

# TASMANIAN PLANNING COMMISSION

Our ref: DOC/21/24086  
Officer: Liza Fallon  
Phone: 6165 6832  
Email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

19 May 2021

By email

Dear Representor

**Glamorgan Spring Bay Interim Planning Scheme 2015  
Draft amendment AM 2018-03**

**Cambria Estate, north of the Swansea township**

**Hearing Direction 2**

**Reserved roads and jurisdiction**

At the Commission directions hearing held on 2 March 2021, the Commission advised that it intended to resolve an outstanding jurisdictional issue in relation to reserved roads. The Commission sought further submissions on the issue of reserved roads and whether Crown consent was required for the lodgement of the planning scheme amendment application in Hearing Direction 1.

The Commission has determined that it has jurisdiction to determine the draft amendment. The Commission determination on the jurisdiction on reserved roads is detailed below in Attachment A.

**Further Directions**

At the 2 March directions hearing, the Commission also advised that directions would be issued to the parties in relation to the conduct of future hearings.

The foreshadowed directions concern the request for further information for a range of matters that are detailed below and in Attachments B and C:

- additional information requested from the original applicant for draft amendment AM 2018-03, Ireneinc & Smithstreet Studio – Planning & Urban Design, on behalf of Cambria Green Agriculture and Tourism Management Pty Ltd – Attachment B; and
- additional information requested from the Glamorgan Spring Bay Planning Authority – Attachment C.

A number of directions are provided for information, and they are detailed below and in Attachments D and E:

- draft amendment documents provided by the Glamorgan Spring Bay Planning Authority with the section 39 report, which are to be considered in the assessment – Attachment D; and
- a list of submissions previously lodged with the Commission during the former hearing process and contained on the Commission website, which the Commission will consider in the assessment process – Attachment E.

Advice on the identification of expert evidence to be presented at future hearings is detailed in Practice Note 14 – Expert Evidence that is included separately in Attachment F.

### **Location of hearings**

The Commission advised that future hearings will be held at the CCAMLR Meeting Room, 181 Macquarie Street, Hobart, 7000 and to manage the spread of COVID-19, appearances may be made via Microsoft Teams or by telephone.

### **Submission of further information**

**Any further submissions to the assessment process to be considered by the Commission will only be those submissions that the Commission specifically requests, as explained below.**

#### **Submission of further information**

The Commission will not consider unsolicited emails or other communications that have not been specifically requested by the Commission.

If any party wishes to submit further documentation, they should make an application to do so, and at the same time outline the relevance of the new documentation to the assessment process.

Requests to submit further documentation are to be provided by email to [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au).

The Commission will consider the request and make a decision on its relevance and whether or not to receive the information.

If you require further information please contact Dr Liza Fallon, Planning Adviser, on 6165 6832.

Yours sincerely



John Ramsay  
**Delegate (Chair)**

- Encl: Attachment A: Determination on the jurisdiction on reserved roads
- Attachment B: Direction to Ireneinc & Smithstreet Studio – Planning & Urban Design  
– request for further information
- Attachment C: Direction to the Glamorgan Spring Bay Planning Authority  
– request for further information
- Attachment D: For information – planning authority section 39 report documents
- Attachment E: For information – additional submissions to be considered
- Attachment F: Practice Note 14 – Expert Evidence

# TASMANIAN PLANNING COMMISSION



## DETERMINATION ON THE JURISDICTION ON RESERVED ROADS

<b>Planning scheme</b>	Glamorgan Spring Bay Interim Planning Scheme 2015
<b>Amendment</b>	Draft amendment AM 2018-03
<b>Planning authority</b>	Glamorgan Spring Bay Council
<b>Applicant</b>	Ireneinc & Smith Street Studio – Planning and Urban Design obo Cambria Green Agriculture and Tourism Management Pty Ltd
<b>Date of determination</b>	19 May 2021

### Determination

The Commission has determined that compliance with the requirements of section 33(2A)(b) of the *Land Use Planning and Approvals Act 1993* was not required when the request for amendment 03 of 2018 was lodged with the Glamorgan Spring Bay Planning Authority and therefore, the Commission has jurisdiction to assess and determine the draft amendment.

John Ramsay  
**Delegate (Chair)**

Robin Nolan  
**Delegate**

Dianne Cowen  
**Delegate**

### Note:

References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

# REASONS FOR DETERMINATION

## Background

### Amendment

Introduce the Cambria Specific Area Plan and other amendments to facilitate a large-scale tourism based development at Cambria Estate, Swansea.

### Site information

The site is located north of the Meredith River with boundaries to the Meredith, Wye and Swan Rivers. The Tasman Highway transects the property, which has frontage to Boathouse Road, Dolphin Sands Road, McNeills Road, Swan River Road and the Tasman Highway. The Swansea Township is located to the south, with Dolphins Sands to the southeast.

The subject site comprises 12 titles with several owners and a combined area of 3,074.4ha.

## Determination on the jurisdiction on reserved roads

1. At the directions hearing of 2 March 2021 to further consider the Glamorgan Spring Bay Planning Authority draft amendment AM 2018-03 (GSB AM 2018/03), the Tasmanian Planning Commission (the Commission) advised that it intended to resolve an outstanding jurisdictional issue in relation to reserved roads.
2. The Commission sought submissions on the issues from the applicant who made the request for an amendment to the Glamorgan Spring Bay Interim Planning Scheme 2015 (the IPS) and persons who made a representation in relation to the draft amendment.
3. A number of representors (Alain Coltier, Peggy James, Ross Irving and Andrew Wyminga) submitted to the Commission, that the Commission is without jurisdiction to consider the draft amendment.
4. This is asserted because when the request was made to amend the planning scheme, the request for the amendment included land that was not in the ownership of the applicant. The land that is said to be part of the request, are reserved roads that are in the ownership of the Crown.
5. The relevant part of Section 33 of the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act) that applies to the request for amendment provides –
  - (1) *A person may request a planning authority to amend a planning scheme administered by it.*
  - (2) ....
    - (2A) *If a request under subsection (1) is in respect of one parcel or several parcels of land covered by the planning scheme and is requested by a person who is not the owner land to which the proposed amendment applies, the request must be –*
      - (a) *signed by the owner or owners of the land; or*
      - (b) *accompanied by the written permission of the owner or owners to the making of the request.*

6. It is submitted by the representors, that as the requirements of section 33(2A)(b) of the Act were not met, the Glamorgan Spring Bay Planning Authority (planning authority) had no jurisdiction to consider the draft amendment and thus, the Commission is similarly deprived of jurisdiction to consider the draft amendment.
7. The Commission accepts that reserved roads are parcels of land for the purposes of section 33(2A) of the Act. They are capable of separate identity with reasonable precision.
8. In their submissions, both the applicant and the representors submit that the reserved roads are in the ownership of the Crown and not the applicant.
9. There is no dispute that –
  - (a) there are reserved roads shown on titles to the lands the subject of the draft amendment; and
  - (b) no Crown landowner signed request, or written permission, accompanied the request that was made to the planning authority.
10. What is in dispute, is whether or not on the documentation lodged with the planning authority, the request for the draft amendment included the reserved roads in the area the subject of the draft amendment.
11. A number of submissions have been raised for consideration by the Commission, the deliberations undertaken by the planning authority, after the request was lodged. However, to determine the question of jurisdiction, what the Commission must examine, is the documentation that was lodged as part of the request.
12. The representors submit that from an examination of the plan lodged with the application, which delineated the area that was sought to be covered by the Cambria Specific Area Plan (the SAP), it is possible to conclude that the reserved roads were included in the draft amendment application.
13. Factors in the request said to indicate that the parcel of land in respect of which the request is made includes reserved roads are that –
  - Figure 1 of the SAP and the words in the proposed SAP:  
*This specific area plan applies to the area of land designated as the Cambria Specific Area Plan on the overlay maps and in Figure 1.*
  - Some reserved roads are actually depicted in Figure 1.
  - Reserved roads are shown on plans and drawings forming part of the titles.
14. It is understood that the conclusion to be drawn for this, is that the roads shown on the plans must be included in the SAP, because the SAP does not discriminate between the titles and the roads. This supports the contention that Figure 1 shows the whole of the area as included in the SAP.
15. Counsel for the applicant landowners submits that the request for the amendment did not include the reserved roads, and that the request for the amendment was only in relation to the land in the titles that is owned by the applicants.
16. There is no text in the written documentation lodged with the request that refers to reserved roads.

17. The request was made in the form of an 'application to amend' and accompanied a letter dated 19 March 2018 from the landowners consultant, Ireneinc & Smith Street Studio – Planning and Urban Design (Ireneinc) to the planning authority. The letter stated that the draft amendment:

*...includes 12 titles that form Cambria Estate over 3,000 hectares in area...*

18. In the planning report, accompanying the application, Ireneinc proposed a number of amendments to the planning scheme ordinance. These included:

- changes to the Historic Heritage Code, by reference to specific titles;
- the partial rezoning of the land comprised in certificates of title: FR 148001/1, FR 149607/1, FR 111628/1 and FR 232216/3;
- mapping all of the specific titles to which the application relates “*as being included within the Cambria Specific Area Plan*”;
- changes to the Historic Heritage Areas mapping by reference to titles;
- changes to the mapping of the Inundation Hazard Area by reference to a specific title;
- changes to the mapping of the Coastal Erosion Hazard Area (with reference to a mapped area); and
- changes to the mapping of the Biodiversity Protection Area by reference to three specific titles.

19. These references drawn from the documentation lodged to explain and support the request for an amendment, confirm the applicant’s intention to seek amendments in relation to the titles to the land.

20. As noted above, both the applicant and the representors agree that the applicant does not have ownership (title) to the reserved roads on the land.

21. Counsel for the applicant landowners submits that the fact that the advertised area of the draft amendment comprising the twelve titles, also depicted the reserved roads is a consequence that flows from each certificate of titles. It is submitted that the reserved roads were never included in the request for the amendment.

22. An examination of the plan of the area proposed for the SAP that was lodged with the application does not assist. The boundaries of the Figure 1 that is contained in the SAP, clearly reflect the outer boundaries of the titles to the land. It cannot reasonably be interpreted to apply the SAP to reserved roads.

23. The Commission is of the opinion that all it can conclude from its examination of Figure 1 is that it shows the area proposed for the SAP by reference to the outer boundaries to the titles. It is simply a clear representation of the area proposed for the SAP that is intended to overlay the zones in the IPS.

24. The Commission does not consider that there is any weight to be allocated to the words in clause F5.2.1 of the proposed SAP in relation to the asserted inclusion of reserved roads. The language used in the proposed SAP to describe where it applies is simply the language used in the State Planning Provisions LP 1.5.2 Appendix A, which provides a template for the preparation and formatting of Specific Area Plans. While the proposed SAP is not one

made under the Tasmanian Planning Scheme, it is apparent from the documents lodged, that the draft amendment is drafted in a way to take account of the fact that it may if approved, transition into the Glamorgan Spring Bay Local Provisions Schedule of the Tasmanian Planning Scheme.

25. The Commission is satisfied that in relation to the documents that formed part of the request, there is nothing to indicate that the request for the amendment was in relation to any land other than the land owned by the applicant landowners, which does not include reserved roads.
26. As a result, the applicant was not required to lodge with the request for amendment the signed or written permission of the Crown to the making of the request.
27. It follows that the planning authority was not, and subsequently the Commission is not deprived of jurisdiction to consider draft amendment AM 2018-03, because of a failure to comply with the requirements of section 33(2A)(b) of the Act.
28. Finally it is worth noting, that future use or development on the reserved roads that are Crown land, is in any event, not possible without the consent of the Crown, which must be sought in accordance with provisions of section 52(1B) of the Act and the application of sections 3, 6 and 47 of the *Crown Lands Act 1976*.

## **Determination**

29. The Commission has determined that compliance with the requirements of section 33(2A)(b) of the Act was not required when the request for amendment 03 of 2018 was lodged with the planning authority and therefore, the Commission has jurisdiction to assess and determine the draft amendment.

## Attachment B

### Draft amendment AM 2018-03

#### Hearing Direction 2

#### Attachment B – direction to the applicant Request for further information

#### Ireneinc & Smithstreet Studio – Planning & Urban Design (obo Cambria Green Agriculture and Tourism Management Pty Ltd

Having reviewed all the information that has been presented for the assessment, the Commission has determined that it would be assisted by the provision of further information on a range of matters.

The original applicant for draft amendment AM 2018-03, Ireneinc & Smithstreet Studio – Planning & Urban Design (obo Cambria Green Agriculture and Tourism Management Pty Ltd), is invited to submit further information on the matters detailed below.

The Commission requests that advice be provided within **7 days** of the date of this direction on what further information the original applicant will provide.

That advice should be accompanied with advice when that information can be made available.

It is desirable that the information be made available as soon as possible and no later than **28 days** from the date of the original applicant's response to this direction.

If it is not possible to provide the information within 28 days, the original applicant will need to seek an extension of time in which to submit its response.

#### **1 The Concept Masterplan spatial location of nominated land uses**

Confirmation of the potential uses and developments shown on the Concept Masterplan, dated 15 March 2018, and their location in order to clearly understand the F5.0 Cambria Specific Area Plan (SAP) in terms of:

- (a) the precinct local area objectives and the potential spatial allocation of the nominated land uses; and
- (b) how the potential uses and developments inform the table of uses, any use qualifications and consequently, the desired standards.

#### **2 Agricultural potential of the site**

Information is sought in order to have a clear understanding of the potential agriculture use of the lands and whether any existing or other potential uses will compromise or conflict with that agricultural potential.

The *Property Agronomic Suitability Report* prepared by Ag Logic (Agricultural Intelligence), undated, and the *Agricultural Development Potential Supplementary Report* prepared by Ag Logic, dated 4 March 2019 provide advice on the agricultural potential of the site. While based on the expertise and site assessment of Dr Wells, the Commission would be assisted with the benefit of further advice that indicates a consideration of:

- (a) Enterprise Suitability Mapping for the site that has been developed by the Department of Primary Industries, Parks, Water and Environment (DPIPWE) that can be accessed on the Land Information System Tasmania (the LIST) website at: <https://www.thelist.tas.gov.au/app/content/home>;

- (b) the methodology for the allocation of land to the Agricultural Estate as per the Department of Justice report titled: *Agricultural Land Mapping Project – Background Report*, dated May 2017 that can be accessed on the Tasmanian Planning Reform website at: [https://planningreform.tas.gov.au/\\_\\_data/assets/pdf\\_file/0005/379166/Agricultural\\_Land\\_Mapping\\_Project\\_-\\_Background\\_Report\\_-\\_May\\_2017.pdf](https://planningreform.tas.gov.au/__data/assets/pdf_file/0005/379166/Agricultural_Land_Mapping_Project_-_Background_Report_-_May_2017.pdf), and on the LIST website under the map layer titled: 'Land Potentially Suitable for Agriculture Zone' at: <https://www.thelist.tas.gov.au/app/content/home>;
- (c) Glamorgan Spring Bay draft Local Provisions Schedule (draft LPS) *Supporting Report*, dated 3 December 2019 at pp 24-33 and the AK Consultants report titled: *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones*, dated 20 April 2018, which forms Attachment 2 to the *Supporting Report* that can be accessed on the Commission website at: [https://www.planning.tas.gov.au/\\_\\_data/assets/pdf\\_file/0008/586358/supporting-report,-3-December-2019.PDF](https://www.planning.tas.gov.au/__data/assets/pdf_file/0008/586358/supporting-report,-3-December-2019.PDF);
- (d) zoning of the site in the Glamorgan Spring Bay draft LPS as the Agriculture, Rural and Rural Living Zones, which are established by the Tasmanian Planning Scheme State Planning Provisions (SPPs) as identified on the Glamorgan Spring Bay Council website at: <https://gsbc.tas.gov.au/community-projects/major-projects/>, and in Map 6 and Map 7 of the Zone maps, dated 13 November 2019 on the Commission website at: [https://www.planning.tas.gov.au/\\_\\_data/assets/pdf\\_file/0005/586364/Zone-maps,-13-November-2019.PDF](https://www.planning.tas.gov.au/__data/assets/pdf_file/0005/586364/Zone-maps,-13-November-2019.PDF); and
- (e) the inclusion of the land in the Swan River Irrigation District and the Tasmania Irrigation statement of the potential irrigable land within the Swan River Irrigation District as identified in the EPBC Referral 2015-7560 document titled: *Swan Valley Irrigation Scheme (SWAN) - Tasmania* at p 80, dated 18 September 2015 that can be accessed on the Australian Government Department of Agriculture, Water and the Environment website at: [http://epbcnotices.environment.gov.au/\\_entity/annotation/97959001-f268-e511-b93f-005056ba00a7/a71d58ad-4cba-48b6-8dab-f3091fc31cd5?t=1615933361794](http://epbcnotices.environment.gov.au/_entity/annotation/97959001-f268-e511-b93f-005056ba00a7/a71d58ad-4cba-48b6-8dab-f3091fc31cd5?t=1615933361794).

### 3 Water access, usage, impacts and wastewater

Information is sought in order to better understand whether the available water resources will be adequate to sustain the potential use and development of the site, which would be enabled by the SAP.

The AK Consultants report titled: *Irrigation Water Resources*, dated 12 June 2018 that is attached to Representation 216, Ireneinc & Smithstreet Studio – Planning & Urban Design, identifies access to various water resources and the existence or potential existence of dams. With reference to the above report (and it is noted there is a commitment to not seek to access water from the Dolphin Sands aquifer in the Swansea-Nine Mile Beach catchment), the Commission would be assisted with the benefit of further advice on the following:

- (a) what limits (if any) are placed on the use of the water from the Swan Irrigation District allocation and is this water use controlled by a Farm Water Access Plan;
- (b) what is the estimated requirement for water allocation to the golf course(s);
- (c) what is the estimated water requirement for water allocation to the proposed habitable developments;

- (d) can the water requirements for the site be met from the existing water allocations;
- (e) have the foreshadowed further dam proposals referred to in the AK Consultants report of June 2018 been further progressed, and if so, how; and
- (f) what is proposed for the management of wastewater from the proposed activities on the site including the capacity of the site to accommodate all wastewater?

#### **4 Tourism and economic assessment update**

A Concept Masterplan is included at section 4.2 in the document titled: *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, dated 19 March 2018, Ireneinc & Smithstreet Studio – Planning & Urban Design. Draft amendment AM 2018-03 is said to facilitate the Masterplan whereby it “*will consolidate existing businesses and residential areas on the east coast by providing increased expanded tourism opportunities. It is intended to increase economic returns and employment opportunities within in the region*” (at section 7.4 – Regional Impact, paragraph 3, p 76).

The *Cambria Green Economic Analysis Report*, dated 8 March 2019, SGS Economics and Planning and the revised *Cambria Green Economic Analysis Report*, dated 15 March 2019, SGS Economics and Planning were largely based on the proponents assessment of the site, its potential for development, its tourism potential and estimated financial returns in the circumstances prevailing in 2019. The circumstances in 2021 are markedly different. Is there contemporary advice on the tourism potential and economic feasibility for the array of proposed uses and developments, the impacts on the local economy, the impacts on the region, and the methodology applied to establish the potential impacts?

#### **5 Airstrip**

Information is sought in order to better understand the potential capacity of the airstrip, its intended expanded use and the potential impacts of the expanded use.

Is there any independent report or expert advice on the following:

- (a) the capacity of the airstrip to be physically upgraded to accommodate regular aircraft movements (as related by a number of representors to be 20 flights a day as per the advice from Mr Hu) and the capacity of aircraft being considered;
- (b) the operational capacity of the airstrip (including if there is any regulatory approval required) to accommodate the anticipated number of flights a day;
- (c) the potential noise impacts from the operation of the airstrip on residents in the area, visitors to the site and local fauna; and
- (d) the need to utilise the airstrip for emergency services?

#### **6 Palliative care**

Is there any independent report or expert advice on the operational capacity of the palliative care facility to be provided, the range of services to be provided, the staffing complement for the facility and its integration or networking with Tasmanian public or private health care facilities?

## 7 Visual impacts

The document titled: *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, dated 19 March 2018, Ireneinc & Smithstreet Studio – Planning & Urban Design at Section 1.1 – Project Team & Reports refers to the project being “informed and guided by the outcomes of a number of investigations undertaken by a range of specialist consultants”, with documentation prepared (paragraph 4, p 10).

The list of documents identifies that a *Visual Impact Assessment* has been prepared by Another Perspective. Is this documentation available?

## 8 Golf courses

The document titled: *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, dated 19 March 2018, Ireneinc & Smithstreet Studio – Planning & Urban Design at Section 1.1 – Project Team & Reports refers to a *Golf Course Masterplan* prepared by Crafter + Mogford.

There are a number of references in the reports and representations received by the Commission to the Cambria Golf Links Concept Plan and its possible location.

Representation 216, Ireneinc & Smithstreet Studio – Planning & Urban Design refers to “copies of the communications that were provided to the community” including a *Cambria Golf Links: Concept Plan*, 8 December 2017, Crafter + Mogford. The AK Consultants report titled: *Irrigation Water Resources*, dated 12 June 2018 that is attached to Representation 216 includes a schematic of the Cambria Golf Links Concept Plan, dated 8 December 2017, Crafter + Mogford.

With regard to the above:

- (a) is the Cambria Golf Links Concept Plan, dated 8 December 2017, the confirmed location of the golf course; and
- (b) is there any expert advice or information available that details how the construction and maintenance of the golf course(s) and its associated facilities will be undertaken having regard to the natural values of the site, and its location in relation to the adjoining estuary and wetlands, the Swansea-Nine Mile Beach catchment and the Dolphin Sands aquifer?

## 9 Aboriginal heritage assessment

The document titled: *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, dated 19 March 2018, Ireneinc & Smithstreet Studi – Planning & Urban Design at Section 1.1 – Project Team & Reports refers to an *Aboriginal Heritage Assessment* prepared by Cultural Heritage Management Australia. Is this documentation available?

## 10 Architectural plans

The document titled: *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, dated 19 March 2018, Ireneinc & Smithstreet Studio – Planning & Urban Design at Section 1.1 – Project Team & Reports refers to *Architectural Plans* prepared by Life Design Architecture. Is this documentation available?

## 11 Potential impacts on Dolphin Sands-Nine Mile Beach

Draft amendment AM 2018-03 shows Precinct 2 applies to that part of the site in the Dolphin Sands-Nine Mile Beach spit area. A number of developments are proposed for Precinct 2 in this area – refer to the Cambria Specific Area Plan (see Cambria Specific Area

Plan V1, by Ireneinc & Smithstreet Studio – Planning & Urban Design, dated 20 March 2018).

With regard to the above:

- (a) is there any independent report or expert advice on the extent, geology and environmental sensitivity of the Dolphin Sands-Nine Mile Beach spit area, including the potential of acid sulfate soils;
- (b) what is the location of the proposed uses and developments in Precinct 2 and is there any independent report or expert advice on the potential cumulative impacts of use and development on the Dolphin Sands aquifer and adjoining wetlands and estuarine areas; and
- (c) if there are impacts from the proposed use and development in the area, is there any independent report or expert advice on how those impacts are to be managed and mitigated?

## **12 Potential Impacts on the Ramsar Wetlands in the Moulting Lagoon Area**

The Moulting Lagoon Ramsar Site (Ramsar Site 251) is located in the Dolphin Sands-Nine Mile Beach area and is identified as a wetland of international importance.

There are many uses and developments proposed to be enabled by the Cambria Specific Area Plan. In this regard:

- (a) is there any independent report or expert advice on the potential cumulative impact of those uses and developments on the Ramsar wetlands in Moulting Lagoon; and
- (b) if there are impacts from the proposed uses and development in the area, is there any advice or a report on how these impacts are to be managed and mitigated?

## **13 Bushfire risk management**

Given the potential range of uses and developments identified on the Concept Masterplan that is included at section 4.2 in the document titled: *Cambria, Tasmania – Amendment to the Glamorgan Spring Bay Interim Planning Scheme*, dated 19 March 2018, and their potential location, is there any independent report or expert advice on bushfire risk and how bushfire risk can be managed?

## Attachment C

### Draft amendment AM 2018-03

#### Hearing Direction 2

#### **Attachment C – direction to the Glamorgan Spring Bay Planning Authority Request for further information**

Having reviewed all the information that has been presented for the assessment, the Commission has determined that it would be assisted by the provision of further information from the Glamorgan Spring Bay Planning Authority on the matters detailed below.

The Commission requests that advice be provided within **7 days** of the date of this direction on what further information the Glamorgan Spring Bay Planning Authority will provide.

That advice should be accompanied with advice when that information can be made available.

It is desirable that the information be made available as soon as possible and no later than **28 days** from the date of the Glamorgan Spring Bay Planning Authority's response to this direction.

If it is not possible to provide the information within 28 days, the Glamorgan Spring Bay Planning Authority will need to seek an extension of time in which to submit its response.

#### **1 Developments or policy initiatives since the receipt of the section 39 report**

The Commission would be assisted by the Glamorgan Spring Bay Planning Authority providing any information on use or development or policy initiatives that are relevant to the assessment of draft amendment AM 2018-03, which have occurred since the receipt of the section 39 report by the Commission and may include matters such as:

- (a) use or development on the site, or in the vicinity of the site, or in the region; and
- (b) any Council or State Government policy initiatives or actions in relation to the site, the area, or the region.

#### **2 Advice on who prepared referrals included in Attachment C to the section 39 report**

The Commission would be assisted by the Glamorgan Spring Bay Planning Authority providing advice on who authored the following documents (and the date where relevant) that are included at Attachment C – Referrals as part of the section 39 report:

- (a) R3 – PCAB advice to Glamorgan Spring-Bay Council on the proposed Cambria Green Specific Area Plan, dated 10 September 2018; and
- (b) R4 – Cambria – strategy to conserve natural values, avoid impacts and/or provide a mitigation/offset strategy, undated and unattributed.

**Draft amendment AM 2018-03**

**Hearing Direction 2**

**Attachment D**

**Planning authority section 39 report documents – for information**

1. The section 39 report provided to the Commission contains a number of documents relevant to the Commission’s assessment of draft amendment AM 2018-03.
2. To ensure that all parties are clear on the section 39 documents that the Commission will consider in its assessment, the Commission has determined to publish a list of those documents, as detailed below.
3. The documents can be found on the Commission website under the ‘Received’ and ‘Representations’ tabs at: <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-gla-am2018-03>.
4. The documents comprising the section 39 report are:
  - (a) The Glamorgan Spring Bay Planning Authority’s section 39 report on representations – AM2018/03, Planning Scheme Amendment, Cambria Estate Swansea (42 pages).
  - (b) Attachment A – exhibited planning scheme amendment, which was certified by the planning authority on 24 April 2018.
  - (c) Attachment B – Working draft of F5.0 Cambria Specific Area Plan incorporating most recommendations made in the section 39 report.
  - (d) Attachment C – Referrals, which comprises the following documents:
    - R1 – TasWater, dated 29 March 2018;
    - R2 – Heritage Tasmania, dated 28 March 2018;
    - R3 – PCAB advice to Glamorgan Spring-Bay Council on the proposed Cambria Green Specific Area Plan, dated 10 September 2018;
    - R4 – Cambria – strategy to conserve natural values, avoid impacts and/or provide a mitigation/offset strategy, undated and unattributed; and
    - R5 – Aboriginal Heritage Desktop Review (AHDR1388 – AHTP2694 – Cambria tourism development proposal), undated.
  - (e) Attachment D – Representations (623 representations).<sup>1</sup>
  - (f) Attachment E – Glamorgan Spring Bay Planning Authority statement of opinion as to the merit of each representation.

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<sup>1</sup> The 623 representations are listed separately on the Commission website under the ‘Representations’ tab at: <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-gla-am2018-03>. All 623 representations are relevant as part of the Commission’s assessment process for draft amendment AM 2018-03.

- (g) Further correspondence from the original applicant, dated 24 October 2018, which includes information on the following matters:
- natural values;
  - heritage values;
  - response to Representation 236, Department of State Growth;
  - scale of development;
  - design provisions;
  - size of the homestead precinct vs sub-precinct parcels;
  - Tasmanian Heritage Register listing for FR 148001/1;
  - future State Planning Provisions (SPP) scenario where the priority vegetation areas are excluded from the Agriculture Zone;
  - building setbacks;
  - residential use across the four precincts;
  - subdivision standards;
  - response to Representation 13, Tasmanian Land Conservancy;
  - response to Representation 64, Cultural Heritage Practitioners Tasmania by Sam Nicholls, report dated 13 September 2018;
  - response to Representation 323, Australia ICOMOS by Sam Nicholls, report dated 13 September 2018; and
  - Cambria Specific Area Plan V2, by Ireneinc & Smithstreet Studio – Planning & Urban Design, dated 23 October 2018.

## Attachment E

### Draft amendment AM 2018-03

#### Hearing Direction 2

#### Attachment E

#### Additional submissions to be considered – for information

1. The Commission received a number of documents after the Glamorgan Spring Bay Planning Authority (planning authority) provided its section 39 report to the Commission.
2. These documents are listed on the Commission website under the 'Hearing and further submissions' tab at: <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-gla-am2018-03>.
3. The documents listed in the table below will be considered as part of the Commission assessment of planning merit for draft amendment AM 2018-03.
4. The documents listed below have been received by the Commission as part of the assessment process for draft amendment AM 2018-03, and they are in addition to the 623 representations that were received by the planning authority as part of the public exhibition of the draft amendment.
5. Items marked s 'S' are submissions that have been received from those parties who made a representation as part of the public exhibition process that was conducted by the planning authority. Items marked as 'IP' are submissions that have been received by new interested parties as part of the Commission assessment process.

#	Further submissions
S12	Further submission Dr Paul McGillick, 21 July 2019
S11	Response submission Martin & Wendy Crawford, 4 July 2019
S10	Response submission Tasmanian Parliamentary Greens, 29 May 2019
S9	Response submission Ross Irving, 30 April 2019
S8	Response submission Robert Browning, 30 April 2019
S7	Further submission Dolphin Sands Ratepayers Association, 17 April 2019
S6	Further submission from Ireneinc Planning updated version of <i>Cambria Green Economic Analysis Report</i> , SGS Economics & Planning, 20 March 2019
S5	Further submission Ireneinc Planning & Urban Design obo applicant and attachments, 8 March 2019
S4	Further submission Caroline Brink, 27 February 2019
S3	Further submission D and A Melrose, 13 February 2019
S2	Further submission Lisa Tuck obo Australian Garden History Society, 10 December 2018
S1	Further submission Heritage Tasmania, 13 December 2018
IP9	Interested party submission from Greg and Susan Muir, 8 April 2019

#	Further submissions
IP8	Interested party submission from Hans-Joachim Mueller (2), 7 April 2019
IP7	Interested party submission from Molly Greaves, 6 April 2019
IP6	Interested party submission from Janice Bird, 1 April 2019
IP5	Interested party submission from E3 Planning obo Anthony Houston, 4 March 2019
IP4	Interested party submission from Justin Morgan-Cooper, 1 March 2019
IP3	Interested party submission from Anthony Houston of Houstons Farm, 24 January 2019
IP2	Interested party submission from Hans-Joachim Mueller, 13 December 2018
IP1	Interested party submission from Tania Burrows, 16 December 2018