

From: [Naomi Billett](#)
To: [TPC Enquiry; Fyfe, Karen](#)
Cc: [Les Walden; Kelvedon Estate; Evan Boardman; neilsh@bigpond.com](#)
Subject: Glamorgan Spring Bay Interim Planning Scheme 2015; Draft amendment AM 2021-01 & permit DA 2020-80; Tempus Village 12371 Tasman Highway, Swansea
Date: Thursday, 14 October 2021 12:58:22 PM
Attachments: [image001.png](#)
[image002.png](#)
[Mr J Cotton - Response to E3 Planning.pdf](#)

Dear Karen

**Glamorgan Spring Bay Interim Planning Scheme 2015
Draft amendment AM 2021-01 & permit DA 2020-80
Tempus Village 12371 Tasman Highway, Swansea**

I refer to the submission filed by E3 Planning dated 28 October 2021 which incorporates a submission from Mr Jason Lynch.

In reviewing those documents and preparing for the hearing, I have had the benefit of comments in response provided by Mr Cotton that I would seek to rely upon at hearing in cross-examination of the authors of those reports. Out of fairness to the parties, I **attach** a copy of the response from Mr Cotton so that they may have the time to consider those matters ahead of the hearing on Monday.

I have copied this email to Mr Boardman as representative for the Gala Estate Vineyard. If you would like me to provide a copy to any other parties directly, please let me know. I do not have their details and therefore have not included them in this email.

On a related matter, I note that the Commission has directed the planning authority to provide a response in relation to the proposed drafting of cl.GSB-P8.6.3 A3. For ease of reference, I have extracted the relevant provision from the certified draft amendment.

<p>A3</p> <p>Buildings for sensitive use must be separated from an Agriculture or Rural Zone a distance of:</p> <p>(a) not less than 200m;</p> <p>(b) if the setback of an existing building is within 200m, not less than the existing building.</p>	<p>P3</p> <p>Buildings for a sensitive use must be sited so as to not conflict or interfere with uses in the Agriculture Zone or Rural Zone, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the separation of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the existing and potential use of adjoining properties;</p> <p>(d) any proposed attenuation measures; and</p> <p>(e) any buffers created by natural or other features.</p>
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The Proponent proposes a further amendment to this standard relevant to the performance criterion that would insert a reference to the minimum setbacks contemplated by the Masterplan. This would be consistent with the draft standards drawn by reference to the interim planning scheme (refer report from Neil Shephard provided as part of the application). The proposed amendment would result in the performance criterion reading as follows (note that the changes are underlined for ease

of identification):

“Buildings for a sensitive use must be sited so as to not conflict or interfere with uses in the Agriculture Zone or Rural Zone, having regard to:

(a) the size, shape and topography of the site;

(b) the separation of any existing buildings for sensitive uses on adjoining properties;

(c) the existing and potential use of adjoining properties;

(d) any proposed attenuation measures; and

(e) any buffers created by natural or other features,

and must be separated by no less than 80m from the Agriculture Zone and 40m from the Rural Zone.”

I ask that this proposed variation is drawn to the delegates’ attention as it is a matter that I would seek to speak to during the hearing.

Yours faithfully

Naomi Billett
Principal

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Submission in response to E3 Planning Response dated 28 September 2021

- 1 The following response is provided from my perspective as the owner of the site of the proposed rezoning which forms part of Kelvedon Estate and formerly included the site of the Gala Vineyard.
- 2 Kelvedon Estate includes the Kelvedon Vineyard that was first planted in 1998 and is located to the south west of the Gala Vineyard.
- 3 My experience in managing the Kelvedon Vineyard enables me to consider the information provided by Mr Boardman and Mr Lynch from a practical perspective.

Response to Mr Boardman's submission

- 4 Mr Boardman asserts that "it is self-evident that a high-density retirement village, sharing a boundary with an intensive horticulture vineyard operation would creation ongoing land use conflict".
- 5 There are many examples of vineyards co-existing in urban environments;
 - Tasmania
 - Richmond
 - Poolys
 - Strelly – new development
 - Huonville
 - Home Hill
 - All the existing apple and cherry orchards in the valley
 - Cranbrook
 - Relbia
 - Joseph Chromy
 - Granton
 - Stefano Lubiana
 - Derwent Estate
 - Forcett
 - Janz
 - Fogarty Wines
 - Victoria – Yarra Valley
 - South Australia
 - McClaren Vale
 - Adelaide Hills
 - Barossa
 - Clare Valley
 - New Zealand
 - Marlborough
 - Martinborough
 - France
 - Burgundy
 - Champagne
- 6 There would be no need to Gala to rip out vines as asserted by Mr Boardman, just need to follow sound viticultural practices and observe spraying code of practice guidelines. I don't believe that this would lead to any great additional expense just because the Tempus Village is next door.
- 7 Mr Boardman provides a table summarising the asserted "Farm Gate Value" of the Gala Estate Vineyard. I am not aware of the source of this information.

- 8 The Gala Cressy Beach Vineyard is several years away from full production of its estimated 172 Tonnes. The 2022 harvest would unlikely to yield any more than 50 Tonnes as most vines have not developed sufficiently yet. Once fully established, a 10 Tonne to the Hectare yield for this site is ambitious. I would be budgeting on 8 Tonne to the Hectare.

Response to Jason Lynch's Assessment

9 Noise

- The vineyard operation noises should be no more than the traffic noise from the Tasman Highway.
- Modern tractors are not very noisy.
- Mechanical harvesting of grapes will create some noise over a 4-week period, but probably be approximately 17 hours (harvesting 1 hectare an hour)
- Tempus residents could be notified of harvest times

10 Wind

- Mr Lynch states that the prevailing wind is easterly. In my experience, it is North Easterly which would blow any spray drift away from the Tempus site. (I have spray records from last season if these are required)

11 Gas Guns

- Gas Guns have not been used on this site yet as there hasn't been any fruit to harvest.
- If Gas Guns were to be used residents at Piermont and Swansea would hear the noise in still conditions.

12 Visual

- The 80 Metre buffer including 40m of appropriate trees between the vineyard and the Tempus Village will limit both the spray drift (if the wind happened to be from the South East) and the visual sight of spray equipment.
- An example of the plantings we use at the Kelvedon Vineyard are included below. The additional width of the proposed 40m planted buffer would further enhance the effect of plantings.





13 Spray Drift

- Follow the “Code of Practice” and be sensible about wind speed and direction when operating spray equipment.
- Weather forecasting (BOM) is very accurate with wind.
- Modern spray equipment reduces spray drift

14 Odour & Dust

- I am not aware of issues associated with odour and dust associated with vineyard operations.
- Lime and Gypsum can now be purchased in pelletised form that avoid risk of dust.
- I have not heard of anyone using ‘blood and bone’ on a vineyard, there are other alternatives

15 Light Emissions

- Mechanical harvesting is quick and efficient – 1 hour per hectare in appropriate conditions = 17 Total. Best done at night for fruit quality reasons but doesn’t always work out.
- Tractors operating at night would be no different to the Tasman Highway traffic and should not be a regular occurrence under good vineyard management.

16 Conclusion

- In my opinion the Tempus development is not likely to cause conflict and fettering if good viticultural practices are observed and the Code of Practice Guidelines are followed for spraying.
- Both Tempus and the vineyard should be able to work in harmony together.