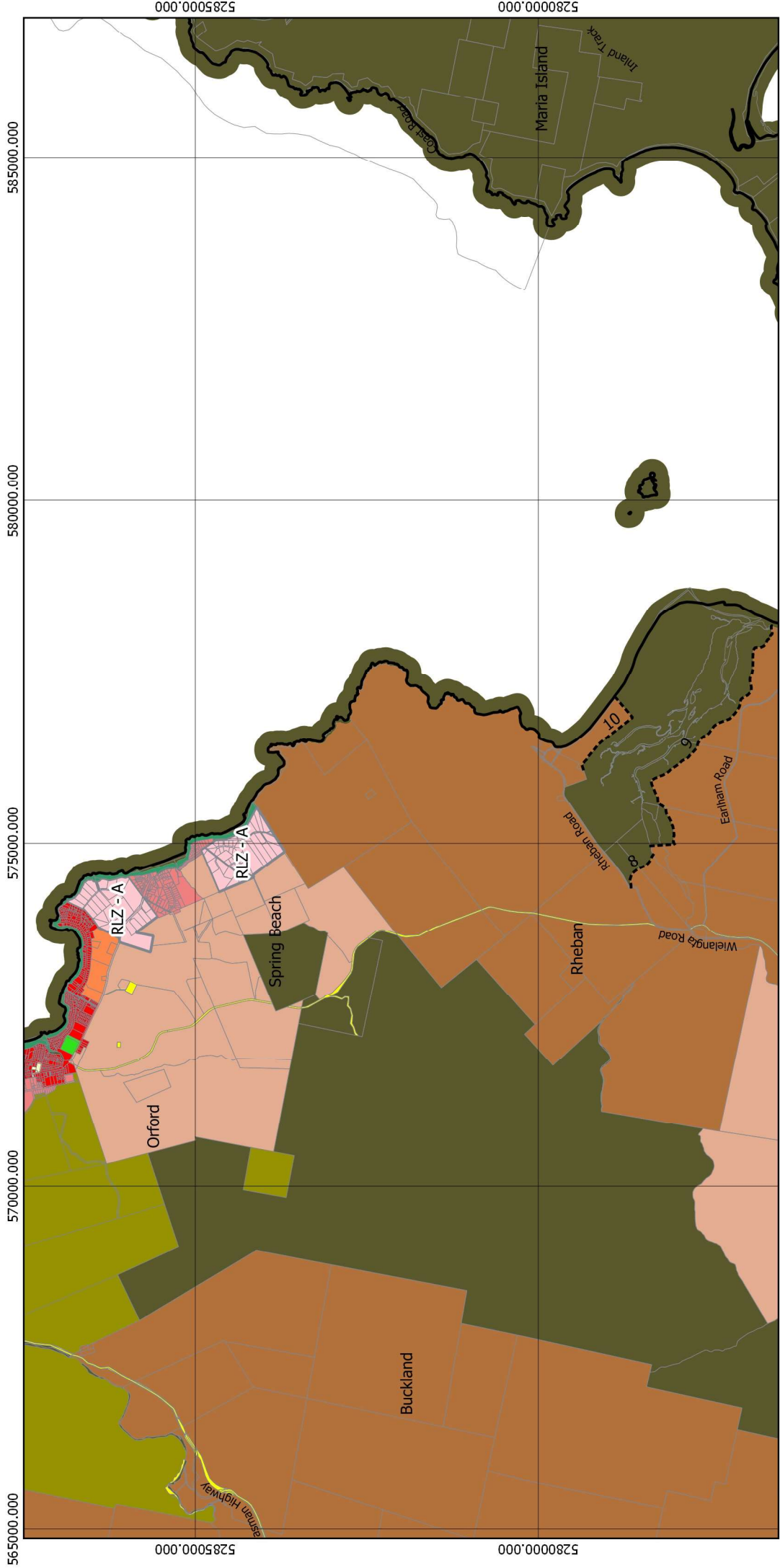
Disclaimer: Before taking any action based on data shown on this map, it should first be verified with the relevant council.

Date: 28/06/2019





TASMANIAN PLANNING SCHEME - ZONES: GLAMORGAN-SPRING BAY LOCAL PROVISIONS SCHEDULE



**Legend**

General Residential	Community Purpose	Rural	Future Urban
Low Density Residential	Open Space	Agriculture	Particular Purpose
Rural Living A	Recreation	Utilities	Property Parcels
Rural Living B	Local Business	Landscape Conservation	LPS Boundary
Village	General Industrial	Environmental Management	Zone Boundary
	Light Industrial	Major Tourism	3 -Conservation Covenant Boundary
			9 -Conservation Covenant Boundary
			10 -Conservation Covenant Boundary

**Map 20 of 24**

Coordinate System: GDA 1994 MGA Zone 55

Base data from theLIT, © State of Tasmania

Land title data current as of 26/09/2017

Disclaimer: Before taking any action based on data shown on this map, it should first be verified with the relevant council.

Date: 28/06/2019

Thanks and regards



**Mick Purves**

Senior Planning Consultant  
(3 days per week)

Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA 7190  
E: [mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)

---

**From:** Mick Purves  
**Sent:** Monday, 4 May 2020 9:02 AM  
**To:**  
**Cc:** Planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>  
**Subject:** RE: conservation covenant rezoning

Good morning

I was referred your email for response, as I am dealing with the Local Provision Schedule (LPS) for Council.

I shall recommend to Council that they consider your email as a late representation to the notification of the LPS. It is then for the Council to determine whether to support that recommendation and following that, the Tasmanian Planning Commission to do the same.

I provide a brief response to your questions.

1. *Did Council endeavour to personally contact conservation covenant landholders to invite their input and inform them of the Public Exhibition Period?*
2. *If so, how. If not, why not?*

Conservation covenant land owners were not contacted by Council and invited to participate in the public exhibition period. The process for the LPS is set in statute, which includes the notification process that Councils must follow.

The notification requirements are set at section 35D of the *Land Use Planning and Approvals Act 1993* and section 5 of the *Land Use Planning and Approvals Regulations 2014*. That process does not include notification of individual property owners, regardless of conservation covenants.

3. *On what basis was our property (130 acres of native forest hosting a number of threatened and endangered plant and animal species) rezoned as rural?*

Firstly, your property was not proposed for rezoning. It has been within the Rural Resource zone of the current Glamorgan Spring Bay since 2015. The Rural Resource zone of the interim schemes translates to the Rural zone of the State Planning Provisions.

Planning schemes operate with 2 basic functions. Land use is governed by zones, in your case Rural Resource zone. This was a result of a range of matters that are set out in the State Planning Provisions and Guideline No.

1. Biodiversity issues, such as you mention, are principally managed through the *Waterway And Coastal Protection* and *Priority Vegetation* overlays under the Natural Assets Code.

The Rural zone was supported for your property due to the structure of these provisions, as they must be used under the State Planning Provisions and consistent with advice under Guideline No.1.

The State Planning Provisions are set by the State, must be used and cannot be changed. Guideline No.1 is a non-statutory and non-binding guideline that was published by the State. Where there are inconsistencies between the State Planning Provisions and the Guidelines, the State Planning Provisions will prevail. If you review the attached copy of the Landscape Conservation zone, you will note that the zone aims to protect landscapes and landscape values and does not identify nor protect biodiversity values. While they may logically be linked, they are treated as separate issues under the State Planning Provisions.

The Landscape Conservation zone does not mention biodiversity and therefore, does not consider it. Vegetation removal is only mentioned as a consideration of landscape values and does not extend beyond that.

*4. Did Council conduct any on-site surveys of our property before making this decision?*

No site surveys were completed, they were not required. Application of overlays and their associated Codes was driven by mapping developed by the State. This includes those for biodiversity issues and their associated overlays for priority vegetation and waterway protection.

The Covid situation will affect the workshops and reports dealing with the assessment of the representations to the LPS. Your details will be added to the contact list for this project and you will be provided with updates on the project.

Thanks and regards



**Mick Purves**

Senior Planning Consultant  
(3 days per week)

Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA 7190

E: [mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)

-----Original Message-----

From: Planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>  
Sent: Friday, 1 May 2020 11:38 AM  
To: Mick Purves <[mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)>  
Subject: FW: conservation covenant rezoning

-----Original Message-----

From:  
Sent: Friday, 1 May 2020 11:06 AM  
To: Planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>  
Subject: conservation covenant rezoning

As the owners of a property at Alma Road Orford which is supposed to be protected by a conservation covenant, we were alarmed to receive a letter recently from Conservation Landholders Tasmania informing us that Glamorgan Spring Bay Council, without our knowledge or consent, has decided to rezone our property as Rural, which, as I understand it, would allow future owners to clear trees and graze animals on it. This would appear to break the written agreement we entered into with the State Government when the covenant was granted. We have registered to join the CLT's representation requesting the rezoning of our property.

The CLT letter tells us that there was a sixty day Public Exhibition Period during which we were invited to make submissions. However, we were not made aware of this. Given that this decision will have a significant impact on us, I would appreciate your answers to the following questions:

1. Did Council endeavour to personally contact conservation covenant landholders to invite their input and inform them of the Public Exhibition Period?
2. If so, how. If not, why not?
3. On what basis was our property (130 acres of native forest hosting a number of threatened and endangered plant and animal species) rezoned as rural?
4. Did Council conduct any on-site surveys of our property before making this decision?

We look forward to hearing from you

Sincerely

**Planning Scheme Amendment 07/2010 and Development Application SA  
2010/29; Bicheno Golf Course**

We submit our concerns over the above proposal, albeit in a very brief form.

The primary concerns we have of this SAP is that the part of Denison Beach which is at the front of this land is one of the very few areas where dogs are not allowed on the beach. It is an important area for birds, some of which are listed as vulnerable or threatened. To open the land behind the beach up to more residential blocks would mean that these birds would be under more threat from dogs.

We are also concerned about continued ribbon development along the coast, and believe that urban areas should remain within the town boundary. There are more appropriate areas for subdivision within the Bicheno town, with numerous vacant lots in existence already. We believe that coastal protection is of utmost importance. The other area of consideration is how could Bicheno water supply cater for an expansion of the town?



## **GSB – P1.0 Particular Purpose Zone – Dolphin Sands**

**GSB-P1.1 Zone Purpose** – No Change

**GSB-P1.4 Use Table** – No Change

**GSB-P1.5 Use Standard**

GSB-P1.5.1 Amenity – No Change

GSB-P1.5.2 Visitor Accommodation

I find P1 (b) ambiguous - does the one building referred to mean in addition to a residential dwelling or is there only to be one dwelling per property? It would be good if this Clause could be clearer in its intent.

I believe there should only be one dwelling/residences per property. The main reasons I believe dwellings should be limited in the Dolphin Sands area is the extra demand for vegetation removal to comply with bushfire management plans as well as the likelihood of there being more people residing in the area during high fire risk times. There is also a high risk of inundation of property in the future which if there is more than one dwelling per property a greater financial burden on future ratepayers re mitigation or compensation costs would be created. An increase in dwellings would also put further pressure on the local aquifer re increased possibility of contamination and/or greater domestic use of the groundwater.

**GSB-P1.6 Development Standards for Building and Works**

GSB-P1.6.1 Building Height

A1 Building Height must be no more than 5m. – No Change

P1 - **Change - NO PERFORMANCE CRITERION**

**GSB-P1.6.2 Setback**

A1 and P1 – Frontage setback – No Change

A2 - No Change

P2 - (a) No change

P2 - (b) No change

P2 - (c) **DELETE**

To imply that it is okay to allow an applicant the same regulations because their neighbour was allowed certain setbacks, say 30 years ago, is logically wrong in fact it is ironic to have a new scheme that allows significant digression from what has been identified as desirable is a nonsense.

Also retaining P2(b) allows a reasonable degree of flexibility to an applicant that is unable to met the Acceptable Solution criteria.

GSB-P1.6.2 A3 - **Change - Building setback to Nine Mile Beach Crown reservation must not be less than 20m with the exception of small-scale building extensions to already existing buildings. These small-scale extensions may not be closer to the Nine Mile Beach Crown Reservation than the existing building.**

GSB-P1.6.2 P3 - **Change - No Performance Criterion**

GSB-P1.6.2 A3 and P4 - No Change.

### **GSB-P1.6.3 Building Design**

A1 and P1 - No Change

A2 and P2 - No Change

### **GSB-P1.6.4 Frontage Fences**

A1 and P1 - No Change

### **GSB-P1.7 Development Standards for Subdivision**

GSB-P1.7.1 Subdivision

A1 No Change

P1(a) No Change

P1(b) **DELETE**

P1(c) **DELETE**

With this area being in close proximity to an internationally recognised wetlands (Moulting Lagoon) as well as properties sitting atop a vulnerable groundwater system coupled with being a high risk fire-prone area and a high risk coastal inundation area there should not be any loopholes in the Dolphin Sands Specific area plan to increase the risk and financial burden on ratepayers by having a default subdivision clause. There also should be included a no strata title clause in the SAP if that is all possible.

By making no modifications, no deletions or no changes to the current Particular Purpose Zone – Dolphin Sands would mean the following objectives of the **Southern Tasmanian Regional Land Use Strategy 2010 - 2035** would be compromised because: -

BNV 1.6 Would not be preserving climate refugia where there is scientifically accepted special data.

BNV2.2 Would not minimise clearance of native vegetation communities that provide habitat for threatened species, (wedgetail eagle, Tasmanian Devil etc)

WR 1 Would not be protecting and managing the ecological health, environmental values and water quality of surface and ground water, including water ways, wetlands and estuaries.

C1 Would not be maintaining, protecting and enhancing the biodiversity, landscape, scenic and cultural values of the local coast

C2 Would not be ensuring use and development in the Dolphin Sands coastal area is responsive to effects of climate change including sea level rise, coastal inundation and shoreline recession.

MRH 1 Would not be minimising the risk of loss of life and property from bushfires in the Dolphin Sands area.

MRH 1.5 Would allow new development (at the rezoning stage) in the Dolphin Sands bushfire prone area where necessary vegetation clearance for bushfire risk reduction would not be in accordance with policies on biodiversity and native vegetation.

CV 1 as the LPS stands it does little to encourage recognition, retention and protection of Aboriginal heritage values within the area for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.

CV 1.3 it does not avoid the allocation of land use growth opportunities in the Dolphin Sands area where Aboriginal cultural heritage values are known to exist.

Dolphin Sands has been my place of residence for over 25 years and during that time there has been many changes, many houses built, four significant bushfires, 2 drought declared periods in an area that could be described as a arid micro climate but by far the most relevant change has been the increase in knowledge on climate change and its impact on the natural and built environment. Dolphin Sands is an area that will be significantly impacted by the changing climate and the LPS needs to take a firm stance to reduce as far as possible the environmental impact from human habitation as well as protecting residents safety, amenity and assets.

Ms Nell Nettlefold  
Consultant Planner  
Glamorgan Spring Bay Council  
Triabunna 7190

[contract.planner@freycinet.tas.gov.au](mailto:contract.planner@freycinet.tas.gov.au)

Dear Ms Nettlefold

I make submissions on the following three areas in the Glamorgan Spring Bay draft Local Provision Schedule:

1. GSB-S2.0 Special Area Plan for the Bicheno Golf Club
2. GSB-P5.0 Particular Purpose Zone – North Bicheno Future Urban
3. GSB-P2.0 The Gulch

#### General Comments

There seems to be no need in the short term for additional development of land in the Bicheno area for residential purposes. I understand that there are already about 100 vacant blocks of land within the town boundary and other areas already zoned for subdivision. Also water and sewage infrastructure is barely adequate for the current size of the town and current levels of visitation. Further development is not appropriate until the infrastructure is adequate for the additional demands and taking climate change into consideration. In particular the influx of visitors in summer will put increasing demands on our water supplies if rainfall in the region declines.

Future residential subdivisions should be restricted to within the town boundaries, the ribbon development of coastal land which has blighted other areas must be resisted as it is environmentally destructive and would change the character of Bicheno forever.

#### **1. GSB-S2.0 Special Area Plan for the Bicheno Golf Club**

**This proposal should be rejected and completely removed from the Glamorgan Spring Bay Local Provision Schedule.**

I understand that this plan was initially made, despite significant opposition from environmental groups, in order to facilitate a proposed development. That development did not happen and the proponent went broke. There is little likelihood that the proposal would ever be revived and there are very sound reasons why it should never be permitted. This is a totally inappropriate ribbon development on our sensitive coastal environment. Increasing human impacts and the likely impacts of climate change has made the protection of our coastal areas of increasing importance.

The Tasmanian State Coastal Policy 1996 aims to protect environmentally sensitive areas, to discourage ribbon and cluster developments, to conserve the diversity of natural flora and fauna and their habitats and for the protection of migratory species and the protection and

recovery of rare, vulnerable and endangered species for up to 1 kilometre from the high water mark.

## **2. GSB-P5.0 Particular Purpose Zone – North Bicheno Future Urban**

I think that it is logical to zone this area for future urban development but not for commercial activities. It is within the town boundary and is not a particularly environmentally sensitive area. Some protections must be provided for environmentally sensitive adjacent to this zone notably the dunes and the intermittent creek and wetlands at the southern end of this zone. Suitable fencing to protect these areas must be prescribed and a single fenced access path to the beach from the subdivision is essential. Car parking should be provided for beach users to allow access to the beach while minimizing environments disturbance.

Specific suggestions are;

GSB-P5.1.1. Delete “including large scale integrated complexes comprised of multiple uses.”

GSB-P5.1.2 Delete in full. There is already adequate commercially zoned property in the town centre.

### **GSB-P5.4 Use Table**

Permitted:

Visitor Accommodation, under qualification – add “Small scale, a maximum of 3 units on any single block, buildings/hard surfaces may cover up to 50% of total block size to reduce storm water and pollutant run off flows.”

Discretionary:

Food services, under qualification – add “Licensed food van, pop up, small scale café/coffee shop.” Definitely no supermarket, no commercial premises unless integrated into a small scale tourism project.

### **GSB-P5.5 Use Standards**

A3 part (b) add “or reserves.”

P3 add - or environmental after residential in 3rd line and add (c) distance from wildlife habitat.

### **GSB-P5.6.1 Building height**

Performance criteria P1 add - None, delete all other words, that is, not allow any development over 5 metres.



### **3. GSB-P2.0 PARTICULAR PURPOSE ZONE – THE GULCH**

This area is Little Penguin nesting habitat and is also used by penguins travelling between nesting sites outside this zone and the ocean. We must protect both the nesting sites within this zone and the freedom of movement for penguins through the zone.

We also need to restrict the height and footprint of buildings in order to retain the environmental values and visual amenity of the zone while permitting existing activities to continue.

Specific suggestions are;

GSB-P2.1.2 add “, environmental” after historic.

GSB-P.2.4 Use class

Permitted

“Passive Recreation” only. Any other uses should be discretionary.

Discretionary

Add “Resource Development, Resource Processing” – both with the qualification “If associated with existing maritime or aquaculture industries.” New proponents of this type of commercial/industrial business should be located in the industrial or commercial zones.

GSB-P2.5 Use Standards, after residential add “or environmental” or “or ecological” amenity.

GSB-P2.5.1 Hours of operation A1 (b) substitute 7 p.m. for 5 p.m. (c) 9 a.m. to 7 p.m. (for Sunday and Public Holiday).

GSB-P2.5.3 External lighting add after zone “or impact upon penguin, bird or other native species.”

GSB-P2.6.1 Acceptable Solutions A1 Delete 10m and replace with “5 metres.”

P1 Performance Criteria (b) add “,reserves” or buildings. No acceptable solution, an absolute 5 metres maximum height limit, with buildings at a lower elevation than Waubs Esplanade.

GSB-P2.6.2 Setback - P1 (c) Delete minimize, add “prevent” the loss of....

GSB-P2.6.3 Building design A1 Acceptable solutions add “Building must be on an existing building footprint.”

P1 Performance Criteria (d) delete minimize, add “prevent” the loss of....

GSB-P2.6.5 Fencing – P1 Performance criteria add “(f) must not impede the movement of Little Penguins from the coastline to their burrows.” and add (g) minimizes the loss of vegetation along the fence line.



## Maree Tyrrell

---

**From:** Mick Purves  
**Sent:** Tuesday, 11 August 2020 9:48 AM  
**To:** Maree Tyrrell  
**Subject:** FW: Support for - Glamorgan Spring Bay Draft LPS GSB -S4.0

Morning

Did this one get added to the list? It came in very late!!!!

-----Original Message-----

**From:**  
**Sent:** Wednesday, 1 July 2020 3:44 PM  
**To:** Council@freynet.tas.gov.au; Mick Purves <mick.purves@freycinet.tas.gov.au>  
**Subject:** Support for - Glamorgan Spring Bay Draft LPS GSB -S4.0

To whom it may concern,

As the owners of Jetty Road, Coles Bay we would like to offer our support for the adoption of the Glamorgan Spring Bay Draft LPS GSB -S4.0 Coles Bay Specific Area Plan

Regards

1-8-20-20.

Mr Purves.

Following your recent correspondence  
regard to my property at Tasman  
Highway. I wish to Confirm my late  
presentation to the local provision schedule  
the zoning of my land as rural resource.

Regards