

Planning Scheme Amendment and Planning Approval
Glamorgan Spring Bay Interim Planning Scheme
2021/01 and DA 2020/80

April 18, 2021

General Manager
Glamorgan Spring Bay Council
Dear Greg

Thank you for the opportunity to make a submission about the proposed Tempus retirement village and aged care facility. Overall, I support the Tempus development. Appropriate development in the Swansea area can provide additional employment opportunities. This may motivate young people to move to the area which may contribute to the social fabric of the community, support many local businesses and help keep the primary school open. Nevertheless, the proponents could better 'walk their talk' by 'tweaking' some aspects of their plans to minimise the impact of the development. The overall scale of the development raises many issues in terms of resource use and visual amenity.

This submission covers 3 key areas of concern:

1. Water use and provision
2. Visual impact
3. Supporting the Swansea community

Water use and provision

GSBC's amendment report to the TPC (p. 3) notes that the site:

...does not have a reliable water source, with available water rights having been previously diverted to the adjoining Gala Vineyard.

Given that this proposal has been considered for a number of years, the 'logic' of transferring water rights to Gala prior to submitting this proposal is questionable. Regardless, the proposed development will therefore be dependent on the Swansea water supply:

Piermont Resort, on the eastern side of the highway has a private water line to the TasWater service in Swansea and TasWater advise that there is capacity for the line to be upgraded to service the Tempus development. A consequence of this would be improved supply to Piermont and potentially the Gala vineyard (p. 3).

TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission (p. 9).

The issue of water supply is crucial given the low average rainfall on the east coast of Tasmania. The above extracts create the impression that the issue of adequate water supply has been addressed. Yet, 'capacity for the line to be upgraded' and 'not objecting' are not the same as having adequate water reserves to supply this new development in addition to the 392 dwellings approved for Piermont and the newly developed Gala vineyard. The Swansea community has water restrictions imposed regularly. Notwithstanding comments in the Gandy

and Roberts report (p. 5), this suggests that the existing water supply cannot meet current demands, let alone the additional demand created by Tempus, Piermont and Gala. Indeed, the Gandy and Roberts report (p. 6) states, 'Infrequent rainfall is currently (Spring 2019) applying source water supply pressure to the Swansea Reservoir'.

Before this application is approved, further information needs to be supplied providing far more precise estimates of total water demands of this section of the private water line and demonstrating how water supply will be guaranteed without imposing further restricting on the existing Swansea community. The table outlining estimated potable water demand on page 5 of the Gandy and Roberts report has some glaring omissions such as the swimming pool. If the updated estimates do not include watering private gardens and public areas (because these will be watered using reticulated grey water), evidence needs to be provided that using potable water for these uses will be prohibited. Anecdotal reports based on alleged meetings (see Gandy and Roberts report) are not sufficient to give the community confidence. At the very least, written statements from TasWater are needed.

To minimise drawing on the limited town water supply, rainwater capture for all buildings (without green roofs) is essential. Given the low average rainfall, green roofs may not be the best option. Rather than using rainwater for flushing toilets (Gandy & Robers, p. 11), the compact style of this development would also enable greywater to be used for flushing toilets. Incorporating measures such as these would show a serious commitment to managing water resources sustainably (STRLUS SD7).

Visual impact

With 140 dwellings, a nursing home, community centre and so on, this development will create a significant visual presence. As noted in Council's amendment report, the scale of this development—over 7.9ha—will 'over time result in a significant residential development in a landscaped rural setting'. Protecting 'visual values' is a key component of Council's strategic plan: 'The region's precious visual values (including our magnificent landscapes and seascapes) will be maintained and enhanced'. The planning scheme provides means of restricting the loss of amenity due to visual bulk.

However, two key aspects of planning scheme restrictions related to visual bulk have been ignored. Firstly, the observational tower exceeds the height limit by 3.8m. Secondly, elevation below skyline or ridgeline. It is extremely concerning that the development's 'basic presence on the site' (IIA) breaches height restrictions. Also concerning is the developer's statement that the performance criteria has been met without any apparent attempt to comply with the criteria. This is not a promising way to begin as it sets an alarming precedent.

Observation tower

Standard 2: Clause GSB- P7.6.2 A1 – Building Height

Various justifications are provided in the DA assessment report (p. 12) in relation to the height of the observation tower, including:

1. The observatory will be a point of interest within the wider landscape rather than be seen as something out of place.
2. It is considered necessary for an observatory building to be in an elevated position and to rise above the surrounding structures.

This section then concludes that ‘the Performance Criteria are considered satisfied’.

The performance criterion requires building height to be compatible with the scenic, environmental and landscape values of the area. Relevant to this criterion are (a) height, bulk and form or proposed buildings; d) the visual impact of the buildings when viewed from roads and public places; and f) if for a non-residential use, the height is reasonably necessary for that use. Regarding justification one (above), whether the observatory would be a point of interest is subjective and does not address the performance criteria. Regarding justification two, given that the site is approximately 15ha with no existing structures, there are many alternative locations to install an observatory that would provide expansive views while complying with height restrictions. Indeed, the IIA notes that ‘the roof of the header tank would also provide a lookout for the prospective residents to view the site and its surroundings’.

The observatory/lookout is clearly a marketing gimmick rather than a necessary or required feature of the provision of an aged residential facility. For instance, the first sentence of the IIA for Stage 1A states that the purpose of this stage includes ‘attracting sales’. Similarly, later in this document, the aim of receiving visitors including prospective residents and media is noted. The residential units are designed to take advantage of the site’s gradual 30m rise from the Tasman Highway so that all units have views to the Freycinet peninsula; the observatory is clearly not designed to cater to residents. While the desire to impress visitors and media personnel is understandable, it does not justify breaching planning restrictions and unduly impacting visual amenity. This feature could be built within height limits by relocating it to an alternative location on the site. Relocating this feature would enable its purpose to be served while complying with planning requirements.

Due to the site’s prominence to north and south bound traffic on the Tasman Highway and the significant visual impact of the development, every attempt should be made to comply with planning restrictions regarding height limits and other elements of visual impact. A white fibreglass observatory that substantially exceeds height restrictions and is superfluous to the purpose of the development cannot be justified.

Another point of relevance not only to the observatory but to all proposed buildings is the statement in the NSA report (p. 75) that some exterior building finishes do not meet the 40% light reflectance value. The seeming justification for this is that proposed building finishes mirror natural materials on site and existing rural buildings in the surrounding area. However, as noted at other places in the application documents, there are no existing buildings on site or other nearby buildings. The statement in the NSA report is perhaps an attempt to justify the white finishes on the observatory, ‘enclave’ and display home. However, there is no reason for using white. Moreover, the IIA states that the display home is the ‘most typical’ and ‘most representative’ which suggests that the intention is for a significant proportion of buildings to have exterior finishes that exceed the 40% light reflectance value. There is no justification for breach this aspect of planning guidelines. All external surfaces should be required to meet the 40% light reflectance value.

Elevation below skyline or ridgeline

Standard 4: Clause GSB- P7.6.4 A2 – New Buildings

In response to criterion P2.1 2.1—If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas—the DA (p. 14) notes, ‘the current application deals with Stage 1A of the proposal. The overall plan for the Tempus Village development is an integrated development of the whole site and whilst some buildings will be

within 10m of the ridgeline or skyline, there are indeed no practicable alternatives within the site. The Performance Criteria are considered to be satisfied'.

It is not plausible that there are no practicable alternatives within the site. As noted above, given that the site is approximately 15ha with no existing buildings and that the permitted site coverage for buildings is not more than 30% (NSA report p. 24), it is self-evidently possible to position new buildings so that they are less than 10m in elevation below the skyline and/or ridgeline. Doing this would allow the developers to comply with requirements to locate buildings with regard to the topography of the site and the size and shape of the site.

Supporting the Swansea community

My comments in this section are made considering STRLUS SD8 Supporting Strong and Healthy Communities and Regional Policy 18 Activity Centres.

There are suggestions in various submitted documents of Tempus facilities being available for use by the Swansea community, However, the language used is equivocal. For instance, Council's amendment report (p. 13) states 'the proposed will allow for the development of a retirement village, nursing home and substantial infrastructure, including facilities that *may* be shared with the wider community' while p. 18 notes that 'there is an *expectation* that facilities at Tempus, such as the pool, auditorium and equestrian centre will be open to all members of the community'. Similarly, the NSA report (p. 40) refers to 'the availability of certain facilities for public use (eg theatre, function hall)' without making any guarantees.

Less equivocal language is requested to clarify which facilities will be made available to the wider community and what measure will be instigated to ensure inclusivity and accessibility. For example, will costs be compatible with costs for Council-run facilities, such as halls and swimming pools? Will discounts be available for old-age pensioners? Will the swimming pool be made available for groups of school children to have swimming lessons? These are just a few examples of guarantees that would demonstrate a genuine commitment to include the broader community.

In terms of the existing business community in Swansea, the proposed bar and café in the 'enclave' will provide competition for existing businesses. However, the aim of an 'Activity Centre Network' according to STRLUS (p. 74) is 'for a regionally planned and defined hierarchy to ensure complementarities and efficiencies, rather than creating unnecessary competition, between centres'. Consequently, AC 1.3 aims to 'discourage out-of-centre development by only providing for in-centre development within planning schemes' (p. 89). This crucial topic is absent from the submitted documents. Prior to approval, the issue needs to be addressed by the proponents.

Finally, given that the proponents have 'managed' the land for generations, it is disingenuous that their justification for use of the site is that 'the natural environmental values have long since been compromised'. It seems that, having compromised the natural values of the area, they can now use this mismanagement as a justification for development.

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